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Senate

The Senate met at 11 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

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

Let us pray.

Wondrous and sovereign God, thank You for the gifts of a new day and borrowed heartbeats. We trust in Your unfailing love and rejoice in Your salvation.

Lord, Your words are right and true. Your plans stand firm forever. In these challenging times, rule our world by Your wise providence.

As the Members of Congress seek to do Your will, help them to hate lies and embrace the truth. Give them the wisdom to guard their lips and weigh their words. Guide them with Your righteousness and integrity. May they leave such a legacy of faithfulness that generations to come will be inspired by their courage.

And, Lord, we continue to pray for Ukraine.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE SESSION

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2023

The PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of H.R. 7900, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 7900) to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

There being no objection, the Senate proceeded to consider the bill.

The PRESIDENT pro tempore. The Senator from Rhode Island.

AMENDMENT NO. 5499, AS MODIFIED

Mr. REED. Mr. President, I call up amendment No. 5499, as modified, and ask that it be reported by number.

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

The senior assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED] for himself and Mr. INHOFE, proposes an amendment numbered 5499, as modified.

The amendment (No. 5499), as modified, is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

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

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

(a) DIVISIONS.—This Act is organized into twelve 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.

(5) Division E—Additional Provisions.

(6) Division F—Intelligence Authorization Act for Fiscal Year 2023.

(7) Division G—Department of State Authorizations.

(8) Division H—Matters Related to Taiwan.

(9) Division I—Homeland Security and Governmental Affairs Matters.

(10) Division J—Water Resources Development Act of 2022.

(11) Division K—Coast Guard Authorization Act of 2022.

(12) Division L—Oceans and Atmosphere.

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

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees.
Sec. 4. Budgetary effects of this Act.
DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS
TITLE I—PROCUREMENT
Subtitle A—Authorization of Appropriations
Sec. 101. Authorization of appropriations.
Subtitle B—Army Programs
Sec. 111. Limitations on production of Extended Range Cannon Artillery howitzers.
Subtitle C—Navy Programs
Sec. 121. DDG(X) destroyer program.
Sec. 122. Multiyear procurement authority for Arleigh Burke class destroyers.
Sec. 123. Block buy contracts for Ship-to-Shore Connector program.
Sec. 124. Procurement authorities for John Lewis-class fleet replenishment oiler ships.
Sec. 125. Tomahawk cruise missile capability on FFG–62 class vessels.
Sec. 126. Navy shipbuilding workforce development initiative.
Sec. 127. Extension of prohibition on availability of funds for Navy port waterborne security barriers.
Sec. 128. Limitation on retirement of E–6B aircraft.
Sec. 129. EA–18G aircraft.
Sec. 130. Block buy contracts for CH–53K heavy lift helicopter program.
Subtitle D—Air Force Programs
Sec. 141. Prohibition on certain reductions to inventory of E–3 airborne warning and control system aircraft.
Sec. 142. Modification of inventory requirements for air refueling tanker aircraft.

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

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

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

Sec. 151. Parts for commercial derivative aircraft and engines and aircraft based on commercial design.
Sec. 152. Assessment and strategy for fielding counter unmanned aerial systems swarm capabilities.
Sec. 153. Treatment of nuclear modernization and hypersonic missile programs within Defense Priorities and Allocations System.
Sec. 154. Government Accountability Office assessment of efforts to modernize propulsion systems of the F–35 aircraft.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Disclosure requirements for recipients of research and development funds.
Sec. 212. Modification of cooperative research and development project authority.
Sec. 213. Administration of the Advanced Sensor Applications Program.
Sec. 214. Modification of authority of the Department of Defense to carry out certain prototype projects.
Sec. 215. Competitively awarded demonstrations and tests of electromagnetic warfare technology.
Sec. 216. Government-Industry Working Group on Microelectronics.
Sec. 217. Inclusion of Office of Under Secretary of Defense for Research and Engineering in personnel management authority to attract experts in science and engineering.
Sec. 218. Investment plan for foundational capabilities needed to develop novel processing approaches for future defense applications.
Sec. 219. Open radio access network 5G acquisition acceleration and transition plans.
Sec. 220. Pilot program to facilitate the development of electric vehicle battery technologies for warfighters.

Subtitle C—Plans, Reports, and Other Matters

Sec. 231. Report on recommendations from Army Futures Command Research Program Realignment Study.
Sec. 232. Strategy and plan for strengthening and fostering defense innovation ecosystem.
Sec. 233. Modification of Director for Operational Test and Evaluation annual report.
Sec. 234. Extension of requirement for quarterly briefings on development and implementation of strategy for fifth generation information and communications technologies.
Sec. 235. Report on estimated costs of conducting a minimum frequency of hypersonic weapons testing.
Sec. 236. Annual report on studies and reports being undertaken by the Department of Defense.
Sec. 237. Quantifiable assurance capability for security of microelectronics.
Sec. 238. Clarification of role of Chief Digital and Artificial Intelligence Officer.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

Sec. 311. Aggregation of energy conservation measures and funding.
Sec. 312. Establishment of joint working group to determine joint requirements for future operational energy needs of Department of Defense.
Sec. 313. Additional special considerations for developing and implementing the energy performance goals and energy performance master plan of the Department of Defense.
Sec. 314. Participation in pollutant banks and water quality trading.
Sec. 315. Consideration under Defense Environmental Restoration Program for State-owned facilities of the National Guard with proven exposure of hazardous substances and waste.
Sec. 316. Authorization of closure of Red Hill bulk fuel storage facility.
Sec. 317. Revision of Unified Facilities Guide Specifications and Unified Facilities Criteria to include specifications on use of gas insulated switchgear and criteria and specifications on microgrids and microgrid converters.
Sec. 318. Transfer of customers from electrical utility system of the Navy at former Naval Air Station Barber's Point, Hawaii, to new electrical system in Kalaeloa, Hawaii.
Sec. 319. Pilot program on use of sustainable aviation fuel.
Sec. 320. Renewal of annual environmental and energy reports of Department of Defense.
Sec. 321. Report on feasibility of terminating energy procurement from foreign entities of concern.

Subtitle C—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances

Sec. 331. Increase of transfer authority for funding of study and assessment on health implications of per- and polyfluoroalkyl substances contamination in drinking water by Agency for Toxic Substances and Disease Registry.
Sec. 332. Modification of limitation on disclosure of results of testing for perfluoroalkyl or polyfluoroalkyl substances on private property.
Sec. 333. Department of Defense research relating to perfluoroalkyl or polyfluoroalkyl substances.

Subtitle D—Logistics and Sustainment

Sec. 351. Implementation of Comptroller General recommendations regarding Shipyard Infrastructure Optimization Plan of the Navy.
Sec. 352. Research and analysis on the capacity of private shipyards in the United States and the effect of those shipyards on Naval fleet readiness.
Sec. 353. Limitation on funds for the Joint Military Information Support Operations Web Operations Center.
Sec. 354. Notification of increase in retention rates for Navy ship repair contracts.
Sec. 355. Inapplicability of advance billing dollar limitation for relief efforts following major disasters or emergencies.
Sec. 356. Repeal of Comptroller General review on time limitations on duration of public-private competitions.

Subtitle E—Reports

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

Subtitle F—Other Matters

Sec. 381. Implementation of recommendations relating to animal facility sanitation and master plan for housing and care of horses.
Sec. 382. Inclusion of land under jurisdiction of Department of Defense subject to long-term real estate agreement as community infrastructure for purposes of Defense community infrastructure pilot program.
Sec. 383. Restriction on procurement or purchasing by Department of Defense of turnout gear for firefighters containing perfluoroalkyl substances or polyfluoroalkyl substances.
Sec. 384. Continued designation of Secretary of the Navy as executive agent for Naval Small Craft Instruction and Technical Training School.
Sec. 385. Prohibition on use of funds to discontinue the Marine Mammal System program.
Sec. 386. Limitation on replacement of nontactical vehicle fleet of the Department of Defense with electric vehicles, advanced-biofuel-powered vehicles, or hydrogen-powered vehicles.
Sec. 387. Limitation on use of charging stations for personal electric vehicles.
Sec. 388. Pilot programs for tactical vehicle safety data collection.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.
Sec. 402. End strength level matters.
Sec. 403. Additional authority to vary Space Force end strength.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.
Sec. 412. End strengths for reserves on active duty in support of the Reserves.
Sec. 413. End strengths for military technicians (dual status).
Sec. 414. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

Sec. 501. Consideration of adverse information.
Sec. 502. Extension of time limitation for grade retention while awaiting retirement.
Sec. 503. Realignment in Navy distribution of flag officers serving in the grades of O–8 and O–9.
Sec. 504. Updating warrant officer selection and promotion authority.

Sec. 505. Authorized strengths for Space Force officers on active duty in grades of major, lieutenant colonel, and colonel.
Sec. 506. Repeal of requirement for Inspector General of the Department of Defense to conduct certain reviews.
Sec. 507. Modification of reports on Air Force personnel performing duties of a Nuclear and Missile Operations Officer (13N).

Subtitle B—Reserve Component Management

Sec. 511. Authority to waive requirement that performance of Active Guard and Reserve duty at the request of a Governor may not interfere with certain duties.
Sec. 512. Selected Reserve and Ready Reserve order to active duty to respond to a significant cyber incident.
Sec. 513. Backdating of effective date of rank for reserve officers in the National Guard due to undue delays in Federal recognition.
Sec. 514. Independent study on Federal recognition process.
Sec. 515. Continued National Guard support for FireGuard program.
Sec. 516. Inclusion of United States Naval Sea Cadet Corps among youth and charitable organizations authorized to receive assistance from the National Guard.

Subtitle C—General Service Authorities and Military Records

Sec. 521. Modernization of the Selective Service System.
Sec. 522. Prohibition on induction under the Military Selective Service Act without express authorization.
Sec. 523. Extension of temporary authority for targeted recruitment incentives.
Sec. 524. Home leave demonstration program.
Sec. 525. Prohibition on considering State laws and regulations when determining individual duty assignments.
Sec. 526. Modification to limitations on discharge or release from active duty.
Sec. 527. Sex-neutral high fitness standards for Army combat Military Occupational Specialties.

Subtitle D—Military Justice and Other Legal Matters

Sec. 541. Briefing and report on resourcing required for implementation of military justice reform.
Sec. 542. Randomization of court-martial panels.
Sec. 543. Matters in connection with special trial counsel.
Sec. 544. Jurisdiction of Courts of Criminal Appeals.
Sec. 545. Special trial counsel.
Sec. 546. Exclusion of officers serving as lead special trial counsel from limitations on authorized strengths for general and flag officers.
Sec. 547. Special trial counsel of Department of the Air Force.
Sec. 548. Restricted reporting option for Department of Defense civilian employees choosing to report experiencing adult sexual assault.
Sec. 549. Improvements to Department of Defense tracking of and response to incidents of child abuse, adult crimes against children, and serious harmful behavior between children and youth involving military dependents on military installations.
Sec. 550. Primary prevention.
Sec. 551. Dissemination of civilian legal services information.

Subtitle E—Member Education, Training, and Transition

Sec. 561. Review of certain Special Operations personnel policies.
Sec. 562. Expanded eligibility to provide Junior Reserve Officers' Training Corps (JROTC) instruction.
Sec. 563. Pre-service education demonstration program.

Subtitle F—Military Family Readiness and Dependents' Education

Sec. 571. Certain assistance to local educational agencies that benefit dependents of military and civilian personnel.
Sec. 572. Assistance to local educational agencies that benefit dependents of members of the Armed Forces with enrollment changes due to base closures, force structure changes, or force relocations.
Sec. 573. Pilot program on hiring of special education inclusion coordinators for Department of Defense child development centers.
Sec. 574. Extension of and report on pilot program to expand eligibility for enrollment at domestic dependent elementary and secondary schools.

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

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

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

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Sec. 601. Temporary continuation of basic allowance for housing for members whose sole dependent dies while residing with the member.
Sec. 602. Basic allowance for housing for members without dependents when home port change would financially disadvantage member.
Sec. 603. Extension of authority to temporarily adjust basic allowance for housing in certain areas.
Sec. 604. Increase in income for purposes of eligibility for basic needs allowance.
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Subtitle B—Bonus and Incentive Pays

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

Subtitle C—Leave

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

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Sec. 702. Health benefits for members of the National Guard following required training or other duty to respond to a national emergency.
Sec. 703. Confidentiality requirements for mental health care services for members of the Armed Forces.
Sec. 704. Improvement of referrals for specialty care under TRICARE Prime during permanent changes of station.
Sec. 705. Study on providing benefits under TRICARE Reserve Select and TRICARE dental program to members of the Selected Reserve and their dependents.

Subtitle B—Health Care Administration

Sec. 721. Improvements to organization of military health system.
Sec. 722. Inclusion of level three trauma care capabilities in requirements for medical centers.
Sec. 723. Extension of Accountable Care Organization demonstration and annual report requirement.
Sec. 724. Modification of requirement to transfer public health functions to Defense Health Agency.
Sec. 725. Establishment of Military Health System Medical Logistics Directorate.
Sec. 726. Establishment of centers of excellence for specialty care in the military health system.
Sec. 727. Requirement to establish Academic Health System.
Sec. 728. Adherence to policies relating to mild traumatic brain injury and post-traumatic stress disorder.
Sec. 729. Policy on accountability for wounded warriors undergoing disability evaluation.

Subtitle C—Reports and Other Matters

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

Sec. 743. Authorization of permanent program to improve opioid management in the military health system.
Sec. 744. Clarification of membership requirements and compensation authority for independent suicide prevention and response review committee.
Sec. 745. Termination of veterans' advisory board on radiation dose reconstruction.
Sec. 746. Scholarship-for-service pilot program for civilian behavioral health providers.
Sec. 747. Expansion of extramedical maternal health providers demonstration project to include members of the Armed Forces on active duty and other individuals receiving care at military medical treatment facilities.
Sec. 748. Authority to carry out studies and demonstration projects relating to delivery of health and medical care through use of other transaction authority.
Sec. 749. Capability assessment and action plan with respect to effects of exposure to open burn pits and other environmental hazards.
Sec. 750. Independent analysis of Department of Defense Comprehensive Autism Care Demonstration program.
Sec. 751. Report on suicide prevention reforms for members of the Armed Forces.
Sec. 752. Report on behavioral health workforce and plan to address shortfalls in providers.

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

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Sec. 822. Data requirements for commercial products for major weapon systems.
Sec. 823. Task and delivery order contracting for architectural and engineering services.
Sec. 824. Extension of pilot program for distribution support and services for weapons systems contractors.
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Sec. 828. Report on Department of Defense Strategic Capabilities Office contracting capabilities.

Subtitle C—Industrial Base Matters

Sec. 841. Analyses of certain activities for action to address sourcing and industrial capacity.
Sec. 842. Modification to miscellaneous limitations on the procurement of goods other than United States goods.
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Sec. 844. Procurement requirements relating to rare earth elements and strategic and critical materials.
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Sec. 847. Annual report on industrial base constraints for munitions.

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Sec. 901. Increase in authorized number of Assistant and Deputy Assistant Secretaries of Defense.
Sec. 902. Conforming amendments relating to repeal of position of Chief Management Officer.
Sec. 903. Limitation on availability of funds for operation and maintenance for Office of Secretary of Defense.
Sec. 904. Limitation on use of funds until demonstration of product to identify, task, and manage congressional reporting requirements.
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Subtitle B—Other Department of Defense Organization and Management Matters

Sec. 911. Modification of requirements that are responsibility of Armed Forces not Joint Requirements Oversight Council.
Sec. 912. Briefing on revisions to Unified Command Plan.
Sec. 913. Updates to management reform framework.
Sec. 914. Strategic management dashboard demonstration.
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Subtitle C—Space Force Matters

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Sec. 922. Establishment of field operating agencies and direct reporting units of Space Force.
Sec. 923. Framework for new subtitle F of title 10, United States Code, on Space Component.
Sec. 924. Study of proposed Space Force reorganization.

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Sec. 1002. Report on budgetary effects of inflation.

Subtitle B—Counterdrug Activities

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

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Sec. 1021. Modification to annual naval vessel construction plan.
Sec. 1022. Amphibious warship force structure.
Sec. 1023. Modification to limitation on decommissioning or inactivating a battle force ship before the end of expected service life.
Sec. 1024. Contract requirements relating to maintenance and modernization availabilities for certain naval vessels.
Sec. 1025. Prohibition on retirement of certain naval vessels.

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Sec. 1031. Modification and extension of prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to certain countries.
Sec. 1032. Extension of prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States.
Sec. 1033. Extension of prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.
Sec. 1034. Extension of prohibition on use of funds to close or relinquish control of United States Naval Station, Guantanamo Bay, Cuba.

Subtitle E—Miscellaneous Authorities and Limitations

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Sec. 1042. Modification of provisions relating to cross-functional team for emerging threat relating to anomalous health incidents.
Sec. 1043. Civilian casualty prevention, mitigation, and response.

Sec. 1044. Prohibition on delegation of authority to designate foreign partner forces as eligible for the provision of collective self-defense support by United States Armed Forces.
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Sec. 1047. Extension of admission to Guam or the Commonwealth of the Northern Mariana Islands for certain nonimmigrant H–2B workers.
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Sec. 1049. Department of Defense support for funerals and memorial events for Members and former Members of Congress.
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Sec. 1072. Joint Concept for Competing.
Sec. 1073. Prioritization and acceleration of investments to attain threat matrix framework level 4 capability at training ranges supporting F–35 operations.
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Sec. 1076. Sense of the Senate on redesignation of the Africa Center for Strategic Studies as the James M. Inhofe Center for Africa Strategic Studies.

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Sec. 1105. Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories.
Sec. 1106. Modification and extension of pilot program on dynamic shaping of the workforce to improve the technical skills and expertise at certain Department of Defense laboratories.
Sec. 1107. Modification of effective date of repeal of two-year probationary period for employees.
Sec. 1108. Modification and extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.
Sec. 1109. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.
Sec. 1110. Modification of temporary expansion of authority for noncompetitive appointments of military spouses by Federal agencies.
Sec. 1111. Department of Defense Cyber and Digital Service Academy.
Sec. 1112. Civilian Cybersecurity Reserve pilot project.
Sec. 1113. Modification to pilot program for the temporary assignment of cyber and information technology personnel to private sector organizations.
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In this Act, the term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.

SEC. 4. BUDGETARY EFFECTS OF THIS ACT.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on the conference report or amendment between the Houses.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2023 for procurement for the Army, the Navy and the Marine Corps, the Air Force and the Space Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Army Programs

SEC. 111. LIMITATIONS ON PRODUCTION OF EXTENDED RANGE CANNON ARTILLERY HOWITZERS.

(a) LIMITATIONS.—In carrying out the acquisition of Extended Range Cannon Artillery howitzers, the Secretary of the Army shall—

(1) limit production of prototype Extended Range Cannon Artillery howitzers to not more than 18;

(2) compare the cost and value to the United States Government of a Paladin Integrated Management-modification production approach with a new-build production approach;

(3) include in any cost analysis or comparison—

(A) the value of a Paladin howitzer that may be modified to produce an Extended Range Cannon Artillery howitzer; and

(B) the production value of government-owned infrastructure that would be leveraged to facilitate the modification;

(4) use a full and open competitive approach using best value criteria for post-prototype production source selection; and

(5) base any production strategy and source selection decisions on a full understanding of the cost of production, including—

(A) the comparison of production approaches described in paragraph (2); and

(B) any cost analysis or comparison described in paragraph (3).

(b) CERTIFICATION.—Before issuing a request for proposal for the post-prototype production of an Extended Range Cannon Artillery howitzer, the Secretary of the Army shall—

(1) certify to the congressional defense committees that the acquisition strategy upon which the request for proposal is based complies with the requirements of subsection (a); and

(2) provide a briefing to the congressional defense committees on that acquisition strategy and the relevant cost and value comparison described in subsection (a)(2).

Subtitle C—Navy Programs

SEC. 121. DDG(X) DESTROYER PROGRAM.

(a) IN GENERAL.—Notwithstanding subsection (e)(1) of section 3201 of title 10, United States Code, and in accordance with subsection (e)(3) of such section, the Secretary of the Navy, for the covered program, shall—

(1) award prime contracts for concept design, preliminary design, and contract design to eligible shipbuilders;

(2) award prime contracts for detailed design and construction only to eligible shipbuilders; and

(3) allocate not less than one vessel and not more than two vessels in the covered program to each eligible shipbuilder before making a competitive contract award for the construction of vessels in the covered program.

(b) COLLABORATION REQUIREMENT.—The Secretary of the Navy shall maximize collaboration between the Federal Government and eligible shipbuilders throughout the design, development, and production of the covered program.

(c) COMPETITIVE INCENTIVE REQUIREMENT.—The Secretary of the Navy shall provide for competitive incentives throughout the design, development, and production of the covered program, including the following:

(1) Design labor hours, provided neither eligible shipbuilder has fewer than 30 percent of aggregate design labor hours in any phase of vessel design.

(2) Competitive solicitations for vessel procurement following the actions required by subsection (a)(3).

(d) TECHNOLOGY MATURATION REQUIREMENTS.—The Secretary of the Navy shall incorporate into the acquisition strategy of the covered program the requirements of the following:

(1) Section 131 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1237).

(2) Section 221 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1599).

(e) TRANSITION REQUIREMENT.—The Secretary of the Navy shall ensure a transition from the Arleigh Burke-class destroyer program to the covered program that maintains predictable production workload at eligible shipbuilders.

(f) DEFINITIONS.—In this section:

(1) COVERED PROGRAM.—The term ''covered program'' means the DDG(X) destroyer program.

(2) ELIGIBLE SHIPBUILDER.—The term ''eligible shipbuilder'' means any of the following:

(A) General Dynamics Bath Iron Works.

(B) Huntington Ingalls Incorporated, Ingalls Shipbuilding division.

(3) PREDICTABLE PRODUCTION WORKLOAD.—The term ''predictable production workload'' means production workload that is not less than 70 percent of the average production workload of the Arleigh Burke-class destroyer program over the most recent five-fiscal year period throughout the transition from the Arleigh Burke-class destroyer program to the covered program.

SEC. 122. MULTIYEAR PROCUREMENT AUTHORITY FOR ARLEIGH BURKE CLASS DESTROYERS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 3501 of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts for the procurement of up to 15 Arleigh Burke class Flight III guided missile destroyers.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary of the Navy may enter into one or more contracts, beginning in fiscal year 2023, for advance procurement associated with the destroyers for which authorization to enter into a multiyear procurement contract is provided under subsection (a), and for systems and subsystems associated with such destroyers in economic order quantities when cost savings are achievable.

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2023 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(d) CONTRACT REQUIREMENT.—

(1) IN GENERAL.—The Secretary of the Navy shall ensure that a contract entered into under subsection (a) includes a priced option to procure an additional such destroyer in each of fiscal years 2023 through 2027.

(2) OPTION DEFINED.—In this subsection, the term ''option'' has the meaning given that term in section 2.101 of the Federal Acquisition Regulation (or any successor regulation).

SEC. 123. BLOCK BUY CONTRACTS FOR SHIP-TO-SHORE CONNECTOR PROGRAM.

(a) BLOCK BUY CONTRACT AUTHORITY.—Beginning in fiscal year 2023, the Secretary of the Navy may enter into one or more block buy contracts for the procurement of up to 10 Ship-to-Shore Connector class craft and associated material.

(b) LIABILITY.—Any contract entered into under subsection (a) shall provide that—

(1) any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose; and

(2) the total liability of the Federal Government for termination of the contract shall be limited to the total amount of funding obligated to the contract at the time of termination.

(c) CERTIFICATION REQUIRED.—A contract may not be entered into under subsection (a) unless the Secretary of the Navy certifies to the congressional defense committees, in writing, not later than 30 days before entry into the contract, each of the following, which shall be prepared by the milestone decision authority for such program:

(1) The use of such a contract is consistent with the Chief of Naval Operations' projected force structure requirements for such craft.

(2) The use of such a contract will result in significant savings compared to the total anticipated costs of carrying out the program through annual contracts. In certifying cost savings under the preceding sentence, the Secretary shall include a written explanation of—

(A) the estimated end cost and appropriated funds by fiscal year, by craft, without the authority provided in subsection (a);

(B) the estimated end cost and appropriated funds by fiscal year, by craft, with the authority provided in subsection (a);

(C) the estimated cost savings or increase by fiscal year, by craft, with the authority provided in subsection (a);

(D) the discrete actions that will accomplish such cost savings or avoidance; and

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

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

(4) The estimates of both the cost of the contract and the anticipated cost avoidance through the use of a contract authorized under subsection (a) are realistic, including a description of the basis for such estimates.

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

(d) MILESTONE DECISION AUTHORITY DEFINED.—In this section, the term ''milestone decision authority'' has the meaning given the term in section 4251(d) of title 10, United States Code.

SEC. 124. PROCUREMENT AUTHORITIES FOR JOHN LEWIS-CLASS FLEET REPLENISHMENT OILER SHIPS.

(a) CONTRACT AUTHORITY.—

(1) PROCUREMENT AUTHORIZED.—In fiscal year 2023 or 2024, the Secretary of the Navy may enter into one or more contracts for the procurement of not more than eight John Lewis-class fleet replenishment oiler ships.

(2) PROCUREMENT IN CONJUNCTION WITH EXISTING CONTRACTS.—The ships authorized to be procured under paragraph (1) may be procured as additions to existing contracts covering such program.

(b) CERTIFICATION REQUIRED.—A contract may not be entered into under subsection (a) unless the Secretary of the Navy certifies to the congressional defense committees, in writing, not later than 30 days before entry into the contract, each of the following, which shall be prepared by the milestone decision authority for such program:

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

(2) The use of such a contract will result in significant savings compared to the total anticipated costs of carrying out the program through annual contracts. In certifying cost savings under the preceding sentence, the Secretary shall include a written explanation of—

(A) the estimated end cost and appropriated funds by fiscal year, by hull, without the authority provided in subsection (a);

(B) the estimated end cost and appropriated funds by fiscal year, by hull, with the authority provided in subsection (a);

(C) the estimated cost savings or increase by fiscal year, by hull, with the authority provided in subsection (a);

(D) the discrete actions that will accomplish such cost savings or avoidance; and

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

(3) There is a reasonable expectation that throughout the contemplated contract period the Secretary of the Navy will request funding for the contract at the level required to avoid contract cancellation.

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

(5) The estimates of both the cost of the contract and the anticipated cost avoidance through the use of a contract authorized under subsection (a) are realistic.

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

(7) During the fiscal year in which such contract is to be awarded, sufficient funds will be available to perform the contract in such fiscal year, and the future-years defense program (as defined under section 221 of title 10, United States Code) for such fiscal year will include the funding required to execute the program without cancellation.

(c) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary of the Navy may enter into one or more contracts for advance procurement associated with a ship or ships for which authorization to enter into a contract is provided under subsection (a), and for systems and subsystems associated with such ships in economic order quantities when cost savings are achievable.

(d) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year is subject to the availability of appropriations for that purpose for such fiscal year.

(e) MILESTONE DECISION AUTHORITY DEFINED.—In this section, the term ''milestone decision authority'' has the meaning given the term in section 4251(d) of title 10, United States Code.

SEC. 125. TOMAHAWK CRUISE MISSILE CAPABILITY ON FFG–62 CLASS VESSELS.

Before accepting delivery of any FFG–62 class vessel, the Secretary of the Navy shall require that the vessel be capable of carrying and employing Tomahawk cruise missiles.

SEC. 126. NAVY SHIPBUILDING WORKFORCE DEVELOPMENT INITIATIVE.

(a) IN GENERAL.—Chapter 863 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 8696. Navy shipbuilding workforce development initiative.

''(a) REQUIREMENT.—

''(1) IN GENERAL.—The Secretary of the Navy shall ensure that any award for a covered contract or contract modification includes a separate and distinct line item for workforce development.

''(2) COVERED CONTRACTS AND CONTRACT MODIFICATIONS.—For purposes of this subsection, a covered contract or contract modification is a construction contract or contract modification for the procurement of one or more naval vessels entered into using funds from the Shipbuilding and Conversion, Navy account with a prime contractor that will deliver such vessel or vessels to the Navy.

''(3) AMOUNT OF LINE ITEM.—The amount of funding in a line item for workforce development required under subsection (a)(1) shall be not less than one-half of one percent and not more than one percent of the target price of the contract concerned.

''(b) MATCHING CONTRIBUTION REQUIREMENT.—

''(1) IN GENERAL.—Funds for a line item for workforce development required under subsection (a)(1) may be obligated only—

''(A) on or after the date on which the service acquisition executive of the Navy receives a written commitment from one or more entities described in paragraph (2) of a separate and distinct cumulative contribution for workforce development; and

''(B) in an amount that is—

''(i) equal to the amount of the contribution described in subparagraph (A), if the contribution is less than the amount of funding in the line item; or

''(ii) equal to the amount of funding in the line item, if the contribution is equal to or greater than the amount of such funding.

''(2) ENTITIES DESCRIBED.—The entities described in this paragraph are the following:

''(A) The prime contractor receiving the award described in subsection (a)(1).

''(B) A qualified subcontractor.

''(C) A State government or other State entity.

''(D) A county government or other county entity.

''(E) A local government or other local entity.

''(c) AUTHORIZED ACTIVITIES.—

''(1) IN GENERAL.—Funds for a line item for workforce development required under subsection (a)(1) may be used only to provide for the activities described in paragraph (2) in support of the production and production support workforce of the prime contractor concerned or a qualified subcontractor.

''(2) ACTIVITIES DESCRIBED.—The activities described in this paragraph are the following:

''(A) The creation of short- and long-term workforce housing, transportation, and other support services to facilitate attraction, relocation, and retention of workers.

''(B) The expansion of local talent pipeline programs for both new and existing workers.

''(C) Investments in long-term outreach in middle and high school programs, specifically career and technical education programs, to promote and develop manufacturing skills.

''(D) Facilities developed or modified for the primary purpose of workforce development.

''(E) Direct costs attributable to workforce development.

''(F) Attraction and retention bonus programs.

''(G) On-the-job training to develop key manufacturing skills.

''(d) APPROVAL REQUIREMENT.—The service acquisition executive of the Navy shall—

''(1) provide the final approval of the use of funds for a line item for workforce development required under subsection (a)(1); and

''(2) not later than 30 days after the date on which such approval is provided, certify to the congressional defense committees compliance with the requirements of subsections (b) and (c), including—

''(A) a detailed explanation of such compliance; and

''(B) the associated benefits to—

''(i) the Federal Government; and

''(ii) the shipbuilding industrial base of the Navy.

''(e) QUALIFIED SUBCONTRACTOR DEFINED.—In this section, the term 'qualified subcontractor' means a subcontractor to a prime contractor receiving an award described in subsection (a)(1) that will deliver the vessel or vessels covered by the award to the Navy.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 863 of such title is amended by adding at the end the following new item:

''8696. Navy shipbuilding workforce development initiative.

(c) APPLICABILITY.—Section 8696 of title 10, United States Code, as added by subsection (a), shall apply with respect to contracts and contract modifications entered into on or after June 1, 2023.

SEC. 127. EXTENSION OF PROHIBITION ON AVAILABILITY OF FUNDS FOR NAVY PORT WATERBORNE SECURITY BARRIERS.

(a) IN GENERAL.—Subsection (a) of section 130 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1665), as most recently amended by section 122 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1570), is further amended by striking ''for fiscal years 2019, 2020, 2021, or 2022'' and inserting ''for any of fiscal years 2019 through 2023''.

(b) TECHNICAL AMENDMENT.—Subsection (b)(4) of such section is amended by striking ''section 2304'' and inserting ''sections 3201 through 3205''.

SEC. 128. LIMITATION ON RETIREMENT OF E–6B AIRCRAFT.

The Secretary of the Navy may take no action that would prevent the Navy from maintaining the fleet of E–6B aircraft in the configuration and capability in effect as of the date of the enactment of this Act until the date on which the Chair of the Joint Requirements Oversight Council certifies in writing to the congressional defense committees that the replacement capability for the E–6B aircraft will—

(1) be fielded at the same time or before the retirement of the E–6B aircraft; and

(2) result in equal or greater capability available to the commanders of the combatant commands.

SEC. 129. EA–18G AIRCRAFT.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Navy may be obligated to retire, prepare to retire, or place in storage or in backup aircraft inventory any EA–18G aircraft.

(b) TRANSFER OF AIRCRAFT.—The Secretary of the Navy shall transfer the EA–18G aircraft associated with the expeditionary land-based electronic attack squadrons to the Navy Reserve.

(c) ESTABLISHMENT OF SQUADRONS.—The Secretary of the Air Force shall designate one or more units from the Air National Guard or the Air Force Reserve to join with the Navy Reserve to establish one or more joint service expeditionary, land-based electronic attack squadrons to match the capability of such squadrons assigned to Naval Air Station Whidbey Island, Washington, as of the date of the enactment of this Act.

(d) REPORT ON IMPLEMENTATION PLAN.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Navy and the Secretary of the Air Force shall jointly submit to the congressional defense committees a report on the plan of the Secretaries to implement this section.

SEC. 130. BLOCK BUY CONTRACTS FOR CH–53K HEAVY LIFT HELICOPTER PROGRAM.

(a) BLOCK BUY CONTRACT AUTHORITY.—During fiscal years 2023 and 2024, the Secretary of the Navy may enter into one or more block buy contracts for the procurement of airframes and engines in support of the CH–53K heavy lift helicopter program (in this section referred to as the ''program'').

(b) LIABILITY.—Any contract entered into under subsection (a) shall provide that—

(1) any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose; and

(2) the total liability of the Federal Government for termination of the contract shall be limited to the total amount of funding obligated to the contract at the time of termination.

(c) CERTIFICATION REQUIRED.—A contract may not be entered into under subsection (a) unless the Secretary of Defense certifies to the congressional defense committees, in writing, not later than 30 days before entry into the contract, each of the following, which shall be prepared by the milestone decision authority (as defined in section 4251(d) of title 10, United States Code) for the program:

(1) The use of such a contract will result in significant savings compared to the total anticipated costs of carrying out the program through annual contracts. In certifying cost savings under the preceding sentence, the Secretary shall include a written explanation of—

(A) the estimated obligations and expenditures by fiscal year for the program without the authority provided in subsection (a);

(B) the estimated obligations and expenditures by fiscal year for the program with the authority provided in subsection (a);

(C) the estimated cost savings or increase by fiscal year for the program with the authority provided in subsection (a);

(D) the discrete actions that will accomplish such cost savings or avoidance; and

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

(2) There is a reasonable expectation that throughout the contemplated contract period the Secretary of Defense will request funding for the contract at the level required to avoid contract cancellation.

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

(4) The estimates of both the cost of the contract and the anticipated cost avoidance through the use of a contract authorized under subsection (a) are realistic.

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

(6) During the fiscal year in which such contract is to be awarded, sufficient funds will be available to perform the contract in such fiscal year, and the future-years defense program submitted to Congress under section 221 of title 10, United States Code, for such fiscal year will include the funding required to execute the program without cancellation.

(7) The contract will be a fixed price type contract.

Subtitle D—Air Force Programs

SEC. 141. PROHIBITION ON CERTAIN REDUCTIONS TO INVENTORY OF E–3 AIRBORNE WARNING AND CONTROL SYSTEM AIRCRAFT.

(a) PROHIBITION.—Except as provided in subsections (b) and (c), none of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Air Force may be obligated to retire, prepare to retire, or place in storage or in backup aircraft inventory any E–3 aircraft if such actions would reduce the total aircraft inventory for such aircraft below 26.

(b) EXCEPTION FOR ACQUISITION STRATEGY.—If the Secretary of the Air Force submits to the congressional defense committees an acquisition strategy for the E–7 Wedgetail approved by the Service Acquisition Executive of the Air Force, the prohibition under subsection (a) shall not apply to actions taken to reduce the total aircraft inventory for E–3 aircraft to 21 after the date on which the strategy is so submitted.

(c) EXCEPTION FOR CONTRACT AWARD.—If the Secretary of the Air Force awards a contract for the E–7 Wedgetail aircraft, the prohibition under subsection (a) shall not apply to actions taken to reduce the total aircraft inventory for E–3 aircraft to 16 after the date on which such contact is so awarded.

SEC. 142. MODIFICATION OF INVENTORY REQUIREMENTS FOR AIR REFUELING TANKER AIRCRAFT.

(a) MODIFICATION OF GENERAL REQUIREMENT.—Section 135(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3431) is amended by striking ''412'' and inserting ''400''.

(b) MODIFICATION OF LIMITATION ON RETIREMENT OF KC–135 AIRCRAFT.—Section 137(b)(1) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1576) is amended by striking ''18'' and inserting ''31''.

SEC. 143. PROHIBITION ON REDUCTIONS TO INVENTORY OF F–22 BLOCK 20 AIRCRAFT.

(a) PROHIBITION.—Except as provided in subsection (b), none of the funds authorized

to be appropriated by this Act for fiscal year 2023 for the Air Force may be obligated to retire, prepare to retire, or place in storage or in backup aircraft inventory any F–22 Block 20 aircraft.

(b) EXPIRATION OF PROHIBITION.—The prohibition under subsection (a) shall cease to have effect on the date on which the Secretary of the Air Force submits to the congressional defense committees—

(1) a detailed plan approved by the Secretary to conduct formal training for F–22 aircrews to ensure that the combat capability at operational units would not be degraded if the Air Force were to retire all F–22 Block 20 aircraft; and

(2) a report on how the Secretary intends to avoid—

(A) diminishing the combat effectiveness of remaining F–22 aircraft;

(B) exacerbating F–22 aircraft availability concerns; and

(C) complicating F–22 aircraft squadron maintenance issues.

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

SEC. 151. PARTS FOR COMMERCIAL DERIVATIVE AIRCRAFT AND ENGINES AND AIRCRAFT BASED ON COMMERCIAL DESIGN.

(a) IN GENERAL.—The Secretary of the Air Force and the Secretary of the Navy shall—

(1) include covered parts in supply chain solutions to provide for replacement or increased inventories for—

(A) all commercial derivative aircraft and engines of the Department of Defense; and

(B) all aircraft of the Department that are based on commercial design;

(2) conduct the acquisition of all follow-on covered parts on a competitive basis, based on price and quality; and

(3) procure covered parts only from suppliers that provide covered parts that possess a FAA Authorized Release Certificate, FAA Form 8130–3 Airworthy Approval Tag, from a repair station certified pursuant to part 145 of title 14, Code of Federal Regulations (or successor regulation).

(b) COVERED PARTS DEFINED.—In this section, the term ''covered parts''—

(1) means used, overhauled, reconditioned, or re-manufactured common or dual use parts certified as airworthy by the Federal Aviation Administration; and

(2) does not include life limited parts.

SEC. 152. ASSESSMENT AND STRATEGY FOR FIELDING COUNTER UNMANNED AERIAL SYSTEMS SWARM CAPABILITIES.

(a) ASSESSMENT, ANALYSIS, AND REVIEW.—The Secretary of Defense shall conduct—

(1) an assessment of the threats posed by unmanned aerial system (UAS) swarms or unmanned aerial systems with indicative swarm capabilities to installations and deployed armed forces;

(2) an analysis of the use or potential use of unmanned aerial system swarms by adversaries, including China, Russia, Iran, North Korea, and non-state actors;

(3) an analysis of the implication of swarming technologies such as autonomous intelligence and machine learning;

(4) a review of current fielded systems and whether they effectively counter a wide range of potential unmanned aerial system swarm threats; and

(5) an overview of development efforts and field tests of technologies that offer scalable, modular, and rapidly deployable systems that could counter unmanned aerial system swarms.

(b) STRATEGY DEVELOPMENT AND IMPLEMENTATION REQUIRED.—

(1) IN GENERAL.—The Secretary shall develop and implement a strategy to field systems to counter threats posed by unmanned aerial system swarms.

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

(A) The development of a comprehensive definition of ''unmanned aerial system swarm''.

(B) A plan to establish and incorporate requirements for development, testing, and fielding of counter unmanned aerial system swarm capabilities.

(C) A plan to acquire and field adequate organic capabilities to counter unmanned aerial system swarms in defense of United States armed forces, assets, and infrastructure across land, air, and maritime domains.

(D) An estimate of resources needed by the Army, the Navy, and the Air Force to implement the plan required by paragraph (3).

(E) An analysis, determination, and prioritization of legislative action required to ensure the Department has the ability to counter the threats described in subsection (a)(1).

(F) Such other matters as the Secretary considers pertinent.

(3) INCORPORATION INTO EXISTING STRATEGY.—The Secretary may incorporate the strategy required by paragraph (1) into a strategy that was in effect on the day before the date of the enactment of this Act.

(c) INFORMATION TO CONGRESS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on—

(1) the findings of the Secretary under subsection (a); and

(2) the strategy developed and implemented by the Secretary under subsection (b).

SEC. 153. TREATMENT OF NUCLEAR MODERNIZATION AND HYPERSONIC MISSILE PROGRAMS WITHIN DEFENSE PRIORITIES AND ALLOCATIONS SYSTEM.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the United States is entering into an unprecedented period of strategic competition with two potential adversaries, each of which now possesses, or will acquire, nuclear and missile forces equal to or greater than such forces possessed by the United States;

(2) ensuring the continued deterrence of the growing threat of the nuclear capabilities of such adversaries requires—

(A) safe, secure, effective, and credible nuclear forces, with a range of flexible employment options, available to the President; and

(B) robust missile forces capable of overcoming current and future missile defenses;

(3) such forces can only be achieved through the rapid and complete modernization of legacy nuclear capabilities of the United States and the timely development of a range of ballistic, cruise, and hypersonic boost-glide missiles;

(4) ongoing Department of Defense and National Nuclear Security Administration programs and projects to achieve the modernization of United States nuclear forces enjoy virtually no scheduled margin for delivery prior to the expected retirement or decommissioning of legacy systems and facilities, even as the People's Republic of China, the Russian Federation, and North Korea work to rapidly modernize and expand their nuclear arsenals;

(5) the People's Republic of China, the Russian Federation, and North Korea are—

(A) engaged in a variety of missile programs intended to defeat the missile defense capabilities of the United States and its allies; and

(B) expected to field such capabilities in greater volumes than the United States;

(6) imbalances in such capabilities are inherently destabilizing and represent profound risks to the security of the United States and its allies and to global stability at large;

(7) the Secretary of Defense and the Secretary of Energy should leverage all available tools to reduce the risk of schedule delays in nuclear modernization and hypersonic missile programs and projects, including by—

(A) universally applying the authorities provided by the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) to each such program or project; and

(B) assigning a DX priority rating under part 700 of title 15, Code of Federal Regulations, to each such program or project;

(8) the assignment of DX priority ratings would help minimize the risk that such programs and projects are unnecessarily delayed due to misallocations of industrial materials, services, or facilities; and

(9) the Secretary of Defense and the Secretary of Energy should promptly inform Congress of any additional opportunities to further reduce risks relating to such programs and projects or the schedules for such programs and projects that could be achieved through the adjustment of existing authorities.

(b) REPORT AND CERTIFICATION.—

(1) IN GENERAL.—Not later than January 1, 2023, the Secretary of Defense and the Secretary of Energy shall jointly submit to the congressional defense committees a report including—

(A) with respect to each nuclear weapons delivery system, missile warning system, hypersonic boost-glide missile system program, or weapon program or nuclear security enterprise infrastructure project of the National Nuclear Security Administration, a determination of whether such program or project should be assigned a DX priority rating under part 700 of title 15, Code of Federal Regulations;

(B) for any such program or project that the respective Secretary determines under subparagraph (A) should be assigned a DX priority rating, a confirmation that such program or project has been assigned a DX rating; and

(C) for any such program or project that has not been assigned a DX priority rating as of January 1, 2023—

(i) an explanation for any delay in assigning such a rating; and

(ii) a timeline for the assignment of such a rating.

(2) ANNUAL CERTIFICATION.—For any nuclear weapons delivery system, missile warning system, hypersonic boost-glide missile system program, or weapon program or nuclear security enterprise infrastructure project of the National Nuclear Security Administration that the respective Secretary determines under paragraph (1)(A) should not be assigned a DX priority rating , the Secretary shall, until such program reaches full operational capability, annually submit to the congressional defense committees a certification that the lack of assignment of such rating will not negatively affect the delivery of operational capabilities by such program or project.

(3) NONDELEGATION.—The Secretary may not delegate a determination under paragraph (1)(A) to any other official.

SEC. 154. GOVERNMENT ACCOUNTABILITY OFFICE ASSESSMENT OF EFFORTS TO MODERNIZE PROPULSION SYSTEMS OF THE F–35 AIRCRAFT.

(a) IN GENERAL.—Not later than February 28, 2023, the Comptroller General of the United States shall conduct an assessment of efforts to modernize propulsion systems of the F–35 aircraft.

(b) ELEMENTS.—The findings of the assessment required by subsection (a) shall set forth the following:

(1) The results of a comparative analysis and independent cost assessment, conducted by the Comptroller General, of options to modernize propulsion systems of the F–35 aircraft, including—

(A) modernizing the existing F135 engine; and

(B) the development and insertion of the Adaptive Engine Transition Program engine.

(2) The costs of the alternatives associated with development, production, retrofit, integration, and installation, including air vehicle modifications, and sustainment infrastructure requirements of the Adaptive Engine Transition Program engine for the F–35A aircraft.

(3) An assessment of progress made by prototype aircraft in the Adaptive Engine Transition Program effort.

(4) The timeline associated with modernizing the F135 engine to meet Block 4 upgrade requirements for the F–35A aircraft.

(5) The costs associated with modernizing the F135 engine to meet Block 4 upgrade requirements.

(6) An assessment of the potential impact of the modernization alternatives described in this subsection on life cycle sustainment and sparing contracts, including the impact on international partners.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2023 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. DISCLOSURE REQUIREMENTS FOR RECIPIENTS OF RESEARCH AND DEVELOPMENT FUNDS.

(a) IN GENERAL.—Chapter 301 of title 10, United States Code, is amended by inserting after section 4026 the following new section:

"§ 4027. Disclosure requirements for recipients of research and development funds

''(a) IN GENERAL.—Except as provided in subsections (b) and (c), an individual or entity (including a State or local government) that uses funds received from the Department of Defense to carry out research or development activities shall include, in any public document pertaining to such activities, a clear statement indicating the dollar amount of the funds received from the Department for such activities.

''(b) EXCEPTION.—The disclosure requirement under subsection (a) shall not apply to a public document consisting of fewer than 280 characters.

''(c) WAIVER.—The Secretary of Defense may waive the disclosure requirement under subsection (a) on a case-by-case basis.

''(d) PUBLIC DOCUMENT DEFINED.—In this section, the term 'public document' means any document or other written statement made available for public reference or use, regardless of whether such document or statement is made available in hard copy or electronic format.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 4026 the following new item:

''4027. Disclosure requirements for recipients of research and development funds.

SEC. 212. MODIFICATION OF COOPERATIVE RESEARCH AND DEVELOPMENT PROJECT AUTHORITY.

(a) IN GENERAL.—Section 2350a of title 10, United States Code, is amended—

(1) in subsection (a)(2), by adding at the end the following:

''(F) The European Union, including the European Defence Agency, the European Commission, and the Council of the European Union, and their suborganizations.''; and

(2) in subsection (i), by amending paragraph (1) to read as follows:

''(1) The term 'cooperative research and development project' means a project—

''(A) involving joint participation by—

''(i) the United States and—

''(ii)(I) one or more countries and organizations referred to in subsection (a)(2) under a memorandum of understanding (or other formal agreement); or

''(II) one or more parties in the national technology and industrial base (as defined in section 4801 of this title) under a memorandum of understanding (or other formal agreement); and

''(B) to carry out a joint research and development program—

''(i) to develop new conventional defense equipment and munitions; or

''(ii) to modify existing military equipment to meet United States military requirements.''.

(b) CONFORMING REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulations to conform with section 2350a of title 10, United States Code, as amended by subsection (a).

SEC. 213. ADMINISTRATION OF THE ADVANCED SENSOR APPLICATIONS PROGRAM.

(a) RESOURCE SPONSOR.—

(1) IN GENERAL.—The Commander of Naval Air Systems Command (NAVAIR) shall, in conjunction with the Director of Air Warfare (OPNAV N98), serve as the resource sponsor for the Advanced Sensor Applications Program (known as ''ASAP'' and in this section referred to as the ''Program'').

(2) RESPONSIBILITIES.—The resource sponsor of the Program shall be responsible for the following:

(A) Developing budget requests relating to the Program.

(B) Establishing priorities for the Program.

(C) Approving the execution of funding and projects for the Program.

(D) Coordination and joint planning with external stakeholders in matters relating to the Program.

(b) LIMITATIONS.—No other entity in the Department of the Navy may—

(1) serve as a resource sponsor for the Program;

(2) provide direction and management for the Program;

(3) set priorities for the Program;

(4) regulate or limit the information available or accessible to the Program;

(5) edit reports or findings generated under the Program; or

(6) coordinate and manage interactions of the Program with external stakeholders.

(c) AUTHORITY FOR PROGRAM MANAGER.—The program manager for the Program may access, consider, act on, and apply information, at all levels of classification and from all sources and organizations, that is pertinent to the projects and activities that the Program is executing, or considering proposing for the future.

(d) QUARTERLY BRIEFINGS.—Not less frequently than once every three months, the program manager for the Program shall provide the congressional defense committees and congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) a briefing on all aspects of the Program, including on the implementation of this section, other congressional direction, and direction and oversight from the Commander of Naval Air Systems Command and other higher headquarters.

(e) STRATEGIC RELATIONSHIP.—The program manager for the Program shall evaluate the feasibility and advisability of establishing a strategic relationship with the Naval Research Laboratory for scientific and technical assistance and support for the Program.

(f) USE OF ASSETS.—The Commander shall take all actions the Commander considers reasonable—

(1) to enable the Program to utilize assets controlled within the Naval Air Systems Command enterprise, including sensor systems and platforms; and

(2) to pursue the use of other assets that may further the mission of the Program.

SEC. 214. MODIFICATION OF AUTHORITY OF THE DEPARTMENT OF DEFENSE TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.

Section 4022 of title 10, United States Code, is amended—

(1) in subsection (a)(2)—

(A) by striking '', and any follow-on production contract or transaction that is awarded pursuant to subsection (f),'' both places it appears;

(B) in subparagraph (A)(ii), by striking ''; and'' and inserting a semicolon;

(C) in subparagraph (B)(ii), by striking the period at the end and inserting ''; and''; and

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

''(C) may be exercised for a transaction for a follow-on production contract or transaction that is awarded pursuant to subsection (f) and expected to cost the Department of Defense in excess of $100,000,000 (including all options) only if a covered official—

''(i) determines in writing that—

''(I) the requirements of subsection (d) will be met; and

''(II) the use of the authority of this section is essential to meet critical national security objectives; and

''(ii) notifies the congressional defense committees in writing of the findings required under clause (i) at the time such authority is exercised.''; and

(2) in subsection (e)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (4), respectively;

(B) by inserting before paragraph (2), as redesignated by subparagraph (A), the following new paragraph:

''(1) The term 'covered official' means—

''(A) a service acquisition executive;

''(B) the Director of the Defense Advanced Research Projects Agency;

''(C) the Director of the Missile Defense Agency;

''(D) the Undersecretary of Defense for Acquisition and Sustainment; or

''(E) the Undersecretary of Defense for Research and Engineering.''; and

(C) by inserting after paragraph (2), as so redesignated, the following new paragraph:

''(3) The term 'service acquisition executive' has the meaning given the term in section 101 of this title.''.

SEC. 215. COMPETITIVELY AWARDED DEMONSTRATIONS AND TESTS OF ELECTROMAGNETIC WARFARE TECHNOLOGY.

(a) DEMONSTRATIONS AND TESTS REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Director of the Air Force Rapid Capabilities Office (RCO) shall conduct competitively awarded demonstrations and tests of commercial electronics technology to determine whether technology currently exists that could enable the following electromagnetic warfare capabilities:

(1) The operation of multiple emitters and receivers in the same frequency at the same

time and in the same location without mutual interference and without using adaptive beam forming or nulling.

(2) Protecting the reception of Global Positioning System and other vulnerable low-power signals from multiple high-power jammers at a level that is significantly better than the protection afforded by Controlled Reception Pattern Antennas.

(3) Simultaneous transmission from and reception of separate signals on the same platform wherein the signals lie in the same frequency and are transmitted and received at the same time without interference.

(4) Capabilities similar to paragraphs (1) through (3) in a live, virtual constructive simulation environment.

(5) Other capabilities that might satisfy or support needs set forth in the Electromagnetic Spectrum Superiority Strategy Implementation Plan.

(b) OVERSIGHT OF TESTS.—The Director of Operational Test and Evaluation shall—

(1) provide oversight of the demonstrations and tests required by subsection (a);

(2) review other applicable government or commercial demonstrations and tests; and

(3) not later than 30 days after the completion of the demonstrations and tests under subsection (a), independently advise the Chief Information Officer (CIO) of the Department of Defense, the Under Secretary of Defense for Research and Engineering (USD R&E), and the Under Secretary of Defense for Acquisition and Sustainment (USD A&S) of the outcomes of the demonstrations and tests.

(c) OUTCOME-BASED ACTIONS REQUIRED.—If the Director of Operational Test and Evaluation and the Director of the Air Force Rapid Capabilities Office affirm that the demonstrations and tests under subsection (a) confirm that current technology could enable the capabilities described in paragraphs (1) through (3) of such subsection—

(1) not later than 45 days after the conclusion of the tests under subsection (a), the Director of the Air Force Rapid Capabilities Office and the Director of Operational Test and Evaluation shall brief the congressional defense committees on the outcomes of the tests;

(2) the Director of the Air Force Rapid Capabilities Office may commit additional funds to begin engineering form, fit, and function development and integration for specific Department of Defense platforms and applications; and

(3) not later than 90 days after the conclusion of the tests under subsection (a), the Director of the Air Force Rapid Capabilities Office, the Chief Information Officer, the Under Secretary of Defense for Research and Engineering, and the Under Secretary of Defense for Acquisition and Sustainment shall brief the congressional defense committees on a plan to further develop and deploy the demonstrated and tested technologies to support the Electromagnetic Spectrum Superiority Strategy Implementation Plan.

SEC. 216. GOVERNMENT-INDUSTRY WORKING GROUP ON MICROELECTRONICS.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Defense shall establish a working group for industry, academia, and Department of Defense components to coordinate on microelectronics issues of mutual interest as specified in subsection (b).

(2) COMPOSITION.—The working group established under paragraph (1) shall be composed of representatives of industry, academia, and Department of Defense components.

(3) DESIGNATION.—The working group established under paragraph (1) shall be referred to as the ''Government-Industry Working Group on Microelectronics'' (in this section referred to as the ''Working Group'').

(b) SCOPE.—The Secretary shall ensure that the Working Group supports dialogue and coordination on the following topic areas relating to microelectronics:

(1) Future research needs.

(2) Infrastructure needs and shortfalls.

(3) Technical and process standards.

(4) Training and certification needs for the workforce.

(5) Supply chain issues.

(6) Supply chain, manufacturing, and packaging security.

(c) ADMINISTRATIVE SUPPORT FRAMEWORK.—

(1) CHARTER AND POLICIES.—Not later than March 1, 2023, the Secretary of Defense shall develop a charter and issue policies for the functioning of the Working Group.

(2) SUPPORT.—The joint federation of capabilities established under section 937 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2224 note) shall provide administrative support to the Working Group.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to give a competitive advantage to any participant in the Working Group.

(e) SUNSET.—The provisions of this section shall terminate on December 31, 2030.

SEC. 217. INCLUSION OF OFFICE OF UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING IN PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.

Section 4092 of title 10, United States Code, is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(10) OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING.—The Undersecretary of Defense for Research and Engineering may carry out a program of personnel management authority provided in subsection (b) in order to facilitate recruitment of eminent experts in science or engineering for the Office.''; and

(2) in subsection (b)(1)—

(A) in subparagraph (H), by striking ''; and'' and inserting a semicolon;

(B) in subparagraph (I), by striking the semicolon and inserting ''; and''; and

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

''(J) in the case of the Office of the Under Secretary of Defense for Research and Engineering, appoint scientists and engineers to a total of not more than 10 scientific and engineering positions in the Office;''.

SEC. 218. INVESTMENT PLAN FOR FOUNDATIONAL CAPABILITIES NEEDED TO DEVELOP NOVEL PROCESSING APPROACHES FOR FUTURE DEFENSE APPLICATIONS.

(a) INVESTMENT PLANS REQUIRED.—Not later than November 1, 2023, and not less frequently than once every three years thereafter until December 31, 2035, the Secretary of Defense shall submit to the congressional defense committees an investment plan for foundational capabilities needed to develop novel processing approaches for future defense applications.

(b) PURPOSE.—The purpose of the investment plan required by subsection (a) is to establish an integrated approach to the identification, prioritization, development, and leveraging of Department of Defense investments from the research, development, test, and evaluation accounts of the Department.

(c) ELEMENTS.—The investment plan required by subsection (a) shall—

(1) identify current and projected investments in research and technology development to support fielding and use of novel processing approaches;

(2) identify current and projected investments supporting the acceleration of novel processing approaches, including investments in—

(A) personnel and workforce capabilities;

(B) facilities and infrastructure to host systems utilizing novel processing approaches;

(C) algorithm developments necessary to expand the functionality from each novel processing approach;

(D) other Federal agencies and federally sponsored laboratories; and

(E) appropriate international and commercial sector organizations and activities;

(3) describe mechanisms to coordinate and leverage investments within the Department and with non-Federal partners;

(4) describe the technical goals to be achieved and capabilities to be developed under the strategy; and

(5) include recommendations for such legislative or administration action as may support the effective execution of the investment plan.

(d) FORM.—Each plan submitted under subsection (a) shall be submitted in such form as the Secretary considers appropriate, which may include classified, unclassified, and publicly releasable formats.

(e) NOVEL PROCESSING APPROACHES DEFINED.—In this section, the term ''novel processing approaches'' means—

(1) new, emerging techniques in computation, such as biocomputing, exascale computing, utility scale quantum computing; and

(2) associated algorithm and hardware development needed to instantiate such techniques.

SEC. 219. OPEN RADIO ACCESS NETWORK 5G ACQUISITION ACCELERATION AND TRANSITION PLANS.

(a) THREE-YEAR TRANSITION PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Assistant Secretary of the Army for Acquisition, Logistics, and Technology, the Assistant Secretary of the Navy for Research, Development, and Acquisition, and the Assistant Secretary of the Air Force for Acquisition and Research, in coordination with and under the oversight of the Chief Information Officer, the Under Secretary of Defense for Research and Engineering, and the Under Secretary of Defense for Acquisition and Sustainment, shall each develop and submit to the congressional defense committees an unclassified three-year transition plan for fifth generation information and communications technology (5G) infrastructure for their respective military department.

(2) ELEMENTS.—The transition plans identified under paragraph (1) shall include—

(A) an operational needs assessment that identifies the highest priority areas where fifth generation information and communications technologies should be deployed;

(B) an investment plan that includes funding estimates, by fiscal year and appropriation account, to accelerate the maturation, acquisition, and deployment of fifth generation information and communications capabilities that use the open radio access network approach on Department of Defense facilities and systems;

(C) metrics and reporting mechanisms to drive progress towards the three-year transition goal;

(D) identification and designation of a single point of contact at each installation, and within each of the services to facilitate the deployment of fifth generation information and communications technologies;

(E) planned efforts to streamline the real estate, contracting, and communications

policies and processes to field wireless infrastructure that has resulted in a lengthy approval processes for industry to provide on-air wireless coverage on an installation;

(F) identification of other areas of concern that require investment to support the transition to fifth generation information and communications technology that uses the open radio access network approach; and

(G) such other matters as the Secretary of Defense considers appropriate.

(b) CROSS-FUNCTIONAL TEAM ASSESSMENT.—

(1) ASSESSMENT AND BRIEFING REQUIRED.—Not later than 150 days after the date of the enactment of this Act and after all of the plans required by subsection (a)(1) have been submitted in accordance with such subsection, the cross-functional team established pursuant to section 224(c)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 4571 note) shall assess such plans and provide the congressional defense committees with a briefing on the findings of the cross functional team with respect to such assessment.

(2) ELEMENTS.—The briefing provided under paragraph (1) shall include the following:

(A) Recommendations to further accelerate the deployment of fifth-generation information and communications technologies that use the open radio access network approach across the Department of Defense.

(B) Recommendations to standardize and streamline the real estate, contracting, and communications policies and processes to field wireless infrastructure on an installation.

(C) An engagement plan for Department participants in international wireless standards setting bodies.

(D) Such other matters as the cross functional team described in paragraph (1) considers appropriate.

(c) OPEN RADIO ACCESS NETWORK APPROACH DEFINED.—In this section the term ''open radio access network approach'' means an approach to networking that uses a disaggregated or virtualized radio access network and core in which components can be provided by different vendors and interoperate through open protocols and interfaces, including those protocols and interfaces utilizing the Open Radio Access Network (commonly known as ''Open RAN'') approach.

SEC. 220. PILOT PROGRAM TO FACILITATE THE DEVELOPMENT OF ELECTRIC VEHICLE BATTERY TECHNOLOGIES FOR WARFIGHTERS.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Defense may establish and carry out a pilot program to assess the feasibility and advisability of providing support to domestic battery producers, particularly those producing lithium-ion cells and battery packs—

(A) to facilitate the research and development of safe and secure battery technologies for existing as well as new or novel battery chemistry configurations;

(B) to assess existing commercial battery offerings within the marketplace for viability and utility for warfighter applications; and

(C) to transition such technologies, including technologies developed from pilot programs, prototype projects, or other research and development programs, from the prototyping phase to production.

(2) DESIGNATION.—The pilot program established under paragraph (1) shall be known as the ''Warfighter Electric Battery Transition Project'' (referred to in this section as the ''Project'').

(b) GRANTS, CONTRACTS, AND OTHER AGREEMENTS.—The Secretary may carry out the Project through the award of support, as described in subsection (a)(1), in the form of grants to, or contracts or other agreements with, battery producers, particularly those producing lithium-ion cells and battery packs.

(c) USE OF GRANT AND CONTRACT AMOUNTS.—A recipient of a grant, contract, or other agreement under the Project may use the amount of the grant, contract, or other agreement to carry out the following:

(1) Conducting research and development to validate new or novel battery chemistry configurations, including through experimentation, prototyping, testing, integration or manufacturing feasibility assessment.

(2) Providing commercially available technologies to each Secretary of a military department and the commanders of combatant commands to support utility assessments or other testing by warfighters.

(3) Building and strengthening relationships of the Department of Defense with nontraditional defense contractors in the technology industry that may have unused or underused solutions to the specific operational challenges of the Department.

(d) PRIORITY OF AWARDS.—In awarding grants, contracts, or other agreements under the Project, the Secretary shall give preference to technology producers that—

(1) manufacture battery cells, packs, and modules in the United States;

(2) manufacture battery cells, packs, and modules in the national technology industrial base (NTIB);

(3) provide modularity to support diverse applications;

(4) facilitate safety in tactical and combat applications by using chemistries that reduce thermal runaway and minimize oxygen liberation;

(5) facilitate optimal use in light- medium- and heavy-duty applications by providing a minimum of 400 Wh/L of volumetric energy density;

(6) demonstrate new or novel battery chemistry configurations, safety characteristics, or form-factor configurations;

(7) facilitate the domestic supply chain for raw materials; and

(8) offer commercial products or commercial services and maintains customers with verified purchase orders.

(e) REPORTING AND DATA COLLECTION.—

(1) PLAN REQUIRED BEFORE IMPLEMENTATION.—The Secretary may not commence the Project until the Secretary has completed a plan for the implementation of the Project, including—

(A) collecting, analyzing, and retaining Project data;

(B) developing and sharing best practices for achieving the objectives of the Project;

(C) identification of any policy or regulatory impediments inhibiting the execution of the program; and

(D) sharing results from the program across the Department, and with elements of the Federal Government, including the legislative branch of the Federal Government.

(f) ADMINISTRATION.—The Under Secretary of Defense for Research and Engineering shall administer the Project.

(g) TERMINATION.—The Project shall terminate on December 31, 2028.

Subtitle C—Plans, Reports, and Other Matters

SEC. 231. REPORT ON RECOMMENDATIONS FROM ARMY FUTURES COMMAND RESEARCH PROGRAM REALIGNMENT STUDY.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report on the recommendations made by the National Academies in the Army Futures Command Research Program Realignment Study.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) A description of each recommendation described in such subsection that has already been implemented.

(2) A description of each recommendation described in such subsection that the Secretary has commenced implementing, including a justification for determining to commence implementing the recommendation.

(3) A description of each recommendation described in such subsection that the Secretary has not implemented or commenced implementing and a determination as to whether or not to implement the recommendation.

(4) For each recommendation under paragraph (3) the Secretary determines to implement, the following:

(A) A timeline for implementation.

(B) A description of any additional resources or authorities required for implementation.

(C) The plan for implementation.

(5) For each recommendation under paragraph (3) the Secretary determines not to implement, a justification for the determination not to implement.

(c) FORMAT.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 232. STRATEGY AND PLAN FOR STRENGTHENING AND FOSTERING DEFENSE INNOVATION ECOSYSTEM.

(a) STRATEGY AND IMPLEMENTATION PLAN REQUIRED.—Not later than March 1, 2023, the Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering, shall develop a strategy and an implementation plan for the defense innovation ecosystem.

(b) PURPOSES.—

(1) STRATEGY.—The purpose of the strategy required by subsection (a) is to provide a framework for identifying, assessing, and tracking innovation ecosystems that are beneficial to advancing the defense, national security, and warfighting missions of the Department of Defense.

(2) IMPLEMENTATION PLAN.—The purpose of the implementation plan required by subsection (a) is to provide—

(A) concrete steps and measures of effectiveness to gauge the effect of the innovation ecosystems described in paragraph (1) on the Department; and

(B) a means for assessing the effectiveness of approaches taken by the Department to grow, foster, and sustain such innovation ecosystems.

(c) ELEMENTS.—The strategy and the implementation plan required by subsection (a) shall include the following elements:

(1) A process for defining, assessing, and selecting innovation ecosystems with potential to provide benefit to the Department.

(2) Metrics for measuring the performance and health of innovation ecosystems being supported by the Department, including identification of criteria to determine when to establish or cease supporting identified ecosystems.

(3) Identification of Department of Defense research, development, test, and evaluation assets and authorities that can be engaged in identifying, establishing, sustaining, and expanding innovation ecosystems.

(4) For each innovation ecosystem designated or established by the Department—

(A) a listing of such innovation ecosystems with a description of core competencies or focus areas;

(B) identification of Department research, development, test, and evaluation organizations engaged with such innovation ecosystems;

(C) identification of the private sector assets and authorities that are being used to support, sustain, and expand the identified innovation ecosystem; and

(D) a description of challenges and successes associated with each innovation ecosystem.

(5) Such other elements as the Secretary considers appropriate.

(d) INTERIM BRIEFING.—Not later than December 1, 2022, the Secretary shall provide the congressional defense committees a briefing on the strategy and implementation plan developed under subsection (a).

(e) SUBMITTAL OF STRATEGY AND PLAN.—Not later than March 1, 2023, the Secretary shall submit to the congressional defense committees the strategy and implementation plan developed under subsection (a).

(f) QUADRENNIAL UPDATES.—Not later than March 1, 2027, and not less frequently than once ever four years thereafter until December 31, 2039, the Secretary shall—

(1) update the strategy and plan developed under subsection (a); and

(2) submit the updated strategy and plan to the congressional defense committees.

(g) AUTHORITIES.—The strategy and implementation plan developed under subsection (a) may incorporate the use of the following authorities or programs:

(1) Section 1746a of title 10, United States Code, relating to acquisition workforce educational partnerships.

(2) Section 2194 of such title, relating to education partnerships.

(3) Section 2474 of such title, relating to centers of industrial and technical excellence.

(4) Section 4001 of such title, relating to research and development projects.

(5) Section 4010 of such title, relating to the Defense established program to stimulate competitive research.

(6) Sections 4021 and 4022 of such title, relating to transactions other than contracts and grants and authority of the Department of Defense to carry out certain prototype projects, respectively.

(7) Section 4023 of such title, relating to procurement for experimental purposes.

(8) Section 4025 of such title, relating to prizes for advanced technology achievements.

(9) Section 4123 of such title, relating to mechanisms to provide funds for defense laboratories for research and development of technologies for military missions.

(10) Section 4144 of such title, relating to research and educational programs at historically black colleges and universities and minority serving institutions.

(11) Section 4832 of such title, relating to the encouragement of technology transfer at the Department of Defense.

(12) Section 252 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239), relating to regional advanced technology clusters.

(13) Section 801(e) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law113–66; 10 U.S.C. 4832 note), relating to enhanced transfer of technology development at Department of Defense laboratories.

(14) Section 879 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), relating to defense pilot program for authority to acquire innovative commercial products, technologies, and services using general solicitation competitive procedures.

(15) Section 217 of the National Defense Authorization Act for Fiscal Year 2018 (Public 115–91; 10 U.S.C. 4001 note), relating to mechanisms for expedited access to technical talent and expertise at academic institutions to support Department of Defense missions.

(16) Section 833 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 4001 note), relating to a pilot program on acquisition practices for emerging technologies.

(17) Other such authorities as the Secretary deems appropriate.

(h) DEFINITIONS.—In this section:

(1) The term ''Department of Defense research, development, test, and evaluation assets'' includes the following:

(A) The Department of Defense science and technology reinvention laboratories designated under section 4121 of title 10, United States Code.

(B) The Major Range and Test Facility Base (as defined in section 4173(i) of such title).

(C) Department of Defense sponsored manufacturing innovation institutes.

(D) The organic industrial base.

(E) Department of Defense agencies and field activities that execute research, development, test, and evaluation funded activities.

(2) The term ''innovation ecosystem'' refers to a regionally based network of private sector, academic, and government institutions in a network of formal and informal institutional relationships that contribute to technological and economic development in a defined technology sector or sectors.

SEC. 233. MODIFICATION OF DIRECTOR FOR OPERATIONAL TEST AND EVALUATION ANNUAL REPORT.

Section 139(h)(3) of title 10, United States Code, is amended by inserting ''or controlled unclassified'' after ''classified''.

SEC. 234. EXTENSION OF REQUIREMENT FOR QUARTERLY BRIEFINGS ON DEVELOPMENT AND IMPLEMENTATION OF STRATEGY FOR FIFTH GENERATION INFORMATION AND COMMUNICATIONS TECHNOLOGIES.

Section 254(d)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 4571 note) is amended, in the matter before subparagraph (A), by striking ''March 15, 2022'' and inserting ''December 1, 2026''.

SEC. 235. REPORT ON ESTIMATED COSTS OF CONDUCTING A MINIMUM FREQUENCY OF HYPERSONIC WEAPONS TESTING.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on estimated costs for conducting not fewer than one full-scale, operationally relevant, live-fire, hypersonic weapon test of the systems currently under development each year by each of the Air Force, the Army, and the Navy, once such systems reach initial operational capability.

SEC. 236. ANNUAL REPORT ON STUDIES AND REPORTS BEING UNDERTAKEN BY THE DEPARTMENT OF DEFENSE.

Section 4126 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e) ANNUAL REPORT.—(1) Each year, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an annual report on all studies and reports being undertaken for the Department of Defense as of the date of the report by federally funded research and development centers.

''(2) Each report submitted under paragraph (1) shall set forth, for the period covered by the report, the following:

''(A) A list of each study and report described by paragraph (1).

''(B) For each study or report listed under subparagraph (A) the following:

''(i) The title of the study or report.

''(ii) The federally funded research and development center undertaking the study or report.

''(iii) The amount of the contract or other agreement pursuant to which the study or report is being produced or conducted.

''(iv) The anticipated completion date of the study or report.

''(3) The report required by paragraph (1) shall not apply to the following:

''(A) Classified reports or studies.

''(B) Technical reports associated with scientific research or technical development activities.

''(C) Reports or studies that are deliverables under contract for non-Defense Department entities.

''(D) Reports or studies that are draft, or have not undergone a peer-review or pre-publication security review process established by the federally funded research and development centers.''

''(4) The report required by paragraph (1) shall be generated using the products and processes generated pursuant to section 908 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 111 note).

''(5) The requirements of this subsection shall terminate on the date that is five years after the date of the enactment of this subsection.''.

SEC. 237. QUANTIFIABLE ASSURANCE CAPABILITY FOR SECURITY OF MICROELECTRONICS.

(a) DEVELOPMENT AND IMPLEMENTATION OF CAPABILITY.—The Secretary of Defense shall develop and implement a capability for quantifiable assurance to achieve practical, affordable, and risk-based objectives for security of microelectronics to enable the Department of Defense to access and apply state-of-the-art microelectronics for military purposes.

(b) ESTABLISHMENT OF REQUIREMENTS AND SCHEDULE OF SUPPORT FOR DEVELOPMENT, TEST, AND ASSESSMENT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Deputy Secretary of Defense shall, in consultation with the Under Secretary of Defense for Research and Engineering, establish requirements and a schedule for support from the National Security Agency to develop, test, assess, implement, and improve the capability required by subsection (a).

(2) NATIONAL SECURITY AGENCY.—The Director of the National Security Agency shall take such actions as may be necessary to satisfy the requirements established under paragraph (1).

(3) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering and the Director of the National Security Agency shall provide the congressional defense committees a briefing on the requirements and the schedule for support established under paragraph (1).

(c) ASSESSMENT.—

(1) IN GENERAL.—The Secretary of Defense shall assess whether the Department of Defense, to enable expanded use of unprogrammed application specific integrated circuits or other custom-designed integrated circuits manufactured by a supplier that is not using processes accredited by the Defense Microelectronics Activity for the purpose of enabling the Department to access commercial state-of-the-art microelectronics technology using risk-based quantifiable assurance security methodology, should—

(A) seek changes to the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations, and Department of Defense Instruction 5200.44 (relating to protection of mission critical functions to achieve trusted systems and networks); and

(B) expand the use of unprogrammed custom-designed integrated circuits that are not controlled by such regulations.

(2) BRIEFING.—Not later than April 1, 2023, the Secretary shall provide the congressional defense committees a briefing on the findings of the Secretary with respect to the assessment conducted under paragraph (1).

SEC. 238. CLARIFICATION OF ROLE OF CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER.

(a) PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.—Section 4092 of title 10, United States Code, is amended—

(1) in subsection (a)(6)—

(A) by striking ''Director of the Joint Artificial Intelligence Center'' and inserting ''official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4061 note prec.)'';

(B) by striking ''for the Center'' and inserting ''to support the activities of such official under section 238 of such Act''; and

(C) in the paragraph heading, by striking ''CENTER'';

(2) in subsection (b)(1)(F)—

(A) by striking ''Joint Artificial Intelligence Center'' and inserting ''official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4061 note prec.)'';

(B) by striking ''in the Center'' and inserting ''in support of the activities of such official under section 238 of such Act'';

(3) in subsection (c)(2), by striking ''Joint Artificial Intelligence Center'' and inserting ''the activities under section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4061 note prec.)''.

(b) JOINT ARTIFICIAL INTELLIGENCE RESEARCH, DEVELOPMENT, AND TRANSITION ACTIVITIES.—Section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4061 note prec.) is amended—

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

''(c) ORGANIZATION AND ROLES.—

''(1) IN GENERAL.—In addition to designating an official under subsection (b), the Secretary of Defense shall assign to appropriate officials within the Department of Defense roles and responsibilities relating to the research, development, prototyping, testing, procurement of, requirements for, and operational use of artificial intelligence technologies.

''(2) APPROPRIATE OFFICIALS.—The officials assigned roles and responsibilities under paragraph (1) shall include—

''(A) the Under Secretary of Defense for Research and Engineering;

''(B) the Under Secretary of Defense for Acquisition and Sustainment;

''(C) one or more officials in each military department;

''(D) officials of appropriate Defense Agencies; and

''(E) such other officials as the Secretary of Defense determines appropriate.'';

(2) in subsection (e), by striking ''Director of the Joint Artificial Intelligence Center'' and inserting ''official designated under subsection (b)''; and

(3) by striking subsection (h).

(c) BIANNUAL REPORT ON ACTIVITIES OF THE CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICE.—

(1) IN GENERAL.—Section 260 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(A) in the section heading, by striking ''**JOINT ARTIFICIAL INTELLIGENCE CENTER**'' and inserting ''**ACTIVITIES OF THE CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICE**'';

(B) in subsection (a)—

(i) by striking ''2023'' and inserting ''2025''; and

(ii) by striking ''Joint Artificial Intelligence Center (referred to in this section as the 'Center')'' and inserting ''Chief Digital and Artificial Intelligence Office (referred to in this section as the 'Office')'';

(C) in subsection (b)—

(i) in paragraph (1), by striking ''Center'' and inserting ''Office'';

(ii) in paragraph (2), by striking ''National Mission Initiatives, Component Mission Initiatives, and any other initiatives of the Center'' and inserting ''initiatives of the Office'';

(iii) in paragraphs (3) through (6), by striking ''Center'' each place it appears and inserting ''Office'';

(iv) in paragraph (7), by striking ''Center and the Center's investments in the National Mission Initiatives and Component Mission Initiatives'' and inserting ''Office and the Office's investments'';

(v) in paragraph (8), by striking ''Chief Information Officer'' and inserting ''Chief Digital Artificial Intelligence Officer''; and

(vi) in paragraph (10), by striking ''Center'' and inserting ''Officer''; and

(D) by striking subsection (c).

(2) CLERICAL AMENDMENT.—The table of contents in section 2(b) of such Act is amended by striking the item relating to section 260 and inserting the following new item:

''Sec. 260. Biannual report on the activities of the Chief Digital and Artificial Intelligence Office.

(d) CHIEF DATA OFFICER RESPONSIBILITY FOR DEPARTMENT OF DEFENSE DATA SETS.—Section 903(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2223 note) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraph (4) as paragraph (3).

(e) BOARD OF ADVISORS FOR THE OFFICE OF THE CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICE.—

(1) IN GENERAL.—Section 233 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 4001 note) is amended—

(A) in the section heading, by striking ''**JOINT ARTIFICIAL INTELLIGENCE CENTER**'' and inserting ''**CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICE**'';

(B) in subsection (a), by striking ''Joint Artificial Intelligence Center'' and inserting ''Chief Digital and Artificial Intelligence Office'';

(C) in subsection (b), by striking ''Director'' each place in appears and inserting ''Chief Digital and Artificial Intelligence Officer'';

(D) in subsection (f), by striking ''September 30, 2024'' and inserting ''September 30, 2026''; and

(E) in subsection (g)—

(i) by striking paragraphs (2) and (3); and

(ii) by redesignating paragraph (4) as paragraph (2).

(2) CLERICAL AMENDMENT.—The table of contents in section 2(b) of such Act is amended by striking the item relating to section 233 and inserting the following new item:

''Sec. 233. Board of advisors for the Chief Digital and Artificial Intelligence Office.

(f) APPLICATION OF ARTIFICIAL INTELLIGENCE TO THE DEFENSE REFORM PILLAR IN THE NATIONAL DEFENSE STRATEGY.—Section 234(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 113 note) is amended by striking ''Director of the Joint Artificial Intelligence Center'' and inserting ''official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4061 note prec.)''.

(g) PILOT PROGRAM ON THE USE OF ELECTRONIC PORTFOLIOS TO EVALUATE CERTAIN APPLICANTS FOR TECHNICAL POSITIONS.—Section 247(c) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1580 note prec.) is amended—

(1) by striking paragraphs (1) and (2);

(2) by inserting before paragraph (3) the following new paragraph (1):

''(3) the Chief Digital and Artificial Intelligence Office;''; and

(3) by redesignating paragraphs (3) and (4) and paragraphs (2) and (3), respectively.

(h) REFERENCES TO JOINT ARTIFICIAL INTELLIGENCE CENTER IN LAW.—Any reference in any law, regulation, guidance, instruction, or other document of the Federal Government to the Director of the Joint Artificial Intelligence Center of the Department of Defense or to the Joint Artificial Intelligence Center shall be deemed to refer to the official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4061 note prec.) or the office of such official, as the case may be.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2023 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

Subtitle B—Energy and Environment

SEC. 311. AGGREGATION OF ENERGY CONSERVATION MEASURES AND FUNDING.

Section 2911 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(j) AGGREGATE ENERGY CONSERVATION MEASURES AND FUNDING.—(1) To the maximum extent practicable, the Secretary concerned shall take a holistic view of the energy project opportunities on installations under the jurisdiction of such Secretary and shall consider aggregate energy conservation measures, including energy conservation measures with quick payback, with energy resilience enhancement projects and other projects that may have a longer payback period.

''(2) In considering aggregate energy conservation measures under paragraph (1), the Secretary concerned shall incorporate all funding available to such Secretary for such measures, including—

''(A) appropriated funds, such as—

''(i) funds appropriated for the Energy Resilience and Conservation Investment Program of the Department; and

''(ii) funds appropriated for the Facilities Sustainment, Restoration, and Modernization program of the Department; and

''(B) funding available under performance contracts, such as energy savings performance contracts and utility energy service contracts.''.

SEC. 312. ESTABLISHMENT OF JOINT WORKING GROUP TO DETERMINE JOINT REQUIREMENTS FOR FUTURE OPERATIONAL ENERGY NEEDS OF DEPARTMENT OF DEFENSE.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a joint working group

(in this section referred to as the ''working group'') to determine joint requirements for future operational energy needs of the Department of Defense.

(b) EXECUTIVE AGENT.—The Secretary of the Air Force shall serve as the executive agent of the working group.

(c) REQUIREMENTS SPECIFIED.—

(1) IN GENERAL.—In determining joint requirements under subsection (a), the working group shall address the operational energy needs of each military department and combatant command to meet energy needs in all domains of warfare, including land, air, sea, space, cyberspace, subsea, and subterranean environments.

(2) PRIORITY FOR CERTAIN SYSTEMS.—Priority for joint requirements under subsection (a) shall be given to independent operational energy systems that—

(A) are capable of operating in austere and isolated environments with quick deployment capabilities; and

(B) may reduce conventional air pollution and greenhouse gas emissions comparable to currently used systems.

(d) EXISTING OR NEW PROGRAMS.—The working group shall address the feasibility of meeting joint requirements determined under subsection (a) through the existing energy programs of the Department and make recommendations for new programs to meet such requirements.

(e) FOCUS AREAS.—In carrying out the requirements under this section, the working group shall focus its efforts on operational energy, to include—

(1) micro-reactors and small modular reactors;

(2) hydrogen-based fuel systems, including hydrogen fuel cells and hydrogen-based combustion engines;

(3) battery storage;

(4) renewable energy sources;

(5) retrofits to existing platforms that will increase efficiencies; and

(6) other technologies and resources that meet joint requirements determined under subsection (a).

(f) RECOMMENDED PLAN OF ACTION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees an unclassified and classified report and provide to the congressional defense committees a classified briefing outlining recommendations for programs to meet joint requirements for future operational energy needs of the Department of Defense by 2025, 2030, and 2040.

(2) FOCUS ON READINESS AND FLEXIBILITY.—In submitting the report and providing the briefing required by paragraph (1), the Secretary shall—

(A) address each element of the report or briefing, as the case may be, in the context of maintaining or increasing—

(i) the readiness levels of the Armed Forces; and

(ii) the flexibility of operational elements within the Department; and

(B) disregard energy sources that do not increase such readiness and flexibility, with an explanation for the reason such sources were disregarded.

(g) DEFINITIONS.—In this section:

(1) ADVANCED NUCLEAR REACTOR.—The term ''advanced nuclear reactor'' has the meaning given that term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

(2) MICRO-REACTOR.—The term ''micro-reactor'' means an advanced nuclear reactor that has an electric power production capacity that is not greater than 50 megawatts that can be transported via land, air, or sea transport and can be redeployed.

(3) SMALL MODULAR REACTOR.—The term ''small modular reactor'' means an advanced nuclear reactor—

(A) with a rated capacity of less than 300 electrical megawatts; or

(B) that can be constructed and operated in combination with similar reactors at a single site.

SEC. 313. ADDITIONAL SPECIAL CONSIDERATIONS FOR DEVELOPING AND IMPLEMENTING THE ENERGY PERFORMANCE GOALS AND ENERGY PERFORMANCE MASTER PLAN OF THE DEPARTMENT OF DEFENSE.

Section 2911(e) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

''(14) The reliability and security of energy resources in the event of a military conflict.

''(15) The value of resourcing energy from allies of the United States in the North Atlantic Treaty Organization and other major allies of the United States.''.

SEC. 314. PARTICIPATION IN POLLUTANT BANKS AND WATER QUALITY TRADING.

(a) IN GENERAL.—Chapter 159 of title 10, United States Code, is amended by inserting after section 2694c the following new section:

''§ 2694d. Participation in pollutant banks and water quality trading

''(a) AUTHORITY TO PARTICIPATE.—The Secretary of a military department, and the Secretary of Defense with respect to matters concerning a Defense Agency, when engaged in an authorized activity that may or will result in the discharge of pollutants, may make payments to a pollutant banking program or water quality trading program approved in accordance with the Water Quality Trading Policy dated January 13, 2003, set forth by the Office of Water of the Environmental Protection Agency, or any successor administrative guidance or regulation.

''(b) TREATMENT OF PAYMENTS.—Payments made under subsection (a) to a pollutant banking program or water quality trading program may be treated as eligible project costs for military construction.

''(c) DISCHARGE OF POLLUTANTS DEFINED.—In this section, the term 'discharge of pollutants' has the meaning given that term in section 502(12) of the Federal Water Pollution Control Act (33 U.S.C. 1362(12)) (commonly referred to as the 'Clean Water Act').''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2694c following new item:

''2694d. Participation in pollutant banks and water quality trading.

SEC. 315. CONSIDERATION UNDER DEFENSE ENVIRONMENTAL RESTORATION PROGRAM FOR STATE-OWNED FACILITIES OF THE NATIONAL GUARD WITH PROVEN EXPOSURE OF HAZARDOUS SUBSTANCES AND WASTE.

(a) DEFINITION OF STATE-OWNED NATIONAL GUARD FACILITY.—Section 2700 of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4) The term 'State-owned National Guard facility' means land owned and operated by a State when such land is used for training the National Guard pursuant to chapter 5 of title 32 with funds provided by the Secretary of Defense or the Secretary of a military department, even though such land is not under the jurisdiction of the Department of Defense.''.

(b) AUTHORITY FOR DEFENSE ENVIRONMENTAL RESTORATION PROGRAM.—Section 2701(a)(1) of such title is amended, in the first sentence, by inserting ''and at State-owned National Guard facilities'' before the period.

(c) RESPONSIBILITY FOR RESPONSE ACTIONS.—Section 2701(c)(1) of such title is amended by adding at the end the following new subparagraph:

''(D) Each State-owned National Guard facility being used for training the National Guard pursuant to chapter 5 of title 32 with funds provided by the Secretary of Defense or the Secretary of a military department at the time of actions leading to contamination by hazardous substances or pollutants or contaminants.''.

SEC. 316. AUTHORIZATION OF CLOSURE OF RED HILL BULK FUEL STORAGE FACILITY.

(a) IN GENERAL.—The Secretary of Defense may close the Red Hill bulk fuel storage facility of the Department of Defense in Hawaii (in this section referred to as the ''Facility'').

(b) PLAN FOR CLOSURE AND POST-CLOSURE CARE.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for—

(A) closure of the Facility;

(B) cleanup of the Facility;

(C) monitoring of the Facility following such closure;

(D) maintenance of the Facility following such closure;

(E) optimal post-closure care for the Facility, specifically addressing—

(i) monitoring and maintenance of liners;

(ii) final covers;

(iii) leachate collection and removal systems;

(iv) leak detection system; and

(v) gas collection systems to protect against releases of hazardous elements;

(F) environmental remediation of groundwater at the Facility, to include a description of environmental remediation plans, including necessary resources for the Secretary of the Navy to conduct remediation actions at the Facility in the following year;

(G) coordination and communication with applicable Federal and State regulatory authorities, the local water utility authority, applicable State environmental agencies, and surrounding communities on remediation activities conducted by the Navy at the Facility;

(H) improvements to processes, procedures, organization, training, leadership, education, facilities, and policy of the Department of Defense related to best practices for the remediation and closure of the Facility; and

(I) measures to ensure that future strategic level assets of the Department of Defense are properly maintained and critical environmental assets are protected.

(2) PREPARATION OF PLAN.—The Secretary shall prepare the plan required under paragraph (1) in consultation with—

(A) the Administrator of the Environmental Protection Agency;

(B) the head of the Hawaii Department of Health;

(C) the Director of the United States Geological Survey; and

(D) the heads of such other relevant Federal and State agencies as the Secretary considers appropriate.

(c) IDENTIFICATION OF POINT OF CONTACT AT DEPARTMENT OF DEFENSE.—Not later than 60 days after the date of the enactment of this Act, to ensure clear and consistent communication related to the defueling, cleanup, closure, and remediation of the Facility, the Secretary of Defense shall identify a single point of contact within the Office of the Secretary of Defense to oversee and communicate with the public and members of Congress regarding the status of the Facility at each phase of defueling, cleanup, closure, and remediation.

(d) WATER MONITORING PROGRAM.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall establish a water monitoring program—

(1) to monitor movement of the fuel plume in the aquifer surrounding the Facility;

(2) to monitor long-term impacts to such aquifer and local water bodies resulting from water contamination from the Facility; and

(3) to coordinate with the Agency for Toxic Substances and Disease Registry of the Department of Health and Human Services as the Agency conducts a follow up to the previously conducted voluntary survey of individuals and entities impacted by water contamination from the Facility.

SEC. 317. REVISION OF UNIFIED FACILITIES GUIDE SPECIFICATIONS AND UNIFIED FACILITIES CRITERIA TO INCLUDE SPECIFICATIONS ON USE OF GAS INSULATED SWITCHGEAR AND CRITERIA AND SPECIFICATIONS ON MICROGRIDS AND MICROGRID CONVERTERS.

(a) GAS INSULATED SWITCHGEAR.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall modify the Unified Facilities Guide Specifications to include a distinct specification for medium voltage gas insulated switchgear.

(b) MICROGRIDS.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall—

(1) modify the Unified Facilities Criteria to include criteria for microgrids; and

(2) modify the Unified Facilities Guide Specifications to include specifications for microgrids and microgrid controllers.

SEC. 318. TRANSFER OF CUSTOMERS FROM ELECTRICAL UTILITY SYSTEM OF THE NAVY AT FORMER NAVAL AIR STATION BARBER'S POINT, HAWAII, TO NEW ELECTRICAL SYSTEM IN KALAELOA, HAWAII.

(a) IN GENERAL.—Subject to the availability of appropriations for such purpose, the Secretary of the Navy shall pay the reasonable costs to transfer all customers off of the electrical utility system of the Navy located at former Naval Air Station Barber's Point, Hawaii, to the new electrical system in Kalaeloa, Hawaii, operated by Hawaii Electric.

(b) COOPERATIVE AGREEMENT OR OTHER INSTRUCTION.—The Secretary of the Navy may enter into a cooperative agreement or other appropriate instrument with a third party—

(1) to make amounts available to pay the reasonable costs of transfers described in subsection (a); and

(2) to reimburse the third party for the reasonable costs that it may incur to carry out paragraph (1).

(c) FACILITATION OF TRANSFER.—To facilitate the transfer of customers described in subsection (a), the Secretary of the Navy shall provide the following to the State of Hawaii:

(1) A load analysis and design necessary to complete such transfer.

(2) Such rights of way and easements as may be necessary to support the construction of replacement electrical infrastructure.

(d) DISPOSAL OF NAVY ELECTRICAL SYSTEM.—Subject to the availability of appropriations for such purpose, after all customers have been transferred as required under subsection (a), the Secretary of the Navy may dispose of the electrical system of the Navy located at former Naval Air Station Barber's Point, Hawaii.

SEC. 319. PILOT PROGRAM ON USE OF SUSTAINABLE AVIATION FUEL.

(a) PILOT PROGRAM REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a pilot program on the use of sustainable aviation fuel by the Department of Defense.

(2) DESIGN OF PROGRAM.—The pilot program shall be designed to—

(A) identify any logistical challenges with respect to the use of sustainable aviation fuel by the Department;

(B) promote understanding of the technical and performance characteristics of sustainable aviation fuel when used in a military setting; and

(C) engage nearby commercial airports to explore opportunities and challenges to partner on increased use of sustainable aviation fuel.

(b) SELECTION OF FACILITIES.—

(1) SELECTION.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall select not fewer than two geographically diverse facilities of the Department at which to carry out the pilot program.

(B) ONSITE REFINERY.—Not fewer than one facility selected under subparagraph (A) shall be a facility with an onsite refinery that is located in proximity to not fewer than one major commercial airport that is also actively seeking to increase the use of sustainable aviation fuel.

(2) NOTICE TO CONGRESS.—Upon the selection of each facility under paragraph (1), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives notice of the selection, including an identification of the facility selected.

(c) USE OF SUSTAINABLE AVIATION FUEL.—

(1) PLANS.—For each facility selected under subsection (b), not later than one year after the selection of the facility, the Secretary shall—

(A) develop a plan on how to implement, by September 30, 2028, a target of exclusively using at the facility aviation fuel that is blended to contain not less than 10 percent sustainable aviation fuel;

(B) submit the plan developed under subparagraph (A) to the Committees on Armed Services of the Senate and the House of Representatives; and

(C) provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on such plan that includes, at a minimum—

(i) a description of any operational, infrastructure, or logistical requirements and recommendations for the blending and use of sustainable aviation fuel; and

(ii) a description of any stakeholder engagement in the development of the plan, including any consultations with nearby commercial airport owners or operators.

(2) IMPLEMENTATION OF PLANS.—For each facility selected under subsection (b), during the period beginning on a date that is not later than September 30, 2028, and for five years thereafter, the Secretary shall require, in accordance with the respective plan developed under paragraph (1), the exclusive use at the facility of aviation fuel that is blended to contain not less than 10 percent sustainable aviation fuel.

(d) CRITERIA FOR SUSTAINABLE AVIATION FUEL.—Sustainable aviation fuel used under the pilot program shall meet the following criteria:

(1) Such fuel shall be produced in the United States from domestic feedstock sources.

(2) Such fuel shall constitute drop-in fuel that meets all specifications and performance requirements of the Department of Defense and the Armed Forces.

(e) WAIVER.—The Secretary may waive the use of sustainable aviation fuel at a facility under the pilot program if the Secretary—

(1) determines such use is not feasible due to a lack of domestic availability of sustainable aviation fuel or a national security contingency; and

(2) submits to the congressional defense committees notice of such waiver and the reasons for such waiver.

(f) FINAL REPORT.—

(1) IN GENERAL.—At the conclusion of the pilot program, the Assistant Secretary of Defense for Energy, Installations, and Environment shall submit to the Committees on Armed Services of the Senate and the House of Representatives a final report on the pilot program.

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

(A) An assessment of the effect of using sustainable aviation fuel on the overall fuel costs of blended fuel.

(B) A description of any operational, infrastructure, or logistical requirements and recommendations for the blending and use of sustainable aviation fuel, with a focus on scaling up adoption of such fuel throughout the Armed Forces.

(C) Recommendations with respect to how military installations can leverage proximity to commercial airports and other jet fuel consumers to increase the rate of use of sustainable aviation fuel, for both military and non-military use, including potential collaboration on innovative financing or purchasing and shared supply chain infrastructure.

(D) A description of the effects on performance and operation of aircraft using sustainable aviation fuel, including—

(i) if used, considerations of various blending ratios and their associated benefits;

(ii) efficiency and distance improvements of flights using sustainable aviation fuel;

(iii) weight savings on large transportation aircraft and other types of aircraft with using blended fuel with higher concentrations of sustainable aviation fuel;

(iv) maintenance benefits of using sustainable aviation fuel, including engine longevity;

(v) the effect of the use of sustainable aviation fuel on emissions and air quality;

(vi) the effect of the use of sustainable aviation fuel on the environment and on surrounding communities, including environmental justice factors that are created by the demand for and use of sustainable aviation fuel by the Department of Defense; and

(vii) benefits with respect to job creation in the sustainable aviation fuel production and supply chain.

(g) SUSTAINABLE AVIATION FUEL DEFINED.—In this section, the term ''sustainable aviation fuel'' means liquid fuel that—

(1) consists of synthesized hydrocarbon;

(2) meets the requirements of ASTM International Standard D7566 (or successor standard);

(3) is derived from biomass (as such term is defined in section 45K(c)(3) of the Internal Revenue Code of 1986), waste streams, renewable energy sources, or gaseous carbon oxides; and

(4) is not derived from palm fatty acid distillates.

SEC. 320. RENEWAL OF ANNUAL ENVIRONMENTAL AND ENERGY REPORTS OF DEPARTMENT OF DEFENSE.

(a) ENVIRONMENTAL REPORT.—Section 2711 of title 10, United States Code, is amended by striking subsections (a) and (b) and inserting the following new subsections:

''(a) REPORT REQUIRED.—Not later than March 31 of each year, the Secretary of Defense shall submit to Congress a report on progress made by environmental programs of the Department of Defense during the preceding fiscal year.

''(b) ELEMENTS.—Each report under subsection (a) shall include, for the year covered by the report, the following:

''(1) With respect to environmental restoration activities of the Department of Defense, and for each of the military departments, information on the Defense Environmental Restoration Program under section 2701 of this title, including—

''(A) the total number of sites at which such program was carried out;

''(B) the progress of remediation for sites that have not yet completed cleanup;

''(C) the remaining cost to complete cleanup of known sites; and

''(D) an assessment by the Secretary of Defense of the overall progress of such program.

''(2) An assessment by the Secretary of achievements for environmental conservation and planning by the Department.

''(3) An assessment by the Secretary of achievements for environmental compliance by the Department.

''(4) An assessment by the Secretary of achievements for climate resiliency by the Department.

''(5) An assessment by the Secretary of the progress made by the Department in achieving the objectives and goals of the Environmental Technology Program of the Department.

''(c) CONSOLIDATION.—The Secretary of Defense may consolidate or attach with or otherwise include in any report required under subsection (a) any annual report or other requirement that is aligned or associated with, or would be better understood if presented as part of a consolidated report addressing, environmental restoration, compliance, and resilience.''.

(b) ENERGY REPORT.—

(1) IN GENERAL.—Section 2925 of such title is amended—

(A) by amending the section heading to read as follows: ''**Annual report on energy performance, resilience, and readiness of Department of Defense**''; and

(B) by striking subsections (a) and (b) and inserting the following new subsections:

''(a) REPORT REQUIRED.—Not later than 240 days after the end of each fiscal year, the Secretary of Defense shall submit to the congressional defense committees a report detailing the fulfillment during that fiscal year of the authorities and requirements under sections 2688, 2911, 2912, 2920, and 2926 of this title, including progress on energy resilience at military installations and the use of operational energy in combat platforms and at contingency locations.

''(b) ELEMENTS.—Each report under subsection (a) shall include the following:

''(1) For the year covered by the report, the following:

''(A) A description of the progress made to achieve the goals of the Energy Policy Act of 2005 (Public Law 109–58), section 2911(g) of this title, and the Energy Independence and Security Act of 2007 (Public Law 110–140).

''(B) A description of the energy savings, return on investment, and enhancements to installation mission assurance realized by the fulfillment of the goals described in paragraph (1).

''(C) A description of and progress towards the energy security, resilience, and performance goals and master planning for the Department of Defense, including associated metrics pursuant to subsections (c) and (d) of section 2911 of this title and requirements under section 2688(g) of this title.

''(D) An evaluation of progress made by the Department in implementing the operational energy strategy of the Department, including the progress of key initiatives and technology investments related to operational energy demand and management.

''(E) Details of the amounts of any funds transferred by the Secretary of Defense pursuant to section 2912 of this title, including a detailed description of the purpose for which such amounts have been used.

''(2) Statistical information on operational energy demands of the Department, in terms of expenditures and consumption, for the preceding five fiscal years, including information on funding made available in regular defense appropriations Acts and any supplemental appropriation Acts.

''(3) A description of each initiative related to the operational energy strategy of the Department and a summary of funds appropriated for each initiative in the previous fiscal year and current fiscal year and requested for each initiative for the next five fiscal years.

''(4) Such recommendations as the Secretary considers appropriate for additional changes in organization or authority within the Department to enable further implementation of the energy strategy and such other comments and recommendations as the Secretary considers appropriate.

''(c) CLASSIFIED FORM.—If a report under subsection (a) is submitted in classified form, the Secretary of Defense shall, concurrently with such report, submit to the congressional defense committees an unclassified version of the report.

''(d) CONSOLIDATION.—The Secretary of Defense may consolidate or attach with or otherwise include in any report required under subsection (a) any annual report or other requirement that is aligned or associated with, or would be better understood if presented as part of a consolidated report addressing energy performance, resilience, and readiness.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III of chapter 173 of such title is amended by striking the item relating to section 2925 and inserting the following new item:

''2925. Annual report on energy performance, resilience, and readiness of Department of Defense.

(c) TREATMENT OF TERMINATION OF REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Section 1061(c) of National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 111 note) is amended by striking paragraphs (51) and (54).

(2) RULE OF CONSTRUCTION.—The reports required by sections 2711 and 2925 of title 10, United States Code, as amended by this section, shall not be considered to be covered reports for purposes of section 1080 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 111 note).

SEC. 321. REPORT ON FEASIBILITY OF TERMINATING ENERGY PROCUREMENT FROM FOREIGN ENTITIES OF CONCERN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Assistant Secretary of Defense for Energy, Installations, and Environment shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability of terminating energy procurement by the Department of Defense from foreign entities of concern.

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

(1) An assessment of the reliance by the Department of Defense on foreign entities of concern for the procurement of energy.

(2) An identification of the number of energy contracts in force between the Director of the Defense Logistics Agency and a foreign entity of concern or an entity headquartered in a country that is a foreign entity of concern.

(3) Such proposals as the Assistant Secretary of Defense for Energy, Installations, and Environment may have for divestment of resourcing of energy for the Department of Defense from entities described in subparagraph (B) and reconfiguring such resourcing instead from allies of the United States in the North Atlantic Treaty Organization and other major allies of the United States.

(c) FOREIGN ENTITY OF CONCERN DEFINED.—In this section, the term ''foreign entity of concern'' has the meaning given that term in section 9901 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651).

Subtitle C—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances

SEC. 331. INCREASE OF TRANSFER AUTHORITY FOR FUNDING OF STUDY AND ASSESSMENT ON HEALTH IMPLICATIONS OF PER- AND POLYFLUOROALKYL SUBSTANCES CONTAMINATION IN DRINKING WATER BY AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY.

Section 316(a)(2)(B) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1350), as amended by section 315(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1713), section 321 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1307), section 337 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3533), and section 342 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1643), is further amended—

(1) in clause (ii), by striking ''2023'' and inserting ''2022''; and

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

''(iii) Without regard to section 2215 of title 10, United States Code, the Secretary of Defense may transfer not more than $20,000,000 in fiscal year 2023 to the Secretary of Health and Human Services to pay for the study and assessment required by this section.''.

SEC. 332. MODIFICATION OF LIMITATION ON DISCLOSURE OF RESULTS OF TESTING FOR PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES ON PRIVATE PROPERTY.

Section 345(a)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2715 note) is amended by inserting ''personally identifiable information in connection with'' after ''publicly disclose''.

SEC. 333. DEPARTMENT OF DEFENSE RESEARCH RELATING TO PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES.

(a) PUBLICATION OF INFORMATION.—

(1) IN GENERAL.—Beginning not later than 180 days after the date of the enactment of this Act, Secretary of Defense shall publish on the publicly available website established under section 331(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2701 note) timely and regularly updated information on the research efforts of the Department of Defense relating to perfluoroalkyl or polyfluoroalkyl substances, which shall include the following:

(A) A description of any research collaborations and data sharing by the Department with the Department of Veterans Affairs, the Agency for Toxic Substances and Disease Registry, or any other agency (as defined in section 551 title 5, United States Code), States, academic institutions, nongovernmental organizations, or any other entity.

(B) Regularly updated information on research projects supported or conducted by the Department of Defense pertaining to the development, testing, and evaluation of a fluorine-free firefighting foam or any other

alternative to aqueous film forming foam that contains perfluoroalkyl or polyfluoroalkyl substances, excluding any proprietary information that is business confidential.

(C) Regularly updated information on research projects supported or conducted by the Department pertaining to the health effects of perfluoroalkyl or polyfluoroalkyl substances, including information relating to the impact of such substances on firefighters, veterans, and military families and excluding any personally identifiable information.

(D) Regularly updated information on research projects supported or conducted by the Department pertaining to treatment options for drinking water, surface water, ground water, and the safe disposal of perfluoroalkyl or polyfluoroalkyl substances.

(E) Budget information, including specific spending information for the research projects relating to perfluoroalkyl or polyfluoroalkyl substances that are supported or conducted by the Department.

(F) Such other matters as may be relevant to ongoing research projects supported or conducted by the Department to address the use of perfluoroalkyl or polyfluoroalkyl substances and the health effects of the use of such substances.

(2) FORMAT.—The information published under paragraph (1) shall be made available in a downloadable, machine-readable, open, and a user-friendly format.

(3) DEFINITIONS.—In this subsection:

(A) MILITARY INSTALLATION.—The term ''military installation'' includes active, inactive, and former military installations.

(B) PERFLUOROALKYL SUBSTANCE.—The term ''perfluoroalkyl substance'' means a man-made chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(C) POLYFLUOROALKYL SUBSTANCE.—The term ''polyfluoroalkyl substance'' means a man-made chemical containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

(b) INCLUSION OF RESEARCH DUTIES IN PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES TASK FORCE.—Section 2714(e) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

''(5) Supporting research efforts relating to perfluoroalkyl substances or polyfluoroalkyl substances.

''(6) Establishing practices to ensure the timely and complete dissemination of research findings and related data relating to perfluoroalkyl substances or polyfluoroalkyl substances to the general public.''.

Subtitle D—Logistics and Sustainment

SEC. 351. IMPLEMENTATION OF COMPTROLLER GENERAL RECOMMENDATIONS REGARDING SHIPYARD INFRASTRUCTURE OPTIMIZATION PLAN OF THE NAVY.

(a) IN GENERAL.—Not later than March 1, 2023, the Secretary of the Navy shall—

(1) develop metrics for assessing progress of the Secretary toward improved shipyard capacity and performance in carrying out the Shipyard Infrastructure Optimization Plan of the Navy, including by measuring the effectiveness of capital investments;

(2) ensure that the shipyard optimization program office of the Navy—

(A) includes all costs, such as inflation, program office activities, utilities, roads, environmental remediation, historic preservation, and alternative workspace when developing a detailed cost estimate; and

(B) uses cost estimating best practices in developing a detailed cost estimate, including—

(i) a program baseline;

(ii) a work breakdown structure;

(iii) a description of the methodology and key assumptions;

(iv) a consideration of inflation;

(v) a full assessment of risk and uncertainty; and

(vi) a sensitivity analysis; and

(3) obtain an independent cost estimate for the shipyard optimization program before starting the prioritization of projects under such program.

(b) BRIEFING.—If the Secretary of the Navy is unable to implement the requirements under subsection (a) by March 1, 2023, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives before such date on—

(1) the current progress of the Secretary towards implementing those requirements;

(2) any hindrance to implementing those requirements; and

(3) any additional resources necessary to implement those requirements.

SEC. 352. RESEARCH AND ANALYSIS ON THE CAPACITY OF PRIVATE SHIPYARDS IN THE UNITED STATES AND THE EFFECT OF THOSE SHIPYARDS ON NAVAL FLEET READINESS.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Navy shall enter into an agreement with a nonprofit entity or a federally funded research and development center to conduct research and analysis regarding the capacity and capability of private shipyards in the United States to repair, maintain, and modernize surface combatants and support ships of the Navy to ensure fleet readiness.

(b) ELEMENTS.—The research and analysis conducted under subsection (a) shall include the following:

(1) An assessment of the maintenance needs of the Navy during the five-year period preceding the date of the enactment of this Act, including frequency of unplanned maintenance and average time it takes to repair ships.

(2) An assessment of the projected maintenance needs of the Navy during the 10-year period following such date of enactment.

(3) An assessment of whether current private shipyards in the United States have the capacity to meet current and anticipated needs of the Navy to maintain and repair ships, include whether there are adequate ship repair facilities and a sufficient trained workforce.

(4) An identification of barriers limiting success of intermediate-level and depot-level maintenance availabilities, including constraints of adding private depot capacity and capability.

(5) Recommendations based on the findings of paragraphs (1) through (4) regarding actions the Secretary of the Navy can take to ensure there is an industrial base of private ship repair facilities to meet the needs of the Navy and ensure fleet readiness, including whether the Secretary should institute a new force generation model, establish additional homeport facilities, or establish new hub-type maintenance facilities.

(c) INPUT FROM PRIVATE SHIPYARDS.—In conducting research and analysis under subsection (a), the nonprofit entity or federally funded research and development center with whom the Secretary of the Navy entered into an agreement under subsection (a) shall consult with private shipyards regarding—

(1) the fleet maintenance needs of surface combatant and support ships of the Navy;

(2) private shipyard capacity, including workforce; and

(3) additional investment in private shipyards necessary to meet the needs of the Navy.

(d) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the nonprofit entity or federally funded research and development center with whom the Secretary of the Navy entered into an agreement under subsection (a) shall submit to the Secretary a report on the results of the research and analysis undertaken under such subsection.

(2) TRANSMITTAL TO CONGRESS.—Not later than 30 days after the Secretary receives the report under paragraph (1), the Secretary shall transmit to the congressional defense committees a copy of the report.

SEC. 353. LIMITATION ON FUNDS FOR THE JOINT MILITARY INFORMATION SUPPORT OPERATIONS WEB OPERATIONS CENTER.

Not more than 50 percent of the amount authorized to be appropriated for the Joint Military Information Support Operations Web Operations Center for Operation and Maintenance, Defense-Wide, may be obligated and expended until the Secretary of Defense submits to the congressional defense committees a plan for—

(1) appropriately scoping and tailoring messaging activities to foreign target audiences;

(2) ensuring messages serve a valid military purpose;

(3) effectively managing risk associated with web-based military information support operations;

(4) maintaining alignment with policies and procedures of the Department of Defense;

(5) adequately overseeing and approving the work of contractors;

(6) ensuring alignment with policy guidance and procedures of the Department; and

(7) coordinating activities with the Global Engagement Center of the Department of State and other relevant non-Department of Defense entities.

SEC. 354. NOTIFICATION OF INCREASE IN RETENTION RATES FOR NAVY SHIP REPAIR CONTRACTS.

(a) IN GENERAL.—Not later than 30 days before making a change to increase the level of retention rates for a Navy ship repair contract, the Secretary of the Navy shall notify the congressional defense committees.

(b) MATTERS TO BE INCLUDED.—A notification under subsection (a) with respect to a change to increase the level of retention rates for a Navy ship repair contract shall include the following information:

(1) An identification of any considerations that informed the decision to increase such rates.

(2) The desired effect the change will have on the Navy ship repair industrial base.

SEC. 355. INAPPLICABILITY OF ADVANCE BILLING DOLLAR LIMITATION FOR RELIEF EFFORTS FOLLOWING MAJOR DISASTERS OR EMERGENCIES.

Section 2208(l)(3) of title 10, United States Code, is amended—

(1) by striking ''The total'' and inserting ''(A) Except as provided in subparagraph (B), the total''; and

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

''(B) The dollar limitation under subparagraph (A) shall not apply with respect to advance billing for relief efforts following a declaration of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).''.

SEC. 356. REPEAL OF COMPTROLLER GENERAL REVIEW ON TIME LIMITATIONS ON DURATION OF PUBLIC-PRIVATE COMPETITIONS.

Subsection (c) of section 322 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2252) is repealed.

Subtitle E—Reports

SEC. 371. INCLUSION OF INFORMATION REGARDING JOINT MEDICAL ESTIMATES IN READINESS REPORTS.

Section 482(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (11) as paragraph (12); and

(2) by inserting after paragraph (10) the following new paragraph:

''(11) A summary of the joint medical estimate under section 732(b)(1) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1817) prepared by the Joint Staff Surgeon with a mitigation plan to correct any readiness problem or deficiency and the timeline, cost, and any legislative action required to correct any such problem or deficiency.''.

Subtitle F—Other Matters

SEC. 381. IMPLEMENTATION OF RECOMMENDATIONS RELATING TO ANIMAL FACILITY SANITATION AND MASTER PLAN FOR HOUSING AND CARE OF HORSES.

(a) IMPLEMENTATION BY SECRETARY OF THE ARMY OF CERTAIN RECOMMENDATIONS RELATING TO ANIMAL FACILITY SANITATION.—Not later than March 1, 2023, the Secretary of the Army shall implement the recommendations contained in the memorandum of the Department of the Army dated February 25, 2022, the subject of which is ''Animal Facility Sanitation Inspection Findings for the Fort Myer Caisson Barns/Paddocks and the Fort Belvoir Caisson Pasture Facility'' (MHCB–RN).

(b) MASTER PLAN FOR THE HOUSING AND CARE OF ALL HORSES WITHIN THE CARE OF THE OLD GUARD.—

(1) IN GENERAL.—Not later than March 1, 2023, the Secretary of the Army shall submit to Congress a master plan for the housing and care of all horses within the care of the 3rd United States Infantry (commonly known as the ''Old Guard'').

(2) ELEMENTS.—The plan required by paragraph (1) shall—

(A) describe all modifications planned or underway at the Fort Myer Caisson Barns/Paddocks, the Fort Belvoir Caisson Pasture Facility, and any other facility or location under consideration for stabling of the horses described in paragraph (1);

(B) identify adequate space at Fort Myer, Virginia, to properly care for the horses described in paragraph (1);

(C) prioritize the allotment of the space identified under subparagraph (B) over other functions of Fort Myer that could be placed elsewhere;

(D) include projected timelines and resource requirements to execute the plan; and

(E) describe—

(i) immediate remedies for the unsanitary and unsafe conditions present at the locations described in subparagraph (A); and

(ii) how long-term quality of life improvements will be provided for the horses described in paragraph (1).

SEC. 382. INCLUSION OF LAND UNDER JURISDICTION OF DEPARTMENT OF DEFENSE SUBJECT TO LONG-TERM REAL ESTATE AGREEMENT AS COMMUNITY INFRASTRUCTURE FOR PURPOSES OF DEFENSE COMMUNITY INFRASTRUCTURE PILOT PROGRAM.

Section 2391(e)(4)(A)(i) of title 10, United States Code, is amended by inserting before the semicolon the following: ''or on land under the jurisdiction of a Secretary of a military department subject to a long-term real estate agreement, such as a lease or an easement''.

SEC. 383. RESTRICTION ON PROCUREMENT OR PURCHASING BY DEPARTMENT OF DEFENSE OF TURNOUT GEAR FOR FIREFIGHTERS CONTAINING PERFLUOROALKYL SUBSTANCES OR POLYFLUOROALKYL SUBSTANCES.

(a) PROHIBITION ON PROCUREMENT AND PURCHASING.—Beginning on October 1, 2026, the Secretary of Defense may not enter into a contract to procure or purchase covered personal protective firefighting equipment for use by Federal or civilian firefighters if such equipment contains an intentionally added perfluoroalkyl substance or polyfluoroalkyl substance.

(b) IMPLEMENTATION.—

(1) INCLUSION IN CONTRACTS.—The Secretary of Defense shall include the prohibition under subsection (a) in any contract entered into by the Department of Defense to procure covered personal protective firefighting equipment for use by Federal or civilian firefighters.

(2) NO OBLIGATION TO TEST.—In carrying out the prohibition under subsection (a), the Secretary shall not have an obligation to test covered personal protective firefighting equipment to confirm the absence of perfluoroalkyl substances or polyfluoroalkyl substances.

(c) EXISTING INVENTORY.—Nothing in this section shall impact existing inventories of covered personal protective firefighting equipment.

(d) AVAILABILITY OF ALTERNATIVES.—

(1) IN GENERAL.—The requirement under subsection (a) shall be subject to the availability of sufficiently protective covered personal protective firefighting equipment that does not contain intentionally added perfluoroalkyl substances or polyfluoroalkyl substances.

(2) EXTENSION OF EFFECTIVE DATE.—If the Secretary of Defense determines that no sufficiently protective covered personal protective firefighting equipment that does not contain intentionally added perfluoroalkyl substances or polyfluoroalkyl substances is available, the deadline under subsection (a) shall be extended until the Secretary determines that such covered personal protective firefighting equipment is available.

(e) DEFINITIONS.—In this section:

(1) COVERED PERSONAL PROTECTIVE FIREFIGHTING EQUIPMENT.—The term ''covered personal protective firefighting equipment'' means—

(A) any product that provides protection to the upper and lower torso, arms, legs, head, hands, and feet; or

(B) any other personal protective firefighting equipment, as determined by the Secretary of Defense.

(2) PERFLUOROALKYL SUBSTANCE.—The term ''perfluoroalkyl substance'' means a man-made chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(3) POLYFLUOROALKYL SUBSTANCE.—The term ''polyfluoroalkyl substance'' means a man-made chemical containing at least one fully fluorinated carbon atom and at least one non-fully fluorinated carbon atom.

SEC. 384. CONTINUED DESIGNATION OF SECRETARY OF THE NAVY AS EXECUTIVE AGENT FOR NAVAL SMALL CRAFT INSTRUCTION AND TECHNICAL TRAINING SCHOOL.

The Secretary of the Navy shall continue, through fiscal year 2023—

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

(2) to provide such support, as necessary, for the continued operation of such school.

SEC. 385. PROHIBITION ON USE OF FUNDS TO DISCONTINUE THE MARINE MAMMAL SYSTEM PROGRAM.

(a) PROHIBITION.—Except as provided in subsection (b), the Secretary of the Navy may not obligate or expend funds to discontinue or prepare to discontinue, including through substantive reduction in training and operational employment, the Marine Mammal System program that has been or is currently being used for—

(1) port security at installations of the Navy, commonly known as Mark–6 systems; or

(2) mine search capabilities, commonly known as Mark–7 systems.

(b) WAIVER.—The Secretary of the Navy may waive the prohibition under subsection (a) if the Secretary, with the concurrence of the Director of Operational Test and Evaluation of the Department of Defense, certifies to the congressional defense committees in writing that the Secretary has—

(1) identified a replacement capability and the necessary quantity of systems to carry out such capability to meet all operational requirements currently being met by the Marine Mammal System program with a detailed explanation of such capability and quantity;

(2) achieved initial operational capability of all systems described in paragraph (1) with a detailed explanation of such achievement; and

(3) deployed a sufficient quantity of systems described in paragraph (1) that have achieved initial operational capability to continue to meet or exceed all operational requirements currently being met by the Marine Mammal System program with a detailed explanation of such deployment.

SEC. 386. LIMITATION ON REPLACEMENT OF NON-TACTICAL VEHICLE FLEET OF THE DEPARTMENT OF DEFENSE WITH ELECTRIC VEHICLES, ADVANCED-BIOFUEL-POWERED VEHICLES, OR HYDROGEN-POWERED VEHICLES.

(a) IN GENERAL.—Until the date on which the Secretary of Defense submits to the Committees on Armed Services of the Senate and House of Representatives the report described in subsection (b), the Secretary may not enter into an indefinite delivery indefinite quantity contract to procure and replace the existing non-tactical vehicle fleet of the Department of Defense with electric vehicles, advanced-biofuel-powered vehicles, or hydrogen-powered vehicles.

(b) ELEMENTS.—The report described in this subsection shall include the following:

(1) A complete cost estimate for the acquisition by the Department of Defense, or through contract mechanisms used by the Department, such as energy savings performance contracts, of electric non-tactical vehicles to replace the existing non-tactical vehicle fleet of the Department, which shall include—

(A) the cost per unit and number of units to be procured of each type of electric non-tactical vehicle (trucks, buses, vans, etc.);

(B) the cost associated with building the required infrastructure to support electric non-tactical vehicles, including charging stations and electric grid requirements;

(C) a per-unit lifecycle cost comparison between electric vehicles and combustion engine vehicles of each type (electric truck versus conventional truck, etc.);

(D) maintenance requirements of electric vehicles compared to combustion engine vehicles; and

(E) for each military department, a cost comparison over periods of three, five, 10,

and 15 years of pursuing an electric non-tactical vehicle fleet versus continuing with combustion engine non-tactical vehicles.

(2) An assessment of the current and projected sourcing shortfalls for lithium, cobalt, and nickel from Taiwan, India, member countries of the North Atlantic Treaty Organization, and major allies of the North Atlantic Treaty Organization.

(3) An assessment of the current and projected supply chain shortfalls for electric vehicles, set forth by industry.

(4) An assessment of the cost associated with building the required infrastructure to support electric non-tactical vehicles, including charging stations and electric grid requirements.

(5) An assessment of the security risks associated with data collection conducted with respect to electric vehicles and related computer systems.

(6) An assessment of the current range requirements for electric vehicle compared to combustion engine vehicles and the average life of vehicles of the Department necessary to maintain current readiness requirements of the Department.

(7) An assessment of maintenance requirements of electric vehicles compared to combustion engine vehicles.

(8) A cost-benefit analysis of the cost, time, and manpower associated with maintenance of electric non-tactical vehicles compared to combustion engine non-tactical vehicles.

(9) An assessment of the effect transitioning to electric non-tactical vehicles would have on the National Defense Stockpile administered by the Defense Logistics Agency and current and future requirements relating to such stockpile.

(10) An identification of components for electric non-tactical vehicles that are currently being sourced from the People's Republic of China.

(11) An assessment of the long-term cost and benefit to the Department of being an early adopter of hydrogen-powered vehicles and advanced-biofuel-powered vehicles.

(12) An assessment of the long-term availability to the Department of internal combustion engines and spare parts for such engines, including whether or not they will be manufactured in the United States or repairable with parts made in the United States and labor in the United States.

(13) A comparison of the relative risk to personnel of the Department, budgetary impacts, and impacts on the supply chain between different fuel types to determine the tradeoffs associated with the adoption and use of any particular fuel type.

(c) ADDITIONAL PROHIBITION.—No funds may be obligated or expended for the Department of Defense for the procurement of non-tactical electric vehicles, advanced-biofuel-powered vehicles, hydrogen-powered vehicles, or any components or spare parts associated with such vehicles that are not in compliance with subpart 22.15 of the Federal Acquisition Regulation maintained under section 1303(a)(1) of title 41, United States Code (or any successor regulations), on the Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor.

(d) DEFINITIONS.—In this section:

(1) ADVANCED-BIOFUEL-POWERED VEHICLE.—The term ''advanced-biofuel-powered vehicle'' includes a vehicle that uses a fuel described in section 9001(3)(A) of the Farm Security and Rural Investment Act of 2202 (7 U.S.C. 8101(3)(A)).

(2) CHARGING STATION.—The term ''charging station'' means a parking space with electric vehicle supply equipment that supplies electric energy for the recharging of electric vehicles with at least a level 2 charger.

(3) ELECTRIC GRID REQUIREMENTS.—The term ''electric grid requirements'' means the power grid and infrastructure requirements needed to support plug-in electric vehicles and vehicle-to-grid requirements.

(4) HYDROGEN-POWERED VEHICLE.—The term ''hydrogen-powered vehicle'' means a vehicle that uses hydrogen as the main source of motive power, either through a fuel cell or internal combustion.

(5) NON-TACTICAL VEHICLE.—The term ''non-tactical vehicle'' means any commercial motor vehicle, trailer, material handling equipment, or engineering equipment that carries passengers or cargo acquired for the administrative, direct mission, or operational support of military functions.

SEC. 387. LIMITATION ON USE OF CHARGING STATIONS FOR PERSONAL ELECTRIC VEHICLES.

The Secretary of Defense may not permit the charging of personal electric vehicles through the use of charging stations provided by the Department of Defense unless the charging infrastructure for such stations allows for the receipt of payment for such charging.

SEC. 388. PILOT PROGRAMS FOR TACTICAL VEHICLE SAFETY DATA COLLECTION.

(a) IN GENERAL.—Not later than October 1, 2023, the Secretary of the Army and the Secretary of the Navy shall each initiate a pilot program to evaluate the utility of using data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles in the Army and the Marine Corps, respectively.

(b) DURATION.—Each pilot program initiated under subsection (a) shall be carried out for a period of not less than two years.

(c) REQUIREMENTS.—In carrying out a pilot program under this section, the Secretary of the Army and the Secretary of the Navy shall—

(1) carry out the pilot program at not fewer than one military installation in the United States selected by the Secretary concerned that contains the necessary forces, equipment, and maneuver training ranges to collect data on drivers and military tactical vehicles during training and routine operation;

(2) install data recorders on a sufficient number of each type of military tactical vehicle specified in subsection (d) to gain statistically significant results;

(3) select a data recorder capable of collecting and exporting telemetry data, event data, and driver identification data during operation and accidents;

(4) establish and maintain a data repository for operation and event data captured by the data recorder; and

(5) establish processes to leverage operation and event data to improve individual vehicle operator performance, identify installation hazards that threaten safe vehicle operation, and identify vehicle-type specific operating conditions that increase the risk of accidents or mishaps.

(d) MILITARY TACTICAL VEHICLES SPECIFIED.—Military tactical vehicles specified in this subsection are the following:

(1) High Mobility Multipurpose Wheeled Vehicles.

(2) Family of Medium Tactical Vehicles.

(3) Medium Tactical Vehicle Replacements.

(4) Heavy Expanded Mobility Tactical Trucks.

(5) Light Armored Vehicles.

(6) Stryker armored combat vehicles.

(7) Such other military tactical vehicles as the Secretary of the Army or the Secretary of the Navy considers appropriate.

(e) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army and the Secretary of the Navy shall each—

(1) develop plans for implementing the pilot programs under this section; and

(2) provide to the congressional defense committees a briefing on those plans and the estimated cost of implementing those plans.

(f) REPORT REQUIRED.—Not later than December 15, 2024, the Secretary of the Army and the Secretary of the Navy shall each submit to the congressional defense committees a report on the pilot program carried out under this section by the Secretary concerned, including—

(1) insights and findings regarding the utility of using data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles;

(2) adjustments made, or to be made, to the implementation plans developed under subsection (e); and

(3) any other matters as determined appropriate by the Secretary concerned.

(g) ASSESSMENT REQUIRED.—Not later than December 15, 2025, the Secretary of the Army and the Secretary of the Navy shall jointly submit to the congressional defense committees an assessment of the pilot programs carried out under this section, including—

(1) insights and findings regarding the utility of using data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles;

(2) an assessment of the utility of establishing an enduring program to use data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles;

(3) an assessment of the scope, size, and estimated cost of such an enduring program; and

(4) such other matters as the Secretary of the Army and the Secretary of the Navy determine appropriate.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2023, as follows:

(1) The Army, 473,000.

(2) The Navy, 354,000.

(3) The Marine Corps, 177,000.

(4) The Air Force, 325,344.

(5) The Space Force, 8,600.

SEC. 402. END STRENGTH LEVEL MATTERS.

(a) STRENGTH LEVELS TO SUPPORT NATIONAL DEFENSE STRATEGY.—

(1) IN GENERAL.—Section 691 of title 10, United States Code, is repealed.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 39 of such title is amended by striking the item relating to section 691.

(b) CERTAIN ACTIVE-DUTY AND SELECTED RESERVE STRENGTHS.—Section 115 of such title is amended—

(1) in subsection (f), by striking ''increase'' each place it appears and inserting ''vary''; and

(2) in subsection (g)—

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

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

''(B) vary the end strength pursuant to subsection (a)(2) for a fiscal year for the Selected Reserve of the reserve component of the armed force or forces under the jurisdiction of that Secretary by a number equal to nor more than 2 percent of such authorized end strength.''; and

(B) in paragraph (2), by striking ''increase'' each place it appears and inserting ''variance''.

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

(a) IN GENERAL.—Notwithstanding section 115(g) of title 10, United States Code, upon determination by the Secretary of the Air Force that such action would enhance manning and readiness in essential units or in critical specialties, the Secretary may vary the end strength authorized by Congress for each fiscal year as follows:

(1) Increase the end strength authorized pursuant to section 115(a)(1)(A) for a fiscal year for the Space Force by a number equal to not more than 5 percent of such authorized end strength.

(2) Decrease the end strength authorized pursuant to section 115(a)(1)(A) for a fiscal year for the Space Force by a number equal to not more than 10 percent of such authorized end strength.

(b) TERMINATION.—The authority provided under subsection (a) shall terminate on December 31, 2023.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2023, as follows:

(1) The Army National Guard of the United States, 336,000.

(2) The Army Reserve, 189,500.

(3) The Navy Reserve, 57,700.

(4) The Marine Corps Reserve, 33,000.

(5) The Air National Guard of the United States, 108,400.

(6) The Air Force Reserve, 70,000.

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

(b) END STRENGTH REDUCTIONS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

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

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

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

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

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2023, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 30,845.

(2) The Army Reserve, 16,511.

(3) The Navy Reserve, 10,077.

(4) The Marine Corps Reserve, 2,388.

(5) The Air National Guard of the United States, 25,333.

(6) The Air Force Reserve, 6,003.

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

(a) IN GENERAL.—The minimum number of military technicians (dual status) as of the last day of fiscal year 2023 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 22,294.

(2) For the Army Reserve, 6,492.

(3) For the Air National Guard of the United States, 10,994.

(4) For the Air Force Reserve, 7,111.

(b) LIMITATION ON NUMBER OF TEMPORARY MILITARY TECHNICIANS (DUAL STATUS).—The number of temporary military technicians (dual-status) employed under the authority of subsection (a) may not exceed 25 percent of the total authorized number specified in such subsection.

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

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

During fiscal year 2023, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

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

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

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

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

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

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2023 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2023.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

SEC. 501. CONSIDERATION OF ADVERSE INFORMATION.

Section 628a(a)(1) of title 10, United States Code, is amended—

(1) by inserting ''(A)'' before ''If the Secretary concerned''; and

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

''(B) Nothing in this section shall be construed to prevent a Secretary concerned from deferring consideration of adverse information concerning an officer subject to this section until the next regularly scheduled promotion board applicable to such officer, in lieu of furnishing such adverse information to a special selection review board under this section.''.

SEC. 502. EXTENSION OF TIME LIMITATION FOR GRADE RETENTION WHILE AWAITING RETIREMENT.

Section 601(b)(5) of title 10, United States Code, is amended by striking ''retirement, but not for more than 60 days.'' and inserting the following: ''retirement, but—

''(A) subject to subparagraph (B), not for more than 60 days; and

''(B) with respect to an officer awaiting retirement following not less than one year of consecutive deployment outside of the United States to a combat zone (as defined in section 112(c) of the Internal Revenue Code of 1986) or in support of a contingency operation, not for more than 90 days.''.

SEC. 503. REALIGNMENT IN NAVY DISTRIBUTION OF FLAG OFFICERS SERVING IN THE GRADES OF O–8 AND O–9.

Section 525(a)(3) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking ''33'' and inserting ''34''; and

(2) in subparagraph (C), by striking ''50'' and inserting ''49''.

SEC. 504. UPDATING WARRANT OFFICER SELECTION AND PROMOTION AUTHORITY.

(a) CONVENING OF SELECTION BOARDS.—Section 573 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g)(1) Upon the request of a warrant officer, the Secretary of the military department with jurisdiction over the officer may exclude the officer from consideration by a selection board convened under this section to consider warrant officers for promotion to the next higher grade.

''(2) The Secretary concerned may approve a request of a warrant officer under paragraph (1) only if—

''(A) the basis for the request is to allow the officer to complete a deepening assignment in support of career progression, advanced education, another assignment of significant value to the Department of Defense, or a career progression requirement delayed by an assignment or education;

''(B) it is determined the exclusion from consideration is in the best interest of the military department concerned; and

''(C) the officer has not previously failed of selection for promotion to the grade for which the officer requests the exclusion from consideration.''.

(b) PROMOTIONS: EFFECT OF FAILURE OF SELECTION FOR.—Section 577 of title 10, United States Code, is amended by striking the period at the end of the second sentence and inserting '', or a warrant officer excluded under section 573(g) of this title.''.

(c) RECOMMENDATION FOR PROMOTION BY SELECTION BOARDS.—Section 575 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) In selecting the warrant officers to be recommended for promotion, a selection board may, when authorized by the Secretary concerned, recommend warrant officers of particular merit, from among those warrant officers selected for promotion, to be placed higher on the promotion list contained in the board's report under section 576(c) of this title.

''(2) A warrant officer may be recommended to be placed higher on a promotion list under paragraph (1) only if the warrant officer receives the recommendation of at least a majority of the members of the board, unless the Secretary concerned establishes an alternative requirement. Any such alternate requirement shall be furnished to the board as part of the guidelines furnished to the board under section 576 of this title.

''(3) For the warrant officers recommended to be placed higher on a promotion list under paragraph (1), the board shall recommend the order in which those warrant officers should be placed on the list.''.

(d) INFORMATION TO BE FURNISHED TO SELECTION BOARDS; SELECTION PROCEDURES.—Section 576(c) of title 10, United States Code, is amended to read as follows:

''(c) A selection board convened under section 573(a) of this title shall, when authorized under section 575(e) of this title, include in its report to the Secretary concerned the names of those warrant officers recommended by the board to be placed higher on the promotion list and the order in which those officers should be placed on the list. The names of all other warrant officers recommended for promotion under this section shall be arranged in the board's report in the order of seniority on the warrant officer active-duty list.''.

(e) PROMOTIONS: HOW MADE; EFFECTIVE DATE.—Section 578(a) of title 10, United States Code, is amended—

(1) by striking '', in the order of the seniority of such officers on the warrant officer active-duty list''; and

(2) by adding at the end the following new sentence: ''Warrant officers of particular merit who were recommended by the board to be placed higher on the promotion list under section 576(c) of this title shall be listed first and, amongst themselves, in the order recommended by the board, followed by the other warrant officers approved for promotion in order of the seniority of such officers on the warrant officer active-duty list.''.

SEC. 505. AUTHORIZED STRENGTHS FOR SPACE FORCE OFFICERS ON ACTIVE DUTY IN GRADES OF MAJOR, LIEUTENANT COLONEL, AND COLONEL.

The table in subsection (a)(1) of section 523 of title 10, United States Code, is amended by inserting after the items relating to the Marine Corps new items relating to the total number of commissioned officers (excluding officers in categories specified in subsection (b) of such section) serving on active duty in the Space Force in the grades of major, lieutenant colonel, and colonel, respectively, as follows:

''3,900	1,016	782	234
4,300	1,135	873	262
5,000	1,259	845	315
7,000	1,659	1,045	415
10,000	2,259	1,345	565''.

SEC. 506. REPEAL OF REQUIREMENT FOR INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE TO CONDUCT CERTAIN REVIEWS.

Section 847(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 1701 note) is amended—

(1) by striking ''REQUIREMENT.—'' and all that follows through ''Each request'' and inserting ''REQUIREMENT.—Each request''; and

(2) by striking paragraph (2).

SEC. 507. MODIFICATION OF REPORTS ON AIR FORCE PERSONNEL PERFORMING DUTIES OF A NUCLEAR AND MISSILE OPERATIONS OFFICER (13N).

Section 506(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1682) is amended—

(1) by redesignating paragraph (8) as paragraph (9); and

(2) by inserting after paragraph (7) the following new paragraph (8):

''(8) A staffing plan for managing personnel within the 13N career field as the Air Force transitions from the Minuteman III weapon system to the Sentinel weapon system.''.

Subtitle B—Reserve Component Management

SEC. 511. AUTHORITY TO WAIVE REQUIREMENT THAT PERFORMANCE OF ACTIVE GUARD AND RESERVE DUTY AT THE REQUEST OF A GOVERNOR MAY NOT INTERFERE WITH CERTAIN DUTIES.

(a) IN GENERAL.—Section 328(b) of title 32, United States Code, is amended by adding at the end the following new subsection:

''(c) WAIVER AUTHORITY.—(1) Notwithstanding section 101(d)(6)(A) of title 10 and subsection (b) of this section, the Governor of a State or the Commonwealth of Puerto Rico, Guam, or the Virgin Islands, or the commanding general of the District of Columbia National Guard, as the case may be, may, at the request of the Secretary concerned, order a member of the National Guard to perform Active Guard and Reserve duty for purposes of performing training of the regular components of the armed forces as the primary duty.

''(2) Training performed under paragraph (1) must be in compliance with the requirements of section 502(f)(2)(B)(i) of this title.

''(3) No more than 100 personnel may be granted a waiver by a Secretary concerned under paragraph (1) at a time.

''(4) The authority under paragraph (1) shall terminate on October 1, 2024.''.

(b) BRIEFING ON PERFORMANCE OF TRAINING AS PRIMARY DUTY.—Not later than March 1, 2023, the Secretary of the Army and the Secretary of the Air Force shall each submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing describing how many members of the National Guard are performing Active Guard and Reserve duty for purposes of performing training of the regular components of the Armed Forces as the primary duty.

(c) BRIEFING ON END STRENGTH REQUIREMENTS.—Not later than October 1, 2024, the Secretary of the Army and the Secretary of the Air Force shall each submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing outlining the end strength requirement going forward for Active Guard and Reserve forces of the National Guard impacted by subsection (c) of section 328(b) of title 32, United States Code, as added by subsection (a) of this section.

SEC. 512. SELECTED RESERVE AND READY RESERVE ORDER TO ACTIVE DUTY TO RESPOND TO A SIGNIFICANT CYBER INCIDENT.

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

(1) in subsection (a) in the heading, by striking ''**AUTHORITY**'' and inserting ''**OPERATIONAL MISSIONS AND CERTAIN OTHER EMERGENCIES**'';

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

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

''(c) SIGNIFICANT CYBER INCIDENTS.—The Secretary of Defense may, without the consent of the member affected, order any unit, and any member not assigned to a unit organized to serve as a unit, of the Selected Reserve or Individual Ready Reserve to active duty for a continuous period of not more than 365 days when the Secretary of Defense determines it is necessary to augment the active forces for a Department of Defense response to a covered incident.'';

(4) in paragraph (1) of subsection (d), as redesignated by paragraph (2) of this section, by inserting ''or subsection (c)'' after ''subsection (b)'';

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

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

(B) by striking ''Whenever any'' and inserting ''(1) Whenever any''; and

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

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

''(A) order of the Secretary of Defense; or

''(B) law.''; and

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

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

(B) by inserting after paragraph (1) the following new paragraph:

''(2) The term 'covered incident' means—

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

''(B) a cyber incident or collection of related cyber incidents that are determined by the President to be likely to result in demonstrable harm to the national security interests, foreign relations, or economy of the United States or to the public confidence, civil liberties, or public health and safety of the people of the United States; or

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

SEC. 513. BACKDATING OF EFFECTIVE DATE OF RANK FOR RESERVE OFFICERS IN THE NATIONAL GUARD DUE TO UNDUE DELAYS IN FEDERAL RECOGNITION.

Paragraph (2) of section 14308(f) of title 10, United States Code, is amended to read as follows:

''(2) If there is a delay in extending Federal recognition in the next higher grade in the Army National Guard or the Air National Guard to a reserve commissioned officer of the Army or the Air Force that exceeds 100 days from the date the National Guard Bureau determines such officer's application for Federal recognition to be completely submitted by the State and ready for review at the National Guard Bureau, and the delay was not attributable to the action or inaction of such officer—

''(A) in the event of State promotion with an effective date before January 1, 2024, the effective date of the promotion concerned under paragraph (1) may be adjusted to a date determined by the Secretary concerned, but not earlier than the effective date of the State promotion; and

''(B) in the event of State promotion with an effective date on or after January 1, 2024, the effective date of the promotion concerned under paragraph (1) shall be adjusted by the Secretary concerned to the later of—

''(i) the date the National Guard Bureau deems such officer's application for Federal recognition to be completely submitted by

the State and ready for review at the National Guard Bureau; and

''(ii) the date on which the officer occupies a billet in the next higher grade.''.

SEC. 514. INDEPENDENT STUDY ON FEDERAL RECOGNITION PROCESS.

(a) INDEPENDENT STUDY.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct a study on the National Guard commissioned officer and warrant officer promotion system and provide recommendations to the Department of Defense, the Department of the Air Force, the Department of the Army, the National Guard Bureau, and individual State National Guard commands.

(2) ELEMENTS.—The study referred to in paragraph (1) shall include a comprehensive review and assessment of the following:

(A) Reasons for delays in processing personnel actions for Federal recognition of State National Guard member promotions.

(B) The Federal recognition process used to extend Federal recognition to State promotions.

(C) Best practices among the various State National Guards for managing their requirements under the existing National Guard promotion system.

(D) Possible improvements to requirements, policies, procedures, workflow, or resources to reduce the processing time for Federal recognition of state promotions.

(E) An assessment of the feasibility of developing or adopting a commercially available solution for an integrated enterprise information technology system for managing National Guard officer and warrant officer promotions that allows seamless transition for promotions as they move through review at the National Guard Bureau, the Department of the Army, the Department of the Air Force, and the Department of Defense.

(F) Possible metrics to evaluate effectiveness of any recommendations made.

(G) Possible remedies for undue delays in Federal recognition, including adjustment to the effective date of promotion beyond current statutory authorities.

(H) Any other matters the federally funded research and development center determines relevant.

(3) REPORT.—

(A) IN GENERAL.—The contract under paragraph (1) shall require the federally funded research and development center that conducts the study under the contract to submit to the Secretary of Defense, the Secretary of the Army, the Secretary of the Air Force, and the Chief of the National Guard Bureau a report on the results of the study.

(B) SUBMISSION TO CONGRESS.—Upon receiving the report required under subparagraph (A), the Secretary of Defense shall submit an unedited copy of the report results to the congressional defense committees within 30 days of receiving the report from the federally funded research and development corporation.

(b) REPORTING REQUIREMENT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter until the date specified in paragraph (3), the Secretary of Defense, in consultation with the Secretary of the Army and the Secretary of the Air Force as appropriate, shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report detailing the current status of the Federal recognition process for National Guard promotions.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) An update on efforts to transition to fully digital processes in accordance with recommendations made pursuant to subsection (a).

(B) The average processing time for personnel actions related to Federal recognition of reserve commissioned officer promotions in the Army and Air National Guards, respectively, including the time in days from the date at which the National Guard Bureau received the promotion until the date at which Federal recognition was granted.

(C) The average time it took during the previous fiscal year to extend Federal recognition.

(D) The number of Army and Air National Guard officers who experienced Federal recognition delays greater than 90 days in the previous fiscal year.

(E) A summary of any additional resources or authorities needed to further streamline the Federal recognition processes to reduce average Federal recognition processing time to 90 days or fewer.

(F) Any other information that the Secretaries concerned deem relevant.

(3) EXPIRATION OF ANNUAL REPORTING REQUIREMENT.—The date referred to in paragraph (1) is such time as the average processing time for personnel actions described under this subsection is reduced to 90 days or fewer for each of the Army and Air National Guards.

SEC. 515. CONTINUED NATIONAL GUARD SUPPORT FOR FIREGUARD PROGRAM.

(a) REQUIRED SUPPORT THROUGH FISCAL YEAR 2028.—Until September 30, 2028, the Secretary of Defense shall continue to support the FireGuard program with National Guard personnel, including personnel from the California National Guard and Colorado National Guard, to aggregate, analyze, and assess multi-source remote sensing information for interagency partnerships in the initial detection and monitoring of wildfires across the United States.

(b) NOTICE AND WAIT REQUIREMENT AFTER FISCAL YEAR 2028.—Beginning on October 1, 2028, the Secretary of Defense may not reduce the support described under subsection (a), or transfer responsibility for such support to an interagency partner, until 30 days after the date on which the Secretary submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives written notice of the proposed change, and reasons for the change.

SEC. 516. INCLUSION OF UNITED STATES NAVAL SEA CADET CORPS AMONG YOUTH AND CHARITABLE ORGANIZATIONS AUTHORIZED TO RECEIVE ASSISTANCE FROM THE NATIONAL GUARD.

Section 508(d) of title 32, United States Code, is amended—

(1) by redesignating paragraph (14) as paragraph (15); and

(2) by inserting after paragraph (13) the following new paragraph:

''(14) The United States Naval Sea Cadet Corps.''.

Subtitle C—General Service Authorities and Military Records

SEC. 521. MODERNIZATION OF THE SELECTIVE SERVICE SYSTEM.

(a) REFERENCE.—Except as expressly provided otherwise, any reference in this section to a section or other provision shall be deemed to be a reference to that section or other provision of the Military Selective Service Act (50 U.S.C. 3801 et seq.).

(b) PURPOSE OF SELECTIVE SERVICE.—Subsection (b) of section 1 (50 U.S.C. 3801) is amended to read as follows:

''(b) The Congress declares that the security of the Nation requires that adequate military strength be achieved and maintained by ensuring a requisite number of personnel with the necessary capabilities to meet the diverse mobilization needs of the Department of Defense during a time of war.''.

(c) SOLEMNITY OF MILITARY SERVICE.—Section 3 (50 U.S.C. 3802) is amended by adding at the end the following:

''(c) Regulations prescribed pursuant to subsection (a) shall include methods to convey to every person required to register the solemn obligation for military service if called into training or service under this Act.''.

(d) EXPANDED REGISTRATION TO ALL AMERICANS.—

(1) Section 3(a) (50 U.S.C. 3802(a)) is amended—

(A) by striking ''male citizen'' and inserting ''citizen'';

(B) by striking ''male person'' and inserting ''person'';

(C) by striking ''present himself'' and inserting ''appear''; and

(D) by striking ''so long as he'' and inserting ''so long as such alien''.

(2) Section 4(e) (50 U.S.C. 3803(e)) is amended by striking ''enlisted men'' and inserting ''enlisted persons''.

(3) Section 5 (50 U.S.C. 3805) is amended—

(A) in subsection (a)(1)—

(i) by striking ''on account of race or color'' and inserting ''on any basis set forth in section 703(a) of the Civil Rights Act of 1964 (42 U.S.C. 2002e–2(a))''; and

(ii) by striking ''call for men'' and inserting ''call for persons''; and

(B) in subsection (b), by striking ''men'' each place it appears and inserting ''persons''.

(4) Section 6 (50 U.S.C. 3806) is amended—

(A) in subsection (a)(1)—

(i) by striking ''enlisted men'' and inserting ''enlisted persons''; and

(ii) by striking ''accrue to him'' and inserting ''accrue to such alien''; and

(B) in subsection (h)—

(i) by striking ''(other than wives alone, except in cases of extreme hardship)''; and

(ii) by striking ''wives and children'' and inserting ''spouses and children''.

(5) Section 10(b)(3) (50 U.S.C. 3809(b)(3)) is amended by striking ''the President is requested'' and all that follows through ''race or national origin'' and inserting ''the President is requested to appoint the membership of each local board so that each board has both male and female members and, to the maximum extent practicable, it is proportionately representative of those registrants within its jurisdiction in each applicable basis set forth in section 703(a) of the Civil Rights Act of 1964 (42 U.S.C. 2002e–2(a)), but no action by any board shall be declared invalid on the ground that such board failed to conform to such representation quota''.

(6) Section 16(a) (50 U.S.C. 3814(a)) is amended by striking ''men'' and inserting ''persons''.

(e) MAINTAINING THE HEALTH OF THE SELECTIVE SERVICE SYSTEM.—Section 10(a) (50 U.S.C. 3809(a)) is amended by adding at the end the following new paragraph:

''(5) The Selective Service System shall conduct exercises periodically of all mobilization plans, systems, and processes to evaluate and test the effectiveness of such plans, systems, and processes. Once every 4 years, the exercise shall include the full range of internal and interagency procedures to ensure functionality and interoperability and may take place as part of the Department of Defense mobilization exercise under section 10208 of title 10, United States Code. The Selective Service System shall conduct a public awareness campaign in conjunction

with each exercise to communicate the purpose of the exercise to the public.''.

(f) TECHNICAL AND CONFORMING AMENDMENTS.—The Military Selective Service Act is amended—

(1) in section 4 (50 U.S.C. 3803)—

(A) in subsection (a) in the third undesignated paragraph—

(i) by striking ''his acceptability in all respects, including his'' and inserting ''such person's acceptability in all respects, including such person's''; and

(ii) by striking ''he may prescribe'' and inserting ''the President may prescribe'';

(B) in subsection (c)—

(i) in paragraph (2), by striking ''any enlisted member'' and inserting ''any person who is an enlisted member''; and

(ii) in paragraphs (3), (4), and (5), by striking ''in which he resides'' and inserting ''in which such person resides'';

(C) in subsection (g), by striking ''coordinate with him'' and inserting ''coordinate with the Director''; and

(D) in subsection (k)(1), by striking ''finding by him'' and inserting ''finding by the President'';

(2) in section 5(d) (50 U.S.C. 3805(d)), by striking ''he may prescribe'' and inserting ''the President may prescribe'';

(3) in section 6 (50 U.S.C. 3806)—

(A) in subsection (c)(2)(D), by striking ''he may prescribe'' and inserting ''the President may prescribe'';

(B) in subsection (d)(3), by striking ''he may deem appropriate'' and inserting ''the President considers appropriate''; and

(C) in subsection (h), by striking ''he may prescribe'' each place it appears and inserting ''the President may prescribe'';

(4) in section 10 (50 U.S.C. 3809)—

(A) in subsection (b)—

(i) in paragraph (3)—

(I) by striking ''He shall create'' and inserting ''The President shall create''; and

(II) by striking ''upon his own motion'' and inserting ''upon the President's own motion'';

(ii) in paragraph (4), by striking ''his status'' and inserting ''such individual's status''; and

(iii) in paragraphs (4), (6), (8), and (9), by striking ''he may deem'' each place it appears and inserting ''the President considers''; and

(B) in subsection (c), by striking ''vested in him'' and inserting ''vested in the President'';

(5) in section 13(b) (50 U.S.C. 3812(b)), by striking ''regulation if he'' and inserting ''regulation if the President'';

(6) in section 15 (50 U.S.C. 3813)—

(A) in subsection (b), by striking ''his'' each place it appears and inserting ''the registrant's''; and

(B) in subsection (d), by striking ''he may deem'' and inserting ''the President considers'';

(7) in section (16)(g) (50 U.S.C. 3814(g))—

(A) in paragraph (1), by striking ''who as his regular and customary vocation'' and inserting ''who, as such person's regular and customary vocation,''; and

(B) in paragraph (2)—

(i) by striking ''one who as his customary vocation'' and inserting ''a person who, as such person's customary vocation,''; and

(ii) by striking ''he is a member'' and inserting ''such person is a member'';

(8) in section (18)(a) (50 U.S.C. 3816(a)), by striking ''he is authorized'' and inserting ''the President is authorized'';

(9) in section 21 (50 U.S.C. 3819)—

(A) by striking ''he is sooner'' and inserting ''sooner'';

(B) by striking ''he'' each subsequent place it appears and inserting ''such member''; and

(C) by striking ''his consent'' and inserting ''such member's consent'';

(10) in section 22(b) (50 U.S.C. 3820(b)), in paragraphs (1) and (2), by striking ''his'' each place it appears and inserting ''the registrant's''; and

(11) except as otherwise provided in this section—

(A) by striking ''he'' each place it appears and inserting ''such person'';

(B) by striking ''his'' each place it appears and inserting ''such person's'';

(C) by striking ''him'' each place it appears and inserting ''such person''; and

(D) by striking ''present himself'' each place it appears in section 12 (50 U.S.C. 3811) and inserting ''appear''.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, except that the amendments made by subsection (d) shall take effect 1 year after such date of enactment.

SEC. 522. PROHIBITION ON INDUCTION UNDER THE MILITARY SELECTIVE SERVICE ACT WITHOUT EXPRESS AUTHORIZATION.

Section 9 of the Military Selective Service Act (50 U.S.C. 3809) is amended by adding at the end the following new subsection:

''(i) No person shall be inducted for training and service in the Armed Forces under this title unless Congress first passes and there is enacted a law expressly authorizing such induction into service.''.

SEC. 523. EXTENSION OF TEMPORARY AUTHORITY FOR TARGETED RECRUITMENT INCENTIVES.

Section 522(h) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 503) is amended—

(1) by striking the semicolon and inserting a comma; and

(2) by striking ''2020'' and inserting ''2025''.

SEC. 524. HOME LEAVE DEMONSTRATION PROGRAM.

(a) IN GENERAL.—During the period specified in subsection (f), the Secretary of a military department may reimburse an eligible member of the armed forces for the cost of airfare for that member to travel to the home of record of the member.

(b) ELIGIBLE MEMBERS.—A member of the armed forces is eligible for a reimbursement under subsection (a) with respect to travel described in that subsection if—

(1) the member—

(A) is assigned to a duty location in Alaska; and

(B) as of any date during the period specified in subsection (f), has been assigned to a duty location in Alaska for a period of one year or more;

(2) after an evaluation of the member by a mental health provider, that provider recommends, in writing, that the member use leave to which the member is entitled under section 704 of title 10, United States Code, to travel away from Alaska for the health and well-being of the member; and

(3) an officer with the grade of O–6 or higher in the chain of command of the member authorizes the travel of the member.

(c) TREATMENT OF TIME AS LEAVE.—The time during which a member who receives a reimbursement under subsection (a) with respect to travel described in that subsection is absent from duty for such travel shall be treated as leave for purposes of section 704 of title 10, United States Code.

(d) AUTHORIZED DESTINATION.—Reimbursement under subsection (a) is authorized only for the cost of airfare for a member to travel to the home of record of the member. If a member travels to any other location pursuant to an authorization under subsection (b), the amount the member is reimbursed under subsection (a) may not exceed the cost the member would have incurred for airfare if the member had traveled to the home of record of the member.

(e) BRIEFING REQUIRED.—Not later than February 1, 2024, the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the use and effectiveness of reimbursements authorized by subsection (a).

(f) PERIOD SPECIFIED.—The period specified in this subsection is the period—

(1) beginning on the date of the enactment of this Act; and

(2) ending on December 31, 2023.

(g) MENTAL HEALTH PROVIDER DEFINED.—In this section, the term ''mental health provider'' means—

(1) a health care provider of the Department of the Defense at a facility of the Department; or

(2) a non-Departmental health care provider (as defined in section 717 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat 868; 10 U.S.C. 1073 note)).

SEC. 525. PROHIBITION ON CONSIDERING STATE LAWS AND REGULATIONS WHEN DETERMINING INDIVIDUAL DUTY ASSIGNMENTS.

The Secretary of Defense may not use the agreement or disagreement of a member of the Armed Forces with the State laws and regulations applicable to any duty station when determining the duty assignment of the member.

SEC. 526. MODIFICATION TO LIMITATIONS ON DISCHARGE OR RELEASE FROM ACTIVE DUTY.

Section 1168(a) of title 10, United States Code, is amended by striking ''A member of an armed force'' and inserting ''A member of an active or reserve component of an armed force''.

SEC. 527. SEX-NEUTRAL HIGH FITNESS STANDARDS FOR ARMY COMBAT MILITARY OCCUPATIONAL SPECIALTIES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall—

(1) establish sex-neutral fitness standards for combat Military Occupational Specialties (MOSs) that are higher than those for non-combat MOSs; and

(2) provide a briefing to the Committee on Armed Services of the Senate and the Committee on Armed Service of the House of Representatives describing—

(A) the list of combat MOSs established for purposes of paragraph (1); and

(B) the methodology used to determine whether to include a MOS on such list.

Subtitle D—Military Justice and Other Legal Matters

SEC. 541. BRIEFING AND REPORT ON RESOURCING REQUIRED FOR IMPLEMENTATION OF MILITARY JUSTICE REFORM.

(a) BRIEFING AND REPORT REQUIRED.—

(1) BRIEFING.—Not later than March 1, 2023, and no less frequently than once every 180 days thereafter through December 31, 2024, each Secretary concerned shall provide to the appropriate congressional committees a briefing that details the resourcing necessary to implement subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) and the amendments made by that subtitle.

(2) REPORT.—Not later than one year after the date of the enactment of this Act, each Secretary concerned shall submit to the appropriate congressional committees a report that details the resourcing necessary to implement subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) and the amendments made by that subtitle.

(3) FORM OF BRIEFING AND REPORT.—The Secretaries concerned may provide the briefings and report required under paragraphs (1) and (2) jointly, or separately, as determined appropriate by such Secretaries.

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

(1) The number of personnel and personnel authorizations (military and civilian) required by the Armed Forces to implement and execute the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) and the amendments made by that subtitle.

(2) The basis for the numbers provided pursuant to paragraph (1), including the following:

(A) A description of the organizational structure in which such personnel or groups of personnel are or will be aligned.

(B) The nature of the duties and functions to be performed by any such personnel or groups of personnel across the domains of policy-making, execution, assessment, and oversight.

(C) The optimum caseload goal assigned to the following categories of personnel who are or will participate in the military justice process: criminal investigators of different levels and expertise, laboratory personnel, defense counsel, special trial counsel, military defense counsel, military judges, military magistrates, and paralegals.

(D) Any required increase in the number of personnel currently authorized in law to be assigned to the Armed Force concerned.

(3) The nature and scope of any contract required by the Armed Force concerned to implement and execute the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) and the amendments made by that subtitle.

(4) The amount and types of additional funding required by the Armed Force concerned to implement the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) and the amendments made by that subtitle.

(5) Any additional authorities required to implement the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) and the amendments made by that subtitle.

(6) Any additional information the Secretary concerned determines is necessary to ensure the manning, equipping, and resourcing of the Armed Forces to implement and execute the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) and the amendments made by that subtitle.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Transportation and Infrastructure, and the Committee on Appropriations of the House of Representatives.

(2) SECRETARY CONCERNED.—The term ''Secretary concerned'' has the meaning given that term in section 101(a) of title 10, United States Code.

SEC. 542. RANDOMIZATION OF COURT-MARTIAL PANELS.

(a) IN GENERAL.—Section 825(e) of title 10, United States Code (article 25(e) of the Uniform Code of Military Justice), is amended by adding at the end the following new paragraph:

''(4) When convening a court-martial, the convening authority shall detail as members thereof members of the armed forces under such regulations as the President may prescribe for the randomized selection of qualified personnel, to the maximum extent practicable.''.

(b) REGULATIONS.—Not later than 2 years after the date of the enactment of this Act, the President shall prescribe regulations implementing the requirement under paragraph (4) of section 825(e) of title 10, United States Code (article 25(e) of the Uniform Code of Military Justice), as added by subsection (a).

SEC. 543. MATTERS IN CONNECTION WITH SPECIAL TRIAL COUNSEL.

(a) DEFINITION OF COVERED OFFENSE.—

(1) IN GENERAL.—Paragraph (17)(A) of section 801 of title 10, United States Code (article 1 of the Uniform Code of Military Justice), as added by section 533 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1695), is amended—

(A) by striking ''section 920 (article 120)'' and inserting ''section 919a (article 119a), section 919b (article 119b), section 920 (article 120), section 920a (article 120a)''; and

(B) by striking ''the standalone offense of child pornography'' and inserting ''the standalone offenses of child pornography, indecent conduct, indecent language to a child under the age of 16, and pandering and prostitution''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall—

(A) take effect on the date that is two years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81); and

(B) apply with respect to any offenses that occur after that date.

(b) RESIDUAL PROSECUTORIAL DUTIES AND OTHER JUDICIAL FUNCTIONS OF CONVENING AUTHORITIES IN COVERED CASES.—The President shall prescribe regulations to ensure that residual prosecutorial duties and other judicial functions of convening authorities, including but not limited to granting immunity, ordering depositions, and hiring experts, with respect to charges and specifications over which a special trial counsel exercises authority pursuant to section 824a of title 10, United States Code (article 24a of the Uniform Code of Military Justice), are transferred to the military judge, the special trial counsel, or other authority as appropriate in such cases by no later than the effective date established in section 539C of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 801 note), in consideration of due process for all parties involved in such a case.

(c) AMENDMENT TO THE RULES FOR COURTS-MARTIAL.—The President shall prescribe in regulation such modifications to Rule 813 of the Rules for Courts-Martial and other Rules as appropriate to ensure that at the beginning of each court-martial convened, the presentation of orders does not in open court specify the name, rank, or position of the convening authority convening such court, unless such convening authority is the Secretary concerned, the Secretary of Defense, or the President.

(d) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on the progress of the Department of Defense in implementing this section, including an identification of—

(1) the duties to be transferred under subsection (b);

(2) the positions to which those duties will be transferred; and

(3) any provisions of law or Rules for Courts Martial that must be amended or modified to fully complete the transfer.

(e) ADDITIONAL REPORTING RELATIVE TO IMPLEMENTATION OF SUBTITLE D OF TITLE V OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022.—Not later than February 1, 2025, and annually thereafter for five years, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report assessing the holistic effect of the reforms contained in subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) on the military justice system. The report shall include the following elements:

(1) An overall assessment of the effect such reforms have had on the military justice system and the maintenance of good order and discipline in the ranks.

(2) The percentage of caseload and courts-martial assessed as meeting, or having been assessed as potentially meeting, the definition of ''covered offense'', disaggregated by offense and military service where possible.

(3) An assessment of prevalence and data concerning disposition of cases by commanders after declination of prosecution by special trial counsel, disaggregated by offense and military service when possible.

(4) Assessment of the effect, if any, the reforms contained in such subtitle have had on non-judicial punishment concerning covered and non-covered offenses.

(5) A description of the resources and personnel required to maintain and execute the reforms made by such subtitle during the reporting period relative to fiscal year 2022.

(6) A description of any other factors or matters considered by the Secretary to be important to a holistic assessment of these reforms on the military justice system.

SEC. 544. JURISDICTION OF COURTS OF CRIMINAL APPEALS.

(a) JURISDICTION.—Section 866 of title 10, United States Code (article 66 of the Uniform Code of Military Justice), is amended—

(1) in subsection (b)(1), by striking ''shall have jurisdiction over'' and all that follows through the period at the end of subparagraph (D) and inserting the following: ''shall have jurisdiction over—

''(A) a timely appeal from the judgment of a court-martial, entered into the record under section 860c(a) of this title (article 60c(a)), that includes a finding of guilty; and

''(B) a summary court-martial case in which the accused filed an application for review with the Court under section 869(d)(1)(B) of this title (article 69(d)(1)(B)) and for which the application has been granted by the Court.''; and

(2) in subsection (c), by striking ''is timely if'' and all that follows through the period at the end of paragraph (2) and inserting the following: ''is timely if—

''(1) in the case of an appeal under subparagraph (A) of such subsection, it is filed before the later of—

''(A) the end of the 90-day period beginning on the date the accused is provided notice of appellate rights under section 865(c) of this title (article 65(c)); and

''(B) the date set by the Court of Criminal Appeals by rule or order; and

''(2) in the case of an appeal under subparagraph (B) of such subsection, an application for review with the Court is filed not later than the earlier of the dates established under section 869(d)(2)(B) of this title (article 69(d)(2)(B)).''.

(b) REVIEW BY JUDGE ADVOCATE GENERAL.—Section 869 of title 10, United States Code (article 69 of the Uniform Code of Military Justice) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—Upon application by the accused or receipt of the record pursuant to section 864(c)(3) of this title (article 64(c)(3)) and subject to subsections (b), (c), and (d), the Judge Advocate General may—

''(1) with respect to a summary court-martial, modify or set aside, in whole or in part, the findings and sentence; or

''(2) with respect to a general or special court-martial, order such court-martial to be reviewed under section 866 of this title (article 66).''; and

(2) in subsection (b)—

(A) by inserting ''(1)'' before ''To qualify''; and

(B) by striking ''not later than one year after'' and all that follows through the period at the end and inserting the following: ''not later than—

''(A) for a summary court-martial, one year after the date of completion of review under section 864 of this title (article 64); or

''(B) for a general or special court-martial, one year after the end of the 90-day period beginning on the date the accused is provided notice of appellate rights under section 865(c) of this title (article 65(c)), unless the accused submitted a waiver or withdrawal of appellate review under section 861 of this title (article 61) before being provided notice of appellate rights, in which case the application must be submitted to the Judge Advocate General not later than one year after the entry of judgment under section 860c of this title (article 60c).

''(2) The Judge Advocate General may, for good cause shown, extend the period for submission of an application, but may not consider an application submitted more than three years after the completion date referred to in paragraph (1)(A).'';

(3) in subsection (c)—

(A) in paragraph (1)(A), by striking ''section 864 or 865(b) of this title (article 64 or 65(b))'' and inserting ''section 864 of this title (article 64)''; and

(B) in paragraph (2), by striking ''the Judge Advocate General shall order appropriate corrective action under rules prescribed by the President'' and inserting ''the Judge Advocate General shall send the case to the Court of Criminal Appeals''; and

(4) in subsection (d)(1), by striking ''under subsection (c)—'' and all that follows through ''(B) in a case submitted'' and inserting ''under subsection (c)(1) in a case submitted''.

(c) WAIVER OF RIGHT TO APPEAL; WITHDRAWAL OF APPEAL.—Section 861(d) of title 10, United States Code (article 61(d) of the Uniform Code of Military Justice), is amended by striking ''A waiver'' and inserting ''Except as provided by section 869(c)(2) of this title (article 69(c)(2)), a waiver''.

SEC. 545. SPECIAL TRIAL COUNSEL.

(a) TECHNICAL CORRECTIONS.—Section 824a(c)(3) of title 10, United States Code (article 24A(c)(3) of the Uniform Code of Military Justice), is amended—

(1) by striking ''Subject to paragraph (4)'' and inserting ''Subject to paragraph (5)''; and

(2) in subparagraph (D), by striking ''an ordered rehearing'' and inserting ''an authorized rehearing''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect immediately after the coming into effect of the amendments made by section 531 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) as provided in section 539C of that Act.

SEC. 546. EXCLUSION OF OFFICERS SERVING AS LEAD SPECIAL TRIAL COUNSEL FROM LIMITATIONS ON AUTHORIZED STRENGTHS FOR GENERAL AND FLAG OFFICERS.

During the two-year period beginning on the date of the enactment of this Act, the limitations in section 526a(a) of title 10, United States Code, shall not apply to a general or flag officer serving in the position of lead special trial counsel pursuant to an appointment under section 1044f(a)(2) of such title.

SEC. 547. SPECIAL TRIAL COUNSEL OF DEPARTMENT OF THE AIR FORCE.

(a) IN GENERAL.—Section 1044f of title 10, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''The policies shall'' and inserting ''Subject to subsection (c), the policies shall'';

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

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

''(c) SPECIAL TRIAL COUNSEL OF DEPARTMENT OF THE AIR FORCE.—In establishing policies under subsection (a), the Secretary of Defense shall—

''(1) in lieu of providing for separate offices for the Air Force and Space Force under subsection (a)(1), provide for the establishment of a single dedicated office from which office the activities of the special trial counsel of the Department of the Air Force shall be supervised and overseen; and

''(2) in lieu of providing for separate lead special trial counsels for the Air Force and Space Force under subsection (a)(2), provide for the appointment of one lead special trial counsel who shall be responsible for the overall supervision and oversight of the activities of the special trial counsel of the Department of the Air Force.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect immediately after the coming into effect of the amendments made by section 532 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1694) as provided in section 539C of such Act (10 U.S.C. 801 note).

SEC. 548. RESTRICTED REPORTING OPTION FOR DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES CHOOSING TO REPORT EXPERIENCING ADULT SEXUAL ASSAULT.

(a) IN GENERAL.—Chapter 81 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1599j. Restricted reports of incidents of adult sexual assault

''(a) RESTRICTED REPORTS.—The Secretary of Defense may provide a civilian employee of the Department of Defense an opportunity to submit to an individual described in subsection (d) a restricted report of an alleged incident of adult sexual assault for the purpose of assisting the employee in obtaining information and access to authorized victim support services provided by the Department.

''(b) RESTRICTIONS ON DISCLOSURES AND INITIATING INVESTIGATIONS.—Unless the Secretary determines that a disclosure is necessary to prevent or mitigate a serious and imminent safety threat to the employee submitting the report or to another person, a restricted report submitted pursuant to subsection (a) shall not—

''(1) be disclosed to the supervisor of the employee or any other management official; or

''(2) cause the initiation of a Federal civil or criminal investigation.

''(c) DUTIES UNDER OTHER LAWS.—The receipt of a restricted report submitted under subsection (a) shall not be construed as imputing actual or constructive knowledge of an alleged incident of sexual assault to the Department of Defense for any purpose.

''(d) INDIVIDUALS AUTHORIZED TO RECEIVE RESTRICTED REPORTS.—An individual described in this subsection is an individual who performs victim advocate duties under a program for one or more of the following purposes (or any other program designated by the Secretary):

''(1) Sexual assault prevention and response.

''(2) Victim advocacy.

''(3) Equal employment opportunity.

''(4) Workplace violence prevention and response.

''(5) Employee assistance.

''(6) Family advocacy.

''(e) DEFINITIONS.—In this section:

''(1) CIVILIAN EMPLOYEE.—The term 'civilian employee' has the meaning given the term 'employee' in section 2105 of title 5.

''(2) SEXUAL ASSAULT.—The term 'sexual assault' has the meaning given that term in Article 120, Uniform Code of Military Justice (10 U.S.C. 920), and includes penetrative offenses and sexual contact offenses.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1599j. Restricted reports of incidents of adult sexual assault.

SEC. 549. IMPROVEMENTS TO DEPARTMENT OF DEFENSE TRACKING OF AND RESPONSE TO INCIDENTS OF CHILD ABUSE, ADULT CRIMES AGAINST CHILDREN, AND SERIOUS HARMFUL BEHAVIOR BETWEEN CHILDREN AND YOUTH INVOLVING MILITARY DEPENDENTS ON MILITARY INSTALLATIONS.

(a) EXPANSION OF DATABASE.—Section 549B(b)(2)(A) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1787) is amended—

(1) by striking ''problematic sexual behavior in children and youth'' and inserting ''incidents''; and

(2) by striking '', regardless of whether the alleged offender was another child, an adult, or someone in a noncaregiving role at the time of the incident''.

(b) RESPONSE PROCEDURES FOR INCIDENTS OF SERIOUS HARM TO CHILDREN.—Subsection (c) of such section is amended—

(1) in the subsection heading, by striking ''REPORTED TO FAMILY ADVOCACY PROGRAMS'';

(2) by redesignating paragraph (1) as subparagraph (A) and moving such subparagraph, as so redesignated, 2 ems to the right;

(3) by inserting before subparagraph (A), as so redesignated, the following:

''(1) RESPONSE GROUPS.—'';

(4) by inserting after subparagraph (A), as so redesignated, the following new subparagraph:

''(B) SERIOUS HARMFUL BEHAVIORS BETWEEN CHILDREN AND YOUTH MULTIDISCIPLINARY TEAM.—The Secretary of Defense shall establish guidance for each Serious Harmful Behaviors Between Children and Youth Multidisciplinary Team, as defined in paragraph (8), on a military installation to address reported incidents of serious harmful behaviors between children and youth, as described in subsection (a)(2)(C).'';

(5) in paragraph (2)A)—

(A) by striking ''shall develop a standardized process by which the Family Advocacy Programs'' and inserting the following: ''shall develop standardized processes by which—

''(i) the Family Response Programs'';

(B) by inserting ''under subsection (a)(2)(A) and (a)(2)(B)'' after ''reported covered incidents of serious harm to children''; and

(C) by striking ''Incident Determination Committee.'' and inserting the following: ''Incident Determination Committee; and

''(ii) military departments screen incidents of serious harmful behavior between children

and youth under subsection (a)(2)(C) to determine whether to convene the Serious Harmful Behavior Between Children and Youth Multidisciplinary Team.''';

(6) in paragraph (7), by inserting '', as described in subsection (a)(2)(A) and (a)(2)(B),'' after ''reported incidents of child abuse''; and

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

''(8) SERIOUS HARMFUL BEHAVIORS BETWEEN CHILDREN AND YOUTH MULTIDISCIPLINARY TEAM DEFINED.—In this subsection, the term 'Serious Harmful Behaviors Between Children and Youth Multidisciplinary Team' means a coordinated community response team on a military installation—

''(A) composed of designated members with the requisite experience, qualifications, and skills to address serious harmful behaviors between children and youth from a developmentally appropriate and trauma-informed perspective; and

''(B) with objectives that include development of procedures for information sharing, collaborative and coordinated response, restorative resolution, effective investigations and assessments, evidence-based clinical interventions and rehabilitation, and prevention of serious harmful behavior between children and youth.''.

SEC. 550. PRIMARY PREVENTION.

(a) ANNUAL PRIMARY PREVENTION RESEARCH AGENDA.—Section 549A(c) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended—

(1) by redesignating paragraphs (2), (3), and (4) as paragraphs (5), (6), and (7), respectively;

(2) by inserting after paragraph (1) the following new paragraphs:

''(2) include a focus on whether and to what extent sub-populations of the military community may be targeted for interpersonal violence more than others;

''(3) seek to identify factors that influence the prevention, perpetration, and victimization of interpersonal and self-directed violence;

''(4) seek to improve the collection and dissemination of data on hazing and bullying related to interpersonal and self-directed violence;''; and

(3) in paragraph (6), as redesignated by paragraph (1) of this section, by amending the text to read as follows:

''(6) incorporate collaboration with other Federal departments and agencies, including the Department of Health and Human Services and the Centers for Disease Control and Prevention, State governments, academia, industry, Federally funded research and development centers, nonprofit organizations, and other organizations outside of the Department of Defense, including civilian institutions that conduct similar data-driven studies, collection, and analysis; and''.

(b) PRIMARY PREVENTION WORKFORCE.—Section 549B of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended—

(1) in subsection (c), by adding at the end the following new paragraph:

''(3) COMPTROLLER GENERAL REPORT.—Not later than one year after the date of the enactment of this paragraph, the Comptroller General of the United States shall submit to the congressional defense committees a report comparing the sexual harassment and prevention training of the Department of Defense with similar programs at other Federal departments and agencies and including data collected by colleges and universities and other relevant outside entities.''; and

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

''(e) INCORPORATION OF RESEARCH AND FINDINGS.—The Primary Prevention Workforce established under subsection (a) shall, on a regular basis, incorporate findings and conclusions from the primary prevention research agenda established under section 549A, as appropriate, into the work of the workforce.''.

SEC. 551. DISSEMINATION OF CIVILIAN LEGAL SERVICES INFORMATION.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall ensure, through the Sexual Assault Prevention and Response Office, the coordinated distribution and referral of information on the availability of resources provided by civilian legal service organizations to military-connected sexual assault victims.

Subtitle E—Member Education, Training, and Transition

SEC. 561. REVIEW OF CERTAIN SPECIAL OPERATIONS PERSONNEL POLICIES.

(a) REVIEW REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall require the military departments and the United States Special Operations Command to complete a review and appropriately update departmental guidance and processes consistent with section 167(e)(2)(J) of title 10 , United States Code, with respect to the authority of the Commander of the United States Special Operations Command to monitor the promotions of special operations forces and coordinate with the military departments regarding the assignment, retention, training, professional military education, and special and incentive pays of special operations forces.

(b) ELEMENTS OF REVIEW.—The review and updates to departmental guidance and processes required under subsection (a) shall address the respective roles of the military departments and the United States Special Operations Command with respect to—

(1) the recruiting, retention, professional military education, and promotion of special operations personnel;

(2) the sharing of personnel data between the military departments and the United States Special Operations Command; and

(3) any other matters the Secretary of Defense determines necessary.

(c) REPORT REQUIRED.—Not later than 90 days after the completion of the review and updates to departmental guidance and processes required under subsection (a), the Secretary of Defense shall submit to the congressional defense committees a report on the review and any resulting updates to departmental guidance and processes. The report shall also include any recommended changes to law or resources deemed appropriate by the Secretary.

SEC. 562. EXPANDED ELIGIBILITY TO PROVIDE JUNIOR RESERVE OFFICERS' TRAINING CORPS (JROTC) INSTRUCTION.

Section 2031 of title 10, United States Code, is amended—

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

(2) by inserting after subsection (e) the following new subsection:

''(f)(1) Instead of, or in addition to, detailing officers and noncommissioned officers on active duty under subsection (c)(1) and authorizing the employment of retired officers and noncommissioned officers who are in receipt of retired pay and members of the Fleet Reserve and Fleet Marine Corps Reserve under subsections (d) and (e), the Secretary of the military department concerned may authorize qualified institutions to employ as administrators and instructors in the program certain officers and noncommissioned officers who—

''(A)(i) are separated under honorable conditions within the past 5 years with at least 8 years of service, or

''(ii) are active participating members of the selected reserve at the time of application, for purposes of section 101(d) of this title, and have not yet reached retirement eligibility; and

''(B) are approved by the Secretary and the institution concerned and who request such employment.

''(2) Employment under this subsection shall be subject to the following conditions:

''(A) The Secretary concerned shall pay to the institution an amount equal to one-half of the Department's prescribed JROTC Instructor Pay Scale amount paid to the member by the institution for any period.

''(B) The Secretary concerned may pay to the institution more than one-half of the amount paid to the member by the institution if (as determined by the Secretary)—

''(i) the institution is in an educationally and economically deprived area; and

''(ii) the Secretary determines that such action is in the national interest.

''(C) Payments by the Secretary concerned under this subsection shall be made from funds appropriated for that purpose.

''(D) The Secretary concerned may require successful applicants to transfer to the Individual Ready Reserve (IRR).''.

SEC. 563. PRE-SERVICE EDUCATION DEMONSTRATION PROGRAM.

(a) PRE-SERVICE EDUCATION DEMONSTRATION PROGRAM AUTHORIZED.—The Secretary of each military department may establish and carry out a demonstration program to determine the advisability and feasibility of paying all or a portion of the charges of an education institution for the tuition of an individual who is enrolled in such educational institution for a technical or vocational degree, certificate, or certification program to meet a critical need in that military department.

(b) ELIGIBILITY.—The Secretary shall limit eligibility under the program to individuals who meet the following criteria:

(1) Must be between the age of 17 and 25.

(2) Must be a category I recruit.

(3) Must sign a written agreement consenting to the requirements under subsection (c).

(c) DEMONSTRATION PROGRAM REQUIREMENTS.—Under regulations prescribed by the Secretary concerned, each demonstration program created under this section shall adhere to the following requirements:

(1) The educational program authorized under subsection (a) may not exceed a period of 3 years.

(2) Funds may not be provided under the program to an eligible individual unless the individual signs an enlistment contract for active duty military service upon the completion of the educational program for which the funds were provided.

(3) Individuals participating in the demonstration program shall be evaluated annually to ensure continued eligibility for military service.

(4) Individuals participating in the program shall be required to enroll in an ongoing, pre-service course of instruction in order to prepare such individuals for military service and ensure their continued fitness and eligibility for service. The course of instruction may be administered either remotely or in-person, as the Secretary shall direct. The pre-service instruction shall be concurrent with the degree program authorized pursuant to subsection (a).

(5) Individuals who do not maintain eligibility for military service may be required to repay any funds provided by the Secretary concerned under this program, as the Secretary shall direct.

(d) REPORT.—For any demonstration programs initiated under this section, the Secretary concerned shall submit an annual report to the Committees on Armed Services of

the Senate and the House of Representatives that includes—

(1) a description of the demonstration program;

(2) a statement of the goals or anticipated outcomes of the demonstration program;

(3) a description of the method and metrics used to evaluate the effectiveness of this demonstration program; and

(4) any other matters the Secretary concerned determines relevant.

(e) SUNSET.—The authority under this section expires on October 1, 2028.

Subtitle F—Military Family Readiness and Dependents' Education

SEC. 571. CERTAIN ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MILITARY AND CIVILIAN PERSONNEL.

(a) CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.—

(1) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2023 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $50,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(2) LOCAL EDUCATIONAL AGENCY DEFINED.—In this subsection, the term ''local educational agency'' has the meaning given that term in section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

(b) IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.—

(1) IN GENERAL.—Of the amount authorized to be appropriated for fiscal year 2023 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $10,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

(2) ADDITIONAL AMOUNT.—Of the amount authorized to be appropriated for fiscal year 2023 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $10,000,000 shall be available for use by the Secretary of Defense to make payments to local educational agencies determined by the Secretary to have higher concentrations of military children with severe disabilities.

(3) REPORT.—Not later than March 31, 2023, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the Department's evaluation of each local educational agency with higher concentrations of military children with severe disabilities and subsequent determination of the amounts of impact aid each such agency shall receive.

SEC. 572. ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES WITH ENROLLMENT CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE CHANGES, OR FORCE RELOCATIONS.

(a) ASSISTANCE AUTHORIZED.—To assist communities in making adjustments resulting from changes in the size or location of the Armed Forces, the Secretary of Defense shall provide financial assistance to an eligible local educational agency described in subsection (b) if, during the period between the end of the school year preceding the fiscal year for which the assistance is authorized and the beginning of the school year immediately preceding that school year, the local educational agency—

(1) had (as determined by the Secretary of Defense in consultation with the Secretary of Education) an overall increase or reduction of—

(A) not less than five percent in the average daily attendance of military dependent students in the schools of the local educational agency; or

(B) not less than 500 military dependent students in average daily attendance in the schools of the local educational agency; or

(2) is projected to have an overall increase, between fiscal years 2023 and 2028, of not less than 500 military dependent students in average daily attendance in the schools of the local educational agency as the result of a signed record of decision.

(b) ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—A local educational agency is eligible for assistance under subsection (a) for a fiscal year if—

(1) 20 percent or more of students enrolled in schools of the local educational agency are military dependent students; and

(2) in the case of assistance described in subsection (a)(1), the overall increase or reduction in military dependent students in schools of the local educational agency is the result of one or more of the following:

(A) The global rebasing plan of the Department of Defense.

(B) The official creation or activation of one or more new military units.

(C) The realignment of forces as a result of the base closure process.

(D) A change in the number of housing units on a military installation.

(E) A signed record of decision.

(c) CALCULATION OF AMOUNT OF ASSISTANCE.—

(1) PRO RATA DISTRIBUTION.—The amount of the assistance provided under subsection (a) to a local educational agency that is eligible for such assistance for a fiscal year shall be equal to the product obtained by multiplying—

(A) the per-student rate determined under paragraph (2) for that fiscal year; by

(B) the net of the overall increases and reductions in the number of military dependent students in schools of the local educational agency, as determined under subsection (a).

(2) PER-STUDENT RATE.—For purposes of paragraph (1)(A), the per-student rate for a fiscal year shall be equal to the dollar amount obtained by dividing—

(A) the total amount of funds made available for that fiscal year to provide assistance under subsection (a); by

(B) the sum of the overall increases and reductions in the number of military dependent students in schools of all eligible local educational agencies for that fiscal year under that subsection.

(3) MAXIMUM AMOUNT OF ASSISTANCE.—A local educational agency may not receive more than $15,000,000 in assistance under subsection (a) for any fiscal year.

(d) DURATION.—Assistance may not be provided under subsection (a) after September 30, 2028.

(e) NOTIFICATION.—Not later than June 30, 2023, and June 30 of each fiscal year thereafter for which funds are made available to carry out this section, the Secretary of Defense shall notify each local educational agency that is eligible for assistance under subsection (a) for that fiscal year of—

(1) the eligibility of the local educational agency for the assistance; and

(2) the amount of the assistance for which the local educational agency is eligible.

(f) DISBURSEMENT OF FUNDS.—The Secretary of Defense shall disburse assistance made available under subsection (a) for a fiscal year not later than 30 days after the date on which notification to the eligible local educational agencies is provided pursuant to subsection (e) for that fiscal year.

(g) BRIEFING REQUIRED.—Not later than March 1, 2023, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on the estimated cost of providing assistance to local educational agencies under subsection (a) through September 30, 2028.

(h) FUNDING FOR FISCAL YEAR 2023.—Of the amount authorized to be appropriated by this Act for operation and maintenance for Defense-wide activities $15,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a).

(i) ELIGIBLE USES.—Amounts disbursed to a local education agency under subsection (f) may be used by such local educational agency for—

(1) general fund purposes;

(2) special education;

(3) school maintenance and operation;

(4) school expansion; or

(5) new school construction.

(j) DEFINITIONS.—In this section:

(1) BASE CLOSURE PROCESS.—The term ''base closure process'' means any base closure and realignment process conducted after the date of the enactment of this Act under section 2687 of title 10, United States Code, or any other similar law enacted after that date.

(2) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given that term in section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

(3) MILITARY DEPENDENT STUDENTS.—The term ''military dependent students'' means—

(A) elementary and secondary school students who are dependents of members of the Armed Forces; and

(B) elementary and secondary school students who are dependents of civilian employees of the Department of Defense.

(4) STATE.—The term ''State'' means each of the 50 States and the District of Columbia.

SEC. 573. PILOT PROGRAM ON HIRING OF SPECIAL EDUCATION INCLUSION COORDINATORS FOR DEPARTMENT OF DEFENSE CHILD DEVELOPMENT CENTERS.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall carry out a pilot program to hire special education inclusion coordinators at child development centers selected by the Secretary under subsection (b).

(b) SELECTION OF CENTERS.—The Secretary of Defense shall select the child development centers at which the pilot program required by subsection (a) will be carried out based on—

(1) the number of dependent children enrolled in the Exceptional Family Member Program at the military installation on which the center in located;

(2) the number of children with special needs enrolled in the center; and

(3) such other considerations as the Secretary, in consultation with the Secretaries of the military departments, considers appropriate.

(c) FUNCTIONS.—Each special education inclusion coordinator assigned to a child development center under the pilot program required by subsection (a) shall—

(1) coordinate intervention and inclusion services at the center;

(2) provide direct classroom support; and

(3) provide guidance and assistance relating to the increased complexity of working with the behaviors of children with special needs.

(d) BRIEFINGS REQUIRED.—

(1) BRIEFING ON ANTICIPATED COSTS.—Not later than March 1, 2023, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the anticipated costs for the pilot program required by subsection (a).

(2) BRIEFING ON EFFECTIVENESS OF PROGRAM.—Not later than September 30, 2025, the Secretary of Defense shall submit provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the pilot program required by subsection (a) that includes—

(A) the number of special education inclusion coordinators hired under the pilot program;

(B) a description of any issues relating to the retention of those coordinators;

(C) a recommendation with respect to whether the pilot program should be made permanent or expanded to other military installations; and

(D) an assessment of the amount of funding required to make the pilot program permanent or expand the pilot program to other military installations, as the Secretary recommends under subparagraph (C).

(e) DURATION OF PILOT PROGRAM.—The pilot program required by subsection (a) shall—

(1) commence not later than January 1, 2024; and

(2) terminate on December 31, 2026.

(f) CHILD DEVELOPMENT CENTER DEFINED.—In this section, the term ''child development center'' has the meaning given that term in section 2871(2) of title 10, United States Code, and includes a facility identified as a child care center or day care center.

SEC. 574. EXTENSION OF AND REPORT ON PILOT PROGRAM TO EXPAND ELIGIBILITY FOR ENROLLMENT AT DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS.

(a) IN GENERAL.—Section 589C(e) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2164 note) is amended by striking ''four years after the date of the enactment of this Act'' and inserting ''on July 1, 2029''.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than December 31, 2028, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the conduct of the pilot program under section 589C(e) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2164 note).

(2) ELEMENTS.—The report required by paragraph (1) shall include a description of—

(A) the locations at which the pilot program described in paragraph (1) is carried out;

(B) the number of students participating in the program for each academic year by location; and

(C) the outcome measures used to gauge the value of the program to the Department of Defense.

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

SEC. 581. TEMPORARY EXEMPTION FROM END STRENGTH GRADE RESTRICTIONS FOR THE SPACE FORCE.

Sections 517 and 523 of title 10, United States Code, shall not apply to the Space Force until January 1, 2024.

SEC. 582. REPORT ON OFFICER PERSONNEL MANAGEMENT AND THE DEVELOPMENT OF THE PROFESSIONAL MILITARY ETHIC IN THE SPACE FORCE.

(a) REPORT REQUIRED.—Not later than June 1, 2023, the Secretary of the Air Force shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on officer personnel management and the development of the professional military ethic in the Space Force.

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

(1) A description of issues related to officer development in the Space Force, including—

(A) the professional military education (PME) model for professional education and continual learning of officers in the Space Force;

(B) the career development model for officers in the Space Force, including key knowledge, skills, and attributes expected of Space Force officers at each of the company grade, field grade, and general officer levels;

(C) desired career trajectories for Space Force officers, including key assignments throughout identified Space Force career tracks and how the flexibilities in the Space Force Component proposal will be used to achieve these desired career paths;

(D) how proposed constructive credit for civilian education and non-military experience in related space industry or government sectors will fit in with the proposed PME and career development models; and

(E) how the Space Force Component proposal will enable officers to achieve joint qualifications required for promotion to general officer.

(2) A description of issues related to officer accessions in the Space Force, including—

(A) the expected sources of commissioning for officers in the Space Force, including the desired proportions of officer assessments from the Reserve Officer Training Corps (ROTC), Service Academies, Officer Training School (OTS), and direct commissionees at each grade above second lieutenant;

(B) the role of proposed constructive credit for civilian education and non-military experience in accessing officers at each grade higher than second lieutenant and the extent to which the Space Force plans to grant constructive credit in determining an officer's entry grade at each grade above second lieutenant; and

(C) the role of targeted recruiting as described in the Guardian Ideal in officer accessions, including how it will work, how frequently it will be used, for what positions, and how it will fit into overall officer accessions.

(3) A description of issues related to the professional military ethic in the Space Force, including—

(A) how the proposed talent management system, career development model, PME model, and proposed Space Force Component structure will affect the development of a uniquely military culture in the Space Force as a military service with Space as a warfighting domain;

(B) the role of the professional military ethic in the Space Force, including expectations of commissioned officers as public servants and military leaders;

(C) the expected role of Space Force civilians in the development and stewardship of the Space Force as a professional military service and how those are distinct from military members in the Space Force;

(D) the ethical implications of creating a force that is designed to ''partner effectively with other space interested entities,'' as described in the Guardian Ideal, and how the Space Force intends to address any ethical conflicts arising from its desired close partnership with non-military and non-government entities in private industry; and

(E) the specific barriers between officers, enlisted, and civilian guardians that are described as ''unnecessary'' in the Guardian Ideal, how and why such barriers are unnecessary for the Space Force, and any statutory or policy changes the Space Force proposes to remove such barriers, including any proposed changes to the Uniform Code of Military Justice.

(4) Any other issues related to personnel management and professional development of officers in the Space Force that the Secretary concerned determines relevant.

SEC. 583. REPORT ON INCIDENCE OF SUICIDE BY MILITARY JOB CODE IN THE DEPARTMENT OF DEFENSE.

(a) REPORT.—Not later than December 31, 2023, the Secretary of Defense shall conduct a review and submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the rates of suicides in the Armed Forces, beginning after September 11, 2001, disaggregated by year, military job code (Air Force Specialty Code (AFSC), Army Military Occupational Specialty (MOS), Navy Enlisted Classification (NEC)/Billet, and Coast Guard Ratings), and status as active duty, guard, and reserve (as applicable per service).

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

(1) A compilation of suicide data by military job code to determine which military career fields have a higher per capita suicide rate compared to—

(A) other military career fields for the same period;

(B) the overall suicide rate for each service for the same period;

(C) the overall suicide rate for the Department of Defense for the same period; and

(D) the national suicide rate for the same period.

(2) A disaggregation of suicide data by age categories consistent with the Department of Defense Annual Suicide Report age categories.

(c) INTERIM BRIEFING.—Not later than June 1, 2023, the Secretary of Defense shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the preliminary findings of the review conducted under this section.

SEC. 584. WAIVER OF TIME LIMITATIONS FOR ACT OF VALOR DURING WORLD WAR II.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 7271 of such title to Master Sergeant Roderick W. Edmonds for the acts of valor described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of Master Sergeant Roderick W. Edmonds on January 27, 1945, as a prisoner of war and member of the Army serving in Germany in support of the Battle of the Bulge, for which he has never been recognized by the United States Army.

SEC. 585. AUTHORIZATION TO AWARD MEDAL OF HONOR TO SERGEANT MAJOR DAVID R. HALBRUNER FOR ACTS OF VALOR IN SUPPORT OF AN UNNAMED OPERATION IN 2012.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to

persons who served in the Armed Forces, the President may award the Medal of Honor under section 7271 of such title to Sergeant Major David R. Halbruner for the acts of valor described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of then-Master Sergeant Halbruner for his valorous actions on September 11–12, 2012, in support of an unnamed operation.

SEC. 586. RECOGNITION OF SERVICE OF LIEUTENANT GENERAL FRANK MAXWELL ANDREWS.

(a) FINDINGS.—The Senate makes the following findings:

(1) Lieutenant General Frank Maxwell Andrews was born in Nashville, Tennessee, in 1884, and graduated from the United States Military Academy, West Point, in 1906, where he received a commission in the cavalry.

(2) In 1917, Lieutenant General Andrews was transferred to the aviation section of the Army Signal Corps, where he commanded various airfields around the United States, serving in a number of leadership positions, including—

(A) Commander of the Advanced Flying School at Kelly Field in Texas;

(B) Commander of the 1st Pursuit Group at Selfridge Field in Michigan; and

(C) Chief of the Army Air Corps' Training and Operations Division.

(3) Following World War I, Lieutenant General Andrews served as the Air Officer for the Army of Occupation in Germany.

(4) In 1935, Lieutenant General Andrews was selected to command the new General Headquarters Aviation, where he had oversight of all Air Corps units and led the development of the Army Air Force.

(5) In 1939, Lieutenant General Andrews was chosen as Army G3, the Assistant Chief of Staff for Operations and Training, making him responsible for preparing operational plans for the entire Army for the impending war.

(6) During World War II, Lieutenant General Andrews led a number of global critical commands, the only general to command 3 theaters of operations during the war, serving as commander of—

(A) the Caribbean Defense Command, which held responsibility for defending the United States' southern borders;

(B) all United States forces in the Middle East, where he helped to defeat Rommel's Afrika Corps; and

(C) all United States troops in the European Theater of Operation, where he succeeded General Dwight D. Eisenhower and oversaw plans for the future invasion of Western Europe.

(7) Lieutenant General Andrews was killed in an B–24 bomber crash during an inspection tour of Iceland.

(8) A number of Lieutenant General Andrews' colleagues and subordinates have been posthumously promoted to the rank of four-star general for their contributions during World War II.

(9) Lieutenant General Andrews was considered one of General Douglas MacArthur's "great captains" due to his strong leadership capabilities, which empowered future leaders to lead United States ground and air forces to victory during World War II.

(10) Joint Base Andrews, a United States military base previously known as Andrews Air Force Base, was named for Lieutenant General Andrews on February 7, 1945, for his leadership as commander of the Air Force General Headquarters and Commanding General of the United States forces in the European Theater of Operations.

(11) In addition to Joint Base Andrews, additional military facilities and installations were named after Lieutenant General Andrews for his contribution to the United States forces, including—

(A) Royal Air Force (RAF) Andrews Field, a former RAF station, in England;

(B) Andrews Avenue, a major road leading to the Philippines' International Airport in Metro Manila, Philippines; and

(C) Andrews Theater, a theater previously serving the Naval Air Station Keflavik in Iceland.

(12) Lieutenant General Andrews is considered one of the founders of the United States Army Air Forces, known today as the United States Air Force, due to his efforts to pursue and empower a separate and independent Air Force.

(13) Lieutenant General Andrews served honorably in the United States military for over 37 years.

(14) Lieutenant General Andrews is considered one of the United States' key military commanders of World War II.

(b) RECOGNITION OF SERVICE.—The Senate honors and recognizes Lieutenant General Frank Maxwell Andrews for—

(1) his 37 years of loyal service to the United States Army and Army Air Corps;

(2) his heroic leadership during World War I and World War II; and

(3) his lasting legacy and selfless sacrifice on behalf of the United States.

SEC. 587. POSTHUMOUS APPOINTMENT OF ULYSSES S. GRANT TO GRADE OF GENERAL OF THE ARMIES OF THE UNITED STATES.

The President is authorized to appoint Ulysses S. Grant posthumously to the grade of General of the Armies of the United States equivalent to the rank and precedence held by General John J. Pershing pursuant to the Act entitled "An Act Relating to the creation of the office of General of the Armies of the United States", approved September 3, 1919 (41 Stat. 283, chapter 56).

SEC. 588. MODIFICATION TO NOTIFICATION ON MANNING OF AFLOAT NAVAL FORCES.

(a) CREWING REQUIREMENT.—Subsection (e) of section 597 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 8013 note) is amended to read as follows:

"(e) SURFACE COMBATANT CREWING REQUIREMENT.—Beginning October 1, 2025, the Secretary of the Navy may not assign more than one crew to a covered surface combatant vessel if any surface combatant vessel is included on a report required under subsection (a) in the most recent 12 months.".

(b) SURFACE COMBATANT VESSEL DEFINITION.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

"(4) SURFACE COMBATANT VESSEL.—The term 'surface combatant vessel' means any littoral combat ship (including the LCS–1 and LCS–2 classes), frigate (including the FFG–62 class), destroyer (including the DDG–51 and DDG–1000 classes), or cruiser (including the CG–47 class).".

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. TEMPORARY CONTINUATION OF BASIC ALLOWANCE FOR HOUSING FOR MEMBERS WHOSE SOLE DEPENDENT DIES WHILE RESIDING WITH THE MEMBER.

(a) IN GENERAL.—Section 403 of title 37, United States Code, is amended—

(1) by redesignating subsections (m) through (p) as subsections (n) through (q), respectively; and

(2) by inserting after subsection (l) the following new subsection (m):

"(m) TEMPORARY CONTINUATION OF ALLOWANCE FOR MEMBERS WHOSE SOLE DEPENDENT DIES WHILE RESIDING WITH THE MEMBER.—(1) Notwithstanding subsection (a)(2) or any other provision of law, the Secretary of Defense, or the Secretary of Homeland Security in the case of the Coast Guard when not operating as a service in the Navy, may continue to pay to a member described in paragraph (2) for the period described in paragraph (3) a basic allowance for housing at the rate to which the member was entitled on the day before the date of the death of the dependent of the member.

"(2) A member described in this paragraph is a member of the uniformed services whose sole dependent dies while—

"(A) the member is on active duty; and

"(B) the dependent resides with the member, unless separated—

"(i) by the necessity of military service;

"(ii) to receive institutional care as a result of disability or incapacitation; or

"(iii) under such other circumstances as the Secretary concerned may by regulation prescribe.

"(3)(A) Except as provided by subparagraph (B), the period described in this paragraph is the 365-day period beginning on the date of the death of the dependent of a member described in paragraph (2).

"(B) A member described in paragraph (2) who receives, during the 365-day period described in subparagraph (A), an order for a permanent change of station or permanent change of assignment with movement of personal property and household goods authorized under section 453(c) may not continue to receive a basic allowance for housing at the rate provided for under paragraph (1) after the permanent change of station or permanent change of assignment.".

(b) CONFORMING AMENDMENT.—Section 2881a(c)(1) of title 10, United States Code, is amended by striking "section 403(n)" and inserting "section 403(o)".

SEC. 602. BASIC ALLOWANCE FOR HOUSING FOR MEMBERS WITHOUT DEPENDENTS WHEN HOME PORT CHANGE WOULD FINANCIALLY DISADVANTAGE MEMBER.

Subsection (p) of section 403 of title 37, United States Code, as redesignated by section 601(a)(1), is further amended—

(1) in the subsection heading, by striking "LOW-COST AND NO-COST" and inserting "CERTAIN";

(2) by inserting "(1)" before "In the case of a member who is assigned"; and

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

"(2)(A) In the case of a member without dependents who is assigned to a unit that undergoes a change of home port or a change of permanent duty station, if the Secretary concerned determines that it would be inequitable to base the member's entitlement to, and amount of, a basic allowance for housing on the new home port or permanent duty station, the Secretary concerned may—

"(i) waive the requirement to base the member's entitlement to, and amount of, a basic allowance for housing on the new home port or permanent duty station member; and

"(ii) treat that member for the purposes of this section as if the unit to which the member is assigned did not undergo such a change.

"(B) The Secretary concerned may grant a waiver under subparagraph (A) to not more than 100 members in a calendar year.

"(C) Not later than March 1 of each calendar year, the Secretary concerned shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives on the use of the authority provided by subparagraph (A) during the preceding calendar year that includes—

"(i) the number of members granted a waiver under subparagraph (A) during that year; and

''(ii) for each such waiver, an identification of—

''(I) the grade of the member;

''(II) the home port or permanent duty station of the unit to which the member is assigned before the change described in subparagraph (A); and

''(III) the new home port or permanent duty station of that unit.

''(D) This paragraph shall cease to be effective on December 31, 2027.''.

SEC. 603. EXTENSION OF AUTHORITY TO TEMPORARILY ADJUST BASIC ALLOWANCE FOR HOUSING IN CERTAIN AREAS.

Section 403(b)(8)(C) of title 37, United States Code, is amended by striking ''2022'' and inserting ''2024''.

SEC. 604. INCREASE IN INCOME FOR PURPOSES OF ELIGIBILITY FOR BASIC NEEDS ALLOWANCE.

(a) IN GENERAL.—Section 402b(b) of title 37, United States Code, is amended by striking ''130 percent'' both places it appears and inserting ''150 percent''.

(b) IMPLEMENTATION.—Not later than January 1, 2024, the Secretary concerned (as defined in section 101 of title 37, United States Code) shall modify the calculation of the basic needs allowance under section 402b of title 37, United States Code, to implement the amendment made by subsection (a).

SEC. 605. CONFORMING AMENDMENTS TO UPDATE REFERENCES TO TRAVEL AND TRANSPORTATION AUTHORITIES.

(a) BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.—Section 256(g)(2)(B)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 906(g)(2)(B)(ii)) is amended by striking ''sections 403a and 475'' and inserting ''sections 403b and 405''.

(b) TITLE 5.—Title 5, United States Code, is amended—

(1) in section 4109(a)(2)—

(A) in subparagraph (A), by striking ''sections 474 and 475'' and inserting ''sections 405 and 452''; and

(B) in subparagraph (B), by striking ''sections 476 and 479'' and inserting ''sections 452 and 453(c)'';

(2) in section 5725(c)(2)(B), by striking ''section 476(b)(1)(H)(iii)'' and inserting ''subsections (c) and (d) of section 453''; and

(3) in section 5760—

(A) in subsection (c), by striking ''section 481h(b)'' and inserting ''section 451(a)''; and

(B) in subsection (d)—

(i) in paragraph (2), by striking ''section 474(d)'' and inserting ''section 464''; and

(ii) in paragraph (3), by striking ''section 481h(d)(1)'' and inserting ''section 452(d)''.

(c) TITLE 10.—Title 10, United States Code, is amended—

(1) in section 710—

(A) in subsection (f)(4)(A), in the matter preceding clause (i), by striking ''section 474'' and inserting ''section 452''; and

(B) in subsection (h)(4), by striking ''section 481f'' and inserting ''section 453(f)'';

(2) in section 1174a(b)(2)(B), by striking ''sections 474 and 476'' and inserting ''sections 452 and 453(c)'';

(3) in section 1175(j), by striking ''sections 474 and 476'' and inserting ''sections 452 and 453(c)'';

(4) in section 1175a(e)(2)(B), by striking ''sections 474 and 476'' and inserting ''sections 452 and 453(c)'';

(5) in section 1491(d)(3), by striking ''section 495(a)(2)'' and inserting ''section 435(a)(2)'';

(6) in section 2013(b)(2)—

(A) in subparagraph (A), by striking ''sections 474 and 475'' and inserting ''sections 405 and 452''; and

(B) in subparagraph (B), by striking ''sections 476 and 479'' and inserting ''sections 452 and 453(c)'';

(7) in section 2493(a)(4)(B)(ii), by striking ''section 481f(d)'' and inserting ''section 453(f)'';

(8) in section 2613(g), by striking ''section 481h(b)'' and inserting ''section 451(a)''; and

(9) in section 12503—

(A) in subsection (a), in the second sentence, by striking ''sections 206 and 495'' and inserting ''sections 206 and 435'';

(B) in subsection (b)(2)(A), by striking ''section 495'' and inserting ''section 435''; and

(C) in subsection (c), by striking ''chapter 7'' and inserting ''section 452''.

(d) TITLE 14.—Section 2764 of title 14, United States Code, is amended, in the first and third sentences, by striking ''subsection (b) of section 476'' and inserting ''section 453(c)''.

(e) TITLE 32.—Section 115 of title 32, United States Code, is amended—

(1) in subsection (a), in the third sentence, by striking ''sections 206 and 495'' and inserting ''sections 206 and 435'';

(2) in subsection (b)(2)(A), by striking ''section 495'' and inserting ''section 435''; and

(3) in subsection (c), by striking ''chapter 7'' and inserting ''section 452''.

(f) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.—Section 236(f)(4)(A) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3036(f)(4)(A)) is amended, in the matter preceding clause (i), by striking ''section 474'' and inserting ''section 452''.

(g) TITLE 36.—Section 2101(b)(2) of title 36, United States Code, is amended by striking ''section 475'' and inserting ''section 405''.

(h) TITLE 37.—Title 37, United States Code, is amended—

(1) in section 403—

(A) in subsection (d)(2)(A), by striking ''section 476'' and inserting ''section 452''; and

(B) in subsection (g)—

(i) in paragraph (2), in the second sentence, by striking ''section 474'' and inserting ''section 452''; and

(ii) in paragraph (3), by striking ''section 476'' and inserting ''section 453(c)'';

(2) in section 420(b), by striking ''sections 474–481'' and inserting ''section 452'';

(3) in section 422(a), by striking ''section 480'' and inserting ''section 452'';

(4) in section 427—

(A) in subsection (a)(1)(A), by striking ''section 476'' and inserting ''section 452''; and

(B) in subsection (c)(1), by striking ''section 476'' and inserting ''section 452'';

(5) in section 433(b), by striking ''section 474(d)(2)(A)'' and inserting ''section 452'';

(6) in section 451(a)(2)(H)—

(A) in clause (i), by striking ''section 481f'' and inserting ''section 453(f)'';

(B) in clause (ii), by striking ''section 481h'' and inserting ''section 452(b)(12)'';

(C) in clause (iii), by striking ''section 481j'' and inserting ''section 452(b)(13)'';

(D) in clause (iv), by striking ''section 481k'' and inserting ''section 452(b)(14)''; and

(E) in clause (v), by striking ''section 481*l*'' and inserting ''section 452(b)(15)'';

(7) in section 1002(b)(1), by striking ''section 474(a)–(d), and (f),'' and inserting ''section 452'';

(8) in section 1003, by striking ''sections 402–403b, 474–477, 479–481, and 414'' and inserting ''sections 402 through 403b, 405, 414, 452, and 453''; and

(9) in section 1006(g)—

(A) by striking ''section 477'' and inserting ''section 452(c)(2)''; and

(B) by striking ''section 475a(a)'' and inserting ''section 452(b)(11)''.

(i) CHILD NUTRITION ACT OF 1966.—Section 17(d)(2)(B)(ii) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(2)(B)(ii)) is amended by striking ''section 475'' and inserting ''section 405''.

Subtitle B—Bonus and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AND SPECIAL PAY AUTHORITIES.

(a) AUTHORITIES RELATING TO RESERVE FORCES.—Section 910(g) of title 37, United States Code, relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service, is amended by striking ''December 31, 2022'' and inserting ''December 31, 2023''.

(b) TITLE 10 AUTHORITIES RELATING TO HEALTH CARE PROFESSIONALS.—The following sections of title 10, United States Code, are amended by striking ''December 31, 2022'' and inserting ''December 31, 2023'':

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(c) AUTHORITIES RELATING TO NUCLEAR OFFICERS.—Section 333(i) of title 37, United States Code, is amended by striking ''December 31, 2022'' and inserting ''December 31, 2023''.

(d) AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking ''December 31, 2022'' and inserting ''December 31, 2023'':

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(4) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(5) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.

(6) Section 352(g), relating to assignment pay or special duty pay.

(7) Section 353(i), relating to skill incentive pay or proficiency bonus.

(8) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

(e) AUTHORITY TO PROVIDE TEMPORARY ADJUSTMENTS IN RATES OF BASIC ALLOWANCE FOR HOUSING.—Section 403(b) of title 37, United States Code, is amended—

(1) in paragraph (7)(E), by striking ''December 31, 2022'' and inserting ''December 31, 2023''; and

(2) in paragraph (8)(C), by striking ''September 30, 2022'' and inserting ''December 31, 2023''.

SEC. 612. REPEAL OF SUNSET OF HAZARDOUS DUTY PAY.

Subsection (h) of section 351 of title 37, United States Code, is repealed.

SEC. 613. AUTHORIZATION OF ASSIGNMENT PAY OR SPECIAL DUTY PAY BASED ON CLIMATE IN WHICH A MEMBER'S DUTIES ARE PERFORMED.

Section 352(a)(2) of title 37, United States Code, is amended by inserting ''climate,'' after ''location,''.

Subtitle C—Leave

SEC. 621. MODIFICATION OF AUTHORITY TO ALLOW MEMBERS OF THE ARMED FORCES TO ACCUMULATE LEAVE IN EXCESS OF 60 DAYS.

(a) IN GENERAL.—Section 701(f) of title 10, United States Code, is amended to read as follows:

''(f)(1) The Secretary concerned, under uniform regulations to be prescribed by the Secretary of Defense, may authorize a member

described in paragraph (2) who, except for this subsection, would lose at the end of the fiscal year any accumulated leave in excess of the number of days of leave authorized to be accumulated under subsection (b), to retain an accumulated total of 90 days leave.

''(2) This subsection applies to a member who—

''(A) serves on active duty for a continuous period of at least 120 days in an area in which the member is entitled to special pay under section 310(a) of title 37;

''(B) is assigned to a deployable ship or mobile unit or to other duty designated for the purpose of this section; or

''(C) serves on active duty in a duty assignment in support of a contingency operation.

''(3) Leave accumulated by a member under this subsection in excess of the number of days of such leave authorized under subsection (b) is forfeited unless it is used by the member before the end of the second fiscal year after the fiscal year in which the service or assignment described in paragraph (B) of the member terminated.''.

(b) TRANSITION RULE.—Notwithstanding paragraph (3) of section 701(f) of title 10, United States Code, as amended by subsection (a), leave in excess of 90 days accumulated by a member under section 701(f) of title 10, United States Code, on or before September 30, 2022, is forfeited unless it is used by the member on or before September 30, 2025, or the retention of such leave is authorized under another provision of law.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on January 1, 2023.

SEC. 622. TECHNICAL AMENDMENTS TO LEAVE ENTITLEMENT AND ACCUMULATION.

(a) REPEAL OF OBSOLETE AUTHORITY.—Section 701 of title 10, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e) through (m) as subsections (d) through (*l*).

(b) CONFORMING AMENDMENTS TO SECTION 701 OF TITLE 10.—Section 701 of title 10, United States Code, is amended—

(1) in subsection (b), by striking ''subsections (d), (f), and (g)'' and inserting ''subsections (e) and (f)'';

(2) in subsection (f), as redesignated by subsection (a)(2), in the first sentence, by striking ''subsections (b), (d), and (f)'' and inserting ''subsections (b) and (e)''; and

(3) in subsection (i), as so redesignated, in the first sentence, by striking ''subsections (b), (d), and (f)'' and inserting ''subsections (b) and (e)''.

(c) CONFORMING AMENDMENTS TO OTHER PROVISIONS OF LAW.—

(1) TITLE 14.—Section 2508(a) of title 14, United States Code, is amended by striking ''section 701(f)(2)'' and inserting ''section 701(e)''.

(2) TITLE 37.—Title 37, United States Code, is amended—

(A) in section 501—

(i) in subsection (b)(6), by striking ''120 days of leave under section 701(f)(1)'' and inserting ''90 days of leave under section 701(e)''; and

(ii) in subsection (h), by striking ''section 701(g)'' and inserting ''section 701(f)''; and

(B) in section 502(b), by striking ''section 701(h)'' and inserting ''section 701(g)''.

(d) EFFECTIVE DATE.—The amendments made by this section take effect on January 1, 2023.

SEC. 623. CONVALESCENT LEAVE FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Section 701 of title 10, United States Code, as amended by section 622(a), is further amended by adding at the end the following new subsection:

''(m)(1) Except as provided by subsection (h)(3), and under regulations prescribed by the Secretary of Defense, a member of the armed forces diagnosed with a medical condition is allowed convalescent leave if—

''(A) the medical or behavioral health provider of the member—

''(i) determines that the member is not yet fit for duty as a result of that condition; and

''(ii) recommends such leave for the member to provide for the convalescence of the member from that condition; and

''(B) the commanding officer of the member or the commander of the military medical treatment facility authorizes such leave for the member.

''(2) A member may take not more than 30 days of convalescent leave under paragraph (1) with respect to a condition described in that paragraph unless—

''(A) such leave in excess of 30 days is authorized by—

''(i) the Secretary concerned; or

''(ii) an individual at the level designated by the Secretary concerned, but not below the grade of O–5 or the civilian equivalent; or

''(B) the member is authorized to receive convalescent leave under subsection (h)(3) in conjunction with the birth of a child.

''(3)(A) Convalescent leave may be authorized under paragraph (1) only for a medical condition of a member and may not be authorized for a member in connection with a condition of a dependent or other family member of the member.

''(B) In authorizing convalescent leave for a member under paragraph (1) with respect to a condition described in that paragraph, the commanding officer of the member or the commander of the military medical treatment facility, as the case may be, shall—

''(i) limit the duration of such leave to the minimum necessary in relation to the diagnosis, prognosis, and probable final disposition of the condition of the member; and

''(ii) authorize leave tailored to the specific medical needs of the member rather than (except for convalescent leave provided for under subsection (h)(3)) authorizing leave based on a predetermined formula.

''(4) A member taking convalescent leave under paragraph (1) shall not have the member's leave account reduced as a result of taking such leave.

''(5) In this subsection, the term 'military medical treatment facility' means a facility described in subsection (b), (c), or (d) of section 1073d.''.

(b) TREATMENT OF CONVALESCENT LEAVE FOR BIRTH OF CHILD.—Paragraph (3) of subsection (h) of such section, as redesignated by section 622(a), is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and by moving such clauses, as so redesignated, two ems to the right;

(2) by inserting ''(A)'' after ''(3)''; and

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

''(B) Convalescent leave may be authorized under subparagraph (A) only for a medical condition of a member and may not be authorized for a member in connection with a condition of a dependent or other family member of the member.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2023.

Subtitle D—Other Matters

SEC. 631. AIR FORCE RATED OFFICER RETENTION DEMONSTRATION PROGRAM.

(a) PROGRAM REQUIREMENT.—The Secretary shall establish and carry out within the Department of the Air Force a demonstration program to assess and improve retention on active duty in the Air Force of rated officers described in subsection (b).

(b) RATED OFFICERS DESCRIBED.—Rated officers described in this subsection are rated officers serving on active duty in the Air Force, excluding rated officers with a reserve appointment in the Air National Guard or Air Force Reserve—

(1) whose continued service on active duty would be in the best interest of the Department of the Air Force, as determined by the Secretary; and

(2) who have not more than three years and not less than one year remaining on an active duty service obligation under section 653 of title 10, United States Code.

(c) WRITTEN AGREEMENT.—

(1) IN GENERAL.—Under the demonstration program required under subsection (a), the Secretary shall offer retention incentives under subsection (d) to a rated officer described in subsection (b) who executes a written agreement to remain on active duty in a regular component of the Air Force for not less than four years after the completion of the active duty service obligation of the officer under section 653 of title 10, United States Code.

(2) EXCEPTION.—If the Secretary of the Air Force determines that an assignment previously guaranteed under subsection (d)(1) to a rated officer described in subsection (b) cannot be fulfilled, the agreement of the officer under paragraph (1) to remain on active duty shall expire not later than one year after that determination.

(d) RETENTION INCENTIVES.—

(1) GUARANTEE OF FUTURE ASSIGNMENT LOCATION.—Under the demonstration program required under subsection (a), the Secretary may offer to a rated officer described in subsection (b) a guarantee of future assignment locations based on the preference of the officer.

(2) AVIATION BONUS.—Under the demonstration program required under subsection (a), notwithstanding section 334(c) of title 37, United States Code, the Secretary may pay to a rated officer described in subsection (b) an aviation bonus not to exceed an average annual amount of $50,000 (subject to paragraph (3)(B)).

(3) COMBINATION OF INCENTIVES.—The Secretary may offer to a rated officer described in subsection (b) a combination of incentives under paragraphs (1) and (2).

(e) ANNUAL BRIEFING.—Not later than December 31, 2023, and annually thereafter until the termination of the demonstration program required under subsection (a), the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing describing the use of such demonstration program and its effects on the retention on active duty in the Air Force of rated officers described in subsection (b).

(f) DEFINITIONS.—In this section:

(1) RATED OFFICER.—The term ''rated officer'' means an officer specified in section 9253 of title 10, United States Code.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Air Force.

(g) TERMINATION.—This section shall terminate on December 31, 2028.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. IMPROVEMENTS TO THE TRICARE DENTAL PROGRAM.

(a) IN GENERAL.—Section 1076a of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) by striking ''The plans'' and inserting the following:

''(1) IN GENERAL.—The plans''; and

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

''(2) PREMIUM SHARING PLANS.—The regulations required by paragraph (1) shall include,

with respect to premium sharing plans referred to in subsection (d)(1), the following elements:

''(A) A third party administrator shall manage the administrative features of such plans, including eligibility, enrollment, plan change and premium payment processes, submission of qualifying life events changes, and address changes.

''(B) Such plans shall include the following three enrollment options:

''(i) Self.

''(ii) Self plus one.

''(iii) Family.

''(C) In the United States, to the extent practicable, individuals eligible to enroll in such a plan shall be offered options to enroll in plans of not fewer than four national dental insurance carriers.

''(D) To the extent practicable, each carrier described in subparagraph (C)—

''(i) shall manage dental care delivery matters, including claims adjudication (with required electronic submission of claims), coordination of benefits, covered services, enrollment verification, and provider networks;

''(ii) shall, in addition to offering a standard option plan consistent with the requirements of this section, offer a high option plan that provides more covered services;

''(iii) may offer an additional plan managed as a dental health maintenance organization plan;

''(iv) shall establish and operate dental provider networks that provide—

''(I) accessible care with a prevention or wellness focus;

''(II) continuity of care;

''(III) coordinated care (including appropriate dental and medical referrals);

''(IV) patient-centered care (including effective communications, individualized care, and shared decision-making); and

''(V) high-quality, safe care;

''(v) shall develop and implement adult and pediatric dental quality measures, including effective measurements for—

''(I) access to care;

''(II) continuity of care;

''(III) cost;

''(IV) adverse patient events;

''(V) oral health outcomes; and

''(VI) patient experience; and

''(vi) shall conduct in their provider networks, to the extent practicable, pilot programs on the development of a model of care based on the model of care referred to as patient-centered dental homes.'';

(2) in subsection (d)(1)—

(A) in subparagraph (B), by striking the second sentence;

(B) by striking subparagraph (C) and inserting the following new subparagraph (C):

''(C) The amount of the premium required under subparagraph (A)—

''(i) for standard option plans described in subsection (b)(2)(C)(ii), shall be established by the Secretary annually such that in the aggregate (taking into account the adjustments under subparagraph (D) and subsection (e)(2)(C)), the Secretary's share of each premium is 60 percent of the premium for each enrollment category (self, self plus one, and family) of each standard option plan; and

''(ii) for non-standard option plans described in clauses (ii) and (iii) of subsection (b)(2)(C), shall be equal to the amount determined under clause (i) plus 100 percent of the additional premium amount applicable to such non-standard option plan.''; and

(C) by striking subparagraph (D) and inserting the following new subparagraph (D):

''(D) The Secretary of Defense shall reduce the monthly premium required to be paid under paragraph (1) in the case of enlisted members in pay grade E–1, E–2, E–3, or E–4.'';

(3) in subsection (e), by adding at the end the following new paragraph:

''(3) The Secretary of Defense shall reduce copayments required to be paid under paragraph (1) in the case of enlisted members in pay grade E–1, E–2, E–3, or E–4.''; and

(4) in subsection (j), by striking ''plan established under this section'' and inserting ''standard option plan described in subsection (b)(2)(C)(ii).''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 1, 2025.

(c) RULE MAKING AUTHORITY.—

(1) IN GENERAL.—In order to implement the dental program improvements on the date specified in subsection (b), the Secretary of Defense shall, not later than January 1, 2024, issue an interim final regulation consistent with the provisions of section 1076a of title 10, United States Code, as amended by subsection (a), that will be in effect on the date specified in subsection (b).

(2) MAINTENANCE OF COVERED SERVICES.—The regulation required by paragraph (1) shall ensure that covered services under standard option plans described in subsection (b)(2)(C)(ii) of section 1076a of title 10, United States Code, as added by subsection (a), shall be no less than those services under the premium sharing plans under such section in effect as of the date of the enactment of this Act.

SEC. 702. HEALTH BENEFITS FOR MEMBERS OF THE NATIONAL GUARD FOLLOWING REQUIRED TRAINING OR OTHER DUTY TO RESPOND TO A NATIONAL EMERGENCY.

(a) TRANSITIONAL HEALTH CARE.—Subsection (a)(2) of section 1145 of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(G) A member of the National Guard who is separated from full-time National Guard Duty to which called or ordered under section 502(f) of title 32 for a period of active service of more than 30 days to perform duties that are authorized by the President or the Secretary of Defense for the purpose of responding to a national emergency declared by the President and supported by Federal funds.''.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (a)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''active duty'' and inserting ''active service'';

(B) in paragraph (3), by striking ''paragraph (2)(B)'' and inserting ''subparagraph (B) or (G) of paragraph (2)'';

(C) in paragraph (4)—

(i) by striking ''active duty'' each place it appears and inserting ''active service''; and

(ii) in the second sentence, by striking ''or (D)'' and inserting ''(D), or (G)'';

(D) in paragraph (5), in subparagraphs (A) and (B), by striking ''active duty'' each place it appears and inserting ''active service''; and

(E) in paragraph (7)(A)—

(i) by striking ''service on active duty'' and inserting ''active service''; and

(ii) by striking ''active duty for'' and inserting ''active service for'';

(2) in subsection (b)(1), by striking ''active duty'' and inserting ''active service''; and

(3) in subsection (d)(1)(A), by striking ''active duty'' and inserting ''active service''.

SEC. 703. CONFIDENTIALITY REQUIREMENTS FOR MENTAL HEALTH CARE SERVICES FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—In order to reinforce the policies of eliminating stigma in obtaining mental health care services and further encouraging help-seeking behavior by members of the Armed Forces, not later than July 1, 2023, the Secretary of Defense shall—

(1) update and reissue Department of Defense Instruction 6490.08, entitled ''Command Notification Requirements to Dispel Stigma in Providing Mental Health Care to Service Members'' and issued on August 17, 2011, taking into account—

(A) experience implementing the Instruction; and

(B) opportunities to more effectively dispel stigma in obtaining mental health care services and encourage help-seeking behavior; and

(2) develop standards within the Department of Defense that—

(A) ensure, except in cases in which there are exigent circumstances, confidentiality of mental health care services provided to members who voluntarily seek such services; and

(B) in cases in which there are exigent circumstances, prevent health care providers from disclosing more than the minimum amount of information necessary to address the exigent circumstances.

(b) ELEMENTS.—The standards required by subsection (a)(2) shall include the following elements:

(1) Requirements for confidentiality regarding the request and receipt by a member of the Armed Forces of mental health care services under the self-initiated referral process under section 1090a(e) of title 10, United States Code.

(2) Requirements for confidentiality regarding the results of any drug testing incident to mental health care services.

(3) Procedures that reflect best practices of the mental health profession with respect to suicide prevention.

(4) Prohibition on retaliating against a member of the Armed Forces who requests mental health care services.

(5) Such other elements as the Secretary determines will most effectively support the policies of—

(A) eliminating stigma in obtaining mental health care services; and

(B) encouraging help-seeking behavior by members of the Armed Forces.

(c) JOINT POLICY WITH THE SECRETARY OF VETERANS AFFAIRS.—

(1) IN GENERAL.—Not later than July 1, 2023, the Secretary of Defense and the Secretary of Veterans Affairs shall issue a joint policy that provides, except in the case of exigent circumstances, for confidentiality of mental health care services provided by the Department of Veterans Affairs to members of the Armed Forces, including members of reserve components of the Armed Forces, under sections 1712A, 1720F, 1720H, and 1789 of title 38, United States Code, and other applicable law.

(2) ELEMENTS.—The joint policy issued urder paragraph (1) shall, to the extent practicable, establish standards comparable to the standards developed under subsection (a)(2).

(d) REPORT.—Not later than July 1, 2023, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a copy of the standards developed under subsection (a)(2) and the joint policy issued under subsection (c).

(e) EXIGENT CIRCUMSTANCE DEFINED.—In this section, the term ''exigent circumstance'' means a circumstance in which the Secretary of Defense determines the need to prevent serious harm to individuals or essential military functions clearly outweighs the need for confidentiality of information obtained by a health care provider incident to mental health care services voluntarily sought by a member of the Armed Forces.

SEC. 704. IMPROVEMENT OF REFERRALS FOR SPECIALTY CARE UNDER TRICARE PRIME DURING PERMANENT CHANGES OF STATION.

(a) IN GENERAL.—Section 714 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 1095f) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

''(e) IMPROVEMENT OF SPECIALTY CARE REFERRALS DURING PERMANENT CHANGES OF STATION.—In conducting evaluations and improvements under subsection (d) to the referral process described in subsection (a), the Secretary shall ensure beneficiaries enrolled in TRICARE Prime who are undergoing a permanent change of station receive referrals from their primary care manager to such specialty care providers in the new location as the beneficiary may need before undergoing the permanent change of station.''.

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the contractual and technical barriers preventing record sharing between civilian provider networks under the TRICARE program that lead to increased wait times for care for members of the Armed Forces and their dependents undergoing permanent changes of station across provider network regions.

SEC. 705. STUDY ON PROVIDING BENEFITS UNDER TRICARE RESERVE SELECT AND TRICARE DENTAL PROGRAM TO MEMBERS OF THE SELECTED RESERVE AND THEIR DEPENDENTS.

(a) STUDY.—The Secretary of Defense may conduct a study on the feasibility, potential cost effects to the budget of the Department of Defense, changes in out-of-pocket costs to beneficiaries, and effects on other Federal programs of expanding eligibility for TRICARE Reserve Select and the TRICARE dental program to include all members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces, their dependents, and their non-dependent children under the age of 26.

(b) SPECIFICATIONS.—If the Secretary conducts the study under subsection (a), the Secretary shall include in the study an assessment of the following:

(1) Cost-shifting to the Department of Defense to support the expansion of TRICARE Reserve Select and the TRICARE dental program from—

(A) health benefit plans under chapter 89 of title 5, United States Code;

(B) employer-sponsored health insurance;

(C) private health insurance;

(D) insurance under a State health care exchange; and

(E) the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(2) New costs for the Department of Defense to enroll in TRICARE Reserve Select and the TRICARE dental program members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces who were previously uninsured.

(3) The resources needed to implement TRICARE Reserve Select and the TRICARE dental program for all such members, their dependents, and their non-dependent children under the age of 26.

(4) Cost-savings, if any, resulting from the expansion of TRICARE Reserve Select and the TRICARE dental program with regard to increased training days performed in support of mass medical events during battle assemblies of the reserve components, including an assessment of the impact of such expansion on—

(A) medical readiness;

(B) overall deployability rates;

(C) deployability timelines;

(D) fallout rates at mobilization sites;

(E) cross-leveling of members of the reserve components to backfill medical fallouts at mobilization sites; and

(F) any other readiness metrics affected by such expansion.

(5) Any impact of such expansion on recruitment and retention of members of the Armed Forces, including members of the Ready Reserve of the reserve components of the Armed Forces.

(6) Cost-savings, if any, in contracts that implement the Reserve Health Readiness Program of the Department of Defense.

(c) DETERMINATION OF COST EFFECTS.—If the Secretary of Defense studies the potential cost effects to the budget of the Department of Defense under subsection (a), the Secretary shall study the cost effects for the following scenarios of expanded eligibility for TRICARE Reserve Select and the TRICARE dental program:

(1) Premium free for members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces, their dependents, and their non-dependent children under the age of 26.

(2) Premium free for such members and subsidized premiums for such dependents and non-dependent children.

(3) Subsidized premiums for such members, dependents, and non-dependent children.

(d) USE OF A FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER.—The Secretary may contract with a federally funded research and development center that is qualified and appropriate to conduct the study under subsection (a).

(e) BRIEFING; REPORT.—

(1) BRIEFING.—If the Secretary conducts the study under subsection (a), not later than one year after the date of the enactment of this Act, the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the methodology and approach of the study.

(2) REPORT.—If the Secretary conducts the study under subsection (a), not later than two years after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study.

(f) DEFINITIONS.—In this section:

(1) TRICARE DENTAL PROGRAM.—The term ''TRICARE dental program'' means dental benefits under section 1076a of title 10, United States Code.

(2) TRICARE RESERVE SELECT.—The term ''TRICARE Reserve Select'' means health benefits under section 1076d of such title.

Subtitle B—Health Care Administration

SEC. 721. IMPROVEMENTS TO ORGANIZATION OF MILITARY HEALTH SYSTEM.

(a) FEASIBILITY STUDY FOR SUPERSEDING ORGANIZATION FOR DEFENSE HEALTH AGENCY.—

(1) STUDY AND REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense (referred to in this section as the ''Secretary'') shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on a study, conducted by the Secretary for purposes of the report, of the feasibility of and requirements for the establishment of a defense health and medical readiness command (referred to in this subsection as the ''command'') as a superseding organization to the Defense Health Agency.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) A description of the responsibilities of the commander of the command.

(B) A description of any organizations that support the Defense Health Agency, such as the medical departments and medical logistics organizations of each military department.

(C) A description of any authorities required for the leadership and direction of the command.

(D) A description of the organizational structure of the command, including any subordinate commands.

(E) A description of resourcing executive leadership of the command.

(F) A description of the location or locations of headquarters elements of the command.

(G) A description of how the current Defense Health Agency functions as a provider of optimally trained, clinically proficient health care professionals to support combatant commands.

(H) A description of how the command may further serve as a provider of optimally trained, clinically proficient health care professionals to support combatant commands.

(I) A description of the relationship of the command to the military departments, the combatant commands, and the Joint Staff.

(J) A timeline for the establishment of the command.

(K) A description of additional funding required to establish the command.

(L) A description of any additional legislative action required for the establishment of the command.

(M) Any other matters in connection with the establishment, operations, and activities of the command that the Secretary considers appropriate.

(b) ESTABLISHMENT OF MILITARY HEALTH SYSTEM EDUCATION AND TRAINING DIRECTORATE.—

(1) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to establish within the Defense Health Agency a subordinate organization, to be called the Military Health System Education and Training Directorate (referred to in this subsection as the ''Directorate'').

(2) ELEMENTS.—The plan required under paragraph (1) shall include the following:

(A) A description of any authorities required for the leadership and direction of the Directorate.

(B) A description of the organizational structure of the Directorate, including any subordinate organizations.

(C) A description of resourcing executive leadership of the Directorate.

(D) A description of the location or locations of elements of the Directorate.

(E) A description of the ability of the Directorate to address the training requirements of the military departments, the combatant commands, and the Joint Staff.

(F) A description of additional funding required to establish the Directorate.

(G) A description of any additional legislative action required for the establishment of the Directorate.

(H) Any other matters in the connection with the establishment, operations, and activities of the Directorate that the Secretary considers appropriate.

(3) ESTABLISHMENT.—

(A) IN GENERAL.—Not later than one year after the submission of the plan required under paragraph (1), the Secretary shall establish the Directorate within the Defense Health Agency.

(B) LEADERSHIP.—The Directorate shall be led by the President of the Uniformed Services University of the Health Sciences.

(C) STRUCTURE.—The Directorate shall be composed of the following:

(i) The Medical Education and Training Campus.

(ii) The College of Allied Health Sciences.

(iii) The Uniformed Services University of the Health Sciences.

(iv) The medical education and training commands and organizations of the military departments.

(v) Training programs of military departments affiliated with civilian academic institutions.

(vi) Such other elements, facilities, and commands of the Department of Defense as the Secretary considers appropriate.

SEC. 722. INCLUSION OF LEVEL THREE TRAUMA CARE CAPABILITIES IN REQUIREMENTS FOR MEDICAL CENTERS.

Section 1073d(b)(3) of title 10, United States Code, is amended by striking ''or level two'' and inserting '', level two, or level three''

SEC. 723. EXTENSION OF ACCOUNTABLE CARE ORGANIZATION DEMONSTRATION AND ANNUAL REPORT REQUIREMENT.

(a) IN GENERAL.—The Secretary of Defense, acting through the Director of the Defense Health Agency, shall extend the duration of the Accountable Care Organization demonstration carried out by the Secretary, notice of which was published in the Federal Register on August 16, 2019 (84 Fed. Reg. 41974), (in this section referred to as the ''Demonstration'') through December 31, 2028.

(b) ANNUAL REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1 of each year during which the Demonstration is carried out, beginning in 2023, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that describes the conduct of the Demonstration for the one-year period preceding the date of the report.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following:

(A) A description of how the Demonstration delivered performance of better health, better care, and lower cost.

(B) A description of the results of the Demonstration with respect to the following outcome measures:

(i) Clinical performance.

(ii) Utilization improvement.

(iii) Beneficiary engagement.

(iv) Membership growth and retention.

(v) Case management.

(vi) Continuity of care.

(vii) Telehealth utilization.

(C) A description of how the Demonstration shifted financial risk from the TRICARE program to health care providers.

(D) A description of how investment in the Demonstration serves as a bridge to competitive demonstrations by the Department of Defense with accountable care organizations in the future.

(E) A detailed description of locations for future competitive demonstrations by the Department with accountable care organizations.

(3) TRICARE PROGRAM DEFINED.—In this subsection, the term ''TRICARE program'' has the meaning given that term in section 1072(7) of title 10, United States Code.

SEC. 724. MODIFICATION OF REQUIREMENT TO TRANSFER PUBLIC HEALTH FUNCTIONS TO DEFENSE HEALTH AGENCY.

(a) TEMPORARY RETENTION OF PUBLIC HEALTH FUNCTIONS.—At the determination of the Secretary of Defense, a military department may retain, until not later than September 30, 2023, a public health function that would otherwise become part of the Defense Health Agency Public Health under section 1073c(e)(2)(B) of title 10, United States Code, if such function—

(1) addresses a need that is unique to the military department; and

(2) is in direct support of operating forces and necessary to execute strategies relating to national security and defense.

(b) REPORT.—

(1) IN GENERAL.—Not later than March 1, 2023, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on public health functions that the Secretary has determined may be retained by a military department pursuant to subsection (a).

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

(A) A description of each public health function that the Secretary has determined may be retained by a military department pursuant to subsection (a).

(B) The rationale for each such determination.

(C) Recommendations for amendments to section 1073c of title 10, United States Code, to permit ongoing retention of public health functions by military departments.

(c) MODIFICATION TO NAMES OF PUBLIC HEALTH COMMANDS.—Section 1073c(e)(2)(B) of title 10, United States Code, is amended by striking ''Army Public Health Command, the Navy–Marine Corps Public Health Command'' and inserting ''Army Public Health Center, the Navy–Marine Corps Public Health Center''.

SEC. 725. ESTABLISHMENT OF MILITARY HEALTH SYSTEM MEDICAL LOGISTICS DIRECTORATE.

(a) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to establish within the Defense Health Agency a subordinate organization to be called the Military Health System Medical Logistics Directorate (in this section referred to as the ''Directorate'').

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

(1) A description of any authorities required for the leadership and direction of the Directorate.

(2) A description of the organizational structure of the Directorate, including any subordinate organizations, to include incorporation into the Directorate of existing organizations of the military departments that provide operational theater medical materiel support.

(3) A description of resourcing by the Secretary of the executive leadership of the Directorate.

(4) A description of the location or locations of elements of the Directorate.

(5) A description of how the medical research and development organization within the Defense Health Agency will coordinate with the Directorate.

(6) A description of the ability of the Directorate to address the medical logistics requirements of the military departments, the combatant commands, and the Joint Staff.

(7) A description of additional funding required to establish the Directorate.

(8) A description of any additional legislative action required for the establishment of the Directorate.

(9) Any other matters in connection with the establishment, operations, and activities of the Directorate that the Secretary considers appropriate.

(c) ESTABLISHMENT.—Not later than one year after the submission of the plan required under subsection (a), the Secretary shall establish the Directorate within the Defense Health Agency.

SEC. 726. ESTABLISHMENT OF CENTERS OF EXCELLENCE FOR SPECIALTY CARE IN THE MILITARY HEALTH SYSTEM.

(a) CENTERS OF EXCELLENCE.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall establish regional centers of excellence for the provision of military specialty care to eligible beneficiaries at existing major medical centers of the Department of Defense.

(2) SATELLITE CENTERS.—The Secretary may establish satellite centers of excellence to provide specialty care for certain conditions, such as—

(A) post-traumatic stress;

(B) traumatic brain injury; and

(C) such other conditions as the Secretary considers appropriate.

(3) READINESS AND IMPROVEMENT OF CARE.—Centers of excellence established under this subsection shall—

(A) ensure the military medical force readiness of the Department and the medical readiness of the Armed Forces;

(B) improve the quality of health care received by eligible beneficiaries from the Department; and

(C) improve health outcomes for eligible beneficiaries.

(b) TYPES OF CENTERS OF EXCELLENCE.—

(1) IN GENERAL.—Centers of excellence shall be established under subsection (a) for the following areas of specialty care:

(A) Oncology.

(B) Burn injuries and wound care.

(C) Rehabilitation medicine.

(D) Psychological health and traumatic brain injury.

(E) Amputations and prosthetics.

(F) Neurosurgery.

(G) Orthopedic care.

(H) Substance abuse.

(I) Transplants.

(J) Cardiothoracic surgery.

(K) Such other areas of specialty care as the Secretary considers appropriate to ensure the military medical force readiness of the Department and the medical readiness of the Armed Forces.

(2) MULTIPLE SPECIALTIES.—A major medical center of the Department may be established as a center of excellence for more than one area of specialty care.

(c) PRIMARY SOURCE FOR SPECIALTY CARE.—

(1) IN GENERAL.—Centers of excellence established under subsection (a) shall be the primary source within the military health system for the receipt by eligible beneficiaries of specialty care.

(2) REFERRAL.—Eligible beneficiaries seeking specialty care services through the military health system shall be referred to a center of excellence established under subsection (a) or to an appropriate specialty care provider in the private sector if health care services at such a center are unavailable.

(d) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that sets forth a plan for the Department to establish centers of excellence under this section.

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

(A) A list of the centers of excellence to be established under this section and the locations of such centers.

(B) A description of the specialty care services to be provided at each such center and a staffing plan for each such center.

(C) A description of how each such center will improve—

(i) the military medical force readiness of the Department and the medical readiness of the Armed Forces;

(ii) the quality of care received by eligible beneficiaries; and

(iii) the health outcomes of eligible beneficiaries.

(D) A comprehensive plan to refer eligible beneficiaries for specialty care services at centers of excellence established under this section and centers of excellence in the private sector.

(E) A plan to assist eligible beneficiaries with travel and lodging, if necessary, in connection with the receipt of specialty care services at centers of excellence established under this section or centers of excellence in the private sector.

(F) A plan to transfer specialty care providers of the Department to centers of excellence established under this section, in a number as determined by the Secretary to be required to provide specialty care services to eligible beneficiaries at such centers.

(G) A plan to monitor access to care, beneficiary satisfaction, experience of care, and clinical outcomes to understand better the impact of such centers on the health care of eligible beneficiaries.

(e) NOTIFICATION.—The Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives not later than 90 days prior to the establishment of a center of excellence under this section.

(f) ELIGIBLE BENEFICIARY DEFINED.—In this section, the term ''eligible beneficiary'' means a beneficiary under chapter 55 of title 10, United States Code.

SEC. 727. REQUIREMENT TO ESTABLISH ACADEMIC HEALTH SYSTEM.

Section 2113b(a) of title 10, United States Code, is amended by striking ''may'' and inserting ''shall''.

SEC. 728. ADHERENCE TO POLICIES RELATING TO MILD TRAUMATIC BRAIN INJURY AND POST-TRAUMATIC STRESS DISORDER.

Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall—

(1) direct the Secretary of the Navy and the Secretary of the Air Force to address inconsistencies between the policies of the Department of Defense, the Department of the Navy, and the Department of the Air Force relating to the training of members of the Armed Forces on the identification of symptoms of mild traumatic brain injury in deployed locations; and

(2) ensure the Secretary of each military department routinely monitors the adherence of members of the Armed Forces under the jurisdiction of such Secretary to policies of the Department of Defense relating to post-traumatic stress disorder and traumatic brain injury, including policies related to—

(A) screening certain members of the Armed Forces for post-traumatic stress disorder and traumatic brain injury prior to any separation of such a member from the Armed Forces for misconduct; and

(B) providing counseling to members of the Armed Forces during the process of such separation regarding services and benefits that may be provided by the Department of Veterans Affairs to members after such separation.

SEC. 729. POLICY ON ACCOUNTABILITY FOR WOUNDED WARRIORS UNDERGOING DISABILITY EVALUATION.

(a) IN GENERAL.—Not later than April 1, 2023, the Secretary of Defense shall establish a policy to ensure accountability for actions taken under the authorities of the Defense Health Agency and the military departments concerning wounded, ill, and injured members of the Armed Forces during the integrated disability evaluation system process of the Department of Defense.

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

(1) A requirement that determination of fitness for duty under chapter 61 of title 10, United States Code, of a member of the Armed Forces falls under the jurisdiction of the Secretary of the military department concerned.

(2) A requirement that medical evaluation provided under the authority of the Defense Health Agency shall—

(A) comply with applicable law and regulations of the Department of Defense; and

(B) be considered by the Secretary of the military department concerned in determining fitness for duty under chapter 61 of such title.

(3) A requirement that wounded, ill, and injured members of the Armed Forces shall not be denied the protections, privileges, or right to due process afforded under applicable law and regulations of the Department of Defense and the military department concerned.

(c) CLARIFICATION OF RESPONSIBILITIES REGARDING MEDICAL EVALUATION BOARDS.—Section 1073c of title 10, United States Code, is amended by—

(1) redesignating subsection (h) as subsection (i); and

(2) by inserting after subsection (g) the following new subsection (h):

''(h) AUTHORITIES RESERVED TO THE SECRETARIES OF THE MILITARY DEPARTMENTS CONCERNING THE DISABILITY EVALUATION SYSTEM.—

''(1) IN GENERAL.—Notwithstanding the responsibilities and authorities of the Director of the Defense Health Agency with respect to the administration of military medical treatment facilities as set forth in this section, including medical evaluations of members of the armed forces, the Secretary of each military department shall maintain personnel authority over and responsibility for any member of the armed forces under the jurisdiction of the Secretary concerned while the member is being considered by a medical evaluation board.

''(2) RESPONSIBILITY DESCRIBED.—The responsibility of the Secretary of a military department described in paragraph (1) shall include the following:

''(A) Responsibility for administering the morale and welfare of members of the armed forces under the jurisdiction of the Secretary concerned.

''(B) Responsibility for determinations of fitness for duty of such members under chapter 61 of this title.''.

Subtitle C—Reports and Other Matters

SEC. 741. THREE-YEAR EXTENSION OF AUTHORITY TO CONTINUE DOD-VA HEALTH CARE SHARING INCENTIVE FUND.

Section 8111(d)(3) of title 38, United States Code, is amended by striking ''September 30, 2023'' and inserting ''September 30, 2026''.

SEC. 742. EXTENSION OF AUTHORITY FOR JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND.

Section 1704(e) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2567), as most recently amended by section 715 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81), is amended by striking ''September 30, 2023'' and inserting ''September 30, 2024''.

SEC. 743. AUTHORIZATION OF PERMANENT PROGRAM TO IMPROVE OPIOID MANAGEMENT IN THE MILITARY HEALTH SYSTEM.

Section 716 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 1090 note), is amended—

(1) in subsection (a)(1), by striking ''Beginning not'' and inserting ''Except as provided in subsection (e), beginning not'';

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following new subsection (e):

''(e) ALTERNATIVE INITIATIVE TO IMPROVE OPIOID MANAGEMENT.—As an alternative to the pilot program under this section, the Director of the Defense Health Agency, not later than January 1, 2023—

''(1) may implement a permanent program to improve opioid management for beneficiaries under the TRICARE program; and

''(2) if the Director decides to implement such a permanent program, shall submit to the Committees on Armed Services of the Senate and the House of Representatives the specifications of and reasons for implementing such program.''.

SEC. 744. CLARIFICATION OF MEMBERSHIP REQUIREMENTS AND COMPENSATION AUTHORITY FOR INDEPENDENT SUICIDE PREVENTION AND RESPONSE REVIEW COMMITTEE.

Section 738 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1801) is amended—

(1) in subsection (b)(3), by inserting ''(except for a former member of an Armed Force)'' after ''Armed Force'';

(2) by redesignating subsections (f) through (h) as subsections (g) through (i), respectively; and

(3) by inserting after subsection (e) the following new subsection (f):

''(f) COMPENSATION.—

''(1) IN GENERAL.—The Secretary may compensate members of the committee established under subsection (a) for the work of such members for the committee.

''(2) TREATMENT OF COMPENSATION.—A member of the committee established under subsection (a) who receives compensation under paragraph (1) shall not be considered a civilian employee of the Department of Defense for purposes of subsection (b)(3).''.

SEC. 745. TERMINATION OF VETERANS' ADVISORY BOARD ON RADIATION DOSE RECONSTRUCTION.

Section 601 of the Veterans Benefit Act of 2003 (Public Law 108–183; 38 U.S.C. 1154 note) is amended—

(1) in subsection (b), by striking '', including the establishment of the advisory board required by subsection (c)''; and

(2) by striking subsection (c).

SEC. 746. SCHOLARSHIP-FOR-SERVICE PILOT PROGRAM FOR CIVILIAN BEHAVIORAL HEALTH PROVIDERS.

(a) IN GENERAL.—Commencing not later than two years after the date of the enactment of this Act, the Secretary of Defense shall carry out a pilot program under which—

(1) the Secretary may provide—

(A) scholarships to cover tuition and related fees at an institution of higher education to an individual enrolled in a program of study leading to a graduate degree in clinical psychology, social work, counseling, or a related field (as determined by the Secretary); and

(B) student loan repayment assistance to a credentialed behavioral health provider who has a graduate degree in clinical psychology, social work, counseling, or a related field (as determined by the Secretary); and

(2) in exchange for such assistance, the recipient shall commit to work as a covered civilian behavioral health provider in the direct care component of the military health system in accordance with subsection (c).

(b) DURATION.—The Secretary of Defense shall carry out the pilot program under subsection (a) during the 10-year period beginning on the commencement of the pilot program.

(c) POST-AWARD EMPLOYMENT OBLIGATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), as a condition of receiving assistance under subsection (a), the recipient of such assistance shall enter into an agreement with the Secretary of Defense pursuant to which the recipient agrees to work on a full-time basis as a covered civilian behavioral health provider in the direct care component of the military health system for a period that is at least equivalent to the period during which the recipient received assistance under such paragraph.

(2) OTHER TERMS AND CONDITIONS.—An agreement entered into pursuant to paragraph (1) may include such other terms and conditions as the Secretary of Defense may determine necessary to protect the interests of the United States or otherwise appropriate for purposes of this section, including terms and conditions providing for limited exceptions from the post-award employment obligation specified in such subparagraph.

(d) REPAYMENT.—

(1) IN GENERAL.—An individual who receives assistance under subsection (a) and does not complete the employment obligation required under the agreement entered into pursuant to subsection (c) shall repay to the Secretary of Defense a prorated portion of the financial assistance received by the individual under subsection (a).

(2) DETERMINATION OF AMOUNT.—The amount of any repayment required under paragraph (1) shall be determined by the Secretary.

(e) IMPLEMENTATION PLAN.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representative a plan for the implementation of this section.

(f) REPORTS.—

(1) IN GENERAL.—Not later than each of one year, five years, and nine years after the commencement of the pilot program under subsection (a), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representative a report on the pilot program.

(2) ELEMENTS.—Each report under paragraph (1) shall include, with respect to the pilot program under subsection (a), the following:

(A) The number of students receiving scholarships under the pilot program.

(B) The locations of such students.

(C) The amount of total scholarship money expended per academic school year under the pilot program.

(D) The average scholarship amount per student under the pilot program.

(E) The number of students hired as behavioral health providers by the Department of Defense under the pilot program.

(F) Any recommendations for terminating the pilot program, extending the pilot program, or making the pilot program permanent.

(g) DEFINITIONS.—In this section:

(1) BEHAVIORAL HEALTH.—The term ''behavioral health'' includes psychiatry, clinical psychology, social work, counseling, and related fields.

(2) CIVILIAN BEHAVIORAL HEALTH PROVIDER.—The term ''civilian behavioral health provider'' means a behavioral health provider who is a civilian employee of the Department of Defense.

(3) COVERED CIVILIAN BEHAVIORAL HEALTH PROVIDER.—The term ''covered civilian behavioral health provider'' means a civilian behavioral health provider whose employment by the Secretary of Defense involves the provision of behavioral health services at a military medical treatment facility.

(4) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

SEC. 747. EXPANSION OF EXTRAMEDICAL MATERNAL HEALTH PROVIDERS DEMONSTRATION PROJECT TO INCLUDE MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY AND OTHER INDIVIDUALS RECEIVING CARE AT MILITARY MEDICAL TREATMENT FACILITIES.

Section 746 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1073 note) is amended—

(1) in subsection (a), by inserting '', including coverage of such providers at military medical treatment facilities'' before the period at the end;

(2) in subsection (c), by striking ''covered beneficiaries'' and inserting ''covered individuals'';

(3) in subsection (f)(2), by striking ''covered beneficiaries'' each place it appears and inserting ''covered individuals''; and

(4) in subsection (h)—

(A) by amending paragraph (1) to read as follows:

''(1) The term 'covered individual' means a beneficiary under chapter 55 of title 10, United States Code.''; and

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

''(3) The term 'TRICARE program' has the meaning given that term in section 1072 of title 10, United States Code.''.

SEC. 748. AUTHORITY TO CARRY OUT STUDIES AND DEMONSTRATION PROJECTS RELATING TO DELIVERY OF HEALTH AND MEDICAL CARE THROUGH USE OF OTHER TRANSACTION AUTHORITY.

(a) IN GENERAL.—Section 1092(b) of title 10, United States Code, is amended by inserting ''or transactions (other than contracts, cooperative agreements, and grants)'' after ''contracts''.

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on how the Secretary intends to use the authority to enter into transactions under section 1092(b) of title 10, United States Code, as amended by subsection (a).

SEC. 749. CAPABILITY ASSESSMENT AND ACTION PLAN WITH RESPECT TO EFFECTS OF EXPOSURE TO OPEN BURN PITS AND OTHER ENVIRONMENTAL HAZARDS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) conduct a capability assessment of potential improvements to activities of the Department of Defense to reduce the effects of environmental exposures with respect to members of the Armed Forces; and

(2) develop an action plan to implement such improvements assessed under paragraph (1) as the Secretary considers appropriate.

(b) ELEMENTS.—The capability assessment required by subsection (a)(1) shall include the following elements:

(1) With respect to the conduct of periodic health assessments, the following:

(A) An assessment of the feasibility and advisability of adding additional screening questions relating to environmental and occupational exposures to current health assessments of members of the Armed Forces conducted by the Department of Defense, including pre- and post-deployment assessments and pre-separation assessments.

(B) An assessment of the potential value and feasibility of regularly requiring spirometry or other pulmonary function testing pre- and post-deployment for all members, or selected members, of the Armed Forces.

(2) With respect to the conduct of outreach and education, the following:

(A) An evaluation of clinician training on the health effects of airborne hazards and how to document exposure information in health records maintained by the Department of Defense and the Department of Veterans Affairs.

(B) An assessment of the adequacy of current actions by the Secretary of Defense and the Secretary of Veterans Affairs to increase awareness among members of the Armed Forces and veterans of the purposes and uses of the Airborne Hazards and Open Burn Pit Registry and the effect of a potential requirement that individuals meeting applicable criteria be automatically enrolled in the registry unless they opt out of enrollment.

(C) An assessment of operational plans for deployment with respect to the adequacy of educational activities for and evaluations of performance of command authorities, medical personnel, and members of the Armed Forces on deployment on anticipated environmental exposures and potential means to minimize and mitigate any adverse health effects of such exposures, including through the use of monitoring, personal protective equipment, and medical responses.

(D) An evaluation of potential means to improve the education of health care providers of the Department of Defense with respect to the diagnosis and treatment of health conditions associated with environmental exposures.

(3) With respect to monitoring of exposure during deployment operations, the following:

(A) An evaluation of potential means to strengthen tactics, techniques, and procedures used in deployment operations to document—

(i) specific locations where members of the Armed Forces served;

(ii) environmental exposures in such locations; and

(iii) any munitions involved during such service in such locations.

(B) An assessment of potential improvements in the acquisition and use of wearable monitoring technology and remote sensing capabilities to record environmental exposures by geographic location.

(C) An analysis of the potential value and feasibility of maintaining a repository of frozen soil samples from each deployment location to be later tested as needed when concerns relating to environmental exposures are identified.

(4) With respect to the use of the Individual Longitudinal Exposure Record (referred to in this paragraph as ''ILER''), the following:

(A) An assessment of feasibility and advisability of recording individual clinical diagnosis and treatment information in ILER to be integrated with exposure data.

(B) An evaluation of—

(i) the progress toward making ILER operationally capable and accessible to members of the Armed Forces and veterans by 2023; and

(ii) the integration of ILER data with the electronic health records of the Department

of Defense and the Department of Veterans Affairs.

(C) An assessment of the feasibility and advisability of making ILER data accessible to the surviving family members of members of the Armed Forces and veterans.

(5) With respect to the conduct of research, the following:

(A) An assessment of the potential use of the Airborne Hazards and Open Burn Pit Registry for research on monitoring and identifying the health consequences of exposure to open burn pits.

(B) An analysis of options for increasing the amount and the relevance of additional research into the health effects of open burn pits and effective treatments for such health effects.

(C) An evaluation of potential research of biomarker monitoring to document environmental exposures during deployment or throughout the military career of a member of the Armed Forces.

(D) An analysis of potential organizational strengthening with respect to the management of research on environmental exposure hazards, including the establishment of a joint program executive office for such management.

(E) An assessment of the findings and recommendations of the 2020 report entitled ''Respiratory Health Effects of Airborne Hazards Exposures in the Southwest Asia Theater of Military Operations'' by the National Academies of Science, Engineering, and Medicine.

(6) An evaluation of such other matters as the Secretary determines appropriate to ensure a comprehensive review of activities relating to the effects of exposure to open burn pits and other environmental hazards.

(c) SUBMISSION OF PLAN AND REPORT.—Not later than 240 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives—

(1) the action plan required by subsection (a)(2); and

(2) a report on the results of the capability assessment required by subsection (a)(1).

(d) DEFINITIONS.—In this section:

(1) AIRBORNE HAZARDS AND OPEN BURN PIT REGISTRY.—The term ''Airborne Hazards and Open Burn Pit Registry'' means the registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

(2) ENVIRONMENTAL EXPOSURES.—The term ''environmental exposures'' means exposure to open burn pits and other environmental hazards as the Secretary determines.

(3) OPEN BURN PIT.—The term ''open burn pit'' has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

SEC. 750. INDEPENDENT ANALYSIS OF DEPARTMENT OF DEFENSE COMPREHENSIVE AUTISM CARE DEMONSTRATION PROGRAM.

Section 737 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1800) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (A)—

(i) by inserting ''broadly'' after ''disorder''; and

(ii) by striking ''demonstration project'' and inserting ''demonstration program''

(B) in subparagraph (B), by striking ''demonstration project'' and inserting ''demonstration program'';

(C) in subparagraph (C), by inserting ''parental involvement in applied behavioral analysis treatment, and'' after ''including'';

(D) in subparagraph (D), by striking ''for an individual who has'' and inserting '', including mental health outcomes, for individuals who have'';

(E) in subparagraph (E), by inserting ''since its inception'' after ''demonstration program'';

(F) in subparagraph (F), by inserting ''cost effectiveness, program effectiveness, and clinical'' after ''measure the'';

(G) in subparagraph (G), by inserting ''than in the general population'' after ''families'';

(H) by redesignating subparagraph (H) as subparagraph (I); and

(I) by inserting after subparagraph (G) the following new subparagraph (H):

''(H) An analysis of whether the diagnosis and treatment of autism is higher among the children of military families than in the general population.''; and

(2) in subsection (c), in the matter preceding paragraph (1), by striking ''nine'' and inserting ''31''.

SEC. 751. REPORT ON SUICIDE PREVENTION REFORMS FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Not later than March 1, 2023, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability of implementing the following reforms related to suicide prevention among members of the Armed Forces:

(1) Eliminating mental health history as a disqualifier for service in the Armed Forces, including eliminating restrictions related to mental health history that are specific to military occupational specialties.

(2) Requiring comprehensive in-person annual mental health assessments of members of the Armed Forces.

(3) Requiring behavioral health providers under the TRICARE program, including providers contracted through such program, to undergo evidence-based and suicide-specific training.

(4) Requiring leaders at all levels of the Armed Forces to be trained on the following:

(A) Total wellness.

(B) Suicide warning signs and risk factors.

(C) Evidence-based, suicide-specific interventions.

(D) Effectively communicating with medical and behavioral health providers.

(E) Communicating with family members, including extended family members who are not co-located with a member of the Armed Forces, on support and access to resources for members of the Armed Forces and their dependents.

(5) Requiring mandatory referral to Warriors in Transition programs or transitional programs for members of the Armed Forces who are eligible for such programs.

(b) DEFINITIONS.—In this section—

(1) TRICARE PROGRAM.—The term ''TRICARE program'' has the meaning given that term in section 1072(7) of title 10, United States Code.

(2) WARRIORS IN TRANSITION PROGRAM.—The term ''Warriors in Transition program'' has the meaning given that term in section 738(e) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 1071 note).

SEC. 752. REPORT ON BEHAVIORAL HEALTH WORKFORCE AND PLAN TO ADDRESS SHORTFALLS IN PROVIDERS.

(a) REPORT ON BEHAVIORAL HEALTH WORKFORCE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct an analysis of the behavioral health workforce under the direct care component of the military health system and submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of such analysis.

(2) ELEMENTS.—The report required under paragraph (1) shall include, with respect to the workforce specified in such paragraph, the following:

(A) The number of positions authorized for military behavioral health providers within such workforce, and the number of such positions filled, disaggregated by the professions described in paragraph (3).

(B) The number of positions authorized for civilian behavioral health providers within such workforce, and the number of such positions filled, disaggregated by the professions described in paragraph (3).

(C) For each military department, the ratio of military behavioral health providers assigned to military medical treatment facilities compared to civilian behavioral health providers so assigned, disaggregated by the professions described in paragraph (3).

(D) For each military department, the number of military behavioral health providers authorized to be embedded within an operational unit, and the number of such positions filled, disaggregated by the professions described in paragraph (3).

(E) Data on the historical demand for behavioral health services by members of the Armed Forces.

(F) An estimate of the number of health care providers necessary to meet the demand by such members for behavioral health services under the direct care component of the military health system, disaggregated by provider type.

(G) An identification of any shortfall between the estimated number under subparagraph (F) and the total number of positions for behavioral health providers filled within such workforce.

(H) Such other information as the Secretary may determine appropriate.

(3) PROVIDER TYPES.—The professions described in this paragraph are as follows:

(A) Clinical psychologists.

(B) Social workers.

(C) Counselors.

(D) Such other professions as the Secretary may determine appropriate.

(b) PLAN TO ADDRESS SHORTFALLS IN BEHAVIORAL HEALTH WORKFORCE.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to address any shortfall of the behavioral health workforce identified under subsection (a)(2)(G).

(2) ELEMENTS.—The plan required by paragraph (1) shall—

(A) address, with respect to any shortfall of military behavioral health providers (addressed separately with respect to such providers assigned to military medical treatment facilities and such providers assigned to be embedded within operational units)—

(i) recruitment;

(ii) accession;

(iii) retention;

(iv) special pay and other aspects of compensation;

(v) workload;

(vi) the role of the Uniformed Services University of the Health Sciences and the Armed Forces Health Professions Scholarship Program under chapter 105 of title 10, United States Code;

(vii) any additional authorities or resources necessary for the Secretary to increase the number of such providers; and

(viii) such other considerations as the Secretary may consider appropriate;

(B) address, with respect to any shortfall of civilian behavioral health providers—

(i) recruitment;

(ii) hiring;
(iii) retention;
(iv) pay and benefits;
(v) workload;
(vi) educational scholarship programs;
(vii) any additional authorities or resources necessary for the Secretary to increase the number of such providers; and
(viii) such other considerations as the Secretary may consider appropriate;
(C) recommend whether the number of military behavioral health providers in each military department should be increased, and if so, by how many;
(D) include a plan to expand access to behavioral health services under the military health system through the use of telehealth;
(E) include a plan by each military department to allocate additional uniformed mental health providers in military medical treatment facilities at remote installations; and
(F) assess the feasibility of hiring civilian mental health providers at remote installations to augment the provision of mental health care services by uniformed mental health providers.
(c) DEFINITIONS.—In this section:
(1) BEHAVIORAL HEALTH.—The term ''behavioral health'' includes psychiatry, clinical psychology, social work, counseling, and related fields.
(2) CIVILIAN BEHAVIORAL HEALTH PROVIDER.—The term ''civilian behavioral health provider'' means a behavioral health provider who is a civilian employee of the Department of Defense.
(3) MILITARY BEHAVIORAL HEALTH PROVIDER.—The term ''military behavioral health provider'' means a behavioral health provider who is a member of the Armed Forces.
(4) UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.—The term ''Uniformed Services University of the Health Sciences'' means the university established under section 2112 of title 10, United States Code.

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

Subtitle A—Acquisition Policy and Management

SEC. 801. MODIFICATIONS TO MIDDLE TIER ACQUISITION AUTHORITY.

Section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 321 note prec.) is amended by adding at the end the following new subsection:
''(e) ACQUISITION PLANNING.—Within one year of a program being designated as either a rapid prototyping or rapid fielding program, as defined by this section, the component acquisition executive concerned shall approve an acquisition plan that includes—
''(1) the potential transition pathway or pathways to an existing or planned program of record;
''(2) a life-cycle cost estimate; and
''(3) a test plan to verify desired performance goals.''.

SEC. 802. EXTENSION OF DEFENSE MODERNIZATION ACCOUNT AUTHORITY.

Section 3136 of title 10, United States Code, as transferred by section 1809(g)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4161), is amended by striking subsection (j).

SEC. 803. PROHIBITION ON CERTAIN PROCUREMENTS OF MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) PROHIBITION ON PROCUREMENT.—The Secretary of Defense may not enter into, extend, or renew a contract to procure any major defense acquisition program that contains covered items.
(b) CERTIFICATION REQUIRED.—The Secretary of Defense shall include in any solicitation for contract proposals, extensions, or renewals a requirement for prime contractors to certify compliance with subsection (a) based on the prime contractor's performance of vendor verification of all suppliers or potential suppliers in all tiers of such prime contractor's supply chain.
(c) WAIVER AUTHORITY.—The Secretary may, on a one-time basis, waive the requirements under subsection (a) with respect to a prime contractor that requests such a waiver. The waiver may be provided, for a period of not more than five years after the effective date described in subsection (d), if the prime contractor seeking the waiver—
(1) provides a sufficient justification for the additional time to implement the requirements under such subsection, as determined by the Secretary; and
(2) submits to the Secretary, who shall not later than 30 days thereafter submit to the congressional defense committees, a full and complete laydown of the presence of covered items in the prime contractor's supply chain and a phase-out plan to eliminate such covered items from the entity's systems.
(d) EFFECTIVE DATE.—Subsections (a), (b), and (c) shall take effect one year after the date of the enactment of this Act.
(e) RULEMAKING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue rules to implement this section.
(f) DEFINITIONS.—In this section:
(1) COVERED FOREIGN COUNTRY.—The term ''covered foreign country'' means the People's Republic of China.
(2) COVERED ITEMS.—The term ''covered item'' means an item produced or provided by an entity—
(A) owned or controlled by the government of a covered foreign country; or
(B) where the place of performance is in a covered foreign country.
(3) MAJOR DEFENSE ACQUISITION PROGRAM.—The term ''major defense acquisition program'' has the meaning given the term in section 4201 of title 10, United States Code.

SEC. 804. REVISION OF AUTHORITY FOR PROCEDURES TO ALLOW RAPID ACQUISITION AND DEPLOYMENT OF CAPABILITIES NEEDED UNDER SPECIFIED HIGH-PRIORITY CIRCUMSTANCES.

(a) REVISION AND CODIFICATION OF RAPID ACQUISITION AUTHORITY.—Chapter 253 of part V of title 10, United States Code, is amended to read as follows:

''CHAPTER 253—RAPID ACQUISITION PROCEDURES

''Sec.
''3601. Procedures for urgent acquisition and deployment of capability needed in response to urgent operational needs or vital national security interest.

''§ 3601. Procedures for urgent acquisition and deployment of capability needed in response to urgent operational needs or vital national security interest

''(a) PROCEDURES.—
''(1) IN GENERAL.—The Secretary of Defense shall prescribe procedures for the urgent acquisition and deployment of capability needed in response to urgent operational needs. The capabilities for which such procedures may be used in response to an urgent operational need are those—
''(A) that, subject to such exceptions as the Secretary considers appropriate for purposes of this section—
''(i) can be fielded within a period of two to 24 months;
''(ii) do not require substantial development effort;
''(iii) are based on technologies that are proven and available; and
''(iv) can appropriately be acquired under fixed price contracts; or
''(B) that can be developed or procured under a section 804 rapid acquisition pathway.
''(2) DEFINITION.—In this section, the term 'section 804 rapid acquisition pathway' means the rapid fielding acquisition pathway or the rapid prototyping acquisition pathway authorized under section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 321 prec.).
''(b) MATTERS TO BE INCLUDED.—The procedures prescribed under subsection (a) shall include the following:
''(1) A process for streamlined communications between the Chairman of the Joint Chiefs of Staff, the acquisition community, and the research and development community, including—
''(A) a process for the commanders of the combatant commands and the Chairman of the Joint Chiefs of Staff to communicate their needs to the acquisition community and the research and development community; and
''(B) a process for the acquisition community and the research and development community to propose capability that meet the needs communicated by the combatant commands and the Chairman of the Joint Chiefs of Staff.
''(2) Procedures for demonstrating, rapidly acquiring, and deploying a capability proposed pursuant to paragraph (1)(B), including—
''(A) a process for demonstrating performance and evaluating for current operational purposes the performance of the capability;
''(B) a process for developing an acquisition and funding strategy for the deployment of the capability; and
''(C) a process for making deployment and utilization determinations based on information obtained pursuant to subparagraphs (A) and (B).
''(3) A process to determine the disposition of a capability, including termination (demilitarization or disposal), continued sustainment, or transition to a program of record.
''(4) Specific procedures in accordance with the guidance developed under section 804(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 321 prec.).
''(c) RESPONSE TO COMBAT EMERGENCIES AND CERTAIN URGENT OPERATIONAL NEEDS.—
''(1) DETERMINATION OF NEED FOR URGENT ACQUISITION AND DEPLOYMENT.—(A) In the case of any capability that, as determined in writing by the Secretary of Defense, is urgently needed to eliminate a documented deficiency that has resulted in combat casualties, or is likely to result in combat casualties, the Secretary may use the procedures developed under this section in order to accomplish the urgent acquisition and deployment of the needed capability.
''(B) In the case of any capability that, as determined in writing by the Secretary of Defense, is urgently needed to eliminate a documented deficiency that impacts an ongoing or anticipated contingency operation and that, if left unfulfilled, could potentially result in loss of life or critical mission failure, the Secretary may use the procedures developed under this section in order to accomplish the urgent acquisition and deployment of the needed capability.
''(C)(i) In the case of any cyber capability that, as determined in writing by the Secretary of Defense, is urgently needed to eliminate a deficiency that as the result of a cyber attack has resulted in critical mission failure, the loss of life, property destruction, or economic effects, or if left unfilled is likely to result in critical mission failure, the

loss of life, property destruction, or economic effects, the Secretary may use the procedures developed under this section in order to accomplish the urgent acquisition and deployment of the needed offensive or defensive cyber capability.

''(ii) In this subparagraph, the term 'cyber attack' means a deliberate action to alter, disrupt, deceive, degrade, or destroy computer systems or networks or the information or programs resident in or transiting these systems or networks.

''(2) DESIGNATION OF SENIOR OFFICIAL RESPONSIBLE.—(A)(i) Except as provided under clause (ii), whenever the Secretary makes a determination under subparagraph (A), (B), or (C) of paragraph (1) that a capability is urgently needed to eliminate a deficiency described in that subparagraph, the Secretary shall designate a senior official of the Department of Defense to ensure that the needed capability is acquired and deployed as quickly as possible, with a goal of awarding a contract for the acquisition of the capability within 15 days.

''(ii) Clause (i) does not apply to an acquisition initiated in the case of a determination by the Secretary that funds are necessary to immediately initiate a project under a section 804 rapid acquisition pathway if the designated official for acquisitions using such pathway is a service acquisition executive.

''(B) Upon designation of a senior official under subparagraph (A) with respect to a needed capability, the Secretary shall authorize that official to waive any provision of law or regulation described in subsection (d) that such official determines in writing would unnecessarily impede the urgent acquisition and deployment of the needed capability. In a case in which the needed capability cannot be acquired without an extensive delay, the senior official shall require that an interim solution be implemented and deployed using the procedures developed under this section to minimize adverse consequences resulting from the urgent need.

''(3) USE OF FUNDS.—(A) In any fiscal year in which the Secretary makes a determination described in subparagraph (A), (B), or (C) of paragraph (1), or upon the Secretary making a determination that funds are necessary to immediately initiate a project under a section 804 rapid acquisition pathway based on a compelling national security need, the Secretary may use any funds available to the Department of Defense if the determination includes a written finding that the use of such funds is necessary to address in a timely manner the deficiency documented or identified under such subparagraph (A), (B), or (C) or the compelling national security need identified for purposes of such section 804 pathway, respectively.

''(B) The authority provided by this section may only be used to acquire capability—

''(i) in the case of determinations by the Secretary under paragraph (1)(A), in an amount aggregating not more than $200,000,000 during any fiscal year;

''(ii) in the case of determinations by the Secretary under paragraph (1)(B), in an amount aggregating not more than $200,000,000 during any fiscal year;

''(iii) in the case of determinations by the Secretary under paragraph (1)(C), in an amount aggregating not more than $200,000,000 during any fiscal year; and

''(iv) in the case of a determination by the Secretary that funds are necessary to immediately initiate a project under a section 804 rapid acquisition pathway, in an amount aggregating not more than $50,000,000 during any fiscal year.

''(C) In exercising the authority under this section, the use of funds is limited as follows:

''(i) When operation and maintenance (O&M) funds are utilized as a source, special O&M funds established for a dedicated or proscribed purpose may not be used.

''(ii) When funds are utilized for sustainment purposes, this authority may not be used for more than 2 years.

''(4) NOTIFICATION TO CONGRESSIONAL DEFENSE COMMITTEES.—(A) In the case of a determination by the Secretary under subparagraph (A) or (C) of paragraph (1), the Secretary shall notify the congressional defense committees of the determination within 15 days after the date of the determination.

''(B) In the case of a determination by the Secretary under paragraph (1)(B), the Secretary shall notify the congressional defense committees of the determination at least 10 days before the date on which the determination is effective.

''(C) In the case of a determination by the Secretary under paragraph (3)(A) that funds are necessary to immediately initiate a project under a section 804 rapid acquisition pathway, the Secretary shall notify the congressional defense committees of the determination within 10 days after the date of the use of such funds.

''(D) A notice under this paragraph shall include the following:

''(i) Identification of the capability to be acquired.

''(ii) The amount anticipated to be expended for the acquisition.

''(iii) The source of funds for the acquisition.

''(E) A notice under this paragraph shall fulfill any requirement to provide notification to Congress for a program (referred to as a 'new start program') that has not previously been specifically authorized by law or for which funds have not previously been appropriated.

''(F) A notice under this paragraph shall be provided in consultation with the Director of the Office of Management and Budget.

''(5) LIMITATION ON OFFICERS WITH AUTHORITY.—The authority to make determinations under subparagraph (A), (B), or (C) of paragraph (1) and under paragraph (3)(A) that funds are necessary to immediately initiate a project under a section 804 rapid acquisition pathway, to designate a senior official responsible under paragraph (3), and to provide notification to the congressional defense committees under paragraph (4) may be exercised only by the Secretary or Deputy Secretary of Defense.

''(d) AUTHORITY TO WAIVE CERTAIN LAWS AND REGULATIONS.—

''(1) AUTHORITY.—The Secretary or Deputy Secretary of Defense, for a capability required to address the needs described in subsection (c)(1) or, upon a determination described in subsection (c)(1), and the senior official designated in accordance with subsection (c)(2), with respect to that designation, is authorized to waive any provision of law or regulation addressing—

''(A) the establishment of a requirement or specification for the capability to be acquired;

''(B) the research, development, test, and evaluation of the capability to be acquired;

''(C) the production, fielding, and sustainment of the capability to be acquired; or

''(D) the solicitation, selection of sources, and award of the contracts for procurement of the capability to be acquired.

''(2) LIMITATIONS.—Nothing in this subsection authorizes the waiver of—

''(A) the requirements of this section;

''(B) any provision of law imposing civil or criminal penalties; or

''(C) any provision of law governing the proper expenditure of appropriated funds.

''(e) OPERATIONAL ASSESSMENTS.—

''(1) IN GENERAL.—The process prescribed under subsection (b)(2)(A) for demonstrating performance and evaluating the current operational performance of a capability proposed pursuant to subsection (b)(1)(B) shall include the following:

''(A) An operational assessment in accordance with procedures prescribed by the Director of Operational Test and Evaluation.

''(B) A requirement to provide information about any deficiency of the capability in meeting the original requirements for the capability (as stated in a statement of the urgent operational need or similar document) to the deployment decision-making authority.

''(2) LIMITATION.—The process may not include a requirement for any deficiency of capability identified in the operational assessment to be the determining factor in deciding whether to deploy the capability.

''(3) DIRECTOR OF OPERATIONAL TEST AND EVALUATION ACCESS.—If a capability is deployed under the procedures prescribed pursuant to this section, or under any other authority, before operational test and evaluation of the capability is completed, the Director of Operational Test and Evaluation shall have access to operational records and data relevant to such capability in accordance with section 139(e)(3) of this title for the purpose of completing operational test and evaluation of the capability. Such access shall be provided in a time and manner determined by the Secretary of Defense consistent with requirements of operational security and other relevant operational requirements.''.

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of subtitle A, and at the beginning of part V of subtitle A, of title 10, United States Code, are each amended by striking the item relating to chapter 253 and inserting the following:

''253. Rapid Acquisition Procedures .. 3601

(c) CONFORMING REPEALS.—The following provisions of law are repealed:

(1) Section 804 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383).

(2) Section 806 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314).

SEC. 805. ACQUISITION REPORTING SYSTEM.

(a) IN GENERAL.—The Secretary of Defense shall institute a defense acquisition reporting system to replace the requirements of section 4351 of title 10, United States Code, as soon as practicable but not later than June 30, 2023.

(b) ELEMENTS.—The reporting system required under subsection (a) may include such elements as determined by the Secretary to support the acquisition information reporting needs of the Department, and at a minimum shall—

(1) continue to produce the information necessary to carry out the actions specified in chapter 325 of title 10, United States Code;

(2) continue to produce the information necessary to carry out the actions specified in sections 4217 and 4311 of the Atomic Energy Defense Act (50 U.S.C. 2537, 2577);

(3) incorporate the findings of section 805 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81); and

(4) provide the congressional defense committees and other designated Government entities with access to updated acquisition reporting on a not less than quarterly basis.

SEC. 806. MODIFICATION OF REPORTING REQUIREMENT IN CONNECTION WITH REQUESTS FOR MULTIYEAR PROCUREMENT AUTHORITY FOR LARGE DEFENSE ACQUISITIONS.

Section 3501(i)(2) of title 10, United States Code, is amended—

(1) by striking ''shall include in the request the following:'' and all that follows through ''(A) A report'' and inserting ''shall include in the request a report''; and

(2) by striking subparagraph (B).

SEC. 807. MODIFICATION OF LIMITATION ON CANCELLATION OF DESIGNATION OF EXECUTIVE AGENT FOR A CERTAIN DEFENSE PRODUCTION ACT PROGRAM.

Section 226 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1335) is amended—

(1) in subsection (a), by striking ''The Secretary'' and inserting ''Except as provided for under subsection (e), the Secretary'';

(2) by redesignating subsection (e) as subsection (f); and

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

''(e) DESIGNATION OF OTHER EXECUTIVE AGENTS.—The Secretary of Defense may designate other Executive Agents within the Department to implement Defense Production Act transactions entered into under the authority of sections 4002, 4003 and 4004 of title 10, United States Code.''.

SEC. 808. COMPTROLLER GENERAL ASSESSMENT OF ACQUISITION PROGRAMS AND RELATED EFFORTS.

(a) IN GENERAL.—Section 3072 of title 10, United States Code, is amended—

(1) in the section heading, by striking ''**initiatives**'' and inserting ''**efforts**'';

(2) by striking ''initiatives'' each place it appears and inserting ''efforts'';

(3) in subsection (a), by striking ''through 2023'' and inserting ''through 2026''; and

(4) in subsection (c), in the subsection heading, by striking ''INITIATIVES'' and inserting ''EFFORTS''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 203 of title 10, United States Code, is amended in the item relating to section 3072 by striking ''initiatives'' and inserting ''efforts''.

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

SEC. 821. TREATMENT OF CERTAIN CLAUSES IMPLEMENTING EXECUTIVE ORDER MANDATES.

(a) IN GENERAL.—Section 3862 of title 10, United States Code, is amended—

(1) in the section heading, by striking ''**: certification**'';

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

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

''(c) TREATMENT OF CERTAIN CLAUSES IMPLEMENTING EXECUTIVE ORDER MANDATES.—(1) The insertion of a covered clause into an existing Department of Defense contract, order, or other transaction shall be treated as a change directed by the contracting officer pursuant to, and subject to, the Changes clause of the underlying contractual instrument.

''(2) In this subsection, the term 'covered clause' means any clause implementing the requirements of an Executive order issued by the President.''; and

(4) in subsection (d), as redesignated by paragraph (2)—

(A) in the subsection heading, by striking ''DEFINITION'' and inserting ''DEFINITIONS'';

(B) by striking ''section, the term'' and inserting the following: ''section:

''(1) The term''; and

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

''(2) The term 'Changes clause' means the clause described in part 52.243–4 of the Federal Acquisition Regulation or any successor regulation.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 281 of title 10, United States Code, is amended by striking the item relating to section 3862 and inserting the following:

''3862. Requests for equitable adjustment or other relief.

(c) CONFORMING REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulation to conform with the amendments to section 3862 of title 10, United States Code, made by subsection (a).

(d) CONFORMING POLICY GUIDANCE.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise applicable policy guidance on other transactions to conform with the amendments to section 3862 of title 10, United States Code, made by subsection (a).

SEC. 822. DATA REQUIREMENTS FOR COMMERCIAL PRODUCTS FOR MAJOR WEAPON SYSTEMS.

(a) AMENDMENTS RELATING TO SUBSYSTEMS OF MAJOR WEAPONS SYSTEMS.—Section 3455(b) of title 10, United States Code is amended—

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

(2) by inserting ''(1)'' before ''A subsystem of a major weapon system''; and

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

''(2) For subsystems proposed as commercial as defined in section 103(1) of title 41 and that have not been previously determined commercial in accordance with section 3703(d) of this title, the offeror shall be required to identify the comparable commercial product that is customarily used by the general public or non-governmental entities that serves as the basis for the 'of a type' assertion. The offeror shall submit a comparison of the essential physical characteristics and functionality between the proposed 'of a type' product and the comparable commercial product in support of the 'of a type' assertion. The offeror shall also provide the National Stock Numbers for both the comparable commercial product used by the general public, if one is assigned, and the product proposed to meet the Government's requirement, if one is assigned.''.

(b) AMENDMENTS RELATING TO COMPONENTS AND SPARE PARTS.—Section 3455(c) of such title is amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) For components or spare parts proposed as commercial as defined in section 103(1) of title 41 and that have not previously been determined commercial in accordance with section 3703(d) of this title, the offeror shall be required to identify the comparable commercial product that is customarily used by the general public or non-governmental entities that serves as the basis for the 'of a type' assertion. The offeror shall submit a comparison of the essential physical characteristics and functionality between the proposed 'of a type' product and the comparable commercial product in support of the 'of a type' assertion. The offeror shall also provide the National Stock Numbers for both the comparable commercial product used by the general public, if one is assigned, and the product proposed to meet the Government's requirement, if one is assigned.''; and

(3) in paragraph (3), as so redesignated—

(A) by striking ''only''; and

(B) by striking ''on which the prime contractor adds no, or negligible, value''.

(c) AMENDMENTS RELATING TO INFORMATION SUBMITTED.—Section 3455(d) of such title is amended—

(1) in the subsection heading, by inserting after ''SUBMITTED'' the following: ''FOR PROCUREMENTS THAT ARE NOT COVERED BY THE EXCEPTIONS IN SECTION 3703(A)(1) OF THIS TITLE'';

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''the contracting officer shall require the offeror to submit—'' and inserting ''the offeror shall be required, on an unredacted basis, to submit to the contracting officer or provide access to—'';

(B) in subparagraph (A)—

(i) by inserting ''all'' before ''prices paid''; and

(ii) by inserting '', and the terms and conditions,'' after ''terms and conditions'';

(C) in subparagraph (B)—

(i) by striking clauses (ii), (iii), and (iv); and

(ii) by striking ''information on—'' and all that follows through ''terms and conditions;'' and inserting ''information on all prices for the same or similar items sold under different terms and conditions, and the terms and conditions; and''; and

(D) in subparagraph (C), by inserting after ''reasonableness of price'' the following: ''because either the comparable products provided by the offeror are not a valid basis for a price analysis or the contracting officer determines the proposed price is not reasonable after evaluating sales data''; and

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

''(4) A request for cost data under paragraph (1)(C) must be approved at a level above the contracting officer.''.

SEC. 823. TASK AND DELIVERY ORDER CONTRACTING FOR ARCHITECTURAL AND ENGINEERING SERVICES.

Section 3406 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(h) ARCHITECTURAL AND ENGINEERING SERVICES.—(1) Task or delivery orders for architectural and engineering services issued under section 3403 or 3405 of this title shall be qualification-based selections executed in accordance with chapter 11 of title 40.

''(2) When issuing a task or delivery orders for architectural and engineering services under a multiple award contract, the head of an agency shall not routinely request additional information from contractors, but may request additional information or conduct discussions with contractors when available information is insufficient, in order to determine the most highly qualified contractor to perform the work in accordance with chapter 11 of title 40.''.

SEC. 824. EXTENSION OF PILOT PROGRAM FOR DISTRIBUTION SUPPORT AND SERVICES FOR WEAPONS SYSTEMS CONTRACTORS.

Section 883 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 4292 note prec.) is amended—

(1) in subsection (a), by striking ''six-year pilot program'' and inserting ''seven-year pilot program''; and

(2) in subsection (g), by striking ''six years'' and inserting ''seven years''.

SEC. 825. PILOT PROGRAM TO ACCELERATE CONTRACTING AND PRICING PROCESSES.

Section 890(c) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2306a note) is amended by striking ''January 2, 2023'' and inserting ''January 2, 2024''.

SEC. 826. EXTENSION OF NEVER CONTRACT WITH THE ENEMY.

Section 841(n) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3455) is amended by striking ''December 31, 2023'' and inserting ''December 31, 2025''.

SEC. 827. PROGRESS PAYMENT INCENTIVE PILOT.

(a) PILOT PROGRAM.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall establish and implement a pilot program, to be known as the ''Progress Payment Incentive Pilot Program'', to make accelerated progress payments contingent upon responsiveness to Department of Defense goals for effectiveness, efficiency, and increasing small business contract opportunities.

(b) PURPOSE.—The purpose of the pilot program is to reward Department of Defense contractors who meet contract delivery dates, respond to Department solicitations for required certified cost or pricing data, meet small business contracting goals, and provide subcontracting opportunities for AbilityOne contracts.

(c) PROGRESS PAYMENTS.—

(1) LIMITATIONS FOR LARGE CONTRACTORS.—Except as provided under paragraph (2), under the pilot program, the Department of Defense may not award to large business contractors progress payments in excess of 50 percent.

(2) EXCEPTIONS.—The Department of Defense may increase the rate of progress payments, up to a total of 95 percent, by the following percentages:

(A) 10 percent if the relevant division of the contractor met contract delivery dates for contract end items and contract data requirement lists or performance milestone schedule, as the case may be, at least 95 percent of the time during the preceding Government fiscal year.

(B) 10 percent if the division does not have open level III or IV corrective action requests.

(C) 10 percent if all applicable contractor business systems are acceptable, without significant deficiencies.

(D) 7.5 percent if at least 95 percent of the time during the preceding Government fiscal year, when responding to solicitations that required submission of certified cost or pricing data, the division met the due date in the request for proposal.

(E) 5 percent if the contractor has met its small business subcontracting goals during the preceding Government fiscal year.

(F) 2.5 percent if the contractor has provided subcontracting opportunities for the blind and severely disabled.

(d) SUNSET.—The authority to make accelerated payments under the pilot program shall terminate on the date that is four years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023.

(e) DEFINITIONS.—In this section:

(1) LARGE DEFENSE CONTRACTOR.—The term ''large defense contractor'' means a contractor (other than an institution of higher education or a federally funded research and development center) that received more than $10,000,000 in annual revenue from the Department of Defense contracts or licenses in any of the previous three years.

(2) PROGRESS PAYMENTS.—The term ''progress payments'' means payments provided for under section 3804 of title 10, United States Code.

SEC. 828. REPORT ON DEPARTMENT OF DEFENSE STRATEGIC CAPABILITIES OFFICE CONTRACTING CAPABILITIES.

(a) REPORT REQUIRED.—Not later than March 1, 2023, the Secretary of Defense, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, the Under Secretary of Defense for Research and Engineering, and the Director of the Strategic Capabilities Office (SCO), shall submit to the congressional defense committees a report on the adequacy of SCO contracting authorities.

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

(1) a summary of the existing authorities of the SCO, including the mechanisms for contracting in support of existing programs;

(2) an assessment of the average amount of time needed to conduct contracting actions through current mechanisms described in paragraph (1);

(3) an assessment of the pros and cons of the current contracting processes for SCO in relation to their ability to rapidly develop and deploy technology in support of Department of Defense operational units;

(4) an assessment of the type or types of contracting authority that would be most beneficial to the SCO in carrying out its mission in order to achieve desired speed and scale for the organization, including any limits or oversight measures that should be put into place;

(5) an assessment of structural changes that may be needed in order to accommodate the preferred contracting approach for SCO; and

(6) the Secretary of Defense's recommendations for future authorities for the SCO.

Subtitle C—Industrial Base Matters

SEC. 841. ANALYSES OF CERTAIN ACTIVITIES FOR ACTION TO ADDRESS SOURCING AND INDUSTRIAL CAPACITY.

(a) ANALYSIS REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment and other appropriate officials, shall review the items under subsection (c) to determine and develop appropriate actions, consistent with the policies, programs, and activities required under subpart I of part V of subtitle A of title 10, United States Code, chapter 83 of title 41, United States Code, and the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.), including—

(A) restricting procurement, with appropriate waivers for cost, emergency requirements, and non-availability of suppliers, including restricting procurement to—

(i) suppliers in the United States;

(ii) suppliers in the national technology and industrial base (as defined in section 4801 of title 10, United States Code);

(iii) suppliers in other allied nations; or

(iv) other suppliers;

(B) increasing investment through use of research and development or procurement activities and acquisition authorities to—

(i) expand production capacity;

(ii) diversify sources of supply; or

(iii) promote alternative approaches for addressing military requirements;

(C) prohibiting procurement from selected sources or nations;

(D) taking a combination of actions described under subparagraphs (A), (B), and (C); or

(E) taking no action.

(2) CONSIDERATIONS.—The analyses conducted pursuant to paragraph (1) shall consider national security, economic, and treaty implications, as well as impacts on current and potential suppliers of goods and services.

(b) REPORTING ON ANALYSES, RECOMMENDATIONS, AND ACTIONS.—

(1) INTERIM BRIEF.—Not later than January 15, 2024, the Secretary of Defense shall submit to the congressional defense committees—

(A) a summary of the findings of the analyses undertaken for each item pursuant to subsection (a);

(B) relevant recommendations resulting from the analyses; and

(C) descriptions of specific activities undertaken as a result of the analyses, including schedule and resources allocated for any planned actions.

(2) REPORTING.—The Secretary of Defense shall include the analyses conducted under subsection (a), and any relevant recommendations and descriptions of activities resulting from such analyses, as appropriate, in each of the following submitted during the 2024 calendar year:

(A) The annual or quarterly reports to Congress required under section 4814 of title 10, United States Code.

(B) The annual report on unfunded priorities of the national technology and industrial base required under section 4815 of such title.

(C) Department of Defense technology and industrial base policy guidance prescribed under section 4811(c) of such title.

(D) Activities to modernize acquisition processes to ensure the integrity of the industrial base pursuant to section 4819 of such title.

(E) Defense memoranda of understanding and related agreements considered in accordance with section 4851 of such title.

(F) Industrial base or acquisition policy changes.

(G) Legislative proposals for changes to relevant statutes which the Department shall consider, develop, and submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives not less frequently than once per fiscal year.

(H) Other actions as the Secretary of Defense determines appropriate.

(c) LIST OF GOODS AND SERVICES FOR ANALYSES, RECOMMENDATIONS, AND ACTIONS.—The items described in this subsection are the following:

(1) Solar components for satellites.

(2) Satellite ground station service contracts.

SEC. 842. MODIFICATION TO MISCELLANEOUS LIMITATIONS ON THE PROCUREMENT OF GOODS OTHER THAN UNITED STATES GOODS.

Section 4864 of title 10, United States Code, is amended by inserting after subsection (j) the following new subsection:

''(k) PERIODIC REVIEW REQUIREMENT.—

''(1) REQUIRED DETERMINATION.—Not later than November 1, 2024, and every five years thereafter, the Under Secretary of Defense for Acquisition and Sustainment shall review each item described in subsections (a) and (e) of this section and make and submit to the congressional defense committees a written determination with one of the following recommendations:

''(A) Recommend continued inclusion of the item under this section.

''(B) Recommend continued inclusion of the item under this section with modifications.

''(C) Recommend discontinuing inclusion of the item under this section.

''(2) ELEMENTS.—The review required under paragraph (1) shall include the following elements for the most recent five-year period:

''(A) The criticality of the item to a military unit's mission accomplishment or other national security objectives.

''(B) The extent to which such item is fielded in current programs of record.

''(C) The number of such items to be procured by current programs of record.

''(D) The extent to which cost and pricing data for such item has been deemed fair and reasonable.

''(3) JUSTIFICATION.—The determination required under paragraph (1) shall also include the findings of the review conducted under

such paragraph and other key justifications for the determination.''.

SEC. 843. DEMONSTRATION EXERCISE OF ENHANCED PLANNING FOR INDUSTRIAL MOBILIZATION AND SUPPLY CHAIN MANAGEMENT.

(a) DEMONSTRATION EXERCISE REQUIRED.—Not later than December 31, 2024, the Secretary of Defense shall conduct a demonstration exercise of industrial mobilization and supply chain management planning capabilities in support of an operational or contingency plan use case, as selected in consultation with the Chairman of the Joint Chiefs of Staff and the Under Secretary of Defense for Acquisition and Sustainment. The demonstration exercise shall identify a current program that is both fielded and still in production from each military service, Defense Agency, and Department of Defense Field Activity in order to model a notional plan for mobilization or supply chain management, as associated with the selected operational or contingency plan.

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

(1) The exercise of processes and authorities that support the Department for industrial mobilization in support of declared hostilities or other contingency operations.

(2) The identification of process improvements or gaps in resources, capabilities, or authorities that require remediation, including those related to government or contractor production facilities, tooling, or workforce development.

(3) The implementation of analytical tools and processes to monitor and assess the health of the industrial base and use near real-time data and visualization capabilities in making production and distribution decisions, with an emphasis on identifying, assessing, and demonstrating commercially available tools.

(4) The establishment and tracking of goals and metrics to support institutionalization of defense industrial base health assessment and planning.

(c) BRIEFING REQUIRED.—Not later than November 1, 2023, the Secretary shall provide to the congressional defense committees an interim briefing on the demonstration exercise required under subsection (a), including—

(1) an identification of the programs and use cases to be demonstrated;

(2) a description of methodology for executing the demonstration exercise, including analytical tools or metrics identified to support the process; and

(3) any preliminary findings.

(d) ASSESSMENT.—Not later than March 1, 2025, the Secretary shall submit to the congressional defense committees a final assessment report of the demonstration exercise, including a description of—

(1) the use cases considered in this demonstration exercise;

(2) the elements required under subsection (b);

(3) outcomes and conclusions;

(4) lessons learned; and

(5) any recommendations for legislative action that may be required as a result.

(e) DEFINITIONS.—In this section, the terms ''military department'', ''Defense Agency'', and Defense Field Activity'' have the meanings given those terms in section 101 of title 10, United States Code.

SEC. 844. PROCUREMENT REQUIREMENTS RELATING TO RARE EARTH ELEMENTS AND STRATEGIC AND CRITICAL MATERIALS.

(a) DISCLOSURES CONCERNING RARE EARTH ELEMENTS AND STRATEGIC AND CRITICAL MATERIALS BY CONTRACTORS OF DEPARTMENT OF DEFENSE.—

(1) REQUIREMENT.—Beginning on the date that is 30 months after the date of the enactment of this Act, the Secretary of Defense shall require that any contractor that provides to the Department of Defense a system with a permanent magnet that contains rare earth elements or strategic and critical materials disclose, along with delivery of the system, the provenance of the magnet.

(2) ELEMENTS.—A disclosure under paragraph (1) shall include an identification of the country or countries in which—

(A) any rare earth elements and strategic and critical materials used in the magnet were mined;

(B) such elements and minerals were refined into oxides;

(C) such elements and minerals were made into metals and alloys; and

(D) the magnet was sintered or bonded and magnetized.

(3) IMPLEMENTATION OF SUPPLY CHAIN TRACKING SYSTEM.—If a contractor cannot make the disclosure required by paragraph (1) with respect to a system described in that paragraph, the Secretary shall require the contractor to establish and implement a supply chain tracking system in order to make the disclosure not later than 180 days after providing the system to the Department of Defense.

(4) WAIVERS.—

(A) IN GENERAL.—The Secretary may waive a requirement under paragraph (1) or (3) with respect to a system described in paragraph (1) for a period of not more than 180 days if the Secretary certifies to the Committees on Armed Services of the Senate and the House of Representatives that—

(i) the continued procurement of the system is necessary to meet the demands of a national emergency declared under section 201 of the National Emergencies Act (50 U.S.C. 1621); or

(ii) the contractor cannot currently make the disclosure required by paragraph (1) but is making significant efforts to comply with the requirements of that paragraph.

(B) WAIVER RENEWALS.—The Secretary—

(i) may renew a waiver under subparagraph (A)(i) as many times as the Secretary considers appropriate; and

(ii) may not renew a waiver under subparagraph (A)(ii) more than twice.

(5) BRIEFING REQUIRED.—Not later than 30 days after the submission of each report required by subsection (c)(3), the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing that includes—

(A) a summary of the disclosures made under this subsection;

(B) an assessment of the extent of reliance by the United States on foreign countries, and especially countries that are not allies of the United States, for rare earth elements and strategic and critical materials;

(C) a determination with respect to which systems described in paragraph (1) are of the greatest concern for interruptions of supply chains with respect to rare earth elements and strategic and critical materials; and

(D) any suggestions for legislation or funding that would mitigate security gaps in such supply chains.

(b) EXPANSION OF RESTRICTIONS ON PROCUREMENT OF MILITARY AND DUAL-USE TECHNOLOGIES BY CHINESE MILITARY COMPANIES.—Section 1211 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 10 U.S.C. 4651 note prec.) is amended—

(1) in the section heading, by striking ''**COMMUNIST CHINESE MILITARY COMPANIES**'' and inserting ''**CHINESE MILITARY COMPANIES**'';

(2) in subsection (a), by inserting after ''military company'' the following: '', any Chinese military company, or any Non-SDN Chinese military-industrial complex company'';

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

''(b) GOODS AND SERVICES COVERED.—

''(1) IN GENERAL.—For purposes of subsection (a), and except as provided in paragraph (2), the goods and services described in this subsection are goods and services—

''(A) on the munitions list of the International Traffic in Arms Regulations; or

''(B) on the Commerce Control List that—

''(i) are classified in the 600 series; or

''(ii) contain strategic and critical materials, rare earth elements, or energetic materials used to manufacture missiles or munitions.

''(2) EXCEPTIONS.—Goods and services described in this subsection do not include goods or services procured—

''(A) in connection with a visit by a vessel or an aircraft of the United States Armed Forces to the People's Republic of China;

''(B) for testing purposes; or

''(C) for purposes of gathering intelligence.''; and

(4) in subsection (e)—

(A) by striking paragraph (3);

(B) by redesignating paragraphs (1) and (2) as paragraphs (3) and (5), respectively;

(C) by inserting before paragraph (3), as redesignated by subparagraph (B), the following:

''(1) The term 'Chinese military company' has the meaning given that term by section 1260H(d)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 113 note).

''(2) The term 'Commerce Control List' means the list maintained by the Bureau of Industry and Security and set forth in Supplement No. 1 to part 774 of the Export Administration Regulations.'';

(D) by inserting after paragraph (3), as so redesignated, the following:

''(4) The term 'Export Administration Regulations' has the meaning given that term in section 1742 of the Export Control Reform Act of 2018 (50 U.S.C. 4801).''; and

(E) by adding at the end the following:

''(6) The term 'Non-SDN Chinese military-industrial complex company' means any entity on the Non-SDN Chinese Military-Industrial Complex Companies List—

''(A) established pursuant to Executive Order 13959 (50 U.S.C. 1701 note; relating to addressing the threat from securities investments that finance Communist Chinese military companies), as amended before, on, or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023; and

''(B) maintained by the Office of Foreign Assets Control of the Department of the Treasury.

''(7) The term 'strategic and critical materials' means materials designated as strategic and critical under section 3(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(a)).''.

(c) REVIEW OF COMPLIANCE WITH CONTRACTING REQUIREMENTS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and periodically thereafter until the termination date specified in paragraph (5), the Comptroller General of the United States shall assess the extent of the efforts of the Department of Defense to comply with the requirements of—

(A) subsection (a);

(B) section 1211 of the National Defense Authorization Act for Fiscal Year 2006, as amended by subsection (b); and

(C) section 4872 of title 10, United States Code.

(2) BRIEFING REQUIRED.—The Comptroller General shall periodically, until the termination date specified in paragraph (5), provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the results of the assessments conducted under paragraph (1) that includes an assessment of—

(A) the inclusion by the Department of Defense of necessary contracting clauses in relevant contracts to meet the requirements described in subparagraphs (A), (B), and (C) of paragraph (1); and

(B) the efforts of the Department of Defense to assess the compliance of contractors with such clauses.

(3) REPORT REQUIRED.—The Comptroller General shall, not less frequently than every 2 years until the termination date specified in paragraph (5), submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the assessments conducted under paragraph (1) that includes an assessment of—

(A) the inclusion by the Department of Defense of necessary contracting clauses in relevant contracts to meet the requirements described in subparagraphs (A), (B), and (C) of paragraph (1); and

(B) the efforts of the Department of Defense to assess the compliance of contractors with such clauses.

(4) REFERRAL.—If, in conducting an assessment under paragraph (1), the Comptroller General determines that a contractor has failed to comply with any of the requirements described in subparagraphs (A), (B), and (C) of paragraph (1), the Comptroller General shall refer the matter to the Department of Justice, relevant Inspectors General, or other enforcement agencies, as appropriate, for further examination and possible enforcement actions.

(5) TERMINATION.—The requirements of this subsection shall terminate on the date that is 10 years after the date of the enactment of this Act.

(d) STRATEGIC AND CRITICAL MATERIALS DEFINED.—In this section, the term ''strategic and critical materials'' means materials designated as strategic and critical under section 3(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(a)).

SEC. 845. MODIFICATION TO THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

Section 4801(1) of title 10, United States Code, is amended by inserting ''New Zealand,'' after ''Australia,''.

SEC. 846. MODIFICATION OF PROHIBITION ON OPERATION OR PROCUREMENT OF FOREIGN-MADE UNMANNED AIRCRAFT SYSTEMS.

Section 848(d)(1) of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 4871 note; Public Law 116–92) is amended by striking ''means the People's Republic of China.'' and inserting ''means any of the following:

''(A) The People's Republic of China.

''(B) The Russian Federation.

''(C) The Islamic Republic of Iran.

''(D) The Democratic People's Republic of Korea.''.

SEC. 847. ANNUAL REPORT ON INDUSTRIAL BASE CONSTRAINTS FOR MUNITIONS.

(a) BRIEFING ON FULFILLMENT OF MUNITIONS REQUIREMENTS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall deliver a briefing to the congressional defense committees regarding the current process for fulfilling the requirements of section 222c of title 10, United States Code, in a timely fashion with standardization across the Department of Defense.

(b) ANNUAL REPORT ON INDUSTRIAL BASE CONSTRAINTS FOR MUNITIONS.—

(1) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by inserting after section 222c the following new section:

''§ 222d. Annual report on industrial base constraints for munitions

''(a) IN GENERAL.—Not later than 30 days after the submission of all reports required under section 222c(a) of this title, the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Service Acquisition Executive for each military service, shall submit to the congressional defense committees a report setting forth in detail the industrial base constraints for each munition identified in the Out-Year Unconstrained Total Munitions Requirement.

''(b) ELEMENTS.—The report required under subsection (a) shall include the following elements, by munition:

''(1) Programmed purchase quantities per year.

''(2) Average procurement unit cost per year.

''(3) Contract type.

''(4) Current minimum sustaining rate of production per month and year.

''(5) Current maximum rate of production per month and year.

''(6) Expected date to meet the total requirement in section 222c of this title under the current programmed purchase profile.

''(7) A description of industrial base constraints on increased production.

''(8) A description of investments or policy changes made by the contractor to increase production, enable more efficient production, or mitigate significant loss of stability in potential production.

''(9) A description of investments or policy changes made by the United States Government to increase production, enable more efficient production, or mitigate significant loss of stability in potential production.

''(10) A description of potential investments or policy changes identified by the contractor or the United States Government to increase production, enable more efficient production, or mitigate significant loss of stability in potential production.

''(11) A list of contracts for munitions with DX or DO ratings under the Defense Priorities and Allocations System.

''(12) A prioritized list of munitions or capabilities judged to have high value for export for which additional work would be necessary to enable export, including a description of required investments to enhance exportability.

''(c) WORKING DEFINITION OF MUNITION.—The Under Secretary may define munition for the purposes of this section given the multiple subtypes of munitions.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of title 10, United States Code, is amended by inserting after the item relating to section 222c the following new item:

''222d. Annual report on industrial base constraints for munitions.

Subtitle D—Small Business Matters

SEC. 861. MODIFICATIONS TO THE DEFENSE RESEARCH AND DEVELOPMENT RAPID INNOVATION PROGRAM.

(a) IN GENERAL.—Section 4061 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking ''fielding of technologies developed pursuant to phase II Small Business Innovation Research Program projects, phase II Small Business Technology Transfer Program projects'' and inserting ''fielding of technologies developed pursuant to other programs within the Department of Defense or the Federal Government to mature fundamental or applied technology'';

(2) in subsection (b)—

(A) by striking the first sentence and inserting the following: ''The Secretary shall direct the Director of the Office of Small Business Programs to issue guidelines for the operation of the program in coordination with the Under Secretary of Defense for Research and Engineering.'';

(B) by striking paragraph (3) and redesignating paragraphs (4) through (7) as paragraphs (3) through (6), respectively;

(C) in paragraph (1), by adding at the end the following: ''This may include candidate proposals that have been previously selected through other agency competitive procedures.'';

(D) in paragraph (2), by adding at the end the following: ''Projects that have been selected through this competitive process are eligible to receive sole-source awards subsequently for production or integration into a system of record.'';

(E) in paragraph (3), as redesignated by subparagraph (B), by striking ''No project shall receive more than a total of two years of funding under the program'' and inserting ''Projects may be funded to develop an initial concept (Phase I), mature a technology (Phase II), or integrate the technology in a system of record or operational environment (Phase III). No project shall receive more than a total of one year of funding under the program for Phase I, four years for Phase II, or three years for Phase III'';

(F) in paragraph (6), as so redesignated, by inserting ''and universities that make proposals with significant small business participation'' after ''small business concerns''; and

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

''(7) A requirement that no agreement may be entered into unless the Secretary of the military department concerned certifies in writing that the successful transition of the program to Phase III and into the acquisition process is expected to meet high priority military requirements of such military department.'';

(3) in subsection (c), by inserting ''congressional'' before ''earmark'';

(4) by amending subsection (d) to read as follows:

''(d) FUNDING.—(1) Not less than 3.2 percent of the extramural budget for research, development, test, and evaluation of the Department of Defense in excess of $100,000,000 shall be used to field technologies under the program.

''(2) Up to 0.5 percent of the amount required under paragraph (1) may be used to cover administrative costs associated with the program.''; and

(5) by adding at the end the following new subsection:

''(f) GOAL FOR TECHNOLOGY INSERTION.—The Director of the Office of Small Business Programs shall—

''(1) set a goal to increase the number of contracts awarded by the Secretary that lead to technology transition into programs of record or fielded systems;

''(2) use incentives in effect on December 31, 2021, or create new incentives, to encourage agency program managers and prime contractors to meet the goal under paragraph (1); and

''(3) submit to the congressional defense committees —

''(A) the number and percentage of contracts awarded by the Secretary that led to technology transition into programs of record or fielded systems;

''(B) information on the status of each project that received funding the program and efforts to transition those projects into programs of record or fielded systems; and

''(C) a description of each incentive that has been used by the Secretary under paragraph (2) and the effectiveness of that incentive with respect to meeting the goal under paragraph (1).''.

(b) PUBLIC-PRIVATE PARTNERSHIP TECHNOLOGY INVESTMENT PILOT PROGRAM.—

(1) IN GENERAL.—Chapter 303 of title 10, United States Code, is amended by inserting after section 4062 the following new section:

''§ 4063. Public-private partnership technology investment pilot program

''(a) ESTABLISHMENT.—(1) Subject to the availability of appropriations for this purpose, the Secretary of Defense shall, acting through the Under Secretary of Defense for Research and Engineering and in coordination with the Under Secretary of Defense for Acquisition and Sustainment, carry out a pilot program, for no less than five years, to accelerate the development of advanced technology for national security by creating incentives for trusted private capital to invest in domestic small businesses or nontraditional businesses that are developing technology that the Secretary considers necessary to support the modernization of the Department of Defense and national security priorities.

''(2) The purposes of the program required by paragraph (1) are as follows:

''(A) To promote the global superiority of the United States in advanced technologies of importance to national security, which are not adequately supported by private sector investment.

''(B) To accelerate the transition and deployment of advanced technologies into the Armed Forces.

''(C) To inform Department investment through coordinating planning consideration, technology roadmaps, and other analysis, as appropriate.

''(b) PUBLIC-PRIVATE PARTNERSHIP.—(1) In carrying out subsection (a), the Secretary shall enter into a public-private partnership with one or more for-profit persons using criteria that the Secretary shall establish for purposes of this subsection.

''(2) The criteria established under paragraph (1) for entering into a public-private partnership with a person shall include the following:

''(A) The person shall be independent.

''(B) The person shall be free from foreign oversight, control, influence, or beneficial ownership.

''(C) The person shall have commercial private capital fund experience with technology development in the defense and commercial sectors.

''(D) The person shall be eligible for access to classified information (as defined in the procedures established pursuant to section 801(a) of the National Security Act of 1947 (50 U.S.C. 3161(a))).

''(3) The Secretary and a person with whom the Secretary enters a partnership under paragraph (1) shall enter into an operating agreement that sets forth the roles, responsibilities, authorities, reporting requirements, and governance framework for the partnership and its operations.

''(c) INVESTMENT AND RAISING OF CAPITAL.—(1)(A) Pursuant to a public-private partnership entered into under subsection (b), a person with whom the Secretary has entered the partnership shall invest equity in domestic small businesses or nontraditional businesses consistent with subsection (a).

''(B) Investments under subparagraph (A) shall be selected based on their technical merit, economic considerations, and ability to support modernization goals of the Department.

''(2) Pursuant to a public-private partnership entered into under subsection (b), a person described in paragraph (1)(A) shall, in order to support investment of equity under paragraph (1), raise private capital only from trusted capital sources.

''(3) A person described in subparagraph (A) shall have sole authority to raise funds for, operate, manage, and invest capital raised under such subparagraph.

''(d) BRIEFINGS.—(1) Not later than one year after the date of the enactment of this section, the Secretary shall provide to the congressional defense committees—

''(A) a briefing on the implementation of this section; and

''(B) a report on the feasibility of implementing loan guarantees as an aspect to enhance the effectiveness of this program, including—

''(i) a detailed description of how loan guarantees would be vetted, approved, and managed, including mechanisms to protect the government's interests; and

''(ii) how such loan guarantees would be coordinated with other government invest mechanisms or other private sector financing.

''(2) Not later than five years after the date of the enactment of this section, the Secretary shall provide the congressional defense committees a briefing on the outcomes of the pilot program and the feasibility and advisability of making it permanent.

''(e) DEFINITIONS.—In this section:

''(1) The term 'domestic business' has the meaning given the term 'U.S. business' in section 800.252 of title 31, Code of Federal Regulations, or successor regulation.

''(2) The term 'domestic small businesses or nontraditional businesses' means—

''(A) a small businesses that is a domestic business; or

''(B) a nontraditional business that is a domestic business.

''(3) The term 'free from foreign oversight, control, influence, or beneficial ownership', with respect to a person, means a person who has not raised and managed capital from a person or entity that is not trusted and is otherwise free from foreign oversight, control, influence, or beneficial ownership.

''(4) The term 'independent', with respect to a person, means a person who lacks a conflict of interest accomplished by not having entity or manager affiliation or ownership with an existing fund.

''(5) The term 'nontraditional business' has the meaning given the term 'nontraditional defense contractors' in section 3014 of this title.

''(6) The term 'small business' has the meaning given the term 'small business concern' in section 3 of the Small Business Act (15 U.S.C. 632).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 4062 the following new item:

''4063. Public-private partnership technology investment program.

SEC. 862. PERMANENT EXTENSION AND MODIFICATION OF MENTOR-PROTEGE PROGRAM.

(a) PERMANENT EXTENSION AND MODIFICATION.—Chapter 387 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4902. Mentor-Protege Program

''(a) ESTABLISHMENT OF PROGRAM.—The Secretary of Defense shall establish a program to be known as the 'Mentor-Protege Program'.

''(b) PURPOSE.—The purpose of the program is to provide incentives for major Department of Defense contractors to furnish disadvantaged small business concerns with assistance designed to—

''(1) enhance the capabilities of disadvantaged small business concerns to perform as subcontractors and suppliers under Department of Defense contracts and other contracts and subcontracts; and

''(2) increase the participation of such business concerns as subcontractors and suppliers under Department of Defense contracts, other Federal Government contracts, and commercial contracts.

''(c) PROGRAM PARTICIPANTS.—(1) A business concern meeting the eligibility requirements set out in subsection (d) may enter into agreements under subsection (e) and furnish assistance to disadvantaged small business concerns upon making application to the Secretary of Defense and being approved for participation in the program by the Secretary. A business concern participating in the program pursuant to such an approval shall be known, for the purposes of the program, as a 'mentor firm'.

''(2) A disadvantaged small business concern eligible for the award of Federal contracts may obtain assistance from a mentor firm upon entering into an agreement with the mentor firm as provided in subsection (e). A disadvantaged small business concern may not be a party to more than one agreement concurrently, and the authority to enter into agreements under subsection (e) shall only be available to such concern during the 5-year period beginning on the date such concern enters into the first such agreement. A disadvantaged small business concern receiving such assistance shall be known, for the purposes of the program, as a 'protege firm'.

''(3) In entering into an agreement pursuant to subsection (e), a mentor firm may rely in good faith on a written representation of a business concern that such business concern is a disadvantaged small business concern. The Small Business Administration shall determine the status of such business concern as a disadvantaged small business concern in the event of a protest regarding the status of such business concern. If at any time the business concern is determined by the Small Business Administration not to be a disadvantaged small business concern, assistance furnished such business concern by the mentor firm after the date of the determination may not be considered assistance furnished under the program.

''(d) MENTOR FIRM ELIGIBILITY.—(1) Subject to subsection (c)(1), a mentor firm may enter into an agreement with one or more protege firms under subsection (e) and provide assistance under the program pursuant to that agreement if the mentor firm—

''(A) is eligible for award of Federal contracts; and

''(B) demonstrates that it—

''(i) is qualified to provide assistance that will contribute to the purpose of the program;

''(ii) is of good financial health and character and does not appear on a Federal list of debarred or suspended contractors; and

''(iii) can impart value to a protege firm because of experience gained as a Department of Defense contractor or through knowledge of general business operations and government contracting, as demonstrated by evidence that—

''(I) during the fiscal year preceding the fiscal year in which the mentor firm enters into the agreement, the total amount of the Department of Defense contracts awarded such mentor firm and the subcontracts awarded such mentor firm under Department of Defense contracts was equal to or greater than $100,000,000; or

''(II) the mentor firm demonstrates the capability to assist in the development of protege firms, and is approved by the Secretary of Defense pursuant to criteria specified in the regulations prescribed pursuant to subsection (j).

''(2) A mentor firm may not enter into an agreement with a protege firm if the Administrator of the Small Business Administration has made a determination finding affiliation between the mentor firm and the protege firm.

''(3) If the Administrator of the Small Business Administration has not made such a determination and if the Secretary has reason to believe (based on the regulations promulgated by the Administrator regarding affiliation) that the mentor firm is affiliated with the protege firm, the Secretary shall request a determination regarding affiliation from the Administrator of the Small Business Administration.

''(e) MENTOR-PROTEGE AGREEMENT.—Before providing assistance to a protege firm under the program, a mentor firm shall enter into a mentor-protege agreement with the protege firm regarding the assistance to be provided by the mentor firm. The agreement shall include the following:

''(1) A developmental program for the protege firm, in such detail as may be reasonable, including—

''(A) factors to assess the protege firm's developmental progress under the program;

''(B) a description of the quantitative and qualitative benefits to the Department of Defense from the agreement, if applicable;

''(C) goals for additional awards that the protege firm can compete for outside the Mentor-Protege Program; and

''(D) the assistance the mentor firm will provide to the protege firm in understanding contract regulations of the Federal Government and the Department of Defense (including the Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement) after award of a subcontract under this section, if applicable.

''(2) A program participation term for any period of not more than three years, except that the term may be a period of up to five years if the Secretary of Defense determines in writing that unusual circumstances justify a program participation term in excess of three years.

''(3) Procedures for the protege firm to terminate the agreement voluntarily and for the mentor firm to terminate the agreement for cause.

''(f) FORMS OF ASSISTANCE.—A mentor firm may provide a protege firm the following:

''(1) Assistance, by using mentor firm personnel, in—

''(A) general business management, including organizational management, financial management, and personnel management, marketing, and overall business planning;

''(B) engineering and technical matters such as production, inventory control, and quality assurance; and

''(C) any other assistance designed to develop the capabilities of the protege firm under the developmental program referred to in subsection (e).

''(2) Award of subcontracts on a noncompetitive basis to the protege firm under the Department of Defense or other contracts.

''(3) Payment of progress payments for performance of the protege firm under such a subcontract in amounts as provided for in the subcontract, but in no event may any such progress payment exceed 100 percent of the costs incurred by the protege firm for the performance.

''(4) Advance payments under such subcontracts.

''(5) Loans.

''(6) Assistance obtained by the mentor firm for the protege firm from one or more of the following—

''(A) small business development centers established pursuant to section 21 of the Small Business Act (15 U.S.C. 648);

''(B) entities providing procurement technical assistance pursuant to this chapter;

''(C) a historically Black college or university or a minority institution of higher education; or

''(D) women's business centers described in section 29 of the Small Business Act (15 U.S.C. 656).

''(g) INCENTIVES FOR MENTOR FIRMS.—(1) The Secretary of Defense may provide to a mentor firm reimbursement for the total amount of any progress payment or advance payment made under the program by the mentor firm to a protege firm in connection with a Department of Defense contract awarded the mentor firm.

''(2)(A) The Secretary of Defense may provide to a mentor firm reimbursement for the costs of the assistance furnished to a protege firm pursuant to paragraphs (1) and (6) of subsection (f) (except as provided in subparagraph (D)) as provided for in a line item in a Department of Defense contract under which the mentor firm is furnishing products or services to the Department, subject to a maximum amount of reimbursement specified in such contract, except that this sentence does not apply in a case in which the Secretary of Defense determines in writing that unusual circumstances justify reimbursement using a separate contract.

''(B) The determinations made in annual performance reviews of a mentor firm's mentor-protege agreement shall be a major factor in the determinations of amounts of reimbursement, if any, that the mentor firm is eligible to receive in the remaining years of the program participation term under the agreement.

''(C) The total amount reimbursed under this paragraph to a mentor firm for costs of assistance furnished in a fiscal year to a protege firm may not exceed $1,000,000, except in a case in which the Secretary of Defense determines in writing that unusual circumstances justify a reimbursement of a higher amount.

''(D) The Secretary may not reimburse any fee assessed by the mentor firm for services provided to the protege firm pursuant to subsection (f)(6) or for business development expenses incurred by the mentor firm under a contract awarded to the mentor firm while participating in a joint venture with the protege firm.

''(3)(A) Costs incurred by a mentor firm in providing assistance to a protege firm that are not reimbursed pursuant to paragraph (2) shall be recognized as credit in lieu of subcontract awards for purposes of determining whether the mentor firm attains a subcontracting participation goal applicable to such mentor firm under a Department of Defense contract, under a contract with another executive agency, or under a divisional or company-wide subcontracting plan negotiated with the Department of Defense or another executive agency.

''(B) The amount of the credit given a mentor firm for any such unreimbursed costs shall be equal to—

''(i) four times the total amount of such costs attributable to assistance provided by entities described in subsection (f)(6);

''(ii) three times the total amount of such costs attributable to assistance furnished by the mentor firm's employees; and

''(iii) two times the total amount of any other such costs.

''(C) Under regulations prescribed pursuant to subsection (j), the Secretary of Defense shall adjust the amount of credit given a mentor firm pursuant to subparagraphs (A) and (B) if the Secretary determines that the firm's performance regarding the award of subcontracts to disadvantaged small business concerns has declined without justifiable cause.

''(4) A mentor firm shall receive credit toward the attainment of a subcontracting participation goal applicable to such mentor firm for each subcontract for a product or service awarded under such contract by a mentor firm to a business concern that, except for its size, would be a small business concern owned and controlled by socially and economically disadvantaged individuals, but only if—

''(A) the size of such business concern is not more than two times the maximum size specified by the Administrator of the Small Business Administration for purposes of determining whether a business concern furnishing such product or service is a small business concern; and

''(B) the business concern formerly had a mentor-protege agreement with such mentor firm that was not terminated for cause.

''(h) RELATIONSHIP TO SMALL BUSINESS ACT.—(1) For purposes of the Small Business Act (15 U.S.C. 631 et seq.), no determination of affiliation or control (either direct or indirect) may be found between a protege firm and its mentor firm on the basis that the mentor firm has agreed to furnish (or has furnished) to its protege firm pursuant to a mentor-protege agreement any form of developmental assistance described in subsection (f).

''(2) Notwithstanding section 8 of the Small Business Act (15 U.S.C. 637), the Small Business Administration may not determine a disadvantaged small business concern to be ineligible to receive any assistance authorized under the Small Business Act on the basis that such business concern has participated in the Mentor-Protege Program or has received assistance pursuant to any developmental assistance agreement authorized under such program.

''(3) The Small Business Administration may not require a firm that is entering into, or has entered into, an agreement under subsection (e) as a protege firm to submit the agreement, or any other document required by the Secretary of Defense in the administration of the Mentor-Protege Program, to the Small Business Administration for review, approval, or any other purpose.

''(i) PARTICIPATION IN MENTOR-PROTEGE PROGRAM NOT TO BE A CONDITION FOR AWARD OF A CONTRACT OR SUBCONTRACT.—A mentor firm may not require a business concern to enter into an agreement with the mentor firm pursuant to subsection (e) as a condition for being awarded a contract by the mentor firm, including a subcontract under a contract awarded to the mentor firm.

''(j) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out the Mentor-Protege Program. Such regulations shall include the requirements set forth in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and shall prescribe procedures by which mentor firms may terminate participation in the program. The Department of Defense policy regarding the Mentor-Protege Program shall be published and maintained as an appendix to the Department of Defense Supplement to the Federal Acquisition Regulation.

''(k) REPORT BY MENTOR FIRMS.—To comply with section 8(d)(7) of the Small Business Act (15 U.S.C. 637(d)(7)), each mentor firm shall submit a report to the Secretary not less than once each fiscal year that includes, for the preceding fiscal year—

''(1) all technical or management assistance provided by mentor firm personnel for the purposes described in subsection (f)(1);

''(2) any new awards of subcontracts on a competitive or noncompetitive basis to the protege firm under Department of Defense contracts or other contracts, including the value of such subcontracts;

''(3) any extensions, increases in the scope of work, or additional payments not previously reported for prior awards of subcontracts on a competitive or noncompetitive basis to the protege firm under Department of Defense contracts or other contracts, including the value of such subcontracts;

''(4) the amount of any payment of progress payments or advance payments made to the protege firm for performance under any subcontract made under the Mentor-Protege Program;

''(5) any loans made by the mentor firm to the protege firm;

''(6) all Federal contracts awarded to the mentor firm and the protege firm as a joint venture, designating whether the award was a restricted competition or a full and open competition;

''(7) any assistance obtained by the mentor firm for the protege firm from one or more—

''(A) small business development centers established pursuant to section 21 of the Small Business Act (15 U.S.C. 648);

''(B) entities providing procurement technical assistance pursuant to this chapter; or

''(C) historically Black colleges or universities or minority institutions of higher education;

''(8) whether there have been any changes to the terms of the mentor-protege agreement; and

''(9) a narrative describing the success assistance provided under subsection (f) has had in addressing the developmental needs of the protege firm, the impact on Department of Defense contracts, and addressing any problems encountered.

''(l) REVIEW OF REPORT BY THE OFFICE OF SMALL BUSINESS PROGRAMS.—The Office of Small Business Programs of the Department of Defense shall review the report required by subsection (k) and, if the Office finds that the mentor-protege agreement is not furthering the purpose of the Mentor-Protege Program, decide not to approve any continuation of the agreement.

''(m) ESTABLISHMENT OF PERFORMANCE GOALS AND PERIODIC REVIEWS.—The Office of Small Business Programs of the Department of Defense shall—

''(1) establish performance goals consistent with the stated purpose of the Mentor-Protege Program and outcome-based metrics to measure progress in meeting those goals; and

''(2) submit to the congressional defense committees, not later than February 1, 2020, a report on progress made toward implementing these performance goals and metrics, based on periodic reviews of the procedures used to approve mentor-protege agreements.

''(n) DEFINITIONS.—In this section:

''(1) The term 'affiliation', with respect to a relationship between a mentor firm and a protege firm, means a relationship described under section 121.103 of title 13, Code of Federal Regulations (or any successor regulation).

''(2) The term 'disadvantaged small business concern' means a firm that is not more than the size standard corresponding to its primary North American Industry Classification System code, is not owned or managed by individuals or entities that directly or indirectly have stock options or convertible securities in the mentor firm, and is—

''(A) a small business concern owned and controlled by socially and economically disadvantaged individuals;

''(B) a business entity owned and controlled by an Indian tribe as defined by section 8(a)(13) of the Small Business Act (15 U.S.C. 637(a)(13));

''(C) a business entity owned and controlled by a Native Hawaiian Organization as defined by section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15));

''(D) a qualified organization employing severely disabled individuals;

''(E) a small business concern owned and controlled by women, as defined in section 8(d)(3)(D) of the Small Business Act (15 U.S.C. 637(d)(3)(D));

''(F) a small business concern owned and controlled by service–disabled veterans (as defined in section 8(d)(3) of the Small Business Act (15 U.S.C. 637(d)(3)));

''(G) a qualified HUBZone small business concern (as defined in section 31(b) of the Small Business Act (15 U.S.C. 657a(b))); or

''(H) a small business concern that—

''(i) is a nontraditional defense contractor, as such term is defined in section 3014 of this title; or

''(ii) currently provides goods or services in the private sector that are critical to enhancing the capabilities of the defense supplier base and fulfilling key Department of Defense needs.

''(3) The term 'historically Black college and university' means any of the historically Black colleges and universities referred to in section 2323 of this title, as in effect on March 1, 2018.

''(4) The term 'minority institution of higher education' means an institution of higher education with a student body that reflects the composition specified in section 312(b)(3), (4), and (5) of the Higher Education Act of 1965 (20 U.S.C. 1058(b)(3), (4), and (5)).

''(5) The term 'qualified organization employing the severely disabled' means a business entity operated on a for-profit or nonprofit basis that—

''(A) uses rehabilitative engineering to provide employment opportunities for severely disabled individuals and integrates severely disabled individuals into its workforce;

''(B) employs severely disabled individuals at a rate that averages not less than 20 percent of its total workforce;

''(C) employs each severely disabled individual in its workforce generally on the basis of 40 hours per week; and

''(D) pays not less than the minimum wage prescribed pursuant to section 6 of the Fair Labor Standards Act (29 U.S.C. 206) to those employees who are severely disabled individuals.

''(6) The term 'severely disabled individual' means an individual who is blind (as defined in section 8501 of title 41) or a severely disabled individual (as defined in such section).

''(7) The term 'small business concern' has the meaning given such term under section 3 of the Small Business Act (15 U.S.C. 632).

''(8) The term 'small business concern owned and controlled by socially and economically disadvantaged individuals' has the meaning given such term in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)).

''(9) The term 'subcontracting participation goal', with respect to a Department of Defense contract, means a goal for the extent of the participation by disadvantaged small business concerns in the subcontracts awarded under such contract, as established pursuant to section 8(d) of the Small Business Act (15 U.S.C. 637(d)).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 387 of title 10, United States Code, is amended by inserting after the item relating to section 4901 the following new item:

''4902. Mentor-Protege Program.

(c) REPEAL OF OBSOLETE AUTHORITY.—Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 4901 note prec.) is repealed.

SEC. 863. SMALL BUSINESS INTEGRATION WORKING GROUP.

(a) IN GENERAL.—The Secretary of Defense shall create a small business integration working group, to be led by the Director of the Department of Defense Office of Small Business Programs, which convenes at least four times per year to better ensure the integration of department-wide small business efforts, including by—

(1) improving the alignment between disparate small business and industrial base programs across the Department of Defense;

(2) providing oversight of small business efforts department-wide;

(3) unifying small business policy, acquisition workforce development, and transition of emerging technologies into programs of record as required under the Small Business Strategy; and

(4) reducing barriers to entry for small businesses and non-traditional vendors into the defense industrial base.

(b) MEMBERSHIP.—The integration working group shall be comprised of representatives from each of the following organizations:

(1) Each of the military service's small business offices.

(2) Each of the military service's small business innovation research and small business technology transfer programs.

(3) The office of the Under Secretary of Defense for Acquisition and Sustainment.

(4) The office of the Under Secretary of Defense for Research and Engineering.

(c) BRIEFING REQUIRED.—Not later than March 1, 2023, the Director of the Office of Small Business Programs shall brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the establishment and activities of the working group, policies enacted to allow for the sharing of best practices, and practices for conducting oversight.

SEC. 864. DEMONSTRATION OF COMMERCIAL DUE DILIGENCE FOR SMALL BUSINESS PROGRAMS.

(a) DEMONSTRATION REQUIRED.—Not later than December 31, 2027, the Secretary of Defense shall conduct a demonstration of commercial due diligence tools, techniques, and processes in order to support small businesses in identifying attempts by malicious foreign actors to gain undue access or foreign oversight, control, and influence over technology they are developing on behalf of the Department of Defense.

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

(1) Identification of an entity to be responsible for the commercial due diligence process, including interfacing with small business and law enforcement community.

(2) An assessment of existing commercial due diligence processes conducted by component small business offices.

(3) Development of tactics, techniques, and procedures for tools and processes that support commercial due diligence analysis to monitor and assess attempts by malicious foreign actors to gain undue access or foreign oversight, control, and influence over technologies under development by the small business community, including—

(A) providing a feedback loop with small business to provide two-way information sharing; and

(B) identifying, assessing, and demonstrating commercially available tools and services.

(4) Identification of process improvements or gaps in resources, capabilities, or authorities, as well as other lessons learned.

(5) Development of training and awareness material for small businesses that can be shared directly or through the Procurement Technical Assistance Centers.

(6) Implementation of metrics or measures of performance that can be tracked to assess the effectiveness of the commercial due diligence demonstration.

(c) BRIEFING REQUIRED.—Not later than April 1, 2023, the Secretary of Defense shall provide to the congressional defense committees an interim briefing on the demonstration required under subsection (a), including—

(1) identification of the designated organization for conducting the demonstration;

(2) a description of the methodology for executing the demonstration, including any analytical tools or metrics identified to support the process;

(3) a description of any identified instances of attempts by malicious foreign actors to gain undue access or foreign oversight, control, and influence over small business technology, and

(4) any preliminary findings.

(d) ASSESSMENT.—Not later than March 1, 2028, the Secretary shall provide a final assessment report of the demonstration required under subsection (a), including any identified instances of attempts by malicious foreign actors to gain undue access or foreign oversight, control, and influence over small business technology, any general lessons learned, and any recommendations for legislative action that may be required as a result.

SEC. 865. IMPROVEMENTS TO PROCUREMENT TECHNICAL ASSISTANCE CENTER PROGRAM.

(a) FUNDING LIMIT APPLICABLE TO PROGRAMS OPERATING ON STATEWIDE BASIS.—Section 4955(a)(1) of title 10, United States Code, is amended by striking ''$1,000,000'' and inserting ''$1,500,000''.

(b) ADMINISTRATIVE COSTS.—Section 4961 of title 10, United States Code, is amended—

(1) by striking ''Director of the Defense Logistics Agency'' and inserting ''Secretary'';

(2) in paragraph (1), by striking ''three percent'' and inserting ''four percent''; and

(3) in paragraph (2)—

(A) by striking ''Director'' and inserting ''Secretary''; and

(B) in subparagraph (A), by inserting '', including meetings of any association of such entities,'' after ''for meetings''.

Subtitle E—Other Matters

SEC. 871. RISK MANAGEMENT FOR DEPARTMENT OF DEFENSE PHARMACEUTICAL SUPPLY CHAINS.

(a) RISK MANAGEMENT FOR ALL DEPARTMENT OF DEFENSE PHARMACEUTICAL SUPPLY CHAINS.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall—

(1) develop and issue implementing guidance for risk management for Department of Defense supply chains for pharmaceutical materiel for the Department;

(2) identify, in coordination with the Secretary of Health and Human Services, supply chain information gaps regarding the Department's reliance on foreign suppliers of drugs, including active pharmaceutical ingredients and final drug products; and

(3) submit to Congress a report regarding—

(A) existing information streams, if any, that may be used to assess the reliance by the Department of Defense on high-risk foreign suppliers of drugs;

(B) vulnerabilities in the drug supply chains of the Department of Defense; and

(C) any recommendations to address—

(i) information gaps identified under paragraph (2); and

(ii) any risks related to such reliance on foreign suppliers.

(b) RISK MANAGEMENT FOR DEPARTMENT OF DEFENSE PHARMACEUTICAL SUPPLY CHAIN.—The Director of the Defense Health Agency shall—

(1) not later than one year after the issuance of the guidance required under subsection (a)(1), develop and publish implementing guidance for risk management for the Department of Defense supply chain for pharmaceuticals; and

(2) establish a working group—

(A) to assess risks to the Department's pharmaceutical supply chain;

(B) to identify the pharmaceuticals most critical to beneficiary care at military treatment facilities; and

(C) to establish policies for allocating scarce pharmaceutical resources of the Department of Defense in case of a supply disruption.

SEC. 872. KEY ADVANCED SYSTEM DEVELOPMENT INDUSTRY DAYS.

(a) IN GENERAL.—Not later than March 1, 2023, and every 180 days thereafter, the Secretary of each of the military departments and the Commanders of the United States Special Operations Command and the United States Cyber Command shall ensure that each such department and Command conducts an industry day—

(1) to raise awareness within the private sector of—

(A) key advanced system development areas; and

(B) capability needs and existing and potential requirements related to the key advanced system development areas; and

(2) to raise awareness within such departments and Commands of potential material solutions for capability needs and existing and potential requirements related to key advanced system development areas.

(b) RESPONSIBILITIES.—

(1) CHIEFS OF ARMED FORCES.—The chief of each of the armed forces residing in a military department and the Commanders of the United States Special Operations Command and the United States Cyber Command shall have primary responsibility for the following tasks at the industry days required under subsection (a) for each key advanced system development area:

(A) Identifying related or potentially related existing, planned, or potential military requirements, including urgent and emergent operational needs.

(B) Identifying and describing related or potentially related capability needs or gaps in warfighting mission areas.

(C) Identifying and describing related or potentially related capability needs or gaps in non-warfighting support areas.

(D) Identifying and describing related or potentially related exercise, demonstration, or experimentation opportunities.

(2) ACQUISITION EXECUTIVES.—Each service acquisition executive and the acquisition executives of the United States Special Operations Command and the United States Cyber Command shall have primary responsibility for the following tasks at the industry days required under subsection (a) for each key advanced system development area:

(A) Identifying and describing related or potentially related existing, planned, or potential acquisition plans and strategies.

(B) Identifying and describing related or potentially related existing, planned, or potential funding opportunities, including—

(i) broad agency announcements;

(ii) requests for information;

(iii) funding opportunity announcements;

(iv) special program announcements;

(v) requests for proposals;

(vi) requests for quotes;

(vii) special notices;

(viii) transactions pursuant to sections 4002, 4003, and 4004 of title 10, United States Code;

(ix) unsolicited proposals; and

(x) other methods.

(c) FORM.— The industry days required under subsection (a) shall seek to maximize industry and government participation, while minimizing cost to the maximum extent practicable, by—

(1) being held at the unclassified security level with classified portions only as necessary;

(2) being publicly accessible through teleconference or other virtual means; and

(3) having supporting materials posted on a publicly accessible website.

(d) DEFINITIONS.— In this section:

(1) MILITARY DEPARTMENTS; ARMED FORCES; SERVICE ACQUISITION EXECUTIVE.—The terms ''military departments'', ''armed forces'', and ''service acquisition executive'' have the meanings given the terms in section 101 of title 10, United States Code.

(2) KEY ADVANCED SYSTEM DEVELOPMENT AREA.— The term ''key advanced system development area'' means the following:

(A) For the Department of the Navy—

(i) unmanned surface vessels;

(ii) unmanned underwater vessels;

(iii) unmanned deployable mobile ocean systems;

(iv) unmanned deployable fixed ocean systems; and

(v) autonomous unmanned aircraft systems.

(B) For the Department of the Air Force, autonomous unmanned aircraft systems.

(C) For the Department of the Army, autonomous unmanned aircraft systems.

(D) For the United States Special Operations Command, autonomous unmanned aircraft systems.

(E) For the United States Cyber Command, cybersecurity situational awareness systems.

SEC. 873. MODIFICATION OF PROVISION RELATING TO DETERMINATION OF CERTAIN ACTIVITIES WITH UNUSUALLY HAZARDOUS RISKS.

Section 1684 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended—

(1) in subsection (a), by striking ''2022 and 2023'' and inserting ''2022 through 2024''; and

(2) in subsection (b), by striking ''September 30, 2023'' and inserting ''September 30, 2024''.

SEC. 874. INCORPORATION OF CONTROLLED UNCLASSIFIED INFORMATION GUIDANCE INTO PROGRAM CLASSIFICATION GUIDES AND PROGRAM PROTECTION PLANS.

(a) UPDATES REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall, acting through the Under Secretary of Defense for Intelligence and Security and the Under Secretary of Defense for Research and Engineering, ensure that all program classification guides (for classified programs) and all program protection plans (for unclassified programs) include guidance for the proper marking for controlled unclassified information (CUI) at their next regularly scheduled update.

(2) ELEMENTS.—Guidance under paragraph (1) shall include the following:

(A) A requirement to use document portion markings for controlled unclassified information

(B) A process to ensure controlled unclassified information document portion markings are used properly and consistently.

(b) MONITORING OF PROGRESS.—In tracking the progress in carrying out subsection (a), the Under Secretary of Defense for Intelligence and Security and the Under Secretary of Defense for Research and Engineering shall implement a process for monitoring progress that includes the following:

(1) Tracking of all program classification guides and program protection plans so they

include document portion marking for controlled unclassified information, and the dates when controlled unclassified information guidance updates are completed.

(2) Updated training in order to ensure that all government and contractor personnel using the guides described in subsection (a)(1) receive instruction, as well as periodic spot checks, to ensure that training is sufficient and properly implemented to ensure consistent application of document portion marking guidance.

(3) A process for feedback to ensure that any identified gaps or lessons learned are incorporated into guidance and training instructions.

(c) REQUIRED COMPLETION.—The Secretary shall ensure that the updates required by subsection (a) are completed before January 1, 2029.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

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

SEC. 901. INCREASE IN AUTHORIZED NUMBER OF ASSISTANT AND DEPUTY ASSISTANT SECRETARIES OF DEFENSE.

(a) ASSISTANT SECRETARY OF DEFENSE FOR CYBER POLICY.—

(1) IN GENERAL.—Section 138(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(8) One of the Assistant Secretaries is the Assistant Secretary of Defense for Cyber Policy. The principal duty of the Assistant Secretary shall be the overall supervision of policy and matters relating to cyber activities of the Department of Defense. The Assistant Secretary is the Principal Cyber Advisor described in section 932(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2224 note).''.

(2) CONFORMING AMENDMENTS.—

(A) Section 932(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2224 note) is amended—

(i) by striking paragraph (1); and

(ii) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

(B) Section 1643(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2224 note) is amended by striking ''by section 932(c)(3)'' and inserting ''by section 932(c)(2)''.

(b) INCREASE IN AUTHORIZED NUMBER OF ASSISTANT SECRETARIES OF DEFENSE.—

(1) INCREASE.—Section 138(a)(1) of title 10, United States Code, is amended by striking ''15'' and inserting ''18''.

(2) CONFORMING AMENDMENT.—Section 5315 of title 5, United States Code, is amended by striking ''Assistant Secretaries of Defense (14).'' and inserting ''Assistant Secretaries of Defense (18).''.

(c) INCREASE IN AUTHORIZED NUMBER OF DEPUTY ASSISTANT SECRETARIES OF DEFENSE.—

(1) INCREASE.—Section 138 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e) The number of Deputy Assistant Secretaries of Defense may not exceed 57.''.

(2) CONFORMING REPEAL.—Section 908 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1514; 10 U.S.C. 138 note) is repealed.

(d) ADDITIONAL AMENDMENTS.—Section 138(b) of title 10, United States Code, is amended—

(1) in paragraph (2)(A)—

(A) in the second sentence in the matter preceding clause (i), by striking ''He shall have as his principal duty'' and inserting ''The principal duty of the Assistant Secretary shall be''; and

(B) in clause (ii), by striking subclause (III);

(2) in paragraph (3), in the second sentence, by striking ''He shall have as his principal duty'' and inserting ''The principal duty of the Assistant Secretary shall be'';

(3) in paragraph (4)—

(A) in subparagraph (A), by striking the semicolon and inserting ''; and'';

(B) in subparagraph (B), by striking ''; and'' inserting a period; and

(C) by striking subparagraph (C); and

(4) in paragraph (6), by striking ''shall—'' and all that follows and inserting ''shall advise the Under Secretary of Defense for Acquisition and Sustainment on industrial base policies.''.

SEC. 902. CONFORMING AMENDMENTS RELATING TO REPEAL OF POSITION OF CHIEF MANAGEMENT OFFICER.

Section 2222 of title 10, United States Code, is amended—

(1) in subsection (c)(2), by striking ''the Chief Management Officer of the Department of Defense, the Under Secretary of Defense for Acquisition and Sustainment, the Chief Information Officer, and the Chief Management Officer'' and inserting ''the Chief Information Officer of the Department of Defense, the Under Secretary of Defense for Acquisition and Sustainment, and the Chief Information Officer'';

(2) in subsection (e)—

(A) in paragraph (1), by striking ''the Chief Management Officer'' and inserting ''the Chief Information Officer''; and

(B) in paragraph (6)—

(i) in subparagraph (A), in the matter preceding clause (i)—

(I) in the first sentence, by striking ''the Chief Management Officer of the Department of Defense'' and inserting ''the Chief Information Officer of the Department of Defense, in coordination with the Chief Data and Artificial Intelligence Officer,''; and

(II) in the second sentence, by striking ''the Chief Management Officer shall'' and inserting ''the Chief Information Officer shall''; and

(ii) in subparagraph (B), in the matter preceding clause (i), by striking ''the Chief Management Officer'' and inserting ''the Chief Information Officer'';

(3) in subsection (f)—

(A) in paragraph (1), in the second sentence, by striking ''the Chief Management Officer and''; and

(B) in paragraph (2)—

(i) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

(ii) by inserting before subparagraph (B), as redesignated by clause (i), the following new subparagraph (A):

''(A) The Chief Information Officers of the military departments, or their designees.''; and

(iii) in subparagraph (C), as so redesignated, by adding at the end the following new clause:

''(iv) The Chief Data and Artificial Intelligence Officer of the Department of Defense.'';

(4) in subsection (g)(2), by striking ''the Chief Management Officer'' each place it appears and inserting ''the Chief Information Officer''; and

(5) in subsection (i)(5)(B), by striking ''the Chief Management Officer'' and inserting ''the Chief Information Officer''.

SEC. 903. LIMITATION ON AVAILABILITY OF FUNDS FOR OPERATION AND MAINTENANCE FOR OFFICE OF SECRETARY OF DEFENSE.

Of the funds authorized to be appropriated by this Act for fiscal year 2023 for operation and maintenance, Defense-wide, and available for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the date that is 15 days after the date on which the Secretary of Defense submits the information operations strategy and posture review, including the designation of Information Operations Force Providers and Information Operations Joint Force Trainers for the Department of Defense, to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives as required by section 1631(g) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 397 note).

SEC. 904. LIMITATION ON USE OF FUNDS UNTIL DEMONSTRATION OF PRODUCT TO IDENTIFY, TASK, AND MANAGE CONGRESSIONAL REPORTING REQUIREMENTS.

Of the funds authorized to be appropriated by section 301 for fiscal year 2023 for operation and maintenance, Defense-wide, and available as specified in the funding table in section 4301 for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the Secretary of Defense demonstrates a minimum viable product—

(1) to optimize and modernize the process described in section 908(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 111 note) for identifying reports to Congress required by annual national defense authorization Acts, assigning responsibility for preparation of such reports, and managing the completion and delivery of such reports to Congress; and

(2) that includes capabilities to enable—

(A) direct access by the congressional defense committees to the follow-on system to that process using secure credentials;

(B) rapid automatic ingestion of data provided by those committees with respect to reports and briefings required to be submitted to Congress in a comma-separated value spreadsheet;

(C) sortable and exportable database views for tracking and research purposes;

(D) automated notification of relevant congressional staff and archival systems; and

(E) integration with Microsoft Office.

SEC. 905. LIMITATION ON USE OF FUNDS UNTIL DEPARTMENT OF DEFENSE COMPLIES WITH REQUIREMENTS RELATING TO ALIGNMENT OF CLOSE COMBAT LETHALITY TASK FORCE.

Of the funds authorized to be appropriated by section 301 for fiscal year 2023 for operation and maintenance, Defense-wide, and available as specified in the funding table in section 4301 for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the Department of Defense complies with the requirements of section 911 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1878) (relating to alignment of the Close Combat Lethality Task Force).

Subtitle B—Other Department of Defense Organization and Management Matters

SEC. 911. MODIFICATION OF REQUIREMENTS THAT ARE RESPONSIBILITY OF ARMED FORCES NOT JOINT REQUIREMENTS OVERSIGHT COUNCIL.

Section 181(e) of title 10, United States Code, is amended to read as follows:

''(e) PERFORMANCE REQUIREMENTS AS RESPONSIBILITY OF ARMED FORCES.—

''(1) IN GENERAL.—The Chief of Staff of an armed force is responsible for—

''(A) all performance requirements for that armed force; and

''(B) except as provided in paragraph (3), all inventory objective requirements for that armed force, including categories of weapons systems and overall levels of weapons systems.

''(2) REQUIREMENTS NOT REQUIRED TO BE VALIDATED.—Except for requirements specified in subsections (b)(4) and (b)(5), requirements described in paragraph (1) are not required to be validated by the Joint Requirements Oversight Council.

''(3) INVENTORY OBJECTIVE REQUIREMENTS FOR NAVAL VESSELS TO TRANSPORT MARINES.—The Commandant of the Marine Corps shall be responsible for inventory objective requirements for naval vessels with the primary mission of transporting Marines.''.

SEC. 912. BRIEFING ON REVISIONS TO UNIFIED COMMAND PLAN.

Section 161(b)(2) of title 10, United States Code, is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and by moving such clauses, as so redesignated, two ems to the right;

(2) by striking ''the President shall notify'' and inserting the following: ''the President shall—

''(A) notify'';

(3) in clause (ii), as redesignated by paragraph (1), by striking the period at the end and inserting ''; and''; and

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

''(B) during that 60-day period, provide to the congressional defense committees a briefing on the revisions described in subparagraph (A)(ii).''.

SEC. 913. UPDATES TO MANAGEMENT REFORM FRAMEWORK.

Section 125a of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking ''2022'' and inserting ''2023''; and

(B) in paragraph (3), by inserting ''the Director for Administration and Management of the Department of Defense,'' after ''the Chief Information Officer of the Department of Defense,''; and

(2) in subsection (d)—

(A) by redesignating paragraph (6) as paragraph (9); and

(B) by inserting after paragraph (5) the following new paragraphs:

''(6) Development and implementation of a uniform methodology for tracking and assessing cost savings and cost avoidance from reform initiatives.

''(7) Implementation of reform-focused research to improve management and administrative science.

''(8) Tracking and implementation of technological approaches to improve management decision-making, such as artificial intelligence tools.''.

SEC. 914. STRATEGIC MANAGEMENT DASHBOARD DEMONSTRATION.

(a) IN GENERAL.—The Secretary of Defense shall conduct a demonstration of a strategic management dashboard to automate the data collection and visualization of the primary management goals of the Department of Defense.

(b) ELEMENTS.—The Secretary shall ensure that the strategic management dashboard demonstrated under subsection (a) includes the following:

(1) The capability for real-time monitoring of the performance of the Department in meeting the management goals of the Department.

(2) An integrated analytics capability, including the ability to dynamically add or upgrade new capabilities when needed.

(3) Integration with the framework required by subsection (c) of section 125a of title 10, United States Code, for measuring the progress of the Department toward covered elements of reform (as defined in subsection (d) of that section).

(4) Incorporation of the elements of the strategic management plan required by section 904(d) of the National Defense Authorization Act of Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2201 note prec.), as derived from automated data feeds from existing information systems and databases.

(5) Incorporation of the elements of the most recent annual performance plan of the Department required by section 1115(b) of title 31, United States Code, and the most recent update on performance of the Department required by section 1116 of that title.

(6) Use of artificial intelligence and machine learning tools to improve decision making and assessment relating to data analytics.

(7) Adoption of leading and lagging indicators for key strategic management goals.

(c) AUTHORITIES.—

(1) IN GENERAL.—In conducting the demonstration required by subsection (a), the Secretary may use the authorities described in paragraph (2), and such other authorities as the Secretary considers appropriate—

(A) to help spur innovative technological or process approaches; and

(B) to attract new entrants to solve the data management and visualization challenges of the Department.

(2) AUTHORITIES DESCRIBED.—The authorities described in this paragraph are the authorities provided under the following provisions of law:

(A) Section 4025 of title 10, United States Code (relating to prizes for advanced technology achievements).

(B) Section 217 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2222 note) (relating to science and technology activities to support business systems information technology acquisition programs).

(C) Section 908 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 129a note) (relating to management innovation activities).

(d) USE OF BEST PRACTICES.—In conducting the demonstration required by subsection (a), the Secretary shall leverage commercial best practices in management and leading research in management and data science.

SEC. 915. DEMONSTRATION PROGRAM FOR COMPONENT CONTENT MANAGEMENT SYSTEMS.

(a) IN GENERAL.—Not later than July 1, 2023, the Chief Information Officer of the Department of Defense, in coordination with the Chief Digital and Artificial Intelligence Officer and the Director of the Joint Artificial Intelligence Center, shall complete a pilot program to demonstrate the application of component content management systems to a distinct set of data of the Department.

(b) SELECTION OF DATA SET.—In selecting a distinct set of data of the Department for purposes of the pilot program required by subsection (a), the Chief Information Officer shall consult with, at a minimum, the following:

(1) The Office of the Secretary of Defense with respect to directives, instructions, and other regulatory documents of the Department.

(2) The Office of the Secretary of Defense and the Joint Staff with respect to execution orders.

(3) The Office of the Under Secretary of Defense for Research and Engineering and the military departments with respect to technical manuals.

(4) The Office of the Under Secretary of Defense for Acquisition and Sustainment with respect to Contract Data Requirements List documents.

(c) AUTHORITY TO ENTER INTO CONTRACTS.—Subject to the availability of appropriations, the Secretary of Defense may enter into contracts or transactions with public or private entities to conduct studies and demonstration projects under the pilot program required by subsection (a).

(d) BRIEFING REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Chief Information Officer shall provide to the congressional defense committees a briefing on plans to implement the pilot program required by subsection (a).

Subtitle C—Space Force Matters

SEC. 921. VICE CHIEF OF SPACE OPERATIONS.

(a) CODIFICATION OF POSITION OF VICE CHIEF OF SPACE OPERATIONS.—Chapter 908 of title 10, United States Code, is amended by inserting after section 9082 the following new section:

''§ 9082a. Vice Chief of Space Operations

''(a) APPOINTMENT.—There is a Vice Chief of Space Operations, appointed by the President, by and with the advice and consent of the Senate, from officers on the active-duty list of the Space Force not restricted in the performance of duty.

''(b) GRADE.—The Vice Chief of Space Operations, while so serving, has the grade of general without vacating his permanent grade.

''(c) AUTHORITY AND DUTIES.—The Vice Chief has such authority and duties with respect to the Space Force as the Chief, with the approval of the Secretary of the Air Force, may delegate to or prescribe for the Vice Chief. Orders issued by the Vice Chief in performing such duties have the same effect as those issued by the Chief.

''(d) VACANCIES.—When there is a vacancy in the office of the Chief of Space Operations, or during the absence or disability of the Chief—

''(1) the Vice Chief of the Space Operations shall perform the duties of the Chief until a successor is appointed or the absence or disability ceases; or

''(2) if there is a vacancy in the office of the Vice Chief of Space Operations or the Vice Chief is absent or disabled, unless the President directs otherwise, the most senior officer of the Space Force in the Headquarters, Space Force, who is not absent or disabled and who is not restricted in performance of duty shall perform the duties of the Chief until a successor to the Chief or the Vice Chief is appointed or until the absence or disability of the Chief or Vice Chief ceases, whichever occurs first.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 908 of title 10, United States Code, is amended by inserting after the item relating to section 9082 the following new item:

''9082a. Vice Chief of Space Operations.

SEC. 922. ESTABLISHMENT OF FIELD OPERATING AGENCIES AND DIRECT REPORTING UNITS OF SPACE FORCE.

(a) IN GENERAL.—Chapter 908 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 9087. Field operating agencies and direct reporting units

''(a) AUTHORITY.—The Secretary of the Air Force may establish within the Space Force the following:

''(1) An Enterprise Talent Management Office to provide whole-of-life-cycle talent management aligned to the needs of the Space Force.

''(2) A Space Warfighting Analysis Center to conduct analysis, modeling, wargaming, and experimentation to create operational concepts and develop future force design options.

''(b) ORGANIZATION.—

''(1) ENTERPRISE TALENT MANAGEMENT OFFICE.—If, pursuant to the authority provided

by subsection (a)(1), the Secretary establishes a Enterprise Talent Management Office, the Office shall operate as a field operating agency of the headquarters of the Space Force.

''(2) SPACE WARFIGHTING ANALYSIS CENTER.—If, pursuant to the authority provided by subsection (a)(2), the Secretary establishes a Space Warfighting Analysis Center, the Center shall operate as a direct reporting unit of the Chief of Space Operations.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 908 of such title is amended by adding at the end the following new item:

''9087. Field operating agencies and direct reporting units.

SEC. 923. FRAMEWORK FOR NEW SUBTITLE F OF TITLE 10, UNITED STATES CODE, ON SPACE COMPONENT.

(a) IN GENERAL.—Title 10, United States Code, is amended by adding at the end the following new subtitle:

''Subtitle F—Space Component

''Chap. .....
''2001. [Reserved] 20101
''2002. [Reserved] 20201
''2003. [Reserved] 20301
''2004. [Reserved] 20401
''2005. [Reserved] 20501

''CHAPTER 2001—[RESERVED]

''Sec.
''20101. [Reserved].

''§ 20101. [Reserved]

''[Reserved].

''CHAPTER 2002—[RESERVED]

''Sec.
''20201. [Reserved].

''§ 20201. [Reserved]

''[Reserved].

''CHAPTER 2003—[RESERVED]

''Sec.
''20301. [Reserved].

''§ 20301. [Reserved]

''[Reserved].

''CHAPTER 2004—[RESERVED]

''Sec.
''20401. [Reserved].

''§ 20401. [Reserved]

''[Reserved].

''CHAPTER 2005—[RESERVED]

''Sec.
''20501. [Reserved].

''§ 20501. [Reserved]

''[Reserved].''.

(b) CLERICAL AMENDMENTS.—

(1) TABLE OF SUBTITLES.—The table of subtitles at the beginning of title 10, United States Code, is amended by adding at the end the following new item:

''F. Space Component 20101

(c) CONTINGENT REPEAL.—If subtitle F of title 10, United States Code, as added by subsection (a), or any chapter of that subtitle, as so added, is not amended during the period beginning on the day after the date of the enactment of this Act and ending on December 31, 2026, such subtitle or chapter, as the case may be, is repealed effective on January 1, 2027.

SEC. 924. STUDY OF PROPOSED SPACE FORCE REORGANIZATION.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with one or more federally funded research and development centers to conduct a study on the proposed reorganization of the Space Force and the establishment of the Space Component.

(b) ELEMENTS.—The study referred to in subsection (a) shall include a comprehensive review and assessment of—

(1) the feasibility and advisability of—

(A) exempting the proposed Space Component from the existing ''up or out'' system of officer career advancement first established by the amendments to title 10, United States Code, made by the Defense Officer Personnel Management Act (Public Law 96–513; 94 Stat. 2835);

(B) combining active and reserve components in a new, single Space Component and whether a similar outcome could be achieved using the existing active and reserve component frameworks with modest statutory changes to allow reserve officers to serve on sustained active duty;

(C) creating career flexibility for reserve members of the Space Component, including in shifting retirement points earned from one year to the next and allowing members of the Space Component to move back and forth between active and reserve status for prolonged periods of time across a career;

(2) the implications of the proposed reorganization of the Space Force on the development of space as a warfighting domain in the profession of arms, particularly with respect to officer leadership, development, and stewardship of the profession;

(3) whether existing government ethics regulations are adequate to address potential conflicts of interest for Space Component officers who seek to move back and forth between sustained active duty and working for private sector organizations in the space industry as reserve officers in the Space Component;

(4) whether the proposed Space Component framework is consistent with the joint service requirements of chapter 38 of title 10, United States Code;

(5) budgetary implications of the establishment of the Space Component;

(6) the nature of the relationship with private industry and civilian employers that would be required and consistent with professional ethics to successfully implement the Space Component; and

(7) any other issues the Secretary or the federally funded research and development center considers relevant.

(c) DIVERSITY AND INCLUSION.—The study referred to in subsection (a) shall include an assessment of the proposed reorganization of the Space Force and the establishment of the Space Component on advancing diversity and inclusion in the Space Component.

(d) LIMITATION ON DELEGATION.—The authority of the Secretary to enter into a contract under subsection (a) may not be delegated below the level the Under Secretary of Defense for Personnel and Readiness.

(e) REPORT REQUIRED.—Not later than December 31, 2023, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study referred to in subsection (a).

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2023 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $6,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

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

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

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. REPORT ON BUDGETARY EFFECTS OF INFLATION.

(a) ANNUAL REPORT.—Not later than 30 days following the submission of the President's budget under section 1105 of title 31, United States Code, the Secretary of Defense shall deliver to the congressional defense committees a report on observed and anticipated budgetary effects related to inflation, including—

(1) the relevant inflation index used and the estimated and actual inflationary budgetary effects by sub-appropriation account for the previous two fiscal years and the current budget year;

(2) the enacted or requested appropriation amount by sub-appropriation;

(3) a calculation of estimated budgetary effects due to inflation using the previous fiscal year's estimated indices compared to those of the current fiscal year;

(4) a summary of any requests for equitable adjustment, exercising of economic price adjustment (EPA) clauses, or bilateral contract modifications to include an EPA, including the contract type and fiscal year and type and amount of appropriation used for the contract;

(5) a summary of any methodological changes in Department of Defense cost estimation practices for inflationary budgetary effects; and

(6) any other matters the Secretary determines appropriate.

(b) PERIODIC BRIEFING.—Not later than 60 days following the conclusion of the Department of Defense budget mid-year review, the Secretary of Defense shall provide the congressional defense committees with a briefing on—

(1) any changes in the observed or anticipated inflation indices included in the report required under subsection (a);

(2) any actions taken by the Department of Defense to respond to changes discussed in such report, with specific dollar value figures; and

(3) any requests for equitable adjustment received by the Department of Defense, economic price adjustment clauses exercised, or bilateral contract modifications to include an EPA made since the transmission of the report required under subsection (a).

Subtitle B—Counterdrug Activities

SEC. 1011. EXTENSION OF AUTHORITY AND ANNUAL REPORT ON UNIFIED COUNTERDRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal

Year 2005 (Public Law 108–375; 118 Stat. 2042), as most recently amended by section 1007 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1889), is further amended—

(1) in subsection (a)(1), by striking ''2023'' and inserting ''2024'';

(2) in subsection (c), in the matter preceding paragraph (1), by striking ''2023'' and inserting ''2024''; and

(3) by adding at the end the following:

''(h) ANNUAL REPORT ON PLAN COLOMBIA.—During each of fiscal years 2023 and 2024, the Secretary of Defense shall submit to Congress a report that includes the following:

''(1) An assessment of the threat to Colombia from narcotics trafficking and activities by organizations designated as foreign terrorist organizations under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

''(2) A description of the plan of the Government of Colombia for the unified campaign described in subsection (a).

''(3) A description of the activities supported using the authority provided by subsection (a).

''(4) An assessment of the effectiveness of the activities described in paragraph (3) in addressing the threat described in paragraph (1).''.

Subtitle C—Naval Vessels

SEC. 1021. MODIFICATION TO ANNUAL NAVAL VESSEL CONSTRUCTION PLAN.

Section 231(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(J) For any class of battle force ship for which the procurement of the final ship of the class is proposed in the relevant future-years defense program submitted under section 221 of this title, a detailed plan that includes a description of specific impacts with respect to the transition of such class and the associated industrial base to a new program, a modified existing program, or no program. Each plan required by the preceding sentence shall include a detailed schedule with planned decision points, solicitations, and contract awards.''.

SEC. 1022. AMPHIBIOUS WARSHIP FORCE STRUCTURE.

Section 8062 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) in the first sentence, by inserting ''and not less than 31 operational amphibious warfare ships, of which not less than 10 shall be amphibious assault ships'' before the period; and

(B) in the second sentence—

(i) by inserting ''or amphibious warfare ship'' before ''includes''; and

(ii) by inserting ''or amphibious warfare ship'' before ''that is temporarily unavailable'';

(2) in subsection (e)—

(A) in paragraph (2) by striking ''; and'' and inserting a semicolon;

(B) in paragraph (3) by striking the period at the end and inserting ''; and''; and

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

''(4) the Navy adjusts scheduled maintenance and repair actions to maintain a minimum of 24 amphibious warfare ships operationally available for worldwide deployment.''; and

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

''(g) In this section, the term 'amphibious warfare ship' means a ship that is classified as an amphibious assault ship (general purpose) (LHA), an amphibious assault ship (multi-purpose) (LHD), an amphibious transport dock (LPD), or a dock landing ship (LSD).''.

SEC. 1023. MODIFICATION TO LIMITATION ON DECOMMISSIONING OR INACTIVATING A BATTLE FORCE SHIP BEFORE THE END OF EXPECTED SERVICE LIFE.

(a) IN GENERAL.—Section 8678a(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting ''with the budget materials submitted by the President under section 1105(a) of title 31, United States Code, for the fiscal year in which such waiver is sought'' after ''such ship''; and

(2) in paragraph (2), by striking ''such certification was submitted'' and inserting ''the National Defense Authorization Act for such fiscal year is enacted''.

(b) NO EFFECT ON CERTAIN SHIPS.—The amendments made by subsection (a) shall have no effect on battle force ships (as defined in section 8678a(e) of title 10, United States Code) proposed for decommissioning or inactivation in fiscal year 2023.

SEC. 1024. CONTRACT REQUIREMENTS RELATING TO MAINTENANCE AND MODERNIZATION AVAILABILITIES FOR CERTAIN NAVAL VESSELS.

(a) SUBMARINE MAINTENANCE AND MODERNIZATION AVAILABILITIES.—The Secretary of the Navy may only enter into a contract with a private entity for a maintenance and modernization availability for a fast attack submarine that requires drydocking the submarine if the following conditions are met:

(1) The submarine is a Virginia-class submarine.

(2) The submarine has not conducted a previous drydock availability.

(3) The work package for the contract is sufficiently detailed and provided to the private entity with sufficient time to enable a high-confidence contracting strategy for—

(A) planning;

(B) material procurement;

(C) cost;

(D) schedule; and

(E) performance.

(4) At least 70 percent of the work package for the contract is common to the work packages for previous contracts entered into under this subsection.

(b) SURFACE SHIP MAINTENANCE AND MODERNIZATION AVAILABILITIES.—In awarding contracts for maintenance and modernization availabilities for surface ships, issuing task orders for such availabilities, or carrying out other contracting actions with respect to such availabilities, the Secretary of the Navy may not limit evaluation factors to price only.

SEC. 1025. PROHIBITION ON RETIREMENT OF CERTAIN NAVAL VESSELS.

None of the funds authorized to be appropriated by this Act for fiscal year 2023 may be obligated or expended to retire, prepare to retire, or place in storage any of the following naval vessels:

(1) USS Vicksburg (CG 69).

(2) USS Sioux City (LCS 11).

(3) USS Wichita (LCS 13).

(4) USS Billings (LCS 15).

(5) USS Indianapolis (LCS 17).

(6) USS St. Louis (LCS 19).

(7) USS Germantown (LSD 42).

(8) USS Gunston Hall (LSD 44).

(9) USS Tortuga (LSD 46).

(10) USS Ashland (LSD 48).

(11) USNS Montford Point (T–ESD 1).

(12) USNS John Glenn (T–ESD 2).

Subtitle D—Counterterrorism

SEC. 1031. MODIFICATION AND EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.

Section 1035 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1954), as most recently amended by section 1032 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1901), is further amended—

(1) by striking ''December 31, 2022'' and inserting ''December 31, 2023'';

(2) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively; and

(3) by inserting before paragraph (2), as so redesignated, the following new paragraph:

''(1) Afghanistan.''.

SEC. 1032. EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.

Section 1033 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1953), as most recently amended by section 1033 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1901), is further amended by striking ''December 31, 2022'' and inserting ''December 31, 2023''.

SEC. 1033. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1034(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1954), as most recently amended by section 1034 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1901), is further amended by striking ''December 31, 2022'' and inserting ''December 31, 2023''.

SEC. 1034. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CLOSE OR RELINQUISH CONTROL OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1036 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1551), as most recently amended by section 1035 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1901), is further amended by striking ''2022'' and inserting ''2023''.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS DISCHARGE REVIEW BOARD COMMITTEE.

(a) ESTABLISHMENT OF JOINT EXECUTIVE COMMITTEE.—

(1) IN GENERAL.—There is established an interagency committee to advise the Under Secretary of Defense for Personnel and Readiness and the Deputy Secretary of Veterans Affairs on matters relating to the review boards under section 1553 of title 10, United States Code.

(2) DESIGNATION.—The interagency committee established under paragraph (1) shall be known as the ''Department of Defense-Department of Veterans Affairs Discharge Review Board Committee'' (hereinafter in this section referred to as the ''Committee'').

(b) MEMBERSHIP.—The Committee shall be composed of the following:

(1) The Under Secretary of Defense for Personnel and Readiness, the Assistant Secretary of Manpower and Reserve Affairs for each of the military services, and such other officers and employees of the Department of Defense as the Secretary of Defense may designate.

(2) The Deputy Secretary of Veterans Affairs and such other officers and employees of the Department of Veterans Affairs as the Secretary of Veterans Affairs may designate.

(c) ADMINISTRATIVE MATTERS.—

(1) IN GENERAL.—The Under Secretary and the Deputy Secretary shall jointly determine the size and structure of the Committee, as well as the administrative and procedural guidelines for the operation of the Committee.

(2) SUBCOMMITTEES.—The Committee may establish subcommittees to assist the Committee in carrying out subsections (d) and (e), including the following:

(A) A subcommittee on outreach and education.

(B) A subcommittee on training for members of the review boards under section 1553 of title 10, United States Code.

(3) SUPPORT.—The Under Secretary and the Deputy Secretary shall jointly supply appropriate staff and resources to provide administrative support and services for the Committee. Support for such purposes shall be provided at a level that the Under Secretary and the Deputy Secretary jointly determine sufficient for the efficient operation of the Committee, including any subcommittees established under paragraph (2).

(d) RECOMMENDATIONS.—

(1) IN GENERAL.—The Committee shall provide the Secretary of Defense and the Secretary of Veterans Affairs with recommendations on the strategic direction for the joint coordination and sharing efforts between and within the Department of Defense and the Department of Veterans Affairs on matters regarding the review boards described in subsection (a)(1).

(2) ANNUAL REPORT.—Not less frequently than once each year, the Committee shall submit to the two Secretaries and to Congress an annual report containing such recommendations regarding the review boards described in subsection (a)(1) as the Committee considers appropriate.

(e) FUNCTIONS.—In order to enable the Committee to make recommendations in its annual report under subsection (c)(2), the Committee shall do the following:

(1) Review existing policies, procedures, and practices regarding reviews under section 1553 of title 10, United States Code, with respect to matters that pertain to the coordination and sharing of resources between the Department of Defense and the Department of Veterans Affairs.

(2) Identify changes in policies, procedures, and practices that, in the judgment of the Committee, would promote mutually beneficial coordination, use, or exchange of use of services and resources of the two Departments, with the goal of improving the quality, efficiency, and effectiveness of the review boards under section 1553 of such title for veterans, members of the Armed Forces, individuals who retired from service in the Armed Forces, and their families through an enhanced partnership between the two Departments.

(3) Identify and assess further opportunities for the coordination and collaboration between the Departments that, in the judgment of the Committee, would positively affect the review process under section 1553 of such title.

(4) Review the implementation of activities designed to promote the coordination and sharing of resources between the Departments for matters relating to the review process under section 1553 of such title.

(5) Identify and assess strategies, which either or both Departments may implement, that would increase outreach to former members of the Armed Forces described in subsection (d)(3)(B) of section 1553 of such title who may qualify for relief under such section.

SEC. 1042. MODIFICATION OF PROVISIONS RELATING TO CROSS-FUNCTIONAL TEAM FOR EMERGING THREAT RELATING TO ANOMALOUS HEALTH INCIDENTS.

Section 910 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 111 note) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''and any other'' and all that follows through ''necessary; and'' and inserting '', including the causation, attribution, mitigation, identification, and treatment for such incidents;'';

(B) in paragraph (2)—

(i) by inserting ''and deconflict'' after ''integrate'';

(ii) by striking ''agency'' and inserting ''agencies''; and

(iii) by striking the period at the end and inserting ''; and''; and

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

''(3) any other efforts regarding such incidents that the Secretary considers appropriate.''; and

(2) in subsection (e)(2), by striking ''90 days'' and all that follows through ''of enactment'' and inserting ''March 1, 2023, and not less frequently than once every 180 days thereafter until March 1, 2026''.

SEC. 1043. CIVILIAN CASUALTY PREVENTION, MITIGATION, AND RESPONSE.

(a) ESTABLISHMENT OF OFFICE FOR CIVILIAN CASUALTY PREVENTION, MITIGATION, AND RESPONSE.—

(1) IN GENERAL.—Chapter 4 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 148. Office for Civilian Casualty Prevention, Mitigation, and Response

''(a) ESTABLISHMENT.—The Secretary of Defense shall establish an office within the Department of Defense, to be known as the 'Office for Civilian Casualty Prevention, Mitigation, and Response' (in this section referred to as the 'Office'), to serve as the focal point for matters related to civilian casualties and other forms of civilian harm resulting from military operations involving the United States Armed Forces.

''(b) RESPONSIBILITIES.—Subject to the authority, direction, and control of the Secretary, the Office shall be responsible for—

''(1) collecting data and reports of investigations related to civilian casualty incidents;

''(2) analyzing data and trends with respect to civilian casualties;

''(3) conducting regular reviews of civilian harm prevention, mitigation, and response policies and practices across the Department of Defense;

''(4) referring civilian casualty incidents for investigation by appropriate components within the Department of Defense, when necessary;

''(5) making recommendations to the Secretary and the Joint Chiefs of Staff to improve civilian harm prevention, mitigation, and response;

''(6) ensuring lessons learned from investigations of civilian casualty incidents are captured and institutionalized within policy, training, and tactics, techniques, and procedures of the Department of Defense;

''(7) coordinating and synchronizing efforts across combatant commands, the Department of State, and other relevant United States Government departments and agencies to prevent, mitigate, and respond to civilian casualty incidents;

''(8) engaging with nongovernmental organizations and civilian casualty experts; and

''(9) such other responsibilities as are directed by the Secretary.

''(c) DIRECTOR.—The head of the Office shall be the Director, who shall be appointed by the Secretary from among individuals qualified to serve as the Director who have significant experience and expertise relating to the protection of civilians.

''(d) ANALYSIS REQUIRED.—

''(1) IN GENERAL.—Not later than one year after the date of the enactment of this section, the Office shall complete and submit to the Secretary an analysis of a representative sample of civilian casualty assessment reports and other reports of investigations of civilian casualty incidents on or after August 1, 2014—

''(A) to identify trends in civilian casualty incidents;

''(B) to identify factors contributing to civilian casualties;

''(C) to capture lessons learned from civilian casualty incidents; and

''(D) to evaluate the extent to which such lessons have been incorporated into policy, training, and tactics, techniques, and procedures of the Department of Defense.

''(2) RECOMMENDATIONS.—The analysis required by paragraph (1) shall include recommendations to the Secretary for improving civilian harm prevention, mitigation, and response.

''(e) SEMIANNUAL REPORTS.—Not later than 180 days after the date of the enactment of this section, and every 180 days thereafter until the date is 2 years after such date of enactment, the Director shall submit to the congressional defense committees a report on the status of the implementation by the Department of Defense of recommendations included in—

''(1) the Civilian Casualty Review released by the Joint Staff in April 2018;

''(2) the independent assessment of Department of Defense standards, processes, procedures, and policy relating to civilian casualties resulting from United States military operations required by section 1721 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1809); and

''(3) the Civilian Harm Mitigation and Response Action Plan the Secretary of Defense directed to be developed on January 27, 2022.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by adding at the end the following new item:

''148. Office for Civilian Casualty Prevention, Mitigation, and Response.

(b) LIMITATION ON USE OF FUNDS.—Of the amount authorized to be appropriated by section 301 for operation and maintenance, Defense-wide, and available as specified in the funding table in section 4301 for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the date that is 15 days after the date on which the Secretary submits to the congressional defense committees the report required by section 1077 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3867) relating to civilian casualty resourcing and authorities.

SEC. 1044. PROHIBITION ON DELEGATION OF AUTHORITY TO DESIGNATE FOREIGN PARTNER FORCES AS ELIGIBLE FOR THE PROVISION OF COLLECTIVE SELF-DEFENSE SUPPORT BY UNITED STATES ARMED FORCES.

(a) PROHIBITION ON DELEGATION.—The authority to designate foreign partner forces as eligible for the provision of collective self-defense support by the United States Armed Forces may not be delegated below the Secretary of Defense.

(b) REVIEW.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall review existing

designations of foreign partner forces as eligible for the provision of collective self-defense support by the United States Armed Forces and provide the congressional defense committees a certification that such designations remain valid.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as invalidating a designation of foreign partner forces as eligible for the provision of collective self-defense support by the United States Armed Forces that is in effect as of the date of the enactment of this Act.

(d) COLLECTIVE SELF-DEFENSE DEFINED.—In this section, the term ''collective self-defense'' means the use of United States military force to defend designated foreign partner forces, their facilities, and their property.

SEC. 1045. PERSONNEL SUPPORTING THE OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT.

(a) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for adequately staffing the Office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict to fulfill the requirements of section 138(b)(2)(A)(i) of title 10, United States Code, for exercising authority, direction, and control of all special-operations peculiar administrative matters relating to the organization, training, and equipping of special operations forces.

(b) ADDITIONAL INFORMATION.—The Secretary shall ensure the plan required under subsection (a) is informed by the manpower study required by the Joint Explanatory Statement accompanying the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81).

(c) ELEMENTS.—The plan required under subsection (a) shall include the following elements:

(1) A validated number of personnel necessary to fulfill the responsibilities of the Secretariat for Special Operations outlined in section 139b of title 10, United States Code, and associated funding across the future years defense plan.

(2) A hiring plan with milestones for gradually increasing the number of required personnel.

(3) A breakdown of the optimal mix of required military, civilian, and contractor personnel.

(4) An analysis of the feasibility and advisability of assigning a member of the Senior Executive Service as the Deputy Director of the Secretariat for Special Operations.

(5) An identification of any anticipated funding shortfalls for personnel supporting the Secretariat for Special Operations across the future years defense plan.

(6) Any other matters the Secretary determines relevant.

SEC. 1046. JOINT ALL DOMAIN COMMAND AND CONTROL.

(a) DIRECTION AND CONTROL OF CROSS-FUNCTIONAL TEAM FOR JOINT ALL DOMAIN COMMAND AND CONTROL.—The cross-functional team (CFT) tasked with joint all domain command and control (JADC2) shall remain under the direction of the Director, Information, Command, Control, Communications and Computers (IC4) of the Joint Chiefs of Staff to ensure—

(1) close collaboration with the Joint Requirements Oversight Council, the combatant commands, and the military services regarding operational requirements and requirements satisfaction; and

(2) objective assessments and reporting to the Deputy Secretary of Defense and the Vice Chairman of the Joint Chiefs of Staff about Joint All Domain Command and Control implementation plan execution by offices of primary responsibility.

(b) DEMONSTRATIONS AND FIELDING OF EFFECTS CHAINS.—In support of the emphasis of the National Defense Strategy on adversary-specific deterrence postures, in support of actions that can be taken within the Future Years Defense Program focused on critical kill chains and integrated concepts of operation, in support of demonstrations and experimentation, and to achieve objectives of the joint all domain command and control strategy and implementation plan that was approved by the Deputy Secretary of Defense in the United States Indo-Pacific Command area of operations, the Deputy Secretary and the Vice Chairman of the Joint Chiefs of Staff shall take the following actions:

(1) In consultation with the Commander of United States Indo-Pacific Command (INDOPACOM)—

(A) identify a prioritized list of difficult mission-critical operational challenges specific to the area of operations of such command;

(B) design, using existing systems and capabilities and resource through the Office of Cost Analysis and Program Evaluation and the Management Action Group of the Deputy Secretary, a series of multi-domain, multi-service and multi-agency, multi-platform, and multi-system end-to-end integrated kinetic and non-kinetic effects chains, including necessary battle management functions, to solve the operational challenges identified in subparagraph (A);

(C) using mission command principles of joint all domain command and control, demonstrate the ability to execute the integrated effects chains identified in subparagraph (B) in realistic conditions on a repeatable basis, including the ability to achieve interoperability among effects chain components that do not conform to common interface standards, including through the use of the System of Systems Technology Integration Tool Chain for Heterogeneous Electronic Systems (STITCHES) managed by the 350th Spectrum Warfare Wing of the Department of the Air Force; and

(D) create a plan to deploy the effects chains to the area of operations of United States Indo-Pacific Command and execute them at the scale and pace required to solve the identified operational challenges, including necessary logistics and sustainment capabilities.

(2) Designate the Commander of United States Indo-Pacific Command to serve as the transition partner for the integrated effects chains, and to maintain and exercise them as operational capabilities.

(3) Designate the Strategic Capabilities Office and such other organizations as the Deputy Secretary deems appropriate to be responsible for—

(A) composing and demonstrating the integrated effects chains under the mission management pilot program established by section 871 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81); and

(B) providing continuing support and sustainment for, and training and exercising of, the integrated effects chains under the operational command of the Commander of United States Indo-Pacific Command.

(4) Integrate the planning and demonstrations of the effects chains with—

(A) the Production, Exploitation, and Dissemination Center in United States Indo-Pacific Command;

(B) the Family of Integrated Targeting Cells; and

(C) the tactical dissemination and information sharing systems for the Armed Forces and allies of the United States, including the Mission Partner Environment and the Maven Smart System.

(c) PERFORMANCE GOALS.—The Deputy Secretary, the Vice Chairman, and the Commander shall seek to—

(1) demonstrate at least one new integrated effects chain on a quarterly basis, beginning with the third quarter of fiscal year 2023; and

(2) include such demonstrations, as feasible, in Valiant Shield, Northern Edge, the Large Scale Global Exercise, the quarterly Scarlet Dragon exercises, the Global Information Dominance Experiments (GIDE), and annual force exercises in the area of responsibility of United States Indo-Pacific Command.

(d) IMPLEMENTATION PLAN AND ESTABLISHMENT OF JOINT FORCE HEADQUARTERS.—

(1) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Commander, in consultation and coordination with the Deputy Secretary and the Vice Chairman, shall submit to the congressional defense committees an implementation plan for the establishment of a joint force headquarters to serve as an operational command, including for —

(A) integrating joint all domain command and control effects chains and mission command and control, including in conflicts that arise with minimal warning;

(B) integrating the capabilities of Assault Breaker II, developed by the Defense Advanced Research Projects Agency, and related developmental efforts as they transition to operational deployment;

(C) exercising other joint all domain command and control capabilities and functions; and

(D) such other missions and operational tasks as the Commander may assign.

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

(A) A description of the operational chain of command of the joint force headquarters to be established.

(B) An identification of the manning and resourcing required for the joint force headquarters, relative to assigned missions, particularly the sources of personnel required.

(C) A description of the mission and lines of effort of the joint force headquarters.

(D) A description of the relationship with existing entities in United States Indo-Pacific Command, including an assessment of complementary and duplicative activities with such entities and the joint force headquarters.

(E) An identification of infrastructure required to support the joint force headquarters.

(F) Such other matters as the Commander considers appropriate.

(3) ESTABLISHMENT.—Not later than October 1, 2024, the Commander shall, in consultation and coordination with the Deputy Secretary and the Vice Chairman, establish a joint force headquarters as described in paragraph (1).

(e) SUPPORT FOR JOINT FORCE HEADQUARTERS.—The commander of the joint force headquarters established under subsection (d)(3) shall be supported by the United States Indo-Pacific Command subordinate unified commands, subordinate component commands, standing joint task force, and the military services.

(f) ANNUAL REPORT REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act and not less frequently than once each year thereafter until December 31, 2028, the Deputy Secretary and Vice Chairman, in coordination with the Commander of the United States Indo-Pacific Command, and the commander of the joint force headquarters established under subsection (d)(3), shall submit

to the congressional defense committees an annual report on such joint force headquarters.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include the following:

(A) A description of the mission and lines of effort of the joint force headquarters.

(B) An accounting of the personnel and other resources supporting the joint force headquarters, including support external to the headquarters.

(C) A description of the operational chain of command of the joint force headquarters.

(D) An assessment of the manning and resourcing of the joint force headquarters, relative to assigned missions.

(E) A description of the relationship with existing entities in Indo-Pacific Command, including an assessment of complementary and duplicative activities with such entities and the joint force headquarters.

(3) FORM.—Each report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(g) DEFINITIONS.—In this section:

(1) The term ''Family of Integrated Targeting Cells'' means the Maritime Targeting Cell-Afloat, the Maritime Targeting Cell-Expeditionary, the Tactical Intelligence Targeting Access Node, and other interoperable tactical ground stations able to task the collection of, receive, process, and disseminate track and targeting information from many sensing systems in austere communications conditions.

(2) The term ''joint all domain command and control'' means the warfighting capability to sense, make sense, and act at all levels and phases of war, across all domains, and with partners, to deliver information advantage at the speed of relevance.

(3) The term ''mission command'' means pre-determined, pre-approved, operational event-driven authorities and capabilities that ensure decentralized mission execution and operational effectiveness during situations where communications are denied, disconnected, intermittent, and limited.

SEC. 1047. EXTENSION OF ADMISSION TO GUAM OR THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS FOR CERTAIN NONIMMIGRANT H–2B WORKERS.

Section 6(b)(1)(B) of the Joint Resolution entitled ''A Joint Resolution to approve the 'Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America', and for other purposes'', approved March 24, 1976 (48 U.S.C. 1806(b)(1)(B)), is amended, in the matter preceding clause (i), by striking ''December 31, 2023'' and inserting ''December 31, 2029''.

SEC. 1048. DEPARTMENT OF DEFENSE SUPPORT FOR CIVIL AUTHORITIES TO ADDRESS THE ILLEGAL IMMIGRATION CRISIS AT THE SOUTHWEST BORDER.

(a) FINDINGS.—Congress finds the following:

(1) The Department of Defense has provided critical support to U.S. Customs and Border Protection along the southwest border.

(2) The Department of Defense's presence along the southwest border assisted U.S. Customs and Border Protection in deterring illegal crossings at the southwest border.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) Department of Defense personnel have provided outstanding support to U.S. Customs and Border Protection along the southwest border; and

(2) the Department of Defense's Support of Civil Authority Mission has significantly contributed to mitigating the impact of the current security challenges along the southwest border of the United States.

(c) QUARTERLY BRIEFINGS.—Not later than 30 days after the date of the enactment of this Act, and every 90 days thereafter through December 31, 2024, the Undersecretary of Defense for Policy shall provide an unclassified briefing to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, with a classified component, if necessary, regarding—

(1) Department of Defense planning to address current and anticipated border support mission requirements as part of the Department of Defense's annual planning, programming, budgeting, and execution process;

(2) the security situation along the southwest border of the United States;

(3) any Department of Defense efforts, or updates to existing efforts, to cooperate with Mexico with respect to border security;

(4) the type of support that is currently being provided by the Department of Defense along the southwest border of the United States;

(5) the impact of such efforts and support on National Guard readiness; and

(6) any recommendations for whether the southwest border mission of the Department of Defense should be expanded to respond to the security situation referred to in paragraph (2).

SEC. 1049. DEPARTMENT OF DEFENSE SUPPORT FOR FUNERALS AND MEMORIAL EVENTS FOR MEMBERS AND FORMER MEMBERS OF CONGRESS.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by inserting after section 130 the following new section:

''§ 130a. Department of Defense support for funerals and related memorial events for Members and former Members of Congress

''(a) SUPPORT FOR FUNERALS.—The Secretary of Defense may provide such support as the Secretary considers appropriate for the funeral or related memorial events of a Member or former Member of Congress, including support with respect to transportation to and from the funeral or other memorial events, in accordance with this section.

''(b) REQUESTS FOR SUPPORT; SECRETARY DETERMINATION.—The Secretary may provide support under this section—

''(1) upon request from the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the Senate, or the Minority Leader of the Senate; or

''(2) if the Secretary determines such support is necessary to carry out duties or responsibilities of the Department of Defense.

''(c) USE OF FUNDS.—The Secretary may use funds authorized to be appropriated for operations and maintenance to provide support under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130 the following new item:

''130a. Department of Defense support for funerals and memorial events for Members and former Members of Congress.

SEC. 1050. EXPANSION OF ELIGIBILITY FOR DIRECT ACCEPTANCE OF GIFTS BY MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE AND COAST GUARD EMPLOYEES AND THEIR FAMILIES.

Section 2601a of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking ''; or'' and inserting a semicolon;

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

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

''(3) that results in enrollment in a Warriors in Transition program, as defined in section 738(e) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 1071 note); or''; and

(2) in subsection (c), by striking ''or (3)'' and inserting '', (3), or (4)''.

SEC. 1051. TECHNICAL AMENDMENTS RELATED TO RECENTLY ENACTED COMMISSIONS.

(a) ASSISTANCE FROM DEPARTMENT OF DEFENSE.—The Department of Defense may provide to each covered commission on a reimbursable basis such services, funds, facilities, staff, and other support services as necessary for the performance of such commission's functions, at the request of such commission, and amounts may be paid to a covered commission for the purposes of funding such commission from amounts appropriated to the Department of Defense, as provided in advance in appropriations Acts.

(b) COVERED COMMISSION DEFINED.—In this section , the term ''covered commission'' means a commission established pursuant to the following sections of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81):

(1) Section 1004 (Commission on Planning, Programming, Budgeting, and Execution Reform).

(2) section 1091 (National Security Commission on Emerging Biotechnology).

(3) section 1094 (Afghanistan War Commission).

(4) section 1095 (Commission on the National Defense Strategy).

(5) section 1687 (Congressional Commission on the Strategic Posture of the United States).

Subtitle F—Studies and Reports

SEC. 1061. SUBMISSION OF NATIONAL DEFENSE STRATEGY IN CLASSIFIED AND UNCLASSIFIED FORM.

Section 113(g)(1)(D) of title 10, United States Code, is amended by striking ''in classified form with an unclassified summary.'' and inserting ''in both classified and unclassified form. The unclassified form may not be a summary of the classified document.''.

SEC. 1062. REPORT ON IMPACT OF CERTAIN ETHICS REQUIREMENTS ON DEPARTMENT OF DEFENSE HIRING, RETENTION, AND OPERATIONS.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center to conduct a study assessing whether the statutory ethics requirements unique to the Department of Defense and as set forth in paragraph (3) have had an impact on the hiring or retention of personnel at the Department of Defense, particularly those with specialized experience or training.

(2) ELEMENTS.—The study required under paragraph (1) shall include the following elements:

(A) An examination of how the statutory ethics requirements set forth in paragraph (3) are inconsistent or incongruent with ethics statutes that apply to all executive branch employees.

(B) An examination of how the statutory ethics requirements set forth in paragraph (3) have impacted hiring and retention of personnel, particularly those with specialized experience or training, at the Department of Defense in comparison to other executive branch agencies not subject to such requirements.

(C) An examination of how any confusion in the interpretation of the statutory ethics

requirements set forth in paragraph (3)(B) may have impacted the hiring or retention of personnel, particularly those with specialized experience or training, at the Department of Defense.

(D) An examination of how the statutory restrictions set forth in subparagraphs (B) and (C) of paragraph (3) may impact the ability of the Department of Defense to obtain expertise from industry and other groups in support of technology development, supply chain security, and other national security matters.

(E) Any suggested changes to the statutory ethics requirements set forth in paragraph (3) to further the goals behind the requirements while also supporting the Department of Defense's ability to hire and retain personnel, and obtain expertise from academia, think tanks, industry, and other groups to support national security.

(3) COVERED ETHICS REQUIREMENTS.—The ethics requirements referred to in paragraph (1) are the following provisions of law:

(A) Section 847 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 1701 note).

(B) Section 1045 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 971 note prec.).

(C) Section 1117 of the National Defense Authorization Act for Fiscal Year 2022 (10 U.S.C. 971 note prec.).

(D) Section 988 of title 10, United States Code.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the federally funded research and development center with which the Secretary contracts under subsection (a) shall submit to the Secretary a report containing the results of the study conducted pursuant to that subsection.

(2) TRANSMITTAL TO CONGRESS.—Not later than 30 days after the Secretary receives the report under paragraph (1), the Secretary shall transmit a copy of the report to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

SEC. 1063. EXTENSION OF CERTAIN REPORTING DEADLINES.

(a) COMMISSION ON PLANNING, PROGRAMMING, BUDGETING, AND EXECUTION REFORM.—Section 1004(g) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1886) is amended—

(1) in paragraph (1), by striking ''February 6, 2023'' and inserting ''August 6, 2023''; and

(2) in paragraph (2), by striking ''September 1, 2023'' and inserting ''March 1, 2024''.

(b) NATIONAL SECURITY COMMISSION ON EMERGING BIOTECHNOLOGY.—Section 1091(g) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1931) is amended—

(1) in paragraph (1), by striking ''2 years after'' and inserting ''2 years and 6 months after''; and

(2) in paragraph (2), by striking ''1 year after'' and inserting ''1 year and 6 months after''.

(c) COMMISSION ON THE NATIONAL DEFENSE STRATEGY.—Section 1095(g) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1945) is amended—

(1) in paragraph (1), by striking ''one year after'' and inserting ''one year and 6 months after''; and

(2) in paragraph (2), by striking ''180 days after'' and inserting ''one year after''.

(d) CONGRESSIONAL COMMISSION ON THE STRATEGIC POSTURE OF THE UNITED STATES.—Section 1687(d) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 2128) is amended—

(1) in paragraph (1), by striking ''December 31, 2022'' and inserting ''June 30, 2023''; and

(2) in paragraph (3), by striking ''180 days after'' and inserting ''one year after''.

Subtitle G—Other Matters

SEC. 1071. ANNUAL RISK ASSESSMENT.

Section 222a of title 10, United States Code, is amended—

(1) in the section heading, by inserting ''**and risk assessment**'' after ''**priorities**'';

(2) in subsection (a), by inserting ''and risk assessment'' after ''priorities'';

(3) in subsection (c)—

(A) in the subsection heading, by striking ''ELEMENTS'' and inserting ''UNFUNDED PRIORITY REPORT ELEMENTS''; and

(B) by striking ''report under this subsection'' and inserting ''unfunded priority report required under subsection (a)'';

(4) by redesignating subsection (d) as subsection (e); and

(5) by inserting after subsection (c) the following new subsection:

''(d) RISK ASSESSMENT ELEMENTS.—Each risk assessment required under subsection (a) shall specify, in writing, the following:

''(1) An assessment of the risks associated with the most current National Military Strategy (or update) under section 153(b)(1) of this title.

''(2) Any changes to the strategic environment, threats, objectives, force planning and sizing constructs, assessments, and assumptions.

''(3) Military strategic risks to United States interests and military risks in executing the National Military Strategy (or update).

''(4) Identification and definition of levels of risk, including an identification of what constitutes 'significant' risk in the judgment of the officer.

''(5) Identification and assessment of risk in the National Military Strategy (or update) by category and level and the ways in which risk might manifest itself, including how risk is projected to increase, decrease, or remain stable over time.

''(6) For each category of risk, an assessment of the extent to which current or future risk increases, decreases, or is stable as a result of budgetary priorities, tradeoffs, or fiscal constraints or limitations as currently estimated and applied in the current future-years defense program under section 221 of this title.

''(7) Identification and assessment of risks associated with the assumptions or plans of the National Military Strategy (or update) about the contributions of external support, as appropriate.

''(8) Identification and assessment of the critical deficiencies and strengths in force capabilities (including manpower, logistics, intelligence, and mobility support) and identification and assessment of the effect of such deficiencies and strengths for the National Military Strategy (or update).

''(9) Identification and assessment of risk resulting from, or likely to result from, current or projected effects on military installation resilience.''.

SEC. 1072. JOINT CONCEPT FOR COMPETING.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall develop a Joint Concept for Competing.

(b) PURPOSES.—The purposes of the Joint Concept for Competing are to—

(1) define the role of the United States Armed Forces in long-term strategic competition with specific adversaries;

(2) conceptualize the campaigning of Department of Defense joint forces and employment of capabilities to eliminate opportunities for adversary aggression during day-to-day competition, deter adversary military action, and set conditions for victory during sustained conflict;

(3) describe the manner in which the Department of Defense will utilize its forces, capabilities, posture, indications and warning systems, and authorities to protect United States national interests, including integration with other instruments of national power and through security cooperation with partners and allies and operations, particularly below the threshold of traditional armed conflict;

(4) identify priority lines of effort and assign responsibility to relevant military services, combatant commands, and other elements of the Department of Defense for each specified line of effort in support of the Joint Concept for Competing; and

(5) provide a means for integrating and continuously improving the Department's ability to engage in long-term strategic competition.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter for 2 years, the Secretary of Defense shall provide a report to the congressional defense committees on the implementation of the Joint Concept for Competing.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A detailed description of actions taken by the Department of Defense relative to the purposes specified under subsection (b).

(B) An articulation of any new concepts or strategies necessary to support the Joint Concept for Competing.

(C) An articulation of any capabilities, resources, or authorities necessary to implement the Joint Concept for Competing.

(D) An explanation of the manner in which the Joint Concept for Competing relates to and integrates with the Joint Warfighting Concept.

(E) An explanation of the manner in which the Joint Concept for Competing synchronizes and integrates with efforts of other departments and agencies of the United States Government to address long-term strategic competition.

(F) Any other matters the Secretary of Defense determines relevant.

SEC. 1073. PRIORITIZATION AND ACCELERATION OF INVESTMENTS TO ATTAIN THREAT MATRIX FRAMEWORK LEVEL 4 CAPABILITY AT TRAINING RANGES SUPPORTING F–35 OPERATIONS.

(a) SENSE OF CONGRESS.—It is the sense of the Senate that—

(1) the Air Force must train to fight and win in highly contested and competitive environments against technologically advanced adversaries;

(2) in order for the Air Force to be proficient in tactics, techniques, and procedures and effectively execute at an operational level, the Air Force must train in an accurately replicated multi-domain environment for joint operations;

(3) the Air Force can emulate only a fraction of existing and emerging threats to a level suitable for advanced sensors and cannot provide a contested or degraded environment with the threats available at the two major training ranges of the Air Force; and

(4) since the Secretary of the Air Force says the Air Force cannot afford to allocate advanced capabilities across all ranges, the Air Force must prioritize developments and upgrades for ranges to ensure that one or more ranges have a complete suite of capability to conduct advanced F–35 training.

(b) UPGRADE OF FACILITIES.—

(1) IN GENERAL.—The Secretary of the Air Force shall prioritize and accelerate investments to develop and upgrade one or more ranges to attain threat matrix framework level 4 capability, such as peer capability, by not later than fiscal year 2026.

(2) ELEMENTS.—In carrying out paragraph (1), the Secretary of the Air Force shall prioritize—

(A) advanced radar threat systems;

(B) live mission operations capability common architecture;

(C) infrastructure, including roads, site preparation, secure facilities, power and communications infrastructure, and modernized range operations centers;

(D) advanced integrated air defense systems;

(E) air combat maneuvering instrumentation modernization;

(F) global positioning system jamming suites;

(G) contested-degraded operations jamming suites;

(H) higher fidelity targets with more advanced characteristics;

(I) modernized weapons scoring systems; and

(J) secure, live-virtual-constructive advanced air combat training systems.

SEC. 1074. MODIFICATION OF ARCTIC SECURITY INITIATIVE.

Section 1090(b)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended—

(1) in subparagraph (A), by striking ''the Secretary may'' and inserting ''the Secretary shall''; and

(2) in subparagraph (B)(i), by striking ''If the Initiative is established'' and inserting ''On the establishment of the Initiative''.

SEC. 1075. PILOT PROGRAM ON SAFE STORAGE OF PERSONALLY OWNED FIREARMS.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a pilot program to promote the safe storage of personally owned firearms.

(b) ELEMENTS.—Under the pilot program under subsection (a), the Secretary of Defense shall furnish to members of the Armed Forces who are participating in the pilot program at military installations selected under subsection (e) locking devices or firearm safes, or both, for the purpose of securing personally owned firearms when not in use (including by directly providing, subsidizing, or otherwise making available such devices or safes).

(c) PARTICIPATION.—

(1) VOLUNTARY PARTICIPATION.—Participation by members of the Armed Forces in the pilot program under subsection (a) shall be on a voluntary basis.

(2) LOCATION OF PARTICIPANTS.—A member of the Armed Forces may participate in the pilot program under subsection (a) carried out at a military installation selected under subsection (e) regardless of whether the member resides at the military installation.

(d) PLAN.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for the implementation of the pilot program under subsection (a).

(e) SELECTION OF INSTALLATIONS.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall select not fewer than five military installations at which to carry out the pilot program under subsection (a).

(f) EFFECT ON EXISTING POLICIES.—Nothing in this section shall be construed to circumvent or undermine any existing safe storage policies, laws, or regulations on military installations.

(g) REPORT.—Upon the termination under subsection (f) of the pilot program under subsection (a), the Secretary of Defense shall submit to the congressional defense committees a report containing the following information:

(1) The number and type of locking devices and firearm safes furnished to members of the Armed Forces under the pilot program.

(2) The cost of carrying out the pilot program.

(3) An analysis of the effect of the pilot program on suicide prevention.

(4) Such other information as the Secretary may determine appropriate, which shall exclude any personally identifiable information about participants in the pilot program.

(h) TERMINATION.—The pilot program under subsection (a) shall terminate on the date that is six years after the date of the enactment of this Act.

SEC. 1076. SENSE OF THE SENATE ON REDESIGNATION OF THE AFRICA CENTER FOR STRATEGIC STUDIES AS THE JAMES M. INHOFE CENTER FOR AFRICA STRATEGIC STUDIES.

It is the sense of the Senate that—

(1) Senator James M. Inhofe—

(A) has, during his more than three decades of service in the United States Congress—

(i) demonstrated a profound commitment to strengthening United States-Africa relations; and

(ii) been one of the foremost leaders in Congress on matters related to United States-Africa relations;

(B) was a key advocate for the establishment of United States Africa Command; and

(C) has conducted 170 visits to countries in Africa; and

(2) as a recognition of Senator Inhofe's long history of engaging with, and advocating for, Africa, the Department of Defense Africa Center for Strategic Studies should be renamed the James M. Inhofe Center for Africa Strategic Studies.

TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. ELIGIBILITY OF DEPARTMENT OF DEFENSE EMPLOYEES IN TIME-LIMITED APPOINTMENTS TO COMPETE FOR PERMANENT APPOINTMENTS.

Section 3304 of title 5, United States Code, is amended by adding at the end the following:

''(g) ELIGIBILITY OF DEPARTMENT OF DEFENSE EMPLOYEES IN TIME-LIMITED APPOINTMENTS TO COMPETE FOR PERMANENT APPOINTMENTS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'Department' means the Department of Defense; and

''(B) the term 'time-limited appointment' means a temporary or term appointment in the competitive service.

''(2) ELIGIBILITY.—Notwithstanding any other provision of this chapter or any other provision of law relating to the examination, certification, and appointment of individuals in the competitive service, an employee of the Department serving under a time-limited appointment is eligible to compete for a permanent appointment in the competitive service when the Department is accepting applications from individuals within its own workforce, or from individuals outside its own workforce, under merit promotion procedures, if—

''(A) the employee was appointed initially under open, competitive examination under subchapter I of this chapter to the time-limited appointment;

''(B) the employee has served under 1 or more time-limited appointments within the Department for a period or periods totaling more than 2 years without a break of 2 or more years; and

''(C) the employee's performance has been at an acceptable level of performance throughout the period or periods referred to in subparagraph (B).

''(3) CAREER-CONDITIONAL STATUS; COMPETITIVE STATUS.—An individual appointed to a permanent position under this section—

''(A) becomes a career-conditional employee, unless the employee has otherwise completed the service requirements for career tenure; and

''(B) acquires competitive status upon appointment.

''(4) FORMER EMPLOYEES.—If the Department is accepting applications as described in paragraph (2), a former employee of the Department who served under a time-limited appointment and who otherwise meets the requirements of this section shall be eligible to compete for a permanent position in the competitive service under this section if—

''(A) the employee applies for a position covered by this section not later than 2 years after the most recent date of separation; and

''(B) the employee's most recent separation was for reasons other than misconduct or performance.

''(5) REGULATIONS.—The Office of Personnel Management shall prescribe regulations necessary for the administration of this subsection.''.

SEC. 1102. EMPLOYMENT AUTHORITY FOR CIVILIAN FACULTY AT CERTAIN MILITARY DEPARTMENT SCHOOLS.

(a) ADDITION OF ARMY UNIVERSITY AND ADDITIONAL FACULTY.—

(1) IN GENERAL.—Section 7371 of title 10, United States Code, is amended—

(A) in subsection (a), by striking ''the Army War College or the United States Army Command and General Staff College'' and inserting ''the Army War College, the United States Army Command and General Staff College, and the Army University''; and

(B) by striking subsection (c).

(2) CONFORMING AMENDMENTS.—

(A) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 7371. Army War College, United States Army Command and General Staff College, and Army University: civilian faculty members''.

(B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 747 of such title is amended by striking the item relating to section 7371 and inserting the following new item:

''7371. Army War College, United States Army Command and General Staff College, and Army University: civilian faculty members.

(b) NAVAL WAR COLLEGE AND MARINE CORPS UNIVERSITY.—Section 8748 of such title is amended by striking subsection (c).

(c) AIR UNIVERSITY.—Section 9371 of such title is amended by striking subsection (c).

SEC. 1103. EMPLOYMENT AND COMPENSATION OF CIVILIAN FACULTY MEMBERS AT INTER-AMERICAN DEFENSE COLLEGE.

(a) IN GENERAL.—Subsection (c) of section 1595 of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(9) The United States Element of the Inter-American Defense College.''.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by striking ''institutions'' and inserting ''organizations''; and

(2) in subsection (c)—

(A) in the subsection heading, by striking ''INSTITUTIONS'' and inserting ''ORGANIZATIONS''; and

(B) in the matter preceding paragraph (1), by striking ''institutions'' and inserting ''organizations''.

SEC. 1104. MODIFICATION TO PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.

Section 4092 of title 10, United States Code, is amended—

(1) in subsection (a)(8), in the second sentence, by striking ''December 31, 2025'' and inserting ''December 31, 2030'';

(2) in subsection (b)—

(A) in paragraph (1)(H)—

(i) by striking ''10 positions'' and inserting ''15 positions''; and

(ii) by striking ''3 such positions'' and inserting ''5 such positions''; and

(B) in paragraph (2)(A)—

(i) in the matter preceding clause (i), by striking ''paragraph (1)(B)'' and inserting ''subparagraphs (B) and (H) of paragraph (1)'';

(ii) in clause (i)—

(I) by striking ''to any of'' and inserting ''to any of the''; and

(II) by inserting ''and any of the 5 positions designated by the Director of the Space Development Agency'' after ''Projects Agency''; and

(iii) in clause (ii), by striking ''the Director'' and inserting ''the Director of the Defense Advanced Research Projects Agency or the Director of the Space Development Agency''; and

(3) in subsection (c)(2), by inserting ''the Space Development Agency,'' after ''Intelligence Center,''.

SEC. 1105. ENHANCED PAY AUTHORITY FOR CERTAIN RESEARCH AND TECHNOLOGY POSITIONS IN SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.

(a) IN GENERAL.—Chapter 303 of title 10, United States Code, is amended by inserting after section 4093 the following new section:

''§ 4094. Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories

''(a) IN GENERAL.—The Secretary of Defense may carry out a program using the pay authority specified in subsection (d) to fix the rate of basic pay for positions described in subsection (c) in order to assist the military departments in attracting and retaining high quality acquisition and technology experts in positions responsible for managing and performing complex, high-cost research and technology development efforts in the science and technology reinvention laboratories of the Department of Defense.

''(b) APPROVAL REQUIRED.—The program may be carried out in a military department only with the approval of the service acquisition executive of the military department concerned.

''(c) POSITIONS.—The positions described in this subsection are positions in the science and technology reinvention laboratories of the Department of Defense that—

''(1) require expertise of an extremely high level in a scientific, technical, professional, or acquisition management field; and

''(2) are critical to the successful accomplishment of an important research or technology development mission.

''(d) RATE OF BASIC PAY.—The pay authority specified in this subsection is authority as follows:

''(1) Authority to fix the rate of basic pay for a position at a rate not to exceed 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the service acquisition executive concerned.

''(2) Authority to fix the rate of basic pay for a position at a rate in excess of 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the Secretary of the military department concerned.

''(e) LIMITATIONS.—

''(1) IN GENERAL.—The authority in subsection (a) may be used only to the extent necessary to competitively recruit or retain individuals exceptionally well qualified for positions described in subsection (c).

''(2) NUMBER OF POSITIONS.—The authority in subsection (a) may not be used with respect to more than five positions in each military department at any one time, unless the Under Secretary of Defense for Research and Engineering, in concurrence with the Secretaries of the military departments concerned, authorizes the transfer of positions from one military department to another.

''(3) TERM OF POSITIONS.—The authority in subsection (a) may be used only for positions having a term of less than five years.

''(f) SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES OF THE DEPARTMENT OF DEFENSE DEFINED.—In this section, the term 'science and technology reinvention laboratories of the Department of Defense' means the laboratories designated as science and technology reinvention laboratories by section 4121(b) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 303 of such title is amended by inserting after the item relating to section 4093 the following new item:

''4094. Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories.

SEC. 1106. MODIFICATION AND EXTENSION OF PILOT PROGRAM ON DYNAMIC SHAPING OF THE WORKFORCE TO IMPROVE THE TECHNICAL SKILLS AND EXPERTISE AT CERTAIN DEPARTMENT OF DEFENSE LABORATORIES.

(a) REPEAL OF OBSOLETE PROVISION.—Section 1109(b)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) is amended by striking subparagraph (D).

(b) EXTENSION OF AUTHORITY.—Section 1109(d)(1) of such Act is amended by striking ''December 31, 2023'' and inserting ''December 31, 2027''.

SEC. 1107. MODIFICATION OF EFFECTIVE DATE OF REPEAL OF TWO-YEAR PROBATIONARY PERIOD FOR EMPLOYEES.

Section 1106 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1950) is amended—

(1) in subsection (a)(1), by striking ''December 31, 2022'' and inserting ''December 31, 2024''; and

(2) in subsection (b), by adding at the end the following new paragraph:

''(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall take effect on December 31, 2024.''.

SEC. 1108. MODIFICATION AND EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Subsection (a) of section 1101 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615), as most recently amended by section 1112 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1953), is further amended—

(1) by striking ''that is in the area of responsibility'' and all that follows through ''United States Africa Command,''; and

(2) by striking ''through 2022'' and inserting ''through 2023''.

SEC. 1109. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616) and as most recently amended by section 1114 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1954), is further amended by striking ''2023'' and inserting ''2024''.

SEC. 1110. MODIFICATION OF TEMPORARY EXPANSION OF AUTHORITY FOR NONCOMPETITIVE APPOINTMENTS OF MILITARY SPOUSES BY FEDERAL AGENCIES.

(a) EXTENSION OF SUNSET.—Subsection (e) of section 573 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 5 U.S.C. 3330d note) is amended, in the matter preceding paragraph (1), by striking ''the date that is 5 years after the date of the enactment of this Act'' and inserting ''December 31, 2028''.

(b) REPEAL OF OPM LIMITATION AND REPORTS.—Subsection (d) of such section is repealed.

SEC. 1111. DEPARTMENT OF DEFENSE CYBER AND DIGITAL SERVICE ACADEMY.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of Homeland Security and the Director of the Office of Personnel and Management, shall establish a program to provide financial support for pursuit of programs of education at institutions of high education in covered disciplines.

(2) COVERED DISCIPLINES.—For purposes of the Program, a covered discipline is a discipline that the Secretary of Defense determines is critically needed and is cyber- or digital technology-related, including the following:

(A) Computer-related arts and sciences.

(B) Cyber-related engineering.

(C) Cyber-related law and policy.

(D) Applied analytics related sciences, data management, and digital engineering, including artificial intelligence and machine learning.

(E) Such other disciplines relating to cyber, cybersecurity, digital technology, or supporting functions as the Secretary of Defense considers appropriate.

(3) DESIGNATION.—The program established under paragraph (1) shall be known as the ''Department of Defense Cyber and Digital Service Academy'' (in this section the ''Program'').

(b) PROGRAM DESCRIPTION AND COMPONENTS.—The Program shall—

(1) provide scholarships through institutions of higher education to students who are enrolled in programs of education at such institutions leading to degrees or specialized program certifications in covered disciplines; and

(2) prioritize the placement of scholarship recipients fulfilling the post-award employment obligation under this section.

(c) SCHOLARSHIP AMOUNTS.—

(1) AMOUNT OF ASSISTANCE.—(A) Each scholarship under the Program shall be in such amount as the Secretary determines necessary—

(i) to pay all educational expenses incurred by that person, including tuition, fees, cost of books, and laboratory expenses, for the pursuit of the program of education for which the assistance is provided under the Program; and

(ii) to provide a stipend for room and board.

(B) The Secretary shall ensure that expenses paid are limited to those educational expenses normally incurred by students at the institution of higher education involved.

(2) SUPPORT FOR INTERNSHIP ACTIVITIES.—The financial assistance for a person under this section may also be provided to support internship activities of the person in the Department of Defense and combat support agencies in periods between the academic years leading to the degree or specialized program certification for which assistance is provided the person under the Program.

(3) PERIOD OF SUPPORT.—Each scholarship under the Program shall be for not more than 5 years.

(4) ADDITIONAL STIPEND.—Students demonstrating financial need, as determined by the Secretary, may be provided with an additional stipend under the Program.

(d) POST-AWARD EMPLOYMENT OBLIGATIONS.—Each scholarship recipient, as a condition of receiving a scholarship under the Program, shall enter into an agreement under which the recipient agrees to work for a period equal to the length of the scholarship, following receipt of the student's degree or specialized program certification, in the cyber- and digital technology-related missions of the Department, in accordance with the terms and conditions specified by the Secretary in regulations the Secretary shall promulgate to carry out this subsection.

(e) HIRING AUTHORITY.—In carrying out this section, specifically with respect to enforcing the obligations and conditions of employment under subsection (d), the Secretary may use any authority otherwise available to the Secretary for the recruitment, employment, and retention of civilian personnel within the Department, including authority under section 1599f of title 10, United States Code.

(f) ELIGIBILITY.—To be eligible to receive a scholarship under the Program, an individual shall—

(1) be a citizen or lawful permanent resident of the United States;

(2) demonstrate a commitment to a career in improving the security of information technology or advancing the development and application of digital technology;

(3) have demonstrated a high level of competency in relevant knowledge, skills, and abilities, as defined by the national cybersecurity awareness and education program under section 303 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7443);

(4) be a full-time student, or have been accepted as a full-time student, in a program leading to a degree or specialized program certification in a covered discipline at an institution of higher education;

(5) enter into an agreement accepting and acknowledging the post award employment obligations, pursuant to section (d);

(6) accept and acknowledge the conditions of support under section (g); and

(7) meet such other requirements for a scholarship as determined appropriate by the Secretary.

(g) CONDITIONS OF SUPPORT.—

(1) IN GENERAL.—As a condition of receiving a scholarship under this section, a recipient shall agree to provide the Office of Personnel Management (in coordination with the Department of Defense) and the institutions of higher education described in subsection (a)(1) with annual verifiable documentation of post-award employment and up-to-date contact information.

(2) TERMS.—A scholarship recipient under the Program shall be liable to the United States as provided in subsection (i) if the individual—

(A) fails to maintain an acceptable level of academic standing at the applicable institution of higher education, as determined by the Secretary;

(B) is dismissed from the applicable institution of higher education for disciplinary reasons;

(C) withdraws from the eligible degree program before completing the Program;

(D) declares that the individual does not intend to fulfill the post-award employment obligation under this section;

(E) fails to maintain or fulfill any of the post-graduation or post-award obligations or requirements of the individual; or

(F) fails to fulfill the requirements of paragraph (1).

(h) MONITORING COMPLIANCE.—As a condition of participating in the Program, an institution of higher education shall—

(1) enter into an agreement with the Secretary to monitor the compliance of scholarship recipients with respect to their post-award employment obligations; and

(2) provide to the Secretary and the Director of the Office of Personnel Management, on an annual basis, the post-award employment documentation required under subsection (g)(1) for scholarship recipients through the completion of their post-award employment obligations.

(i) AMOUNT OF REPAYMENT.—

(1) LESS THAN 1 YEAR OF SERVICE.—If a circumstance described in subsection (g)(2) occurs before the completion of 1 year of a post-award employment obligation under the Program, the total amount of scholarship awards received by the individual under the Program shall be considered a debt to the Government and repaid in its entirety.

(2) 1 OR MORE YEARS OF SERVICE.—If a circumstance described in subparagraph (D) or (E) of subsection (g)(2) occurs after the completion of 1 or more years of a post-award employment obligation under the Program, the total amount of scholarship awards received by the individual under the Program, reduced by the ratio of the number of years of service completed divided by the number of years of service required, shall be considered a debt to the Government and repaid in accordance with subsection (j).

(j) REPAYMENTS.—A debt described subsection (i) shall be subject to repayment, together with interest thereon accruing from the date of the scholarship award, in accordance with terms and conditions specified by the Secretary in regulations promulgated to carry out this subsection.

(k) COLLECTION OF REPAYMENT.—

(1) IN GENERAL.—In the event that a scholarship recipient is required to repay the scholarship award under the Program, the institution of higher education providing the scholarship shall—

(A) determine the repayment amounts and notify the recipient, the Secretary, and the Director of the Office of Personnel Management of the amounts owed; and

(B) collect the repayment amounts within a period of time as determined by the Secretary.

(2) RETURNED TO TREASURY.—Except as provided in paragraph (3), any repayment under this subsection shall be returned to the Treasury of the United States.

(3) RETAIN PERCENTAGE.—An institution of higher education may retain a percentage of any repayment the institution collects under this subsection to defray administrative costs associated with the collection. The Secretary shall establish a single, fixed percentage that will apply to all eligible entities.

(l) PUBLIC INFORMATION.—

(1) EVALUATION.—The Secretary, in coordination with the Director of the Office of Personnel Management, shall periodically evaluate and make public, in a manner that protects the personally identifiable information of scholarship recipients, information on the success of recruiting individuals for scholarships under the Program and on hiring and retaining those individuals in the Department of Defense workforce, including information on—

(A) placement rates;

(B) where students are placed, including job titles and descriptions;

(C) salary ranges for students not released from obligations under this section;

(D) how long after graduation students are placed;

(E) how long students stay in the positions they enter upon graduation;

(F) how many students are released from obligations; and

(G) what, if any, remedial training is required.

(2) REPORTS.—The Secretary, in consultation with the Office of Personnel Management, shall submit, not less frequently than once every two years, to Congress a report, including—

(A) the results of the evaluation under paragraph (1);

(B) the disparity in any reporting between scholarship recipients and their respective institutions of higher education; and

(C) any recent statistics regarding the size, composition, and educational requirements of the relevant Department of Defense workforce.

(3) RESOURCES.—The Secretary, in coordination with the Director of the Office of Personnel Management, shall provide consolidated and user-friendly online resources for prospective scholarship recipients, including, to the extent practicable—

(A) searchable, up-to-date, and accurate information about participating institutions of higher education and job opportunities relating to covered disciplines; and

(B) a modernized description of careers in covered disciplines.

(m) ALLOCATION OF FUNDING.—

(1) IN GENERAL.—Not less than 50 percent of the amount available for financial assistance under this section for a fiscal year shall be available only for providing financial assistance for the pursuit of programs of education referred to in subsection (b)(1) at institutions of higher education that have established, improved, or are administering programs of education in disciplines under the grant program established in section 2200b of title 10, United States Code, as determined by the Secretary.

(2) ASSOCIATE DEGREES.—Not less than five percent of the amount available for financial assistance under this section for a fiscal year shall be available for providing financial assistance for the pursuit of an associate degree at an institution described in paragraph (1).

(n) BOARD OF DIRECTORS.—In order to help identify workforce needs and trends relevant to the Program, the Secretary may establish a board of directors for the Program that consists of representatives of Federal departments and agencies.

(o) COMMENCEMENT OF PROGRAM.—The Secretary shall commence the Program as early as practicable, with the first scholarships awarded under the Program for the academic year beginning no later than the Fall semester of 2024.

SEC. 1112. CIVILIAN CYBERSECURITY RESERVE PILOT PROJECT.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Homeland Security of the House of Representatives; and

(D) the Committee on Armed Services of the House of Representatives.

(2) COMPETITIVE SERVICE.—The term ''competitive service'' has the meaning given the term in section 2102 of title 5, United States Code.

(3) EXCEPTED SERVICE.—The term ''excepted service'' has the meaning given the term in section 2103 of title 5, United States Code.

(4) SIGNIFICANT INCIDENT.—The term ''significant incident''—

(A) means an incident or a group of related incidents that results, or is likely to result, in demonstrable harm to—

(i) the national security interests, foreign relations, or economy of the United States; or

(ii) the public confidence, civil liberties, or public health and safety of the people of the United States; and

(B) does not include an incident or a portion of a group of related incidents that occurs on—

(i) a national security system, as defined in section 3552 of title 44, United States Code; or

(ii) an information system described in paragraph (2) or (3) of section 3553(e) of title 44, United States Code.

(5) TEMPORARY POSITION.—The term ''temporary position'' means a position in the competitive or excepted service for a period of 180 days or less.

(6) UNIFORMED SERVICES.—The term ''uniformed services'' has the meaning given the term in section 2101 of title 5, United States Code.

(b) PILOT PROJECT.—

(1) IN GENERAL.—The Secretary of the Army shall carry out a pilot project to establish a Civilian Cybersecurity Reserve.

(2) PURPOSE.—The purpose of the Civilian Cybersecurity Reserve is to enable the Army to provide manpower to the cyberspace operations forces of the United States Cyber Command to effectively respond to significant incidents.

(3) ALTERNATIVE METHODS.—Consistent with section 4703 of title 5, United States Code, in carrying out the pilot project required under paragraph (1), the Secretary may, without further authorization from the Office of Personnel Management, provide for alternative methods of—

(A) establishing qualifications requirements for, recruitment of, and appointment to positions; and

(B) classifying positions.

(4) APPOINTMENTS.—Under the pilot project required under paragraph (1), upon occurrence of a significant incident, the Secretary—

(A) may activate members of the Civilian Cybersecurity Reserve by—

(i) noncompetitively appointing members of the Civilian Cybersecurity Reserve to temporary positions in the competitive service; or

(ii) appointing members of the Civilian Cybersecurity Reserve to temporary positions in the excepted service;

(B) shall notify Congress whenever a member is activated under subparagraph (A); and

(C) may appoint not more than 50 members to the Civilian Cybersecurity Reserve under subparagraph (A) at any time.

(5) STATUS AS EMPLOYEES.—An individual appointed under paragraph (4) shall be considered a Federal civil service employee under section 2105 of title 5, United States Code.

(6) ADDITIONAL EMPLOYEES.—Individuals appointed under paragraph (4) shall be in addition to any employees of the United States Cyber Command who provide cybersecurity services.

(7) EMPLOYMENT PROTECTIONS.—The Secretary of Labor shall prescribe such regulations as necessary to ensure the reemployment, continuation of benefits, and non-discrimination in reemployment of individuals appointed under paragraph (4), provided that such regulations shall include, at a minimum, those rights and obligations set forth under chapter 43 of title 38, United States Code.

(8) STATUS IN RESERVE.—During the period beginning on the date on which an individual is recruited to serve in the Civilian Cybersecurity Reserve and ending on the date on which the individual is appointed under paragraph (4), and during any period in between any such appointments, the individual shall not be considered a Federal employee.

(c) ELIGIBILITY; APPLICATION AND SELECTION.—

(1) IN GENERAL.—Under the pilot project required under subsection (b)(1), the Secretary of the Army shall establish criteria for—

(A) individuals to be eligible for the Civilian Cybersecurity Reserve; and

(B) the application and selection processes for the Civilian Cybersecurity Reserve.

(2) REQUIREMENTS FOR INDIVIDUALS.—The criteria established under paragraph (1)(A) with respect to an individual shall include—

(A) if the individual has previously served as a member of the Civilian Cybersecurity Reserve, that the previous appointment ended not less than 60 days before the individual may be appointed for a subsequent temporary position in the Civilian Cybersecurity Reserve; and

(B) cybersecurity expertise.

(3) PRESCREENING.—The Secretary shall—

(A) conduct a prescreening of each individual prior to appointment under subsection (b)(4) for any topic or product that would create a conflict of interest; and

(B) require each individual appointed under subsection (b)(4) to notify the Secretary if a potential conflict of interest arises during the appointment.

(4) AGREEMENT REQUIRED.—An individual may become a member of the Civilian Cybersecurity Reserve only if the individual enters into an agreement with the Secretary to become such a member, which shall set forth the rights and obligations of the individual and the Army.

(5) EXCEPTION FOR CONTINUING MILITARY SERVICE COMMITMENTS.—A member of the Selected Reserve under section 10143 of title 10, United States Code, may not be a member of the Civilian Cybersecurity Reserve.

(6) PROHIBITION.—Any individual who is an employee of the executive branch may not be recruited or appointed to serve in the Civilian Cybersecurity Reserve.

(d) SECURITY CLEARANCES.—

(1) IN GENERAL.—The Secretary of the Army shall ensure that all members of the Civilian Cybersecurity Reserve undergo the appropriate personnel vetting and adjudication commensurate with the duties of the position, including a determination of eligibility for access to classified information where a security clearance is necessary, according to applicable policy and authorities.

(2) COST OF SPONSORING CLEARANCES.—If a member of the Civilian Cybersecurity Reserve requires a security clearance in order to carry out the duties of the member, the Army shall be responsible for the cost of sponsoring the security clearance of the member.

(e) STUDY AND IMPLEMENTATION PLAN.—

(1) STUDY.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Army shall begin a study on the design and implementation of the pilot project required under subsection (b)(1), including—

(A) compensation and benefits for members of the Civilian Cybersecurity Reserve;

(B) activities that members may undertake as part of their duties;

(C) methods for identifying and recruiting members, including alternatives to traditional qualifications requirements;

(D) methods for preventing conflicts of interest or other ethical concerns as a result of participation in the pilot project and details of mitigation efforts to address any conflict of interest concerns;

(E) resources, including additional funding, needed to carry out the pilot project;

(F) possible penalties for individuals who do not respond to activation when called, in accordance with the rights and procedures set forth under title 5, Code of Federal Regulations; and

(G) processes and requirements for training and onboarding members.

(2) IMPLEMENTATION PLAN.—Not later than one year after beginning the study required under paragraph (1), the Secretary shall—

(A) submit to the appropriate congressional committees an implementation plan for the pilot project required under subsection (b)(1); and

(B) provide to the appropriate congressional committees a briefing on the implementation plan.

(3) PROHIBITION.—The Secretary may not take any action to begin implementation of the pilot project required under subsection (b)(1) until the Secretary fulfills the requirements under paragraph (2).

(f) PROJECT GUIDANCE.—Not later than two years after the date of the enactment of this Act, the Secretary of the Army shall, in consultation with the Office of Personnel Management and the Office of Government Ethics, issue guidance establishing and implementing the pilot project required under subsection (b)(1).

(g) BRIEFINGS AND REPORT.—

(1) BRIEFINGS.—Not later than one year after the date of the enactment of this Act, and every year thereafter until the date on which the pilot project required under subsection (b)(1) terminates under subsection (i), the Secretary of the Army shall provide to the appropriate congressional committees a briefing on activities carried out under the pilot project, including—

(A) participation in the Civilian Cybersecurity Reserve, including the number of participants, the diversity of participants, and any barriers to recruitment or retention of members;

(B) an evaluation of the ethical requirements of the pilot project;

(C) whether the Civilian Cybersecurity Reserve has been effective in providing additional capacity to the Army during significant incidents; and

(D) an evaluation of the eligibility requirements for the pilot project.

(2) REPORT.—Not earlier than 180 days and not later than 90 days before the date on which the pilot project required under subsection (b)(1) terminates under subsection (i), the Secretary shall submit to the appropriate congressional committees a report and provide a briefing on recommendations relating to the pilot project, including recommendations for—

(A) whether the pilot project should be modified, extended in duration, or established as a permanent program, and if so, an appropriate scope for the program;

(B) how to attract participants, ensure a diversity of participants, and address any barriers to recruitment or retention of members of the Civilian Cybersecurity Reserve;

(C) the ethical requirements of the pilot project and the effectiveness of mitigation

efforts to address any conflict of interest concerns; and

(D) an evaluation of the eligibility requirements for the pilot project.

(h) EVALUATION.—Not later than three years after the pilot project required under subsection (b)(1) is established, the Comptroller General of the United States shall—

(1) conduct a study evaluating the pilot project; and

(2) submit to Congress—

(A) a report on the results of the study; and

(B) a recommendation with respect to whether the pilot project should be modified.

(i) SUNSET.—The pilot project required under subsection (b)(1) shall terminate on the date that is four years after the date on which the pilot project is established.

(j) NO ADDITIONAL FUNDS.—

(1) IN GENERAL.—No additional funds are authorized to be appropriated for the purpose of carrying out this section.

(2) EXISTING AUTHORIZED AMOUNTS.—Funds to carry out this section may, as provided in advance in appropriations Acts, only come from amounts authorized to be appropriated to the Army.

SEC. 1113. MODIFICATION TO PILOT PROGRAM FOR THE TEMPORARY ASSIGNMENT OF CYBER AND INFORMATION TECHNOLOGY PERSONNEL TO PRIVATE SECTOR ORGANIZATIONS.

Section 1110(d) of the National Defense Authorization Act for Fiscal Year 2010 (5 U.S.C. 3702 note; Public Law 111–84) is amended by striking ''September 30, 2022'' and inserting ''December 31, 2026''.

SEC. 1114. REPORT ON CYBER EXCEPTED SERVICE.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act and not less frequently than once each year thereafter until September 30, 2028, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a detailed report on cyber excepted service positions during the most recent one-year period.

(b) CONTENTS.—Each report submitted under subsection (a) shall include, for the period covered by the report, the following:

(1) A discussion of the process used in accepting applications, assessing candidates, process for and effect of adhering to provisions of law establishing preferences for hiring preference eligible veterans, and selecting applicants for vacancies to be filled by an individual for a cyber excepted service position.

(2) A description of the following:

(A) How the Secretary plans to recruit and retain employees in cyber excepted service positions.

(B) Cyber excepted service performance metrics.

(C) Any actions taken during the reporting period to improve cyber excepted service implementation.

(3) A discussion of how the planning and actions taken described in paragraph (2) are integrated into the strategic workforce planning of the Department.

(4) The metrics on actions occurring during the reporting period, including the following:

(A) The number of employees in cyber excepted service positions hired, disaggregated by occupation, grade, and level or pay band.

(B) The placement of employees in cyber excepted service positions, disaggregated by military department, Defense agency, or other component within the Department.

(C) The total number of veterans hired.

(D) The number of separations of employees in cyber excepted service positions, disaggregated by occupation, grade, and level or pay band.

(E) The number of retirements of employees in cyber excepted service positions, disaggregated by occupation, grade, and level or pay band.

(F) The number and amounts of recruitment, relocation, and retention incentives paid to employees in cyber excepted service positions, disaggregated by occupation, grade, and level or pay band.

(G) The number of employees who declined transition to qualified cyber excepted service positions.

(5) An assessment of the training provided to supervisors of employees in cyber excepted service positions at the Department on the use of the new authorities.

(6) An assessment of the implementation of section 1599f(a)(1)(A) of title 10, United States Code, including—

(A) how each military department, Defense agency, or other component within the Department is incorporating or intends to incorporate cyber excepted service personnel in their cyber mission workforce; and

(B) how the cyber excepted service has allowed each military department, Defense agency, or other component within the Department to establish, recruit for, and retain personnel to fill cyber mission workforce needs.

(7) An assessment of the effect of section 1599f of title 10, United States Code, on the ability of the Department to recruit, retain, and develop cyber professionals in the Department.

(8) An assessment of barriers to participation in cyber excepted service positions, including challenges to transition between general and excepted service, differences between compensation, incentives, and benefits, access to career broadening experiences, or any other barriers as determined by the Secretary.

(9) Proposed modifications to the cyber excepted service.

(10) Such other matters as the Secretary considers appropriate.

(c) DEFINITIONS.—In this section:

(1) The term ''cyber excepted service'' consists of those positions established under section 1599f(a)(1)(A) of title 10, United States Code.

(2) The term ''cyber excepted service position'' means a position in the cyber excepted service.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. EXTENSION OF AUTHORITY TO SUPPORT BORDER SECURITY OPERATIONS OF CERTAIN FOREIGN COUNTRIES.

Subsection (h) of section 1226 of the National Defense Authorization Act for Fiscal Year 2016 (22 U.S.C. 2151 note) is amended by striking ''December 31, 2023'' and inserting ''December 31, 2025''.

SEC. 1202. MODIFICATION OF REPORTING REQUIREMENT FOR PROVISION OF SUPPORT TO FRIENDLY FOREIGN COUNTRIES FOR CONDUCT OF OPERATIONS.

Section 331(d)(2) of title 10, United States Code, is amended—

(1) by redesignating subparagraph (E) as subparagraph (F); and

(2) by inserting after subparagraph (D) the following new subparagraph (E):

''(E) A description of the one or more entities with which the applicable friendly foreign country is engaged in hostilities and whether each such entity is covered by an authorization for the use of military force.''.

SEC. 1203. PAYMENT OF PERSONNEL EXPENSES NECESSARY FOR PARTICIPATION IN TRAINING PROGRAM CONDUCTED BY COLOMBIA UNDER THE UNITED STATES-COLOMBIA ACTION PLAN FOR REGIONAL SECURITY.

(a) IN GENERAL.—Subchapter IV of chapter 16 of title 10, United States Code, is amended by adding at the end the following new section 335:

''§ 335. Payment of personnel expenses necessary for participation in training program conducted by Colombia under the United States-Colombia Action Plan for Regional Security

''(a) AUTHORITY.—The Secretary of Defense may pay the expendable training supplies, travel, subsistence, and similar personnel expenses of, and special compensation for, the following that the Secretary considers necessary for participation in the training program conducted by Colombia under the United States-Colombia Action Plan for Regional Security:

''(1) Defense personnel of friendly foreign governments.

''(2) With the concurrence of the Secretary of State, other personnel of friendly foreign governments and nongovernmental personnel.

''(b) LIMITATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the authority provided in subsection (a) may only be used for the payment of such expenses of, and special compensation for, such personnel from developing countries.

''(2) EXCEPTION.— The Secretary may authorize the payment of such expenses of, and special compensation for, such personnel from a country other than a developing country if the Secretary determines that such payment is—

''(A) necessary to respond to extraordinary circumstances; and

''(B) in the national security interest of the United States.''.

(b) ANNUAL REPORT.—Paragraph (1) of section 386(c) of title 10, United States Code, is amended to read as follows:

''(1) Sections 311, 321, 331, 332, 333, 335, 341, 344, 348, 349, and 350 of this title.''.

(c) CONFORMING AMENDMENT.—The table of sections at the beginning of subchapter IV of chapter 16 of title 10, United States Code, is amended by adding at the end the following new item:

''335. Payment of personnel expenses necessary for participation in training program conducted by Colombia under the United States-Colombia Action Plan for Regional Security.

SEC. 1204. MODIFICATION OF AUTHORITY FOR PARTICIPATION IN MULTINATIONAL CENTERS OF EXCELLENCE.

Section 344(f) of title 10, United States Code, is amended—

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

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

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

''(3) the International Special Training Centre, established in 1979 and located in Pfullendorf, Germany.''.

SEC. 1205. MODIFICATION OF REGIONAL DEFENSE COMBATING TERRORISM AND IRREGULAR WARFARE FELLOWSHIP PROGRAM AND PLAN FOR IRREGULAR WARFARE CENTER.

(a) MODIFICATION OF REGIONAL DEFENSE COMBATING TERRORISM AND IRREGULAR WARFARE FELLOWSHIP PROGRAM.—

(1) IN GENERAL.—Section 345 of title 10, United States Code, is amended—

(A) in the section heading, by striking ''**Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program**'' and inserting ''**Irregular Warfare Education**'';

(B) in subsection (a)—

(i) in the subsection heading, by striking ''PROGRAM AUTHORIZED'' and inserting ''AUTHORITY'';

(ii) in paragraph (1), in the matter preceding subparagraph (A), by inserting ''operate and administer a Center for Security Studies in Irregular Warfare and'' after ''The Secretary of Defense may'';

(iii) by amending paragraph (2) to read as follows:

''(2) COVERED COSTS.—

''(A) IN GENERAL.—Costs for which payment may be made under this section include the costs of—

''(i) transportation, travel, and subsistence costs of foreign national personnel and United States governmental personnel necessary for administration and execution of the authority granted to the Secretary of Defense under this section;

''(ii) strategic engagement with alumni of the program referred to in paragraph (1) to address Department of Defense objectives and planning on irregular warfare and combating terrorism topics; and

''(iii) administration and operation of the Irregular Warfare Center, including expenses associated with—

''(I) research, communication, the exchange of ideas, curriculum development and review, and training of military and civilian participants of the United States and other countries, as the Secretary considers necessary; and

''(II) maintaining an international network of irregular warfare policymakers and practitioners to achieve the objectives of the Department of Defense and the Department of State.

''(B) PAYMENT BY OTHERS PERMITTED.—Payment of costs described in subparagraph (A)(i) may be made by the Secretary of Defense, the foreign national participant, the government of such participant, or by the head of any other Federal department or agency.''; and

(iv) by amending paragraph (3) to read as follows:

''(3) DESIGNATIONS.—

''(A) CENTER.—The center authorized by this section shall be known as the 'Irregular Warfare Center'.

''(B) PROGRAM.—The program authorized by this section shall be known as the 'Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program'.'';

(C) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

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

''(c) IRREGULAR WARFARE CENTER.—

''(1) MISSION.—The mission of the Irregular Warfare Center shall be to support the institutionalization of irregular warfare as a core competency of the Department of Defense by—

''(A) coordinating and aligning Department of Defense education curricula, standards, and objectives related to irregular warfare and strategic competition;

''(B) providing a center for research on irregular warfare, strategic competition, and the role of the Department of Defense in supporting interagency activities relating to irregular warfare and strategic competition;

''(C) engaging and coordinating with Federal departments and agencies other than the Department of Defense and with academia, nongovernmental organizations, civil society, and international partners to discuss and coordinate efforts on security challenges in irregular warfare and strategic competition;

''(D) developing curriculum and conducting training and education of military and civilian participants of the United States and other countries, as determined by the Secretary of Defense; and

''(E) serving as a coordinating body and central repository for irregular warfare resources, including educational activities and programs, and lessons learned across components of the Department of Defense.

''(2) EMPLOYMENT AND COMPENSATION OF FACULTY.—With respect to the Irregular Warfare Center—

''(A) the Secretary of Defense may employ a Director, a Deputy Director, and such civilians as professors, instructors, and lecturers, as the Secretary considers necessary; and

''(B) compensation of individuals employed under this paragraph shall be as prescribed by the Secretary.

''(3) PARTNERSHIP WITH INSTITUTION OF HIGHER EDUCATION.—

''(A) IN GENERAL.—In operating the Irregular Warfare Center, to promote integration throughout the United States Government and civil society across the full spectrum of Irregular Warfare competition and conflict challenges, the Secretary of Defense may partner with an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)).

''(B) TYPES OF PARTNERSHIPS.—The Secretary may—

''(i) establish a partnership under subparagraph (A) by—

''(I) entering into a contract, a cooperative agreement, or an intergovernmental support agreement pursuant to section 2679; or

''(II) awarding a grant; and

''(ii) enter into such a contract, cooperative agreement, or intergovernmental support agreement, or award such a grant, through the Defense Security Cooperation University.

''(C) DETERMINATION REQUIRED.—The Secretary of Defense shall make a determination with respect to the desirability of partnering with an institution of higher education in a Government-owned, contractor-operated partnership, such as the partnership structure used by the Department of Defense for University Affiliated Research Centers, for meeting the mission requirements of the Irregular Warfare Center.

''(4) ROLES AND RESPONSIBILITIES.—The Secretary of Defense shall prescribe guidance for the roles and responsibilities of the relevant components of the Department of Defense in the administration, operation, and oversight of the Irregular Warfare Center, which shall include the roles and responsibilities of the following:

''(A) The Under Secretary of Defense for Policy.

''(B) The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.

''(C) The Director of the Defense Security Cooperation Agency.

''(D) Any other official of the Department of Defense, as determined by the Secretary.'';

(E) in subsection (d), as so redesignated, in the first sentence, by striking ''$35,000,000'' and inserting ''$40,000,000''; and

(F) by inserting after subsection (e), as so redesignated, the following new subsection:

''(f) ANNUAL REVIEW.—The Secretary of Defense—

''(1) shall conduct an annual review of the structure and activities of the Irregular Warfare Center and the program referred to in subsection (a) to determine whether such structure and activities are appropriately aligned with the strategic priorities of the Department of Defense and the applicable combatant commands; and

''(2) may, after an annual review under paragraph (1), revise the relevant structure and activities so as to more appropriately align such structure and activities with the strategic priorities and combatant commands.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter V of chapter 16 of title 10, United States Code, is amended by striking the item relating to section 345 and inserting the following:

''345. Irregular Warfare Education.

(b) REPEAL OF TREATMENT AS REGIONAL CENTER FOR SECURITY STUDIES.—Section 1299L(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4012; 10 U.S.C. 342 note) is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(c) PLAN FOR IRREGULAR WARFARE CENTER.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for establishing the structure, operations, and administration of the Irregular Warfare Center described in section 345(a)(1) of title 10, United States Code.

(2) ELEMENTS.—The plan required by paragraph (1) shall include—

(A) a timeline and milestones for the establishment of the Irregular Warfare Center; and

(B) steps to enter into partnerships and resource agreements with academic institutions of the Department of Defense or other academic institutions, including any agreement for hosting or operating the Irregular Warfare Center.

(d) SENSE OF THE SENATE.—It is the sense of the Senate that a Center for Security Studies in Irregular Warfare established under section 345 of title 10, United States Code, should be known as the ''John S. McCain III Center for Security Studies in Irregular Warfare''.

SEC. 1206. MODIFICATION OF AUTHORITY FOR HUMANITARIAN DEMINING ASSISTANCE AND STOCKPILED CONVENTIONAL MUNITIONS ASSISTANCE.

(a) EXPANSION OF AUTHORITY.—Subsection (a)(1) of section 407 of title 10, United States Code, is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking ''carry out'' and inserting ''provide''; and

(B) by striking ''in a country'' and inserting ''to a country''; and

(2) in subparagraph (A), by striking ''in which the activities are to be carried out'' and inserting ''to which the assistance is to be provided''.

(b) EXPENSES.—Subsection (c) of such section is amended—

(1) in paragraph (2), by adding at the end the following new subparagraph:

''(C) Travel, transportation, and subsistence expenses of foreign personnel to attend training provided by the Department of Defense under this section.''; and

(2) in paragraph (3), by striking ''$15,000,000'' and inserting ''$20,000,000''.

(c) ANNUAL REPORT.—Subsection (d) of such section is amended—

(1) in the matter preceding paragraph (1), by striking ''include in the annual report under section 401 of this title a separate discussion of'' and inserting ''submit to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a report on'';

(2) in paragraph (1)—

(A) by striking ''in which'' and inserting ''to which''; and

(B) by striking ''carried out'' and inserting ''provided'';

(3) in paragraph (2), by striking ''carried out in'' and inserting ''provided to'';

(4) in paragraph (3)—

(A) by striking ''in which'' and inserting ''to which''; and

(B) by striking ''carried out'' and inserting ''provided''; and

(5) in paragraph (4), by striking ''in carrying out such assistance in each such country'' and inserting ''in providing such assistance to each such country''.

SEC. 1207. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393) is amended by striking ''beginning on October 1, 2021, and ending on December 31, 2022'' and inserting ''beginning on October 1, 2022, and ending on December 31, 2023''.

(b) MODIFICATION TO LIMITATION.—Subsection (d)(1) of such section is amended—

(1) by striking ''beginning on October 1, 2021, and ending on December 31, 2022'' and inserting ''beginning on October 1, 2022, and ending on December 31, 2023''; and

(2) by striking ''$60,000,000'' and inserting ''$30,000,000''.

SEC. 1208. MODIFICATIONS TO HUMANITARIAN ASSISTANCE.

Section 2561 of title 10, United States Code, is amended to read as follows:

''§ 2561. Humanitarian assistance

''(a) AUTHORIZED ASSISTANCE.—To the extent provided in defense authorization Acts, funds authorized to be appropriated to the Department of Defense for a fiscal year for humanitarian assistance shall be used for collaborative Department of Defense engagements with partner country government authorities in permissive environments to achieve the objectives of—

''(1) directly relieving or reducing human suffering, disease, hunger, or privation; and

''(2) increasing partner country capacity—

''(A) to provide essential human services to vulnerable populations; and

''(B) to address disaster risk reduction, mitigation, and preparedness.

''(b) PURPOSES.—The Secretary of Defense may use funds authorized under subsection (a) for the following purposes:

''(1) Procurement, transportation, and prepositioning of supplies and equipment.

''(2) Small-scale construction and renovation of facilities and basic infrastructure.

''(3) Health-related projects and activities.

''(4) Any other activity the Secretary of Defense considers necessary to achieve the objectives described in subsection (a).

''(c) AVAILABILITY OF FUNDS.—To the extent provided in appropriations Acts, funds appropriated for humanitarian assistance for purposes of this section shall remain available until expended.

''(d) STATUS REPORTS.—(1) The Secretary of Defense shall submit to the appropriate committees of Congress an annual report on the provision of humanitarian assistance pursuant to this section for the prior fiscal year. The report shall be submitted each year at the time of the budget submission by the President for the next fiscal year.

''(2) Each report required by paragraph (1) shall cover all provisions of law that authorize appropriations for humanitarian assistance to be available from the Department of Defense for purposes of this section.

''(3) Each report under this subsection shall set forth the following information regarding activities during the preceding fiscal year:

''(A) The total amount of funds obligated for humanitarian assistance under this section.

''(B) A comprehensive list of funded humanitarian assistance efforts, disaggregated by foreign partner country, amount obligated, and purpose specified in subsection (b).

''(C) A description of the manner in which such expenditures address—

''(i) the humanitarian needs of the foreign partner country; and

''(ii) United States national security objectives.

''(D) A description of any transfer of excess nonlethal supplies of the Department of Defense made available for humanitarian relief purposes under section 2557 of this title. The description shall include the date of the transfer, the entity to whom the transfer is made, and the quantity of items transferred.

''(e) NOTIFICATION.—In the case of activities under a program that results in the provision of small-scale construction under subsection (b)(2) costing more than $750,000, not later than 15 days before the commencement of such activities, the Secretary of Defense shall submit to the appropriate committees of Congress a notification that includes the location, project title, and cost of each small-scale construction project that will be carried out.

''(f) DEFINITIONS.—In this section:

''(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

''(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

''(2) DEFENSE AUTHORIZATION ACT.—The term 'defense authorization Act' means an Act that authorizes appropriations for one or more fiscal years for military activities of the Department of Defense, including authorizations of appropriations for the activities described in paragraph (7) of section 114(a) of this title.''.

SEC. 1209. DEFENSE ENVIRONMENTAL INTERNATIONAL COOPERATION PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Defense, in coordination with the commanders of the geographic combatant commands, shall establish a program, to be known as the ''Defense Environmental International Cooperation Program'', to support engagement with partner countries on defense-related environmental and operational energy issues in support of the theater campaign plans of the geographic combatant commands.

(b) OBJECTIVES.—The Defense Environmental International Cooperation Program shall be carried out to achieve the following objectives:

(1) To build military-to-military relationships in support of the Department of Defense's efforts to engage in long-term strategic competition.

(2) To sustain the mission capability and forward posture of the United States Armed Forces.

(3) To enhance the capability, capacity, and resilience of the military forces of partner countries.

(c) FUNDING.—Of amounts authorized to be appropriated for a fiscal year for the Department and available for operation and maintenance, the Secretary may make available $10,000,000 for purposes of supporting the Defense Environmental International Cooperation Program, consistent with the priorities of the commanders of the geographic combatant commands.

(d) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than March 1 each year, the Secretary shall submit to the congressional defense committees a report on obligations and expenditures made to carry out the Defense Environmental International Cooperation Program during the preceding fiscal year.

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

(A) An accounting of each obligation and expenditure made to carry out the Defense Environmental International Cooperation Program, by partner country and military force.

(B) An explanation of the manner in which each such obligation or expenditure supports the objectives described in subsection (b).

(C) Any other matter the Secretary considers relevant.

SEC. 1210. SECURITY COOPERATION PROGRAMS WITH FOREIGN PARTNERS TO ADVANCE WOMEN, PEACE, AND SECURITY.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, may, in fiscal years 2023 through 2025, conduct or support security cooperation programs and activities involving the national military or national-level security forces of a foreign country or other covered personnel to advise, train, and educate such forces or such other covered personnel with respect to—

(1) the recruitment, employment, development, retention, promotion, and meaningful participation in decisionmaking of women;

(2) sexual harassment, sexual assault, domestic abuse, and other forms of violence that disproportionately impact women;

(3) the requirements of women, including providing appropriate equipment and facilities; and

(4) the implementation of activities described in this subsection, including the integration of such activities into security-sector policy, planning, exercises, and trainings, as appropriate.

(b) ANNUAL REPORT.—Not later than 90 days after the end of each of fiscal years 2023, 2024, and 2025, the Secretary of Defense shall submit to the congressional defense committees a report detailing the assistance provided under this section and the recipients of such assistance.

(c) OTHER COVERED PERSONNEL DEFINED.—In this section, the term ''other covered personnel'' means personnel of—

(1) the ministry of defense, or a governmental entity with a similar function, of a foreign country; or

(2) a regional organization with a security mission.

SEC. 1211. REVIEW OF IMPLEMENTATION OF PROHIBITION ON USE OF FUNDS FOR ASSISTANCE TO UNITS OF FOREIGN SECURITY FORCES THAT HAVE COMMITTED A GROSS VIOLATION OF HUMAN RIGHTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the promotion of human rights is a critical element of Department of Defense security cooperation programs and activities that advance United States national security interests and values.

(b) REVIEW.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the commanders of the geographic combatant commands, shall initiate a review of the policies, guidance, and processes for Department of Defense-wide implementation of section 362 of title 10, United States Code.

(2) ELEMENTS.—The review required by paragraph (1) shall include an assessment of the following:

(A) The standards and procedures by which the Secretary, before making a decision to provide assistance to a unit of a foreign security force under section 362 of title 10, United States Code, gives full consideration to credible information that the unit has committed a gross violation of human rights, including credible information available to the Department of State relating to human rights violations by such unit.

(B) The roles and responsibilities of Department of Defense components in implementing such section, including the Under Secretary of Defense for Policy, the Deputy Assistant Secretary of Defense for Global Partnerships, the geographic combatant commands, and the Office of the General Counsel, and whether such components are adequately funded to carry out their respective roles and responsibilities.

(C) The standards and procedures by which the Secretary implements the exception under subsection (b) of such section based on a determination that all necessary corrective steps have been taken.

(D) The standards and procedures by which the Secretary exercises the waiver authority under subsection (c) of such section based on a determination that a waiver is required by extraordinary circumstances.

(E) The policies, standards, and processes for the remediation of units of foreign security forces described in such section and resumption of assistance consistent with such section, and the effectiveness of such remediation process.

(F) The process by which the Secretary determines whether a unit of a foreign security force designated to receive training, equipment, or other assistance under such section is new or fundamentally different from its predecessor for which there was determined to be credible information that the unit had committed a gross violation of human rights.

(c) REPORTS.—

(1) FINDINGS OF REVIEW.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the findings of the review conducted under subsection (b) that includes any recommendations or corrective actions necessary with respect to the policies, guidance, and processes for Department of Defense-wide implementation of section 362 of title 10, United States Code.

(2) REMEDIATION PROCESS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter through fiscal year 2025, the Secretary shall submit to the appropriate committees of Congress a report on the remediation process under section 362 of title 10, United States Code, and resumption of assistance consistent with such section.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include the following:

(i) An identification of the units of foreign security forces that currently have been determined under section 362 of title 10, United States Code, to be ineligible to receive Department of Defense training, equipment, or other assistance.

(ii) With respect to each unit identified under clause (i), the date on which such determination was made.

(iii) The number of requests submitted by geographic combatant commands for review by a remediation review panel with respect to resumption of assistance to a unit of a foreign security force that has been denied assistance under such section, disaggregated by geographic combatant command.

(iv) For the preceding reporting period, the number of —

(I) remediation review panels convened; and

(II) cases resolved.

(C) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this paragraph, the term ''appropriate committees of Congress'' means—

(i) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(ii) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1212. INDEPENDENT ASSESSMENT OF UNITED STATES EFFORTS TO TRAIN, ADVISE, ASSIST, AND EQUIP THE MILITARY FORCES OF SOMALIA.

(a) IN GENERAL.—The Secretary of Defense shall provide for an independent assessment of Department of Defense efforts to train, advise, assist, and equip the military forces of Somalia.

(b) CONDUCT OF ASSESSMENT.—To conduct the assessment required by subsection (a), the Secretary shall select—

(1) a federally funded research and development center; or

(2) an independent, nongovernmental institute described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code that has recognized credentials and expertise in national security and military affairs appropriate for the assessment.

(c) ELEMENTS.—The assessment required by subsection (a) shall include an assessment of the following:

(1) The evolution of United States approaches to training, advising, assisting, and equipping the military forces of Somalia.

(2) The extent to which—

(A) the Department has an established plan, with objectives and milestones, for the effort to train, advise, assist, and equip such forces;

(B) advisory efforts are meeting objectives, including whether and the manner in which—

(i) advisors track the operational effectiveness of such forces; and

(ii) any such data informs future training and advisory efforts;

(C) the Department sufficiently engages, collaborates, and deconflicts with—

(i) other Federal departments and agencies that conduct assistance and advisory engagements with such forces; and

(ii) international and multilateral entities that conduct assistance and advisory engagements with such forces; and

(D) the Department has established and enforced a policy, processes, and procedures for accountability relating to equipment provided by the United States to such forces.

(3) Factors that have hindered, or may in the future hinder, the development of professional, sustainable, and capable such forces.

(4) With respect to the effort to train, advise, assist, and equip such forces, the extent to which the December 2020 decision to reduce and reposition outside Somalia the majority of the members of the United States Armed Forces assigned to carry out the effort has impacted the effectiveness of the effort.

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the entity selected to conduct the assessment required by subsection (a) shall submit to the Secretary and the congressional defense committees a report containing the findings of the assessment.

(e) FUNDING.—Of the amounts authorized to be appropriated for fiscal year 2023 and available for operation and maintenance for Defense-wide activities, up to $1,000,000 shall be made available for the assessment required by subsection (a).

SEC. 1213. ASSESSMENT AND REPORT ON ADEQUACY OF AUTHORITIES TO PROVIDE ASSISTANCE TO MILITARY AND SECURITY FORCES IN AREA OF RESPONSIBILITY OF UNITED STATES AFRICA COMMAND.

(a) ASSESSMENT.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Commander of the United States Africa Command, shall conduct an assessment of the adequacy of authorities available to the Secretary for the purpose of providing support, including training, equipment, supplies and services, facility and infrastructure repair and renovation, and sustainment, to military and other security forces of governments in the area of responsibility of the United States Africa Command that are actively engaged in defending their territory and people from the threat posed by ISIS and al-Qaeda.

(2) ELEMENT.—The assessment required by paragraph (1) shall identify any gaps in existing authorities and associated resourcing that would inhibit the ability of the Secretary to support the United States Africa Command theater campaign plan objectives.

(b) REPORT.—Not later than December 31, 2022, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the findings of the assessment required by subsection (a).

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

SEC. 1221. EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO VETTED SYRIAN GROUPS AND INDIVIDUALS.

(a) EXTENSION.—Subsection (a) of section 1209 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541) is amended, in the matter preceding paragraph (1), by striking ''December 31, 2022'' and inserting ''December 31, 2023''.

(b) LIMITATION ON COST OF CONSTRUCTION AND REPAIR PROJECTS.—Subsection (l)(3)(D) of such section is amended by striking ''December 31, 2022'' and inserting ''December 31, 2023''.

SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) LIMITATION ON AMOUNT.—Subsection (c) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 113 note)) is amended—

(1) by striking ''fiscal year 2022'' and inserting ''fiscal year 2023''; and

(2) by striking ''$25,000,000'' and inserting ''$20,000,000''.

(b) SOURCE OF FUNDS.—Subsection (d) of such section is amended by striking ''fiscal year 2022'' and inserting ''fiscal year 2023''.

SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND SYRIA.

(a) IN GENERAL.—Subsection (a) of section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3558) is amended, in the matter preceding paragraph (1), by striking ''December 31, 2022'' and inserting ''December 31, 2023''.

(b) FUNDING.—Subsection (g) of such section is amended—

(1) by striking ''fiscal year 2022'' and inserting ''fiscal year 2023''; and

(2) by striking ''$345,000,000'' and inserting ''$358,000,000''.

(c) LIMITATION ON COST OF CONSTRUCTION AND REPAIR PROJECTS.—Subsection (o)(5) of

such section is amended by striking ''December 31, 2022'' and inserting ''December 31, 2023''.

SEC. 1224. ASSESSMENT OF SUPPORT TO IRAQI SECURITY FORCES AND KURDISH PESHMERGA FORCES TO COUNTER AIR AND MISSILE THREATS.

(a) IN GENERAL.—Not later than April 1, 2023, the Secretary of Defense shall submit to the congressional defense committees a report on support to Iraqi Security Forces and Kurdish Peshmerga Forces to counter air and missile threats.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) An assessment of the threat from missiles, rockets, and unmanned aerial systems (UAS) to United States and coalition armed forces located in Iraq, including the Iraqi Kurdistan Region.

(2) An assessment of the current state of air defense capabilities of United States and coalition armed forces located in Iraq, including the Iraqi Kurdistan Region.

(3) Identification of perceived gaps in air defense capabilities of United States and coalition armed forces and the implications for the security of such forces in Iraq, including the Iraqi Kurdistan Region.

(4) Recommendations for training or equipment needed to overcome the assessed air defense deficiencies of United States and coalition armed forces in Iraq, including the Iraqi Kurdistan Region.

(5) An assessment of the current state of the air defense capabilities of partner armed forces in Iraq, including the Iraqi Security Forces and Kurdish Peshmerga Forces.

(6) An assessment of the perceived gaps in air defense capabilities of partner armed forces in Iraq, including the Iraqi Security Forces and Kurdish Peshmerga Forces.

(7) An assessment of recommended training and equipment and available level of equipment to maximize air defense capabilities of partner armed forces in Iraq, including the Iraqi Security Forces and Kurdish Peshmerga Forces.

(8) Such other matters as the Secretary considers appropriate.

SEC. 1225. UPDATES TO ANNUAL REPORT ON MILITARY POWER OF IRAN.

(a) IN GENERAL.—Section 1245(b)(3) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) is amended—

(1) in subparagraph (B), by striking ''and the Special Groups in Iraq,'' and inserting ''Houthis, and the Special Groups in Iraq, including Kata'ib Hezbollah and Asa'ib Ahl al-Haq,'';

(2) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively;

(3) by inserting after subparagraph (B) the following:

''(C) the threat from Special Groups in Iraq, including Kata'ib Hezbollah and Asa'ib Ahl al-Haq, to United States and coalition forces located in Iraq and Syria.''; and

(4) in subparagraph (D), as redesignated, by striking ''and'' at the end;

(5) in subparagraph (E), as redesignated, by striking the period at the end and inserting ''; and''; and

(6) by adding at the end the following:

''(F) all formal or informal agreements involving a strategic military or security partnership with the Russian Federation, the People's Republic of China, or any proxies of either such country.''.

Subtitle C—Matters Relating to Europe and the Russian Federation

SEC. 1231. MODIFICATION OF LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

Section 1232 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2488) is amended—

(1) in subsection (a), in the matter preceding paragraph (1)—

(A) by striking ''for fiscal year 2017, 2018, 2019, 2020, 2021, or 2022'' and inserting ''for any fiscal year''; and

(B) by striking ''in the fiscal year concerned''; and

(2) in subsection (c), in the matter preceding paragraph (1), by striking ''with respect to funds for a fiscal year''.

SEC. 1232. EXTENSION OF PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.

Section 1234(a) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1974) is amended by striking ''None of the funds'' and all that follows through ''2022'' and inserting ''None of the funds authorized to be appropriated for fiscal year 2022 or 2023''.

SEC. 1233. EXTENSION AND MODIFICATION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Subsection (a) of section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1608) is amended to read as follows:

''(a) AUTHORITY TO PROVIDE ASSISTANCE.—

''(1) IN GENERAL.—Amounts available for a fiscal year under subsection (f) shall be available to the Secretary of Defense, with the concurrence of the Secretary of State, to provide, for the purposes described in paragraph (2), appropriate security assistance and intelligence support, including training, equipment, logistics support, supplies and services, salaries and stipends, and sustainment to—

''(A) the military and national security forces of Ukraine; and

''(B) other forces or groups recognized by, and under the authority of, the Government of Ukraine, including governmental entities within Ukraine, that are engaged in resisting Russian aggression.

''(2) PURPOSES DESCRIBED.—The purposes described in this paragraph are as follows:

''(A) To enhance the capabilities of the military and other security forces of the Government of Ukraine to defend against further aggression.

''(B) To assist Ukraine in developing the combat capability to defend its sovereignty and territorial integrity.

''(C) To replace, from the inventory of the United States, weapons and articles provided to the Government of Ukraine.

''(D) To recover or dispose of equipment procured using funds made available under this section.''.

(b) UNITED STATES INVENTORY AND OTHER SOURCES.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

''(3) ACCEPTANCE OF RETURNED EQUIPMENT.—

''(A) IN GENERAL.—The Secretary of Defense may accept equipment procured under the authority of this section that was transferred to the military or national security forces of Ukraine or to other assisted entities and has been returned by such forces to the United States.

''(B) TREATMENT AS STOCKS OF THE DEPARTMENT.—Equipment procured under the authority of this section that has not been transferred to the military or national security forces of Ukraine or to other assisted entities, or that has been returned by such forces or other assisted entities to the United States, may, upon written notification by the Secretary of Defense to the congressional defense committees, be treated as stocks of the Department.''.

(c) FUNDING.—Subsection (f) of such section is amended by adding at the end the following new paragraph:

''(8) For fiscal year 2023, $800,000,000.''.

(d) NOTICE TO CONGRESS; REPORTS.—Such section is further amended—

(1) by striking the second subsection (g);

(2) by redesignating the first subsection (g) (as added by section 1237(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2496)) and subsection (h) as subsections (i) and (j), respectively; and

(3) by inserting after subsection (f) the following new subsections (g) and (h):

''(g) NOTICE TO CONGRESS.—

''(1) IN GENERAL.—Not less than 15 days before providing assistance or support under this section (or if the Secretary of Defense determines, on a case-by-case basis, that extraordinary circumstances exist that impact the national security of the United States, as far in advance as is practicable), the Secretary of Defense shall submit to the congressional defense committees a written notification of the details of such assistance or support.

''(2) SUPPORT TO OTHER FORCES OR GROUPS.—Not less than 15 days before providing assistance or support under this section to other forces or groups described in subsection (a)(1)(B) (or if the Secretary of Defense determines, on a case-by-case basis, that extraordinary circumstances exist that impact the national security of the United States, as far in advance as is practicable but not later than 48 hours in advance) the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a written notification detailing the intended recipient forces or groups, the command and control relationship that each such entity has with the Government of Ukraine, and the assistance or support to be provided.

''(h) QUARTERLY REPORTS.—Not less frequently than quarterly, the Secretary of Defense shall submit to the congressional defense committees a report on the use of the authority under this section.''.

(e) TERMINATION OF AUTHORITY.—Subsection (i) of such subsection, as redesignated, is amended by striking ''December 31, 2024'' and inserting ''December 31, 2025''.

SEC. 1234. NORTH ATLANTIC TREATY ORGANIZATION SPECIAL OPERATIONS HEADQUARTERS.

(a) IN GENERAL.—Subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following new section 2350r:

''§ 2350r. North Atlantic Treaty Organization Special Operations Headquarters

''(a) AUTHORIZATION.—Of the amounts authorized to be appropriated for each fiscal year for operation and maintenance for the Army, to be derived from amounts made available for support of North Atlantic Treaty Organization (referred to in this section as 'NATO') operations, the Secretary of Defense is authorized to use up to $50,000,000 for each such fiscal year for the purposes set forth in subsection (b).

''(b) PURPOSES.—The Secretary shall provide funds for the NATO Special Operations Headquarters—

''(1) to improve coordination and cooperation between the special operations forces of NATO nations and nations approved by the North Atlantic Council as NATO partner nations;

''(2) to facilitate joint operations by the special operations forces of NATO nations and such NATO partner nations;

''(3) to support special operations forces peculiar command, control, and communications capabilities;

''(4) to promote special operations forces intelligence and informational requirements within the NATO structure; and

''(5) to promote interoperability through the development of common equipment standards, tactics, techniques, and procedures, and through execution of a multinational education and training program.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following new item:

''2350r. North Atlantic Treaty Organization Special Operations Headquarters.

(c) REPEAL.—Section 1244 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2541) is repealed.

SEC. 1235. REPORT ON UNITED STATES MILITARY FORCE POSTURE AND RESOURCING REQUIREMENTS IN EUROPE.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing an assessment of the United States military force posture requirements for the United States European Command to support the following objectives:

(1) Implementation of the National Defense Strategy with respect to the area of responsibility of the United States European Command.

(2) Fulfillment of the commitments of the United States to NATO operations, missions, and activities, as modified and agreed upon at the 2022 Madrid Summit.

(3) Reduction of the risk of executing the contingency plans of the Department of Defense.

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

(1) For each military service and warfighting domain, a description of the force structure and posture of assigned and allocated forces in Europe, including consideration of the balance of permanently stationed forces and forces rotating from the United States, to support the objectives described in subsection (a).

(2) An assessment of the military training and all domain exercises to support such objectives, including—

(A) training and exercises on interoperability; and

(B) joint activities with allies and partners.

(3) An assessment of logistics requirements, including personnel, equipment, supplies, pre-positioned storage, host country support and agreements, and maintenance needs, to support such objectives.

(4) An identification of required infrastructure, facilities, and military construction investments to support such objectives.

(5) A description of the requirements for United States European Command integrated air and missile defense throughout the area of responsibility of the United States European Command.

(6) An assessment of United States security cooperation activities and resources required to support such objectives.

(7) A detailed assessment of the resources necessary to address the elements described in paragraphs (1) through (6), categorized by the budget accounts for—

(A) procurement;

(B) research, development, test, and evaluation;

(C) operation and maintenance;

(D) military personnel; and

(E) military construction.

(8) The projected timeline to achieve fulfillment of each such element.

(9) Any other information the Secretary considers relevant.

(c) FORM.—The report required by subsection (a) may be submitted in classified form but shall include an unclassified summary.

SEC. 1236. SENSE OF THE SENATE AND REPORT ON CIVILIAN HARM.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the members of the Armed Forces of the United States—

(A) uphold the highest standards of professionalism during the conduct of effective, efficient, and decisive military operations around the world in defense of the people of the United States; and

(B) go to great lengths to minimize civilian harm during the conduct of military operations; and

(2) the Russian Federation has demonstrated a complete disregard for the safety of civilians during its unlawful and unprovoked invasion of Ukraine, which has involved indiscriminate bombing of civilian areas and executions of noncombatants.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report detailing the atrocities committed by the Russian Federation against civilians in Ukraine since February 24, 2022.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form.

SEC. 1237. SENSE OF THE SENATE ON THE NORTH ATLANTIC TREATY ORGANIZATION.

It is the sense of the Senate that—

(1) the success of the North Atlantic Treaty Organization (NATO) is critical to advancing United States national security objectives in Europe and around the world;

(2) NATO remains the strongest and most successful military alliance in the world, founded on a commitment by its members to uphold the principles of democracy, individual liberty, and the rule of law;

(3) the contributions of NATO to the collective defense are indispensable to the security, prosperity, and freedom of its members;

(4) the United States reaffirms its ironclad commitment—

(A) to NATO as the foundation of transatlantic security; and

(B) to upholding the obligations of the United States under the North Atlantic Treaty, done at Washington, DC, April 4, 1949, including Article 5 of the Treaty;

(5) the 2022 National Defense Strategy correctly highlights the criticality of alliances and partnerships, stating that ''[m]utually-beneficial alliances and partnerships are an enduring strength for the United States, and are critical to achieving our objectives, as the unified response to Russia's further invasion of Ukraine has demonstrated'';

(6) the Russian Federation's premeditated and unprovoked invasion of Ukraine poses the most direct threat to security and stability in Europe since the end of World War II and requires the full attention of the NATO alliance;

(7) the unprovoked and illegal war conducted by the Russian Federation against Ukraine has fundamentally altered the concept of transatlantic security and requires—

(A) a reinvigorated commitment to the shared principles of the NATO alliance; and

(B) a commensurate response to deter further revanchism by the Russian Federation in the Euro-Atlantic region;

(8) as NATO refocuses its deterrence and defense posture to respond to the Russian Federation's escalatory actions, allies must simultaneously address threats posed across all domains and all areas of the Euro-Atlantic region, including—

(A) threats posed by predatory investments and influence operations carried out by the People's Republic of China;

(B) border disruptions emanating from Belarus; and

(C) the persistent threat of violent extremist organizations;

(9) to respond to aggression by the Russian Federation and address other threats, the NATO alliance should—

(A) assess opportunities to further bolster the NATO enhanced Forward Presence and enhanced Vigilance Activity battlegroups;

(B) focus efforts on burden sharing agreements made in the Wales Pledge, capability targets, contributions to NATO missions and operations, and resilience commitments;

(C) consider force posture adjustments to address emerging security concerns highlighted by the Russian Federation's invasion of Ukraine;

(D) explore additional opportunities to strengthen cooperation with non-NATO countries to counter malign activities carried out by the Russian Federation;

(E) continue efforts to identify, coordinate, and deliver humanitarian aid and security assistance to Ukraine;

(F) intensify efforts to work with NATO allies to establish and enhance rapid and assured movement of military forces throughout the North Atlantic region and across the continent of Europe on land, on and under the sea, and in the air, including through increased investment, coordination, and standardization intended to identify and reduce obstacles to the movement of United States and allied military forces in a time of crisis or conflict;

(G) reaffirm the open-door policy of NATO to allow any European country to apply for membership and be considered on its merits for admission, including—

(i) aspirants such as Ukraine, Georgia, and Bosnia and Herzegovina; and

(ii) Finland and Sweden, which in the wake of the Russian Federation's invasion of Ukraine, have sought NATO membership to further bolster their own security and the security of the Euro-Atlantic region; and

(H) continue efforts to evaluate whether the NATO alliance is sufficiently funded and resourced to carry out its objectives;

(10) the United States and fellow NATO allies should continue long-term efforts—

(A) to improve interoperability among the military forces of NATO allies and non-NATO allies so as to enhance effective and efficient collective operations, including by the divestment of Soviet-era platforms;

(B) to strive for continued progress on key initiatives set forth in recent NATO summits, including readiness, military mobility, multi-domain operations, and resilience;

(C) to enhance security sector cooperation and explore opportunities to reinforce civil sector preparedness and resilience measures, which may be likely targets of malign influence and hybrid campaigns;

(D) to mitigate the impact of hybrid warfare operations, particularly such operations in the information and cyber domains;

(E) to expand joint research and development initiatives, with a focus on emerging technologies such as quantum computing, artificial intelligence, and machine learning;

(F) to enhance interoperability, build institutional capacity, and strengthen the collective ability of NATO allies to resist malign influence from the Russian Federation and the People's Republic of China; and

(G) to coordinate and de-conflict security efforts and the dedication of resources with the European Union—

(i) to ensure the fulfilment of European Union and NATO common interests and objectives; and

(ii) to minimize unnecessary overlaps;

(11) the European Deterrence Initiative remains critically important, including for purposes of strengthening allied and partner capability and power projection along the eastern flank of NATO, and has demonstrated its unique value during the current Russian Federation attack on Ukraine;

(12) NATO should maintain cooperation on COVID–19 pandemic response efforts and expand cooperation for future pandemic and disaster preparedness;

(13) the policy of the United States should be to work with NATO and other allies and partners to build permanent mechanisms to strengthen supply chains, enhance supply chain security, fill supply chain gaps, and maintain commitments made at the June 2020 NATO Defense Ministerial, particularly with respect to pandemic response preparations;

(14) the United States and NATO should expand cooperation efforts on cybersecurity issues to prevent adversaries and criminals from compromising critical systems and infrastructure; and

(15) the adoption by NATO of a robust strategy toward the Black Sea is in the interest of the United States, and the United States should consider collaborating with interested allies and partner countries to advance a coordinated strategy that includes diverse elements of the transatlantic security architecture.

SEC. 1238. SENSE OF THE SENATE ON UKRAINE.

It is the sense of the Senate that—

(1) the United States stands with the people of Ukraine as they defend their freedom and sovereignty and the pursuit of further Euro-Atlantic integration;

(2) the Russian Federation's premeditated and unprovoked invasion of Ukraine—

(A) willfully violates the territorial sovereignty of Ukraine and the democratic aspirations of the people of Ukraine; and

(B) presents the gravest threat to transatlantic security since World War II;

(3) the Russian Federation continues to commit heinous acts against Ukrainian civilians and members of the military forces of Ukraine;

(4) the Russian Federation has no right or authority to veto Ukraine's pursuit of membership in the North Atlantic Treaty Organization (NATO), or the determination of any country to make its own decision to pursue such membership in accordance with NATO's open door policy;

(5) the United States, fellow NATO allies and partners, and the international community have—

(A) rallied support and coordinated assistance for Ukraine;

(B) bolstered NATO presence and engagement along NATO's eastern flank; and

(C) imposed a severe and far-reaching set of economic measures to respond to the Russia Federation's violation of the sovereignty and territorial integrity of Ukraine; and

(6) the United States should—

(A) continue to work closely with NATO allies and non-NATO allies and partners to support the ability of Ukraine to repel and rebuild from the Russian Federation's invasion, including by—

(i) continuing to provide the Government of Ukraine with targeted security, intelligence, and humanitarian assistance to strengthen the defenses of Ukraine and mitigate suffering wrought by the Russian Federation's brutality, consistent with the security interests of the United States;

(ii) coordinating sanctions, export restrictions, and other economic penalties against the Russian Federation and any country that enables the Russian Federation's invasion of Ukraine; and

(iii) supporting efforts to enhance the cybersecurity capabilities of Ukraine;

(B) consider whether further adjustments to United States strategy or military force posture within the area of responsibility of the United States European Command are necessitated by the upheaval of the security environment caused by the Russian Federation;

(C) explore opportunities to further strengthen partnerships with non-NATO partners in Europe;

(D) continue to support—

(i) efforts to counter disinformation; and

(ii) free media sources such as Voice of America and Radio Free Europe/Radio Liberty; and

(E) support energy diversification efforts across the Euro-Atlantic region to reduce the dependency on energy from the Russian Federation.

Subtitle D—Matters Relating to the Indo-Pacific Region

SEC. 1241. EXTENSION AND MODIFICATION OF PACIFIC DETERRENCE INITIATIVE.

(a) EXTENSION.—Subsection (c) of section 1251 of the National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note) is amended—

(1) by striking ''the National Defense Authorization Act for Fiscal Year 2022'' and inserting ''the National Defense Authorization Act for Fiscal Year 2023''; and

(2) by striking ''fiscal year 2022'' and inserting ''fiscal year 2023''.

(b) REPORT ON RESOURCING UNITED STATES DEFENSE REQUIREMENTS FOR THE INDO-PACIFIC REGION AND STUDY ON COMPETITIVE STRATEGIES.—Subsection (d)(1) of such section is amended—

(1) in subparagraph (A), by striking ''fiscal years 2023 and 2024'' and inserting ''fiscal years 2024 and 2025''; and

(2) in subparagraph (B)—

(A) in clause (vi)(I)(aa)—

(i) in subitem (AA), by striking ''to modernize and strengthen the'' and inserting ''to improve the posture and''; and

(ii) in subitem (FF)—

(I) by striking ''to improve'' and inserting ''to modernize and improve'';

(II) by striking the semicolon and inserting ''; and''; and

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

''(vii) A budget display that compares the independent assessment of the Commander of the United States Pacific Command with the amounts contained in the budget display for the applicable fiscal year under subsection (f).''.

SEC. 1242. EXTENSION OF AUTHORITY TO TRANSFER FUNDS FOR BIEN HOA DIOXIN CLEANUP.

Section 1253(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3955) is amended by striking ''fiscal year 2022'' and inserting ''fiscal year 2023''.

SEC. 1243. MODIFICATION OF INDO-PACIFIC MARITIME SECURITY INITIATIVE TO AUTHORIZE USE OF FUNDS FOR THE COAST GUARD.

Section 1263 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 333 note) is amended by striking subsection (f) and inserting the following new subsection (f):

''(f) AVAILABILITY OF FUNDS FOR COAST GUARD PERSONNEL AND CAPABILITIES.—The Secretary of Defense may use funds made available under this section to facilitate the participation of Coast Guard personnel in, and the use of Coast Guard capabilities for, trainings, exercises, and other activities with foreign partners under this section.''.

SEC. 1244. DEFENSE OF TAIWAN.

(a) DEFINITIONS.—In this section:

(1) DENY.—The term ''deny'' means to use combined joint operations to delay, degrade, and ultimately defeat an attempt by the People's Republic of China to execute a fait accompli against Taiwan, resulting in—

(A) the termination of hostilities or at least the attempted fait accompli; or

(B) the neutralization of the ability of the People's Republic of China to execute a fait accompli against Taiwan.

(2) FAIT ACCOMPLI.—The term ''fait accompli'' refers to the strategy of the People's Republic of China for invading and seizing control of Taiwan before the United States Armed Forces can respond effectively, while simultaneously deterring an effective combined joint response by the United States Armed Forces by convincing the United States that mounting such a response would be prohibitively difficult or costly.

(b) STATEMENT OF POLICY.—Consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), it shall be the policy of the United States to maintain the ability of the United States Armed Forces to deny a fait accompli against Taiwan in order to deter the People's Republic of China from using military force to unilaterally change the status quo with Taiwan.

SEC. 1245. MULTI-YEAR PLAN TO FULFILL DEFENSIVE REQUIREMENTS OF MILITARY FORCES OF TAIWAN AND MODIFICATION OF ANNUAL REPORT ON TAIWAN ASYMMETRIC CAPABILITIES AND INTELLIGENCE SUPPORT.

(a) MULTI-YEAR PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State and the American Institute in Taiwan, shall seek to engage with appropriate officials of Taiwan to develop and implement a multi-year plan to provide for the acquisition of appropriate defensive capabilities by Taiwan and to engage with Taiwan in a series of combined trainings, exercises, and planning activities, consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.).

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

(1) An identification of the defensive capability gaps and capacity shortfalls of Taiwan.

(2) An assessment of the relative priority assigned by appropriate officials of Taiwan to address such capability gaps and capacity shortfalls.

(3) An explanation of the annual resources committed by Taiwan to address such capability gaps and capacity shortfalls.

(4) An assessment of—

(A) the defensive capability gaps and capacity shortfalls that could be addressed in a sufficient and timely manner by unilateral efforts of Taiwan; and

(B) the defensive capability gaps and capacity shortfalls that are unlikely to be addressed in a sufficient and timely manner solely through unilateral efforts.

(5) An assessment of the capability gaps and capacity shortfalls described in paragraph (4)(B) that could be addressed in a sufficient and timely manner by—

(A) Department of Defense security assistance authorized by chapter 16 of title 10, United States Code;

(B) the Foreign Military Financing and Foreign Military Sales programs of the Department of State;

(C) the provision of excess defense articles pursuant to the requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(D) section 614(a)(1) of the Foreign Assistance Act of 1961; or

(E) any other authority available to the Secretary of Defense or the Secretary of State.

(6) An identification of opportunities to build interoperability, combined readiness, joint planning capability, and share situational awareness among the United States, Taiwan, and other foreign partners and allies, as appropriate, through combined trainings, exercises, and planning activities, including—

(A) table-top exercises and wargames that allow operational commands to improve joint and combined war planning for contingencies involving a well-equipped adversary in a counter-intervention campaign;

(B) joint and combined exercises that test the feasibility of counter-intervention strategies, develop interoperability across services, and develop the lethality and survivability of combined forces against a well-equipped adversary;

(C) logistics exercises that test the feasibility of expeditionary logistics in an extended campaign with a well-equipped adversary;

(D) service-to-service exercise programs that build functional mission skills for addressing challenges posed by a well-equipped adversary in a counter-intervention campaign; and

(E) any other combined training, exercise, or planning activity with the military forces of Taiwan that the Secretary of Defense considers relevant.

(c) MODIFICATION OF ANNUAL REPORT.—Section 1248 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1988) is amended—

(1) in subsection (a)—

(A) by striking paragraph (7);

(B) by redesignating paragraph (6) as paragraph (7);

(C) by inserting after paragraph (5) the following new paragraph (6):

''(6) With respect to capabilities and capacities the Secretary of Defense assesses to be most effective in deterring, defeating, or delaying military aggression by the People's Republic of China, a prioritized list of capability gaps and capacity shortfalls of the military forces of Taiwan, including—

''(A) an identification of—

''(i) any United States, Taiwan, or ally or partner country defense production timeline challenge related to potential materiel solutions to such capability gaps;

''(ii) the associated investment costs of enabling expanded production for items currently at maximum production;

''(iii) the associated investment costs of, or mitigation strategies for, enabling export for items currently not exportable; and

''(iv) existing stocks of such capabilities in the United States and ally and partner countries;

''(B) the feasibility and advisability of procuring solutions to such gaps and shortfalls through United States allies and partners, including through co-development or co-production;

''(C) the feasibility and advisability of assisting Taiwan in the domestic production of solutions to capability gaps, including through—

''(i) the transfer of intellectual property; and

''(ii) co-development or co-production arrangements;

''(D) the estimated costs, expressed in a range of options, of procuring sufficient capabilities and capacities to address such gaps and shortfalls;

''(E) an assessment of the relative priority assigned by appropriate officials of Taiwan to each such gap and shortfall; and

''(F) a detailed explanation of the extent to which Taiwan is prioritizing the development, production, or fielding of solutions to such gaps and shortfalls within its overall defense budget.'';

(D) by redesignating paragraph (11) as paragraph (15); and

(E) by inserting after paragraph (10) the following new paragraphs:

''(11) An assessment of the implications of current levels of pre-positioned war reserve materiel on the ability of the United States to respond to a crisis or conflict involving Taiwan with respect to—

''(A) providing military or non-military aid to the Government of Taiwan; and

''(B) sustaining military installations and other infrastructure of the United States in the Indo-Pacific region.

''(12) An evaluation of the feasibility and advisability of establishing war reserve stockpiles for allies and pre-positioned facilities in Taiwan.

''(13) An assessment of the current intelligence, surveillance, and reconnaissance capabilities of Taiwan, including any existing gaps in such capabilities and investments in such capabilities by Taiwan since the preceding report.

''(14) A summary of changes to pre-positioned war reserve materiel of the United States in the Indo-Pacific region since the preceding report.'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''PLAN'' and inserting ''PLANS'';

(B) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and moving such subparagraphs 2 ems to the right;

(C) in the matter preceding subparagraph (A), as so redesignated, by striking ''The Secretary'' and inserting the following:

''(1) ASSISTANCE TO IMPROVE TAIWAN'S DEFENSIVE ASYMMETRIC CAPABILITIES.—The Secretary''; and

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

''(2) EXPEDITED MILITARY ASSISTANCE.—

''(A) IN GENERAL.—The Secretary of Defense, in coordination with the heads of other relevant Federal departments and agencies, shall develop options for the United States to use, to the maximum extent practicable, existing authorities or programs to expedite military assistance to Taiwan in the event of a crisis or conflict.

''(B) ELEMENTS.—The plan required by subparagraph (A) shall include the following:

''(i) A list of defense articles of the United States that may be transferred to Taiwan during a crisis or conflict.

''(ii) A list of authorities that may be used to provide expedited military assistance to Taiwan during a crisis or conflict.

''(iii) An assessment of methods that could be used to deliver such assistance to Taiwan during a crisis or conflict, including—

''(I) the feasibility of employing such methods in different scenarios; and

''(II) recommendations for improving the ability of the Armed Forces to deliver such assistance to Taiwan.

''(iv) An assessment of any challenges in providing such assistance to Taiwan in the event of a crisis or conflict and recommendations for addressing such challenges.'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(B) by amending paragraph (2) to read as follows:

''(2) the plans required by subsection (b), and any updates to such plans, as determined by the Secretary of Defense; and''; and

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

''(3) a report on—

''(A) the status of efforts to develop and implement a joint multi-year plan to provide for the acquisition of appropriate defensive capabilities by Taiwan and to engage with Taiwan in a series of combined trainings, exercises, and planning activities consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.); and

''(B) any other matter the Secretary considers necessary.''; and

(4) in subsection (d), by striking ''report'' and inserting ''reports''.

SEC. 1246. ENHANCING MAJOR DEFENSE PARTNERSHIP WITH INDIA.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall direct appropriate personnel within the Department of Defense to seek to engage their counterparts within the Ministry of Defence of India for the purpose of expanding cooperation on emerging technologies, readiness, and logistics.

(b) TOPICS.—At a minimum, the personnel described in subsection (a) shall seek to engage their counterparts in the Ministry of Defense of India on the following topics:

(1) Intelligence collection capabilities.

(2) Unmanned aerial vehicles.

(3) Fourth and fifth generation aircraft.

(4) Depot-level maintenance.

(5) Joint research and development.

(6) 5G and Open Radio Access Network technologies.

(7) Cyber.

(8) Cold-weather capabilities.

(9) Any other matter the Secretary considers relevant.

(c) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide a briefing to the appropriate committees of Congress that includes—

(1) an assessment of the feasibility and advisability of expanding cooperation with the Ministry of Defence of India on the topics described in subsection (b);

(2) a description of other opportunities to expand cooperation with the Ministry of Defence of India on topics other than the topics described in such subsection;

(3) a description of any challenges, including agreements, authorities, and resourcing, that need to be addressed so as to expand cooperation with the Ministry of Defence of India on the topics described in such subsection;

(4) an articulation of security considerations to ensure the protection of research and development, intellectual property, and United States-provided equipment from being stolen or exploited by adversaries;

(5) an identification of opportunities for academia and private industry to participate in expanded cooperation with the Ministry of Defence of India; and

(6) any other matter the Secretary considers relevant.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1247. ENHANCED INDICATIONS AND WARNING FOR DETERRENCE AND DISSUASION.

(a) ESTABLISHMENT OF PROGRAM FOR ENHANCED INDICATIONS AND WARNING.—

(1) IN GENERAL.—The Director of the Defense Intelligence Agency shall establish a program to increase warning time of potential aggression by adversary nation states,

focusing especially on the United States Indo-Pacific Command and United States European Command areas of operations.

(2) DESIGNATION.—The program established under paragraph (1) shall be known as the ''Program for Enhanced Indications and Warning'' (in this section the ''Program'').

(3) PURPOSE.—The purpose of the Program is to gain increased warning time to provide time for the Department to mount deterrence and dissuasion actions to persuade adversaries to refrain from aggression, including through potential revelations or demonstrations of capabilities and actions to create doubt in the minds of adversary leaders regarding the prospects for military success.

(b) HEAD OF PROGRAM.—

(1) IN GENERAL.—The Director shall appoint a defense intelligence officer to serve as the mission manager for the Program.

(2) DESIGNATION.—The mission manager for the Program shall be known as the ''Program Manager for Enhanced Indications and Warning'' (in this section the ''Program Manager'').

(c) SOURCES OF INFORMATION AND ANALYSIS.—The Program Manager shall ensure that the Program makes use of all available sources of information, from public, commercial, and classified sources across the intelligence community and the Department of Defense, as well as advanced analytics, including artificial intelligence, to establish a system capable of discerning deviations from normal patterns of behavior and activity that may indicate preparations for military actions.

(d) INTEGRATION WITH OTHER PROGRAMS.—

(1) SUPPORT.—The Program shall be supported by the Chief Digital and Artificial Intelligence Officer, the Maven project, by capabilities sponsored by the Office of the Under Secretary of Defense for Intelligence and Security, and programs already underway within the Defense Intelligence Agency.

(2) AGREEMENTS.—The Director shall seek to engage in agreements to integrate information and capabilities from other components of the intelligence community to facilitate the purpose of the Program.

(e) BRIEFINGS.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once each year thereafter through 2027, the Program Manager shall provide the appropriate committees of Congress a briefing on the status of the activities of the Program.

(f) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the congressional defense committees; and

(B) the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(2) The term ''intelligence community'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 1248. PILOT PROGRAM TO DEVELOP YOUNG CIVILIAN DEFENSE LEADERS IN THE INDO-PACIFIC REGION.

(a) IN GENERAL.—The Secretary of Defense may establish, using existing authorities of the Department of Defense, a pilot program to enhance engagement of the Department with young civilian defense and security leaders in the Indo-Pacific region.

(b) PURPOSES.—The activities of the pilot program under subsection (a) shall include training of, and engagement with, young civilian leaders from foreign partner ministries of defense and other appropriate ministries with a national defense mission in the Indo-Pacific region for purposes of—

(1) enhancing bilateral and multilateral cooperation between—

(A) civilian leaders in the Department; and

(B) civilian leaders in foreign partner ministries of defense; and

(2) building the capacity of young civilian leaders in foreign partner ministries of defense to promote civilian control of the military, respect for human rights, and adherence to the law of armed conflict.

(c) PRIORITY.—In carrying out the pilot program under subsection (a), the Secretary of Defense shall prioritize engagement with civilian defense leaders from foreign partner ministries of defense who are 40 years of age or younger.

(d) BRIEFINGS.—

(1) DESIGN OF PILOT PROGRAM.—Not later than June 1, 2023, the Secretary of Defense, in consultation with the Secretary of State, shall provide a briefing to the appropriate committees of Congress on the design of the pilot program under subsection (a).

(2) PROGRESS BRIEFING.—Not later than December 31, 2023, and annually thereafter until the date on which the pilot program terminates under subsection (e), the Secretary of Defense, in consultation with the Secretary of State, shall provide a briefing to the appropriate committees of Congress on the pilot program that includes—

(A) a description of the activities conducted and the results of such activities;

(B) an identification of existing authorities used to carry out the pilot program;

(C) any recommendations related to new authorities or modifications to existing authorities necessary to more effectively achieve the objectives of the pilot program; and

(D) any other matter the Secretary of Defense considers relevant.

(e) TERMINATION.—The pilot program under subsection (a) shall terminate on December 31, 2026.

(f) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1249. CROSS-FUNCTIONAL TEAM FOR MATTERS RELATING TO THE PEOPLE'S REPUBLIC OF CHINA.

(a) ESTABLISHMENT.—Using the authority provided pursuant to section 911(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 111 note), the Secretary of Defense shall establish a cross-functional team—

(1) to integrate Department of Defense efforts to address national security challenges posed by the People's Republic of China; and

(2) to ensure alignment across Department strategies, policies, resourcing, and fielding of relevant capabilities.

(b) DUTIES.—The duties of the cross-functional team established under subsection (a) shall be—

(1) to assist the Secretary with integrating Department efforts to address national security challenges posed by the People's Republic of China;

(2) to integrate the efforts of the Department regarding the People's Republic of China with the efforts of other relevant Federal departments and agencies; and

(3) to streamline and strengthen cooperation with United States allies and partners, particularly such allies and partners in the Indo-Pacific region.

(c) TEAM LEADERSHIP.—

(1) IN GENERAL.—The Secretary shall select an appropriate civilian official to lead the cross-functional team and a senior military officer to serve as the deputy to the civilian official so selected.

(2) DIRECT REPORTING.—The leadership of the cross-functional team shall report directly to the Secretary and the Deputy Secretary of Defense.

(d) BRIEFING.—Not later than 45 days after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a briefing on—

(1) the progress of the Secretary in establishing the cross-functional team; and

(2) the progress the team has made in—

(A) determining the roles and responsibilities of the organizations and elements of the Department with respect to the cross-functional team; and

(B) carrying out the duties under subsection (b).

SEC. 1250. REPORT ON BILATERAL AGREEMENTS SUPPORTING UNITED STATES MILITARY POSTURE IN THE INDO-PACIFIC REGION.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the adequacy of existing bilateral agreements between the United States and foreign governments that support the existing and planned military posture of the United States in the Indo-Pacific region.

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

(1) An accounting of existing bilateral agreements that support the military posture of the United States in the Indo-Pacific region, by country and type.

(2) An articulation of the need for new bilateral agreements, by country and type, to support a more distributed United States military posture in the Indo-Pacific region, as outlined by the Global Force Posture Review, including agreements necessary—

(A) to establish new cooperative security locations, forward operating locations, and other locations in support of distributed operations; and

(B) to enable exercises and a more rotational force presence.

(3) A description of the relative priority of the agreements articulated under paragraph (2).

(4) Any specific request, financial or otherwise, made by a foreign government or a Federal agency other than the Department of Defense that complicates the completion of such agreements.

(5) A description of Department activities planned for the current and subsequent fiscal year that are intended to contribute to the completion of such agreements.

(6) A description of the manner in which the necessity for such agreements is communicated to, and coordinated with, the Secretary of State.

(7) Any other matter the Secretary of Defense considers relevant.

SEC. 1251. SENSE OF THE SENATE ON SUPPORTING PRIORITIZATION OF THE PEOPLE'S REPUBLIC OF CHINA, THE INDO-PACIFIC REGION, AND TAIWAN.

It is the sense of the Senate that the Senate—

(1) supports the designations by the Department of Defense, as reflected in the 2022 National Defense Strategy and statements by Secretary of Defense Lloyd Austin and other senior Department officials, of—

(A) the People's Republic of China as the Department's pacing challenge;

(B) the Indo-Pacific as the Department's priority theater; and

(C) a Taiwan contingency as the Department's pacing scenario;

(2) underscores the importance of the Department continuing to prioritize the deterrence of aggression by the People's Republic of China, particularly in the form of an invasion of Taiwan by the People's Republic of

China, as the Government of the People's Republic of China expands and modernizes the People's Liberation Army; and

(3) strongly urges the Department to manage force allocations across theaters to ensure, consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), that the United States Armed Forces maintain the ability to deny a fait accompli against Taiwan by the People's Republic of China in order to deter the People's Republic of China from using force to unilaterally change the status quo with Taiwan.

SEC. 1252. SENSE OF CONGRESS ON DEFENSE ALLIANCES AND PARTNERSHIPS IN THE INDO-PACIFIC REGION.

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

(1) The United States Indo-Pacific strategy states, ''we will prioritize our single greatest asymmetric strength: our network of security alliances and partnerships. Across the region, the United States will work with allies and partners to deepen our interoperability and develop and deploy advanced warfighting capabilities as we support them in defending their citizens and their sovereign interests.''.

(2) The fact sheet accompanying the National Defense Strategy states, ''[m]utually-beneficial Alliances and partnerships are an enduring strength for the United States, and are critical to achieving our objectives . . . the Department [of Defense] will incorporate ally and partner perspectives, competencies, and advantages at every stage of defense planning.''.

(3) Chairman of the Joint Chiefs of Staff General Milley testified on April 7, 2022, that ''our alliances and partnerships are our most significant asymmetric advantages and are key to maintaining the international rules-based order that offers the best opportunities for peace and prosperity for America and the globe.''.

(4) Commander of the United States Indo-Pacific Command Admiral Aquilino testified on March 10, 2022, that ''a key U.S. asymmetric advantage that our security challengers do not possess is our network of strong alliances and partnerships. Because these relationships are based on shared values and people-to-people ties, they provide significant advantages such as long-term mutual trust, understanding, respect, interoperability, and a common commitment to a free and open Indo-Pacific.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should continue efforts that strengthen United States defense alliances and partnerships in the Indo-Pacific region so as to further the comparative advantage of the United States in strategic competition with the People's Republic of China, including by—

(1) enhancing cooperation with Japan, consistent with the Treaty of Mutual Cooperation and Security Between the United States of America and Japan, signed at Washington, January 19, 1960, including by developing advanced military capabilities, fostering interoperability across all domains, and improving sharing of information and intelligence;

(2) reinforcing the United States alliance with the Republic of Korea, including by maintaining the presence of approximately 28,500 members of the United States Armed Forces deployed to the country and affirming the United States commitment to extended deterrence using the full range of United States defense capabilities, consistent with the Mutual Defense Treaty Between the United States and the Republic of Korea, signed at Washington, October 1, 1953, in support of the shared objective of a peaceful and stable Korean Peninsula;

(3) fostering bilateral and multilateral cooperation with Australia, consistent with the Security Treaty Between Australia, New Zealand, and the United States of America, signed at San Francisco, September 1, 1951, and through the partnership among Australia, the United Kingdom, and the United States (commonly known as ''AUKUS'')—

(A) to advance shared security objectives;

(B) to accelerate the fielding of advanced military capabilities; and

(C) to build the capacity of emerging partners;

(4) advancing United States alliances with the Philippines and Thailand and United States partnerships with other partners in the Association of Southeast Asian Nations to enhance maritime domain awareness, promote sovereignty and territorial integrity, leverage technology and promote innovation, and support an open, inclusive, and rules-based regional architecture;

(5) broadening United States engagement with India, including through the Quadrilateral Security Dialogue—

(A) to advance the shared objective of a free and open Indo-Pacific region through bilateral and multilateral engagements and participation in military exercises, expanded defense trade, and collaboration on humanitarian aid and disaster response; and

(B) to enable greater cooperation on maritime security and the threat of global pandemics, including COVID–19;

(6) strengthening the United States partnership with Taiwan, consistent with the Three Communiques, the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), and the Six Assurances, with the goal of improving Taiwan's asymmetric defensive capabilities and promoting peaceful cross-strait relations;

(7) reinforcing the status of the Republic of Singapore as a Major Security Cooperation Partner of the United States and continuing to strengthen defense and security cooperation between the military forces of the Republic of Singapore and the Armed Forces of the United States, including through participation in combined exercises and training;

(8) engaging with the Federated States of Micronesia, the Republic of the Marshall Islands, the Republic of Palau, and other Pacific Island countries, with the goal of strengthening regional security and addressing issues of mutual concern, including protecting fisheries from illegal, unreported, and unregulated fishing;

(9) collaborating with Canada, the United Kingdom, France, and other members of the European Union and the North Atlantic Treaty Organization to build connectivity and advance a shared vision for the region that is principled, long-term, and anchored in democratic resilience; and

(10) investing in enhanced military posture and capabilities in the area of responsibility of the United States Indo-Pacific Command and strengthening cooperation in bilateral relationships, multilateral partnerships, and other international fora to uphold global security and shared principles, with the goal of ensuring the maintenance of a free and open Indo-Pacific region.

SEC. 1253. PROHIBITION ON USE OF FUNDS TO SUPPORT ENTERTAINMENT PROJECTS WITH TIES TO THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

None of the funds authorized to be appropriated by this Act may be used to knowingly provide active and direct support to any film, television, or other entertainment project with respect to which any producer or other person associated with the project—

(1) seeks pre-approval of the content of the project from any entity of the Government of the People's Republic of China or the Chinese Communist Party; or

(2) modifies or deletes in any way the content of the project as a result of any direction from any entity of the Government of the People's Republic of China or the Chinese Communist Party.

Subtitle E—Reports

SEC. 1261. REPORT ON FIFTH FLEET CAPABILITIES UPGRADES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on—

(1) capabilities upgrades necessary to enable the Fifth Fleet to address emerging threats in its area of responsibility; and

(2) any costs associated with such upgrades.

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

(1) An assessment of seaborne threats posed by Iran, and groups linked to Iran, to the military forces of United States allies and partners operating in the waters in and around the broader Middle East.

(2) A description of any capabilities upgrades necessary to enable the Fifth Fleet to address such threats.

(3) An estimate of the costs associated with any such upgrades.

(4) A description of any United States plan to deepen cooperation with other member countries of the Combined Maritime Forces at the strategic, policy, and functional levels for the purpose of addressing such threats, including by—

(A) enhancing coordination on defense planning;

(B) improving intelligence sharing; and

(C) deepening maritime interoperability.

(c) BROADER MIDDLE EAST DEFINED.—In this section, the term ''broader Middle East'' means—

(1) the land around the southern and eastern shores of the Mediterranean Sea;

(2) the Arabian Peninsula;

(3) Iran; and

(4) North Africa.

Subtitle F—Other Matters

SEC. 1271. PROHIBITION ON PARTICIPATION IN OFFENSIVE MILITARY OPERATIONS AGAINST THE HOUTHIS IN YEMEN.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act shall be made available to provide for Department of Defense participation in offensive operations against the Houthis in Yemen by the coalition led by Saudi Arabia, unless a specific statutory authorization for such use of the United States Armed Forces has been enacted.

(b) WAIVER.—The Secretary of Defense may waive the prohibition under subsection (a) if the Secretary—

(1) determines that such a waiver is in the national security interests of the United States;

(2) issues the waiver in writing; and

(3) not more than 5 days after issuing the waiver, submits to the Committees on Armed Services of the Senate and the House of Representatives a notification that includes the text of the waiver and a justification for the waiver.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit—

(1) United States counterterrorism cooperation with Saudi Arabia or the United Arab Emirates against al-Qaeda, the Islamic State of Iraq and Syria, or associated forces;

(2) support intended to assist Saudi Arabia, the United Arab Emirates, or other members of the Saudi-led coalition in defending against threats emanating from Yemen to their sovereignty or territorial integrity, the

sovereignty or territorial integrity of any other United States partner or ally, or the safety of United States persons or property, including—

(A) threats from ballistic missiles, cruise missiles, or unmanned aerial vehicles; and

(B) explosive boat threats to international maritime traffic;

(3) the provision of humanitarian assistance; or

(4) the preservation of freedom of navigation.

(d) EXTENSION OF PROHIBITION ON IN-FLIGHT REFUELING TO NON-UNITED STATES AIRCRAFT THAT ENGAGE IN HOSTILITIES IN THE ONGOING CIVIL WAR IN YEMEN.—Section 1273 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1699) is amended to read as follows:

"SEC. 1273. PROHIBITION ON IN-FLIGHT REFUELING TO NON-UNITED STATES AIRCRAFT THAT ENGAGE IN HOSTILITIES IN THE ONGOING CIVIL WAR IN YEMEN.

''For the two-year period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023, the Department of Defense may not provide in-flight refueling pursuant to section 2342 of title 10, United States Code, or any other applicable statutory authority, to non-United States aircraft that engage in hostilities in the ongoing civil war in Yemen unless and until a declaration of war or a specific statutory authorization for such use of United States Armed Forces has been enacted.''.

SEC. 1272. EXTENSION OF AUTHORITY FOR UNITED STATES-ISRAEL COOPERATION TO COUNTER UNMANNED AERIAL SYSTEMS.

Section 1278(f) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1702; 22 U.S.C. 8606 note) is amended by striking ''December 31, 2024'' and inserting ''December 31, 2026''.

SEC. 1273. EXTENSION OF AUTHORITY FOR CERTAIN PAYMENTS TO REDRESS INJURY AND LOSS.

Section 1213(a) of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 2731 note) is amended by striking ''December 31, 2023'' and inserting ''December 31, 2024''.

SEC. 1274. MODIFICATION OF SECRETARY OF DEFENSE STRATEGIC COMPETITION INITIATIVE.

(a) AUTHORITY.—Subsection (a) of section 1332 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 2007; 10 U.S.C. 301 note) is amended by striking ''that advance'' and all that follows through the period at the end and inserting ''that—

''(1) advance United States national security objectives for strategic competition by supporting Department of Defense efforts to compete below the threshold of armed conflict; or

''(2) support other Federal departments and agencies in advancing United States interests relating to strategic competition.''.

(b) AUTHORIZED ACTIVITIES AND PROGRAMS.—Subsection (b) of such section is amended by adding at the end the following new paragraph:

''(5) Other activities or programs of the Department of Defense, including activities to coordinate with or support other Federal departments and agencies, that the Secretary of Defense determines would advance United States national security objectives for strategic competition.''.

SEC. 1275. ASSESSMENT OF CHALLENGES TO IMPLEMENTATION OF THE PARTNERSHIP AMONG AUSTRALIA, THE UNITED KINGDOM, AND THE UNITED STATES.

(a) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center for the conduct of an independent assessment of resourcing, policy, and process challenges to implementing the partnership among Australia, the United Kingdom, and United States (commonly known as the ''AUKUS partnership'') announced on September 21, 2021.

(b) MATTERS TO BE CONSIDERED.—In conducting the assessment required by subsection (a), the federally funded research and development center shall consider the following with respect to each of Australia, the United Kingdom, and the United States:

(1) Potential resourcing and personnel shortfalls.

(2) Information sharing, including foreign disclosure policy and processes.

(3) Statutory, regulatory, and other policies and processes.

(4) Intellectual property, including patents.

(5) Export controls, including technology transfer and protection.

(6) Security protocols and practices, including personnel, operational, physical, facility, cybersecurity, counterintelligence, marking and classifying information, and handling and transmission of classified material.

(7) Any other matter the Secretary considers appropriate.

(c) RECOMMENDATIONS.—The federally funded research and development center selected to conduct the assessment under this section shall include, as part of such assessment, recommendations for improvements to resourcing, policy, and process challenges to implementing the AUKUS partnership.

(d) REPORT.—

(1) IN GENERAL.—Not later than January 1, 2024, the Secretary shall submit to the congressional defense committees a report that includes an unaltered copy of such assessment, together with the views of the Secretary on the assessment and on the recommendations included in the assessment pursuant to subsection (c).

(2) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. COOPERATIVE THREAT REDUCTION FUNDS.

(a) FUNDING ALLOCATION.—Of the $341,598,000 authorized to be appropriated to the Department of Defense for fiscal year 2023 in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $6,860,000.

(2) For chemical weapons destruction, $15,000,000.

(3) For global nuclear security, $18,090,000.

(4) For cooperative biological engagement, $225,000,000.

(5) For proliferation prevention, $45,890,000.

(6) For activities designated as Other Assessments/Administrative Costs, $30,760,000.

(b) SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2023, 2024, and 2025.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2023 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2023 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2023 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1404. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2023 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2023 for the Defense Health Program for use of the Armed Forces and other activities and agencies of the Department of Defense for providing for the health of eligible beneficiaries, as specified in the funding table in section 4501.

Subtitle B—National Defense Stockpile

SEC. 1411. MODIFICATION OF ACQUISITION AUTHORITY UNDER STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.

(a) IN GENERAL.—Section 5 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98d) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the first sentence, by inserting ''under the authority of paragraph (3) or'' after ''Except for acquisitions made''; and

(ii) in the second sentence, by striking ''for such acquisition'' and inserting ''for any acquisition of materials under this Act''; and

(B) by adding at the end the following:

''(3) Using funds appropriated for acquisition of materials under this Act, the National Defense Stockpile Manager may acquire materials determined to be strategic and critical under section 3(a) without regard to the requirement of the first sentence of paragraph (1) if the Stockpile Manager determines there is a shortfall of such materials in the stockpile.''; and

(2) in subsection (c), by striking ''to carry out the purposes for which appropriated for a period of two fiscal years, if so provided in the appropriations Acts'' and inserting ''until expended, unless otherwise provided in appropriations Acts''.

(b) INCREASE IN QUANTITIES OF MATERIALS TO BE STOCKPILED.—Section 3(c)(2) of the

Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(c)(2)) is amended—

(1) by amending the first sentence to read as follows: ''The President shall notify Congress in writing of any increase proposed to be made in the quantity of any material to be stockpiled that involves the acquisition of additional materials for the stockpile.'';

(2) in the second sentence, by striking ''the change after the end of the 45-day period'' and inserting ''the increase after the end of the 30-day period''; and

(3) in the third sentence, by striking ''change'' and inserting ''increase''.

SEC. 1412. BRIEFINGS ON SHORTFALLS IN NATIONAL DEFENSE STOCKPILE.

Section 14 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–5) is amended by adding at the end the following new subsection:

''(f)(1) Not later than March 1 each year, the National Defense Stockpile Manager shall provide to the congressional defense committees a briefing on strategic and critical materials that—

''(A) are determined to be in shortfall in the most recent report on stockpile requirements submitted under subsection (a); and

''(B) the acquisition or disposal of which is included in the annual materials plan for the operation of the stockpile during the next fiscal year submitted under section 11(b).

''(2) Each briefing required by paragraph (1) shall include—

''(A) a description of each material described in that paragraph, including the objective to be achieved if funding is provided, in whole or in part, for the acquisition of the material to remedy the shortfall;

''(B) an estimate of additional amounts required to provide such funding, if any; and

''(C) an assessment of the supply chain for each such material, including any assessment of any relevant risk in any such supply chain.''.

SEC. 1413. AUTHORITY TO ACQUIRE MATERIALS FOR THE NATIONAL DEFENSE STOCKPILE.

(a) ACQUISITION AUTHORITY.—Of the funds appropriated into the National Defense Stockpile Transaction Fund pursuant to the authorization of appropriations under subsection (c), the National Defense Stockpile Manager may use up to $1,003,500,000 for acquisition of the following materials determined to be strategic and critical materials required to meet the defense, industrial, and essential civilian needs of the United States:

(1) Neodymium oxide, praseodymium oxide, and neodymium iron boron (NdFeB) magnet block.

(2) Titanium.

(3) Energetic materials.

(4) Iso-molded graphite.

(5) Grain-oriented electric steel.

(6) Tire cord steel.

(7) Cadmium zinc telluride.

(8) Any additional materials identified as stockpile requirements in the most recent report submitted to Congress under section 14 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–5).

(b) FISCAL YEAR LIMITATION.—The authority under subsection (a) is available for purchases during fiscal years 2023 through 2032.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the National Defense Stockpile Transaction Fund $1,003,500,000 for the acquisition of strategic and critical materials under section 6(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98e(a)).

(d) COMPLIANCE WITH STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.—Any acquisition using funds appropriated pursuant to the authorization of appropriations under subsection (c) shall be carried out in accordance with the provisions of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.).

Subtitle C—Other Matters

SEC. 1421. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2023 from the Armed Forces Retirement Home Trust Fund the sum of $152,360,000 for the operation of the Armed Forces Retirement Home.

SEC. 1422. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated by section 1405 and available for the Defense Health Program for operation and maintenance, $167,600,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571).

(b) TREATMENT OF TRANSFERRED FUNDS.—For purposes of subsection (a)(2) of such section 1704, any funds transferred under subsection (a) shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(c) USE OF TRANSFERRED FUNDS.—For purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

TITLE XV—SPACE ACTIVITIES, STRATEGIC PROGRAMS, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

SEC. 1501. ADDITIONAL AUTHORITIES OF CHIEF OF SPACE OPERATIONS.

Section 9082(d) of title 10, United States Code, is amended—

(1) in paragraph (5), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (6), by striking the period at the end and inserting ''; and''; and

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

''(7) be the force design architect for space systems of the armed forces.''.

SEC. 1502. COMPREHENSIVE STRATEGY FOR THE SPACE FORCE.

(a) STRATEGIC OBJECTIVES.—The Secretary of the Air Force and the Chief of Space Operations shall jointly develop strategic objectives required to organize, train, and equip the Space Force, including objectives that emphasize achieving and maintaining—

(1) United States space superiority;

(2) global communications, command and control, and intelligence, surveillance, and reconnaissance for the combatant commands and the respective components of the combatant commands; and

(3) the retention, development, and deployment of Space Force capabilities to meet the full range of joint warfighting space requirements of the combatant commands.

(b) REPORT.—

(1) IN GENERAL.—Not later than June 30, 2023, the Secretary and the Chief shall jointly submit to the congressional defense committees a report on the strategic objectives developed under subsection (a).

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

(A) A description of the strategic objectives developed under subsection (a).

(B) A specific and detailed plan for achieving such strategic objectives that includes—

(i) a budget plan;

(ii) a ground-based infrastructure plan;

(iii) a space architecture plan; and

(iv) a systems acquisitions plan.

(C) An identification of units and resources from other Department of Defense organizations, as applicable, required by the Space Force to achieve and implement such strategic objectives efficiently and effectively.

(D) A plan to provide the number of general officer and senior executive service positions required to meet the needs of the Space Force, and a justification for such number.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(4) PUBLIC AVAILABILITY.—Not later than 5 days after the date on which the report is submitted, the Secretary and the Chief shall make the unclassified form of the report available to the public on an internet website of the Department of Defense.

(c) BRIEFING.—Not later than 30 days after the date on which the report is submitted, the Secretary and the Chief shall provide a briefing to the congressional defense committees on—

(1) the information contained in the report; and

(2) the plan of the Department of the Air Force to provide the Space Force with the resources required to achieve the objectives described in the report.

(d) SPACE SUPERIORITY DEFINED.—In this section, the term ''space superiority'' means the degree of control in space of one force over any others that permits the conduct of its operations at a given time and place without prohibitive interference from terrestrial or space-based threats.

SEC. 1503. REVIEW OF SPACE DEVELOPMENT AGENCY EXEMPTION FROM JOINT CAPABILITIES INTEGRATION AND DEVELOPMENT SYSTEM.

(a) IN GENERAL.—Not later than March 31, 2023, the Secretary of Defense shall complete a review of the exemption of the Space Development Agency from the Joint Capabilities Integration and Development System.

(b) RECOMMENDATION.—Not later than 30 days after the date on which the review under subsection (a) is completed, the Secretary of Defense shall submit to the congressional defense committees a recommendation as to whether such exemption should continue to apply to the Space Development Agency.

(c) IMPLEMENTATION.—Not later than 60 days after the date on which the recommendation is submitted under subsection (b), the Secretary of the Air Force and the Director of the Space Development Agency shall implement the recommendation.

SEC. 1504. APPLIED RESEARCH AND EDUCATIONAL ACTIVITIES TO SUPPORT SPACE TECHNOLOGY DEVELOPMENT.

(a) IN GENERAL.—The Secretary of the Air Force and the Chief of Space Operations, in coordination with the Chief Technology and Innovation Office of the Space Force, may carry out applied research and educational activities to support space technology development.

(b) ACTIVITIES.—Activities carried out under subsection (a) shall support the applied research, development, and demonstration needs of the Space Force, including by addressing and facilitating the advancement of capabilities related to—

(1) space domain awareness;

(2) positioning, navigation, and timing;

(3) communications;

(4) hypersonics;

(5) cybersecurity; and

(6) any other matter the Secretary of the Air Force considers relevant.

(c) EDUCATION AND TRAINING.—Activities carried out under subsection (a) shall—

(1) promote education and training for students so as to support the future national security space workforce of the United States; and

(2) explore opportunities for international collaboration.

(d) TERMINATION.—The authority provided by this section shall expire on December 31, 2027.

SEC. 1505. CONTINUED REQUIREMENT FOR NATIONAL SECURITY SPACE LAUNCH PROGRAM.

In carrying out Phase 2 of the acquisition strategy for the National Security Space Launch program, the Secretary of the Air Force shall ensure that launch services are procured only from launch service providers that use launch vehicles meeting Federal requirements with respect to required payloads to reference orbits.

SEC. 1506. EXTENSION OF ANNUAL REPORT ON SPACE COMMAND AND CONTROL.

Section 1613(a)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1731) is amended by striking ''2025'' and inserting ''2030''.

SEC. 1507. MODIFICATION OF REPORTS ON INTEGRATION OF ACQUISITION AND CAPABILITY DELIVERY SCHEDULES FOR SEGMENTS OF MAJOR SATELLITE ACQUISITIONS PROGRAMS AND FUNDING FOR SUCH PROGRAMS.

Section 2275(f) of title 10, United States Code, is amended by striking paragraph (3).

SEC. 1508. UPDATE TO PLAN TO MANAGE INTEGRATED TACTICAL WARNING AND ATTACK ASSESSMENT SYSTEM AND MULTI-DOMAIN SENSORS.

(a) UPDATE REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of the Air Force shall update the plan that was developed pursuant to section 1669 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).

(b) COORDINATION WITH OTHER AGENCIES.—In developing the update required by subsection (a), the Secretary shall—

(1) coordinate with the Secretary of the Army, the Secretary of the Navy, the Director of the Missile Defense Agency, the Director of the National Reconnaissance Office, and the Director of the Space Development Agency; and

(2) solicit comments on the plan, if any, from the Commander of United States Strategic Command, the Commander of United States Northern Command, and the Commander of United States Space Command.

(c) SUBMITTAL TO CONGRESS.—Not later than 90 days after the update required by subsection (a) is complete, the Secretary of the Air Force shall submit to the congressional defense committees—

(1) the plan updated pursuant to subsection (a); and

(2) the comments from the Commander of United States Strategic Command, the Commander of United States Northern Command, and the Commander of United States Space Command, if any, solicited under subsection (b)(2).

Subtitle B—Nuclear Forces

SEC. 1511. MATTERS RELATING TO ROLE OF NUCLEAR WEAPONS COUNCIL WITH RESPECT TO BUDGET FOR NUCLEAR WEAPONS PROGRAMS.

(a) REPEAL OF TERMINATION OF NUCLEAR WEAPONS COUNCIL CERTIFICATION AND REPORTING REQUIREMENT.—Section 1061(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 111 note) is amended by striking paragraph (10).

(b) MODIFICATION TO RESPONSIBILITIES OF NUCLEAR WEAPONS COUNCIL.—Section 179(d)(9) of title 10, United States Code, is amended by inserting '', in coordination with the Joint Requirements Oversight Council,'' after ''capabilities, and''.

(c) AMENDMENT TO BUDGET AND FUNDING MATTERS FOR NUCLEAR WEAPONS PROGRAMS.—

(1) IN GENERAL.—Section 179(f) of title 10, United States Code, is amended—

(A) by redesignating paragraphs (1) through (7) as paragraphs (2) through (8), respectively;

(B) striking the heading and inserting the following:

''BUDGET AND FUNDING MATTERS.—(1)(A) The Council shall review each budget request transmitted by the Secretary of Energy to the Council under section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757) and make a determination regarding the adequacy of each such request.

''(B) Not later than 30 days after making a determination described in subparagraph (A), the Council shall notify Congress that such a determination has been made.''; and

(C) by striking paragraph (7), as so redesignated, and inserting the following new paragraph (7):

''(7) If a House of Congress adopts a bill authorizing or appropriating funds for the Department of Defense that, as determined by the Council, provides funds in an amount that will result in a delay in the nuclear certification or delivery of F–35A dual-capable aircraft, the Sentinel weapon system, the Columbia class ballistic missile submarine, the Long Range Standoff Weapon, the B–21 Raider long range bomber, a modernized nuclear command, control, and communications system, or other such nuclear weapons delivery or communications systems in development as of January 1, 2022, the Council shall notify the congressional defense committees of the determination.''.

(2) TRANSFER OF DETERMINATION OF ADEQUACY REQUIREMENT.—Subparagraph (B) of section 4717(a)(2) of the Atomic Energy Defense Act (50 U.S.C. 2757) is—

(A) transferred to section 179(f) of title 10, United States Code, as amended by paragraph (1);

(B) inserted after paragraph (1)(A) of such section; and

(C) amended—

(i) by moving such subparagraph 4 ems to the left;

(ii) by striking ''DETERMINATION OF ADEQUACY.—'' and all that follows through ''(i) INADEQUATE REQUESTS.—'' and inserting ''(i)'';

(iii) in clause (i), by striking ''paragraph (1)'' and inserting ''section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757)'';

(iv) in clause (ii)—

(I) by moving such clause 6 ems to the left;

(II) by striking the heading; and

(III) by striking ''paragraph (1)'' and inserting ''section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757)''; and

(v) in clause (iii)—

(I) by moving such clause 6 ems to the left; and

(II) by striking the heading.

(d) MODIFICATION OF BUDGET REVIEW BY NUCLEAR WEAPONS COUNCIL.—Section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757) is amended—

(1) in subsection (a)—

(A) by striking paragraph (2) and inserting the following new paragraph (2):

''(2) REVIEW.—The Council shall review each budget request transmitted to the Council under paragraph (1) in accordance with section 179(f) of title 10, United States Code.''; and

(B) in paragraph (3)(A)—

(i) in the matter preceding clause (i), by striking ''paragraph (2)(B)(i)'' and inserting ''section 179(f)(1)(B)(i) of title 10, United States Code,''; and

(ii) in clause (i), by striking ''the description under paragraph (2)(B)(i)'' and inserting ''that description''; and

(2) in subsection (b)—

(A) by striking ''COUNCIL.—'' in the heading and all that follows through ''At the time'' and inserting ''COUNCIL.—At the time''; and

(B) by striking paragraph (2).

SEC. 1512. DEVELOPMENT OF RISK MANAGEMENT FRAMEWORK FOR THE UNITED STATES NUCLEAR ENTERPRISE.

(a) FRAMEWORK.—Not later than June 1, 2023, the Under Secretary of Defense for Acquisition and Sustainment and the Administrator for Nuclear Security, in coordination with the other members of the Nuclear Weapons Council, shall develop a joint risk management framework—

(1) to periodically identify, analyze, and respond to risks that affect the nuclear enterprise of the United States; and

(2) to report, internally to other members of the Nuclear Weapons Council and externally to relevant stakeholders, such risks and any associated mitigation efforts.

(b) ELEMENTS.—The framework required by subsection (a) shall address—

(1) programs to sustain and modernize the nuclear weapons stockpile of the United States;

(2) efforts to sustain and recapitalize infrastructure and facilities of the National Nuclear Security Administration that support programs of the Department of Defense;

(3) programs to sustain and modernize nuclear weapons delivery systems of the Department of Defense; and

(4) programs to sustain and modernize the nuclear command, control, and communications infrastructure of the United States.

(c) SUBJECT MATTER EXPERTISE.—The Under Secretary and the Administrator shall draw upon public and private sector resources to inform the development of the framework required by subsection (a), including by leveraging, to the maximum extent possible, the program management expertise within the Defense Acquisition University.

(d) BRIEFINGS.—The Under Secretary and the Administrator shall jointly brief the congressional defense committees—

(1) not later than February 1, 2023, on the progress made toward developing the framework required by subsection (a); and

(2) not later than June 30, 2023, on the completed framework.

SEC. 1513. BIANNUAL BRIEFING ON NUCLEAR WEAPONS AND RELATED ACTIVITIES.

Chapter 24 of title 10, United States Code, is amended by inserting after section 492a the following new section:

''SEC. 492b. BIANNUAL BRIEFING ON NUCLEAR WEAPONS AND RELATED ACTIVITIES.

''(a) IN GENERAL.—On or about May 1 and November 1 of each calendar year, the officials specified in subsection (b) shall brief the Committees on Armed Services of the Senate and the House of Representatives on matters relating to nuclear weapons policies, operations, technology development, and other similar topics as requested by such committees.

''(b) OFFICIALS SPECIFIED.—The officials specified in this subsection are the following:

''(1) the Assistant Secretary of Defense for Acquisition.

''(2) the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs.

''(3) the Assistant Secretary of Defense for Space Policy.

''(4) the Deputy Administrator for Defense Programs of the National Nuclear Security Administration.

''(5) the Director for Strategy, Plans, and Policy (J5) of the Joint Staff.

''(6) the Director for Capability and Resource Integration (J8) for the United States Strategic Command.

''(c) DELEGATION.—An official specified in subsection (b) may delegate the authority to provide a briefing required by subsection (a) to any employee of such official who is a member of the Senior Executive Service.

''(d) TERMINATION.—This section terminates on January 1, 2028.''.

SEC. 1514. PLAN FOR DEVELOPMENT OF REENTRY VEHICLES.

(a) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment, in consultation with the Administrator for Nuclear Security and the Under Secretary of Defense for Research and Engineering, shall produce a plan for the development, during the 20 year period beginning on the date of the enactment of this Act, of—

(1) the Mark 21A reentry vehicle for the Air Force;

(2) the Mark 7 reentry vehicle for the Navy; and

(3) any other reentry vehicles for—

(A) the Sentinel intercontinental ballistic missile weapon system;

(B) the Trident II (D5) submarine-launched ballistic missile, or subsequent missile; and

(C) any other long range ballistic or hypersonic strike missile that may rely upon technologies similar to the technologies used in the missiles described in subparagraphs (A) and (B).

(b) ELEMENTS.—The plan required by subsection (a) shall—

(1) with respect to the development of each reentry vehicle described in subsection (a), describe—

(A) timed phases of production for the reentry aeroshell and the planned production and fielding of the reentry vehicle;

(B) the required developmental and operational testing capabilities and capacities, including such capabilities and capacities of the reentry vehicle;

(C) the technology development and manufacturing capabilities that may require use of authorities under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.); and

(D) the industrial base capabilities and capacities, including the availability of sufficient critical materials and staffing to ensure adequate competition between entities developing the reentry vehicle;

(2) provide estimated cost projections for the development of the first operational reentry vehicle and the production of subsequent reentry vehicles to meet Navy and Air Force requirements; and

(3) provide for the coordination with and account for the needs of the development by the Department of Defense of hypersonic systems using materials, staffing, and an industrial base similar to that required for the development of reentry vehicles described in subsection (a).

(c) ASSESSMENTS.—

(1) COST PROJECTIONS.—The Director of the Office of Cost Assessment and Program Evaluation of the Department of Defense and the Director of the Office of Cost Estimating and Program Evaluation of the National Nuclear Security Administration shall jointly conduct an assessment of the costs of the plan required by subsection (a).

(2) TECHNOLOGY AND MANUFACTURING READINESS.—The Under Secretary of Defense for Acquisition and Sustainment shall enter into an agreement with a federally funded research and development center to conduct an assessment of the technology and manufacturing readiness levels with respect to the plan required by subsection (a).

(d) SUBMISSION TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees the plan required by subsection (a) and the assessments required by subsection (c).

SEC. 1515. INDUSTRIAL BASE MONITORING FOR B–21 AND SENTINEL PROGRAMS.

(a) IN GENERAL.—The Secretary of the Air Force, acting through the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics, shall designate a senior official to monitor the combined industrial base supporting the acquisition of B–21 aircraft and Sentinel programs.

(b) REQUIREMENTS FOR MONITORING.—In monitoring the combined industrial base described in subsection (a), the senior official designated under that subsection shall—

(1) appoint individuals to key staff positions;

(2) monitor the acquisition of—

(A) personnel with critical skills;

(B) materials, technologies, and components associated with nuclear weapons systems; and

(C) commodities purchased on a large scale; and

(3) assess whether public and private personnel with critical skills and knowledge, intellectual property on manufacturing processes, and facilities and equipment necessary to design, develop, manufacture, repair, and support a program are available and affordable within the scopes of the B–21 aircraft and Sentinel programs.

(c) ANNUAL REPORT.—Contemporaneously with the submission of the budget of the President pursuant to section 1105(a) of title 31 for a fiscal year, the Secretary shall submit to the congressional defense committees a report with respect to the status of the combined industrial base described in subsection (a).

SEC. 1516. ESTABLISHMENT OF INTERCONTINENTAL BALLISTIC MISSILE SITE ACTIVATION TASK FORCE FOR SENTINEL PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established within the Air Force Global Strike Command a directorate to be known as the Sentinel Intercontinental Ballistic Missile Site Activation Task Force (referred to in this section as the ''Task Force'').

(2) SITE ACTIVATION TASK FORCE.—The Task Force shall serve as the Site Activation Task Force (as that term is defined in Air Force Instruction 10–503, updated October 14, 2020) for purposes of overseeing the construction of fixed facilities and emplacements and the installation and checkout of supporting subsystems and equipment leading to the deployment and achievement of full operational capability of the LGM-35A Sentinel intercontinental ballistic missile weapon system at each intercontinental ballistic missile wing for use by the Air Force Global Strike Command in support of plans and operations of the United States Strategic Command.

(b) DIRECTOR.—

(1) IN GENERAL.—The Task Force shall be headed by the Director of Intercontinental Ballistic Missile Modernization (referred to in this section as the ''Director'').

(2) APPOINTMENT.—

(A) IN GENERAL.—The Secretary of the Air Force shall appoint the Director from among general officers (as defined in section 101(b) of title 10, United States Code) of the Air Force.

(B) QUALIFICATIONS.—In appointing the Director, the Secretary of the Air Force shall give preference to individuals with expertise in large construction projects.

(3) TERM OF OFFICE.—

(A) TERM.—The Director shall be appointed for a term of three years. The Secretary may reappoint the Director for one additional three-year term.

(B) REMOVAL.—The Secretary may remove the Director for cause at any time.

(4) DUTIES OF THE DIRECTOR.—The Director shall—

(A) oversee—

(i) the deployment of the LGM-35A Sentinel intercontinental ballistic missile weapon system; and

(ii) the retirement of the LGM-30G Minuteman III intercontinental ballistic missile weapon system; and

(B) subject to the authority, direction, and control of the Commander of the Air Force Global Strike Command, the Chief of Staff of the Air Force, and the Secretary of the Air Force, prepare, justify, and execute the personnel, operation and maintenance, and construction budgets for such deployment and retirement.

(c) REPORTS.—

(1) REPORT TO SECRETARIES.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Director, in consultation with the milestone decision authority (as defined in section 2366a(d) of title 10, United States Code) for the LGM-35A Sentinel intercontinental ballistic missile program, shall submit to the Secretary of the Air Force and the Secretary of Defense a report on the progress of the Air Force in achieving initial and full operational capability for the LGM-35A Sentinel intercontinental ballistic missile weapon system.

(2) REPORT TO CONGRESS.—Not later than 30 days after receiving a report required by paragraph (1), the Secretary of the Air Force and the Secretary of Defense jointly shall transmit the report to the congressional defense committees.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(4) QUARTERLY BRIEFING.—Not later than one year after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of the Air Force shall brief the congressional defense committees with respect to progress made on activities by the Task Force to bring the LGM-35A Sentinel intercontinental ballistic missile weapon system to operational capability at each intercontinental ballistic missile wing.

(d) WEAPON SYSTEM DESIGNATION.—

(1) IN GENERAL.—For purposes of nomenclature and life cycle maintenance, each wing level configuration of the LGM-35A Sentinel intercontinental ballistic missile shall be considered a weapon system.

(2) DEFINITIONS.—In this subsection:

(A) WEAPON SYSTEM.—The term ''weapon system'' has the meaning given the term in Department of the Air Force Pamphlet 63-128, updated February 3, 2021.

(B) WING LEVEL CONFIGURATION.—The term ''wing level configuration'' means the complete arrangement of subsystems and equipment of the LGM-35A Sentinel intercontinental ballistic missile required to function as a wing.

(e) TERMINATION.—The Task Force shall terminate not later than 90 days after the Commander of the United States Strategic Command and the Commander of the Air Force Global Strike Command (or the heads of successor agencies of the United States Strategic Command and the Air Force Global Strike Command) jointly declare that the LGM-35A Sentinel intercontinental ballistic

missile weapon system has achieved full operational capability.

SEC. 1517. SENSE OF THE SENATE AND BRIEFING ON NUCLEAR COOPERATION BETWEEN THE UNITED STATES AND THE UNITED KINGDOM.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the United States strategic nuclear deterrent, and the independent strategic nuclear deterrents of the United Kingdom and the French Republic, are the supreme guarantee of the security of the North Atlantic Treaty Organization (commonly referred to as ''NATO'') and continue to underwrite peace and security for all members of the NATO alliance;

(2) the security of the NATO alliance also relies upon nuclear sharing arrangements that predate, and are fully consistent with, the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1960 (commonly referred to as the ''Nuclear Non-Proliferation Treaty'');

(3) such arrangements provide for the forward deployment of United States nuclear weapons in Europe, along with the supporting capabilities, infrastructure, and dual-capable aircraft dedicated to the delivery of United States nuclear weapons, provided by European NATO allies;

(4) in parallel to the independent commitments of the United States and the United Kingdom to the enduring security of NATO, the nuclear programs of the United States and the United Kingdom have enjoyed significant collaborative benefits as a result of the cooperative relationship formalized in the Agreement for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes, signed at Washington July 3, 1958, and entered into force August 4, 1958, between the United States and the United Kingdom (commonly referred to as the ''Mutual Defense Agreement'');

(5) the unique partnership between the United States and the United Kingdom has enhanced sovereign military and scientific capabilities, strengthened bilateral ties, and resulted in the sharing of costs;

(6) as the international security environment deteriorates and potential adversaries expand and enhance their nuclear forces, the extended deterrence commitments of the United Kingdom play an increasingly important role in supporting the security interests of the United States and allies of the United States and the United Kingdom;

(7) additionally, the extension of the nuclear deterrence commitments of the United Kingdom to members of the NATO alliance strengthens collective security while reducing the burden placed on United States nuclear forces to deter potential adversaries and assure allies of the United States;

(8) it is in the national security interest of the United States to support the United Kingdom with respect to the decision of the Government of the United Kingdom to maintain its nuclear forces to deter countries that are ''significantly increasing and diversifying their nuclear arsenals'' and ''investing in novel nuclear technologies and developing new 'warfighting' nuclear systems'' that could threaten NATO allies, as outlined in the March 2021 report of the Government of the United Kingdom entitled, ''Global Britain in a Competitive Age: The Integrated Review of Security, Defence, Development and Foreign Policy'';

(9) as the United States continues to modernize its aging nuclear forces to ensure its ability to continue to field a nuclear deterrent that is safe, secure, and effective, the United Kingdom faces a similar challenge;

(10) bilateral cooperation on such programs as the Trident II D5 weapons system, the common missile compartment for the future Dreadnought and Columbia classes of submarines, and the parallel development of the W93/Mk7 warhead of the United States and the replacement warhead of the United Kingdom, will allow the United States and the United Kingdom to responsibly address challenges within their legacy nuclear forces in a cost-effective manner that—

(A) preserves independent, sovereign control;

(B) is consistent with each country's obligations under the Nuclear Non-Proliferation Treaty; and

(C) supports nonproliferation objectives; and

(11) continued cooperation between the nuclear programs of United States and the United Kingdom is essential to ensuring that the NATO alliance continues to be supported by credible nuclear forces capable of preserving peace, preventing coercion, and deterring aggression.

(b) BRIEFING.—Not later than March 4, 2023, the Under Secretary of Defense for Acquisition and Sustainment shall brief the Committees on Armed Services of the Senate and the House of Representatives on opportunities to further enhance and strengthen the bilateral partnership between the nuclear enterprises of the United States and the United Kingdom, including potential cooperation in areas such as advanced manufacturing, microelectronics, supercomputing, and production modernization.

SEC. 1518. LIMITATION ON USE OF FUNDS UNTIL SUBMISSION OF REPORTS ON INTERCONTINENTAL BALLISTIC MISSILE FORCE.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Office of the Under Secretary of Defense for Policy, not more than 50 percent may be obligated or expended until the Secretary of Defense submits to the congressional defense committees the reports and documents required under section 1647 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 2097).

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than the date specified in paragraph (2), the Secretary of Defense shall submit to the congressional defense committees—

(A) any covered review completed in 2021 or 2022; and

(B) a report summarizing any policy, programmatic, operational, or budgetary decisions of the Secretary of Defense arising from the results of any covered review completed in 2021 or 2022.

(2) DATE SPECIFIED.—The date specified in this paragraph is the latter of—

(A) the date that is 15 days after the date of the enactment of this Act; or

(B) the date that is 15 days after the President submits to Congress a budget for fiscal year 2023 pursuant to section 1105 of title 31, United States Code.

(3) COVERED REVIEW DEFINED.—In this section, the term ''covered review'' means any review initiated in 2021 or 2022 by an entity pursuant to an agreement or contract with the Federal Government regarding—

(A) a service life extension program for LGM–30G Minuteman III intercontinental ballistic missiles; or

(B) the future of the intercontinental ballistic missile force.

SEC. 1519. PROHIBITION ON REDUCTION OF THE INTERCONTINENTAL BALLISTIC MISSILES OF THE UNITED STATES.

(a) PROHIBITION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Department of Defense may be obligated or expended for the following, and the Department may not otherwise take any action to do the following:

(1) Reduce, or prepare to reduce, the responsiveness or alert level of the intercontinental ballistic missiles of the United States.

(2) Reduce, or prepare to reduce, the quantity of deployed intercontinental ballistic missiles of the United States to a number less than 400.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any of the following activities:

(1) The maintenance, sustainment, or replacement of intercontinental ballistic missiles.

(2) Ensuring the safety, security, or reliability of intercontinental ballistic missiles.

SEC. 1520. LIMITATION ON USE OF FUNDS FOR B83–1 RETIREMENT AND REPORT ON DEFEATING HARD AND DEEPLY BURIED TARGETS.

(a) LIMITATION ON USE OF FUNDS.—Except as provided in subsection (c), none of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Department of Defense or the Department of Energy for the purpose of deactivating, dismantling, or retiring the B83–1 nuclear gravity bomb may be obligated or expended until the Secretary of Defense and the Secretary of Energy submit to the Committees on Armed Services of the Senate and the House of Representatives the report required by subsection (b).

(b) REPORT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of Energy, acting through the Nuclear Weapons Council established under section 179 of title 10, United States Code, and the Joint Requirements Oversight Council and in consultation with the Director of National Intelligence, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the defeat of hard and deeply buried targets.

(2) ELEMENTS.—The report required by paragraph (1) shall include—

(A) a review of Department of Defense requirements for defeating hard and deeply buried targets, including facilities designed for the storage or manufacture of nuclear, chemical, and biological weapons and their precursors;

(B) an evaluation of the sufficiency of current and planned conventional and nuclear military capabilities to satisfy such requirements;

(C) an identification of likely future trajectories in the worldwide use and proliferation of hard and deeply buried targets;

(D) an assessment of the resources, research and development efforts, and capability options needed to ensure that the United States maintains the ability to defeat hard and deeply buried targets and other related requirements; and

(E) a determination of the capability and cost of each resource, effort, and option assessed under subparagraph (D).

(3) ASSESSMENT.—In order to perform the assessment required by paragraph (2)(D), the Secretary of Defense and the Secretary of Energy may conduct any limited research and development that either such Secretary determines is necessary to perform the assessment.

(4) FORM.—The report required under this subsection shall be submitted in unclassified form, but may include a classified annex if necessary.

(c) EXCEPTION.—The limitation on the use of funds under subsection (a) does not apply to the deactivation, dismantling, or retirement of B83–1 nuclear gravity bombs for the express purpose of supporting sustainment, life extension, or modification programs for

other weapons currently in, or planned to become part of, the United States nuclear weapons stockpile.

SEC. 1521. LIMITATION ON USE OF FUNDS FOR NAVAL NUCLEAR FUEL SYSTEMS BASED ON LOW-ENRICHED URANIUM.

(a) LIMITATION.— None of the funds authorized to be appropriated for fiscal year 2023 for the National Nuclear Security Administration for the purposes of conducting research and development of an advanced naval nuclear fuel system based on low-enriched uranium may be obligated or expended until the following determinations are submitted to the congressional defense committees:

(1) A determination made jointly by the Secretary of Energy and the Secretary of Defense with respect to whether the determination made jointly by the Secretary of Energy and the Secretary of the Navy pursuant to section 3118(c)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1196) and submitted to the congressional defense committees on March 25, 2018, that the United States should not pursue research and development of an advanced naval nuclear fuel system based on low-enriched uranium, remains valid.

(2) A determination by the Secretary of the Navy with respect to whether an advanced naval nuclear fuel system based on low-enriched uranium can be produced that would not reduce vessel capability, increase expense, or reduce operational availability as a result of refueling requirements.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a report on activities conducted using amounts made available for fiscal year 2022 for nonproliferation fuels development, including a description of any progress made toward technological or nonproliferation goals as a result of such activities.

SEC. 1522. FURTHER LIMITATION ON USE OF FUNDS UNTIL SUBMISSION OF ANALYSIS OF ALTERNATIVES FOR NUCLEAR SEA-LAUNCHED CRUISE MISSILE.

Of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Office of the Under Secretary of Defense for Policy, not more than 75 percent may be obligated or expended until the Secretary of Defense submits to the congressional defense committees the analysis and provides to such committees the briefing required by section 1641 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 2092).

SEC. 1523. MODIFICATION OF REPORTS ON NUCLEAR POSTURE REVIEW IMPLEMENTATION.

Section 491(c) of title 10, United States Code is amended—

(1) in the heading, by striking ''2010'' and inserting ''2022'';

(2) in the matter preceding paragraph (1)—

(A) by striking ''2012 through 2021'' and inserting ''2022 through 2031''; and

(B) by striking ''2010'' and inserting ''2022''; and

(3) by striking paragraph (1) and inserting the following new paragraph (1.):

''(1) ensure that the report required by section 492a of this title is transmitted to Congress, if so required under such section;''.

SEC. 1524. MODIFICATION OF REQUIREMENTS FOR PLUTONIUM PIT PRODUCTION CAPACITY PLAN.

(a) NOTIFICATION REQUIRED.—Section 4219(c) of the Atomic Energy Defense Act (50 U.S.C. 2538a(c)) is amended—

(1) by striking ''that subsection, by'' and inserting the following: ''that subsection—''

''(1) by not later than March 5 of such year, the Chairman of the Nuclear Weapons Council shall notify the congressional defense committees whether the Administration has provided the Nuclear Weapons Council with sufficient information to develop the plan required by paragraph (2); and

''(2) by''; and

(2) by striking ''subsection (a). Such plan'' and inserting ''subsection (a), which''.

(b) LIMITATION ON USE OF FUNDS.—Of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Office of the Under Secretary of Defense for Acquisition and Sustainment, not more than 75 percent may be obligated or expended until the Chairman of the Nuclear Weapons Council submits to the congressional defense committees a plan required by section 4219(c)(2) of the Atomic Energy Defense Act, as amended by subsection (a).

SEC. 1525. EXTENSION OF REQUIREMENT TO REPORT ON NUCLEAR WEAPONS STOCKPILE.

Section 492a(a)(1) of title 10, United States Code, is amended by striking ''2024'' and inserting ''2029''.

SEC. 1526. EXTENSION OF REQUIREMENT FOR ANNUAL ASSESSMENT OF CYBER RESILIENCY OF NUCLEAR COMMAND AND CONTROL SYSTEM.

Section 499(e) of title 10, United States Code, is amended by striking ''December 31, 2027'' and inserting ''December 31, 2032''.

SEC. 1527. EXTENSION OF REQUIREMENT FOR UNENCUMBERED URANIUM PLAN.

Section 4221(a) of the Atomic Energy Defense Act (50 U.S.C. 2538c(a)) is amended by striking ''2026'' and inserting ''2030''.

SEC. 1528. EXTENSION OF PIT PRODUCTION ANNUAL CERTIFICATION.

Section 3120(e) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2294) is amended in the matter preceding paragraph (1) by striking ''2025'' and inserting ''2030''.

SEC. 1529. ELIMINATION OF OBSOLETE REPORTING REQUIREMENTS RELATING TO PLUTONIUM PIT PRODUCTION.

Section 3120 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2292) is amended—

(1) by striking subsections (b), (c), (d), and (g);

(2) by redesignating subsections (e) and (f) as subsections (b) and (c), respectively;

(3) in subsection (b), as so redesignated—

(A) in the matter preceding paragraph (1), by striking ''2025'' and inserting ''2029''; and

(B) in paragraph (3), by inserting '', as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023'' after ''subsection (c)(1)''; and

(4) in subsection (c), as so redesignated, by striking ''subsection (e)'' each place it appears and inserting ''subsection (b)''.

SEC. 1530. TECHNICAL AMENDMENT TO ADDITIONAL REPORT MATTERS ON STRATEGIC DELIVERY SYSTEMS.

Section 495(b) of title 10, United States Code, is amended in the matter preceding paragraph (1) by striking ''1043 of the National Defense Authorization Act for Fiscal Year 2012'' and inserting ''492a of this title''.

Subtitle C—Missile Defense

SEC. 1541. PERSISTENT CYBERSECURITY OPERATIONS FOR BALLISTIC MISSILE DEFENSE SYSTEMS AND NETWORKS.

(a) PLAN.—Not later than May 1, 2023, the Director of the Missile Defense Agency, in coordination with the Director for Operational Test and Evaluation, shall develop a plan to conduct persistent cybersecurity operations across all networks and information systems supporting the Ballistic Missile Defense System.

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

(1) An inventory of all networks and information systems that support the Ballistic Missile Defense System.

(2) A strategy—

(A) for coordinating with the applicable Combatant Commands on persistent cybersecurity operations; and

(B) in which the Director for Operational Test and Evaluation monitors and reviews such operations and provides independent assessments of their adequacy and sufficiency.

(3) A plan for how the Missile Defense Agency will respond to cybersecurity testing recommendations made by the Director for Operational Test and Evaluation.

(4) The timeline required to execute the plan.

(c) BRIEFINGS.—The Director of the Missile Defense Agency shall provide to the congressional defense committees a briefing—

(1) not later than May 15, 2023, on the plan developed under subsection (a); and

(2) not later than December 30, 2023, on progress made towards implementing such plan.

SEC. 1542. MIDDLE EAST INTEGRATED AIR AND MISSILE DEFENSE.

(a) IN GENERAL.—The Secretary of Defense shall seek to cooperate with allies and partners in the Middle East to identify an architecture and develop an acquisition approach for the countries specified in subsection (b) to implement an integrated air and missile defense capability to protect the people, infrastructure, and territory of such countries from cruise and ballistic missiles, manned and unmanned aerial systems, and rocket attacks from Iran and groups linked to Iran.

(b) COUNTRIES SPECIFIED.—The countries specified in this subsection are as follows:

(1) Countries of the Gulf Cooperation Council.

(2) Iraq.

(3) Israel.

(4) Jordan.

(5) Egypt.

(6) Such other regional allies or partners of the United States as the Secretary may identify.

(c) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a strategy on cooperation with allies and partners in the Middle East to identify an architecture and develop an acquisition approach for the countries specified in subsection (b) to implement an integrated air and missile defense capability to protect the people, infrastructure, and territory of such countries from cruise and ballistic missiles, manned and unmanned aerial systems, and rocket attacks from Iran and groups linked to Iran.

(2) CONTENTS.—The strategy submitted under paragraph (1) shall include the following:

(A) An assessment of the threat of ballistic and cruise missiles, manned and unmanned aerial systems, and rocket attacks from Iran and groups linked to Iran to the countries specified in subsection (b).

(B) A description of current efforts to coordinate indicators and warnings from such attacks with the countries specified in subsection (b).

(C) A description of current systems to defend against attacks in coordination with the countries specified in subsection (b).

(D) An explanation of how an integrated air and missile defense architecture would improve collective security in the region covered by the countries specified in subsection (b).

(E) A description of efforts to engage specified foreign partners in establishing such an architecture.

(F) An identification of elements of the integrated air and missile defense architecture that—

(i) can be acquired and operated by specified foreign partners; and

(ii) can only be provided and operated by members of the Armed Forces.

(G) An identification of any challenges in establishing an integrated air and missile defense architecture with specified foreign partners.

(H) An assessment of progress, and key challenges, in the implementation of the strategy using such metrics identified under paragraph (4).

(I) Recommendations for improvements in the implementation of the strategy based on the metrics identified under paragraph (4).

(J) Such other matters as the Secretary considers relevant.

(3) PROTECTION OF SENSITIVE INFORMATION.—Any activity carried out under paragraph (1) shall be conducted in a manner that appropriately protects sensitive information and the national security interests of the United States.

(4) METRICS.—The Secretary shall identify metrics to assess progress in the implementation of the strategy required in paragraph (1).

(5) FORMAT.—The strategy submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) FEASIBILITY STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this act, the Secretary of Defense shall—

(A) complete a study on the feasibility and advisability of establishing a fund for an integrated air and missile defense system to counter the threats from cruise and ballistic missiles, manned and unmanned aerial systems, and rocket attacks for the countries specified in subsection (b) from Iran and groups linked with Iran; and

(B) submit to the congressional defense committees the findings of the Secretary with respect to the study completed under subparagraph (A).

(2) ASSESSMENT OF CONTRIBUTIONS.—The study completed under paragraph (1)(A) shall include an assessment of funds that could be contributed by allies of the United States and countries that are partners with the United States.

SEC. 1543. DESIGNATION OF A DEPARTMENT OF DEFENSE INDIVIDUAL RESPONSIBLE FOR MISSILE DEFENSE OF GUAM.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate a senior Department of Defense individual responsible for the missile defense of Guam.

(b) DUTIES.—The duties of the individual designated under subsection (a) shall include the following:

(1) Designing the architecture of the missile defense system for defending Guam.

(2) Overseeing development of an integrated missile defense acquisition strategy for the missile defense of Guam.

(3) Ensuring the military service and Defense agency component budgets are appropriate for the strategy described in paragraph (2).

(4) Siting the integrated missile defense system described in paragraph (2).

(5) Overseeing long-term acquisition and sustainment of the missile defense system for Guam.

(6) Such other duties as the Secretary considers appropriate.

(c) PROGRAM TREATMENT.—The integrated missile defense system referred to in subsection (b) shall be designated as special interest acquisition category 1D program and shall be managed as consistent with Department of Defense Instruction 5000.85 ''Major Capability Acquisition''.

(d) REPORT.—Concurrent with the submittal of each budget of the President under section 1105(a) of title 31, United States Code, the individual designated under subsection (a) shall submit to the congressional defense committees a report on the actions taken by the individual to carry out the duties set forth under subsection (b).

(e) TERMINATION.—Subsections (a) and (d) shall terminate on the date that is three years after the date on which the individual designated under subsection (a) determines that the integrated missile defense system described in subsection (b)(2) has achieved initial operational capability.

SEC. 1544. MODIFICATION OF PROVISION REQUIRING FUNDING PLAN FOR NEXT GENERATION INTERCEPTORS FOR MISSILE DEFENSE OF UNITED STATES HOMELAND.

Section 1668 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended—

(1) in subsection (a)(2), by striking ''at least 20'' and inserting ''no fewer than 64'';

(2) in subsection (b), by striking ''fiscal year 2023'' and inserting ''fiscal year 2024''; and

(3) in subsection (c)—

(A) in the matter before paragraph (1)—

(i) by striking ''30 days prior to any'' and inserting ''90 days prior to implementation of a''; and

(ii) by striking ''Director'' and inserting ''Secretary of Defense''; and

(B) in paragraph (2), by striking ''Director'' and inserting ''Secretary''.

SEC. 1545. BIANNUAL BRIEFING ON MISSILE DEFENSE AND RELATED ACTIVITIES.

(a) IN GENERAL.—On or about June 1 and December 1 of each calendar year, the officials specified in subsection (b) shall brief the Committees on Armed Services of the Senate and the House of Representatives on matters relating to missile defense policies, operations, technology development, and other similar topics as requested by such committees.

(b) OFFICIALS SPECIFIED.—The officials specified in this subsection are the following:

(1) The Assistant Secretary of Defense for Acquisition.

(2) The Assistant Secretary of Defense for Space Policy.

(3) The Director of the Missile Defense Agency.

(4) The Director for Strategy, Plans, and Policy (J5) of the Joint Staff.

(c) DELEGATION.—An official specified in subsection (b) may delegate the authority to provide a briefing required by subsection (a) to any employee of such official who is a member of the Senior Executive Service.

(d) TERMINATION.—This section terminates on January 1, 2028.

SEC. 1546. IMPROVING ACQUISITION ACCOUNTABILITY REPORTS ON THE BALLISTIC MISSILE DEFENSE SYSTEM.

Section 225 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(C), by striking ''and flight'' and inserting '', flight, and cybersecurity'';

(B) in paragraph (2), by striking subparagraph (C) and inserting the following new subparagraph (C):

''(C) how the proposed capability satisfies a capability requirement or performance attribute identified through—

''(i) the missile defense warfighter involvement process, as governed by United States Strategic Command Instruction 538-03 or the document that amends or replaces it; or

''(ii) processes and products approved by the Joint Chiefs of Staff or Joint Requirements Oversight Council;'';

(C) in paragraph (3)—

(i) in subparagraph (C), by striking ''; and'' and inserting a semicolon;

(ii) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

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

''(E) an explanation for why a program joint cost analysis requirements description has not been prepared and approved, and, if a program joint cost analysis requirements description is not applicable, the rationale.'';

(2) in subsection (c)(2)—

(A) in subparagraph (B)(ii)—

(i) in subclause (I)—

(I) by striking ''initial'' and inserting ''original''; and

(II) by striking ''; and'' and inserting a semicolon;

(ii) in subclause (II), by striking the period at the ending and inserting ''; and''; and

(iii) by adding at the end the following new subclause:

''(III) the most recent adjusted or revised acquisition baseline for such program element or major subprogram under subsection (d).''; and

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

''(C)(i) In this paragraph, the term 'original acquisition baseline' means the first acquisition baseline created.

''(ii) An original acquisition baseline has no previous iterations; it has not been adjusted or revised.

''(iii) Any acquisition baselines resulting from adjustments or revisions to the original acquisition baseline shall not be considered the original acquisition baseline for the purposes of reporting under this section.

''(iv) Any acquisition baseline adjusted or revised pursuant to subsection (d) shall not be considered an original acquisition baseline.'';

(3) in subsection (e)—

(A) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(B) by paragraph (2), by striking the period at the end and inserting a semicolon; and

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

''(3) the amount of operations and sustainment costs (dollar value and base year) for which the military department or other Department entity is responsible; and

''(4)(A) a citation to the source (such as a joint cost estimate or one or more military department estimates) that captures the operations and sustainment costs for which a military department or other Department entity is responsible;

''(B) the date the source was prepared; and

''(C) if and when the source was independently verified by the Office for Cost Assessment and Program Evaluation.''; and

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

''(f) TOTAL SYSTEM COSTS.—(1) The Director shall identify the total system costs for each element that comprises the missile defense system, without regard to funding source or management control (such as the Missile Defense Agency, a military department, or other Department entity), in annual reports submitted under subsection (c).

''(2) The elements referred to in paragraph (1) shall include the following:

''(A) Research and development.

''(B) Procurement.

''(C) Military construction.

''(D) Operations and sustainment.

''(E) Disposal.

''(3) In this subsection, the term 'total system costs' means all combined costs from closed, canceled, and active acquisition baselines, as well as any costs shifted to or a part

of future efforts without an established acquisition baseline, and any costs under the responsibility of a military department or other Department entity.''.

SEC. 1547. IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM AND ISRAELI CO-OPERATIVE MISSILE DEFENSE PROGRAM CO-DEVELOPMENT AND CO-PRODUCTION.

(a) IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.—

(1) AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by this Act for fiscal year 2023 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than $80,000,000 may be provided to the Government of Israel to procure components for the Iron Dome short-range rocket defense system through co-production of such components in the United States by industry of the United States.

(2) CONDITIONS.—

(A) AGREEMENT.—Funds described in paragraph (1) for the Iron Dome short-range rocket defense program shall be available subject to the terms and conditions in the Agreement Between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel Concerning Iron Dome Defense System Procurement, signed on March 5, 2014, as amended to include co-production for Tamir interceptors.

(B) CERTIFICATION.—Not later than 30 days prior to the initial obligation of funds described in paragraph (1), the Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees—

(i) a certification that the amended bilateral international agreement specified in subparagraph (A) is being implemented as provided in such agreement;

(ii) an assessment detailing any risks relating to the implementation of such agreement; and

(iii) for system improvements resulting in modified Iron Dome components and Tamir interceptor sub-components, a certification that the Government of Israel has demonstrated successful completion of Production Readiness Reviews, including the validation of production lines, the verification of component conformance, and the verification of performance to specification as defined in the Iron Dome Defense System Procurement Agreement, as further amended.

(b) ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM, DAVID'S SLING WEAPON SYSTEM CO-PRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (3), of the funds authorized to be appropriated for fiscal year 2023 for procurement, Defense-wide, and available for the Missile Defense Agency not more than $40,000,000 may be provided to the Government of Israel to procure the David's Sling Weapon System, including for co-production of parts and components in the United States by United States industry.

(2) AGREEMENT.—Provision of funds specified in paragraph (1) shall be subject to the terms and conditions in the bilateral co-production agreement, including—

(A) a one-for-one cash match is made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel); and

(B) co-production of parts, components, and all-up rounds (if appropriate) in the United States by United States industry for the David's Sling Weapon System is not less than 50 percent.

(3) CERTIFICATION AND ASSESSMENT.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees—

(A) a certification that the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and Production Readiness Reviews required by the research, development, and technology agreement and the bilateral co-production agreement for the David's Sling Weapon System; and

(B) an assessment detailing any risks relating to the implementation of such agreement.

(c) ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM, ARROW 3 UPPER TIER INTERCEPTOR PROGRAM CO-PRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (2), of the funds authorized to be appropriated for fiscal year 2023 for procurement, Defense-wide, and available for the Missile Defense Agency not more than $80,000,000 may be provided to the Government of Israel for the Arrow 3 Upper Tier Interceptor Program, including for co-production of parts and components in the United States by United States industry.

(2) CERTIFICATION.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees a certification that—

(A) the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and Production Readiness Reviews required by the research, development, and technology agreement for the Arrow 3 Upper Tier Interceptor Program;

(B) funds specified in paragraph (1) will be provided on the basis of a one-for-one cash match made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel);

(C) the United States has entered into a bilateral international agreement with Israel that establishes, with respect to the use of such funds—

(i) in accordance with subparagraph (D), the terms of co-production of parts and components on the basis of the greatest practicable co-production of parts, components, and all-up rounds (if appropriate) by United States industry and minimizes nonrecurring engineering and facilitization expenses to the costs needed for co-production;

(ii) complete transparency on the requirement of Israel for the number of interceptors and batteries that will be procured, including with respect to the procurement plans, acquisition strategy, and funding profiles of Israel;

(iii) technical milestones for co-production of parts and components and procurement;

(iv) a joint affordability working group to consider cost reduction initiatives; and

(v) joint approval processes for third-party sales; and

(D) the level of co-production described in subparagraph (C)(i) for the Arrow 3 Upper Tier Interceptor Program is not less than 50 percent.

(d) NUMBER.—In carrying out paragraph (2) of subsection (b) and paragraph (2) of subsection (c), the Under Secretary may submit—

(1) one certification covering both the David's Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program; or

(2) separate certifications for each respective system.

(e) TIMING.—The Under Secretary shall submit to the congressional defense committees the certification and assessment under subsection (b)(3) and the certification under subsection (c)(2) no later than 30 days before the funds specified in paragraph (1) of subsections (b) and (c) for the respective system covered by the certification are provided to the Government of Israel.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1548. MAKING PERMANENT PROHIBITIONS RELATING TO MISSILE DEFENSE INFORMATION AND SYSTEMS.

Section 130h of title 10, United States Code, is amended by striking subsection (e).

SEC. 1549. LIMITATION ON USE OF FUNDS UNTIL MISSILE DEFENSE DESIGNATIONS HAVE BEEN MADE.

Of the funds authorized to be appropriated by this Act for fiscal year 2023 for operation and maintenance, Defense-wide, and available for the Office of the Secretary of Defense, not more than 90 percent may be obligated or expended until the date on which the Secretary notifies the congressional defense committees that designations required by section 1684(e) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) have been made.

Subtitle D—Other Matters

SEC. 1551. INTEGRATION OF ELECTRONIC WARFARE INTO TIER 1 AND TIER 2 JOINT TRAINING EXERCISES.

(a) IN GENERAL.—During fiscal years 2023 through 2027, the Chairman of the Joint Chiefs of Staff shall require that offensive and defensive electronic warfare capabilities be integrated into Tier 1 and Tier 2 joint training exercises.

(b) REQUIREMENT TO INCLUDE OPPOSING FORCE.—The Chairman shall require exercises conducted under subsection (a) to include an opposing force design based on a current intelligence assessment of the electronic warfare order of battle and capabilities of an adversary.

(c) WAIVER.—The Chairman may waive the requirement under subsection (a) with respect to an exercise if the Chairman determines that—

(1) the exercise does not require—

(A) a demonstration of electronic warfare capabilities; or

(B) a militarily significant threat from electronic warfare attack; or

(2) the integration of offensive and defensive electronic warfare capabilities into the exercise is cost prohibitive or not technically feasible based on the overall goals of the exercise.

(d) BRIEFING REQUIRED.—Concurrent with the submission of the budget of the President to Congress pursuant to section 1105(a) of title 31, United States Code, for fiscal years 2023 through 2027, the Chairman shall provide to the congressional defense committees a briefing on exercises conducted under subsection (a) that includes—

(1) a description of such exercises planned and included in the budget submission for that fiscal year; and

(2) the results of each such exercise conducted in the preceding fiscal year, including—

(A) the extent to which offensive and defensive electronic warfare capabilities were integrated into the exercise;

(B) an evaluation and assessment of the exercise to determine the impact of the adversary on the participants in the exercise, including—

(i) joint lessons learned;

(ii) high interest training issues; and

(iii) high interest training requirements; and

(C) whether offensive and defense electronic warfare capabilities were part of an overall joint fires and, if so, a description of how.

(e) DEFINITIONS.—In this section:

(1) JOINT FIRES.—The term ''joint fires'' has the meaning of that term as used in the publication of the Joint Staff entitled, ''Insights and Best Practices Focus Paper on Integration and Synchronization of Joint Fires'', and dated July 2018.

(2) TIER 1; TIER 2.—The term ''Tier 1'' and ''Tier 2'', with respect to joint training exercises, have the meanings given those terms in the Joint Training Manual for the Armed Forces of the United States (Document No. CJCSM 3500.03E), dated April 20, 2015.

SEC. 1552. RESPONSIBILITIES AND FUNCTIONS RELATING TO ELECTROMAGNETIC SPECTRUM OPERATIONS.

Section 1053(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 113 note), as amended by section 907 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81), is further amended—

(1) by striking paragraphs (1) and (2);

(2) by inserting the following new paragraph (1):

''(1) REPORT REQUIRED.—(A) Not later than March 31, 2023, the Secretary of Defense shall submit to the congressional defense committees a report on the appropriate alignment of electromagnetic spectrum operations responsibilities and functions.

''(B) CONSIDERATIONS.—In developing the report required by subparagraph (A), the Secretary shall consider the following:

''(i) All appropriate entities that are in effect, including elements of the Joint Staff, the functional and geographic combatant commands, the offices and agencies of the Department of Defense, and other organizations and the establishment of a new entity for electromagnetic spectrum operations within any of the entities currently in effect.

''(ii) Whether electromagnetic spectrum operations organization should have unitary structure or hybrid structure (in which operational and capability development and direction are headed by separate organizations).

''(C) The resources required to fulfill the specified responsibilities and functions.'';

(3) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively; and

(4) in the subsection heading, by inserting ''REPORTS AND PLANS CONCERNING'' before ''TRANSFER''.

SEC. 1553. EXTENSION OF AUTHORIZATION FOR PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

Section 130I(i) of title 10, United States Code, is amended by striking ''2023'' both places it appears and inserting ''2026''.

SEC. 1554. DEPARTMENT OF DEFENSE SUPPORT FOR REQUIREMENTS OF THE WHITE HOUSE MILITARY OFFICE.

(a) MEMBERSHIP ON COUNCIL ON OVERSIGHT OF THE NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.—Section 171a(b) of title 10, United States Code, is amended by—

(1) redesignating paragraph (7) as paragraph (8); and

(2) inserting after paragraph (6) the following new paragraph (7):

''(7) The Director of the White House Military Office.''.

(b) ACQUISITION PORTFOLIO MANAGER.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall designate a senior official to oversee, coordinate, and advocate for the portfolio of Department of Defense acquisitions in support of requirements of the White House Military Office.

(c) ACCESSIBILITY OF INFORMATION.—The programmatic and budgetary information required to assess the efficacy of Department of Defense acquisitions supporting requirements of the White House Military Office shall be provided to the senior official designated under subsection (b) by the following officials:

(1) The Secretary of each military department.

(2) The Under Secretary of Defense for Policy.

(3) The Under Secretary of Defense for Research and Engineering.

(4) The Chairman of the Joint Chiefs of Staff.

(5) The Director of Cost Assessment and Program Evaluation.

(d) ANNUAL BRIEFING.—Not later than 30 days after the date on which the President submits to Congress a budget for each of fiscal years 2024 through 2027 pursuant to section 1105(a) of title 31, United States Code, the Under Secretary of Defense for Acquisition and Sustainment and the Director of the White House Military Office shall jointly brief the congressional defense committees on acquisition programs, plans, and other activities supporting the requirements of the White House Military Office.

TITLE XVI—CYBERSPACE-RELATED MATTERS

Subtitle A—Matters Relating to Cyber Operations and Cyber Forces

SEC. 1601. ANNUAL ASSESSMENTS AND REPORTS ON ASSIGNMENT OF CERTAIN BUDGET CONTROL RESPONSIBILITY TO COMMANDER OF UNITED STATES CYBER COMMAND.

(a) ANNUAL ASSESSMENTS.—

(1) IN GENERAL.—In fiscal year 2023 and not less frequently than once each fiscal year thereafter through fiscal year 2028, the Commander of United States Cyber Command, in coordination with the Principal Cyber Advisor of the Department of Defense, shall assess the implementation of the transition of responsibilities assigned to the Commander by section 1507(a)(1) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81).

(2) ELEMENTS.—Each assessment carried out under paragraph (1) shall include the following:

(A) Assessment of the operational and organizational effect of the transition on the training, equipping, operation, sustainment, and readiness of the Cyber Mission Forces.

(B) Development of a description of the cyber systems, activities, capabilities, resources, and functions that have been transferred from the military departments to control of the Commander and those that have not been transitioned.

(C) Formulation of an opinion by the Commander as to whether the cyber systems, activities, capabilities, resources, and functions that have not been transitioned should be transitioned.

(D) Assessment of the adequacy of resources, authorities, and policies required to implement the transition, including organizational, functional, and personnel matters.

(E) Assessment of reliance on resources, authorities, policies, or personnel external to United States Cyber Command in support of the budget control of the Commander.

(F) Identification of any outstanding areas for transition.

(G) Such other matters as the Commander considers appropriate.

(b) ANNUAL REPORTS.—For each fiscal year in which the Commander conducted an assessment under subsection (a)(1), the Commander shall, not later than 90 days after the end of such fiscal year, submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the findings of the Commander with respect to such assessment.

SEC. 1602. ALIGNMENT OF DEPARTMENT OF DEFENSE CYBER INTERNATIONAL STRATEGY WITH NATIONAL DEFENSE STRATEGY AND DEPARTMENT OF DEFENSE CYBER STRATEGY.

(a) ALIGNMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, acting through the Under Secretary of Defense for Policy and in coordination with the Commander of United States Cyber Command, the Director of the Joint Staff J5, and the commanders of geographic combatant commands, undertake efforts to align the Department of Defense cybersecurity cooperation enterprise and the Department's cyberspace operational partnerships with the National Defense Strategy, Department of Defense Cyber Strategy, and the 2019 Department of Defense International Cyberspace Security Cooperation Guidance.

(b) ELEMENTS.—The alignment efforts required by subsection (a) shall include the following efforts within the Department of Defense:

(1) Efforts to build the Department's internal capacity to support international strategy policy engagements with allies and partners.

(2) Efforts to coordinate and align cyberspace operations with foreign partners, including alignment between hunt forward missions and other cyber international strategy activities conducted by the Department, including identification of processes, working groups, and methods to facilitate coordination between geographic combatant commands and United States Cyber Command.

(3) Efforts to deliberately cultivate operational and intelligence-sharing partnerships with key allies and partners to advance the cyberspace operations objectives of the Department.

(4) Efforts to identify key allied and partner networks, infrastructure, and systems that the Joint Force will rely upon for warfighting and to—

(A) support the cybersecurity and cyber defense of those networks, infrastructure, and systems;

(B) build partner capacity to actively defend those networks, infrastructure, and systems;

(C) eradicate malicious cyber activity that has compromised those networks, infrastructure, and systems, such as when identified through hunt forward operations; and

(D) leverage United States commercial and military cybersecurity technology and services to harden and defend those networks, infrastructure, and systems.

(5) Efforts to secure United States mission partner environments and networks used to hold United States origin intelligence and information.

(6) Prioritization schemas, funding requirements, and efficacy metrics to drive cyberspace security investments in the tools, technologies, and capacity-building efforts that will have the greatest positive impact on the ability of the Department's resilience and ability to execute its operational plans and achieve integrated deterrence.

(c) ORGANIZATION.—The Under Secretary of Defense for Policy shall lead efforts to implement this section. In doing so, the Under Secretary shall consult with the Secretary of State, the National Cyber Director, the Director of Cybersecurity and Infrastructure Security Agency, and the Director of the Federal Bureau of Investigation, to align plans and programs as appropriate.

(d) ANNUAL BRIEFINGS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act

and not less frequently than once each fiscal year until September 30, 2025, the Under Secretary of Defense for Policy shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives annual briefings on the implementation of this section.

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

(A) An overview of efforts undertaken pursuant to this section.

(B) An accounting of all the Department's security cooperation activities germane to cyberspace and changes made pursuant to implementation of this section.

(C) A detailed schedule with target milestones and required expenditures for all planned activities related to the efforts described in subsection (b).

(D) Interim and final metrics for building the cyberspace security cooperation enterprise of the Department.

(E) Identification of such additional funding, authorities, and policies, as the Under Secretary determines may be required.

(F) Such recommendations as the Under Secretary may have for legislative action to improve the effectiveness of cyberspace security cooperation of the Department with foreign partners and allies.

(e) ANNUAL REPORT.—Not later than 90 days after the date of the enactment of this Act and not less frequently than once each year thereafter until January 1, 2025, the Under Secretary of Defense for Policy shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an annual report summarizing the cyber international strategy activities of the Department, including within the cybersecurity cooperation enterprise of the Department and the cyber operational partnerships of the Department.

SEC. 1603. CORRECTING CYBER MISSION FORCE READINESS SHORTFALLS.

(a) PLAN AND BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly—

(1) develop a plan to correct readiness shortfalls in the Cyber Mission Forces;

(2) develop recommendations for such legislative action as the Secretary and the Chairman jointly consider appropriate to correct the readiness shortfalls described in paragraph (1); and

(3) provide the congressional defense committees a briefing on the plan developed under paragraph (1) and the recommendations developed under paragraph (2).

(b) IMPLEMENTATION.—Not later than 30 days after the date of the briefing provided under paragraph (3) of subsection (a), the Secretary and the Chairman shall commence implementation of the aspects of the plan developed under paragraph (1) of such subsection that are not dependent upon legislative action.

(c) MATTERS TO BE ADDRESSED.—In developing the plan, the Secretary and the Chairman shall consider and explicitly address through analysis the following potential courses of action, singly and in combination, to increase the availability of personnel in key work roles:

(1) Determining the correct number of personnel necessary to fill key work roles, including the proper force mix of civilian, military, and contractor personnel, and the means necessary to meet those requirements.

(2) Employing civilians rather than military personnel in key work roles.

(3) Expanding training capacity.

(4) Modifying or creating new training models.

(5) Maximizing use of compensation and incentive authorities, including increasing bonuses and special pays, and alternative compensation mechanisms.

(6) Modifying career paths and service policies to permit consecutive assignments in key work roles without jeopardizing promotion opportunities.

(7) Increasing service commitments following training commensurate with the value of the key work role training.

(8) Standardizing compensation models across the services.

(9) Requiring multiple rotations within the Cyber Mission Forces for key work roles.

(10) Adopting and implementing what are known as ''rank in person'' policies that enable civilian personnel to be promoted on the basis of skills and abilities demonstrated in a given position.

(d) KEY WORK ROLES DEFINED.—In this section, the term ''key work roles'' means work roles that consist of access development, tool development, and exploitation analysis.

SEC. 1604. CYBERSECURITY COOPERATION TRAINING AT JOINT MILITARY ATTACHÉ SCHOOL.

(a) REFINING AND EXPANDING TRAINING.—Not later than 270 days after the date of the enactment of this Act, the Under Secretary of Defense for Intelligence and Security shall, in coordination with the Commander of United States Cyber Command and the Under Secretary of Defense for Policy, refine and expand current cybersecurity cooperation training at the Joint Military Attaché School.

(b) ELEMENTS.—The cybersecurity cooperation training developed under subsection (a) shall include the following:

(1) An overview of the different purposes of cyberspace engagements with partners and allies, including threat awareness, cybersecurity, mission assurance, and operations.

(2) An overview of the types of cybersecurity cooperation available for partners and allies of the United States, including bilateral and multilateral cyberspace engagements, information and intelligence sharing, training, and exercises.

(3) An overview of the United States Cyber Command cyberspace operations with partners, including an overview of the Hunt Forward mission and process.

(4) Description of roles and responsibilities of United States Cyber Command, the geographic combatant commands, and the Defense Security Cooperation Agency for cybersecurity cooperation within the Department of Defense.

(5) Such other matters as the Under Secretary of Defense for Intelligence and Security, in coordination with the Under Secretary of Defense for Policy and the Commander of United States Cyber Command, consider appropriate.

(c) REQUIREMENTS.—The training developed under subsection (a) shall be a required element for all participants in the Attaché Training Program and the Attaché Staff Training Program of the Joint Military Attaché School.

(d) BRIEFING.—Not later than 30 days after completing development of the training under subsection (a), the Under Secretary of Defense for Intelligence and Security shall, in coordination with the Commander of United States Cyber Command and the Under Secretary of Defense for Policy, provide a briefing to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the training and the timeline for implementation within the program specified in subsection (c). Such briefing shall also include a plan for future updates and sustainment of the training developed in subsection (a).

SEC. 1605. STRATEGY, FORCE, AND CAPABILITY DEVELOPMENT FOR CYBER EFFECTS AND SECURITY IN SUPPORT OF OPERATIONAL FORCES.

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—The Deputy Secretary of Defense shall, in coordination with the Vice Chairman of the Joint Chiefs of Staff and in consultation with the Director of National Intelligence, develop a strategy for converged cyber and electronic warfare conducted by and through deployed military and intelligence assets operating in the radio-frequency domain to provide strategic, operational, and tactical effects in support of combatant commanders.

(2) MEANS.—The strategy developed under paragraph (1) shall specify means for supporting the strategy that include apertures and emitters that are space-based, airborne, ground-based, and sea-based.

(3) TARGETS.—The strategy developed under paragraph (1) may specify targets of the strategy that include the range of electronic systems embedded in adversary space-based, airborne, ground-based, and maritime forces.

(4) ACCESS TO INFORMATION.—In developing the strategy required by paragraph (1), the Deputy Secretary shall ensure that the strategy development team has access to all relevant programs, activities, and capabilities ongoing within the Department of Defense, including special access programs and other compartmented access programs.

(b) RECOMMENDATIONS FOR DECONFLICTION AND COORDINATION.—The Vice Chairman shall, in consultation with the geographic combatant commanders, the Commander of United States Cyber Command, and the Commander of Strategic Command, submit to the Deputy Secretary and the Chairman of the Joint Chiefs of Staff recommendations regarding command and control, deconfliction, and coordination relationships and processes between combatant commanders and the Commander of United States Cyber Command regarding tactical cyber operations and converged cyber and electronic warfare operations conducted prior to and during armed conflict.

(c) REQUIREMENTS FOR SERVICE RETAINED CYBER FORCES.—In parallel and in coordination with the development of the strategy under subsection (a), the Deputy Secretary and the Vice Chairman shall develop requirements for service-retained tactical cyber forces for offensive and defensive cyber missions—

(1) to defend deployed information technology and operational technology networks, intelligence systems, command and control nodes, tactical data networks, and weapon platforms and systems;

(2) to conduct offensive actions to achieve effects against adversary weapons systems, platforms, sensor systems, and tactical and operational command and control networks and communications systems; and

(3) to develop the intelligence requirements, strategy, and requisite data flows to support converged cyber and electronic warfare operations.

(d) CAPABILITY DEVELOPMENT AND TRANSITION PROCESSES.—The Deputy Secretary shall identify, designate, and create organizational constructs and processes to continuously generate and deliver cyber and converged cyber and electronic warfare capabilities into the Cyber Mission Forces, service-retained cyber forces, and other appropriate platforms and systems that can—

(1) achieve effects against adversary weapons systems, sensor systems, and tactical and operational command and control networks and communications systems; and

(2) enhance the cybersecurity of deployed information technology and operational

technology networks, and weapon platforms and systems operating in or from space, air, ground, and maritime domains.

(e) BRIEFING REQUIRED.—Not later than one year after the date of the enactment of this Act, the Deputy Secretary shall brief the congressional defense committees and the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) on the status of the implementation of this section.

SEC. 1606. TOTAL FORCE GENERATION FOR THE CYBERSPACE OPERATIONS FORCES.

(a) STUDY.—

(1) IN GENERAL.—Not later than June 1, 2024, the Secretary of Defense shall complete a study on the responsibilities of the military services for organizing, training, and presenting the total force to United States Cyber Command.

(2) ELEMENTS.—The study required by paragraph (1) shall assess the following:

(A) Which military services should organize, train, and equip civilian assets and military Cyberspace Operations Forces for assignment, allocation, and apportionment to United States Cyber Command.

(B) Sufficiency of the military service accession and training model to provide forces to the Cyberspace Operations Forces, as well as the sufficiency of the accessions and personnel resourcing of the supporting command and control staffs necessary as a component to United States Cyber Command.

(C) The organization of the Cyberspace Operations Forces and whether the total forces or elements of the forces function best as a collection of independent teams or through a different model.

(D) Under-represented work roles or skills within the Cyberspace Operations Forces, including additional work roles or skills required to enable infrastructure management and access generation.

(E) What unique or training-intensive expertise is required for each of these work roles and whether native talents to master unique and training-intensive work roles can be identified and how personnel with those talents can be developed, retained, and employed across the active and reserve components.

(F) The appropriate pay scales, rotation or force management policies, career paths and progression, expertise-based grading, talent management practices, and training for each of those work roles, given expected operational requirements.

(G) Whether a single military service should be responsible for basic, intermediate, and advanced training for the Cyberspace Operations Forces, or at a minimum for the Cyber Mission Force.

(H) The level of training required before an individual should be assigned, allocated, or apportioned to United States Cyber Command.

(I) Whether or how the duties of the Director of the National Security Agency and the duties of Commander of United States Cyber Command, resting with a single individual, enable each respective organization, and whether technical directors and intelligence experts of the National Security Agency should serve rotations in the Cyberspace Operations Forces.

(J) How nonmilitary personnel, such as civilian government employees, contracted experts, commercial partners, and domain or technology-specific experts in industry or the intelligence community can augment or support Cyber Mission Force teams.

(K) What work roles in the Cyberspace Operations Forces can only be filled by military personnel, which work roles can be filled by civilian employees or contractors, and which work roles should be filled partially or fully by civilians due to the need for longevity of service to achieve required skill levels or retention rates.

(L) How specialized cyber experience, developed and maintained in the reserve component, can be more effectively leveraged to support the Cyberspace Operations Forces through innovative force generation models.

(M) Whether the Department of Defense should create a separate service to organize, train, and equip the Cyberspace Operations Forces or at a minimum the Cyber Mission Force.

(N) What resources, including billets, are required to account for any recommended changes.

(O) What resources the Commander of United States Cyber Command should be responsible for with respect to planning, programming, and budgeting as part of the implementation of section 1507 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81).

(P) Whether the Department of Defense is maximizing partnerships with industry and other nontraditional sources of expertise in the areas of critical infrastructure protection and information sharing.

(Q) Whether the Defense Readiness Reporting System of the Department of Defense is sufficient to capture Cyberspace Mission Force readiness metrics.

(3) CONSIDERATIONS.—The study required by paragraph (1) shall consider existing models for total force generation practices and programs, as well as nontraditional and creative alternatives.

(b) RECOMMENDATION.—

(1) IN GENERAL.—Not later than June 1, 2024, the Principal Cyber Advisor and the Commander of United States Cyber Command shall, jointly or separately as they consider appropriate, submit to the Secretary of Defense a recommendation or recommendations, respectively, as to the future total force generation model for the Cyberspace Operations Forces.

(2) MATTERS ADDRESSED.—The recommendation or recommendations submitted under paragraph (1) shall address, at a minimum, each of the elements identified in subsection (a)(2).

(c) ESTABLISHMENT OF A NEW OR REVISED MODEL REQUIRED.—

(1) IN GENERAL.—Not later than December 31, 2024, the Secretary of Defense shall establish a new or revised total force generation model for the Cyberspace Operations Forces.

(2) ELEMENTS.—In establishing a new total force generation model or revising a total force generation model under paragraph (1), the Secretary shall explicitly determine the following:

(A) Whether the Navy should no longer be responsible for developing and presenting forces to the United States Cyber Command as part of the Cyber Mission Force or Cyberspace Operations Forces, including recommendations for corresponding transfer of responsibilities and associated resources and personnel for the existing and future year programmed Cyberspace Operations Forces or Cyber Mission Force resources.

(B) Whether a single military service should be responsible for organizing, training, and equipping the Cyberspace Operations Forces, or if different services should be responsible for different components of the Cyberspace Operations Forces.

(C) Whether modification of United States Cyber Command enhanced budget control authorities are necessary to further improve total force generation for Cyberspace Operations Forces.

(D) Implications of low service retention rates for critical roles within the Cyberspace Operations Forces, specifically addressing Cyber Mission Force rotations, length of service commitments, repeat tours within the Cyber Mission Force, retention incentives across the entire Cyberspace Operations Forces, and best practices for generating the future force.

(d) IMPLEMENTATION PLAN.—Not later than June 1, 2025, the Secretary shall submit to the congressional defense committees an implementation plan for effecting the total force generation model established or revised under subsection (c).

(e) PROGRESS BRIEFING.—Not later than 90 days after the date of the enactment of this Act and not less frequently than once every 180 days thereafter until receipt of the plan required by subsection (d), the Secretary shall provide the congressional defense committees with a briefing on the progress made in carrying out this section.

(f) ADDITIONAL CONSIDERATIONS.—The Secretary shall ensure that subsections (a) through (c) are carried out with consideration to matters relating to the following:

(1) The cybersecurity service providers, local defenders, and information technology personnel who own, operate, and defend the information networks of the Department of Defense.

(2) Equipping the Cyberspace Operations Forces to include infrastructure management.

(3) Providing intelligence support to the Cyberspace Operations Forces.

(4) The resources, including billets, needed to account for any recommended changes.

SEC. 1607. MANAGEMENT AND OVERSIGHT OF JOINT CYBER WARFIGHTING ARCHITECTURE.

(a) ESTABLISHMENT OF PROGRAM EXECUTIVE OFFICE.—The Deputy Secretary of Defense shall, in consultation with the Under Secretary of Defense for Acquisition and Sustainment and the Commander of United States Cyber Command, establish a program executive office (in this section referred to as the ''Office'') to manage and provide oversight of the implementation and integration of the Joint Cyber Warfighting Architecture (in this section referred to as the ''Architecture'') and the components of the Architecture.

(b) INDEPENDENCE OF OFFICE.—

(1) IN GENERAL.—The Deputy Secretary shall establish the Office outside of a military service.

(2) HEAD OF OFFICE.—The Deputy Secretary shall appoint the head of the Office and the head of the Office shall report to the Under Secretary and the Commander.

(c) CHIEF ARCHITECT AND SYSTEMS ENGINEER.—The Deputy Secretary shall ensure that the Office includes a chief architect and a systems engineer to provide the management and oversight described in subsection (a).

(d) APPOINTMENT OF EXPERTS.—The Deputy Secretary shall appoint to the Office personnel from organizations with relevant and high levels of technical and operational expertise, including the following:

(1) The Capabilities Directorate of the National Security Agency.

(2) The Information Innovation Office of the Defense Advanced Research Projects Agency.

(3) The Strategic Capabilities Office.

(4) The Cyber Capabilities Support Office of the Air Force.

(5) The Air Force Research Laboratory.

(6) The Office of Special Projects in the Navy.

(7) The operational units of the Cyber National Mission Force and cyber components of the military services.

(e) BUDGET EXECUTION CONTROL.—The head of the Office shall exercise budget execution

control over component programs of the Architecture that are subject to the responsibilities assigned to the Commander by section 1507 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 167b note).

(f) COMPLIANCE WITH DIRECTION.—The program managers of the components of the Architecture shall comply with direction from the head of the Office, without intermediary communications from the Commander or the Under Secretary to the senior acquisition executive of the relevant military service.

(g) COORDINATION.—The Director of the Defense Advanced Research Projects Agency shall coordinate closely with the head of the Office in planning and executing the Constellation program via transactions under section 4021 of title 10, United States Code, between the Agency and the companies executing the components of the Architecture to create an effective framework and pipeline system for transitioning cyber applications for operational use from the Agency and other sources.

(h) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the head of the Office and the Director shall jointly provide to the congressional defense committees a briefing on the status of the implementation of this section.

(i) INDEPENDENT REVIEW.—

(1) AGREEMENT.—Not later than 180 days after the date of the enactment of this Act, the Deputy Secretary of Defense shall enter into an agreement with an appropriate third-party to perform the services covered by this subsection.

(2) INDEPENDENT REVIEW AND BRIEFING.—(A) Under an agreement between the Deputy Secretary and an appropriate third-party, the appropriate third-party shall—

(i) carry out an independent review of the Joint Cyberspace Warfight Architecture concept, activities, and programs of record that comprise the Architecture; and

(ii) provide the congressional defense committees a briefing on the findings of the appropriate third-party with respect to the independent review conducted under clause (i).

(B) The independent review conducted under subparagraph (A)(i) shall include an assessment of and recommendations for improving:

(i) The effectiveness of the system integration and systems engineering efforts and governance structures of the Architecture.

(ii) The acquisition model of the activities compromising the Architecture, including recommendations for expanded use of Budget Activity 8 (BA–8) authorities.

(iii) The pipeline for rapidly developing and incorporating new capabilities to respond to the rapidly-evolving cyber threat environment.

(iv) Such other matters as the Deputy Secretary considers appropriate.

(3) APPROPRIATE THIRD-PARTY.—For purposes of this subsection, an appropriate third-party is a person who—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has such expertise and objectivity as the Deputy Secretary considers appropriate to carry out the independent review under paragraph (2).

SEC. 1608. STUDY TO DETERMINE THE OPTIMAL STRATEGY FOR STRUCTURING AND MANNING ELEMENTS OF THE JOINT FORCE HEADQUARTERS–CYBER ORGANIZATIONS, JOINT MISSION OPERATIONS CENTERS, AND CYBER OPERATIONS-INTEGRATED PLANNING ELEMENTS.

(a) STUDY.—

(1) IN GENERAL.—The Principal Cyber Advisor of the Department of Defense shall conduct a study to determine the optimal strategy for structuring and manning elements of the following:

(A) Joint Force Headquarters Cyber Organizations.

(B) Joint Mission Operations Centers.

(C) Cyber Operations–Integrated Planning Elements.

(D) Joint Cyber Centers.

(2) ELEMENTS.—The study conducted under paragraph (1) shall include assessment of the following:

(A) Operational effects on the military services if each of the entities listed in subparagraphs (A) through (C) of paragraph (1) are restructured from organizations that are service component organizations to joint organizations.

(B) Organizational effects on the military services if the billets associated with each of the entities listed in subparagraphs (A) through (C) of paragraph (1) are transferred to United States Cyber Command and designated as joint billets for joint qualification purposes.

(C) Operational and organizational effects on the military services, United States Cyber Command, other combatant commands, and the Joint Staff if the entities listed in subparagraphs (A) through (D) of paragraph (1) are realigned, restructured, or consolidated.

(D) Operational and organizational effects and advisement of standardizing a minimum set of roles and responsibilities of the Joint Cyber Centers, or the equivalent entity, of the combatant commands.

(E) Clarification of the relationship and differentiation between Cyber Operations–Integrated Planning Elements and Joint Cyber Centers of the combatant commands.

(F) A description of mission essential tasks for the entities listed in subparagraphs (A) through (D) of paragraph (1).

(G) A description of cyber activities in geographic and functional combatant command campaign plans and resources aligned to those activities.

(b) BRIEFINGS.—Not later than 180 after the date of the enactment of this Act, and not less frequently than once every 120 days until March 31, 2024, the Principal Cyber Advisor shall provide the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the status of the study conducted under subsection (a).

(c) REPORT.—

(1) IN GENERAL.—Not later than March 31, 2024, the Principal Cyber Advisor shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the study conducted under subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall contain the following:

(A) The findings of the Principal Cyber Advisor with respect to the study conducted under subsection (a).

(B) Details of the operational and organizational effects assessed under subsection (a)(2).

(C) A plan to carry out the transfer described in subsection (a)(2)(B) and the associated costs, as appropriate.

(D) A plan to realign, restructure, or consolidate the entities listed in subparagraphs (A) through (D) of subsection (a)(1).

(E) Such other matters as the Principal Cyber Advisor considers appropriate.

SEC. 1609. ANNUAL BRIEFING ON RELATIONSHIP BETWEEN NATIONAL SECURITY AGENCY AND UNITED STATES CYBER COMMAND.

(a) ANNUAL BRIEFINGS REQUIRED.—Not later than March 1, 2023, and not less frequently than once each year thereafter until March 1, 2028, the Secretary of Defense shall provide the congressional defense committees a briefing on the relationship between the National Security Agency and United States Cyber Command.

(b) ELEMENTS.—Each briefing provided under subsection (a) shall include an annual assessment of the following:

(1) The resources, authorities, activities, missions, facilities, and personnel used to conduct the relevant missions at the National Security Agency as well as the cyber offense and defense missions of United States Cyber Command.

(2) The processes used to manage risk, balance tradeoffs, and work with partners to execute operations.

(3) An assessment of the operating environment and the continuous need to balance tradeoffs to meet mission necessity and effectiveness.

(4) An assessment of the operational effects resulting from the relationship between the National Security Agency and United States Cyber Command, including a list of specific operations conducted over the previous year that were enabled by or benefitted from the relationship.

(5) Such other topics as the Director of the National Security Agency and the Commander of United States Cyber Command may consider appropriate.

SEC. 1610. REVIEW OF CERTAIN CYBER OPERATIONS PERSONNEL POLICIES.

(a) REVIEW REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall require the Secretaries of the military departments and the Commander of United States Cyber Command to complete a review of, and appropriately update, departmental guidance and processes consistent with section 167b(d)(2)(A)(x) of title 10 , United States Code, with respect to the authority of the Commander to monitor the promotions of certain cyber operations forces and coordinate with the Secretaries regarding the assignment, retention, training, professional military education, and special and incentive pays of certain cyber operations forces.

(b) ELEMENTS OF REVIEW.—The review and updates to departmental guidance and processes required under subsection (a) shall address the respective roles of the military departments and United States Cyber Command with respect to the following:

(1) The recruiting, retention, professional military education, and promotion of certain cyber operations personnel.

(2) The sharing of personnel data between the military departments and United States Cyber Command.

(3) Structures, departmental guidance, and processes developed between the military departments and United States Special Operations Command with respect to the authority of the Commander of United States Special Operations Command described in section 167(e)(2)(J) of title 10, United States Code, that could be used as a model for United States Cyber Command.

(4) Such other matters as the Secretary of Defense determines necessary.

(c) REPORT REQUIRED.—Not later than 90 days after the date on which the review and the updates required by subsection (a) are completed, the Secretary of Defense shall submit to the congressional defense committees a report on the findings of the Secretaries of the military departments and the Commander of United States Cyber Command with respect to the review and the updates made pursuant to such subsection. Such report shall also include any such recommendations as the Secretary may have for legislative or administrative action.

SEC. 1611. MILITARY CYBERSECURITY COOPERATION WITH KINGDOM OF JORDAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, acting through the Under Secretary of Defense for Policy, in coordination with the Commander of United States Cyber Command, the Commander of United States Central Command, and the Secretary of State, seek to engage their counterparts within the Ministry of Defence of the Kingdom of Jordan for the purpose of expanding cooperation of military cybersecurity activities.

(b) COOPERATION EFFORTS.—The efforts to expand cooperation required by subsection (a) may include the following efforts between the Department of Defense and the Ministry of Defence of the Kingdom of Jordan:

(1) Bilateral cybersecurity training activities and exercises.

(2) Efforts to—

(A) actively defend military networks, infrastructure, and systems;

(B) eradicate malicious cyber activity that has compromised those networks, infrastructure, and systems; and

(C) leverage United States commercial and military cybersecurity technology and services to harden and defend those networks, infrastructure, and systems.

(3) Establishment of a regional cybersecurity center.

(c) BRIEFINGS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of State, provide to the appropriate committees of Congress a briefing on the implementation of this section.

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

(A) An overview of efforts undertaken pursuant to this section.

(B) A description of the feasibility and advisability of expanding cooperation with the Ministry of Defence of the Kingdom of Jordan on military cybersecurity.

(C) Identification of any challenges and resources that need to be addressed so as to expand cooperation with the Ministry of Defence of the Kingdom of Jordan on military cybersecurity.

(D) Any other matter the Secretary considers relevant.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1612. COMMANDER OF THE UNITED STATES CYBER COMMAND.

Section 167b(c) of title 10, United States Code, is amended

(1) by striking ''GRADE OF COMMANDER.—The commander'' and inserting ''COMMANDER OF CYBER COMMAND.—(1)The commander''; and

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

''(2) The commander shall be appointed for a term of four years, and the President may nominate and appoint the commander for one additional 4-year term with the advice and consent of the Senate.''.

SEC. 1613. ASSESSMENT AND REPORT ON SHARING MILITARY CYBER CAPABILITIES WITH FOREIGN OPERATIONAL PARTNERS.

(a) ASSESSMENT REQUIRED.—Not later than April 1, 2023, the Secretary of Defense, with the concurrence of the Secretary of State, shall conduct an assessment on sharing military cyber capabilities of the Armed Forces with foreign partners of the United States for immediate operational use to cause effects on targets or enable collection of information from targets.

(b) ELEMENTS.—The assessment conducted under subsection (a) shall include—

(1) a description of the military requirements of the Department of Defense for rapid sharing of military cyber capabilities with foreign partners of the United States in relevant operational timeframes;

(2) a description of the understanding by the Secretary of Defense and the Secretary of State of the current legal framework governing the sharing of military cyber capabilities of the Department with foreign partners of the United States for operational use by the foreign partner, including prohibitions or restrictions on sharing such military cyber capabilities with foreign partners in relevant operational timeframes, including under—

(A) the War Powers Resolution (50 U.S.C. 1541 et seq.);

(B) an alliance or treaty with a foreign country or countries; and

(C) export control laws or security assistance programs; and

(3) recommendations for legislative action that the Secretary of Defense and the Secretary of State jointly agree are necessary to address gaps or misalignment in authorities that would enhance the sharing of military cyber capabilities of the Department with foreign operational partners of the United States.

(c) REPORT REQUIRED.—Not later than April 1, 2023, the Secretary of Defense, with the concurrence of the Secretary of State, shall provide the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a report on the assessment conducted under subsection (a).

SEC. 1614. REPORT ON PROGRESS IN IMPLEMENTING PILOT PROGRAM TO ENHANCE CYBERSECURITY AND RESILIENCY OF CRITICAL INFRASTRUCTURE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of Homeland Security, submit to Congress a report on the progress made in implementing the 2018 memorandum of understanding that was entered into by the Secretaries pursuant to the authority provided by section 1650(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 711 note prec.).

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) A description of the efforts to develop and approve plans of action and milestones for each line of effort in the memorandum of understanding described in subsection (a).

(2) A description of the activities executed pursuant to such memorandum of understanding.

(3) Identification of any impediments that limit the abilities of the Secretaries to fully implement all lines of effort in such memorandum of understanding.

SEC. 1615. PROTECTION OF CRITICAL INFRASTRUCTURE.

(a) IN GENERAL.—In the event that the President determines that there is an active, systematic, and ongoing campaign of attacks in cyberspace by a foreign power against the Government or the critical infrastructure of the United States, the President may authorize the Secretary of Defense, acting through the Commander of the United States Cyber Command, to conduct military cyber activities or operations pursuant to section 394 of title 10, United States Code, in foreign cyberspace to deter, safeguard, or defend against such attacks.

(b) AFFIRMATION OF SCOPE OF CYBER ACTIVITIES OR OPERATIONS.—Congress affirms that the cyber activities or operations referred to in subsection (a), when appropriately authorized, shall be conducted consistent with section 394 of title 10, United States Code.

(c) DEFINITION OF CRITICAL INFRASTRUCTURE.—In this section, the term ''critical infrastructure'' has the meaning given that term in subsection (e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e)).

Subtitle B—Matters Relating to Department of Defense Cybersecurity and Information Technology

SEC. 1621. BUDGET DISPLAY FOR CRYPTOGRAPHIC MODERNIZATION ACTIVITIES FOR CERTAIN SYSTEMS OF THE DEPARTMENT OF DEFENSE.

(a) DISPLAY REQUIRED.—Beginning with fiscal year 2024, and for each fiscal year thereafter, the Secretary of Defense shall include with the budget justification materials submitted to Congress in support of the budget of the Department of Defense for that fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a consolidated cryptographic modernization budget justification display for each Department of Defense system or asset that is protected by cryptography and subject to certification by the National Security Agency (in this section, referred to as ''covered items'').

(b) ELEMENTS.—Each display included under subsection (a) for a fiscal year shall include the following:

(1) CRYPTOGRAPHIC MODERNIZATION ACTIVITIES.—(A) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 142 note), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(B) The funding required for the covered fiscal year and for each subsequent fiscal year of the Future Years Defense Program to complete the pending or in progress cryptographic modernization by the required replacement date of each covered item.

(C)(i) A description of deviations between the funding annually required to complete the modernization prior to the required replacement date and the funding requested and planned within the Future Years Defense Program.

(ii) An explanation—

(I) justifying the deviations; and

(II) of whether or how any delays resulting from a deviation shall be overcome to meet the required replacement date.

(D) A description of operational or security risks resulting from each deviation from the modernization schedule required to meet replacement dates, including a current intelligence assessment of adversary progress on exploiting the covered item.

(E) For any covered item that remains in service past its required replacement date, a description of the number of times the covered item has been extended and the circumstances attending each such extension.

(2) MITIGATION ACTIVITIES FOR COVERED ITEMS.—(A) Whether activities to mitigate the risks associated with projected failure to replace a covered item by the required replacement date are planned, in progress, or complete.

(B) The funding required for the covered fiscal year and for each subsequent fiscal

year for required mitigation activities to complete any planned, pending, or in progress mitigation activities for a covered item.

(C) A description of the activities planned in the covered fiscal year and each subsequent fiscal year to complete mitigation activities and an explanation of the efficacy of the mitigations.

(c) FORM.—The display required by subsection (a) shall be included in unclassified form, but may include a classified annex.

SEC. 1622. ESTABLISHING PROJECTS FOR DATA MANAGEMENT, ARTIFICIAL INTELLIGENCE, AND DIGITAL SOLUTIONS.

(a) ESTABLISHMENT OF PRIORITY PROJECTS.—The Deputy Secretary of Defense shall—

(1) establish priority enterprise projects for data management, artificial intelligence, and digital solutions for both business efficiency and warfighting capabilities intended to accelerate decision advantage; and

(2) assign responsibilities for execution and funding of the projects established under paragraph (1).

(b) ACTIONS REQUIRED.—To ensure implementation of the priority projects of the Deputy Secretary of Defense under subsection (a), and to instill data science and technology as a core discipline in the Department of Defense, the Deputy Secretary shall—

(1) hold the heads of Department components accountable for—

(A) making their component's data available for use in common enterprise data sets in accordance with plans developed and approved by the head of the component and the Deputy Secretary;

(B) developing, implementing, and reporting measurable actions to acquire, preserve, and grow the population of government and contractor personnel with expertise in data management, artificial intelligence, and digital solutions;

(C) making their components use data management practices, analytics processes, computing environments, and operational test environments that are made available and specifically approved by the head of the component and the Deputy Secretary;

(D) identifying and reporting on an annual basis for Deputy Secretary approval those ongoing programs and activities and new initiatives within their components to which the component head determines should be applied advanced analytics, digital technology, and artificial intelligence; and

(E) developing and implementing cybersecurity solutions, including red team assessments, to protect artificial intelligence systems, data, development processes, and applications from adversary actions;

(2) require the Chief Digital and Artificial Intelligence Officer and the heads of Department components to develop and report on an actionable plan for the Deputy Secretary to promulgate to reform the technologies, policies, and processes used to support accreditation and authority to operate decisions to enable rapid deployment into operational environments of newly developed government, contractor, and commercial software;

(3) require the Chief Digital and Artificial Intelligence Officer and heads of Department components to define and establish career paths, work roles, and occupational specialties for civilian and military personnel in the fields of data management, artificial intelligence, and digital solutions for the Deputy Secretary's approval; and

(4) establish a Departmental management reform goal for adoption and integration artificial intelligence or machine learning into business and warfighting processes, including the tracking of metrics, milestones, and initiatives to measure the progress of the Department in meeting that goal.

(c) BRIEFINGS REQUIRED.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once every six months thereafter until December 31, 2025, the Deputy Secretary shall provide to the congressional defense committees a briefing on directives issued by the Deputy Secretary to implement the requirements of this section and the status of implementation actions.

(d) COMPONENT DEFINED.—In this section, the term ''component'' means a military department, a combatant command, or a defense agency of the Department of Defense.

SEC. 1623. OPERATIONAL TESTING FOR COMMERCIAL CYBERSECURITY CAPABILITIES.

(a) REQUIREMENT.—Subject to subsection (c), the Secretary of Defense may not operate a commercial cybersecurity capability on a network of the Department of Defense until such capability has received a satisfactory determination from the Director of Operational Test and Evaluation in each of the following areas:

(1) Operational effectiveness.

(2) Operational suitability.

(3) Cyber survivability.

(b) ASSESSMENTS.—In determining whether a commercial cybersecurity capability is satisfactory in each of the areas set forth under subsection (a), the Director of Operational Test and Evaluation shall conduct an assessment that includes consideration of the following:

(1) Threat-realistic operational testing, including representative environments, variation of operational conditions, and inclusion of a realistic opposing force.

(2) The use of Department of Defense Cyber Red Teams, as well as any enabling contract language required to permit threat-representative Red Team assessments.

(3) Collaboration with the personnel using the commercial cybersecurity capability regarding the results of the testing to improve operators' ability to recognize and defend against cyberattacks.

(4) The extent to which additional resources may be needed to remediate any shortfalls in capability to make the commercial cybersecurity capability effective, suitable, and cyber survivable in an operational environment of the Department.

(5) Identification of training requirements, and changes to training, sustainment practices, or concepts of operation or employment that may be needed to ensure the effectiveness, suitability, and cyber survivability of the commercial cybersecurity capability.

(c) WAIVER.—

(1) IN GENERAL.—An acquisition executive of a military service or a component of the Department may waive the requirement in subsection (a) for a commercial cybersecurity capability for the military service or component of the acquisition executive if the acquisition executive determines that operational necessity does not allow for time to conduct an assessment under subsection (b) in a timeframe to meet the needs of the military service or component.

(2) PERIOD OF WAIVER.—A waiver under paragraph (1) may be issued for a period of up to three years before a new waiver is required, or a waiver is otherwise no longer required.

(d) POLICIES AND REGULATIONS.—Not later than February 1, 2024, the Secretary shall issue such policies and guidance and promulgate such regulations as the Secretary considers necessary to carry out this section.

(e) REPORT.—Not later than January 31, 2025, and not less frequently than once each year thereafter until January 31, 2030, the Director shall include in each annual report required by section 139(h) of title 10, United States Code, the status of the determinations required by subsection (a), including the following:

(1) A summary of such determinations and the associated assessments under subsection (b).

(2) The number and type of test and evaluation events completed in the past year for such assessments, disaggregated by component of the Department, and including resources devoted to each event.

(3) The results from such test and evaluation events, including any resource shortfalls affecting the number of commercial cybersecurity capabilities that could be assessed.

(4) A summary of identified categories of common gaps and shortfalls found during testing.

(5) The extent to which entities responsible for developing and testing commercial cybersecurity capabilities have responded to recommendations made by the Director in an effort to gain favorable determinations.

(6) Any identified lessons learned that would impact training, sustainment, or concepts of operation or employment decisions relating to the assessed commercial cybersecurity capabilities.

(f) DEFINITION.—In this section, the term ''commercial cybersecurity capabilities'' means either—

(1) commercial products (as defined in section 103 of title 41, United States Code) acquired and deployed by the Department of Defense to satisfy the cybersecurity requirements of one or more Department components; or

(2) commercially available off-the-shelf items (as defined in section 104 of title 41, United States Code) acquired and deployed by the Department of Defense to satisfy the cybersecurity requirements of one or more Department components.

(g) EFFECTIVE DATE.—This section shall take effect on February 1, 2024.

SEC. 1624. PLAN FOR COMMERCIAL CLOUD TEST AND EVALUATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with commercial industry, shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a policy and plan for test and evaluation of the cybersecurity of the clouds of commercial cloud service providers.

(b) CONTENTS.—The policy and plan submitted under subsection (a) shall include the following:

(1) A requirement that all future contracts with cloud service providers include provisions that permit the Department to conduct independent, threat-realistic assessments, including penetration testing, of the commercial cloud infrastructure, including the control plane and virtualization hypervisor.

(2) An explanation as to how the Department intends to proceed on amending existing contracts with cloud service providers to permit the same level of rigorous assessments that will be required for all future contracts.

(3) Identification and description of any proposed tiered test and evaluation requirements aligned with different impact and classification levels.

(c) WAIVER AUTHORITY.—The policy and plan required under subsection (a) may provide an authority to waive any requirements described in subsection (b) conditioned upon the approval of the Chief Information Officer of the Department of Defense and the Director of Operational Test and Evaluation.

SEC. 1625. REPORT ON RECOMMENDATIONS FROM NAVY CIVILIAN CAREER PATH STUDY.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report on the recommendations made in the report submitted to the congressional defense committees under section 1653(a)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; relating to improving cyber career paths in the Navy).

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) A description of each recommendation described in such subsection that has already been implemented.

(B) A description of each recommendation described in such subsection that the Secretary has commenced implementing, including a justification for determining to commence implementing the recommendation.

(C) A description of each recommendation described in such subsection that the Secretary has not implemented or commenced implementing and a determination as to whether or not to implement the recommendation.

(D) For each recommendation under subparagraph (C) that the Secretary determines to implement, the following:

(i) A timeline for implementation.

(ii) A description of any additional resources or authorities required for implementation.

(iii) The plan for implementation.

(E) For each recommendation under subparagraph (C) that the Secretary determines not to implement, a justification for the determination not to implement.

(3) FORMAT.—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) REVIEW BY COMPTROLLER GENERAL OF THE UNITED STATES.—

(1) REVIEW.—Not later than 180 days after the date of the submittal of the report required by subsection (a)(1), the Comptroller General of the United States shall conduct a review of such report.

(2) ELEMENTS.—The review required by paragraph (1) shall include an assessment of the following:

(A) The extent to which the Navy has implemented the recommendations made in the study described in subsection (a)(1).

(B) Additional recommended actions for the Navy to take to improve the readiness and retention of their cyber workforce.

(3) INTERIM BRIEFING.—Not later than 90 days after the date of the submittal of the report required by subsection (a)(1), the Comptroller General shall provide to the congressional defense committees a briefing on the preliminary findings of the Comptroller General with respect to the review conducted under paragraph (1).

(4) FINAL REPORT.—The Comptroller General shall submit to the congressional defense committees a report on the findings of the Comptroller General with respect to the review conducted under paragraph (1) at such time and in such format as is mutually agreed upon by the committees and the Comptroller General at the time of the briefing under paragraph (3).

SEC. 1626. REVIEW OF DEPARTMENT OF DEFENSE IMPLEMENTATION OF RECOMMENDATIONS FROM DEFENSE SCIENCE BOARD CYBER REPORT.

(a) REVIEW REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2023, the Secretary of Defense shall complete a review of the findings and recommendations presented in the June 2018 Defense Science Board report entitled ''Cyber as a Strategic Capability''.

(2) ELEMENTS.—The review completed under paragraph (1) shall include the following:

(A) Identification of, and description of implementation for, recommendations that have been implemented by the Department of Defense.

(B) Identification of recommendations that have not yet been fully implemented by the Department.

(C) Development of a plan to fully implement the recommendations identified under subparagraph (B).

(D) Identification of the reasons why the recommendations identified under subparagraph (B) were not implement.

(E) Identification of such legislative or administrative action as the Secretary determines necessary to implement the recommendations identified under subparagraph (B).

(b) REPORT.—

(1) IN GENERAL.—Not later than April 1, 2023, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the review completed under paragraph (1) of subsection (a). In such report, the Secretary shall disclose the matters identified and developed under paragraph (2) of such subsection.

(2) FORM.—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1627. REQUIREMENT FOR SOFTWARE BILL OF MATERIALS.

(a) REQUIREMENT FOR SOFTWARE BILL OF MATERIALS.—

(1) IN GENERAL.—The Secretary of Defense shall amend the Department of Defense Supplement to the Federal Acquisition Regulation to require a software bill of materials (SBOM) for all noncommercial software created for or acquired by the Department of Defense.

(2) WAIVERS.—The amendment required by paragraph (1) may provide for waivers that require approval by an official whose appointment is subject to confirmation by the Senate.

(b) RECOMMENDATIONS TO THE SECRETARY.—The Chief Information Officer, the Under Secretary of Defense for Acquisition and Sustainment, and the Under Secretary of Defense for Research and Engineering shall jointly submit to the Secretary recommendations regarding the content of the amendment required by subsection (a).

(c) STUDY REGARDING APPLICATION TO SOFTWARE ALREADY ACQUIRED.—

(1) STUDY REQUIRED.—The Secretary shall conduct a study of the feasibility and advisability of acquiring a software bill of materials for software already acquired by the Department.

(2) BRIEFING.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on the findings of the Secretary with respect to the study conducted under paragraph (1) and such recommendations as the Secretary may have with respect to acquiring a software bill of materials for software already acquired by the Department.

(d) COMMERCIAL SOFTWARE.—Not later than one year after the date of the enactment of this Act, the Secretary shall, in consultation with industry, develop an approach for commercial software in use by the Department and future acquisitions of commercial software that provides, to the maximum extent practicable, policies and processes for operationalizing software bills of materials to enable the Department to understand promptly the cybersecurity risks to Department capabilities posed by discoveries of vulnerabilities and compromises in commercial and open source software.

(e) SOLICITATION OF INFORMATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall issue a request for information from the public and private sectors regarding technical and procedural options to identify software deployed in the Department to enable risk assessments and patching of security vulnerabilities when such vulnerabilities are discovered in the absence of reliable bills of materials.

(2) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on the findings of the Secretary with respect to the solicitation for information under paragraph (1).

(f) DEFINITION OF SOFTWARE BILL OF MATERIALS.—In this section, the term ''software bill of materials'' means a complete, formally structured list of components, libraries, and modules that are required to build, compile, and link a given piece of software and an identification of the provenance and supply chain relationships between them.

SEC. 1628. ESTABLISHMENT OF SUPPORT CENTER FOR CONSORTIUM OF UNIVERSITIES THAT ADVISE SECRETARY OF DEFENSE ON CYBERSECURITY MATTERS.

Section 1659 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 391 note) is amended by adding at the end the following new subsection:

''(f) SUPPORT CENTER.—

''(1) ESTABLISHMENT.—The Secretary shall establish a center to provide support to the consortium established under subsection (a).

''(2) COMPOSITION.—(A) The center established under paragraph (1) shall be composed of one or two universities, as the Secretary considers appropriate, that—

''(i) have been designated as centers of academic excellence by the Director of the National Security Agency or the Secretary of Homeland Security; and

''(ii) are eligible for access to classified information.

''(B) The Secretary shall publish in the Federal Register the process for selection of universities to serve as the center established under paragraph (1).

''(3) FUNCTIONS.—The functions of the center established under paragraph (1) are as follows:

''(A) To promote the consortium established under subsection (a).

''(B) To distribute on behalf of the Department requests for information or assistance to members of the consortium.

''(C) To collect and assemble responses from requests distributed under subparagraph (B).

''(D) To provide additional administrative support for the consortium, as determined by the National Center of Academic Excellence in Cybersecurity Program Management Office.''.

SEC. 1629. ROADMAP AND IMPLEMENTATION PLAN FOR CYBER ADOPTION OF ARTIFICIAL INTELLIGENCE.

(a) ROADMAP AND IMPLEMENTATION PLAN REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Commander of United States Cyber Command and the Chief Information Officer of the Department of Defense, in coordination with the Chief Digital and Artificial Intelligence Officer of the Department, the Director of the Defense Advanced Research Projects

Agency, the Director of the National Security Agency, and the Under Secretary of Defense for Research and Engineering, shall jointly develop a five-year roadmap and implementation plan for rapidly adopting and acquiring artificial intelligence systems, applications, and supporting data and data management processes for the Cyberspace Operations Forces of the Department of Defense.

(b) ELEMENTS.—The roadmap and implementation plan required by subsection (a) shall include the following:

(1) Identification and prioritization of artificial intelligence systems, applications, data identification, and processing to cyber missions within the Department, and ameliorating threats to, and from, artificial intelligence systems, including—

(A) advancing the cybersecurity of Department systems with artificial intelligence;

(B) uses of artificial intelligence for cyber effects operations;

(C) assessing and mitigating vulnerabilities of artificial intelligence systems supporting cybersecurity and cyber operations to attacks; and

(D) defending against adversary artificial intelligence-based cyber attacks.

(2) A plan to develop, acquire, adopt, and sustain the artificial intelligence systems, applications, data, and processing identified in paragraph (1).

(3) Roles and responsibilities for the following for adopting and acquiring artificial intelligence systems, applications, and data to cyber missions within the Department:

(A) The Commander of United States Cyber Command.

(B) The Commander of Joint-Force Headquarters Department of Defense Information Networks.

(C) The Chief Information Officer of the Department.

(D) The Chief Digital and Artificial Intelligence Officer of the Department.

(E) The Under Secretary of Defense for Research and Engineering.

(F) The Secretaries of the military departments.

(G) The Director of the National Security Agency.

(4) Identification of currently deployed, adopted, and acquired artificial intelligence systems, applications, ongoing prototypes, and data.

(5) Identification of current capability and skill gaps that must be addressed prior to the development and adoption of artificial intelligence applications identified in paragraph (1).

(6) Identification of opportunities to solicit operator utility feedback through inclusion into research and development processes and wargaming or experimentation events by developing a roadmap for such processes and events, as well as a formalized process for capturing and tracking lessons learned from such events to inform the development community.

(7) Identification of long-term technology gaps for fulfilling the Department's cyber warfighter mission to be addressed by research relating to artificial intelligence by the science and technology enterprise within the Department.

(8) Definition of a maturity model describing desired cyber capabilities, agnostic of the enabling technology solutions, including phases in the maturity model or identified milestones and clearly identified areas for collaboration with relevant commercial off the shelf and government off the shelf developers to address requirements supporting capability gaps.

(9) Assessment, in partnership with the Director of the Defense Intelligence Agency, of the threat posed by adversaries' use of artificial intelligence to the cyberspace operations and the security of the networks and artificial intelligence systems of the Department in the next five years, including a net technical assessment of United States and adversary activities to apply artificial intelligence to cyberspace operations, and actions planned to address that threat.

(10) A detailed schedule with target milestones, investments, and required expenditures.

(11) Interim and final metrics of adoption of artificial intelligence for each activity identified in the roadmap.

(12) Identification of such additional funding, authorities, and policies as the Commander of United States Cyber Command and the Chief Information Officer jointly determine may be required.

(13) Such other topics as the Commander and the Chief Information Officer jointly consider appropriate.

(c) BRIEFING.—Not later than 30 days after the date on which the Commander and the Chief Information Officer complete development of the roadmap and implementation plan required in subsection (a), the Commander and the Chief Information Officer shall provide the congressional defense committees a classified briefing on the roadmap and implementation plan.

SEC. 1630. DEMONSTRATION PROGRAM FOR CYBER AND INFORMATION TECHNOLOGY BUDGET DATA ANALYTICS.

(a) DEMONSTRATION PROGRAM REQUIRED.—

(1) IN GENERAL.—Not later than February 1, 2024, the Chief Information Officer of the Department of Defense shall, in coordination with the Chief Digital and Artificial Intelligence Officer, complete a pilot program to demonstrate the application of data analytics to the fiscal year 2024 cyber and information technology budget data of a military service.

(2) COORDINATION WITH MILITARY SERVICES.—In carrying out the demonstration program required by subsection (a), the Chief Information Officer shall, in coordination with the Secretary of the Air Force, the Secretary of the Army, and the Secretary of the Navy, select a military service for participation in the demonstration program.

(b) ELEMENTS.—The demonstration program shall include—

(1) efforts to determine, execute, and validate in an auditable manner data curation activities for the cyber and information technology budget of a military service;

(2) efforts to improve transparency in cyber and information technology budget information to identify cybersecurity efforts funded out of noncyber information technology lines, including qualitative techniques such as semantic analysis or natural language processing techniques;

(3) metrics developed to assess the effectiveness of the demonstration program;

(4) a cost tradeoff analysis of implementing data analytics across the all of the cyber and information technology budgets of the Department of Defense;

(5) effort to utilize data analytics to make budget trade-offs; and

(6) efforts to incorporate data analytics into the into the congressional budget submission process.

(c) BRIEFING.—

(1) INITIAL BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Chief Information Officer shall provide the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a brief on the plans and status of the Chief Information Officer with respect to the demonstration program required by subsection (a).

(2) FINAL BRIEFING.—(A) Not later than March 1, 2024, the Chief Information Officer shall provide the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the results and findings of the Chief Information Officer with respect to the pilot program required by subsection (a).

(B) The briefing required by subparagraph (A) shall include the following:

(i) Recommendations for expansion of the demonstration program to the entire cyber and information technology budget of the Department.

(ii) Plans for incorporating data analytics into the congressional budget submission process for the cyber and information technology budget of the Department.

SEC. 1631. LIMITATION ON AVAILABILITY OF FUNDS FOR OPERATION AND MAINTENANCE FOR OFFICE OF SECRETARY OF DEFENSE UNTIL FRAMEWORK TO ENHANCE CYBERSECURITY OF UNITED STATES DEFENSE INDUSTRIAL BASE IS COMPLETED.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act for fiscal year 2023 for operation and maintenance, Defense-wide, and available for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the framework required by section 1648 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2224 note) is completed and submitted to the congressional defense committees.

(b) BRIEFING.—

(1) IN GENERAL.—Not later than 30 days after the date of the submittal of the framework in accordance with subsection (a), the Secretary of Defense shall provide the congressional defense committees with a briefing on such framework.

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

(A) An overview of the framework submitted in accordance with subsection (a).

(B) Identification of such pilot programs as the Secretary considers may be required to improve the cybersecurity of the defense industrial base.

(C) Implementation timelines and identification of costs.

(D) Such recommendations as the Secretary may have for legislative action to improve the cybersecurity of the defense industrial base.

SEC. 1632. ASSESSMENTS OF WEAPONS SYSTEMS VULNERABILITIES TO RADIO-FREQUENCY ENABLED CYBER ATTACKS.

(a) IN GENERAL.—The Secretary of Defense shall ensure that the activities required by and conducted pursuant to section 1647 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1118), section 1637 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 221 note), and the amendments made by section 1712 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4087) include regular assessments of the vulnerabilities to and risks presented by radio-frequency enabled cyber attacks with respect to the operational technology embedded in weapons systems, aircraft, ships, ground vehicles, space systems, sensors, and datalink networks of the Department of Defense.

(b) ELEMENTS.—The assessments required under subsection (a) with respect to vulnerabilities and risks described in such subsection shall include—

(1) identification of such vulnerabilities and risks;

(2) ranking of vulnerability, severity, and priority;

(3) development and selection of options, with associated costs and schedule, to correct such vulnerabilities, including installation of intrusion detection capabilities; and

(4) development of integrated risk-based plans to implement the corrective actions selected.

(c) DEVELOPMENT OF CORRECTIVE ACTIONS.—In developing corrective actions under subsection (b)(3), the assessments required under subsection (a) shall address requirements for deployed members of the Armed Forces to analyze data collected on the weapons systems and respond to attacks.

(d) INTELLIGENCE INFORMED ASSESSMENTS.—The assessments required under subsection (a) shall be informed by intelligence, if available, and technical judgment regarding potential threats to embedded operational technology during operations of the Armed Forces.

(e) COORDINATION.—

(1) COORDINATION AND INTEGRATION OF ACTIVITIES.—The assessments required under subsection (a) shall be fully coordinated and integrated with activities described in such subsection.

(2) COORDINATION OF ORGANIZATIONS.—The Secretary shall ensure that the organizations conducting the assessments under subsection (a) in the military departments, the United States Special Operations Command, and the Defense Agencies coordinate with each other and share best practices, vulnerability analyses, and technical solutions.

(f) BRIEFINGS.—Not later than one year after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees briefings from the organizations specified under subsection (e)(2), as appropriate, on the activities and plans required under this section.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2023''.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military 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, 2025; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2026.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2025; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2026 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXVII shall take effect on the later of—

(1) October 1, 2022; or

(2) the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Alabama	Redstone Arsenal	$96,000,000
Alaska	Fort Wainwright	$99,000,000
Colorado	Fort Carson	$14,200,000
Hawaii	Fort Shafter	$33,000,000
	Schofield Barracks	$111,000,000
	Tripler Army Medical Center	$27,000,000
Louisiana	Fort Polk	$32,000,000
Mississippi	Engineer Research and Development Center	$20,000,000
North Carolina	Fort Bragg	$34,000,000
Pennsylvania	Letterkenny Army Depot	$38,000,000
Texas	Corpus Christi Army Depot	$103,000,000
	Fort Bliss	$15,000,000
Washington	Joint Base Lewis-McChord	$49,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or Location	Amount
Germany	East Camp Grafenwoehr	$168,000,000
Japan	Kadena Air Force Base	$99,000,000
Kwajalein	Kwajalein Atoll	$69,000,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

Country	Installation	Units	Amount
Germany	Baumholder	Family Housing Replacement Construction	$77,000,000
Italy	Vicenza	Family Housing New Construction	$95,000,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $17,339,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2104. EXTENSION AND MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.

(a) KUNSAN AIR BASE, KOREA .—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization contained in the table in section 2101(b) of that Act (131 Stat. 1819) for Kunsan Air Base, Korea, shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(2) MODIFICATION.—In the case of the authorization contained in the table in section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1819) for Kunsan Air Base, Korea, for construction of an unmanned aerial vehicle hangar at the installation, the Secretary of the Army may construct the hangar at Camp Humphries, Korea, and may remove primary scope associated with the relocation of the Air Defense Artillery (ADA) Battalion facilities, to include the ground based missile defense equipment area, fighting positions, missile resupply area ADA, ready building or command post, battery command post area, safety shelter, and guard booth.

(b) KWAJALEIN ATOILL, KWAJALEIN.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization contained in the table in section 2102 of that Act (131 Stat. 1820) for Kwajalein Atoill, Kwajalein, shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(2) MODIFICATION.—Section 2879(a)(1)(A) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1874) is amended by striking ''at least 26 family housing units'' and inserting ''not more than 26 family housing units''.

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2019 PROJECT AT CAMP TANGO, KOREA.

In the case of the authorization contained in the table in section 2101(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2242) for Camp Tango, Korea, for construction of a command and control facility at the installation, the Secretary of the Army may increase scope for a dedicated, enclosed egress pathway out of the underground facility to facilitate safe escape in case of fire.

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State or Territory	Installation or Location	Amount
California	Marine Corps Air Ground Combat Center Twentynine Palms	$120,382,000
	Marine Corps Base Camp Pendleton	$117,310,000
	Marine Corps Recruit Depot San Diego	$83,200,000
	Naval Air Station Lemoore	$201,261,000
	Naval Base San Diego	$132,700,000
	Naval Base Point Loma Annex	$56,450,000
	Naval Surface Warfare Center Corona Division	$15,000,000
Connecticut	Naval Submarine Base New London	$15,514,000
Florida	Naval Air Station Jacksonville	$86,232,000
	Naval Air Station Whiting Field	$199,289,000
	Naval Surface Warfare Center Carderock Division	$2,073,000
Georgia	Naval Submarine Base Kings Bay	$279,171,000
Guam	Marine Corps Base Camp Blaz	$330,589,000
Hawaii	Joint Base Pearl Harbor-Hickam	$3,754,192,000
	Marine Corps Base Kaneohe Bay	$87,900,000
Maryland	Naval Surface Warfare Center Indian Head Division	$8,039,000
Michigan	Marine Forces Reserve Battle Creek	$24,300,000
Nevada	Naval Air Station Fallon	$146,165,000
North Carolina	Marine Corps Air Station Cherry Point	$38,415,000
	Marine Corps Air Station New River	$210,600,000
	Marine Corps Base Camp Lejeune	$47,475,000
Pennsylvania	Naval Surface Warfare Center Philadelphia Division	$86,610,000
South Carolina	Marine Corps Recruit Depot Parris Island	$75,900,000
Virginia	Naval Station Norfolk	$16,863,000
	Naval Surface Warfare Center Dahlgren Division	$2,503,000
Washington	Naval Air Station Whidbey Island	$105,561,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Australia	Royal Australian Air Force Base Darwin	$258,831,000
Djibouti	Camp Lemonnier	$106,700,000
Japan	Kadena Air Base	$195,400,000

Navy: Outside the United States—Continued

Country	Installation or Location	Amount
Spain	Naval Station Rota	$76,300,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Navy: Family Housing

Territory	Installation or Location	Units	Amount
Guam	NAVSUPPACT Andersen	Replace Andersen Housing PH IV	$86,390,000
	NAVSUPPACT Andersen	Replace Andersen Housing PH V	$93,259,000
	NAVSUPPACT Andersen	Replace Andersen Housing PH VI	$68,985,000

(b) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the 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 $74,540,000.

(c) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $14,123,000.

SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for military construction, land acquisition, and military family 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 2018 PROJECT AT JOINT REGION MARIANAS, GUAM.

Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization contained in the table in section 2201(a) of that Act (131 Stat. 1822) at Joint Region Marianas, Guam, for Navy-Commercial Tie-in Hardening, as specified in the funding table in section 4601 of that Act (131 Stat. 2001), shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alabama	Maxwell Air Force Base	$15,000,000
Alaska	Clear Space Force Station	$68,000,000
	Joint Base Elmendorf-Richardson	$5,200,000
Arizona	Davis-Monthan Air Force Base	$7,500,000
California	Travis Air Force Base	$7,500,000
	Vandenberg Space Force Base	$89,000,000
Hawaii	Air Force Research Laboratory - Maui Experimental Site #1	$89,000,000
Illinois	Scott Air Force Base	$19,893,000
New York	Air Force Research Laboratory - Rome Research Site	$4,200,000
Ohio	Wright Patterson Air Force Base	$29,000,000
Oklahoma	Tinker Air Force Base	$247,600,000
South Carolina	Shaw Air Force Base	$10,000,000
South Dakota	Ellsworth Air Force Base	$328,000,000
Tennessee	Arnold Air Force Base	$38,000,000
Texas	Joint Base San Antonio-Randolph	$29,000,000
Utah	Hill Air Force Base	$84,000,000
Washington	Fairchild Air Force Base	$8,000,000
Wyoming	F.E. Warren Air Force Base	$186,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Hungary	Pápa Air Base	$71,000,000
Iceland	Naval Air Station Keflavik	$94,000,000
Italy	Aviano Air Base	$46,500,000
Japan	Kadena Air Base	$307,000,000
Jordan	Muwaffaq Salti Air Base	$50,000,000
Norway	Rygge Air Station	$8,200,000
Spain	Moron Air Base	$29,000,000
United Kingdom	Royal Air Force Molesworth	$421,000,000

SEC. 2302. FAMILY HOUSING.

(a) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $233,858,000.

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $17,730,000.

SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2304. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.

(a) AIR FORCE CONSTRUCTION AND LAND ACQUISITION.—

(1) IN GENERAL.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorizations set forth in the table in paragraph (2), as provided in section 2301(a) of that Act (131 Stat. 1825), for the projects specified in that table shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2018 Project Authorizations

State	Installation or Location	Project	Original Authorized Amount
Florida	Tyndall Air Force Base	Fire Station	$17,000,000
Texas	Joint Base San Antonio	BMT Classrooms/Dining	$38,000,000
	Joint Base San Antonio	Camp Bullis Dining Facility	$18,500,000
Wyoming	F. E. Warren Air Force Base	Consolidated Helo/TRF Ops/AMU and Alert Fac.	$62,000,000

(b) OVERSEAS CONTINGENCY OPERATIONS.—

(1) IN GENERAL.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorizations set forth in the table in paragraph (2), as provided in section 2903 of that Act (131 Stat. 1876), for the projects specified in that table shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2018 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Hungary	Kecskemet Air Base	ERI: Airfield Upgrades	$12,900,000
	Kecskemet Air Base	ERI: Construct Parallel Taxiway	$30,000,000
	Kecskemet Air Base	ERI: Increase POL Storage Capacity	$12,500,000
Luxembourg	Sanem	ERI: ECAOS Deployable Airbase System Storage	$67,400,000
Slovakia	Malacky	ERI: Airfield Upgrades	$4,000,000
	Malacky	ERI: Increase POL Storage Capacity	$20,000,000
	Sliac Airport	ERI: Airfield Upgrades	$22,000,000

SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2020 PROJECTS AT TYNDALL AIR FORCE BASE, FLORIDA.

In the case of the authorization contained in section 2912(a) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92; 133 Stat. 1913) for Tyndall Air Force Base, Florida—

(1) for construction of Lodging Facilities Phases 1–2, as specified in the funding table in section 4603 of that Act (133 Stat. 2103) and modified by subsection (a)(7) of section 2306 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4302), the Secretary of the Air Force may construct an emergency backup generator;

(2) for construction of Dorm Complex Phases 1–2, as specified in such funding table and modified by subsection (a)(8) of such section 2306, the Secretary of the Air Force may construct two emergency backup generators;

(3) for construction of Site Development, Utilities & Demo Phase 2, as specified in such funding table and modified by subsection (a)(6) of such section 2306, the Secretary of the Air Force may construct—

(A) up to 6,248 lineal meters of storm water utilities;

(B) up to 55,775 square meters of roads;

(C) up to 4,334 lineal meters of gas pipeline; and

(D) up to 28,958 linear meters of electrical;

(4) for construction of Tyndall AFB Gate Complex, as specified in such funding table and modified by subsection (a)(9) of such section 2306, the Secretary of the Air Force may construct up to 55,694 square meters of roadway with serpentines; and

(5) for construction of Deployment Center/Flight Line Dining/AAFES, as specified in such funding table and modified by subsection (a)(11) of such section 2306, the Secretary of the Air Force may construct up to 164 square meters of AAFES (Shoppette).

SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECT AT HILL AIR FORCE BASE, UTAH.

In the case of the authorization contained in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4299) for Hill Air Force Base, Utah, for construction of GBSD Organic Software Sustainment Center, as specified in the funding table in section 4601 of such Act (134 Stat. 4502), the Secretary of the Air Force may construct—

(1) up to 7,526 square meters of surface parking lot in lieu of constructing a 13,434 square meters vehicle parking garage; and

(2) up to 402 square meters of storage igloo.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alabama	Redstone Arsenal	$151,000,000
California	Naval Base Coronado	$75,712,000
Florida	Hurlburt Field	$9,100,000
North Carolina	Fort Bragg	$34,470,000
Texas	Joint Base San Antonio	$58,600,000
Virginia	Dam Neck	$26,600,000
	Pentagon	$18,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Germany	Baumholder	$149,023,000
Japan	Yokota Air Base	$72,154,000

SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROGRAM PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:

ERCIP Projects: Inside the United States

State or Territory	Installation or Location	Amount
Alabama	Missile and Space Intelligence Center, Redstone Arsenal	$10,700,000
California	Marine Corps Mountain Warfare Training Center	$25,560,000
	Naval Base Ventura County	$13,360,000
Florida	Naval Air Station Jacksonville	$2,400,000
	Patrick Space Force Base	$15,700,000
Georgia	Fort Stewart-Hunter Army Airfield	$25,400,000
	Naval Submarine Base Kings Bay	$11,200,000
Guam	Naval Base Guam	$34,360,000
Hawaii	Joint Base Pearl Harbor-Hickam	$25,000,000
Kansas	Fort Riley	$25,780,000
Maryland	National Security Agency-Washington, Fort Meade	$23,310,000
Texas	Fort Hood	$31,500,000
	U.S. Army Reserve Center, Conroe	$9,600,000
Virginia	National Geospatial-Intelligence Agency Campus East, Fort Belvoir	$1,100,000
	Naval Support Activity Hampton Roads	$22,400,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

ERCIP Projects: Outside the United States

Country	Installation or Location	Amount
Djibouti	Camp Lemonnier	$24,000,000

ERCIP Projects: Outside the United States—Continued

Country	Installation or Location	Amount
Japan	Kadena Air Base	$780,000
Kuwait	Camp Arifjan	$26,850,000

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2404. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction 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 2401(b) of that Act (131 Stat. 1829), for the projects specified in that table shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2018 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Japan	Iwakuni	Construct Bulk Storage Tanks PH 1	$30,800,000
Puerto Rico	USCG Station; Punta Borinquen	Ramey Unit School Replacement	$61,071,000

TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

Subtitle B—Host Country In-Kind Contributions

SEC. 2511. REPUBLIC OF KOREA-FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations in the Republic of Korea, and in the amounts, set forth in the following table:

Republic of Korea-Funded Construction Projects

Country	Installation or Location	Project	Amount
Army	Camp Humphreys	Quartermaster Laundry/Dry Cleaner Facility	$24,000,000
Army	Camp Humphreys	MILVAN CONNEX Storage Yard	$20,000,000
Navy	Camp Mujuk	Replace Ordnance Storage Magazines	$150,000,000
Navy	Fleet Activities Chinhae	Water Treatment Plant Relocation	$6,000,000
Air Force	Gimhae Air Base	Refueling Vehicle Shop	$8,800,000
Air Force	Osan Air Base	Combined Air and Space Operations Intelligence Center	$306,000,000
Air Force	Osan Air Base	Upgrade Electrical Distribution West, Phase 3	$235,000,000

SEC. 2512. REPEAL OF AUTHORIZED APPROACH TO CONSTRUCTION PROJECT AT CAMP HUMPHREYS, REPUBLIC OF KOREA.

Section 2511 of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–81; 135 Stat. 2177) is amended—

(1) in subsection (a), by striking ''(a) AUTHORITY TO ACCEPT PROJECTS.—Pursuant to'' and inserting ''Pursuant to''; and

(2) by striking subsection (b).

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard

State or Territory	Location	Amount
Alaska	Joint Base Elmendorf-Richardson	$63,000,000
Arkansas	Camp Robinson	$9,500,000
Delaware	New Castle	$16,000,000
Florida	Gainesville	$21,000,000

Army National Guard—Continued

State or Territory	Location	Amount
	Palm Coast	$12,000,000
Hawaii	Kapolei	$29,000,000
Indiana	Atlanta	$20,000,000
Iowa	West Des Moines	$15,000,000
Minnesota	New Ulm	$17,000,000
Nevada	Reno	$18,000,000
New York	Troy	$17,000,000
North Carolina	McLeansville	$15,000,000
Oregon	Camp Umatilla	$14,243,000
Puerto Rico	Arroyo	$28,602,000
	Camp Santiago	$161,337,000
	San Juan	$64,000,000
West Virginia	Buckhannon	$14,000,000
Wyoming	Camp Guernsey	$19,500,000
	Sheridan	$14,800,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve

State or Territory	Location	Amount
California	Camp Pendleton	$13,000,000
Florida	Perrine	$46,000,000
Ohio	Wright-Patterson Air Force Base	$16,000,000
Puerto Rico	Fort Buchanan	$24,000,000
Washington	Yakima	$22,000,000
Wisconsin	Fort McCoy	$64,000,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Hawaii	Marine Corps Base Kaneohe Bay	$102,600,000
Virginia	Marine Forces Reserve Dam Neck Virginia Beach	$10,400,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
Alabama	Birmingham International Airport	$7,500,000
	Montgomery Regional Airport	$9,200,000
Arizona	Morris Air National Guard Base	$12,000,000
	Tucson International Airport	$10,000,000
Florida	Jacksonville International Airport	$22,200,000
Indiana	Fort Wayne International Airport	$12,800,000
Tennessee	McGhee-Tyson Airport	$23,800,000
Rhode Island	Quonset State Airport	$35,000,000
West Virginia	McLaughlin Air National Guard Base	$10,000,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

Air Force Reserve

State	Location	Amount
Arizona	Davis-Monthan Air Force Base	$8,000,000
Mississippi	Keesler Air Force Base	$10,000,000
Oklahoma	Tinker Air Force Base	$12,500,000
Virginia	Langley Air Force Base	$10,500,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

SEC. 2607. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorizations set forth in the table in subsection (b), as provided in section 2604 of that Act (131 Stat. 1836), for the projects specified in that table shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army National Guard: Outside the United States

State	Installation or Location	Project	Original Authorized Amount
Indiana	Hulman Regional Airport	Construct Small Arms Range	$8,000,000
South Dakota	Joe Foss Field	Aircraft Maintenance Shops	$12,000,000
Wisconsin	Dane County Regional/ Airport Truax Field	Construct Small Arms Range	$8,000,000

SEC. 2608. CORRECTIONS TO AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2022 PROJECTS.

The table in section 2601 of the Military Construction Authorization Act Fiscal Year 2022 (division B of Public law 117–81; 135 Stat. 2178) is amended—

(1) in the item relating to Redstone Arsenal, Alabama, by striking ''Redstone Arsenal'' and inserting ''Huntsville'';

(2) in the item relating to Jerome National Guard Armory, Idaho, by striking ''National Guard Armory'';

(3) in the item relating to Nickell Memorial Armory Topeka, Kansas, by striking ''Nickell Memorial Armory'';

(4) in the item relating to Lake Charles National Guard Readiness Center, Louisiana, by striking ''National Guard Readiness Center'';

(5) in the item relating to Camp Grayling, Michigan, by striking ''Camp'';

(6) in the item relating to Butte Military Entrance Testing Site, Montana, by striking ''Military Entrance Testing Site'';

(7) in the item relating to Mead Army National Guard Readiness Center, Nebraska, by striking ''Army National Guard Readiness Center'' and inserting ''Training Site'';

(8) in the item relating to Dickinson National Guard Armory, North Dakota, by striking ''National Guard Armory'';

(9) in the item relating to Bennington National Guard Armory, Vermont, by striking ''National Guard Armory''; and

(10) in the item relating to Camp Ethan Allen Training Site, Vermont, by striking ''Camp Ethan Allen Training Site'' and inserting ''Ethan Allen Air Force Base TS''.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2140), as specified in the funding table in section 4601.

SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program

SEC. 2801. MODIFICATION OF COST THRESHOLDS FOR AUTHORITY OF DEPARTMENT OF DEFENSE TO ACQUIRE LOW-COST INTERESTS IN LAND.

Section 2663(c) of title 10, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''$750,000'' and inserting ''$6,000,000'';

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(4) in paragraph (2), as redesignated by paragraph (3), by striking ''unless the total cost is not more than $750,000, in the case of an acquisition under paragraph (1), or $1,500,000, in the case of an acquisition under paragraph (2)'' and inserting ''unless the total cost is not more than $6,000,000''.

SEC. 2802. CLARIFICATION OF EXCEPTIONS TO LIMITATIONS ON COST VARIATIONS FOR MILITARY CONSTRUCTION PROJECTS AND MILITARY FAMILY HOUSING PROJECTS.

Subparagraph (D) of section 2853(c)(1) of title 10, United States Code, is amended to read as follows:

''(D) The Secretary concerned may not use the authority provided by subparagraph (A) to waive the cost limitation applicable to a military construction project with a total authorized cost greater than $500,000,000 or a military family housing project with a total authorized cost greater than $500,000,000 if that waiver would increase the project cost by more than 50 percent of the total authorized cost of the project.''.

SEC. 2803. ELIMINATION OF SUNSET OF AUTHORITY TO CONDUCT UNSPECIFIED MINOR MILITARY CONSTRUCTION FOR LAB REVITALIZATION.

Section 2805(d) of title 10, United States Code, is amended by striking paragraph (5).

SEC. 2804. REQUIREMENT FOR INCLUSION OF DEPARTMENT OF DEFENSE FORMS 1391 WITH ANNUAL BUDGET SUBMISSION BY PRESIDENT.

Concurrently with the submission to Congress by the President of the annual budget of the Department of Defense for a fiscal year under section 1105(a) of title 31, United States Code, the President shall include each Department of Defense Form 1391, or successor similar form, for a military construction project to be carried out during that fiscal year.

SEC. 2805. DETERMINATION AND NOTIFICATION RELATING TO EXECUTIVE ORDERS THAT IMPACT COST AND SCOPE OF WORK OF MILITARY CONSTRUCTION PROJECTS.

(a) DETERMINATION AND UPDATE OF FORM 1391.—Not later than 30 days after the date on which an Executive order is signed by the President, the Secretary concerned shall—

(1) determine whether the Executive order would cause a cost or scope of work variation for a military construction project under the jurisdiction of the Secretary concerned; and

(2) update the Department of Defense Form 1391 for each military construction project under the jurisdiction of the Secretary concerned that would be impacted by such cost or scope of work variation that has not been submitted to Congress for consideration, including—

(A) projects for the next fiscal year; and

(B) projects covered by the future-years defense program submitted under section 221 of title 10, United States Code.

(b) NOTIFICATION TO CONGRESS.—Not later than 10 days after determining under subsection (a)(1) that an Executive order would cause a cost or scope of work variation for a military construction project, the Secretary concerned shall submit to the congressional defense committees a report indicating all military construction projects under the jurisdiction of the Secretary concerned with respect to which costs would increase due to the Executive order.

(c) CERTIFICATION.—Before the submission to Congress of the budget of the President for a fiscal year under section 1105(a) of title 31, United States Code, each Secretary concerned shall certify to Congress that each Department of Defense Form 1391 provided to Congress for that fiscal year for a military construction project has been updated with any cost or scope of work variation specified in subsection (a)(1) caused by an Executive order signed during the four-year period preceding such certification, including an indication of any cost increases for such project that is directly attributable to such Executive order.

(d) SECRETARY CONCERNED DEFINED.—In this section, the term ''Secretary concerned'' has the meaning given that term in section 101 of title 10, United States Code.

SEC. 2806. EXTENSION OF AUTHORIZATION OF DEPOT WORKING CAPITAL FUNDS FOR UNSPECIFIED MINOR MILITARY CONSTRUCTION.

Section 2208(u)(4) of title 10, United States Code, is amended by striking ''September 30, 2023'', and inserting ''September 30, 2025''.

SEC. 2807. TEMPORARY INCREASE OF AMOUNTS IN CONNECTION WITH AUTHORITY TO CARRY OUT UNSPECIFIED MINOR MILITARY CONSTRUCTION.

For the period beginning on the date of the enactment of this Act and ending on December 1, 2025, section 2805 of title 10, United States Code, shall be applied and administered—

(1) in subsection (a)(2), by substituting ''$9,000,000'' for ''$6,000,000'';

(2) in subsection (c), by substituting ''$4,000,000'' for ''$2,000,000'';

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A), by substituting ''$9,000,000'' for ''$6,000,000''; and

(ii) in subparagraph (B), by substituting ''$9,000,000'' for ''$6,000,000''; and

(B) in paragraph (2), by substituting ''$9,000,000'' for ''$6,000,000''; and

(4) in subsection (f)(1), by substituting ''$14,000,000'' for ''$10,000,000''.

SEC. 2808. ELECTRICAL CHARGING CAPABILITY CONSTRUCTION REQUIREMENTS RELATING TO PARKING FOR FEDERAL GOVERNMENT MOTOR VEHICLES.

(a) IN GENERAL.—If the Secretary concerned develops plans for a project to construct any facility that includes or will include parking for covered motor vehicles, the Secretary concerned shall include in any Department of Defense Form 1391, or successor form, submitted to Congress for that project—

(1) the provision of electric vehicle charging capability at the facility adequate to provide electrical charging, concurrently, for not less than 15 percent of all covered motor vehicles planned to be parked at the facility;

(2) the inclusion of the cost of constructing such capability in the overall cost of the project; and

(3) an analysis of whether a parking structure or lot will be the primary charging area for covered motor vehicles or if another area, such as public works or the motor pool, will be the primary charging area.

(b) DEFINITIONS.—In this section:

(1) COVERED MOTOR VEHICLE.—The term ''covered motor vehicle'' means a Federal Government motor vehicle, including a motor vehicle leased by the Federal Government.

(2) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of a military department with respect to facilities under the jurisdiction of that Secretary; and

(B) the Secretary of Defense with respect to matters concerning the Defense Agencies and facilities of a reserve component owned by a State rather than the United States.

SEC. 2809. USE OF INTEGRATED PROJECT DELIVERY CONTRACTS.

(a) IN GENERAL.—In fiscal year 2023, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall each enter into at least one integrated project delivery contract for the delivery of a military construction project.

(b) INTEGRATED PROJECT DELIVERY CONTRACT DEFINED.—In this section, the term ''integrated project delivery contract'' means a contract, including a multi-party contract, that—

(1) includes at least the owner, builder, and architect engineer; and

(2) shares the risks and rewards among all parties to the contract.

SEC. 2810. EXPANSION OF PILOT PROGRAM ON INCREASED USE OF SUSTAINABLE BUILDING MATERIALS IN MILITARY CONSTRUCTION TO INCLUDE LOCATIONS THROUGHOUT THE UNITED STATES.

Section 2861(b)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2802 note) is amended, in the matter preceding subparagraph (A), by striking ''continental''.

Subtitle B—Military Housing

SEC. 2821. SPECIFICATION OF ASSISTANT SECRETARY OF DEFENSE FOR ENERGY, INSTALLATIONS, AND ENVIRONMENT AS CHIEF HOUSING OFFICER.

Subsection (a) of section 2851a of title 10, United States Code, is amended to read as follows:

''(a) IN GENERAL.—The Assistant Secretary of Defense for Energy, Installations, and Environment shall serve as the Chief Housing Officer, who shall oversee family housing and military unaccompanied housing under the jurisdiction of the Department of Defense or acquired or constructed under subchapter IV of this chapter (in this section referred to as 'covered housing units').''.

SEC. 2822. DEPARTMENT OF DEFENSE MILITARY HOUSING READINESS COUNCIL.

(a) IN GENERAL.—Chapter 88 of title 10, United States Code, is amended by inserting after section 1781c the following new section:

''§ 1781d. Department of Defense Military Housing Readiness Council

''(a) IN GENERAL.—There is in the Department of Defense the Department of Defense Military Housing Readiness Council (in this section referred to as the 'Council').

''(b) MEMBERS.—

''(1) IN GENERAL.—The Council shall be composed of the following members:

''(A) The Assistant Secretary of Defense for Energy, Installations, and Environment, who shall serve as chair of the Council and who may designate a representative to chair the Council in the absence of the Assistant Secretary.

''(B) One representative of each of the Army, Navy, Air Force, Marine Corps, and Space Force, each of whom shall be a member of the armed force to be represented and not fewer than two of which shall be from an enlisted component.

''(C) One spouse of an active component member of each of the Army, Navy, Air Force, Marine Corps, and Space Force, not fewer than two of which shall be the spouse of an enlisted component member.

''(D) One individual appointed by the Secretary of Defense among representatives of the International Code Council.

''(E) One individual appointed by the Secretary of Defense among representatives of the Institute of Inspection Cleaning and Restoration Certification.

''(F) One individual appointed by the Chair of the Committee on Armed Services of the Senate who is not described in subparagraph (B) or (C) and is not a representative of an organization specified in subparagraph (D) or (E).

''(G) One individual appointed by the Ranking Member of the Committee on Armed Services of the Senate who is not described in subparagraph (B) or (C) and is not a representative of an organization specified in subparagraph (D) or (E).

''(H) One individual appointed by the Chair of the Committee on Armed Services of the House of Representatives who is not described in subparagraph (B) or (C) and is not a representative of an organization specified in subparagraph (D) or (E).

''(I) One individual appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives who is not described in subparagraph (B) or (C) and is not a representative of an organization specified in subparagraph (D) or (E).

''(2) TERMS.—The term on the Council of the members specified under subparagraphs (B) through (H) of paragraph (1) shall be two years and may be renewed by the Secretary of Defense.

''(3) ATTENDANCE BY LANDLORDS.—The chair of the Council shall extend an invitation to each landlord for one representative of each landlord to attend such meetings of the Council as the chair considers appropriate.

''(c) MEETINGS.—The Council shall meet not less often than four times each year.

''(d) DUTIES.—The duties of the Council shall include the following:

''(1) To review and make recommendations to the Secretary of Defense regarding policies for privatized military housing, including inspections practices, resident surveys, landlord payment of medical bills for residents of housing units that have not maintained minimum standards of habitability, and access to maintenance work order systems.

''(2) To monitor compliance by the Department with and effective implementation by the Department of statutory improvements to policies for privatized military housing, including the Military Housing Privatization Initiative Tenant Bill of Rights developed under section 2890 of this title and the complaint database established under section 2894a of this title.

''(3) To make recommendations to the Secretary of Defense to improve collaboration, awareness, and promotion of accurate and timely information about privatized military housing, accommodations available through the Exceptional Family Member Program of the Department of Defense, and other support services among policymakers, service providers, and targeted beneficiaries.

''(e) PUBLIC REPORTING.—

''(1) AVAILABILITY OF DOCUMENTS.—Subject to section 552 of title 5 (commonly known as the 'Freedom of Information Act'), the records, reports, transcripts, minutes, appendices, working papers, drafts, studies, agenda, and other documents made available to or prepared for or by the Council shall be available for public inspection and copying at a single location in a publicly accessible format on a website of the Department of Defense until the Council ceases to exist.

''(2) MINUTES.—

''(A) IN GENERAL.—Detailed minutes of each meeting of the Council shall be kept and shall contain—

''(i) a record of the individuals present;

''(ii) a complete and accurate description of matters discussed and conclusions reached; and

''(iii) copies of all reports received, issued, or approved by the Council.

''(B) CERTIFICATION.—The chair of the Council shall certify the accuracy of the minutes of each meeting of the Council.

''(f) ANNUAL REPORTS.—

''(1) IN GENERAL.—Not later than March 1 each year, the Council shall submit to the Secretary of Defense and the congressional defense committees a report on privatized military housing readiness.

''(2) ELEMENTS.—Each report under this subsection shall include the following:

''(A) An assessment of the adequacy and effectiveness of the provision of privatized military housing and the activities of the Department of Defense in meeting the needs of military families relating to housing during the preceding fiscal year.

''(B) A description of activities of the Council during the preceding fiscal year, including—

''(i) analyses of complaints of tenants of housing units;

''(ii) data received by the Council on maintenance response time and completion of maintenance requests relating to housing units;

''(iii) assessments of dispute resolution processes;

''(iv) assessments of overall customer service for tenants;

''(v) assessments of results of housing inspections conducted with and without notice;

''(vi) any survey results conducted on behalf of or received by the Council.

''(C) Recommendations on actions to be taken to improve the capability of the provision of privatized military housing and the activities of the Department of Defense to meet the needs and requirements of military families relating to housing, including actions relating to the allocation of funding and other resources.

''(3) PUBLIC AVAILABILITY.—Each report under this subsection shall be made available in a publicly accessible format on a website of the Department of Defense.

''(g) DEFINITIONS.—In this section:

''(1) LANDLORD.—The term 'landlord' has the meaning given that term in section 2871 of this title.

''(2) PRIVATIZED MILITARY HOUSING.—The term 'privatized military housing' means housing provided under subchapter IV of chapter 169 of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1781c the following new item:

''1781d. Department of Defense Military Housing Readiness Council.

SEC. 2823. MANDATORY DISCLOSURE OF POTENTIAL PRESENCE OF MOLD AND HEALTH EFFECTS OF MYCOTOXINS BEFORE A LEASE IS SIGNED FOR PRIVATIZED MILITARY HOUSING.

(a) IN GENERAL.—Subchapter V of chapter 169 of title 10, United States Code, is amended by inserting after section 2890 the following new section:

''§ 2890a. Disclosure of potential presence of mold and health effects of mycotoxins

''(a) IN GENERAL.—The Secretary of Defense shall develop a mold disclosure document, which shall be provided by each landlord to a prospective tenant of a housing unit owned or managed by such landlord.

''(b) ELEMENTS OF DOCUMENT.—The mold disclosure document developed under subsection (a) shall include the following:

''(1) A notification that mold could be present in the housing unit.

''(2) An instruction that any tenant that discovers mold in the housing unit should notify the landlord not later than 48 hours after discovering mold.

''(3) Information regarding the human health effects of mycotoxins.''.

(b) CLERICAL AMENDMENT.—The table of sections for such subchapter is amended by inserting after the item relating to section 2890 the following new item:

''2890a. Disclosure of potential presence of mold and health effects of mycotoxins.

SEC. 2824. IMPLEMENTATION OF RECOMMENDATIONS FROM AUDIT OF MEDICAL CONDITIONS OF RESIDENTS IN PRIVATIZED MILITARY HOUSING.

Not later than March 1, 2023, the Secretary of Defense shall implement the recommendations contained in the report of the Inspector General of the Department of Defense dated April 1, 2022, and entitled, ''Audit of Medical Conditions of Residents in Privatized Military Housing'' (DODIG–2022–078).

Subtitle C—Land Conveyances

SEC. 2841. CONVEYANCE, JOINT BASE CHARLESTON, SOUTH CAROLINA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force (in this section referred to as the ''Secretary'') may convey to the City of North Charleston, South Carolina (in this section referred to as the ''City'') all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 26 acres known as the Old Navy Yard at Joint Base Charleston, South Carolina, for the purpose of permitting the City to use the property for economic development.

(b) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance under subsection (a), the City shall pay to the United States an amount equal to not less than the fair market value, as determined by the Secretary, based on an appraisal of the property to be conveyed under such subsection, which may consist of cash payment, in-kind consideration as described under paragraph (3), or a combination thereof.

(2) SUFFICIENCY OF CONSIDERATION.—

(A) IN GENERAL.—Consideration paid to the Secretary under paragraph (1) must be sufficient, as determined by the Secretary, to provide replacement space for, and for the relocation of, any personnel, furniture, fixtures, equipment, and personal property of any kind belonging to any military department located upon the property to be conveyed under subsection (a).

(B) COMPLETION PRIOR TO CONVEYANCE.—Any cash consideration must be paid in full and any in-kind consideration must be complete, useable, and delivered to the satisfaction of the Secretary at or prior to the conveyance under subsection (a).

(3) IN-KIND CONSIDERATION.—In-kind consideration paid by the City under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facilities or infrastructure with proximity to Joint Base Charleston Weapons Station (South Annex) and located on Joint Base Charleston, that the Secretary considers acceptable.

(4) TREATMENT OF CASH CONSIDERATION RECEIVED.—Any cash consideration received by the United States under paragraph (1) shall be deposited in the special account in the Treasury under subparagraph (A) of section 572(b)(5) of title 40, United States Code, and shall be available in accordance with subparagraph (B)(ii) of such section.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—

(A) IN GENERAL.—The Secretary may require the City to cover all costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, appraisal costs, costs related to environmental documentation, and any other administrative costs related to the conveyance.

(B) REFUND OF AMOUNTS.—If amounts paid by the City to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance under subsection (a), the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(e) CONDITION OF CONVEYANCE.—The conveyance under subsection (a) shall be subject to all valid existing rights and the City shall accept the property (and any improvements thereon) in its condition at the time of the conveyance (commonly known as a conveyance ''as is'').

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(g) OLD NAVY YARD DEFINED.—In this section, the term ''Old Navy Yard'' includes the facilities used by the Naval Information Warfare Center Atlantic, including buildings 1602, 1603, 1639, 1648, and such other facilities, infrastructure, and land along or near the Cooper River waterfront at Joint Base Charleston as the Secretary considers appropriate.

Subtitle D—Other Matters

SEC. 2861. INTEGRATED MASTER INFRASTRUCTURE PLAN TO SUPPORT DEFENSE OF GUAM.

(a) UPDATE OF PLAN AND REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the heads of such Federal agencies as the Secretary considers pertinent—

(1) update the plan detailing descriptions of work, costs, and a schedule for completion of construction, improvements, and repairs to the nonmilitary utilities, facilities, and infrastructure, if any, on Guam affected by the realignment of forces, required by section 2822 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66), to reflect current and future plans for the introduction of additional military and supporting nonmilitary capabilities on the island; and

(2) submit to the congressional defense committees a report on the updates made under paragraph (1).

(b) MATTERS INCLUDED.—In preparing th update required by subsection (a)(1), the Secretary shall ensure that, at a minimum, the resulting updated plan addresses:

(1) necessary improvements to the existing civilian electrical power grid and electric power generation capabilities to ensure that the expected increase in Department of Defense power requirements can be satisfied without adversely affecting the general population;

(2) opportunities for increasing energy resilience for Department of Defense facilities and reducing expected demands on civilian resources;

(3) expediting the ability to remove unexploded ordinance during construction;

(4) required enhancements to potable water supplies and sewer systems to sustain expected increases in Department of Defense employees, military, supporting personnel, and dependents;

(5) needed civilian roadway rehabilitation efforts and enhancements to support increased traffic and heavy equipment movements;

(6) advisable commercial airport and seaport rehabilitation and capacity expansion projects that could improve logistical effectiveness and efficiency;

(7) expanded public safety infrastructure needs to provide adequate fire and police services for expected increases in Department of Defense employees, military, supporting personnel, and dependents;

(8) projected timelines for completion and anticipated phasing for projects; and

(9) other topics the Secretary deems appropriate to include.

(c) FORM.—The report submitted under subsection (a)(2) shall be submitted in unclassified form, but may include a classified annex.

SEC. 2862. REPEAL OF REQUIREMENT FOR INTERAGENCY COORDINATION GROUP OF INSPECTORS GENERAL FOR GUAM REALIGNMENT.

Section 2835 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 10 U.S.C. 2687 note) is repealed.

SEC. 2863. TEMPORARY AUTHORITY FOR ACCEPTANCE AND USE OF FUNDS FOR CERTAIN CONSTRUCTION PROJECTS IN THE REPUBLIC OF KOREA.

Section 2863 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1899) is amended—

(1) in the section heading, by striking ''**MUTUALLY BENEFICIAL TO THE DEPARTMENT OF DEFENSE AND**'' and inserting ''**IN**'';

(2) in subsection (a)(1)—

(A) in the matter preceding subparagraph (A), by striking ''cash''; and

(B) in subparagraph (B), by inserting ''and construction'' after ''The design'';

(3) in subsection (b), by striking ''Contributions'' and inserting ''Cash contributions''; and

(4) by amending subsection (e) to read as follows:

''(e) METHOD OF CONTRIBUTION.—Contributions may be accepted under subsection (a) in any of the following forms:

''(1) Irrevocable letter of credit issued by a financial institution acceptable to the Treasurer of the United States.

''(2) Drawing rights on a commercial bank account established and funded by the Republic of Korea, which account is blocked such that funds deposited cannot be withdrawn except by or with the approval of the United States.

''(3) Cash, which shall be deposited into the account established under subsection (b).''.

SEC. 2864. MODIFICATION OF QUITCLAIM DEED BETWEEN THE UNITED STATES AND THE CITY OF CLINTON, OKLAHOMA.

(a) IN GENERAL.—The Secretary of Defense shall abrogate and release the City of Clinton, Oklahoma, or any subsequent grantee, from the conditions specified in subsection (b) for the land specified in subsection (d).

(b) CONDITIONS SPECIFIED.—The conditions specified in this subsection are the following:

(1) That during any national emergency declared by the President or Congress, the Department of Defense shall have the right to make exclusive or nonexclusive use and have exclusive or nonexclusive control and possession, without charge, of the airport located on the land specified in subsection (d), or of such portion thereof as the President may desire.

(2) That the Department of Defense shall be responsible for the entire cost of maintaining such part of the airport as it may use exclusively, or over which it may have exclusive possession or control, during the period of such use, possession, or control, and shall be obligated to contribute a reasonable share, commensurate with the use made by it, of the cost of maintenance of such property as it may use nonexclusively or over which it may have nonexclusive control and possession.

(3) That the Department of Defense shall pay a fair rental for its use, control, or possession, exclusively or nonexclusively, of any improvements to the airport made without aid from the Department.

(c) PAYMENT OF COSTS.—The City of Clinton, Oklahoma, or any subsequent grantee, shall pay all costs related to any survey, legal description, contract modification, or deed modification necessary to carry out subsection (a).

(d) LAND SPECIFIED.—The land specified in this subsection—

(1) is the land owned or maintained by the Department of Defense that is—

(A) adjacent to the City of Clinton Spaceport covered within the quitclaim deed dated January 27, 1949, between the United States and the City of Clinton, Oklahoma;

(B) east of the Clinton Sherman Airport with—

(i) northern boundary of Sooner Drive between 7th Street and 2nd Street;

(ii) southern boundary of East 1160 Road extending from 2nd Street past Little Elk Creek;

(iii) western boundary running parallel to 2nd Street; and

(iv) western boundary extending past Little Elk Creek to Woodland Street; and

(C) encompassing the Greens Burns Flat Golf Course; and

(2) does not include—

(A) the Clinton Sherman Airport or runway; or

(B) any land west of 2nd Street adjacent to the Oklahoma Space Industry Development Authority maintenance building or its surrounding support west of 2nd Street.

SEC. 2865. PROHIBITION ON JOINT USE OF HOMESTEAD AIR RESERVE BASE WITH CIVIL AVIATION.

On or before September 30, 2026, the Secretary of the Air Force may not enter into an agreement that would provide for or permit the joint use of Homestead Air Reserve Base, Homestead, Florida, by the Air Force and civil aircraft.

SEC. 2866. INCLUSION OF INFRASTRUCTURE IMPROVEMENTS IDENTIFIED IN THE REPORT ON STRATEGIC SEAPORTS IN DEFENSE COMMUNITY INFRASTRUCTURE PILOT PROGRAM.

Section 2391(d) of title 10, United States Code, is amended—

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

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3) In selecting community infrastructure projects to receive assistance under this subsection, the Secretary shall consider infrastructure improvements identified in the report on strategic seaports required by section 3515 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1985).''.

SEC. 2867. PROCUREMENT OF ELECTRIC, ZERO EMISSION, ADVANCED-BIOFUEL-POWERED, OR HYDROGEN-POWERED VEHICLES FOR THE DEPARTMENT OF DEFENSE.

(a) PROCUREMENT REQUIREMENT.—

(1) IN GENERAL.—Section 2922g of title 10, United States Code, is amended to read as follows:

''§ 2922g. Procurement of electric, zero emission, advanced-biofuel-powered, or hydrogen-powered vehicles

''(a) REQUIREMENT.—Except as provided in subsection (b), all covered nontactical vehicles purchased or leased by or for the use of the Department of Defense shall be—

''(1) an electric or zero emission vehicle that uses a charging connector type (or other means to transmit electricity to the vehicle) that meets applicable industry accepted standards for interoperability and safety;

''(2) an advanced-biofuel-powered vehicle; or

''(3) a hydrogen-powered vehicle.

''(b) RELATION TO OTHER VEHICLE TECHNOLOGIES THAT REDUCE CONSUMPTION OF FOSSIL FUELS.—Notwithstanding the requirement under subsection (a), the Secretary of Defense may authorize the purchase or lease of covered nontactical vehicles that are not described in such subsection if the Secretary determines, on a case by case basis, that—

''(1) the technology used in the vehicles to be purchased or leased reduces the consumption of fossil fuels compared to vehicles that use conventional internal combustion technology;

''(2) the purchase or lease of such vehicles is consistent with the energy performance goals and plan of the Department of Defense required by section 2911 of this title; and

''(3) the purchase or lease of vehicles described in subsection (a) is impracticable under the circumstances.

''(c) WAIVER.—

''(1) IN GENERAL.—The Secretary of Defense may waive the requirement under subsection (a).

''(2) NONDELEGATION.—The Secretary of Defense may not delegate the waiver authority under paragraph (1).

''(d) DEFINITIONS.—In this section:

''(1) ADVANCED-BIOFUEL-POWERED VEHICLE.—The term 'advanced-biofuel-powered vehicle' includes a vehicle that uses a fuel described in section 9001(3)(A) of the Farm Security and Rural Investment Act of 2202 (7 U.S.C. 8101(3)(A)).

''(2) COVERED NONTACTICAL VEHICLE.—The term 'covered nontactical vehicle' means any vehicle—

''(A) that is not a tactical vehicle designed for use in combat; and

''(B) that is purchased or leased by the Department of Defense pursuant to a contract entered into, renewed, modified, or amended on or after October 1, 2030.

''(3) HYDROGEN-POWERED VEHICLE.—The term 'hydrogen-powered vehicle' means a vehicle that uses hydrogen as the main source of motive power, either through a fuel cell or internal combustion.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 173 of such title is amended by striking the item relating to section 2922g and inserting the following new item:

''2922g. Procurement of electric, zero emission, advanced-biofuel-powered, or hydrogen-powered vehicles.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2030.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs and Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2023 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 23–D–516, Energetic Materials Characterization Facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $19,000,000.

Project 23–D–517, Electrical Power Capacity Upgrade, Los Alamos National Laboratory, Los Alamos, New Mexico, $24,000,000.

Project 23–D–518, Plutonium Modernization Operations and Waste Management Office Building, Los Alamos National Laboratory, Los Alamos, New Mexico, $48,500,000.

Project 23–D–519, Special Materials Facility, Y-12 National Security Complex, Oak Ridge, Tennessee, $49,500,000.

Project 23–D–533, Component Test Complex Project, Bettis Atomic Power Laboratory, West Mifflin, Pennsylvania, $57,420,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2023 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out, for defense environmental cleanup activities, the following new plant projects:

Project 23–D–402, Calcine Construction, Idaho National Laboratory, Idaho Falls, Idaho, $10,000,000.

Project 23–D–403 200 West Area Tank Farms Risk Management Project, Hanford Site, Richland, Washington, $4,408,000.

Project 23–D–404, 181D Export Water System Reconfiguration and Upgrade, Hanford Site, Richland, Washington, $6,770,000

Project 23–D–405, 181B Export Water System Reconfiguration and Upgrade, Hanford Site, Richland, Washington, $480,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2023 for other defense activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3104. NUCLEAR ENERGY.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2023 for nuclear energy as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. WORKFORCE ENHANCEMENT FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) FIXED-TERM APPOINTMENT FOR ADMINISTRATOR FOR NUCLEAR SECURITY.—

(1) IN GENERAL.—Section 202(c) of the Department of Energy Organization Act (42 U.S.C. 7132(c)) is amended—

(A) in paragraph (1)—

(i) by inserting ''(A)'' after ''(1)'';

(ii) by striking ''shall be appointed'' and all that follows through ''Code.'' and inserting the following: ''shall—

''(i) be appointed by the President, by and with the advice and consent of the Senate; and

''(ii) serve—

''(I) except as provided in subclause (II), for a term of not more than 5 years; or

''(II) until a successor is appointed, by and with the advice and consent of the Senate.''; and

(iii) by adding at the end the following:

''(B) A person appointed to serve as the Under Secretary for Nuclear Security may continue to serve in that position after the expiration of the person's term under subparagraph (A)(ii) until a successor is appointed, by and with the advice and consent of the Senate.'';

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(C) by inserting after paragraph (1) the following new paragraph (2):

''(2) The Under Secretary for Nuclear Security shall be compensated at the rate provided for at level III of the Executive Schedule under section 5314 of title 5, United States Code.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) apply with respect to an individual appointed to serve as the Under Secretary for Nuclear Security on or after January 20, 2023.

(b) REPEAL OF CAP ON FULL-TIME EQUIVALENT EMPLOYEES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.—

(1) IN GENERAL.—Section 3241A of the National Nuclear Security Administration Act (50 U.S.C. 2441a) is repealed.

(2) CLERICAL AMENDMENT.—The table of contents for the National Nuclear Security Administration Act is amended by striking the item relating to section 3241A.

SEC. 3112. ACCELERATION OF DEPLETED URANIUM MANUFACTURING PROCESSES.

(a) ACCELERATION OF MANUFACTURING.—The Administrator for Nuclear Security shall require the nuclear security enterprise to accelerate the modernization of manufacturing processes for depleted uranium so that the nuclear security enterprise—

(1) by not later than 2026—

(A) demonstrates bulk cold hearth melting of depleted uranium to replace existing technologies; and

(B) manufactures, on a repeatable and ongoing basis, war reserve depleted uranium components using net shape casting; and

(2) by not later than 2028, produces bulk depleted uranium using cold hearth melting on an operational basis for war reserve components.

(b) OPERATION OF MANUFACTURING FACILITY.—

(1) ACQUISITION OF FACILITY.—By not later than 2026, the Administrator shall demonstrate, if possible through the use of leased real estate options, a production facility for manufacturing depleted uranium components outside the current perimeter security fencing of the Y–12 National Security Complex, Oak Ridge, Tennessee.

(2) OPERATION.—The Administrator shall ensure that, by not later than 2029, the facility acquired under paragraph (1) conducts routine operations for the manufacture of war reserve components.

(c) CONVERSION OF DEPLETED URANIUM HEXAFLUORIDE TO DEPLETED URANIUM TETRAFLUORIDE.—The Administrator shall ensure that the nuclear security enterprise—

(1) by not later than 2026, demonstrates the conversion of depleted uranium hexafluoride to depleted uranium tetrafluoride;

(2) by not later than 2028, converts depleted uranium hexaflouride to depleted uranium tetrafluoride on an operational basis; and

(3) by not later than 2030, has available high purity depleted uranium for the production of war reserve components.

(d) BRIEFING.—Not later than March 31, 2023, and annually thereafter through 2030, the Administrator shall brief the congressional defense committees on—

(1) progress made in carrying out subsections (a), (b), and (c);

(2) the cost of activities conducted under such subsections during the preceding fiscal year; and

(3) the ability of the nuclear security enterprise to convert depleted uranium fluoride hexafluoride to depleted uranium tetraflouride.

(e) NUCLEAR SECURITY ENTERPRISE DEFINED.—In this section, the term ''nuclear security enterprise'' has the meaning given that term in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501).

SEC. 3113. CERTIFICATION OF COMPLETION OF MILESTONES WITH RESPECT TO PLUTONIUM PIT AGING.

(a) IN GENERAL.—The National Nuclear Security Administration shall complete the milestones on plutonium pit aging identified in the report entitled ''Research Program Plan for Plutonium and Pit Aging'', published by the Administration in September 2021.

(b) ANNUAL ASSESSMENT.—The Administrator for Nuclear Security shall seek to enter into an arrangement with the private scientific advisory group known as JASON to conduct, annually through 2030, an assessment of the progress achieved toward completing the milestones described in subsection (a).

(c) BRIEFING OF CONGRESSIONAL DEFENSE COMMITTEES.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter until 2030, the Administrator shall brief the congressional defense committees on—

(1) the progress achieved toward completing the milestones described in subsection (a); and

(2) the results of the assessment described in subsection (b).

(d) CERTIFICATION OF COMPLETION OF MILESTONES.—

(1) IN GENERAL.—Not later than October 1, 2031, the Administrator shall certify to the congressional defense committees whether the milestones described in subsection (a) have been achieved.

(2) JUSTIFICATION FOR INCOMPLETE MILESTONES.—If the milestones described in subsection (a) have not been achieved, the Administrator shall submit to the congressional defense committees, concurrently with the certification required by paragraph (1), a report—

(A) describing the reasons such milestones have not been achieved;

(B) including, if the Administrator determines the Administration will not be able to meet one of such milestones, an explanation for that determination; and

(C) specifying new dates for the completion of the milestones the Administrator anticipates the Administration will meet.

SEC. 3114. ASSISTANCE BY THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO THE AIR FORCE FOR THE DEVELOPMENT OF THE MARK 21A FUSE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall enter into an agreement with the Secretary of the Air Force under which the Administrator shall provide assistance to the Air Force in developing a fuse for the Mark 21A reentry vehicle to support the W87–1 warhead

over the projected lifetime of the warhead, including by—

(1) acting as an external reviewer of the Mark 21A fuse, including by reviewing—

(A) the design of the fuse;

(B) the quality of manufacturing and parts; and

(C) the life availability of components;

(2) advising and supporting the Air Force on strategies to mitigate technical and schedule fuse risks; and

(3) otherwise ensuring the expertise of the National Nuclear Security Administration in fuse and warhead design and manufacturing is available to support successful development and sustainment of the fuse over its lifetime.

(b) BUDGET REQUEST.—The Administrator shall include, in the budget justification materials submitted to Congress in support of the budget of the Department of Energy for fiscal year 2024 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), a request for amounts sufficient to ensure that the assistance provided to the Air Force under the agreement required by subsection (a) does not negatively affect ongoing nuclear modernization programs of the Administration.

(c) NUCLEAR WEAPONS COUNCIL REVIEW.—The Nuclear Weapons Council established under section 179 of title 10, United States Code, shall review the agreement required by subsection (a) and ensure that assistance provided under such agreement aligns with ongoing programs of record between the Department of Defense and the Administration.

(d) TRANSMITTAL OF AGREEMENT.—Not later than 120 days after the date of the enactment of this Act, the Nuclear Weapons Council shall transmit to the congressional defense committee the agreement required by subsection (a) and any comments that the Council considers appropriate.

SEC. 3115. EXTENSION OF DEADLINE FOR TRANSFER OF PARCELS OF LAND TO BE CONVEYED TO LOS ALAMOS COUNTY, NEW MEXICO.

(a) ENVIRONMENTAL RESTORATION.—If the Secretary of Energy, under any authority granted by law, determines that a covered parcel of land requires environmental restoration or remediation, the Secretary shall, to the maximum extent practicable, complete the environmental restoration or remediation of the covered parcel of land not later than September 30, 2032, and otherwise in compliance with such authority.

(b) CONVEYANCE OR TRANSFER.—If the Secretary, under any authority granted by law, determines that environmental restoration or remediation cannot reasonably be expected to be completed with respect to a covered parcel of land by September 30, 2032, the Secretary may not convey or transfer the covered parcel of land.

(c) COVERED PARCEL OF LAND DEFINED.—The term ''covered parcel of land'' means a parcel of land—

(1) under the jurisdiction or administrative control of the Secretary of Energy;

(2) located at or in the vicinity of Los Alamos National Laboratory, Los Alamos, New Mexico; and

(3) that the Secretary identified, in a report submitted to the congressional defense committees before the date of the enactment of this Act, as suitable for conveyance or transfer to Los Alamos County.

SEC. 3116. USE OF ALTERNATIVE TECHNOLOGIES TO ELIMINATE PROLIFERATION THREATS AT VULNERABLE SITES.

Section 4306B of the Atomic Energy Defense Act (50 U.S.C. 2569) is amended—

(1) in subsection (c)(1)(M)(ii), by inserting ''(including through the use of alternative technologies)'' after ''convert''; and

(2) in subsection (g), by adding at the end the following new paragraph:

''(7) The term 'alternative technologies' means technologies, such as accelerator-based equipment, that do not use radiological materials.''.

SEC. 3117. UPDATE TO PLAN FOR DEACTIVATION AND DECOMMISSIONING OF NON-OPERATIONAL DEFENSE NUCLEAR FACILITIES.

Section 4423 of the Atomic Energy Defense Act (50 U.S.C. 2603) is amended—

(1) by striking ''even-numbered'' each place it appears and inserting ''odd-numbered'';

(2) by striking ''2016'' each place it appears and inserting ''2023'';

(3) in subsection (c)—

(A) by striking ''2019'' and inserting ''2025''; and

(B) by striking ''determines—'' and all that follows and inserting ''determines are non-operational as of September 30, 2022.'';

(4) in subsection (d)(4), by striking ''2018'' and inserting ''2024''; and

(5) in subsection (e), by striking ''2026'' and inserting ''2031''.

Subtitle C—Budget and Financial Management Matters

SEC. 3121. MODIFICATION OF COST BASELINES FOR CERTAIN PROJECTS.

Section 4713(a) of the Atomic Energy Defense Act (50 U.S.C. 2753(a)) is amended—

(1) in paragraph (2)(D), by striking ''$750,000,000'' and inserting ''$960,000,000 (in base fiscal year 2022 dollars)'';

(2) in paragraph (3)(A)(i), by striking ''$50,000,000'' and inserting ''$65,000,000 (in base fiscal year 2022 dollars)''; and

(3) in paragraph (4)(A)(i), by striking ''$50,000,000'' and inserting ''$65,000,000 (in base fiscal year 2022 dollars)''.

SEC. 3122. UNAVAILABILITY FOR OVERHEAD COSTS OF AMOUNTS SPECIFIED FOR LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Section 4812 of the Atomic Energy Defense Act (50 U.S.C. 2792) is amended by adding at the end the following new subsection:

''(c) LIMITATION ON USE OF FUNDS FOR OVERHEAD.—A national security laboratory may not use funds made available under section 4811(c) to cover the costs of general and administrative overhead for the laboratory.''.

(b) REPEAL OF PILOT PROGRAM.—Section 3119 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 50 U.S.C. 2791 note) is repealed.

SEC. 3123. PURCHASE OF REAL PROPERTY OPTIONS.

(a) IN GENERAL.—Subtitle E of the National Nuclear Security Administration Act (50 U.S.C. 2461 et seq.) is amended by adding at the end the following new section:

''SEC. 3265. USE OF FUNDS FOR THE PURCHASE OF OPTIONS TO PURCHASE OR LEASE REAL PROPERTY.

''(a) IN GENERAL.—Subject to the limitation in subsection (b), funds authorized to be appropriated for the Administration for the purchase of real property may be expended to purchase options for the purchase or lease of real property.

''(b) LIMITATION ON PRICE OF OPTIONS.—The price of any option purchased pursuant to subsection (a) may not exceed the minor construction threshold (as defined in section 4701 of the Atomic Energy Defense Act (50 U.S.C. 2741)).

''(c) NOTICE.—Not later than 14 days after the date an option is purchased pursuant to subsection (a), the Administrator for Nuclear Security shall submit to the congressional defense committees—

''(1) a notification of such purchase; and

''(2) a summary of the rationale for such purchase.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 3264 the following new item:

''Sec. 3265. Use of funds for the purchase of options to purchase or lease real property.

SEC. 3124. DETERMINATION OF STANDARDIZED INDIRECT COST ELEMENTS.

(a) IN GENERAL.—Not later than March 31, 2025, the Deputy Chief Financial Officer of the Department of Energy shall, in consultation with the Administrator for Nuclear Security and the Director of the Office of Science, determine standardized indirect cost elements to be reported by contractors to the Administrator.

(b) REPORT.—Not later than 90 days after the date that the determination required by subsection (a) is made, the Deputy Chief Financial Officer shall, in coordination with the Administrator and the Director, submit to the congressional defense committees a report describing the standardized indirect cost elements determined under subsection (a) and a plan to require contractors to report, beginning in fiscal year 2026, such standardized indirect cost elements to the Administrator.

(c) STANDARDIZED INDIRECT COST ELEMENTS DEFINED.—In this section, the term ''standardized indirect cost elements'' means the categories of indirect costs incurred by management and operating contractors that receive funds to perform work for the National Nuclear Security Administration.

SEC. 3125. ADJUSTMENT OF MINOR CONSTRUCTION THRESHOLD.

Section 4701 of the Atomic Energy Defense Act (50 U.S.C. 2741) is amended—

(1) in paragraph (1), by inserting ''DOE NATIONAL SECURITY AUTHORIZATION.—'' before ''The''; and

(2) by striking paragraph (2) and inserting the following new paragraph (2):

''(2) MINOR CONSTRUCTION THRESHOLD.—The term 'minor construction threshold' means $25,000,000 (in base fiscal year 2021 dollars).''.

SEC. 3126. REQUIREMENTS FOR SPECIFIC REQUEST FOR NEW OR MODIFIED NUCLEAR WEAPONS.

Section 4209 of the Atomic Energy Defense Act (50 U.S.C. 2529) is amended—

(1) in subsection (a)(1), by inserting ''beyond phase 1 or phase 6.1 (as the case may be) of the nuclear weapon acquisition process'' after ''modified nuclear weapon''; and

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

''(b) BUDGET REQUEST FORMAT.—In a request for funds under subsection (a), the Secretary shall include a dedicated line item for each activity described in subsection (a)(2) for a new nuclear weapon or modified nuclear weapon that is in phase 2 or higher or phase 6.2 or higher (as the case may be) of the nuclear weapon acquisition process.''.

SEC. 3127. LIMITATION ON USE OF FUNDS FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION FACILITY ADVANCED MANUFACTURING DEVELOPMENT.

(a) IN GENERAL.—Of the funds authorized to be appropriated by this Act for fiscal year 2023 for the National Nuclear Security Administration for advanced manufacturing development, the Administrator for Nuclear Security may authorize an amount, not to exceed 5 percent of such funds, to be used by the director of a nuclear weapons production facility to engage in research, development, and demonstration activities in order to maintain and enhance the engineering and manufacturing capabilities at such facility.

(b) NUCLEAR WEAPONS PRODUCTION FACILITY DEFINED.—In this section, the term ''nuclear weapons production facility'' means any of the following:

(1) The Kansas City National Security Campus, Kansas City, Missouri, and any related satellite location.

(2) The Y–12 National Security Complex, Oak Ridge, Tennessee.

(3) The Pantex Plant, Amarillo, Texas.

(4) The Savannah River Site, Aiken, South Carolina.

(5) The Nevada National Security Site, North Las Vegas, Nevada.

Subtitle D—Other Matters

SEC. 3131. REPEAL OF OBSOLETE PROVISIONS OF THE ATOMIC ENERGY DEFENSE ACT AND OTHER PROVISIONS.

(a) REPEAL OF PROVISIONS OF THE ATOMIC ENERGY DEFENSE ACT.—

(1) IN GENERAL.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended—

(A) in title XLII—

(i) in subtitle A, by striking section 4215; and

(ii) in subtitle B, by striking section 4235; and

(B) in title XLIV—

(i) in subtitle A, by striking section 4403;

(ii) in subtitle C, by striking sections 4444, 4445, and 4446; and

(iii) in subtitle D, by striking section 4454.

(2) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the items relating to sections 4215, 4235, 4403, 4444, 4445, 4446, and 4454.

(b) REPEAL OF OTHER PROVISIONS.—

(1) AUTHORITY TO USE INTERNATIONAL NUCLEAR MATERIALS PROTECTION AND COOPERATION PROGRAM FUNDS OUTSIDE THE FORMER SOVIET UNION.—Section 3124 of the National Defense Authorization Act for Fiscal Year 2004 (50 U.S.C. 2568) is repealed.

(2) SILK ROAD INITIATIVE; NUCLEAR NONPROLIFERATION FELLOWSHIPS.—Sections 3133 and 3134 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2570, 2571) are repealed.

(3) REQUIREMENT FOR RESEARCH AND DEVELOPMENT PLAN AND REPORT WITH RESPECT TO NUCLEAR FORENSICS CAPABILITIES.—Section 3114 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (50 U.S.C. 2574) is repealed.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2023, $41,401,400 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

SEC. 3202. DELEGATION OF AUTHORITY TO CHAIRPERSON OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

Section 311 of the Atomic Energy Act of 1954 (42 U.S.C. 2286) is amended by striking subsection (e) and inserting the following new subsection (e):

''(e) QUORUM.—

''(1) IN GENERAL.—Three members of the Board shall constitute a quorum, but a lesser number may hold hearings.

''(2) DELEGATION OF AUTHORITY.—

''(A) IN GENERAL.—Upon a loss of quorum due to vacancy or incapacity of a member of the Board, the authorities of the Board under sections 312, 313, 315, and 316 shall be delegated to the Chairperson.

''(B) TERMINATION OF DELEGATION.—Any delegation of authority under subparagraph (A) shall terminate upon re-establishment of a quorum.

''(C) LIMITATIONS ON DELEGATED AUTHORITY.—If any authority of the Board has been delegated to the Chairperson under subparagraph (A) and a member is serving on the Board with the Chairperson, the Chairperson—

''(i) shall consult with such member before exercising such delegated authority; and

''(ii) may initiate an investigation or issue a recommendation to the Secretary of Energy only with the approval of such member.

''(D) NOTIFICATION.—The Board shall notify the congressional defense committees not later than 30 days before any date on which—

''(i) the Board delegates any authority under subparagraph (A);

''(ii) the Chairperson exercises such authority; or

''(iii) the Chairperson initiates an investigation or issues a recommendation to the Secretary of Energy.''.

TITLE LXXXV—MARITIME MATTERS

Subtitle A—Short Title; Authorization of Appropriations for the Maritime Administration

SEC. 3501. SHORT TITLE.

This title may be cited as the ''Maritime Administration Authorization Act for Fiscal Year 2023''.

SEC. 3502. AUTHORIZATION OF APPROPRIATIONS FOR THE MARITIME ADMINISTRATION.

(a) MARITIME ADMINISTRATION.—There are authorized to be appropriated to the Department of Transportation for fiscal year 2023, for programs associated with maintaining the United States Merchant Marine, the following amounts:

(1) For expenses necessary to support the United States Merchant Marine Academy, $112,848,000, of which—

(A) $87,848,000 shall be for Academy operations;

(B) $22,000,000 shall be for facilities maintenance and repair and equipment; and

(C) $3,000,000 shall be for training, staffing, retention, recruiting, and contract management for United States Merchant Marine Academy capital improvement projects.

(2) For expenses necessary to support the State maritime academies, $80,700,000, of which—

(A) $2,400,000 shall be for the Student Incentive Program;

(B) $6,000,000 shall be for direct payments for State maritime academies;

(C) $6,800,000 shall be for training ship fuel assistance;

(D) $8,080,000 shall be for offsetting the costs of training ship sharing; and

(E) $30,500,000 shall be for maintenance and repair of State maritime academy training vessels.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, including funds for construction and necessary expenses to construct shoreside infrastructure to support such vessels, $75,000,000.

(4) For expenses necessary to support Maritime Administration operations and programs, $101,250,000, of which—

(A) $15,000,000 shall be for the Maritime Environmental and Technical Assistance program authorized under section 50307 of title 46, United States Code;

(B) $14,819,000 shall be for the Marine Highways Program, including to make grants as authorized under section 55601 of title 46, United States Code; and

(C) $67,433,000 shall be for headquarters operations expenses.

(5) For expenses necessary for the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $6,000,000.

(6) For expenses necessary to maintain and preserve a fleet of merchant vessels documented under chapter 121 of title 46, United States Code, to serve the national security needs of the United States, as authorized under chapter 531 of title 46, United States Code, $318,000,000.

(7) For expenses necessary for the loan guarantee program authorized under chapter 537 of title 46, United States Code, $33,000,000, of which—

(A) $30,000,000 may be for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program; and

(B) $3,000,000 may be used for administrative expenses relating to loan guarantee commitments under the program.

(8) For expenses necessary to provide assistance to small shipyards and for maritime training programs authorized under section 54101 of title 46, United States Code, $40,000,000.

(9) For expenses necessary to implement the Port Infrastructure Development Program, as authorized under section 54301 of title 46, United States Code, $750,000,000, to remain available until expended, except that no such funds authorized under this title for this program may be used to provide a grant to purchase fully automated cargo handling equipment that is remotely operated or remotely monitored with or without the exercise of human intervention or control, if the Secretary of Transportation determines such equipment would result in a net loss of jobs within a port or port terminal. If such a determination is made, the data and analysis for such determination shall be reported to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives not later than 3 days after the date of the determination.

(b) AVAILABILITY OF AMOUNTS.—Amounts appropriated—

(1) pursuant to the authority provided in paragraphs (1)(A), (2)(A), and (4)(A) of subsection (a) shall remain available through September 30, 2023; and

(2) pursuant to the authority provided in paragraphs (1)(B), (1)(C), (2)(B), (2)(C), (2)(D), (2)(E), (3), (4)(B), (4)(C), (5), (6), (7)(A), (7)(B), (8), and (9) of subsection (a) shall remain available without fiscal year limitation.

(c) TANKER SECURITY FLEET.—

(1) FUNDING.—Section 53411 of title 46, United States Code, is amended by striking ''$60,000,000'' and inserting ''$120,000,000''.

(2) INCREASE IN NUMBER OF VESSELS.—Section 53403(c) of title 46, United States Code, is amended by striking ''10'' and inserting ''20''.

Subtitle B—General Provisions

SEC. 3511. STUDY TO INFORM A NATIONAL MARITIME STRATEGY.

(a) IN GENERAL.—The Secretary of Transportation and the Secretary of the department in which the Coast Guard is operating shall enter into an agreement with a studies and analysis federally funded research and development center under which such federally funded research and development center shall conduct a study of the key elements and objectives needed for a national maritime strategy. The strategy shall address national objectives, as described in section 50101 of title 46, United States Code, to ensure—

(1) a capable, commercially viable, militarily useful fleet of a sufficient number of merchant vessels documented under chapter 121 of title 46, United States Code;

(2) a robust United States mariner workforce, as described in section 50101 of title 46, United States Code;

(3) strong United States domestic shipbuilding infrastructure, and related shipbuilding trades amongst skilled workers in the United States; and

(4) that the Navy Fleet Auxiliary Force, the National Defense Reserve Fleet, the Military Sealift Command, the Maritime Security Program under chapter 531 of title 46, United States Code, the Tanker Security

Program under chapter 534 of title 46, United States Code, and the Cable Security Program under chapter 532 of title 46, United States Code, currently meet the economic and national security needs of the United States and would reliably continue to meet those needs under future economic or national security emergencies.

(b) INPUT.—In carrying out the study, the federally funded research and development center shall solicit input from—

(1) relevant Federal departments and agencies;

(2) nongovernmental organizations;

(3) United States companies;

(4) maritime labor organizations;

(5) commercial industries that depend on United States mariners;

(6) domestic shipyards regarding shipbuilding and repair capacity, and the associated skilled workforce, such as the workforce required for transportation, offshore wind, fishing, and aquaculture;

(7) providers of maritime workforce training; and

(8) any other relevant organizations.

(c) ELEMENTS OF THE STUDY.—The study conducted under subsection (a) shall include consultation with the Department of Transportation, the Department of Defense, the Department of Homeland Security, the National Oceanic and Atmospheric Administration, and other relevant Federal agencies, in the identification and evaluation of—

(1) incentives, including regulatory changes, needed to continue to meet the shipbuilding and ship maintenance needs of the United States for commercial and national security purposes, including through a review of—

(A) the loans and guarantees program carried out under chapter 537 of title 46, United States Code, and how the development of new offshore commercial industries, such as wind, could be supported through modification of such program or other Federal programs, and thus also support the United States sealift in the future;

(B) the barriers to participation in the loans and guarantees program carried out under chapter 537 of title 46, United States Code, and how the program may be improved to facilitate additional shipbuilding activities in the United States;

(C) the needed resources, human and financial, for such incentives; and

(D) the current and anticipated number of shipbuilding and ship maintenance contracts at United States shipyards through 2032, to the extent practicable;

(2) incentives, including regulatory changes, needed to maintain a commercially viable United States-documented fleet, which shall include—

(A) an examination of how the preferences under section 2631 of title 10, United States Code, and chapter 553 of title 46, United States Code, the Maritime Security Program under chapter 531 of title 46, United States Code, the Tanker Security Program under chapter 534 of title 46, United States Code, and the Cable Security Program under chapter 532 of title 46, United States Code, should be used to further maintain and grow a United States-documented fleet and the identification of other incentives that could be used that may not be authorized at the time of the study;

(B) an estimate of the number and type of commercial ships needed over the next 30 years; and

(C) estimates of the needed human and financial resources for such incentives;

(3) the availability of United States mariners, and future needs, including—

(A) the number of mariners needed for the United States commercial and national security needs over the next 30 years;

(B) the policies and programs (at the time of the study) to recruit, train, and retain United States mariners to support the United States maritime workforce needs during peace time and at war;

(C) how those programs could be improved to grow the number of maritime workers trained each year, including how potential collaboration between the uniformed services, the United States Merchant Marine Academy, State maritime academies, maritime labor training centers, and the Centers of Excellence for Domestic Maritime Workforce Training under section 51706 of title 46, United States Code, could be used most effectively; and

(D) estimates of the necessary resources, human and financial, to implement such programs in each relevant Federal agency over the next 30 years; and

(4) the interaction among the elements described under paragraphs (1) through (3).

(d) PUBLIC AVAILABILITY.—The study conducted under subsection (a) shall be made publicly available on a website of the Department of Transportation.

SEC. 3512. NATIONAL MARITIME STRATEGY.

(a) IN GENERAL.—Not later than 6 months after the date of receipt of the study conducted under section 3511, and every 5 years thereafter, the Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating and the United States Transportation Command, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a national maritime strategy.

(b) CONTENTS.—The strategy required under subsection (a) shall—

(1) identify—

(A) international policies and Federal regulations and policies that reduce the competitiveness of United States-documented vessels with foreign vessels in domestic and international transportation markets; and

(B) the impact of reduced cargo flow due to reductions in the number of members of the United States Armed Forces stationed or deployed outside of the United States; and

(2) include recommendations to—

(A) make United States-documented vessels more competitive in shipping routes between United States and foreign ports;

(B) increase the use of United States-documented vessels to carry cargo imported to and exported from the United States;

(C) ensure compliance by Federal agencies with chapter 553 of title 46, United States Code;

(D) increase the use of short sea transportation routes, including routes designated under section 55601(b) of title 46, United States Code, to enhance intermodal freight movements;

(E) enhance United States shipbuilding capability;

(F) invest in, and identify gaps in, infrastructure needed to facilitate the movement of goods at ports and throughout the transportation system, including innovative physical and information technologies;

(G) enhance workforce training and recruitment for the maritime workforce, including training on innovative physical and information technologies;

(H) increase the resilience of ports and the marine transportation system;

(I) increase the carriage of government-impelled cargo on United States-documented vessels pursuant to chapter 553 of title 46, United States Code, section 2631 of title 10, United States Code, or otherwise; and

(J) maximize the cost effectiveness of Federal funding for carriage of non-defense government impelled cargo for the purposes of maintaining a United States flag fleet for national and economic security.

(c) UPDATE.—Not later than 6 months after the date of receipt of the study conducted under section 3511, the Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating and the Commander of the United States Transportation Command, shall—

(1) update the national maritime strategy required by section 603 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281);

(2) submit a report to Congress containing the updated national maritime strategy; and

(3) make the updated national maritime strategy publicly available on the website of the Department of Transportation.

(d) IMPLEMENTATION PLAN.—Not later than 6 months after completion of the updated national maritime strategy under subsection (c), and after the completion of each strategy thereafter, the Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating and the Secretary of Defense, shall publish on a publicly available website an implementation plan for the most recent national maritime strategy.

SEC. 3513. NEGATIVE DETERMINATION NOTICE.

Section 501(b)(3) of title 46, United States Code, is amended—

(1) in subparagraph (B), by striking ''and'' after the semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) in the event a waiver referred to in paragraph (1) is not issued, publish an explanation for not issuing such waiver on the Internet Web site of the Department of Transportation not later than 48 hours after notice of such determination is provided to the Secretary of Transportation, including applicable findings to support the determination.''.

Subtitle C—Maritime Infrastructure

SEC. 3521. MARINE HIGHWAYS.

(a) SHORT TITLE.—This section may be cited as the ''Marine Highway Promotion Act''.

(b) FINDINGS.—Congress finds the following:

(1) Our Nation's waterways are an integral part of the transportation network of the United States.

(2) Using the Nation's coastal, inland, and other waterways can support commercial transportation, can provide maritime transportation options where no alternative surface transportation exists, and alleviates surface transportation congestion and burdensome road and bridge repair costs.

(3) Marine highways are serviced by documented United States flag vessels and manned by United States citizens, providing added resources for national security and to aid in times of crisis.

(4) According to the United States Army Corps of Engineers, inland navigation is a key element of economics development and is essential in maintaining economic competitiveness and national security.

(c) UNITED STATES MARINE HIGHWAY PROGRAM.—

(1) IN GENERAL.—Section 55601 of title 46, United States Code, is amended to read as follows:

''§ 55601. United States Marine Highway Program

''(a) PROGRAM.—

''(1) ESTABLISHMENT.—The Maritime Administrator shall establish a Marine Highway Program to be known as the 'United States Marine Highway Program'. Under

such program, the Maritime Administrator shall—

''(A) designate marine highway routes as extensions of the surface transportation system under subsection (b); and

''(B) subject to the availability of appropriations, make grants or enter into contracts or cooperative agreements under subsection (c).

''(2) PROGRAM ACTIVITIES.—In carrying out the Marine Highway Program established under paragraph (1), the Maritime Administrator may—

''(A) coordinate with ports, State departments of transportation, localities, other public agencies, and the private sector on the development of landside facilities and infrastructure to support marine highway transportation;

''(B) develop performance measures for such Marine Highway Program;

''(C) collect and disseminate data for the designation and delineation of marine highway routes under subsection (b); and

''(D) conduct research on solutions to impediments to marine highway services eligible for assistance under subsection (c)(1).

''(b) DESIGNATION OF MARINE HIGHWAY ROUTES.—

''(1) AUTHORITY.—The Maritime Administrator may designate or modify a marine highway route as an extension of the surface transportation system if—

''(A) such a designation or modification is requested by—

''(i) the government of a State or territory;

''(ii) a metropolitan planning organization;

''(iii) a port authority;

''(iv) a non-Federal navigation district; or

''(v) a Tribal government; and

''(B) the Maritime Administrator determines such marine highway route satisfies at least one covered function under subsection (d).

''(2) DETERMINATION.—Not later than 180 days after the date on which the Maritime Administrator receives a request for designation or modification of a marine highway route under paragraph (1), the Maritime Administrator shall make a determination of whether to make the requested designation or modification.

''(3) NOTIFICATION.—Not later than 14 days after the date on which the Maritime Administrator makes the determination whether to make the requested designation or modification, the Maritime Administrator shall send the requester a notification of the determination.

''(4) MAP.—

''(A) IN GENERAL.—Not later than 120 days after the date of enactment of the Maritime Administration Authorization Act for Fiscal Year 2023, and thereafter each time a marine highway route is designated or modified, the Administrator shall make publicly available a map showing the location of marine highway routes, including such routes along the coasts, in the inland waterways, and at sea.

''(B) COORDINATION.—The Administrator shall coordinate with the National Oceanic and Atmospheric Administration to incorporate the map into the Marine Cadastre.

''(c) ASSISTANCE FOR MARINE HIGHWAY SERVICES.—

''(1) IN GENERAL.—The Maritime Administrator may make grants to, or enter into contracts or cooperative agreements with, an eligible entity to implement a marine highway service or component of a marine highway service, if the Administrator determines the service—

''(A) satisfies at least one covered function under subsection (d);

''(B) uses vessels documented under chapter 121 of this title; and

''(C)(i) implements strategies developed under section 55603; or

''(ii) develops, expands, or promotes—

''(I) marine highway transportation services; or

''(II) shipper utilization of marine highway transportation.

''(2) ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means—

''(A) a State, a political subdivision of a State, or a local government;

''(B) a United States metropolitan planning organization;

''(C) a United States port authority;

''(D) a Tribal government in the United States; or

''(E) a United States private sector operator of marine highway services or private sector owners of facilities with an endorsement letter from the marine highway route sponsor described in subsection (b)(1)(A), including an Alaska Native Corporation.

''(3) APPLICATION.—

''(A) IN GENERAL.—To be eligible to receive a grant or enter into a contract or cooperative agreement under this subsection to implement a marine highway service, an eligible entity shall submit an application in such form and manner, at such time, and containing such information as the Maritime Administrator may require, including—

''(i) a comprehensive description of—

''(I) the regions to be served by the marine highway service;

''(II) the marine highway route that the service will use, which may include connection to existing or planned transportation infrastructure and intermodal facilities, key navigational factors such as available draft, channel width, bridge air draft, or lock clearance, and any foreseeable impacts on navigation or commerce, and a map of the proposed route;

''(III) the marine highway service supporters, which may include business affiliations, private sector stakeholders, State departments of transportation, metropolitan planning organizations, municipalities, or other governmental entities (including Tribal governments), as applicable;

''(IV) the estimated volume of passengers, if applicable, or cargo using the service, and predicted changes in such volume during the 5-year period following the date of the application;

''(V) the need for the service;

''(VI) the definition of the success goal for the service, such as volumes of cargo or passengers moved, or contribution to environmental mitigation, safety, reduced vehicle miles traveled, or reduced maintenance and repair costs;

''(VII) the methodology for implementing the service, including a description of the proposed operational framework of the service including the origin, destination, and any intermediate stops on the route, transit times, vessel types, and service frequency; and

''(VIII) any existing programs or arrangements that can be used to supplement or leverage assistance under the program; and

''(ii) a demonstration, to the satisfaction of the Maritime Administrator, that—

''(I) the marine highway service is financially viable;

''(II) the funds or other assistance provided under this subsection will be spent or used efficiently and effectively; and

''(III) a market exists for the services of the proposed marine highway service, as evidenced by contracts or written statements of intent from potential customers.

''(B) PRE-PROPOSAL.—Prior to accepting a full application under subparagraph (A), the Maritime Administrator may require that an eligible entity first submit a pre-proposal that contains a brief description of the items under subparagraph (A).

''(C) PRE-PROPOSAL FEEDBACK.—Not later than 30 days after receiving a pre-proposal, the Maritime Administrator shall provide feedback to the eligible entity that submitted the pre-proposal to encourage or discourage the eligible entity from submitting a full application. An eligible entity may still submit a full application even if that eligible entity is not encouraged to do so after submitting a pre-proposal.

''(4) TIMING OF GRANT NOTICE.—The Maritime Administrator shall post a Notice of Funding Opportunity regarding grants, contracts, or cooperative agreements under this subsection not more than 60 days after the date of enactment of the appropriations Act for the fiscal year concerned.

''(5) GRANT APPLICATION FEEDBACK.—Following the award of grants for a particular fiscal year, the Maritime Administrator may provide feedback to applicants to help applicants improve future applications if the feedback is requested by that applicant.

''(6) TIMING OF GRANTS.—The Maritime Administrator shall award grants, contracts, or cooperative agreements under this subsection not later than 270 days after the date of the enactment of the appropriations Act for the fiscal year concerned.

''(7) NON-FEDERAL SHARE.—

''(A) IN GENERAL.—An applicant shall provide not less than 20 percent of the costs from non-Federal sources, except as provided in subparagraph (B).

''(B) TRIBAL AND RURAL AREAS.—The Maritime Administrator may increase the Federal share of service costs above 80 percent for a service located in a Tribal or rural area.

''(C) TRIBAL GOVERNMENT.—The Maritime Administrator may increase the Federal share of service costs above 80 percent for a service benefitting a Tribal Government.

''(8) REUSE OF UNEXPENDED GRANT FUNDS.—Notwithstanding paragraph (6), amounts awarded under this subsection that are not expended by the recipient within 3 years after obligation of funds or that are returned under paragraph (10)(C) shall remain available to the Maritime Administrator to make grants and enter into contracts and cooperative agreements under this subsection.

''(9) ADMINISTRATIVE COSTS.—Not more than 3 percent of the total amount made available to carry out this subsection for any fiscal year may be used for the necessary administrative costs associated with grants, contracts, and cooperative agreements made under this subsection.

''(10) PROCEDURAL SAFEGUARDS.—The Maritime Administrator, in consultation with the Office of the Inspector General, shall issue guidelines to establish appropriate accounting, reporting, and review procedures to ensure that—

''(A) amounts made available to carry out this subsection are used for the purposes for which they were made available;

''(B) recipients of funds under this subsection (including through grants, contracts, or cooperative agreements) have properly accounted for all expenditures of such funds; and

''(C) any such funds that are not obligated or expended for the purposes for which they were made available are returned to the Administrator.

''(11) CONDITIONS ON PROVISION OF FUNDS.—The Maritime Administrator may not award funds to an applicant under this subsection unless the Maritime Administrator determines that—

''(A) sufficient funding is available to meet the non-Federal share requirement of paragraph (7);

''(B) the marine highway service for which such funds are provided will be completed without unreasonable delay; and

''(C) the recipient of such funds has authority to implement the proposed marine highway service.

''(d) COVERED FUNCTIONS.—A covered function under this subsection is one of the following:

''(1) Promotion of marine highway transportation.

''(2) Provision of a coordinated and capable alternative to landside transportation.

''(3) Mitigation or relief of landside congestion.

''(e) PROHIBITED USES.—Funds awarded under this section may not be used to—

''(1) raise sunken vessels, construct buildings or other physical facilities, or acquire land unless such activities are necessary for the establishment or operation of a marine highway service implemented using grant funds provided, or pursuant to a contract or cooperative agreement entered into under subsection (c); or

''(2) improve port or land-based infrastructure outside the United States.

''(f) GEOGRAPHIC DISTRIBUTION.—In making grants, contracts, and cooperative agreements under this section the Maritime Administrator shall take such measures so as to ensure an equitable geographic distribution of funds.

''(g) AUDITS AND EXAMINATIONS.—All recipients (including recipients of grants, contracts, and cooperative agreements) under this section shall maintain such records as the Maritime Administrator may require and make such records available for review and audit by the Maritime Administrator.''.

(2) RULES.—

(A) FINAL RULE.—Not later than 1 year after the date of enactment of this title, the Secretary of Transportation shall prescribe such final rules as are necessary to carry out the amendments made by this subsection.

(B) INTERIM RULES.—The Secretary of Transportation may prescribe temporary interim rules necessary to carry out the amendments made by this subsection. For this purpose, the Maritime Administrator, in prescribing rules under this subparagraph, is excepted from compliance with the notice and comment requirements of section 553 of title 5, United States Code, prior to the effective date of the interim rules. All interim rules prescribed under the authority of this subparagraph shall request comment and remain in effect until such time as the interim rules are superseded by a final rule, following notice and comment.

(C) SAVINGS CLAUSE.—The requirements under section 55601 of title 46, United States Code, as amended by this subsection, shall take effect only after the interim rule described in subparagraph (B) is promulgated by the Secretary.

(d) MULTISTATE, STATE, AND REGIONAL TRANSPORTATION PLANNING.—Chapter 556 of title 46, United States Code, is amended by inserting after section 55602 the following:

''SEC. 55603. MULTISTATE, STATE, AND REGIONAL TRANSPORTATION PLANNING.

''(a) IN GENERAL.—The Maritime Administrator, in consultation with the heads of other appropriate Federal departments and agencies, State and local governments, and appropriate private sector entities, may develop strategies to encourage the use of marine highway transportation for the transportation of passengers and cargo.

''(b) STRATEGIES.—If the Maritime Administrator develops the strategies described in subsection (a), the Maritime Administrator may—

''(1) assess the extent to which States and local governments include marine highway transportation and other marine transportation solutions in transportation planning;

''(2) encourage State departments of transportation to develop strategies, where appropriate, to incorporate marine highway transportation, ferries, and other marine transportation solutions for regional and interstate transport of freight and passengers in transportation planning; and

''(3) encourage groups of States and multistate transportation entities to determine how marine highway transportation can address congestion, bottlenecks, and other interstate transportation challenges, including the lack of alternative surface transportation options.''.

(e) RESEARCH ON MARINE HIGHWAY TRANSPORTATION.—Section 55604 of title 46, United States Code, is amended—

(1) by redesignating paragraphs (1) through (3) as paragraphs (4) through (6), respectively; and

(2) by inserting before paragraph (4), as redesignated by paragraph (1), the following new paragraphs:

''(1) the economic importance of marine highway transportation to the United States economy;

''(2) the importance of marine highway transportation to rural areas, including the lack of alternative surface transportation options;

''(3) United States regions and territories, and within-region areas, that do not yet have marine highway services underway, but that could benefit from the establishment of marine highway services;''.

(f) DEFINITIONS.—Section 55605 of title 46, United States Code, is amended to read as follows: ''

''§ 55605. Definitions

''In this chapter—

''(1) the term 'marine highway transportation' means the carriage by a documented vessel of cargo (including such carriage of cargo and passengers), and such cargo—

''(A) is—

''(i) contained in intermodal cargo containers and loaded by crane on the vessel;

''(ii) loaded on the vessel by means of wheeled technology, including roll-on roll-off cargo;

''(iii) shipped in discrete units or packages that are handled individually, palletized, or unitized for purposes of transportation;

''(iv) bulk, liquid, or loose cargo loaded in tanks, holds, hoppers, or on deck; or

''(v) freight vehicles carried aboard commuter ferry boats; and

''(B) is—

''(i) loaded at a port in the United States and unloaded either at another port in the United States or at a port in Canada or Mexico; or

''(ii) loaded at a port in Canada or Mexico and unloaded at a port in the United States;

''(2) the term 'marine highway service' means a planned or contemplated new service, or expansion of an existing service, on a marine highway route, that seeks to provide new modal choices to shippers, offer more desirable services, reduce transportation costs, or provide public benefits;

''(3) the term 'marine highway route' means a route on commercially navigable coastal, inland, or intracoastal waters of the United States, including connections between the United States and a port in Canada or Mexico, that is designated under section 55601(b);

''(4) the term ''Tribal Government'' means the recognized governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of the Maritime Administration Authorization Act for Fiscal Year 2023 pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131); and

''(5) the term 'Alaska Native Corporation' has the meaning given the term 'Native Corporation' under section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).''.

(g) TECHNICAL AMENDMENTS.—

(1) CLERICAL.—The analysis for chapter 556 of title 46, United States Code, is amended—

(A) by striking the item relating to section 55601 and inserting the following:

''55601. United States Marine Highway Program.

(B) by inserting after the item relating to section 55602 the following:

''55603. Multistate, State, and regional transportation planning.

(C) by striking the item relating to section 55605 and inserting the following:

''55605. Definitions.

(2) DEFINITIONS.—Section 53501 of title 46, United States Code, is amended in paragraph (5)(A)—

(A) in clause (i), by inserting ''and'' after the semicolon; and

(B) by striking clause (iii).

SEC. 3522. GAO REVIEW OF EFFORTS TO SUPPORT AND GROW THE UNITED STATES MERCHANT FLEET.

Not later than 18 months after the date of enactment of this section, the Comptroller General of the United States shall transmit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that examines United States Government efforts to promote the growth and modernization of the United States maritime industry, and the vessels of the United States, as defined in section 116 of title 46, United States Code, including the overall efficacy of United States Government financial support and policies, including the Capital Construction Fund, Construction Reserve Fund, and other eligible loan, grant, or other programs.

SEC. 3523. GAO REVIEW OF FEDERAL EFFORTS TO ENHANCE PORT INFRASTRUCTURE RESILIENCY AND DISASTER PREPAREDNESS.

Not later than 18 months after the date of enactment of this section, the Comptroller General of the United States shall transmit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that examines Federal efforts to assist ports in enhancing the resiliency of their key intermodal connectors to weather-related disasters. The report shall include consideration of the following:

(1) Actions being undertaken at various ports to better identify critical land-side connectors that may be vulnerable to disruption in the event of a natural disaster, including how to communicate such information during a disaster when communications systems may be compromised, and the level of Federal involvement in such efforts.

(2) The extent to which the Department of Transportation and other Federal agencies are working in line with recent recommendations from key resiliency reports, including the National Academies of Science study on strengthening supply chain resilience, to establish a framework for ports to follow to increase resiliency to major weather-related disruptions before they happen.

(3) The extent to which the Department of Transportation or other Federal agencies have provided funds to ports for resiliency-related projects.

(4) The extent to which Federal agencies have a coordinated approach to helping ports

and the multiple State, local, Tribal, and private stakeholders involved, to improve resiliency prior to weather-related disasters.

SEC. 3524. STUDY ON FOREIGN INVESTMENT IN SHIPPING.

(a) ASSESSMENT.—Subject to appropriations, the Under Secretary of Commerce for International Trade (referred to in this section as the ''Under Secretary'') in coordination with Maritime Administration, the Federal Maritime Commission, and other relevant agencies shall conduct an assessment of subsidies, indirect state support, and other financial infrastructure or benefits provided by foreign states that control more than 1 percent of the world merchant fleet to entities or individuals building, owning, chartering, operating, or financing vessels not documented under the laws of the United States that are engaged in foreign commerce.

(b) REPORT.—Not later than 1 year after the date of enactment of this section, the Under Secretary shall submit to the appropriate committees of Congress, as defined in section 3538, a report on the assessment conducted under subsection (a), including—

(1) the amount, in United States dollars, of such support provided by a foreign state described in subsection (a) to—

(A) the shipping industry of each country as a whole;

(B) the shipping industry as a percent of gross domestic product of each country; and

(C) each ship on average, by ship type for cargo, tanker, and bulk;

(2) the amount, in United States dollars, of such support provided by a foreign state described in subsection (a) to the shipping industry of another foreign state, including favorable financial arrangements for ship construction;

(3) a description of the shipping industry activities of state-owned enterprises of a foreign state described in subsection (a);

(4) a description of the type of support provided by a foreign state described in subsection (a), including tax relief, direct payment, indirect support of state-controlled financial entities, or other such support, as determined by the Under Secretary; and

(5) a description of how the subsidies provided by a foreign state described in subsection (a) may be disadvantaging the competitiveness of vessels documented under the laws of the United States that are engaged in foreign commerce and the national security of the United States.

(c) DEFINITIONS.—In this section:

(1) FOREIGN COMMERCE.—The term ''foreign commerce'' means—

(A) commerce or trade between the United States, its territories or possessions, or the District of Columbia, and a foreign country;

(B) commerce or trade between foreign countries; or

(C) commerce or trade within a foreign country.

(2) FOREIGN STATE.—The term ''foreign state'' has the meaning given the term in section 1603(a) of title 28, United States Code.

(3) SHIPPING INDUSTRY.—The term ''shipping industry'' means the construction, ownership, chartering, operation, or financing of vessels engaged in foreign commerce.

SEC. 3525. REPORT REGARDING ALTERNATE MARINE FUEL BUNKERING FACILITIES AT PORTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Maritime Administrator shall report on the necessary port-related infrastructure needed to support bunkering facilities for liquefied natural gas, hydrogen, ammonia, or other new marine fuels under development. The Maritime Administrator shall publish the report on a publicly available website.

(b) CONTENTS.—The report described in subsection (a) shall include—

(1) information about the existing United States infrastructure, in particular the storage facilities, bunkering vessels, and transfer systems to support bunkering facilities for liquefied natural gas, hydrogen, ammonia, or other new marine fuels under development;

(2) a review of the needed upgrades to United States infrastructure, including storage facilities, bunkering vessels, and transfer systems, to support bunkering facilities for liquefied natural gas, hydrogen, ammonia, or other new marine fuels under development;

(3) an assessment of the estimated Government investment in this infrastructure and the duration of that investment; and

(4) in consultation with relevant Federal agencies, information on the relevant Federal agencies that would oversee the permitting and construction of bunkering facilities for liquefied natural gas, hydrogen, ammonia, or other new marine fuels, as well as the Federal funding grants or formula programs that could be used for such marine fuels.

SEC. 3526. STUDY OF CYBERSECURITY AND NATIONAL SECURITY THREATS POSED BY FOREIGN MANUFACTURED CRANES AT UNITED STATES PORTS.

The Administrator of the Maritime Administration shall—

(1) conduct a study, in consultation with the Secretary of Homeland Security, the Secretary of Defense, and the Director of the Cybersecurity and Infrastructure Security Agency, to assess whether there are cybersecurity or national security threats posed by foreign manufactured cranes at United States ports;

(2) submit, not later than 1 year after the date of enactment of this title, an unclassified report on the study described in paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Armed Services of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Armed Services of the House of Representatives; and

(3) if determined necessary by the Administrator, the Secretary of Homeland Security, or the Secretary Defense, submit a classified report on the study described in paragraph (1) to the committees described in paragraph (2).

SEC. 3527. PROJECT SELECTION CRITERIA FOR PORT INFRASTRUCTURE DEVELOPMENT PROGRAM.

Section 54301(a)(6) of title 46, United States Code, is amended by adding at the end the following:

''(C) CONSIDERATIONS FOR NONCONTIGUOUS STATES AND TERRITORIES.—In considering the criteria under subparagraphs (A)(ii) and (B)(ii) for selecting a project described in paragraph (3), in the case the proposed project is located in a noncontiguous State or territory, the Secretary may take into account the geographic isolation of the State or territory and the economic dependence of the State or territory on the proposed project.''.

SEC. 3528. INFRASTRUCTURE IMPROVEMENTS IDENTIFIED IN THE REPORT ON STRATEGIC SEAPORTS.

Section 54301(a)(6) of title 46, United States Code, is amended by adding at the end the following:

''(D) INFRASTRUCTURE IMPROVEMENTS IDENTIFIED IN THE REPORT ON STRATEGIC SEAPORTS.—In selecting projects described in paragraph (3) for funding under this subsection, the Secretary may consider infrastructure improvements identified in the report on strategic seaports required by section 3515 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1985) that would improve the commercial operations of those seaports.''.

Subtitle D—Maritime Workforce

SEC. 3531. SENSE OF CONGRESS ON MERCHANT MARINE.

It is the sense of Congress that the United States Merchant Marine is a critical part of the national infrastructure of the United States, and the men and women of the United States Merchant Marine are essential workers.

SEC. 3532. ENSURING DIVERSE MARINER RECRUITMENT.

Not later than 6 months after the date of enactment of this section, the Secretary of Transportation shall develop and deliver to Congress a strategy to assist State maritime academies and the United States Merchant Marine Academy to improve the representation of women and underrepresented communities in the next generation of the mariner workforce, including each of the following:

(1) Black and African American.

(2) Hispanic and Latino.

(3) Asian.

(4) American Indian, Alaska Native, and Native Hawaiian.

(5) Pacific Islander.

SEC. 3533. LOW EMISSIONS VESSELS TRAINING.

(a) DEVELOPMENT OF STRATEGY.—The Secretary of Transportation, in consultation with the United States Merchant Marine Academy, State maritime academies, civilian nautical schools, and the Secretary of the department in which Coast Guard is operating, shall develop a strategy to ensure there is an adequate supply of trained United States citizen mariners sufficient to meet the operational requirements of low and zero emission vessels. Implementation of the strategy shall aim to increase the supply of trained United States citizen mariners sufficient to meet the needs of the maritime industry and ensure continued investment in training for mariners serving on conventional fuel vessels.

(b) REPORT.—Not later than 6 months after the date the Secretary of Transportation determines that there is commercially viable technology for low and zero emission vessels, the Secretary of Transportation shall—

(1) submit a report on the strategy developed under subsection (a) and plans for its implementation to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(2) make such report publicly available.

SEC. 3534. IMPROVING PROTECTIONS FOR MIDSHIPMEN ACT.

(a) SHORT TITLE.—This section may be cited as the ''Improving Protections for Midshipmen Act''.

(b) SUSPENSION OR REVOCATION OF MERCHANT MARINER CREDENTIALS FOR PERPETRATORS OF SEXUAL HARASSMENT OR SEXUAL ASSAULT.—

(1) IN GENERAL.—? Chapter 77 of title 46, United States Code, is amended by inserting after section 7704 the following:

''§ 7704a. Sexual harassment or sexual assault as grounds for suspension or revocation

''(a) SEXUAL HARASSMENT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner's document issued under this part, within 10 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual harassment, then the license, certificate of registry, or merchant mariner's document shall be suspended or revoked.

''(b) SEXUAL ASSAULT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner's document issued under this part, within 20 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual assault, then the license, certificate of registry, or merchant mariner's document shall be revoked.

''(c) SUBSTANTIATED CLAIM.—

''(1) IN GENERAL.—The term 'substantiated claim' means—

''(A) a legal proceeding or agency action in any administrative proceeding that determines the individual committed sexual harassment or sexual assault in violation of any Federal, State, local, or Tribal law or regulation and for which all appeals have been exhausted, as applicable; or

''(B) a determination after an investigation by the Coast Guard that it is more likely than not the individual committed sexual harassment or sexual assault as defined in subsection (d), if the determination affords appropriate due process rights to the subject of the investigation.

''(2) ADDITIONAL REVIEW.—A license, certificate of registry, or merchant mariner's document shall not be suspended or revoked under subsection (a) or (b) unless the substantiated claim is reviewed and affirmed, in accordance with the applicable definition in subsection (d), by an administrative law judge at the same suspension or revocation hearing under this chapter described in subsection (a) or (b), as applicable.

''(d) DEFINITIONS.—

''(1) SEXUAL HARASSMENT.—The term 'sexual harassment' means any of the following:

''(A) Conduct that—

''(i) involves unwelcome sexual advances, requests for sexual favors, or deliberate or repeated offensive comments or gestures of a sexual nature, when—

''(I) submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career;

''(II) submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person;

''(III) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment; or

''(IV) conduct may have been by a person's supervisor, a supervisor in another area, a co-worker, or another credentialed mariner; and

''(ii) is so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the environment as hostile or offensive.

''(B) Any use or condonation, by any person in a supervisory or command position, of any form of sexual behavior to control, influence, or affect the career, pay, or job of a subordinate.

''(C) Any deliberate or repeated unwelcome verbal comment or gesture of a sexual nature by any fellow employee of the complainant.

''(2) SEXUAL ASSAULT.—The term 'sexual assault' means any form of abuse or contact as defined in chapter 109A of title 18.

''(e) REGULATIONS.—The Secretary of the department in which the Coast Guard is operating may issue further regulations as necessary to update the definitions in this section, consistent with descriptions of sexual harassment and sexual assault addressed in titles 10 and title 18 to implement this section.''.

(c) CLERICAL AMENDMENT.—The chapter analysis of ? chapter 77 of title 46, United States Code, is amended by inserting after the item relating to section 7704 the following:

''7704a. Sexual harassment or sexual assault as grounds for suspension or revocation.

(d) SUPPORTING THE UNITED STATES MERCHANT MARINE ACADEMY.—

(1) IN GENERAL.—? Chapter 513 of title 46, United States Code, is amended by adding at the end the following:

''§ 51325. Sexual assault and sexual harassment prevention information management system

''(a) INFORMATION MANAGEMENT SYSTEM.—

''(1) IN GENERAL.—Not later than January 1, 2023, the Maritime Administrator shall establish an information management system to track and maintain, in such a manner that patterns can be reasonably identified, information regarding claims and incidents involving cadets that are reportable pursuant to subsection (d) of section 51318 of this chapter.

''(2) INFORMATION MAINTAINED IN THE SYSTEM.—Information maintained in the system shall include the following information, to the extent that information is available:

''(A) The overall number of sexual assault or sexual harassment incidents per fiscal year.

''(B) The location of each such incident, including vessel name and the name of the company operating the vessel, if applicable.

''(C) The names and ranks of the individuals involved in each such incident.

''(D) The general nature of each such incident, to include copies of any associated reports completed on the incidents.

''(E) The type of inquiry made into each such incident.

''(F) A determination as to whether each such incident is substantiated.

''(G) Any informal and formal accountability measures taken for misconduct related to the incident, including decisions on whether to prosecute the case.

''(3) PAST INFORMATION INCLUDED.—The information management system under this section shall include the relevant data listed in this subsection related to sexual assault and sexual harassment that the Maritime Administrator possesses, and shall not be limited to data collected after January 1, 2023.

''(4) PRIVACY PROTECTIONS.—The Maritime Administrator and the Department of Transportation Chief Information Officer shall coordinate to ensure that the information management system under this section shall be established and maintained in a secure fashion to ensure the protection of the privacy of any individuals whose information is entered in such system.

''(5) CYBERSECURITY AUDIT.—Ninety days after the implementation of the information management system, the Office of Inspector General of the Department of Transportation shall commence an audit of the cybersecurity of the system and shall submit a report containing the results of that audit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(6) CORRECTING RECORDS.—In establishing the information management system, the Maritime Administrator shall create a process to ensure that if any incident report results in a final agency action or final judgement that acquits an individual of wrongdoing, all personally identifiable information about the acquitted individual is removed from that incident report in the system.

''(b) SEA YEAR PROGRAM.—The Maritime Administrator shall provide for the establishment of in-person and virtual confidential exit interviews, to be conducted by personnel who are not involved in the assignment of the midshipmen to a Sea Year vessel, for midshipmen from the Academy upon completion of Sea Year and following completion by the midshipmen of the survey under section 51322(d).

''(c) DATA-INFORMED DECISIONMAKING.—The data maintained in the data management system under subsection (a) and through the exit interviews under subsection (b) shall be affirmatively referenced and used to inform the creation of new policy or regulation, or changes to any existing policy or regulation, in the areas of sexual harassment, dating violence, domestic violence, sexual assault, and stalking.

''§ 51326. Student advisory board at the United States Merchant Marine Academy

''(a) IN GENERAL.—The Maritime Administrator shall establish at the United States Merchant Marine Academy an advisory board to be known as the Advisory Board to the Secretary of Transportation (referred to in this section as the 'Advisory Board').

''(b) MEMBERSHIP.—The Advisory Board shall be composed of not fewer than 12 midshipmen of the Merchant Marine Academy who are enrolled at the Merchant Marine Academy at the time of the appointment, including not fewer than 3 cadets from each class.

''(c) APPOINTMENT; TERM.—Midshipmen shall serve on the Advisory Board pursuant to appointment by the Maritime Administrator. Appointments shall be made not later than 60 days after the date of the swearing in of a new class of midshipmen at the Academy. The term of membership of a midshipmen on the Advisory Board shall be 1 academic year.

''(d) REAPPOINTMENT.—The Maritime Administrator may reappoint not more than 6 cadets from the previous term to serve on the Advisory Board for an additional academic year if the Maritime Administrator determines such reappointment to be in the best interests of the Merchant Marine Academy.

''(e) MEETINGS.—The Advisory Board shall meet with the Secretary of Transportation not less than once each academic year to discuss the activities of the Advisory Board. The Advisory Board shall meet in person with the Maritime Administrator not less than 2 times each academic year to discuss the activities of the Advisory Board.

''(f) DUTIES.—The Advisory Board shall—

''(1) identify health and wellbeing, diversity, and sexual assault and harassment challenges and other topics considered important by the Advisory Board facing midshipmen at the Merchant Marine Academy, off campus, and while aboard ships during Sea Year or other training opportunities;

''(2) discuss and propose possible solutions, including improvements to culture and leadership development at the Merchant Marine Academy; and

''(3) periodically review the efficacy of the program in section 51325(b), as appropriate, and provide recommendations to the Maritime Administrator for improvement.

''(g) WORKING GROUPS.—The Advisory Board may establish one or more working groups to assist the Advisory Board in carrying out its duties, including working groups composed in part of midshipmen at the Merchant Marine Academy who are not current members of the Advisory Board.

''(h) REPORTS AND BRIEFINGS.—The Advisory Board shall regularly provide the Secretary of Transportation and the Maritime Administrator reports and briefings on the results of its duties, including recommendations for actions to be taken in light of such results. Such reports and briefings may be provided in writing, in person, or both.

"§ 51327. Sexual Assault Advisory Council

''(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a Sexual Assault Advisory Council (in this section referred to as the 'Council').

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The Council shall be composed of not fewer than 8 and not more than 14 individuals selected by the Secretary of Transportation who are alumni that have graduated within the last 4 years or current midshipmen of the United States Merchant Marine Academy (including midshipmen or alumni who were victims of sexual assault, to the maximum extent practicable, and midshipmen or alumni who were not victims of sexual assault) and governmental and nongovernmental experts and professionals in the sexual assault field.

''(2) EXPERTS INCLUDED.—The Council shall include—

''(A) not less than 1 member who is licensed in the field of mental health and has prior experience working as a counselor or therapist providing mental health care to survivors of sexual assault in a victim services agency or organization; and

''(B) not less than 1 member who has prior experience developing or implementing sexual assault or sexual harassment prevention and response policies in an academic setting.

''(3) RULES REGARDING MEMBERSHIP.—No employee of the Department of Transportation shall be a member of the Council. The number of governmental experts appointed to the Council shall not exceed the number of nongovernmental experts.

''(c) DUTIES; AUTHORIZED ACTIVITIES.—

''(1) IN GENERAL.—The Council shall meet not less often than semiannually to—

''(A) review—

''(i) the policies on sexual harassment, dating violence, domestic violence, sexual assault, and stalking under section 51318 of this title;

''(ii) the trends and patterns of data contained in the system described under section 51325 of this title; and

''(iii) related matters the Council views as appropriate; and

''(B) develop recommendations designed to ensure that such policies and such matters conform, to the extent practicable, to best practices in the field of sexual assault and sexual harassment response and prevention.

''(2) AUTHORIZED ACTIVITIES.—To carry out this subsection, the Council may—

''(A) conduct case reviews, as appropriate and only with the consent of the victim of sexual assault or harassment;

''(B) interview current and former midshipmen of the United States Merchant Marine Academy (to the extent that such midshipmen provide the Department of Transportation express consent to be interviewed by the Council); and

''(C) review—

''(i) exit interviews under section 51325(b) and surveys under section 51322(d);

''(ii) data collected from restricted reporting; and

''(iii) any other information necessary to conduct such case reviews.

''(3) PERSONALLY IDENTIFIABLE INFORMATION.—In carrying out this subsection, the Council shall comply with the obligations of the Department of Transportation to protect personally identifiable information.

''(d) REPORTS.—On an annual basis for each of the 5 years after the date of enactment of this section, and at the discretion of the Council thereafter, the Council shall submit, to the President and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, a report on the Council's findings based on the reviews conducted pursuant to subsection (c) and related recommendations.

''(e) EMPLOYEE STATUS.—Members of the Council shall not be considered employees of the United States Government for any purpose and shall not receive compensation other than reimbursement of travel expenses and per diem allowance in accordance with section 5703 of title 5.

''(f) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.

"§ 51328. Student support

''The Maritime Administrator shall—

''(1) require a biannual survey of midshipmen, faculty, and staff of the Academy assessing the inclusiveness of the environment of the Academy; and

''(2) require an annual survey of faculty and staff of the Academy assessing the inclusiveness of the environment of the Sea Year program.''.

(e) REPORT TO CONGRESS.—Not later than 30 days after the date of enactment of this section, the Maritime Administrator shall provide Congress with a briefing on the resources necessary to properly implement section 51328 of title 46, United States Code, as added by this section.

(f) CONFORMING AMENDMENTS.—The chapter analysis for ? chapter 513 of title 46, United States Code, is amended by adding at the end the following:

''51325. Sexual assault and sexual harassment prevention information management system.

''51326. Student advisory board at the United States Merchant Marine Academy.

''51327. Sexual Assault Advisory Council.

''51328. Student support.

(g) UNITED STATES MERCHANT MARINE ACADEMY STUDENT SUPPORT PLAN.—

(1) STUDENT SUPPORT PLAN.—Not later than January 1, 2023, the Maritime Administrator shall issue a Student Support Plan for the United States Merchant Marine Academy, in consultation with relevant mental health professionals in the Federal Government or experienced with the maritime industry or related industries. Such plan shall—

(A) address the mental health resources available to midshipmen, both on-campus and during Sea Year;

(B) establish a tracking system for suicidal ideations and suicide attempts of midshipmen, which excludes personally identifiable information;

(C) create an option for midshipmen to obtain assistance from a professional care provider virtually; and

(D) require an annual survey of faculty and staff assessing the adequacy of mental health resources for midshipmen of the Academy, both on campus and during Sea Year.

(2) REPORT TO CONGRESS.—Not later than 30 days after the date of enactment of this section, the Maritime Administrator shall provide Congress with a report on the resources necessary to properly implement this subsection.

(h) SPECIAL VICTIMS ADVISOR.—Section 51319 of title 46, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d);

(2) by inserting after subsection (b) the following:

''(c) SPECIAL VICTIMS ADVISOR.—

''(1) IN GENERAL.—The Secretary shall designate an attorney (to be known as the 'Special Victims Advisor') for the purpose of providing legal assistance to any cadet of the Academy who is the victim of an alleged sex-related offense regarding administrative and criminal proceedings related to such offense, regardless of whether the report of that offense is restricted or unrestricted.

''(2) SPECIAL VICTIMS ADVISORY.—The Secretary shall ensure that the attorney designated as the Special Victims Advisor has knowledge of the Uniform Code of Military Justice, as well as criminal and civil law.

''(3) PRIVILEGED COMMUNICATIONS.—Any communications between a victim of an alleged sex-related offense and the Special Victim Advisor, when acting in their capacity as such, shall have the same protection that applicable law provides for confidential attorney-client communications.''; and

(3) by adding at the end the following:

''(e) UNFILLED VACANCIES.—The Administrator of the Maritime Administration may appoint qualified candidates to positions under subsections (a) and (d) of this section without regard to sections 3309 through 3319 of title 5.''.

(i) CATCH A SERIAL OFFENDER ASSESSMENT.—

(1) ASSESSMENT.—Not later than one year after the date of enactment of this section, the Commandant of the Coast Guard, in coordination with the Maritime Administrator, shall conduct an assessment of the feasibility and process necessary, and appropriate responsible entities to establish a program for the United States Merchant Marine Academy and United States Merchant Marine modeled on the Catch a Serial Offender program of the Department of Defense using the information management system required under subsection (a) of section 51325 of title 46, United States Code, and the exit interviews under subsection (b) of such section.

(2) LEGISLATIVE CHANGE PROPOSALS.—If, as a result of the assessment required by paragraph (1), the Commandant or the Administrator determines that additional authority is necessary to implement the program described in paragraph (1), the Commandant or the Administrator, as applicable, shall provide appropriate legislative change proposals to Congress.

(j) SHIPBOARD TRAINING.—Section 51322(a) of title 46, United States Code, is amended by adding at the end the following:

''(3) TRAINING.—

''(A) IN GENERAL.—As part of training that shall be provided not less than semiannually to all midshipmen of the Academy, pursuant to section 51318, the Maritime Administrator shall develop and implement comprehensive in-person sexual assault risk-reduction and response training that, to the extent practicable, conforms to best practices in the sexual assault prevention and response field and includes appropriate scenario-based training.

''(B) DEVELOPMENT AND CONSULTATION WITH EXPERTS.—In developing the sexual assault risk-reduction and response training under subparagraph (A), the Maritime Administrator shall consult with and incorporate, as appropriate, the recommendations and views of experts in the sexual assault field.''.

SEC. 3535. BOARD OF VISITORS.

Section 51312 of title 46, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) by redesignating subparagraph (C) as subparagraph (D);

(ii) in subparagraph (D), as redesignated by clause (i), by striking ''flag-rank who'' and inserting ''flag-rank'';

(iii) in subparagraph (B), by striking ''and'' after the semicolon; and

(iv) by inserting after subparagraph (B) the following:

''(C) at least 1 shall be a representative of a maritime labor organization; and''; and

(B) in paragraph (3), by adding at the end the following:

''(C) REPLACEMENT.—If a member of the Board is replaced, not later than 60 days after the date of the replacement, the Designated Federal Officer selected under subsection (g)(2) shall notify that member.'';

(2) in subsection (d)—

(A) in paragraph (1), by inserting ''and 2 additional meetings, which may be held in person or virtually'' after ''Academy''; and

(B) by adding at the end the following:

''(3) SCHEDULING; NOTIFICATION.—When scheduling a meeting of the Board, the Designated Federal Officer shall coordinate, to the greatest extent practicable, with the members of the Board to determine the date and time of the meeting. Members of the Board shall be notified of the date of each meeting not less than 30 days prior to the meeting date.'';

(3) in subsection (e), by adding at the end the following:

''(4) STAFF.—One or more staff of each member of the Board may accompany them on Academy visits.

''(5) SCHEDULING; NOTIFICATION.—When scheduling a visit to the Academy, the Designated Federal Officer shall coordinate, to the greatest extent practicable, with the members of the Board to determine the date and time of the visit. Members of the Board shall be notified of the date of each visit not less than 30 days prior to the visit date.''; and

(4) in subsection (h)—

(A) by inserting ''and ranking member'' after ''chairman'' each place the term appears; and

(B) by adding at the end the following: ''Such staff may attend meetings and may visit the Academy.''.

SEC. 3536. MARITIME TECHNICAL ADVANCEMENT ACT.

(a) SHORT TITLE.—This section may be cited as the ''Maritime Technological Advancement Act of 2022''.

(b) CENTERS OF EXCELLENCE FOR DOMESTIC MARITIME WORKFORCE.—Section 51706 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''of Transportation'';

(2) in subsection (b), in the subsection heading, by striking ''ASSISTANCE '' and inserting ''COOPERATIVE AGREEMENTS'';

(3) by redesignating subsection (c) as subsection (d);

(4) in subsection (d), as redesignated by paragraph (2), by adding at the end the following:

''(3) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.''; and

(5) by inserting after subsection (b) the following:

''(c) GRANT PROGRAM.—

''(1) DEFINITIONS.—In this subsection:

''(A) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Maritime Administration.

''(B) ELIGIBLE INSTITUTION.—The term 'eligible institution' means an institution that has a demonstrated record of success in training and is—

''(i) a postsecondary educational institution (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) that offers a 2-year program of study or a 1-year program of training;

''(ii) a postsecondary vocational institution (as defined under section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c));

''(iii) a public or private nonprofit entity that offers 1 or more other structured experiential learning training programs for American workers in the United States maritime industry, including a program that is offered by a labor organization or conducted in partnership with a nonprofit organization or 1 or more employers in the maritime industry; or

''(iv) an entity sponsoring a registered apprenticeship program.

''(C) REGISTERED APPRENTICESHIP PROGRAM.—The term 'registered apprenticeship program' means an apprenticeship program registered with the Office of Apprenticeship of the Employment and Training Administration of the Department of Labor or a State apprenticeship agency recognized by the Office of Apprenticeship pursuant to the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

''(D) UNITED STATES MARITIME INDUSTRY.—The term 'United States maritime industry' means all segments of the maritime-related transportation system of the United States, both in domestic and foreign trade, and in coastal, offshore, and inland waters, as well as non-commercial maritime activities, such as pleasure boating and marine sciences (including all scientific research vessels), and all of the industries that support or depend upon such uses, including—

''(i) vessel construction and repair;

''(ii) vessel operations;

''(iii) ship logistics supply;

''(iv) berthing;

''(v) port operations;

''(vi) port intermodal operations;

''(vii) marine terminal operations;

''(viii) vessel design;

''(ix) marine brokerage;

''(x) marine insurance;

''(xi) marine financing;

''(xii) chartering;

''(xiii) marine-oriented supply chain operations;

''(xiv) offshore industry;

''(xv) offshore wind construction, operation, and repair; and

''(xvi) maritime-oriented research and development.

''(2) GRANT AUTHORIZATION.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Maritime Technological Advancement Act of 2022, the Administrator shall award maritime career training grants to eligible institutions for the purpose of developing, offering, or improving educational or career training programs for American workers related to the maritime workforce.

''(B) GUIDELINES.—Not later than 1 year after the date of enactment of the Maritime Technological Advancement Act of 2022, the Administrator shall—

''(i) promulgate guidelines for the submission of grant proposals under this subsection; and

''(ii) publish and maintain such guidelines on the website of the Maritime Administration.

''(3) LIMITATIONS.—The Administrator may not award a grant under this subsection in an amount that is more than $12,000,000.

''(4) REQUIRED INFORMATION.—

''(A) IN GENERAL.—An eligible institution that desires to receive a grant under this subsection shall submit to the Administrator a grant proposal that includes a detailed description of—

''(i) the specific project for which the grant proposal is submitted, including the manner in which the grant will be used to develop, offer, or improve an educational or career training program that is suited to maritime industry workers;

''(ii) the extent to which the project for which the grant proposal is submitted will meet the educational or career training needs of maritime workers in the community served by the eligible institution, particularly any individuals with a barrier to employment;

''(iii) the extent to which the project for which the grant proposal is submitted fits within any overall strategic plan developed by an eligible community; and

''(iv) any previous experience of the eligible institution in providing maritime educational or career training programs.

''(B) COMMUNITY OUTREACH REQUIRED.—In order to be considered by the Administrator, a grant proposal submitted by an eligible institution under this subsection shall—

''(i) demonstrate that the eligible institution—

''(I) reached out to employers to identify—

''(aa) any shortcomings in existing maritime educational and career training opportunities available to workers in the community; and

''(bb) any future employment opportunities within the community and the educational and career training skills required for workers to meet the future maritime employment demand; and

''(II) reached out to other similarly situated institutions in an effort to benefit from any best practices that may be shared with respect to providing maritime educational or career training programs to workers eligible for training; and

''(ii) include a detailed description of—

''(I) the extent and outcome of the outreach conducted under clause (i);

''(II) the extent to which the project for which the grant proposal is submitted will contribute to meeting any shortcomings identified under clause (i)(I)(aa) or any maritime educational or career training needs identified under clause (i)(I)(bb); and

''(III) the extent to which employers, including small- and medium-sized firms within the community, have expressed an interest in employing workers who would benefit from the project for which the grant proposal is submitted.

''(5) CRITERIA FOR AWARD OF GRANTS.—Subject to the appropriation of funds, the Administrator shall award a grant under this subsection based on—

''(A) a determination of the merits of the grant proposal submitted by the eligible institution to develop, offer, or improve maritime educational or career training programs to be made available to workers;

''(B) an evaluation of the likely employment opportunities available to workers who complete a maritime educational or career training program that the eligible institution proposes to develop, offer, or improve;

''(C) an evaluation of prior demand for training programs by workers in the community served by the eligible institution, as well as the availability and capacity of existing maritime training programs to meet future demand for training programs;

''(D) any prior designation of an institution as a Center of Excellence for Domestic Maritime Workforce Training and Education; and

''(E) an evaluation of the previous experience of the eligible institution in providing maritime educational or career training programs.

''(6) COMPETITIVE AWARDS.—

''(A) IN GENERAL.—The Administrator shall award grants under this subsection to eligible institutions on a competitive basis in accordance with guidelines and requirements established by the Administrator under paragraph (2)(B).

''(B) TIMING OF GRANT NOTICE.—The Administrator shall post a Notice of Funding Opportunity regarding grants awarded under this subsection not more than 90 days after the date of enactment of the appropriations Act for the fiscal year concerned.

''(C) TIMING OF GRANTS.—The Administrator shall award grants under this subsection not later than 270 days after the date of the enactment of the appropriations Act for the fiscal year concerned.

''(D) APPLICATION OF REQUIREMENTS.—The requirements under subparagraphs (B) and (C) shall not apply until the guidelines required under paragraph (2)(B) have been promulgated.

''(E) REUSE OF UNEXPENDED GRANT FUNDS.—Notwithstanding subparagraph (C), amounts awarded as a grant under this subsection that are not expended by the grantee shall remain available to the Administrator for use for grants under this subsection.

''(F) ADMINISTRATIVE COSTS.—Not more than 3 percent of amounts made available to carry out this subsection may be used for the necessary costs of grant administration.

''(7) ELIGIBLE USES OF GRANT FUNDS.—An eligible institution receiving a grant under this subsection—

''(A) shall carry out activities that are identified as priorities for the purpose of developing, offering, or improving educational or career training programs for the United States maritime industry workforce;

''(B) shall provide training to upgrade the skills of the United States maritime industry workforce, including training to acquire covered requirements as well as technical skills training for jobs in the United States maritime industry; and

''(C) may use the grant funds to—

''(i) admit additional students to maritime training programs;

''(ii) develop, establish, and annually update viable training capacity, courses, and mechanisms to rapidly upgrade skills and perform assessments of merchant mariners during time of war or a national emergency, and to increase credentials for domestic or defense needs where training can decrease the gap in the numbers of qualified mariners for sealift;

''(iii) provide services to upgrade the skills of United States offshore wind marine service workers who transport, install, operate, construct, erect, repair, or maintain offshore wind components and turbines, including training, curriculum and career pathway development, on-the-job training, safety and health training, and classroom training;

''(iv) expand existing or create new maritime training programs, including through partnerships and memoranda of understanding with—

''(I) 4-year institutions of higher education;

''(II) labor organizations;

''(III) registered apprenticeship programs with the United States maritime industry; or

''(IV) an entity described in subclause (I) through (III) that has a memorandum of understanding with 1 or more employers in the maritime industry;

''(v) create new maritime pathways or expand existing maritime pathways;

''(vi) expand existing or create new training programs for transitioning military veterans to careers in the United States maritime industry;

''(vii) expand existing or create new training programs that address the needs of individuals with a barrier to employment, as determined by the Secretary in consultation with the Secretary of Labor, in the United States maritime industry;

''(viii) purchase, construct, develop, expand, or improve training facilities, buildings, and equipment to deliver maritime training programs;

''(ix) recruit and train additional faculty to expand the maritime training programs offered by the institution;

''(x) provide financial assistance through scholarships or tuition waivers, not to exceed the applicable tuition expenses associated with the covered programs;

''(xi) promote the use of distance learning that enables students to take courses through the use of teleconferencing, the Internet, and other media technology;

''(xii) assist in providing services to address maritime workforce recruitment and training of youth residing in targeted high-poverty areas within empowerment zones and enterprise communities;

''(xiii) implement partnerships with national and regional organizations with special expertise in developing, organizing, and administering maritime workforce recruitment and training services;

''(xiv) carry out customized training in conjunction with—

''(I) an existing registered apprenticeship program or a pre-apprenticeship program that articulates to a registered apprenticeship program;

''(II) a paid internship; or

''(III) a joint labor-management partnership;

''(xv) design, develop, and test an array of approaches to providing recruitment, training, or retention services, to enhance diversity, equity and inclusion in the United States maritime industry workforce;

''(xvi) in conjunction with employers, organized labor, other groups (such as community coalitions), and Federal, State, or local agencies, design, develop, and test various training approaches in order to determine effective practices; or

''(xvii) assist in the development and replication of effective service delivery strategies for the United States maritime industry as a whole.

''(8) PUBLIC REPORT.—Not later than December 15 in each of the calendar years 2023 through 2025, the Administrator shall make available on a publicly available website a report and provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

''(A) describing each grant awarded under this subsection during the preceding fiscal year;

''(B) assessing the impact of each award of a grant under this subsection in a fiscal year preceding the fiscal year referred to in subparagraph (A) on workers receiving training; and

''(C) the performance of the grant awarded with respect to the indicators of performance under section 116(b)(2)(A)(i) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(b)(2)(A)(i)).

''(9) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $60,000,000 for each of the fiscal years 2023 through 2027.''.

SEC. 3537. STUDY ON CAPITAL IMPROVEMENT PROGRAM AT THE USMMA.

(a) FINDINGS.—Congress finds the following:

(1) The United States Merchant Marine Academy campus is nearly 80 years old and many of the buildings have fallen into a serious state of disrepair.

(2) Except for renovations to student barracks in the early 2000s, all of the buildings on campus have exceeded their useful life and need to be replaced or undergo major renovations.

(3) According to the Maritime Administration, since 2011, $234,000,000 has been invested in capital improvements on the campus, but partly due to poor planning and cost overruns, maintenance and building replacement backlogs continue.

(b) STUDY.—The Comptroller General shall conduct a study of the United States Merchant Marine Academy Capital Improvement Program. The study shall include an evaluation of—

(1) the actions the United States Merchant Marine Academy has taken to bring the buildings, infrastructure, and other facilities on campus up to standards and the further actions that are required to do so;

(2) how the approach that the United States Merchant Marine Academy uses to manage its capital assets meets leading practices;

(3) how cost estimates prepared for capital asset projects meet cost estimating leading practices;

(4) whether the United States Merchant Marine Academy has adequate staff who are trained to identify needed capital projects, estimate the cost of those projects, perform building maintenance, and manage capital improvement projects; and

(5) how the United States Merchant Marine Academy identifies and prioritizes capital construction needs, and how that priority relates to the safety, education, and wellbeing of midshipmen.

(c) REPORT.—Not later than 18 months after the date of enactment of this section, the Comptroller General shall prepare and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing the results of the study under this section.

SEC. 3538. IMPLEMENTATION OF RECOMMENDATIONS FROM THE NATIONAL ACADEMY OF PUBLIC ADMINISTRATION.

(a) INSPECTOR GENERAL AUDIT.—The Inspector General of the Department of Transportation shall—

(1) not later than 180 days after the date of enactment of this section, initiate an audit of the Maritime Administration's actions to address only recommendations 4.1 through 4.3, 4.7 through 4.11, 5.1 through 5.4, 5.6, 5.7, 5.11, 5.14, 5.15, 5.16, 6.1 through 6.4, 6.6, and 6.7, identified by a National Academy of Public Administration panel in the November 2021 report entitled ''Organizational Assessment of the United States Merchant Marine Academy: A Path Forward''; and

(2) release publicly, and submit to the appropriate committees of Congress, a report containing the results of the audit described in paragraph (1) once the audit is completed.

(b) AGREEMENT FOR STUDY BY NATIONAL ACADEMY OF PUBLIC ADMINISTRATION.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this title, the Secretary of Transportation shall enter into an agreement with the National Academy of Public Administration (referred to in this section as the ''Academy'') to provide support for—

(A) prioritizing and addressing the recommendations described in subsection (a)(1), and establishing a process for prioritizing other recommendations in the future;

(B) development of long-term processes and a timeframe for long-term process improvements, as well as corrective actions and best practice criteria that can be implemented in the medium- and near-term;

(C) establishment of a clear assignment of responsibility for implementation of each recommendation described in subsection (a)(1), and a strategy for assigning other recommendations in the future; and

(D) a performance measurement system, including data collection and tracking and evaluating progress toward goals.

(2) REPORT OF PROGRESS.—Not later than 1 year after the date of the agreement described in paragraph (1), the Academy shall prepare and submit a report of progress to

the Maritime Administrator, the Inspector General of the Department of Transportation, and the appropriate committees of Congress.

(c) PRIORITIZATION AND IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Maritime Administrator shall provide a prioritization and implementation plan to assess, prioritize, and address the recommendations identified by the National Academy of Public Administration panel in the November 2021 report entitled ''Organizational Assessment of the United States Merchant Marine Academy: A Path Forward'' that are relevant to the Maritime Administration and not listed in subsection (a)(1). The prioritization and implementation plan shall—

(A) make use of the strategies, processes, and systems described in subsection (b)(1);

(B) include estimated timelines and cost estimates for implementation of priority goals;

(C) include summaries of stakeholder and interagency engagement used to assess goals and timelines; and

(D) be released publicly and submitted to the Inspector General of the Department of Transportation and the appropriate committees of Congress.

(2) AUDIT AND REPORT.—The Inspector General of the Department of Transportation shall—

(A) not later than 180 days after the date of publication of the prioritization and implementation plan described in paragraph (1), initiate an audit of the Maritime Administration's actions to address the prioritization and implementation plan;

(B) monitor the Maritime Administration's actions to implement recommendations made by the Inspector General's audit described in subparagraph (A) and in prior audits of the Maritime Administration's implementation of National Academy of Public Administration recommendations and periodically initiate subsequent audits of the Maritime Administration's continued actions to address the prioritization and implementation plan, as the Inspector General determines may be necessary; and

(C) release publicly and submit to the Administrator of the Maritime Administration and the appropriate committees of Congress a report containing the results of the audit once the audit is completed.

(3) REPORT OF PROGRESS.—Not later than 180 days after the date of publication of the Inspector General's report described in paragraph (2)(C), and annually thereafter, the Administrator of the Maritime Administration shall prepare and submit a report to the Inspector General of the Department of Transportation and the appropriate committees of Congress describing—

(A) the Maritime Administration's planned actions and estimated timeframes for taking action to implement any open or unresolved recommendations from the Inspector General's reports described in paragraph (2) and in subsection (a); and

(B) any target action dates associated with open and unresolved recommendations from the Inspector General's reports described in paragraph (2) and in subsection (a) which the Maritime Administration failed to meet or for which it requested an extension of time, and the reasons for which an extension was necessary.

(d) AGREEMENT FOR PLAN ON CAPITAL IMPROVEMENTS.—Not later than 90 days after the date of enactment of this title, the Maritime Administration shall enter into an agreement with a Federal construction agent to create a plan to execute capital improvements at the United States Merchant Marine Academy.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, the Appropriations Subcommittees on Transportation, Housing and Urban Development, and Related Agencies of the Senate and the House of Representatives, and the Committee on Armed Services of the House of Representatives.

SEC. 3539. SERVICE ACADEMY FACULTY PARITY.

Section 105 of title 17, United States Code, is amended—

(1) in the heading of subsection (b), by striking ''CERTAIN OF WORKS '' and inserting ''CERTAIN WORKS'';

(2) in the first subsection (c), by striking ''The Secretary of Defense may'' and inserting ''The Secretary of Defense (or, with respect to the United States Merchant Marine Academy, the Secretary of Transportation, or, with respect to the United States Coast Guard Academy, the Secretary of Homeland Security) may'';

(3) by redesignating the second subsection (c) as subsection (d); and

(4) in subsection (d)(2), as redesignated by paragraph (3), by adding at the end the following:

''(M) United States Merchant Marine Academy.''.

SEC. 3540. UPDATED REQUIREMENTS FOR FISHING CREW AGREEMENTS.

Section 10601(b) of title 46, United States Code, is amended—

(1) in paragraph (2), by striking ''and'' after the semicolon;

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

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

''(3) if the vessel is a catcher processor or fish processing vessel with more than 25 crew, require that the crewmember be served not less than 3 meals a day that total not less than 3,100 calories, including adequate water and minerals in accordance with the Untied States Recommended Daily Allowances; and''.

Subtitle E—Technology Innovation and Resilience

SEC. 3541. MARITIME ENVIRONMENTAL AND TECHNICAL ASSISTANCE PROGRAM.

Section 50307 of title 46, United States Code, is amended—

(1) by striking the subsection (a) enumerator and all that follows through ''Transportation'' and inserting the following:

''(a) EMERGING MARINE TECHNOLOGIES AND PRACTICES.—

''(1) IN GENERAL.—The Secretary of Transportation'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively and adjusting the margins accordingly; and

(ii) in clause (iv), as redesignated by clause (i), by striking ''propeller cavitation'' and inserting ''incidental vessel-generated underwater noise, such as noise from propeller cavitation or hydrodynamic flow'';

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively and adjusting the margins accordingly;

(3) in subsection (c), by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively and adjusting the margins accordingly;

(4) by redesignating subsections (b) through (d) as paragraphs (2) through (4), respectively and adjusting the margins accordingly;

(5) by redesignating subsection (e) as subsection (b);

(6) by striking subsection (f);

(7) in subsection (a)—

(A) in paragraph (1), as designated under paragraph (1) of this section—

(i) by inserting ''or support'' after ''engage in'';

(ii) by striking ''the use of public'' and all that follows through the end of the sentence and inserting ''eligible entities.'';

(B) in paragraph (2), as redesignated under paragraph (4) of this section—

(i) by striking ''this section'' and inserting ''this subsection'';

(ii) by striking ''or improve'' and inserting ''improve, or support efforts related to,'';

(C) in paragraph (3), as redesignated by paragraph (4) of this section, by striking ''under subsection (b)(2) may include'' and inserting ''with other Federal agencies or with State, local, or Tribal governments, as appropriate, under paragraph (2)(B) may include'';

(D) in paragraph (4), as redesignated by paragraph (4) of this section—

(i) by striking ''academic, public, private, and nongovernmental entities and facilities'' and inserting ''eligible entities''; and

(ii) by striking ''subsection (a)'' and inserting ''this subsection''; and

(E) by adding at the end the following:

''(5) GRANTS.—Subject to the availability of appropriations, the Maritime Administrator, may establish and carry out a competitive grant program to award grants to eligible entities for projects in the United States consistent with the goals of this subsection to study, evaluate, test, demonstrate, or apply technologies and practices to improve environmental performance.'';

(8) in subsection (b), as redesignated by paragraph (5) of this section, by striking ''subsection (b)(1)'' and inserting ''this section''; and

(9) by adding at the end the following:

''(c) VESSELS.—Activities carried out under a grant or cooperative agreement made under this section may be conducted on public vessels under the control of the Maritime Administration, upon approval of the Maritime Administrator.

''(d) ELIGIBLE ENTITY DEFINED.—In this section, the term 'eligible entity' means—

''(1) a private entity, including a nonprofit organization;

''(2) a State, regional, or local government or entity, including special districts;

''(3) an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) or a consortium of Indian Tribes;

''(4) an institution of higher education as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); or

''(5) a partnership or collaboration of entities described in paragraphs (1) through (3).

''(e) CENTER FOR MARITIME INNOVATION.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Maritime Administration Authorization Act for Fiscal Year 2023, the Secretary of Transportation shall, through a cooperative agreement, establish a United States Center for Maritime Innovation (referred to in this subsection as the 'Center') to support the study, research, development, assessment, and deployment of emerging marine technologies and practices related to the maritime transportation system.

''(2) SELECTION.—The Center shall be—

''(A) selected through a competitive process of eligible entities;

''(B) based in the United States with technical expertise in emerging marine technologies and practices related to the maritime transportation system; and

''(C) located in close proximity to eligible entities with expertise in United States emerging marine technologies and practices, including the use of alternative fuels and the development of both vessel and shoreside infrastructure.

''(3) COORDINATION.—The Secretary of Transportation shall coordinate with other agencies critical for science, research, and regulation of emerging marine technologies for the maritime sector, including the Department of Energy, the Environmental Protection Agency, the National Science Foundation, and the Coast Guard, when establishing the Center.

''(4) FUNCTIONS.—The Center shall—

''(A) support eligible entities regarding the development and use of clean energy and necessary infrastructure to support the deployment of clean energy on vessels of the United States;

''(B) monitor and assess, on an ongoing basis, the current state of knowledge regarding emerging marine technologies in the United States;

''(C) identify any significant gaps in emerging marine technologies research specific to the United States maritime industry, and seek to fill those gaps;

''(D) conduct research, development, testing, and evaluation for equipment, technologies, and techniques to address the components under subsection (a)(2);

''(E) provide—

''(i) guidance on best available technologies;

''(ii) technical analysis;

''(iii) assistance with understanding complex regulatory requirements; and

''(iv) documentation of best practices in the maritime industry, including training and informational webinars on solutions for the maritime industry; and

''(F) work with academic and private sector response training centers and Domestic Maritime Workforce Training and Education Centers of Excellence to develop maritime strategies applicable to various segments of the United States maritime industry, including the inland, deep water, and coastal fleets.''.

SEC. 3542. STUDY ON STORMWATER IMPACTS ON SALMON.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Administrator of the National Oceanic and Atmospheric Administration, in concert with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, and in consultation with the Director of the United States Fish and Wildlife Service, shall commence a study that—

(1) examines the existing science on tire-related chemicals in stormwater runoff at ports and the impacts of such chemicals on Pacific salmon and steelhead;

(2) examines the challenges of studying tire-related chemicals in stormwater runoff at ports and the impacts of such chemicals on Pacific salmon and steelhead;

(3) provides recommendations for improving monitoring of stormwater and research related to run-off for tire-related chemicals and the impacts of such chemicals on Pacific salmon and steelhead at ports; and

(4) provides recommendations based on the best available science on relevant management approaches at ports under their respective jurisdictions.

(b) SUBMISSION OF STUDY.—Not later than 18 months after commencing the study under subsection (a), the Administrator of the National Oceanic and Atmospheric Administration, in concert with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, shall—

(1) submit the study to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, including detailing any findings from the study; and

(2) make such study publicly available.

SEC. 3543. STUDY TO EVALUATE EFFECTIVE VESSEL QUIETING MEASURES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Administrator of the Maritime Administration, in consultation with the Under Secretary of Commerce for Oceans and Atmosphere and the Secretary of the Department in which the Coast Guard is operating, shall submit to the committees identified under subsection (b), and make publicly available on the website of the Department of Transportation, a report that includes, at a minimum—

(1) a review of technology-based controls and best management practices for reducing vessel-generated underwater noise; and

(2) for each technology-based control and best management practice identified, an evaluation of—

(A) the applicability of each measure to various vessel types;

(B) the technical feasibility and economic achievability of each measure; and

(C) the co-benefits and trade-offs of each measure.

(b) COMMITTEES.—The report under subsection (a) shall be submitted to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 3201 and 4024 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL OR WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
5	SMALL UNMANNED AIRCRAFT SYSTEMS	10,598	10,598
	ROTARY		
7	AH–64 APACHE BLOCK IIIA REMAN	524,661	524,661
8	AH–64 APACHE BLOCK IIIA REMAN	169,218	169,218
10	UH–60 BLACKHAWK M MODEL (MYP)	650,406	650,406
11	UH–60 BLACKHAWK M MODEL (MYP)	68,147	68,147
12	UH–60 BLACK HAWK L AND V MODELS	178,658	178,658
13	CH–47 HELICOPTER	169,149	169,149
14	CH–47 HELICOPTER	18,749	18,749
	MODIFICATION OF AIRCRAFT		
16	MQ–1 PAYLOAD	57,700	57,700
18	GRAY EAGLE MODS2	13,038	13,038
19	MULTI SENSOR ABN RECON	21,380	26,580
	SOUTHCOM hyperspectral imagery sensors		[5,200]
20	AH–64 MODS	85,840	85,840
21	CH–47 CARGO HELICOPTER MODS (MYP)	11,215	11,215
24	EMARSS SEMA MODS	1,591	1,591

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
26	UTILITY HELICOPTER MODS	21,346	21,346
27	NETWORK AND MISSION PLAN	44,526	44,526
28	COMMS, NAV SURVEILLANCE	72,387	72,387
30	AVIATION ASSURED PNT	71,130	71,130
31	GATM ROLLUP	14,683	14,683
	GROUND SUPPORT AVIONICS		
34	AIRCRAFT SURVIVABILITY EQUIPMENT	167,927	167,927
35	SURVIVABILITY CM	6,622	6,622
36	CMWS	107,112	107,112
37	COMMON INFRARED COUNTERMEASURES (CIRCM)	288,209	288,209
	OTHER SUPPORT		
39	COMMON GROUND EQUIPMENT	20,823	20,823
40	AIRCREW INTEGRATED SYSTEMS	25,773	25,773
41	AIR TRAFFIC CONTROL	27,492	27,492
42	LAUNCHER, 2.75 ROCKET	1,275	1,275
	UNDISTRIBUTED	0	90,141
	Inflation effects		[90,141]
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**2,849,655**	**2,944,996**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
1	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN	4,260	4,260
2	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN	9,200	9,200
3	M-SHORAD—PROCUREMENT	135,747	135,747
4	MSE MISSILE	1,037,093	1,037,093
5	PRECISION STRIKE MISSILE (PRSM)	213,172	213,172
6	INDIRECT FIRE PROTECTION CAPABILITY INC 2–I	18,924	18,924
	AIR-TO-SURFACE MISSILE SYSTEM		
7	HELLFIRE SYS SUMMARY	111,294	411,294
	Production increase		[300,000]
8	JOINT AIR-TO-GROUND MSLS (JAGM)	216,030	312,030
	Capacity expansion		[36,000]
	Production increase		[60,000]
10	LONG-RANGE HYPERSONIC WEAPON	249,285	249,285
	ANTI-TANK/ASSAULT MISSILE SYS		
11	JAVELIN (AAWS-M) SYSTEM SUMMARY	162,968	362,968
	Production increase		[200,000]
12	TOW 2 SYSTEM SUMMARY	105,423	105,423
13	GUIDED MLRS ROCKET (GMLRS)	785,028	1,035,528
	Production increase		[250,500]
14	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	4,354	4,354
15	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS	155,705	265,705
	Capacity expansion—launchers		[10,000]
	Production increase—launchers		[100,000]
16	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS	37,937	37,937
	MODIFICATIONS		
17	PATRIOT MODS	253,689	253,689
18	ATACMS MODS	0	100,000
	Production increase		[100,000]
20	ITAS/TOW MODS	5,154	5,154
21	MLRS MODS	218,359	218,359
22	HIMARS MODIFICATIONS	20,468	20,468
25	STINGER	0	200,000
	Blk 1 refurb missiles		[200,000]
	SPARES AND REPAIR PARTS		
23	SPARES AND REPAIR PARTS	6,508	106,508
	Long-lead energetics for munitions production		[100,000]
	SUPPORT EQUIPMENT & FACILITIES		
24	AIR DEFENSE TARGETS	11,317	11,317
	UNDISTRIBUTED	0	117,940
	Inflation effects		[117,940]
	TOTAL MISSILE PROCUREMENT, ARMY	**3,761,915**	**5,236,355**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
1	ARMORED MULTI PURPOSE VEHICLE (AMPV)	380,677	380,677
2	ASSAULT BREACHER VEHICLE (ABV)	3,852	3,852
3	MOBILE PROTECTED FIREPOWER	356,708	356,708
	MODIFICATION OF TRACKED COMBAT VEHICLES		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
4	STRYKER UPGRADE	671,271	671,271
5	BRADLEY PROGRAM (MOD)	279,531	279,531
6	M109 FOV MODIFICATIONS	3,028	3,028
7	PALADIN INTEGRATED MANAGEMENT (PIM)	493,003	688,003
	Program increase		[195,000]
8	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	138,759	138,759
12	JOINT ASSAULT BRIDGE	36,990	36,990
14	ABRAMS UPGRADE PROGRAM	656,340	948,940
	Army UFR—Additional Abrams		[292,600]
	WEAPONS & OTHER COMBAT VEHICLES		
17	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	26,627	26,627
18	MORTAR SYSTEMS	8,516	8,516
19	LOCATION & AZIMUTH DETERMINATION SYSTEM (LADS	48,301	48,301
20	XM320 GRENADE LAUNCHER MODULE (GLM)	11,703	11,703
21	PRECISION SNIPER RIFLE	6,436	6,436
24	NEXT GENERATION SQUAD WEAPON	221,293	221,293
	MOD OF WEAPONS AND OTHER COMBAT VEH		
28	M777 MODS	3,374	3,374
33	M119 MODIFICATIONS	2,263	2,263
	SUPPORT EQUIPMENT & FACILITIES		
36	ITEMS LESS THAN $5.0M (WOCV-WTCV)	2,138	2,138
37	PRODUCTION BASE SUPPORT (WOCV-WTCV)	225,220	225,220
	UNDISTRIBUTED	0	100,659
	Inflation effects		[100,659]
	TOTAL PROCUREMENT OF W&TCV, ARMY	**3,576,030**	**4,164,289**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
1	CTG, 5.56MM, ALL TYPES	59,447	59,447
2	CTG, 7.62MM, ALL TYPES	90,019	90,019
3	NEXT GENERATION SQUAD WEAPON AMMUNITION	128,662	128,662
4	CTG, HANDGUN, ALL TYPES	317	317
5	CTG, .50 CAL, ALL TYPES	35,849	35,849
6	CTG, 20MM, ALL TYPES	11,761	11,761
7	CTG, 25MM, ALL TYPES	10,270	10,270
8	CTG, 30MM, ALL TYPES	143,045	143,045
9	CTG, 40MM, ALL TYPES	85,213	85,213
	MORTAR AMMUNITION		
10	60MM MORTAR, ALL TYPES	33,338	33,338
11	81MM MORTAR, ALL TYPES	56,577	56,577
12	120MM MORTAR, ALL TYPES	127,168	127,168
	TANK AMMUNITION		
13	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	296,943	296,943
	ARTILLERY AMMUNITION		
14	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	7,647	7,647
15	ARTILLERY PROJECTILE, 155MM, ALL TYPES	182,455	182,455
17	PRECISION ARTILLERY MUNITIONS	166,334	166,334
18	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	143,763	143,763
	MINES		
19	MINES & CLEARING CHARGES, ALL TYPES	80,920	80,920
20	CLOSE TERRAIN SHAPING OBSTACLE	53,579	53,579
	ROCKETS		
21	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	18,159	18,159
22	ROCKET, HYDRA 70, ALL TYPES	171,697	171,697
	OTHER AMMUNITION		
23	CAD/PAD, ALL TYPES	7,643	7,643
24	DEMOLITION MUNITIONS, ALL TYPES	29,796	29,796
25	GRENADES, ALL TYPES	36,251	36,251
26	SIGNALS, ALL TYPES	13,852	13,852
27	SIMULATORS, ALL TYPES	9,350	9,350
	MISCELLANEOUS		
29	AMMO COMPONENTS, ALL TYPES	3,823	3,823
30	ITEMS LESS THAN $5 MILLION (AMMO)	19,921	19,921
31	AMMUNITION PECULIAR EQUIPMENT	13,001	13,001
32	FIRST DESTINATION TRANSPORTATION (AMMO)	17,528	17,528
33	CLOSEOUT LIABILITIES	101	101
	PRODUCTION BASE SUPPORT		
34	INDUSTRIAL FACILITIES	499,613	499,613
35	CONVENTIONAL MUNITIONS DEMILITARIZATION	80,970	80,970
36	ARMS INITIATIVE	4,039	4,039

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	UNDISTRIBUTED	0	78,556
	Inflation effects		[78,556]
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**2,639,051**	**2,717,607**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
2	SEMITRAILERS, FLATBED:	23,021	23,021
3	SEMITRAILERS, TANKERS	21,869	21,869
4	HI MOB MULTI-PURP WHLD VEH (HMMWV)	6,121	6,121
5	GROUND MOBILITY VEHICLES (GMV)	34,316	34,316
7	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL	703,110	703,110
9	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	74,086	74,086
10	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE (C	23,772	23,772
11	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	39,950	39,950
12	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	96,112	96,112
13	PLS ESP	54,674	54,674
16	MODIFICATION OF IN SVC EQUIP	31,819	82,277
	Army UFR—Anti-Lock Brake System/Electronic Stability Control retrofit kits		[50,458]
	NON-TACTICAL VEHICLES		
17	PASSENGER CARRYING VEHICLES	1,286	1,286
18	NONTACTICAL VEHICLES, OTHER	15,059	15,059
	COMM—JOINT COMMUNICATIONS		
19	SIGNAL MODERNIZATION PROGRAM	179,853	179,853
20	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	382,007	382,007
22	DISASTER INCIDENT RESPONSE COMMS TERMINAL (DI	4,066	4,066
23	JCSE EQUIPMENT (USRDECOM)	5,505	5,505
	COMM—SATELLITE COMMUNICATIONS		
26	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	107,228	107,228
27	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	119,259	119,259
28	SHF TERM	23,173	23,173
29	ASSURED POSITIONING, NAVIGATION AND TIMING	184,911	184,911
30	EHF SATELLITE COMMUNICATION	5,853	5,853
31	SMART-T (SPACE)	4,916	4,916
32	GLOBAL BRDCST SVC—GBS	3,179	3,179
	COMM—C3 SYSTEM		
34	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	94,287	94,287
	COMM—COMBAT COMMUNICATIONS		
35	HANDHELD MANPACK SMALL FORM FIT (HMS)	728,366	728,366
37	ARMY LINK 16 SYSTEMS	47,581	47,581
39	UNIFIED COMMAND SUITE	20,178	20,178
40	COTS COMMUNICATIONS EQUIPMENT	320,595	320,595
41	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	7,621	7,621
42	ARMY COMMUNICATIONS & ELECTRONICS	59,705	59,705
	COMM—INTELLIGENCE COMM		
43	CI AUTOMATION ARCHITECTURE-INTEL	13,891	13,891
45	MULTI-DOMAIN INTELLIGENCE	20,637	20,637
	INFORMATION SECURITY		
46	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	1,019	1,019
47	COMMUNICATIONS SECURITY (COMSEC)	125,692	125,692
49	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO	1,796	1,796
51	BIOMETRIC ENABLING CAPABILITY (BEC)	816	816
52	ARCYBER DEFENSIVE CYBER OPERATIONS	18,239	18,239
	COMM—LONG HAUL COMMUNICATIONS		
54	BASE SUPPORT COMMUNICATIONS	10,262	11,512
	AFRICOM UFR—force protection		[1,250]
	COMM—BASE COMMUNICATIONS		
55	INFORMATION SYSTEMS	116,522	116,522
56	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	5,036	5,036
59	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	214,806	214,806
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
62	TITAN	84,821	0
	Realignment of funds		[–84,821]
63	JTT/CIBS-M	2,352	2,352
64	TERRESTRIAL LAYER SYSTEMS (TLS)	88,915	50,915
	Realignment of funds		[–38,000]
66	DCGS-A-INTEL	76,771	96,451
	TITAN Realignment of funds		[19,680]
67	JOINT TACTICAL GROUND STATION (JTAGS)-INTEL	349	349
68	TROJAN	20,562	20,562
69	MOD OF IN-SVC EQUIP (INTEL SPT)	30,424	39,724
	INDOPACOM UFR—SIGINT upgrades		[9,300]
70	BIOMETRIC TACTICAL COLLECTION DEVICES	2,269	2,269

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
73	AIR VIGILANCE (AV)	5,688	5,688
74	MULTI-FUNCTION ELECTRONIC WARFARE (MFEW) SYST	3,060	3,060
76	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	19,519	19,519
77	CI MODERNIZATION	437	437
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
78	SENTINEL MODS	166,736	166,736
79	NIGHT VISION DEVICES	424,253	499,253
	Army UFR—Enhanced Night Vision Goggle-Binocular		[75,000]
80	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	11,357	11,357
82	FAMILY OF WEAPON SIGHTS (FWS)	202,258	202,258
83	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE	5,116	5,116
84	FORWARD LOOKING INFRARED (IFLIR)	37,914	37,914
85	COUNTER SMALL UNMANNED AERIAL SYSTEM (C-SUAS)	326,364	631,964
	AFRICOM UFR—C-UAS		[61,600]
	Army UFR—Coyote C-sUAS		[244,000]
86	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	186,515	186,515
87	JOINT EFFECTS TARGETING SYSTEM (JETS)	10,304	10,304
88	COMPUTER BALLISTICS: LHMBC XM32	3,038	3,038
89	MORTAR FIRE CONTROL SYSTEM	4,879	4,879
90	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	4,370	4,370
91	COUNTERFIRE RADARS	162,208	283,808
	Army UFR—AN/TPQ–53 Radar for ARNG		[121,600]
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
92	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE (	60,455	60,455
93	FIRE SUPPORT C2 FAMILY	9,676	9,676
94	AIR & MSL DEFENSE PLANNING & CONTROL SYS	72,619	72,619
95	IAMD BATTLE COMMAND SYSTEM	438,967	438,967
96	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	4,586	4,586
97	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	37,199	37,199
98	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	4,102	4,102
99	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP	6,926	6,926
101	MOD OF IN-SVC EQUIPMENT (ENFIRE)	4,076	4,076
	ELECT EQUIP—AUTOMATION		
102	ARMY TRAINING MODERNIZATION	8,033	8,033
103	AUTOMATED DATA PROCESSING EQUIP	96,554	106,554
	AFRICOM UFR—cyber network resiliency		[10,000]
104	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	43,767	43,767
105	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	97	97
106	HIGH PERF COMPUTING MOD PGM (HPCMP)	73,655	73,655
107	CONTRACT WRITING SYSTEM	17,701	17,701
108	CSS COMMUNICATIONS	88,141	88,141
	ELECT EQUIP—SUPPORT		
111	BCT EMERGING TECHNOLOGIES	12,853	12,853
	CLASSIFIED PROGRAMS		
99	CLASSIFIED PROGRAMS	1,596	1,596
	CHEMICAL DEFENSIVE EQUIPMENT		
113	BASE DEFENSE SYSTEMS (BDS)	47,960	47,960
114	CBRN DEFENSE	56,129	56,129
	BRIDGING EQUIPMENT		
116	TACTICAL BRIDGING	13,785	13,785
118	BRIDGE SUPPLEMENTAL SET	6,774	6,774
119	COMMON BRIDGE TRANSPORTER (CBT) RECAP	10,379	10,379
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
124	ROBOTICS AND APPLIQUE SYSTEMS	52,340	52,340
	COMBAT SERVICE SUPPORT EQUIPMENT		
127	HEATERS AND ECU'S	7,672	7,672
129	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	4,691	4,691
130	GROUND SOLDIER SYSTEM	124,953	124,953
131	MOBILE SOLDIER POWER	15,933	15,933
134	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	42,444	42,444
136	ITEMS LESS THAN $5M (ENG SPT)	4,155	4,155
	PETROLEUM EQUIPMENT		
137	QUALITY SURVEILLANCE EQUIPMENT	2,845	2,845
138	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	26,433	26,433
	MEDICAL EQUIPMENT		
139	COMBAT SUPPORT MEDICAL	75,606	75,606
	MAINTENANCE EQUIPMENT		
140	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	3,936	3,936
	CONSTRUCTION EQUIPMENT		
147	ALL TERRAIN CRANES	31,341	31,341
149	FAMILY OF DIVER SUPPORT EQUIPMENT	3,256	3,256
150	CONST EQUIP ESP	9,104	9,104

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
151	ARMY WATERCRAFT ESP	47,889	62,033
	Watercraft Modernization Service Life Extension Program (SLEP)		[14,144]
152	MANEUVER SUPPORT VESSEL (MSV)	104,676	104,676
153	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	10,131	10,131
	GENERATORS		
154	GENERATORS AND ASSOCIATED EQUIP	54,400	54,400
155	TACTICAL ELECTRIC POWER RECAPITALIZATION	8,293	8,293
	MATERIAL HANDLING EQUIPMENT		
156	FAMILY OF FORKLIFTS	8,819	8,819
	TRAINING EQUIPMENT		
157	COMBAT TRAINING CENTERS SUPPORT	48,046	48,046
158	TRAINING DEVICES, NONSYSTEM	201,966	201,966
159	SYNTHETIC TRAINING ENVIRONMENT (STE)	255,670	255,670
160	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	9,546	9,546
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
162	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	36,514	36,514
164	TEST EQUIPMENT MODERNIZATION (TEMOD)	32,734	32,734
	OTHER SUPPORT EQUIPMENT		
166	PHYSICAL SECURITY SYSTEMS (OPA3)	102,556	116,706
	AFRICOM UFR—force protection		[14,150]
167	BASE LEVEL COMMON EQUIPMENT	31,417	31,417
168	MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)	24,047	24,047
169	BUILDING, PRE-FAB, RELOCATABLE	32,151	32,151
170	SPECIAL EQUIPMENT FOR TEST AND EVALUATION	84,779	84,779
	OPA2		
172	INITIAL SPARES—C&E	10,463	10,463
	UNDISTRIBUTED	0	291,568
	Inflation effects		[291,568]
	TOTAL OTHER PROCUREMENT, ARMY	**8,457,509**	**9,247,438**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
1	F/A–18E/F (FIGHTER) HORNET	90,865	90,865
2	JOINT STRIKE FIGHTER CV	1,663,515	1,663,515
3	JOINT STRIKE FIGHTER CV	387,596	387,596
4	JSF STOVL	1,909,635	1,909,635
5	JSF STOVL	200,118	200,118
6	CH–53K (HEAVY LIFT)	1,669,986	1,919,986
	USMC UFR—additional aircraft		[250,000]
7	CH–53K (HEAVY LIFT)	357,824	357,824
8	V–22 (MEDIUM LIFT)	31,795	31,795
11	P–8A POSEIDON	41,521	41,521
12	E–2D ADV HAWKEYE	842,401	842,401
	TRAINER AIRCRAFT		
14	MULTI-ENGINE TRAINING SYSTEM (METS)	123,217	123,217
15	ADVANCED HELICOPTER TRAINING SYSTEM	119,816	119,816
	OTHER AIRCRAFT		
15	UC–12W CARGO AIRCRAFT	0	55,600
	USMC UFR—Additional UC–12W cargo aircraft		[55,600]
16	KC–130J	439,501	692,001
	USMC UFR—Replacement aircraft		[252,500]
17	KC–130J	29,122	29,122
19	MQ–4 TRITON	587,820	587,820
20	MQ–4 TRITON	75,235	75,235
22	STUASL0 UAV	2,703	2,703
23	MQ–25	696,713	696,713
24	MQ–25	51,463	51,463
25	MARINE GROUP 5 UAS	103,882	143,882
	USMC UFR—MQ–9 MSAT		[20,000]
	USMC UFR—MQ–9 SETSS		[20,000]
	MODIFICATION OF AIRCRAFT		
27	F–18 A-D UNIQUE	141,514	141,514
28	F–18E/F AND EA–18G MODERNIZATION AND SUSTAINM	572,681	572,681
29	MARINE GROUP 5 UAS SERIES	86,116	86,116
30	AEA SYSTEMS	25,058	25,058
31	AV–8 SERIES	26,657	26,657
32	INFRARED SEARCH AND TRACK (IRST)	144,699	144,699
33	ADVERSARY	105,188	105,188
34	F–18 SERIES	480,663	480,663
35	H–53 SERIES	40,151	40,151

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(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
36	MH–60 SERIES	126,238	126,238
37	H–1 SERIES	122,498	122,498
38	EP–3 SERIES	8,492	8,492
39	E–2 SERIES	188,897	188,897
40	TRAINER A/C SERIES	9,568	9,568
42	C–130 SERIES	132,170	132,170
43	FEWSG	695	695
44	CARGO/TRANSPORT A/C SERIES	10,902	10,902
45	E–6 SERIES	129,049	129,049
46	EXECUTIVE HELICOPTERS SERIES	55,265	55,265
47	T–45 SERIES	201,670	201,670
48	POWER PLANT CHANGES	24,685	24,685
49	JPATS SERIES	19,780	19,780
50	AVIATION LIFE SUPPORT MODS	1,143	1,143
51	COMMON ECM EQUIPMENT	129,722	129,722
52	COMMON AVIONICS CHANGES	136,883	136,883
53	COMMON DEFENSIVE WEAPON SYSTEM	6,373	6,373
54	ID SYSTEMS	3,828	3,828
55	P–8 SERIES	249,342	249,342
56	MAGTF EW FOR AVIATION	24,684	24,684
57	MQ–8 SERIES	9,846	9,846
58	V–22 (TILT/ROTOR ACFT) OSPREY	207,621	207,621
59	NEXT GENERATION JAMMER (NGJ)	401,563	401,563
60	F–35 STOVL SERIES	216,356	216,356
61	F–35 CV SERIES	208,336	208,336
62	QRC	47,864	47,864
63	MQ–4 SERIES	94,738	94,738
64	RQ–21 SERIES	6,576	6,576
	AIRCRAFT SPARES AND REPAIR PARTS		
68	SPARES AND REPAIR PARTS	1,872,417	2,295,517
	Navy UFR—aviation outfitting spares in support of carrier airwings		[292,700]
	USMC UFR—aircraft initial and replenishment spares		[104,300]
	USMC UFR—KC–130J spares		[15,400]
	USMC UFR—UC–12W(ER) Beechcraft King Air 350ER initial spares		[10,700]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
69	COMMON GROUND EQUIPMENT	542,214	542,214
70	AIRCRAFT INDUSTRIAL FACILITIES	101,559	101,559
71	WAR CONSUMABLES	40,316	40,316
72	OTHER PRODUCTION CHARGES	46,403	46,403
73	SPECIAL SUPPORT EQUIPMENT	423,280	522,280
	USMC UFR classified issue		[99,000]
	UNDISTRIBUTED	0	491,186
	Inflation effects		[491,186]
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**16,848,428**	**18,459,814**
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
1	TRIDENT II MODS	1,125,164	1,125,164
	SUPPORT EQUIPMENT & FACILITIES		
2	MISSILE INDUSTRIAL FACILITIES	7,767	7,767
	STRATEGIC MISSILES		
3	TOMAHAWK	160,190	160,190
	TACTICAL MISSILES		
4	AMRAAM	335,900	335,900
5	SIDEWINDER	63,288	89,188
	Navy UFR—additional AIM–9X		[25,900]
6	STANDARD MISSILE	489,123	739,123
	Capacity expansion—dual-source energetics		[50,000]
	Capacity expansion—test/tooling equipment		[200,000]
8	JASSM	58,481	58,481
9	SMALL DIAMETER BOMB II	108,317	108,317
10	RAM	92,131	92,131
11	JOINT AIR GROUND MISSILE (JAGM)	78,395	78,395
12	HELLFIRE	6,603	6,603
13	AERIAL TARGETS	183,222	183,222
14	DRONES AND DECOYS	62,930	62,930
15	OTHER MISSILE SUPPORT	3,524	3,524
16	LRASM	226,022	339,122
	Capacity expansion		[35,000]
	Navy UFR—capacity increase		[33,100]
	Production increase		[45,000]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
17	NAVAL STRIKE MISSILE (NSM)	59,034	59,034
	MODIFICATION OF MISSILES		
18	TOMAHAWK MODS	435,308	435,308
19	ESSM	282,035	282,035
20	AARGM	131,275	171,275
	Production increase		[40,000]
21	STANDARD MISSILES MODS	71,198	71,198
	SUPPORT EQUIPMENT & FACILITIES		
22	WEAPONS INDUSTRIAL FACILITIES	1,976	26,976
	Hypersonic test facility		[25,000]
	ORDNANCE SUPPORT EQUIPMENT		
25	ORDNANCE SUPPORT EQUIPMENT	40,793	40,793
	TORPEDOES AND RELATED EQUIP		
26	SSTD	3,789	3,789
27	MK–48 TORPEDO	151,128	200,128
	Navy UFR—additional MK 48 procurement		[49,000]
28	ASW TARGETS	14,403	14,403
	MOD OF TORPEDOES AND RELATED EQUIP		
29	MK–54 TORPEDO MODS	106,772	232,172
	Mk54 LWT program increase		[125,400]
30	MK–48 TORPEDO ADCAP MODS	18,502	18,502
31	MARITIME MINES	9,282	245,332
	Hammerhead		[225,000]
	Mk68		[11,050]
	SUPPORT EQUIPMENT		
32	TORPEDO SUPPORT EQUIPMENT	87,044	87,044
33	ASW RANGE SUPPORT	3,965	3,965
	DESTINATION TRANSPORTATION		
34	FIRST DESTINATION TRANSPORTATION	5,315	5,315
	GUNS AND GUN MOUNTS		
35	SMALL ARMS AND WEAPONS	13,859	13,859
	MODIFICATION OF GUNS AND GUN MOUNTS		
36	CIWS MODS	2,655	2,655
37	COAST GUARD WEAPONS	34,259	34,259
38	GUN MOUNT MODS	81,725	81,725
39	LCS MODULE WEAPONS	4,580	4,580
40	AIRBORNE MINE NEUTRALIZATION SYSTEMS	8,710	8,710
	SPARES AND REPAIR PARTS		
42	SPARES AND REPAIR PARTS	170,041	170,041
	UNDISTRIBUTED	0	129,375
	Inflation effects		[129,375]
	TOTAL WEAPONS PROCUREMENT, NAVY	**4,738,705**	**5,732,530**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	47,198	47,198
2	JDAM	76,688	76,688
3	AIRBORNE ROCKETS, ALL TYPES	70,005	70,005
4	MACHINE GUN AMMUNITION	20,586	20,586
5	PRACTICE BOMBS	51,109	51,109
6	CARTRIDGES & CART ACTUATED DEVICES	72,534	72,534
7	AIR EXPENDABLE COUNTERMEASURES	114,475	114,475
8	JATOS	7,096	7,096
9	5 INCH/54 GUN AMMUNITION	30,018	30,018
10	INTERMEDIATE CALIBER GUN AMMUNITION	40,089	40,089
11	OTHER SHIP GUN AMMUNITION	42,707	189,707
	Goalkeeper long lead procurement		[147,000]
12	SMALL ARMS & LANDING PARTY AMMO	49,023	49,023
13	PYROTECHNIC AND DEMOLITION	9,480	9,480
14	AMMUNITION LESS THAN $5 MILLION	1,622	1,622
	MARINE CORPS AMMUNITION		
15	MORTARS	71,214	71,214
16	DIRECT SUPPORT MUNITIONS	65,169	65,169
17	INFANTRY WEAPONS AMMUNITION	225,271	225,271
18	COMBAT SUPPORT MUNITIONS	19,691	19,691
19	AMMO MODERNIZATION	17,327	17,327
20	ARTILLERY MUNITIONS	15,514	15,514
21	ITEMS LESS THAN $5 MILLION	5,476	5,476
	UNDISTRIBUTED	0	33,521
	Inflation effects		[33,521]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**1,052,292**	**1,232,813**
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
1	OHIO REPLACEMENT SUBMARINE	3,079,223	3,079,223
2	OHIO REPLACEMENT SUBMARINE	2,778,553	2,778,553
	OTHER WARSHIPS		
3	CARRIER REPLACEMENT PROGRAM	1,481,530	1,481,530
4	CVN–81	1,052,024	1,052,024
5	VIRGINIA CLASS SUBMARINE	4,534,184	4,534,184
6	VIRGINIA CLASS SUBMARINE	2,025,651	2,025,651
8	CVN REFUELING OVERHAULS	618,295	618,295
9	DDG 1000	72,976	72,976
10	DDG–51	4,376,537	4,376,537
11	DDG–51	618,352	868,352
	Surface combatant supplier development		[250,000]
13	FFG-FRIGATE	1,085,224	1,158,624
	Navy UFR—wholeness for FFG–62 procurement		[73,400]
14	FFG-FRIGATE	74,949	74,949
	AMPHIBIOUS SHIPS		
15	LPD FLIGHT II	1,673,000	1,673,000
16	LPD FLIGHT II	0	250,000
	USMC UFR—Advance procurement for LPD–33		[250,000]
20	LHA REPLACEMENT	1,085,470	1,085,470
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
22	TAO FLEET OILER	794,719	794,719
24	TOWING, SALVAGE, AND RESCUE SHIP (ATS)	95,915	95,915
27	OUTFITTING	707,412	707,412
28	SHIP TO SHORE CONNECTOR	190,433	190,433
29	SERVICE CRAFT	68,274	91,274
	Auxiliary personnel lighters barracks craft		[23,000]
30	LCAC SLEP	36,301	36,301
31	AUXILIARY VESSELS (USED SEALIFT)	140,686	140,686
32	COMPLETION OF PY SHIPBUILDING PROGRAMS	1,328,146	1,328,146
	UNDISTRIBUTED	0	839,239
	Inflation effects		[839,239]
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	**27,917,854**	**29,353,493**
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
1	SURFACE POWER EQUIPMENT	46,478	46,478
	GENERATORS		
2	SURFACE COMBATANT HM&E	84,615	84,615
	NAVIGATION EQUIPMENT		
3	OTHER NAVIGATION EQUIPMENT	98,079	98,079
	OTHER SHIPBOARD EQUIPMENT		
4	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	266,300	266,300
5	DDG MOD	770,341	770,341
6	FIREFIGHTING EQUIPMENT	19,687	19,687
7	COMMAND AND CONTROL SWITCHBOARD	2,406	2,406
8	LHA/LHD MIDLIFE	38,200	38,200
9	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	20,028	20,028
10	POLLUTION CONTROL EQUIPMENT	17,682	17,682
11	SUBMARINE SUPPORT EQUIPMENT	117,799	117,799
12	VIRGINIA CLASS SUPPORT EQUIPMENT	32,300	32,300
13	LCS CLASS SUPPORT EQUIPMENT	15,238	15,238
14	SUBMARINE BATTERIES	24,137	24,137
15	LPD CLASS SUPPORT EQUIPMENT	54,496	54,496
16	DDG 1000 CLASS SUPPORT EQUIPMENT	314,333	314,333
17	STRATEGIC PLATFORM SUPPORT EQUIP	13,504	13,504
18	DSSP EQUIPMENT	3,660	3,660
19	CG MODERNIZATION	59,054	59,054
20	LCAC	17,452	17,452
21	UNDERWATER EOD EQUIPMENT	35,417	35,417
22	ITEMS LESS THAN $5 MILLION	60,812	60,812
23	CHEMICAL WARFARE DETECTORS	3,202	3,202
	REACTOR PLANT EQUIPMENT		
25	SHIP MAINTENANCE, REPAIR AND MODERNIZATION	1,242,532	1,242,532
26	REACTOR POWER UNITS	4,690	4,690
27	REACTOR COMPONENTS	408,989	408,989

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	OCEAN ENGINEERING		
28	DIVING AND SALVAGE EQUIPMENT	11,773	11,773
	SMALL BOATS		
29	STANDARD BOATS	57,262	57,262
	PRODUCTION FACILITIES EQUIPMENT		
30	OPERATING FORCES IPE	174,743	174,743
	OTHER SHIP SUPPORT		
31	LCS COMMON MISSION MODULES EQUIPMENT	57,313	57,313
32	LCS MCM MISSION MODULES	94,987	94,987
33	LCS ASW MISSION MODULES	3,594	3,594
34	LCS SUW MISSION MODULES	5,100	5,100
35	LCS IN-SERVICE MODERNIZATION	76,526	76,526
36	SMALL & MEDIUM UUV	49,763	89,763
	Hammerhead		[40,000]
	SHIP SONARS		
37	SPQ–9B RADAR	12,063	12,063
38	AN/SQQ–89 SURF ASW COMBAT SYSTEM	141,591	141,591
39	SSN ACOUSTIC EQUIPMENT	446,653	446,653
40	UNDERSEA WARFARE SUPPORT EQUIPMENT	17,424	17,424
	ASW ELECTRONIC EQUIPMENT		
41	SUBMARINE ACOUSTIC WARFARE SYSTEM	31,708	31,708
42	SSTD	14,325	14,325
43	FIXED SURVEILLANCE SYSTEM	266,228	266,228
44	SURTASS	25,030	46,130
	Navy UFR—SURTASS array for INDOPACOM		[21,100]
	ELECTRONIC WARFARE EQUIPMENT		
45	AN/SLQ–32	292,417	292,417
	RECONNAISSANCE EQUIPMENT		
46	SHIPBOARD IW EXPLOIT	311,210	316,910
	Navy UFR—Counter-C5ISR&T		[5,700]
47	AUTOMATED IDENTIFICATION SYSTEM (AIS)	2,487	2,487
	OTHER SHIP ELECTRONIC EQUIPMENT		
48	COOPERATIVE ENGAGEMENT CAPABILITY	34,500	34,500
49	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	19,038	19,038
50	ATDLS	73,675	73,675
51	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,435	3,435
52	MINESWEEPING SYSTEM REPLACEMENT	16,336	16,336
54	NAVSTAR GPS RECEIVERS (SPACE)	30,439	30,439
55	AMERICAN FORCES RADIO AND TV SERVICE	2,724	2,724
56	STRATEGIC PLATFORM SUPPORT EQUIP	6,266	6,266
	AVIATION ELECTRONIC EQUIPMENT		
57	ASHORE ATC EQUIPMENT	89,396	89,396
58	AFLOAT ATC EQUIPMENT	86,732	86,732
59	ID SYSTEMS	59,226	59,226
60	JOINT PRECISION APPROACH AND LANDING SYSTEM (	8,186	8,186
61	NAVAL MISSION PLANNING SYSTEMS	26,778	26,778
	OTHER SHORE ELECTRONIC EQUIPMENT		
62	MARITIME INTEGRATED BROADCAST SYSTEM	3,520	3,520
63	TACTICAL/MOBILE C4I SYSTEMS	31,840	31,840
64	DCGS-N	15,606	15,606
65	CANES	402,550	402,550
66	RADIAC	9,062	9,062
67	CANES-INTELL	48,665	48,665
68	GPETE	23,479	23,479
69	MASF	11,792	11,792
70	INTEG COMBAT SYSTEM TEST FACILITY	6,053	6,053
71	EMI CONTROL INSTRUMENTATION	4,219	4,219
72	ITEMS LESS THAN $5 MILLION	102,846	161,346
	Next-generation surface search radar		[58,500]
	SHIPBOARD COMMUNICATIONS		
73	SHIPBOARD TACTICAL COMMUNICATIONS	36,941	36,941
74	SHIP COMMUNICATIONS AUTOMATION	101,691	101,691
75	COMMUNICATIONS ITEMS UNDER $5M	55,290	55,290
	SUBMARINE COMMUNICATIONS		
76	SUBMARINE BROADCAST SUPPORT	91,150	91,150
77	SUBMARINE COMMUNICATION EQUIPMENT	74,569	74,569
	SATELLITE COMMUNICATIONS		
78	SATELLITE COMMUNICATIONS SYSTEMS	39,827	39,827
79	NAVY MULTIBAND TERMINAL (NMT)	24,586	24,586
	SHORE COMMUNICATIONS		
80	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,699	4,699
	CRYPTOGRAPHIC EQUIPMENT		
81	INFO SYSTEMS SECURITY PROGRAM (ISSP)	156,034	156,034

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
82	MIO INTEL EXPLOITATION TEAM	1,055	1,055
	CRYPTOLOGIC EQUIPMENT		
83	CRYPTOLOGIC COMMUNICATIONS EQUIP	18,832	20,332
	INDOPACOM UFR—SIGINT upgrades		[1,500]
	OTHER ELECTRONIC SUPPORT		
92	COAST GUARD EQUIPMENT	68,556	68,556
	SONOBUOYS		
94	SONOBUOYS—ALL TYPES	291,670	331,670
	Sonobuoys		[40,000]
	AIRCRAFT SUPPORT EQUIPMENT		
95	MINOTAUR	5,247	5,247
96	WEAPONS RANGE SUPPORT EQUIPMENT	106,209	106,209
97	AIRCRAFT SUPPORT EQUIPMENT	275,461	275,461
98	ADVANCED ARRESTING GEAR (AAG)	22,717	22,717
99	ELECTROMAGNETIC AIRCRAFT LAUNCH SYSTEM (EMALS	18,594	18,594
100	METEOROLOGICAL EQUIPMENT	15,175	15,175
101	LEGACY AIRBORNE MCM	4,689	4,689
102	LAMPS EQUIPMENT	1,610	1,610
103	AVIATION SUPPORT EQUIPMENT	86,409	86,409
104	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL	136,647	136,647
	SHIP GUN SYSTEM EQUIPMENT		
105	SHIP GUN SYSTEMS EQUIPMENT	5,902	5,902
	SHIP MISSILE SYSTEMS EQUIPMENT		
106	HARPOON SUPPORT EQUIPMENT	217	217
107	SHIP MISSILE SUPPORT EQUIPMENT	286,788	286,788
108	TOMAHAWK SUPPORT EQUIPMENT	95,856	95,856
	FBM SUPPORT EQUIPMENT		
109	STRATEGIC MISSILE SYSTEMS EQUIP	279,430	279,430
	ASW SUPPORT EQUIPMENT		
110	SSN COMBAT CONTROL SYSTEMS	128,874	128,874
111	ASW SUPPORT EQUIPMENT	26,920	26,920
	OTHER ORDNANCE SUPPORT EQUIPMENT		
112	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	17,048	17,048
113	ITEMS LESS THAN $5 MILLION	5,938	5,938
	OTHER EXPENDABLE ORDNANCE		
114	ANTI-SHIP MISSILE DECOY SYSTEM	86,264	86,264
115	SUBMARINE TRAINING DEVICE MODS	80,591	80,591
116	SURFACE TRAINING EQUIPMENT	198,695	198,695
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
117	PASSENGER CARRYING VEHICLES	4,799	4,799
118	GENERAL PURPOSE TRUCKS	2,542	2,542
119	CONSTRUCTION & MAINTENANCE EQUIP	50,619	50,619
120	FIRE FIGHTING EQUIPMENT	16,305	16,305
121	TACTICAL VEHICLES	28,586	28,586
122	POLLUTION CONTROL EQUIPMENT	2,840	2,840
123	ITEMS LESS THAN $5 MILLION	64,311	64,311
124	PHYSICAL SECURITY VEHICLES	1,263	1,263
	SUPPLY SUPPORT EQUIPMENT		
125	SUPPLY EQUIPMENT	32,338	32,338
126	FIRST DESTINATION TRANSPORTATION	6,255	6,255
127	SPECIAL PURPOSE SUPPLY SYSTEMS	613,039	613,039
	TRAINING DEVICES		
128	TRAINING SUPPORT EQUIPMENT	1,285	1,285
129	TRAINING AND EDUCATION EQUIPMENT	44,618	44,618
	COMMAND SUPPORT EQUIPMENT		
130	COMMAND SUPPORT EQUIPMENT	55,728	55,728
131	MEDICAL SUPPORT EQUIPMENT	5,325	5,325
133	NAVAL MIP SUPPORT EQUIPMENT	6,077	6,077
134	OPERATING FORCES SUPPORT EQUIPMENT	16,252	16,252
135	C4ISR EQUIPMENT	6,497	6,497
136	ENVIRONMENTAL SUPPORT EQUIPMENT	36,592	36,592
137	PHYSICAL SECURITY EQUIPMENT	118,598	118,598
138	ENTERPRISE INFORMATION TECHNOLOGY	29,407	29,407
	OTHER		
142	NEXT GENERATION ENTERPRISE SERVICE	201,314	201,314
143	CYBERSPACE ACTIVITIES	5,018	5,018
144	CYBER MISSION FORCES	17,115	17,115
	CLASSIFIED PROGRAMS		
99	CLASSIFIED PROGRAMS	17,295	17,295
	SPARES AND REPAIR PARTS		
145	SPARES AND REPAIR PARTS	532,313	703,713
	Navy UFR—Maritime spares outfitting		[171,400]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	UNDISTRIBUTED	0	369,826
	Inflation effects		[369,826]
	TOTAL OTHER PROCUREMENT, NAVY	**11,746,503**	**12,454,529**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
1	AAV7A1 PIP	5,653	5,653
2	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES	536,678	536,678
3	LAV PIP	57,099	57,099
	ARTILLERY AND OTHER WEAPONS		
4	155MM LIGHTWEIGHT TOWED HOWITZER	1,782	1,782
5	ARTILLERY WEAPONS SYSTEM	143,808	143,808
6	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	11,118	11,118
	GUIDED MISSILES		
7	TOMAHAWK	42,958	42,958
8	NAVAL STRIKE MISSILE (NSM)	174,369	349,369
	Production increase		[175,000]
9	GROUND BASED AIR DEFENSE	173,801	173,801
10	ANTI-ARMOR MISSILE-JAVELIN	18,495	18,495
11	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	21,419	21,419
12	ANTI-ARMOR MISSILE-TOW	663	663
13	GUIDED MLRS ROCKET (GMLRS)	7,605	7,605
	COMMAND AND CONTROL SYSTEMS		
14	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	30,292	30,292
	REPAIR AND TEST EQUIPMENT		
15	REPAIR AND TEST EQUIPMENT	58,024	58,024
	OTHER SUPPORT (TEL)		
16	MODIFICATION KITS	293	293
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
17	ITEMS UNDER $5 MILLION (COMM & ELEC)	83,345	83,345
18	AIR OPERATIONS C2 SYSTEMS	11,048	11,048
	RADAR + EQUIPMENT (NON-TEL)		
19	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	61,943	517,943
	USMC UFR—AN/TPS–80 G/ATOR radar		[456,000]
	INTELL/COMM EQUIPMENT (NON-TEL)		
20	GCSS-MC	1,663	1,663
21	FIRE SUPPORT SYSTEM	48,322	48,322
22	INTELLIGENCE SUPPORT EQUIPMENT	182,894	182,894
24	UNMANNED AIR SYSTEMS (INTEL)	47,595	47,595
25	DCGS-MC	47,998	47,998
26	UAS PAYLOADS	8,619	8,619
	OTHER SUPPORT (NON-TEL)		
29	MARINE CORPS ENTERPRISE NETWORK (MCEN)	276,763	276,763
30	COMMON COMPUTER RESOURCES	40,096	40,096
31	COMMAND POST SYSTEMS	58,314	58,314
32	RADIO SYSTEMS	612,450	612,450
33	COMM SWITCHING & CONTROL SYSTEMS	51,976	51,976
34	COMM & ELEC INFRASTRUCTURE SUPPORT	26,029	26,029
35	CYBERSPACE ACTIVITIES	17,759	17,759
36	CYBER MISSION FORCES	4,036	4,036
	CLASSIFIED PROGRAMS		
99	CLASSIFIED PROGRAMS	3,884	3,884
	ADMINISTRATIVE VEHICLES		
39	COMMERCIAL CARGO VEHICLES	35,179	35,179
	TACTICAL VEHICLES		
40	MOTOR TRANSPORT MODIFICATIONS	17,807	17,807
41	JOINT LIGHT TACTICAL VEHICLE	222,257	222,257
43	TRAILERS	2,721	2,721
	ENGINEER AND OTHER EQUIPMENT		
45	TACTICAL FUEL SYSTEMS	7,854	7,854
46	POWER EQUIPMENT ASSORTED	5,841	5,841
47	AMPHIBIOUS SUPPORT EQUIPMENT	38,120	38,120
48	EOD SYSTEMS	201,047	201,047
	MATERIALS HANDLING EQUIPMENT		
49	PHYSICAL SECURITY EQUIPMENT	69,967	69,967
	GENERAL PROPERTY		
50	FIELD MEDICAL EQUIPMENT	21,780	21,780
51	TRAINING DEVICES	86,272	86,272
52	FAMILY OF CONSTRUCTION EQUIPMENT	27,605	27,605
53	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	15,033	15,033
	OTHER SUPPORT		
54	ITEMS LESS THAN $5 MILLION	26,433	26,433

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	SPARES AND REPAIR PARTS		
55	SPARES AND REPAIR PARTS	34,799	34,799
	UNDISTRIBUTED	0	123,755
	Inflation effects		[123,755]
	TOTAL PROCUREMENT, MARINE CORPS	**3,681,506**	**4,436,261**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC OFFENSIVE		
1	B–21 RAIDER	1,498,431	1,498,431
2	B–21 RAIDER	288,165	288,165
	TACTICAL FORCES		
3	F–35	3,320,757	4,293,757
	Air Force UFR—additional F–35A aircraft		[858,000]
	Realignment of funds from line 4		[115,000]
4	F–35	594,886	479,886
	Realignment of funds to line 3		[–115,000]
5	F–15EX	2,422,348	2,422,348
6	F–15EX	264,000	264,000
	TACTICAL AIRLIFT		
7	KC–46A MDAP	2,684,503	2,684,503
	OTHER AIRLIFT		
8	C–130J	75,293	75,293
9	MC–130J	40,351	40,351
	UPT TRAINERS		
11	ADVANCED TRAINER REPLACEMENT T-X	10,507	10,507
	HELICOPTERS		
12	MH–139A	156,192	256,192
	Additional aircraft		[100,000]
13	COMBAT RESCUE HELICOPTER	707,018	1,057,018
	Additional aircraft		[350,000]
	MISSION SUPPORT AIRCRAFT		
15	CIVIL AIR PATROL A/C	2,952	2,952
	OTHER AIRCRAFT		
16	TARGET DRONES	128,906	128,906
17	COMPASS CALL	0	553,700
	Air Force UFR—EC–37B aircraft		[553,700]
18	E–11 BACN/HAG	67,260	66,847
	Realignment of funds		[–413]
19	MQ–9	17,039	17,039
21	AGILITY PRIME PROCUREMENT	3,612	3,612
	STRATEGIC AIRCRAFT		
22	B–2A	106,752	106,752
23	B–1B	36,313	36,313
24	B–52	127,854	120,909
	Realignment of funds for B–52 Crypto Mod upgrade spares		[–4,293]
	Realignment of funds for B–52 VLF/LF spares		[–2,652]
25	LARGE AIRCRAFT INFRARED COUNTERMEASURES	25,286	25,286
	TACTICAL AIRCRAFT		
26	A–10	83,972	83,972
27	E–11 BACN/HAG	10,309	10,309
28	F–15	194,379	194,379
29	F–16	700,455	708,600
	Crypto Mods—F–16 Pre Blk		[8,145]
30	F–22A	764,222	764,222
31	F–35 MODIFICATIONS	414,382	414,382
32	F–15 EPAW	259,837	259,837
34	KC–46A MDAP	467	467
	AIRLIFT AIRCRAFT		
35	C–5	46,027	15,673
	Realignment of funds		[–18,000]
	Realignment of funds to line 64		[–12,354]
36	C–17A	152,009	157,509
	Air Force realignment of funds		[5,500]
37	C–32A	4,068	4,068
38	C–37A	6,062	6,062
	TRAINER AIRCRAFT		
39	GLIDER MODS	149	149
40	T–6	6,215	6,215
41	T–1	6,262	6,262
42	T–38	111,668	120,868
	T–38A ejection seat upgrades		[9,200]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	OTHER AIRCRAFT		
44	U–2 MODS	81,650	81,650
45	KC–10A (ATCA)	3,443	3,443
46	C–21	2,024	2,024
47	VC–25A MOD	2,146	2,146
48	C–40	2,197	2,197
49	C–130	114,268	138,468
	Air Force realignment of funds		[17,500]
	Crypto Mods—C–130H		[6,700]
50	C–130J MODS	112,299	112,299
51	C–135	149,023	195,123
	Air Force realignment of funds		[19,500]
	Crypto Mods—KC–135		[20,700]
	Crypto Mods—KC–135 (ROBE B-kits)		[5,900]
52	COMPASS CALL	16,630	337,230
	Air Force UFR—EC–37B group A & B kits and spare components		[320,600]
53	RC–135	212,828	252,828
	INDOPACOM UFR—SIGINT upgrades		[600]
	RC–135 navigation upgrades		[39,400]
54	E–3	54,247	54,247
55	E–4	5,973	5,973
56	E–8	16,610	16,610
59	H–1	1,757	1,757
60	H–60	10,820	10,820
61	COMBAT RESCUE HELICOPTER MODIFICATION	3,083	3,083
62	RQ–4 MODS	1,286	1,286
63	HC/MC–130 MODIFICATIONS	138,956	121,094
	Crypto Mods—AC–130J		[2,138]
	Realignment of funds		[–20,000]
64	OTHER AIRCRAFT	29,029	41,796
	Realignment of funds		[12,767]
65	MQ–9 MODS	64,370	64,370
67	SENIOR LEADER C3, SYSTEM—AIRCRAFT	24,784	24,784
68	CV–22 MODS	153,026	153,026
	AIRCRAFT SPARES AND REPAIR PARTS		
69	INITIAL SPARES/REPAIR PARTS	623,661	762,106
	Air Force UFR—EC–37B spare components		[9,400]
	Air Force UFR—EC–37B spare engines		[94,800]
	RC–135 spares		[27,300]
	Realignment of funds for B–52 Crypto Mod upgrade spares		[4,293]
	Realignment of funds for B–52 VLF/LF spares		[2,652]
	COMMON SUPPORT EQUIPMENT		
70	AIRCRAFT REPLACEMENT SUPPORT EQUIP	138,935	138,935
	POST PRODUCTION SUPPORT		
71	B–2A	1,802	1,802
72	B–2B	36,325	36,325
73	B–52	5,883	5,883
74	F–15	2,764	2,764
75	F–16	5,102	5,102
77	MQ9 POST PROD	7,069	7,069
78	RQ–4 POST PRODUCTION CHARGES	40,845	40,845
82	C–5 POST PRODUCTION SUPPORT	0	18,000
	Realignment of funds		[18,000]
83	HC/MC–130J POST PRODUCTION SUPPORT	0	20,000
	Realignment of funds		[20,000]
	INDUSTRIAL PREPAREDNESS		
79	INDUSTRIAL RESPONSIVENESS	19,128	19,128
	WAR CONSUMABLES		
80	WAR CONSUMABLES	31,165	31,165
	OTHER PRODUCTION CHARGES		
81	OTHER PRODUCTION CHARGES	1,047,300	1,047,300
	CLASSIFIED PROGRAMS		
99	CLASSIFIED PROGRAMS	18,092	81,092
	Air Force UFR—F–35A classified item		[63,000]
	UNDISTRIBUTED	0	633,490
	Inflation effects		[633,490]
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**18,517,428**	**21,663,001**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
1	MISSILE REPLACEMENT EQ-BALLISTIC	57,476	57,476

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	STRATEGIC		
	TACTICAL		
4	LONG RANGE STAND-OFF WEAPON	31,454	31,454
5	REPLAC EQUIP & WAR CONSUMABLES	30,510	30,510
6	AGM–183A AIR-LAUNCHED RAPID RESPONSE WEAPON	46,566	0
	Realignment of funds		[–46,566]
7	JOINT AIR-SURFACE STANDOFF MISSILE	784,971	869,971
	Capacity expansion		[85,000]
8	LRASM0	114,025	114,025
9	SIDEWINDER (AIM–9X)	111,855	317,855
	Production increase		[206,000]
10	AMRAAM	320,056	459,056
	Production increase		[139,000]
11	PREDATOR HELLFIRE MISSILE	1,040	1,040
12	SMALL DIAMETER BOMB	46,475	46,475
13	SMALL DIAMETER BOMB II	279,006	452,006
	Air Force UFR—additional small diameter bomb II		[173,000]
14	STAND-IN ATTACK WEAPON (SIAW)	77,975	77,975
	INDUSTRIAL FACILITIES		
15	INDUSTR'L PREPAREDNS/POL PREVENTION	868	868
	CLASS IV		
18	ICBM FUZE MOD	99,691	99,691
19	ICBM FUZE MOD	37,673	37,673
20	MM III MODIFICATIONS	68,193	68,193
22	AIR LAUNCH CRUISE MISSILE (ALCM)	33,778	33,778
	MISSILE SPARES AND REPAIR PARTS		
23	MSL SPRS/REPAIR PARTS (INITIAL)	15,354	15,354
24	MSL SPRS/REPAIR PARTS (REPLEN)	62,978	62,978
	SPECIAL PROGRAMS		
28	SPECIAL UPDATE PROGRAMS	36,933	36,933
	CLASSIFIED PROGRAMS		
99	CLASSIFIED PROGRAMS	705,540	705,540
	UNDISTRIBUTED	0	61,064
	Inflation effects		[61,064]
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**2,962,417**	**3,579,915**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
1	ROCKETS	22,190	22,190
	CARTRIDGES		
2	CARTRIDGES	124,164	124,164
	BOMBS		
4	GENERAL PURPOSE BOMBS	162,800	162,800
5	MASSIVE ORDNANCE PENETRATOR (MOP)	19,743	19,743
6	JOINT DIRECT ATTACK MUNITION	251,956	251,956
	OTHER ITEMS		
8	CAD/PAD	50,473	50,473
9	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,343	6,343
10	SPARES AND REPAIR PARTS	573	573
12	FIRST DESTINATION TRANSPORTATION	1,903	1,903
13	ITEMS LESS THAN $5,000,000	5,014	5,014
	FLARES		
14	EXPENDABLE COUNTERMEASURES	120,548	120,548
	FUZES		
15	FUZES	121,528	121,528
	SMALL ARMS		
16	SMALL ARMS	16,395	16,395
	UNDISTRIBUTED	0	23,395
	Inflation effects		[23,395]
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**903,630**	**927,025**
	PROCUREMENT, SPACE FORCE		
	SPACE PROCUREMENT, SF		
2	AF SATELLITE COMM SYSTEM	51,414	51,414
3	COUNTERSPACE SYSTEMS	62,691	62,691
4	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	26,394	26,394
5	WIDEBAND GAPFILLER SATELLITES (SPACE)	21,982	21,982
6	GENERAL INFORMATION TECH—SPACE	5,424	5,424
7	GPSIII FOLLOW ON	657,562	657,562

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
8	GPS III SPACE SEGMENT	103,340	103,340
9	GLOBAL POSTIONING (SPACE)	950	950
10	HERITAGE TRANSITION	21,896	21,896
11	SPACEBORNE EQUIP (COMSEC)	29,587	51,187
	Crypto Mods—National Security Space Systems		[21,600]
12	MILSATCOM	29,333	29,333
13	SBIR HIGH (SPACE)	148,666	148,666
14	SPECIAL SPACE ACTIVITIES	817,484	817,484
15	MOBILE USER OBJECTIVE SYSTEM	46,833	46,833
16	NATIONAL SECURITY SPACE LAUNCH	1,056,133	1,056,133
17	NUDET DETECTION SYSTEM	7,062	7,062
18	PTES HUB	42,464	42,464
19	ROCKET SYSTEMS LAUNCH PROGRAM	39,145	39,145
20	SPACE DEVELOPMENT AGENCY LAUNCH	314,288	714,288
	Realignment of funds		[200,000]
	Space Force UFR—accelerate resilient missile warning/missile tracking		[200,000]
22	SPACE MODS	73,957	73,957
23	SPACELIFT RANGE SYSTEM SPACE	71,712	71,712
	SPARES		
24	SPARES AND REPAIR PARTS	1,352	1,352
	UNDISTRIBUTED	0	106,161
	Inflation effects		[106,161]
	TOTAL PROCUREMENT, SPACE FORCE	**3,629,669**	**4,157,430**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLES	2,446	2,446
	CARGO AND UTILITY VEHICLES		
2	MEDIUM TACTICAL VEHICLE	1,125	1,125
3	CAP VEHICLES	999	999
4	CARGO AND UTILITY VEHICLES	35,220	35,220
	SPECIAL PURPOSE VEHICLES		
5	JOINT LIGHT TACTICAL VEHICLE	60,461	60,461
6	SECURITY AND TACTICAL VEHICLES	382	382
7	SPECIAL PURPOSE VEHICLES	49,623	49,623
	FIRE FIGHTING EQUIPMENT		
8	FIRE FIGHTING/CRASH RESCUE VEHICLES	11,231	11,231
	MATERIALS HANDLING EQUIPMENT		
9	MATERIALS HANDLING VEHICLES	12,559	12,559
	BASE MAINTENANCE SUPPORT		
10	RUNWAY SNOW REMOV AND CLEANING EQU	6,409	6,409
11	BASE MAINTENANCE SUPPORT VEHICLES	72,012	72,012
	COMM SECURITY EQUIPMENT(COMSEC)		
13	COMSEC EQUIPMENT	96,851	96,851
14	STRATEGIC MICROELECTRONIC SUPPLY SYSTEM	467,901	467,901
	INTELLIGENCE PROGRAMS		
15	INTERNATIONAL INTEL TECH & ARCHITECTURES	7,043	7,043
16	INTELLIGENCE TRAINING EQUIPMENT	2,424	2,424
17	INTELLIGENCE COMM EQUIPMENT	25,308	25,308
	ELECTRONICS PROGRAMS		
18	AIR TRAFFIC CONTROL & LANDING SYS	65,531	65,531
19	BATTLE CONTROL SYSTEM—FIXED	1,597	1,597
20	THEATER AIR CONTROL SYS IMPROVEMEN	9,611	9,611
21	3D EXPEDITIONARY LONG-RANGE RADAR	174,640	174,640
22	WEATHER OBSERVATION FORECAST	20,658	20,658
23	STRATEGIC COMMAND AND CONTROL	93,351	86,220
	Worldwide Joint Strategic Communications realignment of funds		[–7,131]
24	CHEYENNE MOUNTAIN COMPLEX	6,118	6,118
25	MISSION PLANNING SYSTEMS	13,947	13,947
	SPCL COMM-ELECTRONICS PROJECTS		
28	GENERAL INFORMATION TECHNOLOGY	101,517	101,517
29	AF GLOBAL COMMAND & CONTROL SYS	2,487	2,487
30	BATTLEFIELD AIRBORNE CONTROL NODE (BACN)	32,807	32,807
31	MOBILITY COMMAND AND CONTROL	10,210	10,210
35	COMBAT TRAINING RANGES	134,213	134,213
36	MINIMUM ESSENTIAL EMERGENCY COMM N	66,294	66,294
37	WIDE AREA SURVEILLANCE (WAS)	29,518	29,518
38	C3 COUNTERMEASURES	55,324	55,324
40	GCSS-AF FOS	786	786
42	MAINTENANCE REPAIR & OVERHAUL INITIATIVE	248	248
43	THEATER BATTLE MGT C2 SYSTEM	275	275

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Line	Item	FY 2023 Request	Senate Authorized
44	AIR & SPACE OPERATIONS CENTER (AOC)	2,611	2,611
	AIR FORCE COMMUNICATIONS		
46	BASE INFORMATION TRANSPT INFRAST (BITI) WIRED	29,791	29,791
47	AFNET	83,320	83,320
48	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,199	5,199
49	USCENTCOM	11,896	11,896
50	USSTRATCOM	4,619	4,619
	ORGANIZATION AND BASE		
51	TACTICAL C-E EQUIPMENT	120,050	120,050
52	RADIO EQUIPMENT	14,053	14,053
54	BASE COMM INFRASTRUCTURE	91,313	96,363
	NORTHCOM UFR—Long range radar sites digitilization upgrades		[5,050]
	MODIFICATIONS		
55	COMM ELECT MODS	167,419	167,419
	CLASSIFIED PROGRAMS		
99	CLASSIFIED PROGRAMS	89,484	89,484
	PERSONAL SAFETY & RESCUE EQUIP		
56	PERSONAL SAFETY AND RESCUE EQUIPMENT	92,995	92,995
	DEPOT PLANT+MTRLS HANDLING EQ		
57	POWER CONDITIONING EQUIPMENT	12,199	12,199
58	MECHANIZED MATERIAL HANDLING EQUIP	9,326	9,326
	BASE SUPPORT EQUIPMENT		
59	BASE PROCURED EQUIPMENT	52,890	52,890
60	ENGINEERING AND EOD EQUIPMENT	231,552	231,552
61	MOBILITY EQUIPMENT	28,758	28,758
62	FUELS SUPPORT EQUIPMENT (FSE)	21,740	21,740
	SPECIAL SUPPORT PROJECTS		
65	DARP RC135	28,153	28,153
66	DCGS-AF	217,713	217,713
70	SPECIAL UPDATE PROGRAM	978,499	978,499
	CLASSIFIED PROGRAMS		
99	CLASSIFIED PROGRAMS	21,702,225	21,727,225
	Classifed issue		[25,000]
	SPARES AND REPAIR PARTS		
71	SPARES AND REPAIR PARTS (CYBER)	1,007	1,007
72	SPARES AND REPAIR PARTS	23,175	23,175
	UNDISTRIBUTED	0	189,283
	Inflation effects		[189,283]
	TOTAL OTHER PROCUREMENT, AIR FORCE	**25,691,113**	**25,903,315**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DCSA		
1	MAJOR EQUIPMENT	2,346	2,346
	MAJOR EQUIPMENT, DHRA		
3	PERSONNEL ADMINISTRATION	4,522	4,522
	MAJOR EQUIPMENT, DISA		
11	INFORMATION SYSTEMS SECURITY	24,044	24,044
12	TELEPORT PROGRAM	50,475	50,475
13	JOINT FORCES HEADQUARTERS—DODIN	674	674
14	ITEMS LESS THAN $5 MILLION	46,614	46,614
15	DEFENSE INFORMATION SYSTEM NETWORK	87,345	87,345
16	WHITE HOUSE COMMUNICATION AGENCY	130,145	130,145
17	SENIOR LEADERSHIP ENTERPRISE	47,864	47,864
18	JOINT REGIONAL SECURITY STACKS (JRSS)	17,135	17,135
19	JOINT SERVICE PROVIDER	86,183	86,183
20	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO)	42,756	42,756
	MAJOR EQUIPMENT, DLA		
22	MAJOR EQUIPMENT	24,501	24,501
	MAJOR EQUIPMENT, DMACT		
23	MAJOR EQUIPMENT	11,117	11,117
	MAJOR EQUIPMENT, DODEA		
24	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	2,048	2,048
	MAJOR EQUIPMENT, DPAA		
25	MAJOR EQUIPMENT, DPAA	513	513
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
27	VEHICLES	139	139
28	OTHER MAJOR EQUIPMENT	14,296	14,296
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
30	THAAD	74,994	74,994
31	GROUND BASED MIDCOURSE	11,300	11,300
32	AEGIS BMD	402,235	402,235

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
34	BMDS AN/TPY–2 RADARS	4,606	4,606
35	SM–3 IIAS	337,975	652,975
	Capacity expansion—test equipment		[63,000]
	Production increase		[252,000]
36	ARROW 3 UPPER TIER SYSTEMS	80,000	80,000
37	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	40,000	40,000
38	DEFENSE OF GUAM PROCUREMENT	26,514	26,514
39	AEGIS ASHORE PHASE III	30,056	30,056
40	IRON DOME	80,000	80,000
41	AEGIS BMD HARDWARE AND SOFTWARE	78,181	78,181
	MAJOR EQUIPMENT, NSA		
47	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	6,738	6,738
	MAJOR EQUIPMENT, OSD		
50	MAJOR EQUIPMENT, OSD	64,291	94,291
	Project Spectrum		[30,000]
	MAJOR EQUIPMENT, TJS		
52	MAJOR EQUIPMENT, TJS	3,900	3,900
	MAJOR EQUIPMENT, WHS		
54	MAJOR EQUIPMENT, WHS	310	310
	CLASSIFIED PROGRAMS		
99	CLASSIFIED PROGRAMS	681,894	681,894
	AVIATION PROGRAMS		
55	ARMED OVERWATCH/TARGETING	246,000	246,000
56	MANNED ISR	5,000	5,000
57	MC–12	3,344	3,344
59	ROTARY WING UPGRADES AND SUSTAINMENT	214,575	214,575
60	UNMANNED ISR	41,749	41,749
61	NON-STANDARD AVIATION	7,156	7,156
62	U–28	4,589	4,589
63	MH–47 CHINOOK	133,144	133,144
64	CV–22 MODIFICATION	75,629	75,629
65	MQ–9 UNMANNED AERIAL VEHICLE	9,000	9,000
66	PRECISION STRIKE PACKAGE	57,450	57,450
67	AC/MC–130J	225,569	225,569
68	C–130 MODIFICATIONS	11,945	11,945
	SHIPBUILDING		
69	UNDERWATER SYSTEMS	45,631	45,631
	AMMUNITION PROGRAMS		
70	ORDNANCE ITEMS <$5M	151,233	154,933
	Maritime scalable effects		[3,700]
	OTHER PROCUREMENT PROGRAMS		
71	INTELLIGENCE SYSTEMS	175,616	175,616
72	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	2,214	2,214
73	OTHER ITEMS <$5M	98,096	98,096
74	COMBATANT CRAFT SYSTEMS	85,566	80,166
	Maritime Precision Engagement realignment of funds		[–5,400]
75	SPECIAL PROGRAMS	20,042	20,042
76	TACTICAL VEHICLES	51,605	51,605
77	WARRIOR SYSTEMS <$5M	306,846	306,846
78	COMBAT MISSION REQUIREMENTS	4,991	4,991
80	OPERATIONAL ENHANCEMENTS INTELLIGENCE	18,723	18,723
81	OPERATIONAL ENHANCEMENTS	347,473	347,473
	CBDP		
82	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	199,439	199,439
83	CB PROTECTION & HAZARD MITIGATION	187,164	187,164
	UNDISTRIBUTED	0	149,308
	Inflation effects		[149,308]
	TOTAL PROCUREMENT, DEFENSE-WIDE	**5,245,500**	**5,738,108**
	DEFENSE PRODUCTION ACT PURCHASES		
	DEFENSE PRODUCTION ACT PURCHASES		
1	DEFENSE PRODUCTION ACT PURCHASES	0	30,097
	Inflation effects		[30,097]
	TOTAL DEFENSE PRODUCTION ACT PURCHASES	**0**	**30,097**
	TOTAL PROCUREMENT	**144,219,205**	**157,919,016**

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
1	0601102A	DEFENSE RESEARCH SCIENCES.	279,328	319,328
		Basic research increase		[30,000]
		Counter-UAS technologies		[5,000]
		Data exchange system for a secure digital engineering environment.		[5,000]
2	0601103A	UNIVERSITY RESEARCH INITIATIVES.	70,775	70,775
3	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS.	100,909	100,909
4	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE.	5,355	5,355
5	0601601A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING BASIC RESEARCH.	10,456	10,456
		SUBTOTAL BASIC RESEARCH	**466,823**	**506,823**
		APPLIED RESEARCH		
6	0602002A	ARMY AGILE INNOVATION AND DEVELOPMENT-APPLIED RESEARCH.	9,534	9,534
8	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES.	6,192	6,192
9	0602141A	LETHALITY TECHNOLOGY	87,717	87,717
10	0602142A	ARMY APPLIED RESEARCH	27,833	27,833
11	0602143A	SOLDIER LETHALITY TECHNOLOGY.	103,839	108,839
		Future Force Requirements Experimentation program.		[5,000]
12	0602144A	GROUND TECHNOLOGY	52,848	59,848
		Earthen structures soil enhancement.		[2,000]
		High temperature polymeric materials.		[5,000]
13	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY.	174,090	174,090
14	0602146A	NETWORK C3I TECHNOLOGY	64,115	64,115
15	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY.	43,029	43,029
16	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY.	69,348	69,348
17	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY.	27,016	32,016
		Counter-Unmanned Aerial Systems applied research.		[5,000]
18	0602180A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING TECHNOLOGIES.	16,454	16,454
19	0602181A	ALL DOMAIN CONVERGENCE APPLIED RESEARCH.	27,399	27,399
20	0602182A	C3I APPLIED RESEARCH	27,892	27,892
21	0602183A	AIR PLATFORM APPLIED RESEARCH.	41,588	41,588
22	0602184A	SOLDIER APPLIED RESEARCH	15,716	15,716
23	0602213A	C3I APPLIED CYBER	13,605	18,605
		Indo-Pacific Command technical workforce development.		[5,000]
24	0602386A	BIOTECHNOLOGY FOR MATERIALS—APPLIED RESEARCH.	21,919	21,919
25	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY.	19,649	19,649
26	0602787A	MEDICAL TECHNOLOGY	33,976	33,976
		SUBTOTAL APPLIED RESEARCH	**883,759**	**905,759**

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(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Senate Authorized
		ADVANCED TECHNOLOGY DEVELOPMENT		
27	0603002A	MEDICAL ADVANCED TECHNOLOGY.	5,207	5,207
28	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY.	15,598	15,598
29	0603025A	ARMY AGILE INNOVATION AND DEMONSTRATION.	20,900	20,900
30	0603040A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING ADVANCED TECHNOLOGIES.	6,395	6,395
31	0603041A	ALL DOMAIN CONVERGENCE ADVANCED TECHNOLOGY.	45,463	45,463
32	0603042A	C3I ADVANCED TECHNOLOGY ...	12,716	12,716
33	0603043A	AIR PLATFORM ADVANCED TECHNOLOGY.	17,946	17,946
34	0603044A	SOLDIER ADVANCED TECHNOLOGY.	479	479
36	0603116A	LETHALITY ADVANCED TECHNOLOGY.	9,796	9,796
37	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT.	134,874	134,874
38	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY.	100,935	100,935
39	0603119A	GROUND ADVANCED TECHNOLOGY.	32,546	37,546
		Graphene-enabled technologies for ground combat operations.		[5,000]
40	0603134A	COUNTER IMPROVISED-THREAT SIMULATION.	21,486	21,486
41	0603386A	BIOTECHNOLOGY FOR MATERIALS—ADVANCED RESEARCH.	56,853	56,853
42	0603457A	C3I CYBER ADVANCED DEVELOPMENT.	41,354	41,354
43	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.	251,964	251,964
44	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY.	193,242	208,242
		Autonomous ground vehicle cybersecurity.		[5,000]
		Combat vehicle hybrid-electric transmissions.		[7,000]
		Multi-Service Electro-Optical Signature code modernization.		[3,000]
45	0603463A	NETWORK C3I ADVANCED TECHNOLOGY.	125,565	140,565
		Next-generation contaminant analysis and detection tools.		[5,000]
		PNT situational awareness tools and techniques.		[10,000]
46	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY.	100,830	133,340
		Extended Range Artillery Munition Suite.		[5,000]
		Precision Strike Missile Inc 4		[27,510]
47	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY.	177,836	177,836
48	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY.	11,147	11,147
49	0603920A	HUMANITARIAN DEMINING	8,933	8,933
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	**1,392,065**	**1,459,575**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
50	0603305A	ARMY MISSLE DEFENSE SYSTEMS INTEGRATION.	12,001	12,001

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(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Senate Authorized
51	0603308A	ARMY SPACE SYSTEMS INTEGRATION.	17,945	17,945
53	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV.	64,001	64,001
54	0603639A	TANK AND MEDIUM CALIBER AMMUNITION.	64,669	64,669
55	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV.	49,944	49,944
56	0603747A	SOLDIER SUPPORT AND SURVIVABILITY.	4,060	4,060
57	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV.	72,314	72,314
58	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT.	18,048	18,048
59	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL.	31,249	31,249
60	0603790A	NATO RESEARCH AND DEVELOPMENT.	3,805	3,805
61	0603801A	AVIATION—ADV DEV	1,162,344	1,185,344
		Future Long Range Assault Aircraft (FLRAA).		[23,000]
62	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV.	9,638	9,638
63	0603807A	MEDICAL SYSTEMS—ADV DEV	598	598
64	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT.	25,971	27,971
		Anthropomorphic body armor		[2,000]
65	0604017A	ROBOTICS DEVELOPMENT	26,594	26,594
66	0604019A	EXPANDED MISSION AREA MISSILE (EMAM).	220,820	220,820
67	0604020A	CROSS FUNCTIONAL TEAM (CFT) ADVANCED DEVELOPMENT & PROTOTYPING.	106,000	106,000
69	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY.	35,509	35,509
70	0604036A	MULTI-DOMAIN SENSING SYSTEM (MDSS) ADV DEV.	49,932	49,932
71	0604037A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) ADV DEV.	863	863
72	0604100A	ANALYSIS OF ALTERNATIVES	10,659	10,659
73	0604101A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4).	1,425	1,425
74	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS).	95,719	95,719
75	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR.	382,147	382,147
76	0604115A	TECHNOLOGY MATURATION INITIATIVES.	269,756	269,756
77	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD).	225,147	225,147
78	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING.	198,111	198,111
79	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT).	43,797	43,797
80	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING.	166,452	166,452
81	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	15,840	15,840
82	0604135A	STRATEGIC MID-RANGE FIRES	404,291	404,291
83	0604182A	HYPERSONICS	173,168	173,168
84	0604403A	FUTURE INTERCEPTOR	8,179	8,179
85	0604531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS ADVANCED DEVELOPMENT.	35,110	35,110
86	0604541A	UNIFIED NETWORK TRANSPORT.	36,966	36,966

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Line	Program Element	Item	FY 2023 Request	Senate Authorized
89	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT.	55,677	55,677
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**4,098,749**	**4,123,749**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
90	0604201A	AIRCRAFT AVIONICS	3,335	3,335
91	0604270A	ELECTRONIC WARFARE DEVELOPMENT.	4,243	4,243
92	0604601A	INFANTRY SUPPORT WEAPONS	66,529	66,529
93	0604604A	MEDIUM TACTICAL VEHICLES	22,163	22,163
94	0604611A	JAVELIN	7,870	7,870
95	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES.	50,924	50,924
96	0604633A	AIR TRAFFIC CONTROL	2,623	2,623
97	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV).	115,986	115,986
99	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV.	71,287	71,287
100	0604710A	NIGHT VISION SYSTEMS—ENG DEV.	62,679	62,679
101	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT.	1,566	1,566
102	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV.	18,600	18,600
103	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	39,541	41,541
		Machine learning for Army integrated fires.		[2,000]
104	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT.	29,570	29,570
105	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT.	5,178	5,178
106	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV.	8,189	8,189
109	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION.	21,228	21,228
110	0604802A	WEAPONS AND MUNITIONS—ENG DEV.	263,778	263,778
111	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV.	41,669	41,669
112	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV.	40,038	40,038
113	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV.	5,513	5,513
114	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV.	12,150	12,150
115	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE.	111,690	134,690
		Red team automation/ zero-trust capabilities.		[23,000]
116	0604820A	RADAR DEVELOPMENT	71,259	71,259
117	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS).	10,402	10,402
119	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL.	11,425	11,425
120	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD.	109,702	119,702
		Low detectable, optically-triggered active protection system.		[10,000]
121	0604854A	ARTILLERY SYSTEMS—EMD	23,106	23,106
122	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT.	124,475	109,475
		Army contract writing system		[–15,000]

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123	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A).	67,564	67,564
125	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC).	17,950	17,950
126	0605031A	JOINT TACTICAL NETWORK (JTN).	30,169	30,169
128	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM).	11,523	11,523
130	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT.	33,029	33,029
131	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER).	4,497	4,497
132	0605047A	CONTRACT WRITING SYSTEM ..	23,487	23,487
133	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT.	19,123	19,123
134	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1.	131,093	131,093
135	0605053A	GROUND ROBOTICS	26,809	26,809
136	0605054A	EMERGING TECHNOLOGY INITIATIVES.	185,311	217,311
		Palletized high energy laser		[32,000]
137	0605143A	BIOMETRICS ENABLING CAPABILITY (BEC).	11,091	11,091
138	0605144A	NEXT GENERATION LOAD DEVICE—MEDIUM.	22,439	22,439
140	0605148A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) EMD.	58,087	138,987
		Family of Integrated Targeting Cells (FITC) TITAN.		[30,000]
		TITAN realignment of funds		[50,900]
141	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION.	119,516	143,616
		CYBERCOM UFR—Joint cyberspace warfighting architecture.		[24,100]
142	0605205A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.5).	6,530	6,530
143	0605224A	MULTI-DOMAIN INTELLIGENCE	19,911	19,911
145	0605231A	PRECISION STRIKE MISSILE (PRSM).	259,506	259,506
146	0605232A	HYPERSONICS EMD	633,499	633,499
147	0605233A	ACCESSIONS INFORMATION ENVIRONMENT (AIE).	13,647	13,647
148	0605235A	STRATEGIC MID-RANGE CAPABILITY.	5,016	5,016
149	0605236A	INTEGRATED TACTICAL COMMUNICATIONS.	12,447	12,447
150	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM).	2,366	2,366
151	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD).	265,288	267,288
		Kill chain automation		[2,000]
152	0605531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS SYS DEV & DEMONSTRATION.	14,892	14,892
153	0605625A	MANNED GROUND VEHICLE	589,762	589,762
154	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP).	17,030	17,030
155	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	9,376	9,376
156	0605830A	AVIATION GROUND SUPPORT EQUIPMENT.	2,959	2,959
157	0303032A	TROJAN—RH12	3,761	3,761
160	0304270A	ELECTRONIC WARFARE DEVELOPMENT.	56,938	99,838
		INDOPACOM UFR—SIGINT upgrades.		[4,900]
		Realignment of funds		[38,000]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**4,031,334**	**4,233,234**
		MANAGEMENT SUPPORT		

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161	0604256A	THREAT SIMULATOR DEVELOPMENT.	18,437	28,437
		TECCE Scholarship Pathfinder program.		[10,000]
162	0604258A	TARGET SYSTEMS DEVELOPMENT.	19,132	19,132
163	0604759A	MAJOR T&E INVESTMENT	107,706	107,706
164	0605103A	RAND ARROYO CENTER	35,542	35,542
165	0605301A	ARMY KWAJALEIN ATOLL	309,005	309,005
166	0605326A	CONCEPTS EXPERIMENTATION PROGRAM.	87,122	87,122
168	0605601A	ARMY TEST RANGES AND FACILITIES.	401,643	401,643
169	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS.	37,962	37,962
170	0605604A	SURVIVABILITY/LETHALITY ANALYSIS.	36,500	36,500
171	0605606A	AIRCRAFT CERTIFICATION	2,777	2,777
172	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES.	6,958	6,958
173	0605706A	MATERIEL SYSTEMS ANALYSIS.	22,037	22,037
174	0605709A	EXPLOITATION OF FOREIGN ITEMS.	6,186	6,186
175	0605712A	SUPPORT OF OPERATIONAL TESTING.	70,718	70,718
176	0605716A	ARMY EVALUATION CENTER ...	67,058	67,058
177	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG.	6,097	6,097
178	0605801A	PROGRAMWIDE ACTIVITIES	89,793	89,793
179	0605803A	TECHNICAL INFORMATION ACTIVITIES.	28,752	28,752
180	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY.	48,316	48,316
181	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT.	1,912	1,912
182	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA.	53,271	53,271
183	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE.	90,088	90,088
184	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION.	1,424	1,424
186	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES.	5,816	5,816
		SUBTOTAL MANAGEMENT SUPPORT.	**1,554,252**	**1,564,252**
		OPERATIONAL SYSTEMS DEVELOPMENT		
188	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM.	18,463	18,463
189	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT.	9,284	9,284
190	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS.	11,674	11,674
193	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM.	52,513	52,513
194	0607139A	IMPROVED TURBINE ENGINE PROGRAM.	228,036	228,036
195	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT.	11,312	11,312
196	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS.	512	512
197	0607145A	APACHE FUTURE DEVELOPMENT.	10,074	10,074

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198	0607148A	AN/TPQ–53 COUNTERFIRE TARGET ACQUISITION RADAR SYSTEM.	62,559	62,559
199	0607150A	INTEL CYBER DEVELOPMENT	13,343	33,343
		Offensive cyber capabilities		[20,000]
200	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT.	26,131	26,131
201	0607313A	ELECTRONIC WARFARE DEVELOPMENT.	6,432	6,432
202	0607665A	FAMILY OF BIOMETRICS	1,114	1,114
203	0607865A	PATRIOT PRODUCT IMPROVEMENT.	152,312	152,312
204	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCS).	19,329	19,329
205	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS.	192,310	192,310
206	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS.	136,680	136,680
208	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.	148	148
209	0203758A	DIGITIZATION	2,100	2,100
210	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM.	3,109	63,109
		Army UFR—Next gen Stinger missile replacement.		[60,000]
211	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS.	9,027	9,027
212	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV.	793	793
213	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS).	20,180	20,180
214	0208053A	JOINT TACTICAL GROUND SYSTEM.	8,813	8,813
217	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM.	17,209	17,209
218	0303141A	GLOBAL COMBAT SUPPORT SYSTEM.	27,100	27,100
219	0303142A	SATCOM GROUND ENVIRONMENT (SPACE).	18,321	18,321
222	0305179A	INTEGRATED BROADCAST SERVICE (IBS).	9,926	9,926
223	0305204A	TACTICAL UNMANNED AERIAL VEHICLES.	4,500	4,500
224	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS.	17,165	17,165
227	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES.	91,270	91,270
9999	9999999999	CLASSIFIED PROGRAMS	6,664	6,664
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**1,188,403**	**1,268,403**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
228	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT.	94,888	94,888
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	**94,888**	**94,888**
		UNDISTRIBUTED		
999	99999999	UNDISTRIBUTED	0	395,627
		Inflation effects		[395,627]
		SUBTOTAL UNDISTRIBUTED	**0**	**395,627**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	**13,710,273**	**14,552,310**

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		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
1	0601103N	UNIVERSITY RESEARCH INITIATIVES.	90,076	99,876
		All-digital arrays for long-distance applications.		[9,800]
3	0601153N	DEFENSE RESEARCH SCIENCES.	499,116	529,116
		Basic research increase		[30,000]
		SUBTOTAL BASIC RESEARCH	**589,192**	**628,992**
		APPLIED RESEARCH		
4	0602114N	POWER PROJECTION APPLIED RESEARCH.	22,953	22,953
5	0602123N	FORCE PROTECTION APPLIED RESEARCH.	133,426	156,926
		Cavitation erosion prevention		[5,000]
		Energy resilience research collaboration.		[3,000]
		Relative positioning of autonomous platforms.		[5,000]
		Workforce and technology for Navy power and energy systems.		[10,500]
6	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY.	53,467	53,467
7	0602235N	COMMON PICTURE APPLIED RESEARCH.	51,911	51,911
8	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH.	70,957	70,957
9	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH.	92,444	92,444
10	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH.	74,622	74,622
11	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH.	6,700	6,700
12	0602747N	UNDERSEA WARFARE APPLIED RESEARCH.	58,111	65,111
		Dual-modality research vessels		[2,000]
		Submarine and undersea vehicle research and workforce partnerships.		[5,000]
13	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH.	173,641	173,641
14	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH.	31,649	31,649
15	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH.	120,637	146,237
		Navy UFR—Alternative CONOPS Goalkeeper.		[25,600]
16	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACITIVITIES.	81,296	81,296
		SUBTOTAL APPLIED RESEARCH	**971,814**	**1,027,914**
		ADVANCED TECHNOLOGY DEVELOPMENT		
17	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY.	16,933	16,933
18	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY.	8,253	8,253
19	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD).	280,285	330,285
		Low-cost attritable aircraft technology.		[50,000]
20	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT.	14,048	14,048

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21	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	251,267	251,267
22	0603680N	MANUFACTURING TECHNOLOGY PROGRAM.	60,704	60,704
23	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY.	4,999	4,999
24	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS.	83,137	83,137
25	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY.	2,007	2,007
26	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT.	144,122	205,422
		Navy UFR—Alternative CONOPS Goalkeeper.		[61,300]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	**865,755**	**977,055**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
27	0603128N	UNMANNED AERIAL SYSTEM ...	96,883	96,883
28	0603178N	LARGE UNMANNED SURFACE VEHICLES (LUSV).	146,840	146,840
29	0603207N	AIR/OCEAN TACTICAL APPLICATIONS.	39,737	39,737
30	0603216N	AVIATION SURVIVABILITY	17,434	17,434
31	0603239N	NAVAL CONSTRUCTION FORCES.	1,706	1,706
33	0603254N	ASW SYSTEMS DEVELOPMENT	15,986	15,986
34	0603261N	TACTICAL AIRBORNE RECONNAISSANCE.	3,562	3,562
35	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY.	18,628	59,328
		Navy UFR—Alternative CONOPS Goalkeeper.		[40,700]
36	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES.	87,825	87,825
37	0603506N	SURFACE SHIP TORPEDO DEFENSE.	473	473
38	0603512N	CARRIER SYSTEMS DEVELOPMENT.	11,567	11,567
39	0603525N	PILOT FISH	672,461	672,461
40	0603527N	RETRACT LARCH	7,483	7,483
41	0603536N	RETRACT JUNIPER	239,336	239,336
42	0603542N	RADIOLOGICAL CONTROL	772	772
43	0603553N	SURFACE ASW	1,180	1,180
44	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT.	105,703	105,703
45	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS.	10,917	10,917
46	0603563N	SHIP CONCEPT ADVANCED DESIGN.	82,205	82,205
47	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES.	75,327	75,327
48	0603570N	ADVANCED NUCLEAR POWER SYSTEMS.	227,400	227,400
49	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS.	176,600	188,200
		Silicon carbide power modules		[11,600]
50	0603576N	CHALK EAGLE	91,584	91,584
51	0603581N	LITTORAL COMBAT SHIP (LCS)	96,444	96,444
52	0603582N	COMBAT SYSTEM INTEGRATION.	18,236	18,236
53	0603595N	OHIO REPLACEMENT	335,981	350,981
		Rapid realization of composites for wet submarine application.		[15,000]
54	0603596N	LCS MISSION MODULES	41,533	41,533

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55	0603597N	AUTOMATED TEST AND RE-TEST (ATRT).	9,773	9,773
56	0603599N	FRIGATE DEVELOPMENT	118,626	118,626
57	0603609N	CONVENTIONAL MUNITIONS	9,286	9,286
58	0603635M	MARINE CORPS GROUND COM-BAT/SUPPORT SYSTEM.	111,431	111,431
59	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT.	36,496	36,496
60	0603713N	OCEAN ENGINEERING TECH-NOLOGY DEVELOPMENT.	6,193	6,193
61	0603721N	ENVIRONMENTAL PROTEC-TION.	21,647	21,647
62	0603724N	NAVY ENERGY PROGRAM	60,320	60,320
63	0603725N	FACILITIES IMPROVEMENT	5,664	5,664
64	0603734N	CHALK CORAL	833,634	833,634
65	0603739N	NAVY LOGISTIC PRODUC-TIVITY.	899	899
66	0603746N	RETRACT MAPLE	363,973	363,973
67	0603748N	LINK PLUMERIA	1,038,661	1,038,661
68	0603751N	RETRACT ELM	83,445	83,445
69	0603764M	LINK EVERGREEN	313,761	313,761
70	0603790N	NATO RESEARCH AND DEVEL-OPMENT.	8,041	8,041
71	0603795N	LAND ATTACK TECHNOLOGY ...	358	358
72	0603851M	JOINT NON-LETHAL WEAPONS TESTING.	30,533	30,533
73	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL.	18,628	18,628
74	0603925N	DIRECTED ENERGY AND ELEC-TRIC WEAPON SYSTEMS.	65,080	65,080
75	0604014N	F/A –18 INFRARED SEARCH AND TRACK (IRST).	40,069	40,069
76	0604027N	DIGITAL WARFARE OFFICE	165,753	165,753
77	0604028N	SMALL AND MEDIUM UN-MANNED UNDERSEA VEHI-CLES.	106,347	106,347
78	0604029N	UNMANNED UNDERSEA VEHI-CLE CORE TECHNOLOGIES.	60,697	60,697
79	0604030N	RAPID PROTOTYPING, EXPERI-MENTATION AND DEM-ONSTRATION..	57,000	57,000
80	0604031N	LARGE UNMANNED UNDERSEA VEHICLES.	0	100,000
		Program continuation		[100,000]
81	0604112N	GERALD R. FORD CLASS NU-CLEAR AIRCRAFT CARRIER (CVN 78—80).	116,498	116,498
82	0604126N	LITTORAL AIRBORNE MCM	47,389	47,389
83	0604127N	SURFACE MINE COUNTER-MEASURES.	12,959	12,959
84	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTER-MEASURES (TADIRCM).	15,028	15,028
85	0604289M	NEXT GENERATION LOGISTICS	2,342	2,342
86	0604292N	FUTURE VERTICAL LIFT (MAR-ITIME STRIKE).	5,103	5,103
87	0604320M	RAPID TECHNOLOGY CAPA-BILITY PROTOTYPE.	62,927	62,927
88	0604454N	LX (R)	26,630	26,630
89	0604536N	ADVANCED UNDERSEA PROTO-TYPING.	116,880	154,280
		Mk68		[37,400]
90	0604636N	COUNTER UNMANNED AIR-CRAFT SYSTEMS (C-UAS).	7,438	7,438
91	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM.	84,734	84,734
92	0604707N	SPACE AND ELECTRONIC WAR-FARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT.	10,229	10,229
93	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVEL-OPMENT.	124,204	244,304

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		Navy UFR—Hypersonic OASuW Inc 2.		[67,100]
		Navy UFR—LRASM range improvement.		[53,000]
94	0605512N	MEDIUM UNMANNED SURFACE VEHICLES (MUSVS)).	104,000	104,000
95	0605513N	UNMANNED SURFACE VEHICLE ENABLING CAPABILITIES.	181,620	181,620
96	0605514M	GROUND BASED ANTI-SHIP MISSILE.	43,090	43,090
97	0605516M	LONG RANGE FIRES	36,693	36,693
98	0605518N	CONVENTIONAL PROMPT STRIKE (CPS).	1,205,041	1,205,041
99	0303354N	ASW SYSTEMS DEVELOPMENT—MIP.	9,856	9,856
100	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM.	1,735	1,735
101	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP.	796	796
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**8,405,310**	**8,730,110**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
102	0603208N	TRAINING SYSTEM AIRCRAFT	15,128	15,128
103	0604038N	MARITIME TARGETING CELL	39,600	129,600
		Family of Integrated Targeting Cells (FITC).		[90,000]
104	0604212N	OTHER HELO DEVELOPMENT	66,010	66,010
105	0604214M	AV–8B AIRCRAFT—ENG DEV	9,205	9,205
106	0604215N	STANDARDS DEVELOPMENT	3,766	3,766
107	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT.	44,684	44,684
108	0604221N	P–3 MODERNIZATION PROGRAM.	343	343
109	0604230N	WARFARE SUPPORT SYSTEM	12,337	12,337
110	0604231N	COMMAND AND CONTROL SYSTEMS.	143,575	143,575
111	0604234N	ADVANCED HAWKEYE	502,956	502,956
112	0604245M	H–1 UPGRADES	43,759	43,759
113	0604261N	ACOUSTIC SEARCH SENSORS	50,231	50,231
114	0604262N	V–22A	125,233	125,233
115	0604264N	AIR CREW SYSTEMS DEVELOPMENT.	43,282	43,282
116	0604269N	EA–18	116,589	116,589
117	0604270N	ELECTRONIC WARFARE DEVELOPMENT.	141,138	141,138
118	0604273M	EXECUTIVE HELO DEVELOPMENT.	45,645	45,645
119	0604274N	NEXT GENERATION JAMMER (NGJ).	54,679	54,679
120	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY).	329,787	329,787
121	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II.	301,737	301,737
122	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING.	347,233	347,233
124	0604329N	SMALL DIAMETER BOMB (SDB)	42,881	42,881
125	0604366N	STANDARD MISSILE IMPROVEMENTS.	319,943	319,943
126	0604373N	AIRBORNE MCM	10,882	10,882
127	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING.	45,892	60,892
		Stratospheric balloon research		[15,000]
128	0604419N	ADVANCED SENSORS APPLICATION PROGRAM (ASAP).	0	13,000
		Program increase		[13,000]
129	0604501N	ADVANCED ABOVE WATER SENSORS.	81,254	81,254
130	0604503N	SSN–688 AND TRIDENT MODERNIZATION.	93,501	93,501

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131	0604504N	AIR CONTROL	39,138	39,138
132	0604512N	SHIPBOARD AVIATION SYSTEMS.	11,759	11,759
133	0604518N	COMBAT INFORMATION CENTER CONVERSION.	11,160	11,160
134	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM.	87,459	87,459
135	0604530N	ADVANCED ARRESTING GEAR (AAG).	151	151
136	0604558N	NEW DESIGN SSN	307,585	496,485
		Advanced undersea capability development.		[188,900]
137	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM.	58,741	58,741
138	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E.	60,791	60,791
139	0604574N	NAVY TACTICAL COMPUTER RESOURCES.	4,177	4,177
140	0604601N	MINE DEVELOPMENT	60,793	127,593
		Hammerhead		[47,500]
		Indian Head explosives research		[5,000]
		Mk68		[4,300]
		Navy UFR—Quickstrike-powered offensive mines.		[10,000]
141	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT.	142,000	142,000
142	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT.	8,618	8,618
143	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS—ENG DEV.	45,025	45,025
144	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS.	7,454	7,454
145	0604727N	JOINT STANDOFF WEAPON SYSTEMS.	758	758
146	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL).	159,426	159,426
147	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL).	71,818	71,818
148	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW).	92,687	122,087
		Navy UFR—Counter-C5ISR&T		[29,400]
149	0604761N	INTELLIGENCE ENGINEERING	23,742	23,742
150	0604771N	MEDICAL DEVELOPMENT	3,178	3,178
151	0604777N	NAVIGATION/ID SYSTEM	53,209	53,209
152	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD.	611	611
153	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD.	234	234
154	0604850N	SSN(X)	143,949	143,949
155	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT.	11,361	11,361
156	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT.	290,353	280,353
		Cyber supply chain risk management.		[5,000]
		Electronic procurement system program reduction.		[–15,000]
157	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT.	7,271	7,271
158	0605180N	TACAMO MODERNIZATION	554,193	554,193
159	0605212M	CH–53K RDTE	220,240	220,240
160	0605215N	MISSION PLANNING	71,107	71,107
161	0605217N	COMMON AVIONICS	77,960	77,960
162	0605220N	SHIP TO SHORE CONNECTOR (SSC).	2,886	2,886
163	0605327N	T-AO 205 CLASS	220	220
164	0605414N	UNMANNED CARRIER AVIATION (UCA).	265,646	265,646
165	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM).	371	371

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166	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA).	37,939	37,939
167	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III.	161,697	161,697
168	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION.	94,569	94,569
169	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION.	2,856	2,856
170	0204202N	DDG–1000	197,436	197,436
171	0301377N	COUNTERING ADVANCED CONVENTIONAL WEAPONS (CACW).	12,341	12,341
175	0304785N	ISR & INFO OPERATIONS	135,366	135,366
176	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT.	37,038	37,038
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**6,606,583**	**6,999,683**
		MANAGEMENT SUPPORT		
177	0604256N	THREAT SIMULATOR DEVELOPMENT.	29,430	29,430
178	0604258N	TARGET SYSTEMS DEVELOPMENT.	13,708	13,708
179	0604759N	MAJOR T&E INVESTMENT	95,316	95,316
180	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY.	3,286	3,286
181	0605154N	CENTER FOR NAVAL ANALYSES.	40,624	40,624
183	0605804N	TECHNICAL INFORMATION SERVICES.	987	987
184	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT.	105,152	105,152
185	0605856N	STRATEGIC TECHNICAL SUPPORT.	3,787	3,787
186	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT.	173,352	173,352
187	0605864N	TEST AND EVALUATION SUPPORT.	468,281	468,281
188	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY.	27,808	27,808
189	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT.	27,175	27,175
190	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT.	7,186	7,186
191	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT.	39,744	39,744
192	0605898N	MANAGEMENT HQ—R&D	40,648	40,648
193	0606355N	WARFARE INNOVATION MANAGEMENT.	52,060	52,060
194	0305327N	INSIDER THREAT	2,315	2,315
195	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES).	1,811	1,811
		SUBTOTAL MANAGEMENT SUPPORT.	**1,132,670**	**1,132,670**
		OPERATIONAL SYSTEMS DEVELOPMENT		
198	0603273N	SCIENCE & TECHNOLOGY FOR NUCLEAR RE-ENTRY SYSTEMS.	65,735	65,735
201	0604840M	F–35 C2D2	525,338	525,338
202	0604840N	F–35 C2D2	491,513	491,513
203	0605520M	MARINE CORPS AIR DEFENSE WEAPONS SYSTEMS.	48,663	48,663
204	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC).	156,121	156,121
205	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT.	284,502	284,502
206	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM.	50,939	50,939

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207	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT.	81,237	81,237
208	0101402N	NAVY STRATEGIC COMMUNICATIONS.	49,424	49,424
209	0204136N	F/A–18 SQUADRONS	238,974	238,974
210	0204228N	SURFACE SUPPORT	12,197	12,197
211	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC).	132,719	157,719
		Submarine Launched Cruise Missile—Nuclear (SLCM-N) research.		[25,000]
212	0204311N	INTEGRATED SURVEILLANCE SYSTEM.	68,417	82,917
		Navy UFR—IUSS DSS DWA rapid operational development.		[14,500]
213	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS.	1,188	1,188
214	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT).	1,789	1,789
215	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR).	61,422	85,422
		USMC UFR—AN/TPS–80 G/ATOR radar traffic control R&D.		[24,000]
216	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT.	70,339	70,339
217	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT.	47,436	47,436
218	0205601N	ANTI-RADIATION MISSILE IMPROVEMENT.	90,779	90,779
219	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION.	28,999	28,999
220	0205632N	MK–48 ADCAP	155,868	155,868
221	0205633N	AVIATION IMPROVEMENTS	130,450	130,450
222	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS.	121,439	121,439
223	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS.	114,305	119,305
		USMC UFR—COSMOS		[5,000]
224	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S).	14,865	14,865
225	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS.	100,536	100,536
226	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT.	26,522	26,522
227	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP).	51,976	51,976
228	0206629M	AMPHIBIOUS ASSAULT VEHICLE.	8,246	8,246
229	0207161N	TACTICAL AIM MISSILES	29,236	29,236
230	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).	30,898	30,898
231	0208043N	PLANNING AND DECISION AID SYSTEM (PDAS).	3,609	3,609
236	0303138N	AFLOAT NETWORKS	45,693	45,693
237	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM.	33,752	33,752
238	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES.	8,415	8,415
239	0305204N	TACTICAL UNMANNED AERIAL VEHICLES.	10,576	10,576
240	0305205N	UAS INTEGRATION AND INTEROPERABILITY.	18,373	18,373
241	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	45,705	45,705
242	0305220N	MQ–4C TRITON	13,893	13,893
244	0305232M	RQ–11 UAV	1,234	1,234

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245	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0).	3,761	3,761
247	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT.	56,261	56,261
248	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP).	9,780	11,780
		Autonomous MPA		[2,000]
249	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT.	36,505	36,505
250	0305421N	RQ–4 MODERNIZATION	163,277	163,277
251	0307577N	INTELLIGENCE MISSION DATA (IMD).	851	851
252	0308601N	MODELING AND SIMULATION SUPPORT.	9,437	9,437
253	0702207N	DEPOT MAINTENANCE (NON-IF)	26,248	26,248
254	0708730N	MARITIME TECHNOLOGY (MARITECH).	2,133	2,133
9999	9999999999	CLASSIFIED PROGRAMS	1,701,811	1,701,811
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**5,483,386**	**5,553,886**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
256	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM.	12,810	12,810
257	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)—SOFTWARE PILOT PROGRAM.	11,198	11,198
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	**24,008**	**24,008**
		UNDISTRIBUTED		
999	99999999	UNDISTRIBUTED	0	409,201
		Inflation effects		[409,201]
		SUBTOTAL UNDISTRIBUTED	**0**	**409,201**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	**24,078,718**	**25,483,519**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
1	0601102F	DEFENSE RESEARCH SCIENCES.	375,325	405,325
		Basic research increase		[30,000]
2	0601103F	UNIVERSITY RESEARCH INITIATIVES.	171,192	171,192
		SUBTOTAL BASIC RESEARCH	**546,517**	**576,517**
		APPLIED RESEARCH		
4	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH.	88,672	88,672
5	0602102F	MATERIALS	134,795	139,795
		High energy synchotron X-ray research.		[5,000]
6	0602201F	AEROSPACE VEHICLE TECHNOLOGIES.	159,453	159,453
7	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH.	135,771	135,771
8	0602203F	AEROSPACE PROPULSION	172,861	172,861
9	0602204F	AEROSPACE SENSORS	192,733	262,733
		National network for microelectronics research and development activities.		[70,000]
11	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES.	8,856	8,856
12	0602602F	CONVENTIONAL MUNITIONS	137,303	142,303

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		Convergence Lab Center activities.		[5,000]
13	0602605F	DIRECTED ENERGY TECHNOLOGY.	109,302	100,947
		Realignment of funds		[–8,355]
14	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS.	166,041	166,041
		SUBTOTAL APPLIED RESEARCH	**1,305,787**	**1,377,432**
		ADVANCED TECHNOLOGY DEVELOPMENT		
16	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS.	152,559	102,559
		Program reduction		[–50,000]
17	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS.	29,116	34,116
		Metals Affordability Initiative		[5,000]
18	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T).	10,695	10,695
19	0603203F	ADVANCED AEROSPACE SENSORS.	36,997	36,997
20	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO.	54,727	66,220
		Realignment of funds		[–8,507]
		Unmanned semi-autonomous adversary aircraft.		[20,000]
21	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY.	64,254	72,761
		Realignment of funds		[8,507]
22	0603270F	ELECTRONIC COMBAT TECHNOLOGY.	33,380	33,380
23	0603273F	SCIENCE & TECHNOLOGY FOR NUCLEAR RE-ENTRY SYSTEMS.	39,431	39,431
26	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT.	20,652	20,652
27	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY.	187,374	187,374
28	0603605F	ADVANCED WEAPONS TECHNOLOGY.	98,503	98,503
29	0603680F	MANUFACTURING TECHNOLOGY PROGRAM.	47,759	47,759
30	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION.	51,824	51,824
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	**827,271**	**802,271**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
31	0603036F	MODULAR ADVANCED MISSILE	125,688	125,688
32	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT.	6,101	6,101
33	0603742F	COMBAT IDENTIFICATION TECHNOLOGY.	17,318	17,318
34	0603790F	NATO RESEARCH AND DEVELOPMENT.	4,295	4,295
35	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL.	46,432	46,432
36	0604001F	NC3 ADVANCED CONCEPTS	5,098	5,098
38	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS).	231,408	231,408
39	0604004F	ADVANCED ENGINE DEVELOPMENT.	353,658	353,658
40	0604006F	DEPT OF THE AIR FORCE TECH ARCHITECTURE.	66,615	66,615
41	0604015F	LONG RANGE STRIKE—BOMBER.	3,253,584	3,253,584
42	0604032F	DIRECTED ENERGY PROTOTYPING.	4,269	4,269
43	0604033F	HYPERSONICS PROTOTYPING ..	431,868	161,547
		Realignment of funds		[–316,887]

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		Realignment of funds from MPAF line 6.		[46,566]
44	0604183F	HYPERSONICS PROTOTYPING—HYPERSONIC ATTACK CRUISE MISSILE (HACM).	144,891	461,778
		Realignment of funds		[316,887]
45	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS.	12,010	12,010
46	0604257F	ADVANCED TECHNOLOGY AND SENSORS.	13,311	13,311
47	0604288F	SURVIVABLE AIRBORNE OPERATIONS CENTER.	203,213	203,213
48	0604317F	TECHNOLOGY TRANSFER	16,759	16,759
49	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM.	106,826	141,826
		CENTCOM UFR—HDBTDS program.		[35,000]
50	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS.	44,526	69,526
		Program increase		[25,000]
51	0604668F	JOINT TRANSPORTATION MANAGEMENT SYSTEM (JTMS).	51,758	51,758
52	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D.	27,586	27,586
53	0604858F	TECH TRANSITION PROGRAM ..	649,545	603,545
		Air Force operational energy increase.		[10,000]
		Hybrid autonomous maritime expeditionary logistics.		[2,000]
		Realignment of funds to APAF		[–42,500]
		Realignment of funds to line 54		[–15,500]
54	0604860F	OPERATIONAL ENERGY AND INSTALLATION RESILIENCE.	0	15,500
		Realignment of funds		[15,500]
56	0207110F	NEXT GENERATION AIR DOMINANCE.	1,657,733	1,657,733
57	0207179F	AUTONOMOUS COLLABORATIVE PLATFORMS.	51,747	51,747
58	0207420F	COMBAT IDENTIFICATION	1,866	1,866
59	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR).	14,490	14,490
60	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS).	52,498	52,498
61	0208030F	WAR RESERVE MATERIEL—AMMUNITION.	10,288	10,288
64	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA).	37,460	37,460
65	0305601F	MISSION PARTNER ENVIRONMENTS.	17,378	17,378
66	0306250F	CYBER OPERATIONS TECHNOLOGY SUPPORT.	234,576	365,276
		AI systems and applications for CYBERCOM.		[50,000]
		CYBERCOM UFR—Cyber mission force operational support.		[31,000]
		CYBERCOM UFR—Joint cyberspace warfighting architecture.		[20,900]
		Hunt forward operations		[28,800]
67	0306415F	ENABLED CYBER ACTIVITIES ..	16,728	16,728
70	0808737F	CVV INTEGRATED PREVENTION.	9,315	9,315
71	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM.	14,050	14,050
72	1206415F	U.S. SPACE COMMAND RESEARCH AND DEVELOPMENT SUPPORT.	10,350	10,350
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**7,945,238**	**8,152,004**
		SYSTEM DEVELOPMENT & DEMONSTRATION		

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73	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS.	9,879	9,879
74	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS.	176,824	176,824
75	0604222F	NUCLEAR WEAPONS SUPPORT	64,425	64,425
76	0604270F	ELECTRONIC WARFARE DEVELOPMENT.	2,222	2,222
77	0604281F	TACTICAL DATA NETWORKS ENTERPRISE.	133,117	133,117
78	0604287F	PHYSICAL SECURITY EQUIPMENT.	8,493	8,493
79	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT.	5,279	5,279
80	0604604F	SUBMUNITIONS	3,273	3,273
81	0604617F	AGILE COMBAT SUPPORT	14,252	14,252
83	0604706F	LIFE SUPPORT SYSTEMS	47,442	47,442
84	0604735F	COMBAT TRAINING RANGES	91,284	91,284
86	0604932F	LONG RANGE STANDOFF WEAPON.	928,850	928,850
87	0604933F	ICBM FUZE MODERNIZATION	98,376	98,376
88	0605030F	JOINT TACTICAL NETWORK CENTER (JTNC).	2,222	2,222
89	0605056F	OPEN ARCHITECTURE MANAGEMENT.	38,222	38,222
90	0605223F	ADVANCED PILOT TRAINING	37,121	37,121
91	0605229F	HH–60W	58,974	58,974
92	0605238F	GROUND BASED STRATEGIC DETERRENT EMD.	3,614,290	3,614,290
94	0207171F	F–15 EPAWSS	67,956	67,956
95	0207279F	ISOLATED PERSONNEL SURVIVABILITY AND RECOVERY.	27,881	27,881
96	0207328F	STAND IN ATTACK WEAPON	283,152	283,152
97	0207701F	FULL COMBAT MISSION TRAINING.	3,028	3,028
102	0401221F	KC–46A TANKER SQUADRONS	197,510	197,510
103	0401319F	VC–25B	492,932	492,932
104	0701212F	AUTOMATED TEST SYSTEMS	16,664	16,664
105	0804772F	TRAINING DEVELOPMENTS	15,138	15,138
107	1206442F	NEXT GENERATION OPIR	148	148
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**6,438,954**	**6,438,954**
		MANAGEMENT SUPPORT		
108	0604256F	THREAT SIMULATOR DEVELOPMENT.	21,067	21,067
109	0604759F	MAJOR T&E INVESTMENT	44,714	201,314
		Air Force UFR—Gulf instrumentation for hypersonics testing.		[55,200]
		Air Force UFR—Quick reaction test capability for hypersonics testing.		[14,700]
		Air Force UFR—VKF wind tunnel improvements for hypersonics testing.		[56,700]
		Major Range and Test Facility Base improvements.		[30,000]
110	0605101F	RAND PROJECT AIR FORCE	37,921	37,921
111	0605502F	SMALL BUSINESS INNOVATION RESEARCH.	86	86
112	0605712F	INITIAL OPERATIONAL TEST & EVALUATION.	13,926	13,926
113	0605807F	TEST AND EVALUATION SUPPORT.	826,854	841,854
		Air Force UFR—EDW/Eglin hypersonics testing.		[10,000]
		Air Force UFR—VKF wind tunnel throughput for hypersonics testing.		[5,000]
115	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS.	255,995	283,995
		Realignment of funds		[28,000]
116	0605828F	ACQ WORKFORCE- GLOBAL REACH.	457,589	457,589

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117	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS.	459,223	473,423
		Realignment of funds		[14,200]
118	0605830F	ACQ WORKFORCE- GLOBAL BATTLE MGMT.	3,696	3,696
119	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION.	229,610	253,610
		Realignment of funds		[24,000]
120	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY.	92,648	67,361
		Realignment of funds		[–25,287]
121	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS.	241,226	236,382
		Realignment of funds		[–4,844]
122	0605898F	MANAGEMENT HQ—R&D	4,347	5,624
		Realignment of funds		[1,277]
123	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	77,820	133,420
		Air Force UFR—Quick reaction test capability for hypersonics testing.		[7,500]
		Air Force UFR—VKF wind tunnel improvements for hypersonics testing.		[48,100]
124	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT.	31,561	31,561
125	0606017F	REQUIREMENTS ANALYSIS AND MATURATION.	101,844	101,844
126	0606398F	MANAGEMENT HQ—T&E	6,285	6,285
127	0303166F	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES.	556	556
128	0303255F	COMMAND, CONTROL, COMMUNICATION, AND COMPUTERS (C4)—STRATCOM.	15,559	35,559
		NEC accleration for hardened NC3		[10,500]
		Next-generation Nuclear Command, Control, and Communications architecture.		[5,000]
		Nuclear Command, Control, and Communications assessment.		[4,500]
129	0308602F	ENTEPRISE INFORMATION SERVICES (EIS).	83,231	83,231
130	0702806F	ACQUISITION AND MANAGEMENT SUPPORT.	24,306	24,306
131	0804731F	GENERAL SKILL TRAINING	871	871
134	1001004F	INTERNATIONAL ACTIVITIES	2,593	2,593
		SUBTOTAL MANAGEMENT SUPPORT.	**3,033,528**	**3,318,074**
		OPERATIONAL SYSTEMS DEVELOPMENT		
136	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING.	18,037	18,037
138	0604617F	AGILE COMBAT SUPPORT	8,199	8,199
139	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D.	156	156
140	0604840F	F–35 C2D2	1,014,708	1,014,708
141	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS).	37,901	37,901
142	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY.	50,066	50,066
143	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION.	80,338	80,338
144	0605278F	HC/MC–130 RECAP RDT&E	47,994	51,870
		Crypto Mods—AC–130J		[3,876]
145	0606018F	NC3 INTEGRATION	23,559	23,559
147	0101113F	B–52 SQUADRONS	770,313	775,313
		Crypto Mods—B–52		[5,000]

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148	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM).	571	571
149	0101126F	B–1B SQUADRONS	13,144	17,644
		Crypto Mods—B–1B		[4,500]
150	0101127F	B–2 SQUADRONS	111,990	111,990
151	0101213F	MINUTEMAN SQUADRONS	69,650	69,650
152	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS.	22,725	22,725
153	0101324F	INTEGRATED STRATEGIC PLANNING & ANALYSIS NETWORK.	3,180	3,180
154	0101328F	ICBM REENTRY VEHICLES	118,616	118,616
156	0102110F	UH–1N REPLACEMENT PROGRAM.	17,922	17,922
157	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM.	451	451
158	0102412F	NORTH WARNING SYSTEM (NWS).	76,910	76,910
159	0102417F	OVER-THE-HORIZON BACKSCATTER RADAR.	12,210	12,210
160	0202834F	VEHICLES AND SUPPORT EQUIPMENT—GENERAL.	14,483	14,483
161	0205219F	MQ–9 UAV	98,499	98,499
162	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE.	1,747	1,747
163	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT.	23,195	23,195
164	0207131F	A–10 SQUADRONS	72,393	72,393
165	0207133F	F–16 SQUADRONS	244,696	251,414
		Crypto Mods—F–16 Post Blk		[1,968]
		Crypto Mods—F–16 Pre Blk		[4,750]
166	0207134F	F–15E SQUADRONS	213,272	213,272
167	0207136F	MANNED DESTRUCTIVE SUPPRESSION.	16,695	16,695
168	0207138F	F–22A SQUADRONS	559,709	559,709
169	0207142F	F–35 SQUADRONS	70,730	70,730
170	0207146F	F–15EX	83,830	83,830
171	0207161F	TACTICAL AIM MISSILES	34,536	34,536
172	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).	52,704	52,704
173	0207227F	COMBAT RESCUE—PARARESCUE.	863	863
174	0207247F	AF TENCAP	23,309	23,309
175	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT.	12,722	12,722
176	0207253F	COMPASS CALL	49,054	49,054
177	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.	116,087	116,087
178	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM).	117,198	129,198
		INDOPACOM UFR—JASSM software update.		[12,000]
179	0207327F	SMALL DIAMETER BOMB (SDB)	27,713	130,713
		Air Force UFR—SDB II refresh and development.		[103,000]
181	0207412F	CONTROL AND REPORTING CENTER (CRC).	6,615	6,615
182	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS).	239,658	540,658
		E–7 acceleration		[301,000]
183	0207418F	AFSPECWAR—TACP	5,982	5,982
185	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES.	23,504	23,504
186	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I.	5,851	5,851
187	0207439F	ELECTRONIC WARFARE INTEGRATED REPROGRAMMING (EWIR).	15,990	15,990

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188	0207444F	TACTICAL AIR CONTROL PARTY-MOD.	10,315	10,315
189	0207452F	DCAPES	8,049	8,049
190	0207521F	AIR FORCE CALIBRATION PROGRAMS.	2,123	2,123
192	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS.	2,039	2,039
193	0207590F	SEEK EAGLE	32,853	32,853
194	0207601F	USAF MODELING AND SIMULATION.	19,341	19,341
195	0207605F	WARGAMING AND SIMULATION CENTERS.	7,004	7,004
197	0207697F	DISTRIBUTED TRAINING AND EXERCISES.	4,628	4,628
198	0208006F	MISSION PLANNING SYSTEMS	99,214	99,214
199	0208007F	TACTICAL DECEPTION	17,074	17,074
200	0208064F	OPERATIONAL HQ—CYBER	2,347	2,347
201	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS.	76,592	76,592
202	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS.	8,367	26,167
		Enterprise Logging and Cyber Situational Awareness Refinery (ELICSAR).		[17,800]
203	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC2).	80,740	75,740
		Centropy progam reduction		[–5,000]
204	0208099F	UNIFIED PLATFORM (UP)	107,548	107,548
208	0208288F	INTEL DATA APPLICATIONS	1,065	1,065
209	0301025F	GEOBASE	2,928	2,928
211	0301113F	CYBER SECURITY INTELLIGENCE SUPPORT.	8,972	8,972
218	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS.	3,069	3,069
219	0302015F	E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC).	25,701	26,401
		Crypto Mods—E–4B		[700]
220	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	41,171	41,171
221	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM.	70,582	70,582
224	0303260F	JOINT MILITARY DECEPTION INITIATIVE.	2,588	2,588
226	0304260F	AIRBORNE SIGINT ENTERPRISE.	108,528	108,528
227	0304310F	COMMERCIAL ECONOMIC ANALYSIS.	4,542	4,542
230	0305015F	C2 AIR OPERATIONS SUITE—C2 INFO SERVICES.	8,097	8,097
231	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY.	1,751	1,751
232	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD).	13,138	13,138
233	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM).	4,895	4,895
234	0305103F	CYBER SECURITY INITIATIVE	91	91
235	0305111F	WEATHER SERVICE	11,716	11,716
236	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS).	8,511	8,511
237	0305116F	AERIAL TARGETS	1,365	1,365
240	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES.	223	223
241	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES.	8,328	8,328
243	0305179F	INTEGRATED BROADCAST SERVICE (IBS).	22,123	22,123
244	0305202F	DRAGON U–2	20,170	20,170
245	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS.	55,048	55,048

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246	0305207F	MANNED RECONNAISSANCE SYSTEMS.	14,590	14,590
247	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	26,901	26,901
248	0305220F	RQ–4 UAV	68,801	68,801
249	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING.	17,564	17,564
250	0305238F	NATO AGS	826	826
251	0305240F	SUPPORT TO DCGS ENTERPRISE.	28,774	28,774
252	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES.	15,036	15,036
253	0305881F	RAPID CYBER ACQUISITION	3,739	3,739
254	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2).	2,702	2,702
255	0307577F	INTELLIGENCE MISSION DATA (IMD).	6,332	6,332
256	0401115F	C–130 AIRLIFT SQUADRON	407	407
257	0401119F	C–5 AIRLIFT SQUADRONS (IF)	6,100	6,100
258	0401130F	C–17 AIRCRAFT (IF)	25,387	25,387
259	0401132F	C–130J PROGRAM	11,060	13,660
		Crypto Mods—C–130J		[2,600]
260	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM).	2,909	2,909
261	0401218F	KC–135S	12,955	17,755
		Crypto Mods—KC–135		[4,800]
262	0401318F	CV–22	10,121	11,171
		Crypto Mods—CV–22		[1,050]
263	0408011F	SPECIAL TACTICS / COMBAT CONTROL.	6,297	6,297
264	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM.	19,892	19,892
265	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT).	5,271	5,271
267	0804743F	OTHER FLIGHT TRAINING	2,214	2,214
269	0901202F	JOINT PERSONNEL RECOVERY AGENCY.	2,164	2,164
270	0901218F	CIVILIAN COMPENSATION PROGRAM.	4,098	4,098
271	0901220F	PERSONNEL ADMINISTRATION	3,191	3,191
272	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY.	899	899
273	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT.	5,421	5,421
276	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES.	13,766	13,766
9999	9999999999	CLASSIFIED PROGRAMS	17,240,641	17,340,641
		Electromagnetic spectrum technology for spectrum sharing, EW protection, and offensive EW capabilities.		[85,000]
		RCO Family of Integrated Targeting Cells (FITC) integration.		[15,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**23,090,569**	**23,648,613**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
278	0608158F	STRATEGIC MISSION PLANNING AND EXECUTION SYSTEM—SOFTWARE PILOT PROGRAM.	100,167	100,167
279	0608410F	AIR & SPACE OPERATIONS CENTER (AOC)—SOFTWARE PILOT PROGRAM.	177,827	177,827
280	0608920F	DEFENSE ENTERPRISE ACCOUNTING AND MANAGEMENT SYSTEM (DEAMS)—SOFTWARE PILOT PRO.	136,202	136,202
281	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS.	37,346	0

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		Realignment of funds		[–37,346]
282	0308605F	AIR FORCE DEFENSIVE CYBER SYSTEMS (AFDCS)—SOFTWARE PILOT PROGRAM.	240,926	240,926
283	0308606F	ALL DOMAIN COMMON PLATFORM (ADCP)—SOFTWARE PILOT PROGRAM.	190,112	190,112
284	0308607F	AIR FORCE WEATHER PROGRAMS—SOFTWARE PILOT PROGRAM.	58,063	58,063
285	0308608F	ELECTRONIC WARFARE INTEGRATED REPROGRAMMING (EWIR)—SOFTWARE PILOT PROGRAM.	5,794	5,794
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	**946,437**	**909,091**
		UNDISTRIBUTED		
999	99999999	UNDISTRIBUTED	0	1,000,847
		Inflation effects		[1,000,847]
		SUBTOTAL UNDISTRIBUTED	**0**	**1,000,847**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF.	**44,134,301**	**46,223,803**
		RDTE, SPACE FORCE		
		APPLIED RESEARCH		
2	1206601SF	SPACE TECHNOLOGY	243,737	256,092
		Advanced hybrid rocket engine development.		[4,000]
		Realignment of funds		[8,355]
		SUBTOTAL APPLIED RESEARCH	**243,737**	**256,092**
		ADVANCED TECHNOLOGY DEVELOPMENT		
3	1206310SF	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT.	460,820	460,820
4	1206616SF	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO.	103,395	106,168
		Realignment of funds		[2,773]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	**564,215**	**566,988**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
5	0604002SF	SPACE FORCE WEATHER SERVICES RESEARCH.	816	816
6	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	382,594	382,594
7	1203622SF	SPACE WARFIGHTING ANALYSIS.	44,791	44,791
8	1203710SF	EO/IR WEATHER SYSTEMS	96,519	96,519
10	1206410SF	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING.	986,822	986,822
12	1206425SF	SPACE SITUATION AWARENESS SYSTEMS.	230,621	233,621
		Digitization of PARCS radar for space domain awareness.		[3,000]
13	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT).	106,252	134,252
		DARPA Blackjack RF payload		[28,000]
14	1206438SF	SPACE CONTROL TECHNOLOGY	57,953	57,953
16	1206730SF	SPACE SECURITY AND DEFENSE PROGRAM.	59,169	59,169
17	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES).	121,069	121,069
18	1206761SF	PROTECTED TACTICAL SERVICE (PTS).	294,828	294,828

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19	1206855SF	EVOLVED STRATEGIC SATCOM (ESS).	565,597	565,597
20	1206857SF	SPACE RAPID CAPABILITIES OFFICE.	45,427	45,427
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**2,992,458**	**3,023,458**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
21	1203269SF	GPS III FOLLOW-ON (GPS IIIF)	325,927	325,927
22	1203940SF	SPACE SITUATION AWARENESS OPERATIONS.	49,628	49,628
23	1206421SF	COUNTERSPACE SYSTEMS	21,848	21,848
24	1206422SF	WEATHER SYSTEM FOLLOW-ON.	48,870	48,870
25	1206425SF	SPACE SITUATION AWARENESS SYSTEMS.	105,140	105,140
26	1206431SF	ADVANCED EHF MILSATCOM (SPACE).	11,701	11,701
27	1206432SF	POLAR MILSATCOM (SPACE)	67,465	67,465
28	1206433SF	WIDEBAND GLOBAL SATCOM (SPACE).	48,438	48,438
29	1206440SF	NEXT-GEN OPIR—GROUND	0	612,529
		Realignment of funds		[612,529]
30	1206442SF	NEXT GENERATION OPIR	3,479,459	253,801
		Realignment of funds to line 29		[–612,529]
		Realignment of funds to line 31		[–1,713,933]
		Realignment of funds to line 32		[–899,196]
31	1206443SF	NEXT-GEN OPIR—GEO	0	1,713,933
		Realignment of funds		[1,713,933]
32	1206444SF	NEXT-GEN OPIR—POLAR	0	899,196
		Realignment of funds		[899,196]
33	1206445SF	COMMERCIAL SATCOM (COMSATCOM) INTEGRATION.	23,513	23,513
34	1206446SF	RESILIENT MISSILE WARNING MISSILE TRACKING—LOW EARTH ORBIT (LEO).	499,840	525,637
		Realignment of funds		[25,797]
35	1206447SF	RESILIENT MISSILE WARNING MISSILE TRACKING—MEDIUM EARTH ORBIT (MEO).	139,131	303,930
		Realignment of funds		[164,799]
36	1206448SF	RESILIENT MISSILE WARNING MISSILE TRACKING—INTEGRATED GROUND SEGMENT.	390,596	0
		Realignment of funds		[–200,000]
		Realignment of funds to line 34		[–25,797]
		Realignment of funds to line 35		[–164,799]
37	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD.	124,103	124,103
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**5,335,659**	**5,135,659**
		MANAGEMENT SUPPORT		
39	1206116SF	SPACE TEST AND TRAINING RANGE DEVELOPMENT.	21,453	21,453
40	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS.	253,716	253,716
41	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA.	13,962	13,962
42	1206616SF	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO.	2,773	0
		Realignment of funds		[–2,773]
43	1206759SF	MAJOR T&E INVESTMENT—SPACE.	89,751	89,751
44	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE).	17,922	17,922
46	1206864SF	SPACE TEST PROGRAM (STP) ..	25,366	25,366
		SUBTOTAL MANAGEMENT SUPPORT.	**424,943**	**422,170**

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		OPERATIONAL SYSTEM DEVELOPMENT		
48	1201017SF	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN).	5,321	5,321
49	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T).	128,243	128,243
50	1203040SF	DCO-SPACE	28,162	28,162
51	1203109SF	NARROWBAND SATELLITE COMMUNICATIONS.	165,892	165,892
52	1203110SF	SATELLITE CONTROL NETWORK (SPACE).	42,199	42,199
53	1203165SF	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS).	2,062	2,062
54	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER.	4,157	4,157
55	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT.	38,103	38,103
56	1203182SF	SPACELIFT RANGE SYSTEM (SPACE).	11,658	11,658
57	1203265SF	GPS III SPACE SEGMENT	1,626	1,626
58	1203330SF	SPACE SUPERIORITY ISR	29,128	29,128
59	1203620SF	NATIONAL SPACE DEFENSE CENTER.	2,856	2,856
60	1203873SF	BALLISTIC MISSILE DEFENSE RADARS.	18,615	23,615
		Upgrades for Perimeter Acquisition Radar Attack Characterization System (PARCS).		[5,000]
61	1203906SF	NCMC—TW/AA SYSTEM	7,274	7,274
62	1203913SF	NUDET DETECTION SYSTEM (SPACE).	80,429	80,429
63	1203940SF	SPACE SITUATION AWARENESS OPERATIONS.	80,903	80,903
64	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT.	359,720	359,720
68	1206770SF	ENTERPRISE GROUND SERVICES.	123,601	123,601
9999	9999999999	CLASSIFIED PROGRAMS	4,973,358	5,607,858
		INDOPACOM UFR—Operationalize near-term space control.		[308,000]
		Space Force UFR—Classified program.		[326,500]
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT.	**6,103,307**	**6,742,807**
		SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS		
70	1208248SF	SPACE COMMAND & CONTROL—SOFTWARE PILOT PROGRAM.	155,053	155,053
		SUBTOTAL SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS.	**155,053**	**155,053**
		UNDISTRIBUTED		
999	99999999	UNDISTRIBUTED	0	539,491
		Inflation effects		[539,491]
		SUBTOTAL UNDISTRIBUTED	**0**	**539,491**
		TOTAL RDTE, SPACE FORCE	**15,819,372**	**16,841,718**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
1	0601000BR	DTRA BASIC RESEARCH	11,584	11,584
2	0601101E	DEFENSE RESEARCH SCIENCES.	401,870	401,870

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3	0601108D8Z	HIGH ENERGY LASER RESEARCH INITIATIVES.	16,257	16,257
4	0601110D8Z	BASIC RESEARCH INITIATIVES	62,386	87,386
		Defense established program to stimulate competitive research (DEPSCoR).		[25,000]
5	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE.	80,874	80,874
6	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM.	132,347	132,347
7	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.	33,288	63,288
		Program increase for STEM programs.		[30,000]
8	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.	34,734	34,734
		SUBTOTAL BASIC RESEARCH	**773,340**	**828,340**
		APPLIED RESEARCH		
10	0602000D8Z	JOINT MUNITIONS TECHNOLOGY.	18,961	18,961
11	0602115E	BIOMEDICAL TECHNOLOGY	106,958	106,958
12	0602128D8Z	PROMOTION AND PROTECTION STRATEGIES.	3,275	3,275
14	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION.	20,634	60,634
		Open radio access networks for next generation wireless experimentation.		[40,000]
15	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM.	46,159	48,159
		Superconducting microelectronics		[2,000]
16	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES.	67,666	67,666
17	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY.	388,270	513,270
		AI/autonomy to cybersecurity and cyberspace operations challenges.		[30,000]
		National Security Commission on AI recommendations.		[75,000]
		Underexplored systems for utility-scale quantum computing.		[20,000]
18	0602383E	BIOLOGICAL WARFARE DEFENSE.	23,059	23,059
19	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.	256,197	256,197
20	0602668D8Z	CYBER SECURITY RESEARCH ..	17,264	42,264
		Cyber consortium seedling funding.		[25,000]
21	0602675D8Z	SOCIAL SCIENCES FOR ENVIRONMENTAL SECURITY.	4,000	4,000
22	0602702E	TACTICAL TECHNOLOGY	221,883	221,883
23	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY.	352,976	355,276
		ReVector		[2,300]
24	0602716E	ELECTRONICS TECHNOLOGY	557,745	557,745
25	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH.	192,162	192,162
26	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH.	11,030	11,030
27	0602890D8Z	HIGH ENERGY LASER RESEARCH.	48,587	48,587
28	1160401BB	SOF TECHNOLOGY DEVELOPMENT.	49,174	49,174
		SUBTOTAL APPLIED RESEARCH	**2,386,000**	**2,580,300**
		ADVANCED TECHNOLOGY DEVELOPMENT		

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29	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY.	34,065	34,065
30	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT.	4,919	4,919
31	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT.	72,614	72,614
32	0603133D8Z	FOREIGN COMPARATIVE TESTING.	26,802	26,802
34	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	395,721	395,721
35	0603176BR	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT.	6,505	6,505
36	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT.	16,737	16,737
37	0603180C	ADVANCED RESEARCH	22,023	22,023
38	0603183D8Z	JOINT HYPERSONIC TECHNOLOGY DEVELOPMENT &TRANSITION.	52,156	52,156
39	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT.	18,898	18,898
40	0603286E	ADVANCED AEROSPACE SYSTEMS.	253,135	253,135
41	0603287E	SPACE PROGRAMS AND TECHNOLOGY.	81,888	81,888
42	0603288D8Z	ANALYTIC ASSESSMENTS	24,052	24,052
43	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS.	53,890	53,890
46	0603338D8Z	DEFENSE MODERNIZATION AND PROTOTYPING.	141,561	146,561
		Optical reconnaisance sensors		[5,000]
47	0603342D8Z	DEFENSE INNOVATION UNIT (DIU).	42,925	57,925
		National Security Innovation Capital program increase.		[15,000]
48	0603375D8Z	TECHNOLOGY INNOVATION	109,535	114,535
		Emerging biotechnologies		[5,000]
49	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	238,407	238,407
50	0603527D8Z	RETRACT LARCH	79,493	79,493
51	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY.	19,218	19,218
52	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS.	114,100	194,100
		LVC testbed application development.		[80,000]
53	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES.	3,168	3,168
54	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	256,142	299,142
		Artificial intelligence for predictive maintenance.		[3,000]
		BioMADE		[30,000]
		Internet of things and operational technology asset identification and management.		[5,000]
		Large scale advanced manufacturing.		[5,000]
55	0603680S	MANUFACTURING TECHNOLOGY PROGRAM.	46,166	46,166
56	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS.	13,663	13,663
57	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM.	58,411	58,411

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58	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.	139,833	139,833
59	0603727D8Z	JOINT WARFIGHTING PROGRAM.	2,411	2,411
60	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES.	250,917	250,917
61	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS.	305,050	315,050
		DARPA LogX advanced supply chain mapping.		[10,000]
62	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY.	678,562	838,562
		Assault Breaker II		[120,000]
		DARPA network-centric warfare technology.		[20,000]
		Non-kinetic/cyber modeling and simulation.		[20,000]
63	0603767E	SENSOR TECHNOLOGY	314,502	314,502
64	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT.	201	201
65	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE.	13,417	13,417
66	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM.	111,149	111,149
67	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY.	315,090	315,090
68	0603950D8Z	NATIONAL SECURITY INNOVATION NETWORK.	22,028	22,028
69	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT.	180,170	190,170
		Program increase for tristructural-isotropic fuel.		[10,000]
72	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT.	118,877	118,877
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	**4,638,401**	**4,966,401**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
74	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	41,507	41,507
75	0603600D8Z	WALKOFF	133,795	133,795
76	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	84,638	89,638
		Sustainable Technology Evaluation and Demonstration program.		[5,000]
77	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT.	190,216	190,216
78	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT.	667,524	667,524
79	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL.	291,364	291,364
80	0603884C	BALLISTIC MISSILE DEFENSE SENSORS.	231,134	231,134
81	0603890C	BMD ENABLING PROGRAMS	591,847	642,717
		NORTHCOM UFR—Cruise Missile Defense-Homeland kill chain demonstration upgrades.		[50,870]
82	0603891C	SPECIAL PROGRAMS—MDA	316,977	316,977
83	0603892C	AEGIS BMD	600,072	600,072
84	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	589,374	589,374

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85	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT.	50,269	50,269
86	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	49,367	49,367
87	0603906C	REGARDING TRENCH	12,146	12,146
88	0603907C	SEA BASED X-BAND RADAR (SBX).	164,668	164,668
89	0603913C	ISRAELI COOPERATIVE PROGRAMS.	300,000	300,000
90	0603914C	BALLISTIC MISSILE DEFENSE TEST.	367,824	367,824
91	0603915C	BALLISTIC MISSILE DEFENSE TARGETS.	559,513	559,513
92	0603923D8Z	COALITION WARFARE	11,154	11,154
93	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G).	249,591	379,591
		5G experimentation, transition, and ORAN activities.		[130,000]
94	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM.	3,166	3,166
95	0604102C	GUAM DEFENSE DEVELOPMENT.	397,936	397,936
96	0604115C	TECHNOLOGY MATURATION INITIATIVES.	0	10,000
		Diode-Pumped Alkali Laser (DPAL) development.		[5,000]
		Hypersonic targets		[5,000]
97	0604124D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO)—MIP.	33,950	33,950
99	0604181C	HYPERSONIC DEFENSE	225,477	517,977
		MDA UFR—Glide phase defense weapons systems.		[292,500]
100	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES.	1,145,358	1,309,858
		INDOPACOM UFR—Sea Urchin powered quickstrike mines.		[30,000]
		INDOPACOM UFR—SIGINT upgrades.		[9,500]
		SCO SAP Project A		[125,000]
101	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS.	647,226	647,226
102	0604331D8Z	RAPID PROTOTYPING PROGRAM.	179,189	229,189
		Counter-C5ISRT activities		[20,000]
		International cooperation for hypersonics.		[30,000]
103	0604341D8Z	DEFENSE INNOVATION UNIT (DIU) PROTOTYPING.	24,402	24,402
104	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT.	2,691	2,691
105	0604551BR	CATAPULT	7,130	7,130
106	0604555D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT—NON S&T.	45,779	45,779
108	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA).	3,229	3,229
109	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	40,699	90,699
		JADC2 experimentation		[50,000]
110	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR).	75,120	75,120
111	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS.	1,833,357	1,833,357

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112	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST.	69,762	69,762
113	0604878C	AEGIS BMD TEST	182,776	182,776
114	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST.	88,326	88,326
115	0604880C	LAND-BASED SM–3 (LBSM3)	27,678	27,678
116	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST.	84,075	84,075
117	0202057C	SAFETY PROGRAM MANAGEMENT.	2,417	2,417
118	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS.	2,664	2,664
120	0305103C	CYBER SECURITY INITIATIVE	1,165	1,165
123	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS.	129,957	129,957
276	0604795D8Z	ACCELERATE PROCUREMENT AND FIELDING OF INNOVATIVE TECHNOLOGIES (APFIT).	0	100,000
		Realignment of funds		[100,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**10,756,509**	**11,609,379**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
124	0604123D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO)—DEM/VAL ACTIVITIES.	273,340	273,340
125	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	6,482	6,482
127	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD.	312,148	312,148
128	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS).	9,120	9,120
129	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT.	14,403	14,403
130	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT.	1,244	1,244
131	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE.	6,191	6,191
132	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM.	10,145	10,145
133	0605027D8Z	OUSD(C) IT DEVELOPMENT INITIATIVES.	5,938	5,938
136	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM.	23,171	23,171
137	0605141BR	MISSION ASSURANCE RISK MANAGEMENT SYSTEM (MARMS).	14,093	14,093
138	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES.	6,949	6,949
139	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS.	302,963	302,963
140	0605772D8Z	NUCLEAR COMMAND, CONTROL, & COMMUNICATIONS.	3,758	3,758
141	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM).	8,121	8,121
142	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION.	16,048	16,048
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**1,014,114**	**1,014,114**
		MANAGEMENT SUPPORT		

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143	0603829J	JOINT CAPABILITY EXPERIMENTATION.	12,452	12,452
144	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS).	8,902	8,902
145	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT.	6,610	6,610
146	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	819,358	819,358
147	0604942D8Z	ASSESSMENTS AND EVALUATIONS.	4,607	4,607
148	0605001E	MISSION SUPPORT	86,869	86,869
149	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC).	126,079	126,079
150	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	53,278	53,278
152	0605142D8Z	SYSTEMS ENGINEERING	39,009	29,009
		Program reduction		[–10,000]
153	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD.	5,716	5,716
154	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY.	15,379	15,379
155	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION.	9,449	9,449
156	0605200D8Z	GENERAL SUPPORT TO OUSD(INTELLIGENCE AND SECURITY).	6,112	6,112
157	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.	124,475	124,475
165	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	3,820	3,820
166	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE.	35,414	35,414
167	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS.	56,114	66,114
		Key technology area assessments and engineering efforts.		[10,000]
168	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	63,184	63,184
169	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	23,757	23,757
170	0605804D8Z	DEVELOPMENT TEST AND EVALUATION.	26,652	26,652
171	0605898E	MANAGEMENT HQ—R&D	14,636	14,636
172	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	3,518	3,518
173	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS.	15,244	15,244
174	0606114D8Z	ANALYSIS WORKING GROUP (AWG) SUPPORT.	4,700	4,700
175	0606135D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO) ACTIVITIES.	13,132	13,132
176	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS.	3,323	3,323
177	0606300D8Z	DEFENSE SCIENCE BOARD	2,532	2,532
179	0606771D8Z	CYBER RESILIENCY AND CYBERSECURITY POLICY.	32,306	32,306
180	0606853BR	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT.	12,354	12,354
181	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI).	3,034	3,034
182	0204571J	JOINT STAFF ANALYTICAL SUPPORT.	4,332	4,332
183	0208045K	C4I INTEROPERABILITY	69,698	69,698
189	0305172K	COMBINED ADVANCED APPLICATIONS.	16,171	16,171

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191	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	3,072	3,072
192	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA.	37,852	37,852
193	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI).	716	716
194	0901598C	MANAGEMENT HQ—MDA	25,259	25,259
195	0903235K	JOINT SERVICE PROVIDER (JSP).	3,141	3,141
9999	9999999999	CLASSIFIED PROGRAMS	37,841	37,841
		SUBTOTAL MANAGEMENT SUPPORT.	**1,830,097**	**1,830,097**
		OPERATIONAL SYSTEMS DEVELOPMENT		
200	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT.	588,094	588,094
201	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT.	15,427	15,427
202	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	8,317	8,317
203	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT).	68,030	68,030
209	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION.	19,145	19,145
210	0303126K	LONG-HAUL COMMUNICATIONS—DCS.	13,195	13,195
211	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	5,746	5,746
212	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI).	92,018	92,018
213	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM.	43,135	63,135
		NSA CAE Cybersecurity Workforce pilot program.		[20,000]
214	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM.	593,831	593,831
215	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM.	7,005	7,005
216	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM.	10,020	10,020
217	0303153K	DEFENSE SPECTRUM ORGANIZATION.	19,708	19,708
221	0303430V	FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY.	5,197	5,197
226	0305104D8Z	DEFENSE INDUSTRIAL BASE (DIB) CYBER SECURITY INITIATIVE.	10,000	10,000
229	0305128V	SECURITY AND INVESTIGATIVE ACTIVITIES.	450	450
230	0305133V	INDUSTRIAL SECURITY ACTIVITIES.	1,800	1,800
233	0305146V	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES.	4,622	4,622
234	0305172D8Z	COMBINED ADVANCED APPLICATIONS.	49,380	49,380
237	0305186D8Z	POLICY R&D PROGRAMS	6,214	6,214
238	0305199D8Z	NET CENTRICITY	17,917	17,917
240	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	6,095	6,095

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246	0305245D8Z	INTELLIGENCE CAPABILITIES AND INNOVATION INVESTMENTS.	4,575	4,575
247	0305251K	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT.	2,497	2,497
248	0305327V	INSIDER THREAT	9,403	9,403
249	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM.	1,864	1,864
257	0708012K	LOGISTICS SUPPORT ACTIVITIES.	1,620	1,620
258	0708012S	PACIFIC DISASTER CENTERS	1,875	1,875
259	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM.	3,264	3,264
261	1105219BB	MQ–9 UAV	14,000	19,900
		MQ–9 Unmanned Aerial Vehicle realignment of funds.		[5,900]
263	1160403BB	AVIATION SYSTEMS	179,499	179,499
264	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT.	75,136	75,136
265	1160408BB	OPERATIONAL ENHANCEMENTS.	142,900	151,510
		SOCOM UFR—Switchblade shipboard safety cert.		[8,610]
266	1160431BB	WARRIOR SYSTEMS	129,133	141,463
		Maritime scalable effects		[2,400]
		SOCOM UFR—Ground organic precision strike systems.		[9,930]
267	1160432BB	SPECIAL PROGRAMS	518	518
268	1160434BB	UNMANNED ISR	3,354	3,354
269	1160480BB	SOF TACTICAL VEHICLES	13,594	13,594
270	1160483BB	MARITIME SYSTEMS	82,645	118,045
		Dry combat submersible next		[30,000]
		Maritime Precision Engagment realignment of funds.		[5,400]
272	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE.	7,583	7,583
273	1203610K	TELEPORT PROGRAM	1,270	1,270
9999	9999999999	CLASSIFIED PROGRAMS	7,854,604	7,866,104
		Indications and warning—DIA		[10,000]
		INDOPACOM UFR—JWICS modernization.		[1,500]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**10,114,680**	**10,208,420**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
274	0608197V	NATIONAL BACKGROUND INVESTIGATION SERVICES—SOFTWARE PILOT PROGRAM.	132,524	132,524
275	0608648D8Z	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM.	17,123	17,123
276	0608775D8Z	ACCELERATE THE PROCUREMENT AND FIELDING OF INNOVATIVE TECHNOLOGIES (APFIT).	100,000	0
		Realignment of funds		[–100,000]
277	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM.	34,987	34,987
282	0308609V	NATIONAL INDUSTRIAL SECURITY SYSTEMS (NISS)—SOFTWARE PILOT PROGRAM.	14,749	14,749
9999	9999999999	CLASSIFIED PROGRAMS	265,028	265,028
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	**564,411**	**464,411**
		UNDISTRIBUTED		
999	99999999	UNDISTRIBUTED	0	849,931
		Inflation effects		[849,931]
		SUBTOTAL UNDISTRIBUTED	**0**	**849,931**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Senate Authorized
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.	**32,077,552**	**34,351,393**
		OPERATIONAL TEST & EVAL, DEFENSE		
		MANAGEMENT SUPPORT		
1	0605118OTE	OPERATIONAL TEST AND EVALUATION.	119,529	129,529
		DOT&E acquisition and employment of AI/autonomy technologies for red teaming.		[10,000]
2	0605131OTE	LIVE FIRE TEST AND EVALUATION.	99,947	99,947
3	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES.	57,718	57,718
		SUBTOTAL MANAGEMENT SUPPORT.	**277,194**	**287,194**
		UNDISTRIBUTED		
999	99999999	UNDISTRIBUTED	0	9,485
		Inflation effects		[9,485]
		SUBTOTAL UNDISTRIBUTED	**0**	**9,485**
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE.	**277,194**	**296,679**
		TOTAL RDT&E	**130,097,410**	**137,749,422**

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	4,506,811	4,506,811
020	MODULAR SUPPORT BRIGADES	177,136	177,136
030	ECHELONS ABOVE BRIGADE	894,629	894,629
040	THEATER LEVEL ASSETS	2,570,949	2,575,949
	Increase for Army Caisson platoon facility improvements		[5,000]
050	LAND FORCES OPERATIONS SUPPORT	1,184,230	1,184,230
060	AVIATION ASSETS	2,220,817	2,220,817
070	FORCE READINESS OPERATIONS SUPPORT	7,366,299	7,510,498
	Army UFR—Arctic OCIE for Alaska bases, Fort Drum, Fort Carson		[65,050]
	Army UFR—female/small stature body armor		[66,750]
	Army UFR—initial issue of Extended Cold Weather Clothing System Layer 1 and 2		[8,999]
	INDOPACOM UFR—SIGINT upgrades		[3,400]
080	LAND FORCES SYSTEMS READINESS	483,683	483,683
090	LAND FORCES DEPOT MAINTENANCE	1,399,173	1,399,173
100	MEDICAL READINESS	897,522	897,522
110	BASE OPERATIONS SUPPORT	9,330,325	9,330,325
120	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	4,666,658	5,223,498
	Increase for Army Caisson platoon facility improvements		[17,900]
	Increase for FSRM to 100%		[538,940]
130	MANAGEMENT AND OPERATIONAL HEADQUARTERS	284,483	284,483
140	ADDITIONAL ACTIVITIES	450,348	450,348
160	RESET	383,360	383,360
170	US AFRICA COMMAND	385,685	433,635
	AFRICOM combatant command support		[10,000]
	AFRICOM UFR—COMSATCOM		[16,750]
	AFRICOM UFR—counter-UAS		[8,500]
	AFRICOM UFR—force protection		[8,100]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	AFRICOM UFR—intelligence, surveillance, and reconnaissance		[4,600]
180	US EUROPEAN COMMAND	359,602	359,602
190	US SOUTHERN COMMAND	204,336	208,436
	SOUTHCOM enhanced domain awareness		[4,100]
200	US FORCES KOREA	67,756	67,756
210	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	495,066	495,066
220	CYBERSPACE ACTIVITIES—CYBERSECURITY	673,701	673,701
230	JOINT CYBER MISSION FORCES	178,033	178,033
	SUBTOTAL OPERATING FORCES	**39,180,602**	**39,938,691**
	MOBILIZATION		
240	STRATEGIC MOBILITY	434,423	538,423
	INDOPACOM UFR—Theater campaigning		[104,000]
250	ARMY PREPOSITIONED STOCKS	378,494	378,494
260	INDUSTRIAL PREPAREDNESS	4,001	4,001
	SUBTOTAL MOBILIZATION	**816,918**	**920,918**
	TRAINING AND RECRUITING		
270	OFFICER ACQUISITION	173,439	173,439
280	RECRUIT TRAINING	78,826	78,826
290	ONE STATION UNIT TRAINING	128,117	128,117
300	SENIOR RESERVE OFFICERS TRAINING CORPS	554,992	554,992
310	SPECIALIZED SKILL TRAINING	1,115,045	1,115,045
320	FLIGHT TRAINING	1,396,392	1,396,392
330	PROFESSIONAL DEVELOPMENT EDUCATION	221,960	221,960
340	TRAINING SUPPORT	717,318	717,318
350	RECRUITING AND ADVERTISING	691,053	691,053
360	EXAMINING	192,832	192,832
370	OFF-DUTY AND VOLUNTARY EDUCATION	235,340	235,340
380	CIVILIAN EDUCATION AND TRAINING	251,378	251,378
390	JUNIOR RESERVE OFFICER TRAINING CORPS	196,088	196,088
	SUBTOTAL TRAINING AND RECRUITING	**5,952,780**	**5,952,780**
	ADMIN & SRVWIDE ACTIVITIES		
410	SERVICEWIDE TRANSPORTATION	662,083	662,083
420	CENTRAL SUPPLY ACTIVITIES	822,018	822,018
430	LOGISTIC SUPPORT ACTIVITIES	806,861	806,861
440	AMMUNITION MANAGEMENT	483,187	483,187
450	ADMINISTRATION	486,154	486,154
460	SERVICEWIDE COMMUNICATIONS	1,871,173	1,871,173
470	MANPOWER MANAGEMENT	344,668	344,668
480	OTHER PERSONNEL SUPPORT	811,999	811,999
490	OTHER SERVICE SUPPORT	2,267,280	2,267,280
500	ARMY CLAIMS ACTIVITIES	191,912	191,912
510	REAL ESTATE MANAGEMENT	288,942	288,942
520	FINANCIAL MANAGEMENT AND AUDIT READINESS	410,983	410,983
530	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT	38,714	38,714
540	INTERNATIONAL MILITARY HEADQUARTERS	532,377	532,377
550	MISC. SUPPORT OF OTHER NATIONS	35,709	35,709
9999	CLASSIFIED PROGRAMS	2,113,196	2,358,096
	AFRICOM UFR—intelligence, surveillance, and reconnaissance		[214,800]
	SOUTHCOM UFR—high altitude balloon		[10,200]
	SOUTHCOM UFR—intelligence, surveillance, and reconnaissance		[19,900]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**12,167,256**	**12,412,156**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	966,592
	Foreign currency fluctuations		[–208,000]
	Inflation effects		[1,198,692]
	Unobligated balances		[–24,100]
	SUBTOTAL UNDISTRIBUTED	**0**	**966,592**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	TOTAL OPERATION & MAINTENANCE, ARMY	**58,117,556**	**60,191,137**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	14,404	14,404
020	ECHELONS ABOVE BRIGADE	662,104	662,104
030	THEATER LEVEL ASSETS	133,599	133,599
040	LAND FORCES OPERATIONS SUPPORT	646,693	646,693
050	AVIATION ASSETS	128,883	128,883
060	FORCE READINESS OPERATIONS SUPPORT	409,994	409,994
070	LAND FORCES SYSTEMS READINESS	90,595	90,595
080	LAND FORCES DEPOT MAINTENANCE	44,453	44,453
090	BASE OPERATIONS SUPPORT	567,170	567,170
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	358,772	405,192
	Increase for FSRM to 100%		[46,420]
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	22,112	22,112
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	2,929	2,929
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,382	7,382
	SUBTOTAL OPERATING FORCES	**3,089,090**	**3,135,510**
	ADMIN & SRVWD ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	18,994	18,994
150	ADMINISTRATION	20,670	20,670
160	SERVICEWIDE COMMUNICATIONS	31,652	31,652
170	MANPOWER MANAGEMENT	6,852	6,852
180	RECRUITING AND ADVERTISING	61,246	61,246
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**139,414**	**139,414**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	51,338
	Foreign currency fluctuations		[–10,900]
	Inflation effects		[62,738]
	Unobligated balances		[–500]
	SUBTOTAL UNDISTRIBUTED	**0**	**51,338**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**3,228,504**	**3,326,262**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	964,237	964,237
020	MODULAR SUPPORT BRIGADES	214,191	214,191
030	ECHELONS ABOVE BRIGADE	820,752	820,752
040	THEATER LEVEL ASSETS	97,184	97,184
050	LAND FORCES OPERATIONS SUPPORT	54,595	54,595
060	AVIATION ASSETS	1,169,826	1,169,826
070	FORCE READINESS OPERATIONS SUPPORT	722,788	722,788
080	LAND FORCES SYSTEMS READINESS	46,580	46,580
090	LAND FORCES DEPOT MAINTENANCE	259,765	259,765
100	BASE OPERATIONS SUPPORT	1,151,215	1,151,215
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,053,996	1,184,385
	Increase for FSRM to 100%		[130,389]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,148,286	1,148,286
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	8,715	8,715
140	CYBERSPACE ACTIVITIES—CYBERSECURITY	8,307	8,307
	SUBTOTAL OPERATING FORCES	**7,720,437**	**7,850,826**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	6,961	6,961
160	ADMINISTRATION	73,641	73,641
170	SERVICEWIDE COMMUNICATIONS	100,389	100,389
180	MANPOWER MANAGEMENT	9,231	9,231
190	OTHER PERSONNEL SUPPORT	243,491	243,491
200	REAL ESTATE MANAGEMENT	3,087	3,087
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**436,800**	**436,800**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	108,898
	Foreign currency fluctuations		[–29,000]
	Inflation effects		[157,698]
	Unobligated balances		[–19,800]
	SUBTOTAL UNDISTRIBUTED	**0**	**108,898**
	TOTAL OPERATION & MAINTENANCE, ARNG	**8,157,237**	**8,396,524**
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
010	IRAQ	358,015	358,015
020	SYRIA	183,677	183,677
030	UNDISTRIBUTED	0	15,413
	Inflation effects		[15,413]
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	**541,692**	**557,105**
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	**541,692**	**557,105**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	7,334,452	7,334,452
020	FLEET AIR TRAINING	2,793,739	2,793,739
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	65,248	65,248
040	AIR OPERATIONS AND SAFETY SUPPORT	214,767	214,767
050	AIR SYSTEMS SUPPORT	1,075,365	1,075,365
060	AIRCRAFT DEPOT MAINTENANCE	1,751,737	1,751,737
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	70,319	70,319
080	AVIATION LOGISTICS	1,679,193	1,679,193
090	MISSION AND OTHER SHIP OPERATIONS	6,454,952	6,822,752
	LSD–42, LSD–44, LSD–46, LSD–48, CG–69, T-ESD–1, T-ESD–2, LCS–11, –13, –15, –17, –19 restoral		[153,000]
	Navy UFR—ship maintenance in support of INDOPACOM training and exercises		[175,000]
	Navy UFR—USNS Arctic (T-AOE–8) Gas Turbine Main Engines Replacement		[39,800]
100	SHIP OPERATIONS SUPPORT & TRAINING	1,183,237	1,183,237
110	SHIP DEPOT MAINTENANCE	10,038,261	10,343,061
	LSD–42, LSD–44, LSD–46, LSD–48, CG–69, T-ESD–1, T-ESD–2, LCS–11, –13, –15, –17, –19 restoral		[115,800]
	Navy UFR—ship depot maintenance		[189,000]
120	SHIP DEPOT OPERATIONS SUPPORT	2,422,095	2,868,495
	LSD–42, LSD–44, LSD–46, LSD–48, CG–69, T-ESD–1, T-ESD–2, LCS–11, –13, –15, –17, –19 restoral		[446,400]
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	1,632,824	1,633,324
	INDOPACOM UFR—SIGINT upgrades		[500]
140	SPACE SYSTEMS AND SURVEILLANCE	339,103	339,103
150	WARFARE TACTICS	881,999	881,999
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	444,150	444,150
170	COMBAT SUPPORT FORCES	2,274,710	2,381,310
	INDOPACOM UFR—Theater campaigning		[100,000]
	Marine mammal system continuation		[6,600]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	194,346	194,346
190	CYBER MISSION FORCES	101,049	101,049
200	COMBATANT COMMANDERS CORE OPERATIONS	65,893	76,193
	INDOPACOM UFR—Asia Pacific Regional Initiative		[10,300]
210	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	282,742	400,554

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	INDOPACOM UFR—Critical manpower positions		[412]
	INDOPACOM UFR—Fusion centers		[3,300]
	INDOPACOM UFR—JEMSO		[5,400]
	INDOPACOM UFR—Mission partner environment		[5,300]
	INDOPACOM UFR—Pacific Movement Coordination Center		[2,400]
	INDOPACOM UFR—PMTEC		[19,000]
	INDOPACOM UFR—Stormbreaker		[22,000]
	INDOPACOM UFR—Theater campaigning		[50,000]
	JADC2 JFHQ		[10,000]
230	CYBERSPACE ACTIVITIES	477,540	505,540
	Energy Resilience Readiness Exercises		[2,000]
	MOSAICS		[26,000]
240	FLEET BALLISTIC MISSILE	1,664,076	1,664,076
250	WEAPONS MAINTENANCE	1,495,783	1,518,983
	Mk68		[200]
	Navy UFR—SM–6 expansion of combat usable asset inventory		[23,000]
260	OTHER WEAPON SYSTEMS SUPPORT	649,371	649,371
270	ENTERPRISE INFORMATION	1,647,834	1,647,834
280	SUSTAINMENT, RESTORATION AND MODERNIZATION	3,549,311	3,984,311
	Increase for FSRM to 100%		[435,000]
290	BASE OPERATING SUPPORT	5,503,088	5,503,088
	SUBTOTAL OPERATING FORCES	**56,287,184**	**58,127,596**
	MOBILIZATION		
300	SHIP PREPOSITIONING AND SURGE	467,648	563,348
	Navy UFR—Maritime Prepositioning Force (MPF) Maintenance Requirements		[95,700]
310	READY RESERVE FORCE	683,932	683,932
320	SHIP ACTIVATIONS/INACTIVATIONS	364,096	364,096
330	EXPEDITIONARY HEALTH SERVICES SYSTEMS	133,780	133,780
340	COAST GUARD SUPPORT	21,196	21,196
	SUBTOTAL MOBILIZATION	**1,670,652**	**1,766,352**
	TRAINING AND RECRUITING		
350	OFFICER ACQUISITION	190,578	190,578
360	RECRUIT TRAINING	14,679	14,679
370	RESERVE OFFICERS TRAINING CORPS	170,845	170,845
380	SPECIALIZED SKILL TRAINING	1,133,889	1,133,889
390	PROFESSIONAL DEVELOPMENT EDUCATION	334,844	334,844
400	TRAINING SUPPORT	356,670	356,670
410	RECRUITING AND ADVERTISING	204,498	229,798
	Navy UFR—Recruiting Command marketing and advertising		[25,300]
420	OFF-DUTY AND VOLUNTARY EDUCATION	89,971	89,971
430	CIVILIAN EDUCATION AND TRAINING	69,798	69,798
440	JUNIOR ROTC	55,194	55,194
	SUBTOTAL TRAINING AND RECRUITING	**2,620,966**	**2,646,266**
	ADMIN & SRVWD ACTIVITIES		
450	ADMINISTRATION	1,349,966	1,349,966
460	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	227,772	227,772
470	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	667,627	667,627
480	MEDICAL ACTIVITIES	284,962	284,962
490	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT	62,824	62,824
500	SERVICEWIDE TRANSPORTATION	207,501	207,501
520	PLANNING, ENGINEERING, AND PROGRAM SUPPORT	554,265	554,565
	INDOPACOM UFR—planning and design		[300]
530	ACQUISITION, LOGISTICS, AND OVERSIGHT	798,473	798,473
540	INVESTIGATIVE AND SECURITY SERVICES	791,059	791,059
9999	CLASSIFIED PROGRAMS	628,700	628,700
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**5,573,149**	**5,573,449**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	1,096,824
	Foreign currency fluctuations		[–263,300]
	Inflation effects		[1,431,524]
	Unobligated balances		[–71,400]
	SUBTOTAL UNDISTRIBUTED	**0**	**1,096,824**
	TOTAL OPERATION & MAINTENANCE, NAVY	**66,151,951**	**69,210,487**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	1,740,491	1,818,491
	INDOPACOM UFR—Theater campaigning		[78,000]
020	FIELD LOGISTICS	1,699,425	1,699,425
030	DEPOT MAINTENANCE	221,886	221,886
040	MARITIME PREPOSITIONING	139,518	139,518
050	CYBER MISSION FORCES	94,199	94,199
060	CYBERSPACE ACTIVITIES	194,904	194,904
070	SUSTAINMENT, RESTORATION & MODERNIZATION	1,292,219	1,851,265
	Increase for FSRM to 100%		[559,046]
080	BASE OPERATING SUPPORT	2,699,487	2,700,487
	Energy Resilience Readiness Exercises		[1,000]
	SUBTOTAL OPERATING FORCES	**8,082,129**	**8,720,175**
	TRAINING AND RECRUITING		
090	RECRUIT TRAINING	23,217	23,217
100	OFFICER ACQUISITION	1,268	1,268
110	SPECIALIZED SKILL TRAINING	118,638	118,638
120	PROFESSIONAL DEVELOPMENT EDUCATION	64,626	64,626
130	TRAINING SUPPORT	523,603	523,603
140	RECRUITING AND ADVERTISING	225,759	225,759
150	OFF-DUTY AND VOLUNTARY EDUCATION	51,882	51,882
160	JUNIOR ROTC	27,660	27,660
	SUBTOTAL TRAINING AND RECRUITING	**1,036,653**	**1,036,653**
	ADMIN & SRVWD ACTIVITIES		
170	SERVICEWIDE TRANSPORTATION	78,542	78,542
180	ADMINISTRATION	401,030	401,030
9999	CLASSIFIED PROGRAMS	62,590	62,590
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**542,162**	**542,162**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	168,819
	Foreign currency fluctuations		[–33,800]
	Inflation effects		[222,019]
	Unobligated balances		[–19,400]
	SUBTOTAL UNDISTRIBUTED	**0**	**168,819**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**9,660,944**	**10,467,809**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	669,533	669,533
020	INTERMEDIATE MAINTENANCE	11,134	11,134
030	AIRCRAFT DEPOT MAINTENANCE	164,892	164,892
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	494	494
050	AVIATION LOGISTICS	25,843	25,843
060	COMBAT COMMUNICATIONS	20,135	20,135
070	COMBAT SUPPORT FORCES	131,104	131,104
080	CYBERSPACE ACTIVITIES	289	289
090	ENTERPRISE INFORMATION	27,189	27,189
100	SUSTAINMENT, RESTORATION AND MODERNIZATION	44,784	69,784
	Increase for FSRM to 100%		[25,000]
110	BASE OPERATING SUPPORT	116,374	116,374
	SUBTOTAL OPERATING FORCES	**1,211,771**	**1,236,771**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	ADMIN & SRVWD ACTIVITIES		
120	ADMINISTRATION	1,986	1,986
130	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	12,550	12,550
140	ACQUISITION AND PROGRAM MANAGEMENT	1,993	1,993
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**16,529**	**16,529**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	22,392
	Foreign currency fluctuations		[–3,900]
	Inflation effects		[29,192]
	Unobligated balances		[–2,900]
	SUBTOTAL UNDISTRIBUTED	**0**	**22,392**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**1,228,300**	**1,275,692**
	OPERATION & MAINTENANCE, MC RESERVE OPERATING FORCES		
010	OPERATING FORCES	109,045	109,045
020	DEPOT MAINTENANCE	19,361	19,361
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	45,430	49,811
	Increase for FSRM to 100%		[4,381]
040	BASE OPERATING SUPPORT	118,364	118,364
	SUBTOTAL OPERATING FORCES	**292,200**	**296,581**
	ADMIN & SRVWD ACTIVITIES		
050	ADMINISTRATION	12,033	12,033
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**12,033**	**12,033**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	1,595
	Foreign currency fluctuations		[–3,900]
	Inflation effects		[7,995]
	Unobligated balances		[–2,500]
	SUBTOTAL UNDISTRIBUTED	**0**	**1,595**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**304,233**	**310,209**
	OPERATION & MAINTENANCE, AIR FORCE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	936,731	996,731
	Realignment of funds		[60,000]
020	COMBAT ENHANCEMENT FORCES	2,657,865	2,597,865
	Realignment of funds		[–60,000]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,467,518	1,467,518
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	4,341,794	4,612,994
	Air Force UFR—Weapon system sustainment		[271,200]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	4,091,088	4,641,488
	Increase for FSRM to 100%		[550,400]
060	CYBERSPACE SUSTAINMENT	130,754	213,054
	Air Force UFR—Weapon system sustainment		[82,300]
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	8,782,940	8,931,340
	Air Force UFR—Weapon system sustainment		[148,400]
080	FLYING HOUR PROGRAM	5,871,718	6,260,718
	Air Force UFR—readiness spare packages		[389,000]
090	BASE SUPPORT	10,638,741	10,638,741
100	GLOBAL C3I AND EARLY WARNING	1,035,043	1,042,174
	Worldwide Joint Strategic Communications realignment of funds		[7,131]
110	OTHER COMBAT OPS SPT PROGRAMS	1,436,329	1,436,329
120	CYBERSPACE ACTIVITIES	716,931	716,931
140	LAUNCH FACILITIES	690	690
160	US NORTHCOM/NORAD	197,210	227,010
	U.S. Northern Command Information Dominance Enabling Capability		[29,800]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
170	US STRATCOM	503,419	503,419
180	US CYBERCOM	436,807	595,407
	CYBERCOM UFR—Cyber mission force operational support		[136,900]
	CYBERCOM UFR—Joint cyberspace warfighting architecture		[11,400]
	Hunt Forward operations		[15,300]
	Realignment of funds		[–5,000]
190	US CENTCOM	331,162	321,162
	Office of Security Cooperation—Iraq reduction		[–10,000]
200	US SOCOM	27,318	27,318
220	CENTCOM CYBERSPACE SUSTAINMENT	1,367	1,367
230	USSPACECOM	329,543	403,543
	SPACECOM UFR—CSOF fit-out		[28,600]
	SPACECOM UFR—National Space Defense Center interim facility		[8,500]
	SPACECOM UFR—Service shortfalls in support of JTF-SD		[36,900]
240	JOINT CYBER MISSION FORCE PROGRAMS	186,759	191,759
	Realignment of funds		[5,000]
9999	CLASSIFIED PROGRAMS	1,705,801	1,705,801
	SUBTOTAL OPERATING FORCES	**45,827,528**	**47,533,359**
	MOBILIZATION		
250	AIRLIFT OPERATIONS	2,780,616	2,780,616
260	MOBILIZATION PREPAREDNESS	721,172	721,172
	SUBTOTAL MOBILIZATION	**3,501,788**	**3,501,788**
	TRAINING AND RECRUITING		
270	OFFICER ACQUISITION	189,721	189,721
280	RECRUIT TRAINING	26,684	26,684
290	RESERVE OFFICERS TRAINING CORPS (ROTC)	135,515	135,515
300	SPECIALIZED SKILL TRAINING	541,511	541,511
310	FLIGHT TRAINING	779,625	779,625
320	PROFESSIONAL DEVELOPMENT EDUCATION	313,556	313,556
330	TRAINING SUPPORT	171,087	171,087
340	RECRUITING AND ADVERTISING	197,956	197,956
350	EXAMINING	8,282	8,282
360	OFF-DUTY AND VOLUNTARY EDUCATION	254,907	254,907
370	CIVILIAN EDUCATION AND TRAINING	355,375	355,375
380	JUNIOR ROTC	69,964	69,964
	SUBTOTAL TRAINING AND RECRUITING	**3,044,183**	**3,044,183**
	ADMIN & SRVWD ACTIVITIES		
390	LOGISTICS OPERATIONS	1,058,129	1,091,862
	Realignment of funds		[33,733]
400	TECHNICAL SUPPORT ACTIVITIES	139,428	139,428
410	ADMINISTRATION	1,283,066	1,249,333
	Realignment of funds		[–33,733]
420	SERVICEWIDE COMMUNICATIONS	33,222	33,222
430	OTHER SERVICEWIDE ACTIVITIES	1,790,985	1,790,985
440	CIVIL AIR PATROL	30,526	30,526
460	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT	42,558	42,558
480	INTERNATIONAL SUPPORT	102,065	102,065
9999	CLASSIFIED PROGRAMS	1,427,764	1,427,764
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**5,907,743**	**5,907,743**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	843,829
	Foreign currency fluctuations		[–208,500]
	Inflation effects		[1,254,129]
	Unobligated balances		[–201,800]
	SUBTOTAL UNDISTRIBUTED	**0**	**843,829**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**58,281,242**	**60,830,902**
	OPERATION & MAINTENANCE, SPACE FORCE		
	OPERATING FORCES		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
010	GLOBAL C3I & EARLY WARNING	472,484	472,484
020	SPACE LAUNCH OPERATIONS	187,832	187,832
030	SPACE OPERATIONS	695,228	695,228
040	EDUCATION & TRAINING	153,135	153,135
060	DEPOT MAINTENANCE	285,863	306,263
	Space Force UFR—Weapons systems sustainment		[20,400]
070	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	235,253	317,453
	Increase for FSRM to 100%		[38,400]
	NORTHCOM UFR—Cheyenne Mountain Complex		[43,800]
080	CONTRACTOR LOGISTICS AND SYSTEM SUPPORT	1,358,565	1,450,365
	Space Force UFR—Weapons systems sustainment		[91,800]
090	SPACE OPERATIONS -BOS	144,937	150,437
	NORTHCOM UFR—Cheyenne Mountain Complex		[5,500]
9999	CLASSIFIED PROGRAMS	272,941	272,941
	SUBTOTAL OPERATING FORCES	**3,806,238**	**4,006,138**
	ADMINISTRATION AND SERVICE WIDE ACTIVITIES		
100	ADMINISTRATION	228,420	228,420
	SUBTOTAL ADMINISTRATION AND SERVICE WIDE ACTIVITIES	**228,420**	**228,420**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	66,020
	Foreign currency fluctuations		[–14,100]
	Inflation effects		[112,020]
	Unobligated balances		[–31,900]
	SUBTOTAL UNDISTRIBUTED	**0**	**66,020**
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	**4,034,658**	**4,300,578**
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,743,908	1,759,608
	Air Force UFR—readiness spare packages		[15,700]
020	MISSION SUPPORT OPERATIONS	193,568	193,568
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	493,664	507,764
	Air Force UFR—Weapon system sustainment		[14,100]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	133,782	151,282
	Increase for FSRM to 100%		[17,500]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	341,724	341,724
060	BASE SUPPORT	522,195	522,195
070	CYBERSPACE ACTIVITIES	1,706	1,706
	SUBTOTAL OPERATING FORCES	**3,430,547**	**3,477,847**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
080	ADMINISTRATION	102,038	102,038
090	RECRUITING AND ADVERTISING	9,057	9,057
100	MILITARY MANPOWER AND PERS MGMT (ARPC)	14,896	14,896
110	OTHER PERS SUPPORT (DISABILITY COMP)	7,544	7,544
120	AUDIOVISUAL	462	462
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**133,997**	**133,997**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	25,565
	Foreign currency fluctuations		[–12,500]
	Inflation effects		[65,065]
	Unobligated balances		[–27,000]
	SUBTOTAL UNDISTRIBUTED	**0**	**25,565**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**3,564,544**	**3,637,409**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	2,301,784	2,412,584
	Air Force UFR—readiness spare packages		[110,800]
020	MISSION SUPPORT OPERATIONS	587,793	587,793
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	1,193,699	1,256,499
	Air Force UFR—Weapon system sustainment		[62,800]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	437,042	493,142
	Increase for FSRM to 100%		[56,100]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	1,284,264	1,284,264
060	BASE SUPPORT	967,169	967,169
070	CYBERSPACE SUSTAINMENT	12,661	12,661
080	CYBERSPACE ACTIVITIES	15,886	15,886
	SUBTOTAL OPERATING FORCES	**6,800,298**	**7,029,998**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
090	ADMINISTRATION	52,075	52,075
100	RECRUITING AND ADVERTISING	48,306	48,306
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**100,381**	**100,381**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	107,863
	Foreign currency fluctuations		[–24,300]
	Inflation effects		[149,563]
	Unobligated balances		[–17,400]
	SUBTOTAL UNDISTRIBUTED	**0**	**107,863**
	TOTAL OPERATION & MAINTENANCE, ANG	**6,900,679**	**7,238,242**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	445,366	445,566
	Civilian Harm Mitigation and Response Action Plan Implementation		[10,000]
	Unobligated balances		[–9,800]
020	JOINT CHIEFS OF STAFF—CYBER	9,887	9,887
030	JOINT CHIEFS OF STAFF—JTEEP	679,336	679,336
040	OFFICE OF THE SECRETARY OF DEFENSE—MISO	246,259	273,759
	INDOPACOM UFR—Information operations		[27,500]
050	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	2,056,291	2,056,291
060	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVITIES	39,178	39,178
070	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,513,025	1,513,025
080	SPECIAL OPERATIONS COMMAND MAINTENANCE	1,207,842	1,232,242
	Combatant Craft Medium refurbishment		[4,300]
	MQ–9 Unmanned Aerial Vehicle realignment of funds		[–5,900]
	SOCOM UFR—ADVANA expansion		[8,000]
	SOCOM UFR—Data stewardship program		[18,000]
090	SPECIAL OPERATIONS COMMAND MANAGEMENT/OPERATIONAL HEADQUARTERS	196,271	196,271
100	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT	1,299,309	1,299,309
110	SPECIAL OPERATIONS COMMAND THEATER FORCES	3,314,770	3,319,770
	Special Operations support to irregular warfare		[5,000]
	SUBTOTAL OPERATING FORCES	**11,007,534**	**11,064,634**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	TRAINING AND RECRUITING		
120	DEFENSE ACQUISITION UNIVERSITY	176,454	176,454
130	JOINT CHIEFS OF STAFF	101,492	101,492
140	SPECIAL OPERATIONS COMMAND/PROFESSIONAL DEVELOPMENT EDUCATION	35,279	35,279
	SUBTOTAL TRAINING AND RECRUITING	**313,225**	**313,225**
	ADMIN & SRVWIDE ACTIVITIES		
150	CIVIL MILITARY PROGRAMS	139,656	154,656
	STARBASE		[15,000]
170	DEFENSE CONTRACT AUDIT AGENCY	646,072	643,472
	Unobligated balances		[–2,600]
180	DEFENSE CONTRACT AUDIT AGENCY—CYBER	4,107	4,107
190	DEFENSE CONTRACT MANAGEMENT AGENCY	1,506,300	1,490,800
	Unobligated balances		[–15,500]
200	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER	29,127	29,127
210	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	983,133	1,001,533
	Increase for beneficial ownership assessment program		[18,400]
230	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—CYBER	10,245	10,245
240	DEFENSE HUMAN RESOURCES ACTIVITY	935,241	935,241
250	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER	26,113	26,113
260	DEFENSE INFORMATION SYSTEMS AGENCY	2,266,729	2,233,529
	Unobligated balances		[–33,200]
270	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	643,643	643,643
300	DEFENSE LEGAL SERVICES AGENCY	233,687	233,687
310	DEFENSE LOGISTICS AGENCY	429,060	422,560
	Unobligated balances		[–6,500]
320	DEFENSE MEDIA ACTIVITY	243,631	243,631
330	DEFENSE PERSONNEL ACCOUNTING AGENCY	150,021	150,021
340	DEFENSE SECURITY COOPERATION AGENCY	2,445,669	2,357,959
	Civilian harm mitigation institutional capacity building		[1,000]
	INDOPACOM UFR—security cooperation		[35,790]
	International Security Cooperation—AFRICOM		[20,000]
	International Security Cooperation—NORTHCOM		[6,000]
	International Security Cooperation—SOUTHCOM		[20,000]
	Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program		[5,000]
	SOUTHCOM UFR—Regional Andean Ridge capability for Maritime Domain Awareness		[33,000]
	SOUTHCOM UFR—Regional CENTAM capability to counter transboundary threats		[91,500]
	Transfer to Ukraine Security Assistance Initiative		[–300,000]
350	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	40,063	40,063
360	DEFENSE THREAT REDUCTION AGENCY	941,763	941,763
380	DEFENSE THREAT REDUCTION AGENCY—CYBER	56,052	56,052
390	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	3,276,276	3,361,276
	Impact Aid		[50,000]
	Impact Aid—base closures, force structure changes, force relocations		[15,000]
	Impact Aid—severe disabilities		[20,000]
400	MISSILE DEFENSE AGENCY	541,787	541,787
430	OFFICE OF THE LOCAL DEFENSE COMMUNITY COOPERATION	108,697	108,697

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
440	OFFICE OF THE SECRETARY OF DEFENSE	2,239,072	2,349,372
	Anomalous Health Incidents		[10,000]
	Bien Hoa dioxin cleanup		[15,000]
	CDC nationwide human health assessment		[20,000]
	Civilian Harm Mitigation and Response Action Plan Implementation		[10,000]
	Defense Environmental International Cooperation Program		[7,000]
	Demonstration of component content management systems		[2,000]
	Readiness and Environmental Protection Integration		[5,300]
	Secretary of Defense Strategic Competition Initiative		[20,000]
	Special Education Inclusion Coordinators pilot program		[20,000]
	U.S. Telcommunications Training Institute support		[1,000]
450	OFFICE OF THE SECRETARY OF DEFENSE—CYBER	55,255	55,255
470	WASHINGTON HEADQUARTERS SERVICES	369,943	369,943
9999	CLASSIFIED PROGRAMS	18,764,415	18,787,015
	CYBERCOM UFR—Intel support to cyberspace operations		[12,100]
	INDOPACOM UFR—JWICS modernization		[10,500]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**37,085,757**	**37,191,547**
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	**48,406,516**	**50,107,628**
	UNDISTRIBUTED		
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
998	UNDISTRIBUTED	0	738,222
	Increase for FY22 Legislative Commissions		[17,650]
	Inflation effects		[765,972]
	Program reduction—USSOCOM		[–45,400]
	SUBTOTAL UNDISTRIBUTED	**0**	**738,222**
	MISCELLANEOUS APPROPRIATIONS		
	US COURT OF APPEALS FOR THE ARMED FORCES, DEF		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	16,003	16,003
020	UNDISTRIBUTED	0	184
	Inflation effects		[184]
	SUBTOTAL US COURT OF APPEALS FOR THE ARMED FORCES, DEF	**16,003**	**16,187**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**16,003**	**16,187**
	MISCELLANEOUS APPROPRIATIONS		
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	112,800	137,800
	Program increase		[25,000]
	SUBTOTAL OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	**112,800**	**137,800**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**112,800**	**137,800**
	MISCELLANEOUS APPROPRIATIONS		
	COOPERATIVE THREAT REDUCTION ACCOUNT		
010	COOPERATIVE THREAT REDUCTION	341,598	341,598
010	UNDISTRIBUTED	0	12,796
	Inflation effects		[12,796]
	SUBTOTAL COOPERATIVE THREAT REDUCTION ACCOUNT	**341,598**	**354,394**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**341,598**	**354,394**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	MISCELLANEOUS APPROPRIATIONS		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	ACQ WORKFORCE DEV FD	53,791	53,791
	SUBTOTAL ACQUISITION WORKFORCE DEVELOPMENT	**53,791**	**53,791**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**53,791**	**53,791**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	196,244	196,244
050	UNDISTRIBUTED	0	5,584
	Inflation effects		[5,584]
	SUBTOTAL ENVIRONMENTAL RESTORATION, ARMY	**196,244**	**201,828**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**196,244**	**201,828**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	359,348	359,348
060	UNDISTRIBUTED	0	10,225
	Inflation effects		[10,225]
	SUBTOTAL ENVIRONMENTAL RESTORATION, NAVY	**359,348**	**369,573**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**359,348**	**369,573**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	314,474	314,474
070	UNDISTRIBUTED	0	8,949
	Inflation effects		[8,949]
	SUBTOTAL ENVIRONMENTAL RESTORATION, AIR FORCE	**314,474**	**323,423**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**314,474**	**323,423**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, DEFENSE		
080	ENVIRONMENTAL RESTORATION, DEFENSE	8,924	8,924
080	UNDISTRIBUTED	0	254
	Inflation effects		[254]
	SUBTOTAL ENVIRONMENTAL RESTORATION, DEFENSE	**8,924**	**9,178**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**8,924**	**9,178**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION FORMERLY USED SITES		
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	227,262	227,262
090	UNDISTRIBUTED	0	6,466
	Inflation effects		[6,466]
	SUBTOTAL ENVIRONMENTAL RESTORATION FORMERLY USED SITES	**227,262**	**233,728**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**227,262**	**233,728**
	UKRAINE SECURITY ASSISTANCE INITIATIVE		
010	UKRAINE SECURITY ASSISTANCE INITIATIVE	0	800,000
	Program increase		[500,000]
	Transfer from Defense Security Cooperation Agency		[300,000]
	SUBTOTAL UKRAINE SECURITY ASSISTANCE INITIATIVE	**0**	**800,000**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	**0**	**1,701,112**
	RED HILL RECOVERY FUND		
	RED HILL RECOVERY FUND		
010	RED HILL RECOVERY FUND	1,000,000	1,000,000
	SUBTOTAL RED HILL RECOVERY FUND	**1,000,000**	**1,000,000**
	TOTAL RED HILL RECOVERY FUND	**1,000,000**	**1,000,000**
	SUPPORT FOR INTERNATIONAL SPORTING COMPETITIONS, DEFENSE		
	OPERATIONS SUPPORT		
100	SUPPORT OF INTERNATIONAL SPORTING COMPETITIONS, DEFENSE	10,377	10,673
	Inflation effects		[296]
	SUBTOTAL OPERATIONS SUPPORT	**10,377**	**10,673**
	TOTAL SUPPORT FOR INTERNATIONAL SPORTING COMPETITIONS, DEFENSE	**10,377**	**10,673**
	TOTAL OPERATION & MAINTENANCE	**271,218,877**	**284,261,671**

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2023 Request	Senate Authorized
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		
MILITARY PERSONNEL APPROPRIATIONS	164,139,628	170,015,728
Additional special incentive pays		100,000
Air Force end strength—E–10 Sentry AWACS and medical billets		234,000
Home leave demonstration program		10,000
LSD–42, CG–69, T-ESD–1, T-ESD–2 and LCS–11, –13, –15, –17, –19 restoral		116,500
LSD–44, LSD–46, LSD–48 restoral		58,900
Navy end strength—improve fleet manning		924,000
Undistributed—compensation inflation effects		5,000,000
Unobligated balances		[–567,300]
SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS	**164,139,628**	**170,015,728**
MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS		
MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS	9,743,704	9,743,704
SUBTOTAL MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS	**9,743,704**	**9,743,704**
TOTAL MILITARY PERSONNEL	**173,883,332**	**179,759,432**

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	WORKING CAPITAL FUND		
	WORKING CAPITAL FUND, ARMY		
1	INDUSTRIAL OPERATIONS	28,448	28,448
2	SUPPLY MANAGEMENT—ARMY	1,489	1,489
	SUBTOTAL WORKING CAPITAL FUND, ARMY	**29,937**	**29,937**
	WORKING CAPITAL FUND, AIR FORCE		
2	SUPPLIES AND MATERIALS	80,448	80,448
	SUBTOTAL WORKING CAPITAL FUND, AIR FORCE	**80,448**	**80,448**
	NATIONAL DEFENSE STOCKPILE TRANSACTION FUND		
1	ACQUISITION, UPGRADE, AND RELOCATION	253,500	1,003,500
	Program increase		[750,000]

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	SUBTOTAL NATIONAL DEFENSE STOCKPILE TRANSACTION FUND	**253,500**	**1,003,500**
	WORKING CAPITAL FUND, DEFENSE-WIDE		
1	DEFENSE AUTOMATION & PRODUCTION SERVICES	2	2
3	ENERGY MANAGEMENT—DEF	8,300	8,300
	SUBTOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**8,302**	**8,302**
	WORKING CAPITAL FUND, DECA		
2	WORKING CAPITAL FUND, DECA	1,211,208	1,225,333
	Inflation effects		[14,125]
	SUBTOTAL WORKING CAPITAL FUND, DECA	**1,211,208**	**1,225,333**
	TOTAL WORKING CAPITAL FUND	**1,583,395**	**2,347,520**
	CHEM AGENTS & MUNITIONS DESTRUCTION		
	OPERATION & MAINTENANCE		
1	CHEM DEMILITARIZATION—O&M	84,612	84,612
	SUBTOTAL OPERATION & MAINTENANCE	**84,612**	**84,612**
	RESEARCH, DEVELOPMENT, TEST, AND EVALUATION		
2	CHEM DEMILITARIZATION—RDT&E	975,206	975,206
	SUBTOTAL RESEARCH, DEVELOPMENT, TEST, AND EVALUATION	**975,206**	**975,206**
	PROCUREMENT		
3	UNDISTRIBUTED	0	28,929
	Inflation effects		[28,929]
	SUBTOTAL PROCUREMENT	**0**	**28,929**
	TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	**1,059,818**	**1,088,747**
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
	DRUG INTRDCTN		
1	COUNTER-NARCOTICS SUPPORT	619,474	635,716
	Counter-narcotics support NORTHCOM		[8,000]
	INDOPACOM UFR—JIATF-W		[8,242]
	SUBTOTAL DRUG INTRDCTN	**619,474**	**635,716**
	DRUG DEMAND REDUCTION PROGRAM		
2	DRUG DEMAND REDUCTION PROGRAM	130,060	130,060
	SUBTOTAL DRUG DEMAND REDUCTION PROGRAM	**130,060**	**130,060**
	NATIONAL GUARD COUNTER-DRUG PROGRAM		
3	NATIONAL GUARD COUNTER-DRUG PROGRAM	100,316	100,316
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG PROGRAM	**100,316**	**100,316**
	NATIONAL GUARD COUNTER-DRUG SCHOOLS		
4	NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,878	5,878
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG SCHOOLS	**5,878**	**5,878**
5	UNDISTRIBUTED	0	18,898
	Inflation effects		[18,898]
	SUBTOTAL DRUG INTRDCTN	**0**	**18,898**
	TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**855,728**	**890,868**
	OFFICE OF THE INSPECTOR GENERAL		
	OFFICE OF THE INSPECTOR GENERAL		
1	OPERATION AND MAINTENANCE	474,650	474,650
2	OPERATION AND MAINTENANCE	1,321	1,321
3	RDT&E	1,864	1,864
4	PROCUREMENT	1,524	1,524
5	UNDISTRIBUTED	0	4,932
	Inflation effects		[4,932]
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	**475,971**	**475,971**
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	**1,864**	**1,864**
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	**1,524**	**1,524**
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	**0**	**4,932**
	TOTAL OFFICE OF THE INSPECTOR GENERAL	**479,359**	**484,291**
	DEFENSE HEALTH PROGRAM		
	OPERATION & MAINTENANCE		
1	IN-HOUSE CARE	9,906,943	9,926,943

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	Anomalous Health Incidents		[20,000]
2	PRIVATE SECTOR CARE	18,455,209	18,455,209
3	CONSOLIDATED HEALTH SUPPORT	1,916,366	1,916,366
4	INFORMATION MANAGEMENT	2,251,151	2,251,151
5	MANAGEMENT ACTIVITIES	338,678	338,678
6	EDUCATION AND TRAINING	334,845	334,845
7	BASE OPERATIONS/COMMUNICATIONS	2,111,558	2,126,558
	National Disaster Medical System pilot program		[15,000]
	SUBTOTAL OPERATION & MAINTENANCE	**35,314,750**	**35,349,750**
	RDT&E		
10	R&D ADVANCED DEVELOPMENT	320,862	320,862
11	R&D DEMONSTRATION/VALIDATION	166,960	166,960
12	R&D ENGINEERING DEVELOPMENT	103,970	103,970
12	R&D MANAGEMENT AND SUPPORT	85,186	85,186
14	R&D CAPABILITIES ENHANCEMENT	17,971	17,971
8	R&D RESEARCH	39,568	39,568
9	R&D EXPLORATRY DEVELOPMENT	175,477	175,477
	SUBTOTAL RDT&E	**909,994**	**909,994**
	PROCUREMENT		
15	PROC INITIAL OUTFITTING	21,625	21,625
16	PROC REPLACEMENT & MODERNIZATION	234,157	234,157
17	PROC JOINT OPERATIONAL MEDICINE INFORMATION SYSTEM	1,467	1,467
18	PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER	72,601	72,601
19	PROC DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION	240,224	240,224
	SUBTOTAL PROCUREMENT	**570,074**	**570,074**
	SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS		
20	SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	137,356	137,356
	SUBTOTAL SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	**137,356**	**137,356**
	TOTAL DEFENSE HEALTH PROGRAM	**36,932,174**	**36,967,174**
	TOTAL OTHER AUTHORIZATIONS	**40,910,474**	**41,778,600**

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
ARMY				
	Alabama			
Army	Redstone Arsenal	Physics Lab	0	44,000
Army	Redstone Arsenal	Storage Consolidation	0	52,000
	Alaska			
Army	Fort Wainwright	Physical Fitness Facility	0	50,000
	Arizona			
Army	Yuma Proving Ground	Cost to Complete: Ready Building	0	6,500
	Bulgaria			
Army	Novo Selo Training Area	Cost to Complete: EDI- Ammunition Holding Area	0	3,640
	Colorado			
Army	Fort Carson	Fire Station	14,200	14,200
	Florida			
Army	Camp Bull Simons	Child Development Center (P&D)	0	4,750
	Georgia			
Army	Fort Gillem	Cost to Complete: Forensic Laboratory	0	24,700
	Germany			
Army	East Camp Grafenwoehr	EDI: Battalion Trng Cplx1 (Brks/Veh Maint)	104,000	14,000
Army	East Camp Grafenwoehr	EDI: Battalion Trng Cplx2 (Ops/Veh Maint)	64,000	64,000
	Hawaii			
Army	Fort Shafter	Water System Upgrade	0	33,000
Army	Schofield Barracks	Company Operations Facilities	0	111,000
	Japan			
Army	Kadena Air Force Base	Vehicle Maintenance Shop	0	99,000
	Kentucky			
Army	Fort Campbell	Cost to Complete: Vehicle Maintenance Shop	0	13,650
	Kwajalein			
Army	Kwajalein Atoll	Medical Clinic	69,000	69,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
	Louisiana			
Army	Fort Polk	Child Development Center	32,000	32,000
Army	Fort Polk	Cost to Complete: Child Development Center	0	9,000
Army	Fort Polk	Cost to Complete: Information System Facility	0	35,360
Army	Fort Polk	Cost to Complete: Joint Operations Center	0	61,000
	Maryland			
Army	Fort Meade	Cost to Complete: Cantonment Area Roads	0	17,550
	Mississippi			
Army	Engineer Research and Development Center	Lab and Test Building	0	20,000
	New York			
Army	Fort Drum	Physical Fitness Testing Facility (P&D)	0	5,300
Army	United States Military Academy	Engineering Center	39,800	39,800
	North Carolina			
Army	Fort Bragg	Fort Bragg Schools Modernization (P&D)	0	7,500
Army	Fort Bragg	Multipurpose Training Range	34,000	34,000
	Oklahoma			
Army	Fort Sill	Cost to Complete: Advance Individual Training Complex, Phase 2.	0	85,800
Army	McAlester Army Ammunition Plant	Cost to Complete: Ammunition Demolition Shop	0	39,000
	Pennsylvania			
Army	Letterkenny Army Depot	Shipping and Receiving Building	38,000	38,000
	Texas			
Army	Corpus Christi Army Depot	Powertrain Facility (Engine Assembly)	103,000	55,000
Army	Fort Bliss	Fire Station	15,000	15,000
	Washington			
Army	Joint Base Lewis-McChord	Barracks	49,000	49,000
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	Unaccompanied Barracks Planning and Design	0	15,930
Army	Unspecified Worldwide Locations	Host Nation Support	26,000	26,000
Army	Unspecified Worldwide Locations	Planning & Design	167,151	167,151
Army	Unspecified Worldwide Locations	Unspecified Minor Military Construction	90,414	90,414
Army	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	227,570
Army	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	111,300
Army	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	142,116
Subtotal Military Construction, Army			**845,565**	**1,927,231**
NAVY				
	Australia			
Navy	Royal Australian Air Force Base Darwin	PDI: Aircraft Parking Apron (INC)	72,446	72,446
	California			
Navy	Marine Corps Air Ground Combat Center Twentynine Palms	Range Simulation Training & Operations Fac.	120,382	10,382
Navy	Marine Corps Base Camp Pendleton	Basilone Road Realignment	85,210	85,210
Navy	Marine Corps Base Camp Pendleton	Child Development Center	0	32,100
Navy	Marine Corps Recruit Depot San Diego	Recruit Barracks	0	83,200
Navy	Naval Air Station Lemoore	F–35C Aircraft Maint. Hangar & Airfield Pave	201,261	41,261
Navy	Naval Base Point Loma Annex	Child Development Center	56,450	56,450
Navy	Naval Base San Diego	Floating Dry Dock Mooring Facility	0	9,000
Navy	Naval Base San Diego	Pier 6 Replacement (INC)	15,565	15,565
Navy	Naval Surface Warfare Center Corona Division	Data Science Analytics and Innovation (P&D)	0	2,845
Navy	Naval Surface Warfare Center Corona Division	Performance Assessment Communications Laboratory.	0	15,000
	Connecticut			
Navy	Naval Submarine Base New London	Relocate Underwater Electromagnetic Measure	15,514	15,514

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
	Djibouti			
Navy	Camp Lemonnier	Electrical Power Plant	0	12,000
	Florida			
Navy	Naval Air Station Jacksonville	Engine Test Cells Modifications	86,232	86,232
Navy	Naval Air Station Whiting Field	AHTS Aircraft Flight Simulator Facility	57,789	57,789
Navy	Naval Air Station Whiting Field	Advanced Helicopter Training System Hangar	0	141,500
Navy	Naval Surface Warfare Center Carderock Division	SFOMF Storage Laboratory	0	2,073
	Georgia			
Navy	Naval Submarine Base Kings Bay	Nuclear Regional Maintenance Facility	213,796	13,796
Navy	Naval Submarine Base Kings Bay	Trident Training Fac. Columbia Trainer Expan	65,375	65,375
	Guam			
Navy	Marine Corps Base Camp Blaz	PDI: 9th Eng Supp Battalion Equip & Main Fac	131,590	41,590
Navy	Marine Corps Base Camp Blaz	PDI: 9th Engineer Support Battalion Ops. Fac	35,188	35,188
Navy	Marine Corps Base Camp Blaz	PDI: Brown Tree Snake Exclusion Barrier South	14,497	14,497
Navy	Marine Corps Base Camp Blaz	PDI: Ground Combat Element Inf Btn 1 & 2 Fac	149,314	69,314
	Hawaii			
Navy	Joint Base Pearl Harbor-Hickam	Dry Dock 3 Replacement (INC)	621,185	421,185
Navy	Joint Base Pearl Harbor-Hickam	Missile Magazines	0	10,000
Navy	Joint Base Pearl Harbor-Hickam	Waterfront Production Facility (P&D)	0	40,000
Navy	Marine Corps Base Kaneohe Bay	Bachelor Enlisted Quarters	0	57,900
	Idaho			
Navy	Naval Surface Warfare Center Carderock Division	ARD Range Craft Berthing Facility (P&D)	0	707
	Japan			
Navy	Kadena Air Base	PDI: Marine Corps Bachelor Enlisted Quarters	94,100	14,100
Navy	Kadena Air Base	PDI: Marine Corps Barracks Complex	101,300	31,300
	Maine			
Navy	Portsmouth Naval Shipyard	Multi-Mission Drydock #1 Extension (INC)	503,282	503,282
	Maryland			
Navy	Naval Surface Warfare Center Carderock Division	Ship Systems Integration and Design Facility (P&D).	0	2,651
Navy	Naval Surface Warfare Center Indian Head Division	Combustion Laboratory	0	6,000
Navy	Naval Surface Warfare Center Indian Head Division	Contained Burn Facility (P&D)	0	5,651
Navy	Naval Surface Warfare Center Indian Head Division	EOD Explosive Testing Range 2 Expansion at SN, Building 2107.	0	2,039
	Nevada			
Navy	Naval Air Station Fallon	F–35C Aircraft Maintenance Hangar	97,865	30,865
Navy	Naval Air Station Fallon	Fallon Range Training Complex Land Acquisition Phase 2.	0	48,300
	North Carolina			
Navy	Marine Corps Air Station Cherry Point	Aircraft Maintenance Hangar (INC)	106,000	11,000
Navy	Marine Corps Air Station Cherry Point	CH–53K Gearbox Repair and Test Facility	38,415	38,415
Navy	Marine Corps Air Station Cherry Point	F–35 Flightline Util Modernization Ph 2 (INC)	58,000	58,000
Navy	Marine Corps Air Station New River	Three Module Type II Hangar	0	21,000
Navy	Marine Corps Base Camp Lejeune	Regional Communications Station, Hadnot Point	47,475	47,475

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
	Pennsylvania			
Navy	Naval Surface Warfare Center Philadelphia Division	Machinery Control Developmental Center	0	86,610
	South Carolina			
Navy	Marine Corps Recruit Depot Parris Island	Recruit Barracks	0	37,600
Navy	Marine Corps Recruit Depot Parris Island	Recruit Barracks	0	38,300
	Spain			
Navy	Naval Station Rota	EDI: Missile Magazines	0	76,300
	Virginia			
Navy	Naval Surface Warfare Center Dahlgren Division	Upgrade Electrical Substation 1	0	2,503
Navy	Naval Surface Warfare Center Dahlgren Division	Weapons Integration and Test Campus (P&D)	0	1,237
Navy	Naval Station Norfolk	Submarine Logistics Support Facilities	16,863	16,863
Navy	Naval Station Norfolk	Submarine Pier 3 (INC)	155,000	125,000
Navy	Portsmouth Naval Shipyard	Dry Dock Saltwater System for CVN–78 (INC)	47,718	47,718
	Washington			
Navy	Naval Air Station Whidbey Island	E/A–18G Aircraft Flt. Read. Squad. Train. Fac	37,461	37,461
Navy	Naval Air Station Whidbey Island	P–8A Aircraft Airfield Pavements Improvements	0	68,100
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Planning & Design (Navy)	0	63,400
Navy	Unspecified Worldwide Locations	Planning & Design (SIOP)	0	75,000
Navy	Unspecified Worldwide Locations	Planning & Design (USMC)	0	37,800
Navy	Unspecified Worldwide Locations	Planning & Design (INDOPACOM)	0	31,170
Navy	Unspecified Worldwide Locations	MCON Planning and Funds	397,124	397,124
Navy	Unspecified Worldwide Locations	Unspecified Minor Military Construction	109,994	109,994
Navy	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	456,210
Navy	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (P&D)	0	28,550
Navy	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (P&D)	0	16,680
Navy	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (UMMC)	0	9,900
Navy	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	172,690
Navy	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	225,537
Subtotal Military Construction, Navy			**3,752,391**	**4,489,944**
AIR FORCE				
	Alabama			
Air Force	Maxwell Air Force Base	Commercial Vehicle Inspection Gate	0	15,000
	Alaska			
Air Force	Clear Air Force Station	LRDR Dormitory	68,000	68,000
Air Force	Joint Base Elmendorf-Richardson	Extend Runway 16/34 (INC)	100,000	100,000
Air Force	Joint Base Elmendorf-Richardson	PFAS: Contaminated Soil Removal	0	5,200
	Arizona			
Air Force	Luke Air Force Base	Child Development Center (P&D)	0	4,750
Air Force	Davis-Monthan Air Force Base	Combat Rescue Helicopter Simulator	0	7,500
	California			
Air Force	Air Force Test Center—Edwards Air Force Base	Munitions Igloo—East (P&D)	0	650
Air Force	Travis Air Force Base	KC–46A ADAL B179, Simulator Facility	0	7,500
Air Force	Vandenberg Air Force Base	GBSD Consolidated Maintenance Facility	89,000	89,000
	Florida			
Air Force	Tyndall Air Force Base	Cost to Complete—Natural Disaster Recovery	0	66,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
Air Force	Air Force Research Laboratory—Eglin Air Force Base	Shock and Applied Impact Laboratory (SAIL) (P&D).	0	530
	Hawaii			
Air Force	Air Force Research Laboratory—Maui Experimental Site #1	Secure Integration Support Lab w/ Land Acquisition.	0	89,000
	Hungary			
Air Force	Pápa Air Base	EDI: DABS-FEV Storage	71,000	71,000
	Iceland			
Air Force	Naval Air Station Keflavik	EDI: DABS-FEV Storage	94,000	30,000
	Illinois			
Air Force	Scott Air Force Base	Child Development Center	0	19,893
	Italy			
Air Force	Aviano Air Base	Combat Rescue Helicopter Simulator Facility	15,500	15,500
Air Force	Aviano Air Base	EDI: RADR Storage Facility	31,000	31,000
	Japan			
Air Force	Kadena Air Base	Helicopter Rescue Ops Maintenance Hangar (INC)	71,000	71,000
Air Force	Kadena Air Base	PDI: Theater A/C Corrosion Control Ctr (INC)	77,000	77,000
Air Force	Yokota Air Base	Cost to Complete: PDI: C–130J Corrosion Control Hangar.	0	10,000
	Jordan			
Air Force	Muwaffaq Salti Air Base	Bulk Petroleum/Oil/Lubricants Storage	32,000	32,000
Air Force	Muwaffaq Salti Air Base	Fuel Cell and Phase Maintenance Hangars	18,000	18,000
	Louisiana			
Air Force	Barksdale Air Force Base	Weapons Generation Facility (INC)	125,000	125,000
	Mariana Islands			
Air Force	Tinian	PDI: Airfield Development Phase 1 (INC)	58,000	58,000
Air Force	Tinian	PDI: Fuel Tanks w/Pipeline & Hydrant Sys, INC	92,000	92,000
Air Force	Tinian	PDI: Parking Apron (INC)	41,000	41,000
	Maryland			
Air Force	Joint Base Andrews	Cost to Complete: PAR Relocate Haz Cargo Pad and EOD Range.	0	28,200
	Massachusetts			
Air Force	Hanscom Air Force Base	MIT-Lincoln Lab (West Lab CSL/MIF), INC	30,200	30,200
	Nebraska			
Air Force	Offutt Air Force Base	Cost to Complete—Natural Disaster Recovery	0	235,000
	New Mexico			
Air Force	Holloman Air Force Base	High Speed Test Track (P&D)	0	15,000
	New York			
Air Force	Air Force Research Laboratory—Rome Research Site	HF Antennas, Newport and Stockbridge Test Annexes.	0	4,200
	Norway			
Air Force	Rygge Air Station	EDI: Base Perimeter Security Fence	8,200	8,200
	Ohio			
Air Force	Wright Patterson Air Force Base	Child Development Center/School Age Center	0	29,000
	Oklahoma			
Air Force	Tinker Air Force Base	E–7 Operations Center (P&D)	0	15,000
Air Force	Tinker Air Force Base	Facility and Land Acquisition (MROTC)	30,000	30,000
Air Force	Tinker Air Force Base	KC–46A 1–Bay Depot Corrosion Control Hangar	0	40,000
Air Force	Tinker Air Force Base	KC–46A 2–Bay Program Depot Maintenance Hangar	0	90,000
Air Force	Tinker Air Force Base	KC–46A 3–Bay Depot Maintenance Hangar (INC)	49,000	49,000
Air Force	Tinker Air Force Base	KC–46A Fuel POL Infrastructure	13,600	13,600
	South Carolina			
Air Force	Shaw Air Force Base	RAPCON Facility	10,000	10,000
	South Dakota			
Air Force	Ellsworth Air Force Base	B–21 2–Bay LO Restoration Facility (INC)	91,000	31,000
Air Force	Ellsworth Air Force Base	B–21 Radio Frequency Facility	77,000	77,000
Air Force	Ellsworth Air Force Base	B–21 Weapons Generation Facility (INC)	50,000	50,000
	Spain			
Air Force	Morón Air Base	EDI: RADR Storage Facility	29,000	29,000
	Tennessee			
Air Force	Arnold Air Force Base	ARC Heater Test Facility Dragon Fire	38,000	38,000
	Texas			
Air Force	Joint Base San Antonio-Lackland	Cost to Complete: BMT Recruit Dormitory 8	0	5,400
Air Force	Joint Base San Antonio-Randolph	Child Development Center	0	29,000
Air Force	Joint Base San Antonio	BMT Recruit Dormitory 7 (INC)	90,000	0
	United Kingdom			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
Air Force	Royal Air Force Lakenheath	Cost to Complete: F–35 PGM Facility	0	3,100
Air Force	Royal Air Force Molesworth	Cost to Complete: Joint Intelligence Analysis Complex Consolidation, PH3.	0	13,000
Air Force	Royal Air Force Molesworth	Joint Intelligence Analysis Complex	0	421,000
	Utah			
Air Force	Hill Air Force Base	GBSD Organic Software Sustain Ctr (INC)	95,000	95,000
Air Force	Hill Air Force Base	GBSD Technology and Collaboration Center	84,000	84,000
	Washington			
Air Force	Fairchild Air Force Base	ADAL KC–135 Flight Simulator	0	8,000
Air Force	Fairchild Air Force Base	Cost to Complete: Consolidate TFI Base Operations	0	7,300
	Worldwide Unspecified			
Air Force	Unspecified Worldwide Locations	Planning & Design	135,794	135,794
Air Force	Various Worldwide Locations	Unspecified Minor Military Construction	66,162	66,162
	Wyoming			
Air Force	F.E. Warren Air Force Base	Cost to Complete: Weapons Storage Facility	0	26,000
Air Force	F.E. Warren Air Force Base	Military Working Dog Kennel	0	10,000
Air Force	F.E. Warren Air Force Base	GBSD Integrated Command Center Wing A	95,000	60,800
Air Force	F.E. Warren Air Force Base	GBSD Land Acquisition	34,000	34,000
Air Force	F.E. Warren Air Force Base	GBSD Missile Handling Complex Wing A	47,000	47,000
	Worldwide Unspecified			
Air Force	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	237,700
Air Force	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	323,400
Air Force	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	174,840
Subtotal Military Construction, Air Force			**2,055,456**	**3,748,419**
DEFENSE-WIDE				
	Alabama			
Defense-Wide	Redstone Arsenal	MSIC Advanced Analysis Facility Phase 2 (INC)	0	15,000
Defense-Wide	Redstone Arsenal (Missile and Space Intelligence Center)	Backup Power Generation	0	10,700
	California			
Defense-Wide	Naval Base Coronado	SOF Operations Support Facility	75,712	75,712
Defense-Wide	Marine Corps Mountain Warfare Training Center Bridgeport	Microgrid and Backup Power	0	25,560
Defense-Wide	Naval Base Ventura County, Point Mugu	Ground Mounted Solar Photovoltaic System	0	13,360
	Djibouti			
Defense-Wide	Camp Lemonnier	Enhanced Energy Security and Control Systems	0	24,000
	Florida			
Defense-Wide	Hurlburt Field	SOF Human Performance Training Center	9,100	9,100
Defense-Wide	Naval Air Station Jacksonville	Facility Energy Operations Center Renovation	0	2,400
Defense-Wide	Patrick Space Force Base	Underground Electric Distribution System	0	8,400
Defense-Wide	Patrick Space Force Base	Water Distribution Loop	0	7,300
	Georgia			
Defense-Wide	Fort Stewart-Hunter Army Airfield	Power Generation and Microgrid	0	25,400
Defense-Wide	Naval Submarine Base Kings Bay	SCADA Modernization	0	11,200
	Germany			
Defense-Wide	Baumholder	Baumholder Elementary School	71,000	71,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
Defense-Wide	Baumholder	SOF Battalion Annex	22,468	22,468
Defense-Wide	Baumholder	SOF Communications Annex	9,885	9,885
Defense-Wide	Baumholder	SOF Operations Annex	23,768	23,768
Defense-Wide	Baumholder	SOF Support Annex	21,902	21,902
Defense-Wide	Rhine Ordnance Barracks	Medical Center Replacement (INC 10)	299,790	24,790
Defense-Wide	Wiesbaden	Clay Kaserne Elementary School	60,000	60,000
	Guam			
Defense-Wide	Naval Base Guam	Electrical Distribution System	0	34,360
	Hawaii			
Defense-Wide	Joint Base Pearl Harbor-Hickam	Primary Electrical Distribution	0	25,000
	Japan			
Defense-Wide	Fleet Activities Yokosuka	Kinnick High School (INC)	20,000	20,000
Defense-Wide	Iwakuni	PDI: Bulk Storage Tanks PH 1	85,000	85,000
Defense-Wide	Kadena Air Base	Lighting Upgrades	0	780
Defense-Wide	Yokota Air Base	PDI: Bulk Storage Tanks PH I (INC)	44,000	44,000
Defense-Wide	Yokota Air Base	PDI: Operations and Warehouse Facilities	72,154	72,154
	Kansas			
Defense-Wide	Fort Riley	Power Generation and Microgrid	0	25,780
	Kuwait			
Defense-Wide	Camp Arifjan	Power Generation and Microgrid	0	26,850
	Maryland			
Defense-Wide	Bethesda Naval Hospital	MEDCEN Addition / Alteration (INC 6)	75,500	75,500
Defense-Wide	Fort Meade	NSAW Mission Ops and Records Center (INC)	140,000	80,000
Defense-Wide	Fort Meade	NSAW Recap Building 4 (INC)	378,000	318,000
Defense-Wide	Fort Meade	Reclaimed Water Infrastructure Expansion	0	23,310
	North Carolina			
Defense-Wide	Fort Bragg	SOF Operations Building	18,870	18,870
Defense-Wide	Fort Bragg	SOF Supply Support Activity	15,600	15,600
	Texas			
Defense-Wide	Fort Hood	Power Generation and Microgrid	0	31,500
Defense-Wide	Joint Base San Antonio	Ambulatory Care Center Replacement (Dental)	58,600	58,600
Defense-Wide	U.S. Army Reserve Center, Conroe	Power Generation and Microgrid	0	9,600
	Virginia			
Defense-Wide	Dam Neck	SOF Operations Building Addition	26,600	26,600
Defense-Wide	Naval Support Activity Hampton Roads	Backup Power Generation	0	3,400
Defense-Wide	Naval Support Activity Hampton Roads	Primary Distribution Substation	0	19,000
Defense-Wide	NCE Springfield, Ft Belvoir	Chilled Water Redundancy	0	1,100
Defense-Wide	Pentagon	Commercial Vehicle Inspection Facility	18,000	18,000
	Worldwide Unspecified			
Defense-Wide	Unspecified Worldwide Locations	Energy Resilience and Conserv. Invest. Prog.	329,000	0
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction (Defense-Wide).	3,000	3,000

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Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction (DHA)	15,000	15,000
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction (DLA)	31,702	31,702
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction (DODEA)	8,000	8,000
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction (INDOPACOM).	0	16,130
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction (NSA)	6,000	6,000
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction (SOCOM)	36,726	36,726
Defense-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction (TJS)	18,644	18,644
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (Defense-Wide)	26,689	26,689
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (ERCIP)	224,250	224,250
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (DHA)	33,227	33,227
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (DLA)	30,000	30,000
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (DODEA)	20,086	20,086
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (MDA)	47,063	47,063
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (NSA)	9,618	9,618
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (SOCOM)	26,978	26,978
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (TJS)	2,360	2,360
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (WHS)	2,106	2,106
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (DHA)	0	39,570
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (DIA)	0	30,600
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (DLA)	0	22,000
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (DODEA)	0	42,650
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (NSA)	0	9,200
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (OSD)	0	81,070
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (SOCOM)	0	79,390
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (WHS)	0	10,110
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (DHA)	0	11,720
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (DLA)	0	17,000
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (DODEA)	0	29,200
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (OSD)	0	65,800
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (SOCOM)	0	59,210
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (WHS)	0	3,600
Defense-Wide	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	181,426
Subtotal Military Construction, Defense-Wide			**2,416,398**	**2,735,074**
ARMY NATIONAL GUARD				
	Alaska			
Army National Guard	Joint Base Elmendorf-Richardson	Aircraft Maintenance Hangar	0	63,000
	Arkansas			

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(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
Army National Guard	Camp Robinson	Automated Multipurpose Machine Gun Range	0	9,500
	Delaware			
Army National Guard	River Road Training Site	National Guard Readiness Center	16,000	16,000
	Florida			
Army National Guard	Gainesville	National Guard Readiness Center	0	21,000
Army National Guard	Palm Coast Flagler Rc Fms 9	National Guard Vehicle Maintenance Shop	12,000	12,000
	Hawaii			
Army National Guard	Kalaeloa	National Guard Readiness Center Addition	29,000	29,000
	Indiana			
Army National Guard	Atlanta Readiness Center	National Guard Readiness Center	20,000	20,000
	Iowa			
Army National Guard	West Des Moines Armory	National Guard Readiness Center	15,000	15,000
	Michigan			
Army National Guard	Grayling Airfield	National Guard Readiness Center	16,000	16,000
	Minnesota			
Army National Guard	New Ulm Armory and Fms	National Guard Readiness Center	17,000	17,000
	Nevada			
Army National Guard	Harry Reid Training Center	National Guard Readiness Center Add/Alt	18,000	18,000
	New York			
Army National Guard	Glenmore Rd Armory/Fms 17	National Guard Vehicle Maintenance Shop	17,000	17,000
Army National Guard	Lexington Armory	National Guard Readiness Center Addition/ Alteration (P&D).	0	3,580
	North Carolina			
Army National Guard	Mcleansville Camp Burton Road	National Guard Vehicle Maintenance Shop	15,000	15,000
	Oregon			
Army National Guard	Camp Umatilla	Collective Training Unaccompanied Housing	0	14,243
	Puerto Rico			
Army National Guard	Camp Santiago Joint Maneuver Training Center	Engineering/Housing Maintenance Shops (DPW)	14,500	14,500
	Tennessee			
Army National Guard	Smyrna Volunteer Training Site	Army Aviation Support Facility and Readiness Center (P&D).	0	780
	Vermont			
Army National Guard	Bennington	National Guard Readiness Center	14,800	0
	West Virginia			
Army National Guard	Buckhannon Brushy Fork	National Guard Readiness Center Add/Alt	14,000	14,000
	Wyoming			
Army National Guard	Camp Guernsey	Aviation Operations and Fire Rescue Building	0	19,500

SEC. 4601. MILITARY CONSTRUCTION
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Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
Army National Guard	Ts NG Sheridan	National Guard Vehicle Maintenance Shop	14,800	14,800
	Worldwide Unspecified			
Army National Guard	Unspecified Worldwide Locations	Planning & Design	28,245	32,745
Army National Guard	Unspecified Worldwide Locations	Unspecified Minor Military Construction	35,933	61,333
Army National Guard	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	54,610
Army National Guard	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (P&D)	0	8,470
Army National Guard	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (UMMC)	0	15,210
Army National Guard	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	65,200
Army National Guard	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	48,459
Subtotal Military Construction, Army National Guard			**297,278**	**635,930**
ARMY RESERVE				
	California			
Army Reserve	Camp Pendleton	Area Maintenance Support Activity	0	13,000
	Florida			
Army Reserve	Perrine	Army Reserve Center/AMSA	46,000	46,000
	Massachusetts			
Army Reserve	Fort Devens	Cost to Complete: Multi-Purpose Machine Gun Range.	0	3,000
	Michigan			
Army Reserve	Southfield	Cost to Complete: Area Maintenance Shop	0	1,600
	North Carolina			
Army Reserve	Asheville	Cost to Complete: Army Reserve Center	0	2,000
	Ohio			
Army Reserve	Wright-Patterson Air Force Base	Area Maintenance Support Activity	0	16,000
Army Reserve	Wright-Patterson Air Force Base	Cost to Complete: Army Reserve Center	0	2,000
	Puerto Rico			
Army Reserve	Fort Buchanan	Army Reserve Center	24,000	24,000
	Washington			
Army Reserve	Yakima	Equipment Concentration Site Warehouse	0	22,000
	Wisconsin			
Army Reserve	Fort McCoy	Transient Training Enlisted Barracks	0	38,000
Army Reserve	Fort McCoy	Transient Training Officer Barracks	0	26,000
	Worldwide Unspecified			
Army Reserve	Unspecified Worldwide Locations	Barracks Planning and Design	0	3,000
Army Reserve	Unspecified Worldwide Locations	Planning and Design	0	20,000
Army Reserve	Unspecified Worldwide Locations	Unspecified Minor Construction	0	25,000
Army Reserve	Unspecified Worldwide Locations	Planning & Design	9,829	9,829
Army Reserve	Unspecified Worldwide Locations	Unspecified Minor Military Construction	20,049	20,049
Army Reserve	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	70,000

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Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
Army Reserve	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (P&D)	0	2,950
Army Reserve	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (UMMC)	0	6,000
Army Reserve	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	21,000
Army Reserve	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	27,842
Subtotal Military Construction, Army Reserve			**99,878**	**399,270**
NAVY RESERVE & MARINE CORPS RESERVE				
	Hawaii			
Navy Reserve & Marine Corps Reserve	Marine Corps Base Kaneohe Bay	C–40 Aircraft Maintenance Hangar	0	7,000
	Michigan			
Navy Reserve & Marine Corps Reserve	Marine Forces Reserve Battle Creek	Organic Supply Facilities	0	24,300
	Virginia			
Navy Reserve & Marine Corps Reserve	Marine Forces Reserve Dam Neck Virginia Beach	G/ATOR Support Facilities	0	10,400
	Worldwide Unspecified			
Navy Reserve & Marine Corps Reserve	Unspecified Worldwide Locations	MCNR Unspecified Minor Construction	27,747	27,747
Navy Reserve & Marine Corps Reserve	Unspecified Worldwide Locations	USMCR Planning & Design	2,590	2,590
Navy Reserve & Marine Corps Reserve	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (P&D)	0	250
Navy Reserve & Marine Corps Reserve	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	7,850
Navy Reserve & Marine Corps Reserve	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (P&D)	0	110
Navy Reserve & Marine Corps Reserve	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (UMMC)	0	2,500
Navy Reserve & Marine Corps Reserve	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	25,863
Subtotal Military Construction, Navy Reserve & Marine Corps Reserve			**30,337**	**108,610**
AIR NATIONAL GUARD				
	Alabama			

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Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
Air National Guard	Birmingham International Airport	Security and Services Training Facility	7,500	7,500
Air National Guard	Montgomery Regional Airport	F–35 Weapons Load Crew Training	0	9,200
	Arizona			
Air National Guard	Morris Air National Guard Base	Base Entry Complex	0	12,000
Air National Guard	Tucson International Airport	Land Acquisition	10,000	10,000
	Florida			
Air National Guard	Jacksonville International Airport	F–35 Construct Flight Simulator Facility	22,200	22,200
	Indiana			
Air National Guard	Fort Wayne International Airport	Munitions Maintenance & Storage Complex	12,800	12,800
	Missouri			
Air National Guard	Jefferson Barracks Air Guard Station	Consolidated Air Operations Group (157th Air Operations Group) (P&D).	0	2,100
	Rhode Island			
Air National Guard	Quonset State Airport	Consolidated Headquarters Medical & Dining Facility.	0	35,000
	Tennessee			
Air National Guard	McGhee Tyson Airport	KC–135 Maintenance Shops	23,800	23,800
	West Virginia			
Air National Guard	Mclaughlin Air National Guard Base	C–130J Apron Expansion	0	10,000
	Worldwide Unspecified			
Air National Guard	Unspecified Worldwide Locations	Planning & Design	28,412	28,412
Air National Guard	Unspecified Worldwide Locations	Unspecified Minor Military Construction	44,171	44,171
Air National Guard	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	72,400
Air National Guard	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	17,700
Air National Guard	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	54,236
Subtotal Military Construction, Air National Guard			**148,883**	**361,519**
AIR FORCE RESERVE				
	Arizona			
Air Force Reserve	Davis-Monthan Air Force Base	610th CACS Command & Control Facility	0	8,000
	Massachusetts			
Air Force Reserve	Westover Air Reserve Base	Taxiway Golf Extension (P&D)	0	1,900
	Mississippi			
Air Force Reserve	Keesler Air Force Base	Aeromedical Evacuation Training Facility	0	10,000
	Oklahoma			
Air Force Reserve	Tinker Air Force Base	10th Flight Test Squadron Facility	0	12,500
	Virginia			
Air Force Reserve	Langley Air Force Base	Intelligence Group Facility	0	10,500
	Worldwide Unspecified			
Air Force Reserve	Unspecified Worldwide Locations	Planning & Design	11,773	11,773
Air Force Reserve	Unspecified Worldwide Locations	Unspecified Minor Military Construction	11,850	11,850
Air Force Reserve	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	11,800
Air Force Reserve	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	4,500
Air Force Reserve	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	26,611
Subtotal Military Construction, Air Force Reserve			**23,623**	**109,434**
NATO SECURITY INVESTMENT PROGRAM				
	Worldwide Unspecified			

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Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
NATO	NATO Security Investment Program	NATO Security Investment Program	210,139	210,139
NATO	NATO Security Investment Program	Inflation & Market Adjustment Fund	0	5,980
Subtotal NATO Security Investment Program			**210,139**	**216,119**
TOTAL MILITARY CONSTRUCTION			**9,879,948**	**14,731,550**
FAMILY HOUSING				
FAMILY HOUSING CONSTRUCTION, ARMY				
	Germany			
Fam Hsg Con, Army	Baumholder	Cost to Complete: Family Housing New Construction.	0	121,822
Fam Hsg Con, Army	Baumholder	Family Housing Improvements	0	20,000
Fam Hsg Con, Army	Baumholder	Family Housing Replacement Construction	57,000	57,000
Fam Hsg Con, Army	Vilseck	Cost to Complete: Family Housing New Construction.	0	13,000
	Italy			
Fam Hsg Con, Army	Vicenza	Family Housing New Construction	95,000	40,000
Fam Hsg Con, Army	Vicenza	Cost to Complete: Family Housing New Construction.	0	51,540
	Kwajalein			
Fam Hsg Con, Army	Kwajalein Atoll	Cost to Complete: Family Housing Replacement	0	47,060
	Worldwide Unspecified			
Fam Hsg Con, Army	Unspecified Worldwide Locations	Family Housing P&D	17,339	17,339
Fam Hsg Con, Army	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	24,290
Fam Hsg Con, Army	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (P&D)	0	5,200
Fam Hsg Con, Army	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	49,200
Fam Hsg Con, Army	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	4,819
Subtotal Family Housing Construction, Army			**169,339**	**451,270**
FAMILY HOUSING O&M, ARMY				
	Worldwide Unspecified			
Fam Hsg O&M, Army	Unspecified Worldwide Locations	Furnishings	22,911	22,911
Fam Hsg O&M, Army	Unspecified Worldwide Locations	Housing Privatization Support	65,740	65,740
Fam Hsg O&M, Army	Unspecified Worldwide Locations	Leasing	127,499	127,499
Fam Hsg O&M, Army	Unspecified Worldwide Locations	Maintenance	117,555	117,555
Fam Hsg O&M, Army	Unspecified Worldwide Locations	Management	45,718	45,718
Fam Hsg O&M, Army	Unspecified Worldwide Locations	Miscellaneous	559	559
Fam Hsg O&M, Army	Unspecified Worldwide Locations	Services	9,580	9,580
Fam Hsg O&M, Army	Unspecified Worldwide Locations	Utilities	46,849	46,849

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Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
Fam Hsg O&M, Army	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	12,103
Subtotal Family Housing Operation And Maintenance, Army			**436,411**	**448,514**
FAMILY HOUSING CONSTRUCTION, NAVY & MARINE CORPS				
	District of Columbia			
Fam Hsg Con, Navy & Marine Corps	United States Marine Corps Headquarters	Design	7,043	7,043
Fam Hsg Con, Navy & Marine Corps	United States Marine Corps Headquarters	Improvements	74,540	74,540
	Guam			
Fam Hsg Con, Navy & Marine Corps	Naval Support Activity Andersen	Replace Andersen Housing PH IV	86,390	86,390
Fam Hsg Con, Navy & Marine Corps	Naval Support Activity Andersen	Replace Andersen Housing PH V	93,259	93,259
Fam Hsg Con, Navy & Marine Corps	Naval Support Activity Andersen	Replace Andersen Housing PH VI	68,985	68,985
	Worldwide Unspecified			
Fam Hsg Con, Navy & Marine Corps	Unspecified Worldwide Locations	USMC DPRI/Guam Planning & Design	7,080	7,080
Fam Hsg Con, Navy & Marine Corps	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	240
Fam Hsg Con, Navy & Marine Corps	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	9,597
Subtotal Family Housing Construction, Navy & Marine Corps			**337,297**	**347,134**
FAMILY HOUSING O&M, NAVY & MARINE CORPS				
	Worldwide Unspecified			
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	Furnishings	16,182	16,182
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	Housing Privatization Support	61,605	61,605
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	Leasing	66,333	66,333
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	Maintenance	105,470	105,470
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	Management	59,312	59,312

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Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	Miscellaneous	411	411
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	Services	16,494	16,494
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	Utilities	42,417	42,417
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	8,664
Subtotal Family Housing Operation & Maintenance, Navy & Marine Corps			**368,224**	**376,888**
FAMILY HOUSING CONSTRUCTION, AIR FORCE				
	Delaware			
Fam Hsg Con, Air Force	Dover Air Force Base	MHPI Restructure	25,492	25,492
	Florida			
Fam Hsg Con, Air Force	Tyndall Air Force Base	AETC Restructuring	150,685	150,685
	Illinois			
Fam Hsg Con, Air Force	Scott Air Force Base	MHPI Restructure	52,003	52,003
	Japan			
Fam Hsg Con, Air Force	Kadena Air Base	Family Housing North Terrance Improvement, Phase 2 (4 Units).	0	3,800
	Maryland			
Fam Hsg Con, Air Force	Andrews Air Force Base	MHPI Equity Contribution CMSSF House	1,878	1,878
	Worldwide Unspecified			
Fam Hsg Con, Air Force	Unspecified Worldwide Locations	Planning & Design	2,730	17,730
Fam Hsg Con, Air Force	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	6,444
Subtotal Family Housing Construction, Air Force			**232,788**	**258,032**
FAMILY HOUSING O&M, AIR FORCE				
	Worldwide Unspecified			
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	Furnishings	27,379	27,379
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	Housing Privatization	33,517	33,517
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	Leasing	7,882	7,882
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	Maintenance	150,375	150,375
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	Management	77,042	77,042

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Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	Miscellaneous	2,240	2,240
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	Services	10,570	10,570
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	Utilities	46,217	46,217
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	8,306
Subtotal Family Housing Operation And Maintenance, Air Force			**355,222**	**363,528**
FAMILY HOUSING O&M, DEFENSE-WIDE				
	Worldwide Unspecified			
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	Furnishings (DIA)	656	656
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	Furnishings (NSA)	87	87
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	Leasing (DIA)	31,849	31,849
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	Leasing (NSA)	13,306	13,306
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	Maintenance (NSA)	34	34
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	Utilities (DIA)	4,166	4,166
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	Utilities (NSA)	15	15
Subtotal Family Housing Operation And Maintenance, Defense-Wide			**50,113**	**50,113**
FAMILY HOUSING IMPROVEMENT FUND				
	Worldwide Unspecified			
Family Housing Improvement Fund	Unspecified Worldwide Locations	Administrative Expenses—FHIF	6,442	6,442
Family Housing Improvement Fund	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	184
Subtotal Family Housing Improvement Fund			**6,442**	**6,626**
UNACCOMPANIED HOUSING IMPROVEMENT FUND				
	Worldwide Unspecified			
Unaccompanied Housing Improvement Fund	Unspecified Worldwide Locations	Administrative Expenses—UHIF	494	494
Subtotal Unaccompanied Housing Improvement Fund			**494**	**494**
TOTAL FAMILY HOUSING			**1,956,330**	**2,302,599**
DEFENSE BASE REALIGNMENT AND CLOSURE				

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Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
BASE REALIGNMENT AND CLOSURE, ARMY				
BRAC, Army	Worldwide Unspecified Unspecified Worldwide Locations	Base Realignment and Closure	67,706	67,706
BRAC, Army	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	1,927
Subtotal Base Realignment and Closure—Army			**67,706**	**69,633**
BASE REALIGNMENT AND CLOSURE, NAVY				
BRAC, Navy	Worldwide Unspecified Unspecified Worldwide Locations	Base Realignment and Closure	106,664	106,664
BRAC, Navy	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	2,767
Subtotal Base Realignment and Closure—Navy			**106,664**	**109,431**
BASE REALIGNMENT AND CLOSURE, AIR FORCE				
BRAC, Air Force	Worldwide Unspecified Unspecified Worldwide Locations	Base Realignment and Closure	107,311	107,311
BRAC, Air Force	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	3,053
Subtotal Base Realignment and Closure—Air Force			**107,311**	**110,364**
BASE REALIGNMENT AND CLOSURE, DEFENSE-WIDE				
BRAC, Defense-Wide	Worldwide Unspecified Unspecified Worldwide Locations	Int–4: DLA Activities	3,006	3,006
BRAC, Defense-Wide	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	85
Subtotal Base Realignment and Closure—Defense-Wide			**3,006**	**3,091**
TOTAL DEFENSE BASE REALIGNMENT AND CLOSURE			**284,687**	**292,519**
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			**12,120,965**	**17,326,668**

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2023 Request	Senate Authorized
Discretionary Summary by Appropriation		
Energy Programs		
Nuclear Energy	156,600	156,600
Atomic Energy Defense Activities		
National Nuclear Security Administration:		
Weapons Activities	16,486,298	17,090,298
Defense Nuclear Nonproliferation	2,346,257	2,331,257
Naval Reactors	2,081,445	2,081,445
Federal Salaries and Expenses	496,400	496,400
Total, National Nuclear Security Administration	**21,410,400**	**21,999,400**
Defense Environmental Cleanup	6,914,532	6,538,532
Other Defense Activities	978,351	978,351
Total, Atomic Energy Defense Activities	**29,303,283**	**29,516,283**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2023 Request	Senate Authorized
Total, Discretionary Funding	**29,459,883**	**29,672,883**
Nuclear Energy		
Safeguards and security	156,600	156,600
Total, Nuclear Energy	**156,600**	**156,600**
Weapons Activities		
Stockpile major modernization		
B61 Life extension program	672,019	672,019
W88 Alteration program	162,057	162,057
W80–4 Life extension program	1,122,451	1,122,451
W80–4 ALT SLCM	0	20,000
Program increase		(20,000)
W87–1 Modification Program	680,127	680,127
W93	240,509	240,509
Subtotal, Stockpile major modernization	**2,877,163**	**2,897,163**
Stockpile sustainment	1,321,139	1,321,139
Weapons dismantlement and disposition	50,966	50,966
Production operations	630,894	630,894
Nuclear enterprise assurance	48,911	48,911
Total, Stockpile management	**4,929,073**	**4,949,073**
Production Modernization		
Los Alamos Plutonium Modernization		
Los Alamos Plutonium Operations	767,412	767,412
21–D–512, Plutonium Pit Production Project, LANL	588,234	588,234
15–D–302, TA–55 Reinvestments Project, Phase 3, LANL	30,002	30,002
07–D–220-04, Transuranic Liquid Waste Facility, LANL	24,759	24,759
04–D–125, Chemistry and Metallurgy Research Replacement Project, LANL	162,012	162,012
Subtotal, Los Alamos Plutonium Modernization	**1,572,419**	**1,572,419**
Savannah River Plutonium Modernization		
Savannah River Plutonium Operations	58,300	58,300
21–D–511, Savannah River Plutonium Processing Facility, SRS	700,000	1,200,000
Program increase—glovebox long lead procurement		(200,000)
Program increase—long lead items		(100,000)
Program increase—demolition of MOX buildling		(165,000)
Program increase—site prep		(35,000)
Subtotal, Savannah River Plutonium Modernization	**758,300**	**1,258,300**
Enterprise Plutonium Support	88,993	88,993
Total, Plutonium Modernization	**2,419,712**	**2,919,712**
High Explosives & Energetics		
High Explosives & Energetics	101,380	101,380
23–D–516, Energetic Materials Characterization Facility, LANL	19,000	19,000
21–D–510, HE Synthesis, Formulation, and Production, PX	108,000	108,000
15–D–301, HE Science & Engineering Facility, PX	20,000	20,000
Subtotal, High Explosives & Energetics	**248,380**	**248,380**
Total, Primary Capability Modernization	**2,668,092**	**3,168,092**
Secondary Capability Modernization		
Secondary Capability Modernization	536,363	544,363
Program increase—calciner		(8,000)
18–D–690, Lithium Processing Facility, Y–12	216,886	216,886
06–D–141, Uranium Processing Facility, Y–12	362,000	362,000
Total, Secondary Capability Modernization	**1,115,249**	**1,123,249**
Tritium and Domestic Uranium Enrichment		
Tritium and Domestic Uranium Enrichment	506,649	506,649
18–D–650, Tritium Finishing Facility, SRS	73,300	73,300
Total, Tritium and Domestic Uranium Enrichment	**579,949**	**579,949**
Non-Nuclear Capability Modernization	123,084	123,084
Capability Based Investments	154,220	154,220
Total, Production Modernization	**4,640,594**	**5,148,594**
Stockpile research, technology, and engineering		
Assessment Science		
Assessment Science	801,668	801,668
14–D–640, U1a Complex Enhancements Project, NNSS	53,130	53,130
Total, Assessment Science	**854,798**	**854,798**
Engineering and integrated assessments	366,455	366,455
Inertial confinement fusion	544,095	584,095
Program increase		(40,000)
Advanced simulation and computing	742,646	752,646
Program increase		(10,000)
Weapon technology and manufacturing maturation	286,165	286,165

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2023 Request	Senate Authorized
Academic programs	100,499	100,499
Total, Stockpile research, technology, and engineering	**2,894,658**	**2,944,658**
Infrastructure and operations		
Operating		
Operations of facilities	1,038,000	1,046,000
Program increase		(8,000)
Safety and Environmental Operations	162,000	162,000
Maintenance and Repair of Facilities	680,000	690,000
Program increase		(10,000)
Recapitalization		
Infrastructure and Safety	561,663	561,663
Subtotal, Recapitalization	**561,663**	**561,663**
Total, Operating	**2,441,663**	**2,459,663**
Mission enabling construction		
22–D–514 Digital Infrastructure Capability Expansion	67,300	67,300
22–D–517 Electrical Power Capacity Upgrade, LANL	24,000	24,000
22–D–518 Plutonium Modernization Ops & Waste Mngmt Office Bldg, LANL	48,500	48,500
23–D–519, Special Material Facility, Y–12	49,500	49,500
Total, Mission enabling construction	**189,300**	**189,300**
Total, Infrastructure and operations	**2,630,963**	**2,648,963**
Secure transportation asset		
Operations and equipment	214,367	214,367
Program direction	130,070	130,070
Total, Secure transportation asset	**344,437**	**344,437**
Defense nuclear security		
Operations and maintenance	878,363	878,363
Construction:		
17–D–710, West end protected area reduction project, Y–12	3,928	11,928
Program increase		(8,000)
Subtotal, Construction	**3,928**	**11,928**
Total, Defense nuclear security	**882,291**	**890,291**
Information technology and cybersecurity	**445,654**	445,654
Legacy contractor pensions	**114,632**	114,632
Total, Weapons Activities	**16,882,302**	**17,486,302**
Adjustments		
Use of prior year balances	–396,004	–396,004
Total, Adjustments	**–396,004**	**–396,004**
Total, Weapons Activities	**16,486,298**	**17,090,298**
Defense Nuclear Nonproliferation		
Material management and minimization		
Conversion (formerly HEU Reactor Conversion)	153,260	153,260
Nuclear material removal	41,600	41,600
Material disposition	256,025	256,025
Total, Material management & minimization	**450,885**	**450,885**
Global material security		
International nuclear security	81,155	81,155
Radiological security	244,827	244,827
Nuclear smuggling detection and deterrence	178,095	178,095
Total, Global material security	**504,077**	**504,077**
Nonproliferation and arms control	207,656	207,656
Defense nuclear nonproliferation R&D		
Proliferation detection	287,283	287,283
Nonproliferation stewardship program	109,343	109,343
Nuclear detonation detection	279,205	279,205
Forensics R&D	44,414	44,414
Total, Defense Nuclear Nonproliferation R&D	**720,245**	**720,245**
Nonproliferation construction		
18–D–150 Surplus Plutonium Disposition Project, SRS	71,764	71,764
Total, Nonproliferation construction	**71,764**	**71,764**
NNSA Bioassurance Program	20,000	5,000
Program reduction		(–15,000)
Legacy contractor pensions	55,708	55,708
Nuclear counterterrorism and incident response program		
Emergency Operations	29,896	29,896
Counterterrorism and Counterproliferation	409,074	409,074
Total, Nuclear counterterrorism and incident response program	**438,970**	**438,970**
Subtotal, Defense Nuclear Nonproliferation	**2,469,305**	**2,454,305**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2023 Request	Senate Authorized
Adjustments		
Use of prior year balances	–123,048	–123,048
Total, Adjustments	**–123,048**	**–123,048**
Total, Defense Nuclear Nonproliferation	**2,346,257**	**2,331,257**
Naval Reactors		
Naval reactors development	798,590	798,590
Columbia-Class reactor systems development	53,900	53,900
S8G Prototype refueling	20,000	20,000
Naval reactors operations and infrastructure	695,165	695,165
Program direction	58,525	58,525
Construction:		
22–D–533 BL Component Test Complex	57,420	57,420
14–D–901, Spent Fuel Handling Recapitalization Project, NRF	397,845	397,845
Total, Construction	**455,265**	**455,265**
Total, Naval Reactors	**2,081,445**	**2,081,445**
Federal Salaries and Expenses		
Program direction	513,200	513,200
Use of prior year balances	–16,800	–16,800
Total, Federal Salaries and Expenses	**496,400**	**496,400**
TOTAL, National Nuclear Security Administration	**21,510,796**	**21,999,400**
Defense Environmental Cleanup		
Closure sites administration	4,067	4,067
Richland		
River corridor and other cleanup operations	135,000	135,000
Central plateau remediation	650,240	650,240
Richland community and regulatory support	10,013	10,013
18–D–404 Modification of Waste Encapsulation and Storage Facility	3,100	3,100
22–D–401 L–888, 400 Area Fire Station	3,100	3,100
22–D–402 L–897, 200 Area Water Treatment Facility	8,900	8,900
23–D–404 181D Export Water System Reconfiguration and Upgrade	6,770	6,770
23–D–405 181B Export Water System Reconfiguration and Upgrade	480	480
Total, Richland	**817,603**	**817,603**
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	462,700	462,700
Rad liquid tank waste stabilization and disposition	801,100	811,100
Program increase		(10,000)
Construction		
23–D–403 Hanford 200 West Area Tank Farms Risk Management Project	4,408	4,408
01–D–16D, High-level waste facility	316,200	316,200
01–D–16E, Pretreatment Facility	20,000	20,000
Subtotal, Construction	**340,608**	**340,608**
Total, Office of River Protection	**1,604,408**	**1,614,408**
Idaho National Laboratory:		
Idaho cleanup and waste disposition	350,658	350,658
Idaho community and regulatory support	2,705	2,705
Construction		
22–D–403 Idaho Spent Nuclear Fuel Staging Facility	8,000	8,000
22–D–404 Addl ICDF Landfill Disposal Cell and Evaporation Ponds Project	8,000	8,000
22–D–402 Calcine Construction	10,000	10,000
Subtotal, Construction	**26,000**	**26,000**
Total, Idaho National Laboratory	**379,363**	**379,363**
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,842	1,842
LLNL Excess Facilities D&D	12,004	22,004
Program increase		(10,000)
Separations Processing Research Unit	15,300	15,300
Nevada Test Site	62,652	62,652
Sandia National Laboratory	4,003	4,003
Los Alamos National Laboratory	286,316	286,316
Los Alamos Excess Facilities D&D	40,519	40,519
Total, NNSA sites and Nevada off-sites	**422,636**	**432,636**
Oak Ridge Reservation:		
OR Nuclear Facility D&D	334,221	339,221

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2023 Request	Senate Authorized
Program increase		(5,000)
U233 Disposition Program	47,628	47,628
OR cleanup and waste disposition	62,000	62,000
Construction		
17–D–401 On-site waste disposal facility	35,000	35,000
Subtotal, Construction	**35,000**	**35,000**
OR community & regulatory support	5,300	5,300
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	**487,149**	**492,149**
Savannah River Site:		
Savannah River risk management operations	416,317	416,317
Savannah River legacy pensions	132,294	132,294
Savannah River community and regulatory support	12,137	12,137
Savannah River National Laboratory O&M	41,000	41,000
Construction:		
20-D–401 Saltstone Disposal Unit #10, 11, 12	37,668	37,668
19–D–701 SR Security systems replacement	5,000	5,000
18–D–402 Saltstone Disposal Unit #8, 9	49,832	49,832
8–D–402 Emergency Operations Center Replacement, SR	25,568	25,568
Subtotal, Construction	**118,068**	**118,068**
Radioactive liquid tank waste stabilization	851,660	861,660
Program increase		(10,000)
Total, Savannah River Site	**1,571,476**	**1,581,476**
Waste Isolation Pilot Plant		
Waste Isolation Pilot Plant	371,943	371,943
Construction:		
15–D–411 Safety significant confinement ventilation system, WIPP	59,073	59,073
15–D–412 Exhaust shaft, WIPP	25,000	25,000
Program increase		6,000
Total, Construction	**84,073**	**84,073**
Total, Waste Isolation Pilot Plant	**456,016**	**456,016**
Program direction—Defense Environmental Cleanup	317,002	317,002
Program support—Defense Environmental Cleanup	103,239	103,239
Safeguards and Security—Defense Environmental Cleanup	309,573	309,573
Technology development and deployment	25,000	25,000
Federal contribution to the Uranium Enrichment D&D Fund	417,000	0
Program reduction		(–417,000)
Subtotal, Defense Environmental Cleanup	**6,914,532**	**6,532,532**
TOTAL, Defense Environmental Cleanup	**6,914,532**	**6,532,532**
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security mission support	138,854	138,854
Program direction	76,685	76,685
Total, Environment, health, safety and security	**215,539**	**215,539**
Office of Enterprise Assessments		
Enterprise assessments	27,486	27,486
Program direction	57,941	57,941
Total, Office of Enterprise Assessments	**85,427**	**85,427**
Specialized security activities	306,067	306,067
Legacy Management		
Legacy Management Activities—Defense	174,163	174,163
Program Direction	21,983	21,983
Total, Legacy Management	**196,146**	**196,146**
Defense-related administrative support	170,695	170,695
Office of hearings and appeals	4,477	4,477
Subtotal, Other defense activities	**978,351**	**978,351**
Total, Other Defense Activities	**978,351**	**978,351**

DIVISION E—ADDITIONAL PROVISIONS

TITLE LI—PROCUREMENT

SEC. 5101. PROCUREMENT AUTHORITIES FOR CERTAIN AMPHIBIOUS SHIPBUILDING PROGRAMS.

(a) CONTRACT AUTHORITY.—

(1) PROCUREMENT AUTHORIZED.—The Secretary of the Navy may enter into one or more contracts for the procurement of up to five covered ships.

(2) PROCUREMENT IN CONJUNCTION WITH EXISTING CONTRACTS.—The ships authorized to be procured under paragraph (1) may be procured as additions to existing contracts covering such programs.

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

(1) The use of such a contract is consistent with the Commandant of the Marine Corp's projected force structure requirements for amphibious ships.

(2) The use of such a contract will result in significant savings compared to the total anticipated costs of carrying out the program through annual contracts. In certifying cost savings under the preceding sentence, the Secretary shall include a written explanation of—

(A) the estimated end cost and appropriated funds by fiscal year, by hull, without the authority provided in subsection (a);

(B) the estimated end cost and appropriated funds by fiscal year, by hull, with the authority provided in subsection (a);

(C) the estimated cost savings or increase by fiscal year, by hull, with the authority provided in subsection (a);

(D) the discrete actions that will accomplish such cost savings or avoidance; and

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

(3) There is a reasonable expectation that throughout the contemplated contract period the Secretary of the Navy will request funding for the contract at the level required to avoid contract cancellation.

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

(5) The estimates of both the cost of the contract and the anticipated cost avoidance through the use of a contract authorized under subsection (a) are realistic.

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

(7) During the fiscal year in which such contract is to be awarded, sufficient funds will be available to perform the contract in such fiscal year.

(c) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary of the Navy may enter into one or more contracts for advance procurement associated with a vessel or vessels for which authorization to enter into a contract is provided under subsection (a), and for systems and subsystems associated with such vessels in economic order quantities when cost savings are achievable.

(d) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year is subject to the availability of appropriations for that purpose for such fiscal year.

(e) DEFINITIONS.—In this section—

(1) the term ''covered ship'' means a San Antonio-class or America-class ship; and

(2) the term ''milestone decision authority'' has the meaning given the term in section 2366a(d) of title 10, United States Code.

TITLE LII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 5201. REPORT ON DEFENSE ADVANCED MANUFACTURING CAPABILITIES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to Congress a report on identifying, evaluating, and manufacturing the fundamental materials and processes related to future Air Force assets operating at very high velocities in extreme environmental conditions.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) An assessment of current research and development plans related to the materials and manufacturing processes directed towards flight critical components for future Air Force vehicles operating in extreme environments, including operating environments of temperatures exceeding 3000 degrees Fahrenheit, high aerodynamic forces, and significant variations in atmospheric conditions.

(2) An assessment of how the Air Force is prioritizing early state research, development, and demonstration in materials and manufacturing for extreme environments, to include development of new processes for increasing performance, decreasing cost, and lead time for complex geometries and exotic materials needed for future Air Force assets.

(3) An assessment of efforts made by the Air Force to maintain, or increase, a secure, classified industrial research and manufacturing base that prevents the loss of intellectual property theft to foreign entities.

(4) An assessment of the effect of the continuation of current research and development collaborations between the Air Force research laboratories and the National Laboratories of the Department of Energy in order to achieve these results.

(5) The feasibility of the Air Force leveraging the Manufacturing Demonstration Facility of the Department of Energy and the National Laboratories of the Department in order to achieve these results.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form and include a classified annex.

TITLE LIII—OPERATION AND MAINTENANCE

SEC. 5301. REPORT ON WEAPONS GENERATION FACILITIES OF THE AIR FORCE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the construction by the Air Force of weapons generation facilities.

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

(1) For installations of the Air Force that do not have a weapons storage area—

(A) the total number of weapons generation facilities to be constructed at installations assigned to Air Force Global Strike Command and a timeline for starting and completing construction of each such facility, including construction occurring after September 30, 2028; and

(B) the expected date on which the Air Force expects to begin to store weapons at each such facility.

(2) For installations assigned to Air Force Global Strike Command that have a weapons storage area—

(A) the total number of weapons storage areas to be replaced with weapons generation facilities and the estimated date by which each installation will require a weapons generation facility to execute the mission of such command, including dates estimated to be later than September 30, 2028;

(B) a description of the weapons currently stored in each weapons storage area;

(C) the expected date on which the Air Force expects to store weapons other than those described in subparagraph (B) at—

(i) an existing weapons storage area; or

(ii) a weapons generation facility that replaces an existing weapons storage area; and

(D) a mitigation plan to ensure that a weapons storage area can support the safe and secure storage of weapons other than those described in subparagraph (B) if required to do so prior to the construction of a weapons generation facility.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 5302. REPORT ON FORMER INDIAN BOARDING SCHOOLS OR INSTITUTIONS UNDER THE JURISDICTION OR CONTROL OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—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 report that provides—

(1) an accounting of all schools or institutions described in subsection (b) that—

(A) were located on land that was under the jurisdiction or control of the Department of Defense at the time of the operation of the school or institution; or

(B) were located on land that is under the jurisdiction or control of the Department as of the date of the enactment of this Act; and

(2) a description of the role of the Department of Defense in hosting and administering schools or institutions described in subsection (b) and the actions taken by the Department in connection with those schools or institutions, including—

(A) complete accountings, engagements, and actions;

(B) the identification of marked and unmarked burial grounds; and

(C) the repatriation of remains of Native students who died while attending a school or institution described in subsection (b); and

(3) the findings and recommendations of the Secretary with respect to the matters addressed under paragraphs (1) and (2).

(b) SCHOOLS OR INSTITUTIONS DESCRIBED.—The schools or institutions described in this subsection are schools or institutions that housed or administered Federal programs to assimilate American Indian, Alaska Native, or Native Hawaiian children that—

(1) provided on-site housing or overnight lodging;

(2) were described in records as providing formal academic or vocational training and instruction;

(3) were described in records as receiving Federal Government funds or other support; and

(4) were operational before 1969.

(c) CONSULTATION AND ENGAGEMENT.—In carrying out this section, the Secretary of Defense shall consult and engage with Indian Tribes and Native Hawaiian organizations.

(d) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall brief the appropriate committees of Congress on the report required under subsection (a)

(e) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) The Committee on Armed Services and the Committee on Indian Affairs of the Senate; and

(2) The Committee on Armed Services and the Subcommittee for Indigenous Peoples of the United States of the Committee on Natural Resources of the House of Representatives.

TITLE LV—MILITARY PERSONNEL POLICY

SEC. 5501. ADVICE AND CONSENT REQUIREMENT FOR WAIVERS OF MANDATORY RETIREMENT FOR SUPERINTENDENTS OF MILITARY SERVICE ACADEMIES.

(a) UNITED STATES MILITARY ACADEMY.—Section 7321(b) of title 10, United States Code, is amended by adding at the end the following: ''In the event a waiver under this subsection is granted, the subsequent nomination and appointment of such officer having served as Superintendent of the Academy to a further assignment in lieu of retirement shall be subject to the advice and consent of the Senate.''.

(b) UNITED STATES NAVAL ACADEMY.—Section 8371(b) of title 10, United States Code, is amended by adding at the end the following: ''In the event a waiver under this subsection is granted, the subsequent nomination and appointment of such officer having served as Superintendent of the Academy to a further assignment in lieu of retirement shall be subject to the advice and consent of the Senate.''.

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9321(b) of title 10, United States Code, is amended by adding at the end the following: ''In the event a waiver under this subsection is granted, the subsequent nomination and appointment of such officer having served as Superintendent of the Academy to a further assignment in lieu of retirement shall be subject to the advice and consent of the Senate.''.

SEC. 5502. STUDY ON IMPROVEMENT OF ACCESS TO VOTING FOR MEMBERS OF THE ARMED FORCES OVERSEAS.

(a) STUDY REQUIRED.—The Director of the Federal Voting Assistance Program of the Department of Defense shall conduct a study on means of improving access to voting for members of the Armed Forces overseas.

(b) REPORT.—Not later than September 30, 2024, the Director shall submit to Congress a report on the results of the study conducted under subsection (a). The report shall include the following:

(1) The results of a survey, undertaken for purposes of the study, of Voting Assistance Officers and members of the Armed Forces overseas on means of improving access to voting for such members, including through the establishment of unit-level assistance mechanisms or permanent voting assistance offices.

(2) An estimate of the costs and requirements in connection with an expansion of the number of Voting Assistance Officers in order to fully meet the needs of members of the Armed Forces overseas for access to voting.

(3) A description and assessment of various actions to be undertaken under the Federal Voting Assistance Program in order to increase the capabilities of the Voting Assistance Officer program.

SEC. 5503. RECOGNITION OF MILITARY OLYMPIC COMPETITION.

(a) WEAR OF OLYMPIC MEDALS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall direct each military department to review its respective uniform and insignia policies and, where applicable, add references to Olympic and Paralympic medals.

(b) REPORT ON THE ESTABLISHMENT OF RIBBON.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall report on the feasibility and cost of establishing a service ribbon to be awarded to any member of the Armed Forces who has competed as an Olympic or Paralympic athlete on Team USA to designate that competition. The ribbon considered by such report shall—

(1) be called the ''Olympic Competition Ribbon'';

(2) incorporate the colors of the Olympic rings;

(3) not have an accompanying medal;

(4) have authorized appurtenances to be affixed to the ribbon to signify any Olympic or Paralympic medal won while competing for Team USA;

(5) be assigned a position in the order of award precedence as determined by each military department; and

(6) be awarded retroactively to any eligible member of the Armed Forces.

TITLE LVI—MILITARY COMPENSATION

SEC. 5601. REIMBURSEMENT FOR TRANSPORTATION OF PETS FOR MEMBERS MAKING A PERMANENT CHANGE OF STATION.

Section 453 of title 37, United States Code, is amended by adding at the end the following new subsection:

''(h) REIMBURSEMENT FOR TRANSPORTATION OF PETS FOR MEMBERS MAKING A PERMANENT CHANGE OF STATION.—

''(1) PET QUARANTINE FEES.—The Secretary concerned may reimburse a member of a uniformed service who is ordered to make a permanent change of station for mandatory pet quarantine fees for household pets, but not to exceed $550 per change of station, when the member incurs the fees incident to such change of station.

''(2) TRANSPORTATION TO OR FROM DUTY STATION ABROAD.—The Secretary concerned may reimburse a member of a uniformed service who is ordered to make a permanent change of station between a duty station in the United States and a duty station in a foreign country for transportation of household pets in an amount not to exceed $4,000 per change of station.''.

SEC. 5602. REVIEW OF DISLOCATION AND RELOCATION ALLOWANCES.

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—

(1) reviewing the adequacy of the amounts of dislocation and relocation allowances paid under section 452 of title 37, United States Code, to members of the uniformed services in connection with changes in such members' temporary or permanent duty assignment locations, taking into consideration the rising costs of moving, challenges in the housing market, and other expenses incurred by such members;

(2) assessing the effects of delays in the issuance of orders relating to changes to temporary or permanent duty assignment locations on the timing of dislocation and relocation allowances paid to members of the uniformed services;

(3) assessing the feasibility and advisability of paying dislocation or relocation allowances to members of the uniformed services who are permanently assigned from one unit to another with no change of permanent duty station when the units are within the same metropolitan area; and

(4) making recommendations with respect to the matters described in paragraphs (1), (2), and (3).

TITLE LVII—HEALTH CARE PROVISIONS

SEC. 5701. ESTABLISHMENT OF CORE CASUALTY RECEIVING FACILITIES TO IMPROVE MEDICAL FORCE GENERATION AND READINESS.

(a) IN GENERAL.—Pursuant to the requirements of this section, the Secretary of Defense shall establish certain military medical treatment facilities as Core Casualty Receiving Facilities to maintain the medical capability and capacity required to diagnose, treat, and rehabilitate large volume combat casualties and to provide a medical response to natural disasters, mass casualty events, or other national emergencies as may be directed by the President or the Secretary.

(b) LOCATION OF FACILITIES.—The Secretary shall ensure that facilities established under subsection (a) are geographically located to facilitate aeromedical evacuation of casualties from military operational theaters.

(c) TIMELINE FOR ESTABLISHMENT.—

(1) DESIGNATION.—Not later than October 1, 2024, the Secretary shall designate four military medical treatment facilities as Core Casualty Receiving Facilities to be established under subsection (a).

(2) OPERATIONAL.—Not later than October 1, 2025, the Secretary shall ensure that the facilities designated under paragraph (1) are fully staffed and operational.

(d) PERSONNEL ASSIGNMENT.—

(1) IN GENERAL.—The Secretary of Defense shall ensure that the Secretaries of the military departments assign military personnel to Core Casualty Receiving Facilities established under subsection (a) at not less than 90 percent of the staffing level needed to maintain operating bed capacities to support operation planning requirements.

(2) USE OF CIVILIAN PERSONNEL.—The Secretary of Defense may augment the staffing of military personnel at Core Casualty Receiving Facilities established under subsection (a) with civilian personnel to achieve the staffing requirement under paragraph (1).

(3) EXECUTIVE STAFFING.—The Secretary shall staff each Core Casualty Receiving Facility established under subsection (a) with a civilian Chief Financial Officer and a civilian Chief Operations Officer with experience in the management of civilian hospital systems to ensure continuity in management of the facility.

(e) FUNDING.—The Secretary 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 line item budget request for each Core Casualty Receiving Facility established under subsection (a) that includes the funding requirements for the operation and maintenance of each such facility.

(f) DEFINITIONS.—In this section:

(1) CORE CASUALTY RECEIVING FACILITIES.—The term ''Core Casualty Receiving Facilities'' means Role 4 medical treatment facilities that serve as the medical hubs for receipt of casualties that may result from combat, natural disasters, mass casualty events, or other national emergencies.

(2) ROLE 4 MEDICAL TREATMENT FACILITIES.—The term ''Role 4 medical treatment facilities'' means facilities that provide the full range of preventative, curative, acute, convalescent, restorative, and rehabilitative care.

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

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

SEC. 5811. INCLUSION IN BUDGET JUSTIFICATION MATERIALS OF ENHANCED REPORTING ON PROPOSED CANCELLATIONS AND MODIFICATIONS TO MULTIYEAR CONTRACTS.

Section 239c(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) though (4) as paragraphs (2) through (5), respectively; and

(2) by inserting before paragraph (2), as so redesignated, the following new paragraph:

''(1) A detailed explanation of the rationale for such cancellation or covered modification.''.

SEC. 5812. MODIFICATION OF CONTRACTS AND OPTIONS TO PROVIDE ECONOMIC PRICE ADJUSTMENTS.

(a) AUTHORITY.—Amounts authorized to be appropriated by this Act may, to the extent

and in such amounts as specifically provided in advance in appropriations Acts for the purposes detailed in this section, be used to modify the terms and conditions of a contract or option, without consideration, to provide an economic price adjustment consistent with sections 16.203–1 and 16.203–2 of the Federal Acquisition Regulation during the relevant period of performance for that contract or option and as specified in section 16.203–3 of the Federal Acquisition Regulation.

(b) GUIDANCE.—Not later than 30 days after the date of the enactment of an Act providing appropriations pursuant to this section, the Under Secretary of Defense for Acquisition and Sustainment shall issue guidance implementing the authority under this section.

Subtitle E—Other Matters

SEC. 5871. PROHIBITION ON CERTAIN SEMICONDUCTOR PRODUCTS AND SERVICES.

(a) IN GENERAL.—Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 41 U.S.C. 3901 note prec.) is amended—

(1) in the section heading, by inserting ''**AND SEMICONDUCTOR PRODUCTS AND SERVICES**'' after ''**SERVICES OR EQUIPMENT**'';

(2) in subsection (a)(1), by inserting '', or covered semiconductor products or services,'' after ''equipment or services'' both places it appears;

(3) in subsection (d), by adding at the end the following new paragraph:

''(3) SECRETARY OF DEFENSE.—The Secretary of Defense may provide a waiver on a date later than the effective dates described in subsection (c) if the Secretary determines the waiver is in the national security interests of the United States.''; and

(4) in subsection (f)—

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

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

''(3) COVERED SEMICONDUCTOR PRODUCT OR SERVICES.—The term 'covered semiconductor product or services' means any of the following:

''(A) A product that incorporates a semiconductor product designed or produced by, or any service provided by, Semiconductor Manufacturing International Corporation (SMIC), ChangXin Memory Technologies (CXMT), or Yangtze Memory Technologies Corp. (YMTC) (or any subsidiary, affiliate, or successor of such entities).

''(B) Semiconductor products or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.''.

(b) EFFECTIVE DATE AND APPLICABILITY.—The amendments made by subsection (a) shall take effect three years after the date of the enactment of this Act.

(c) OFFICE OF MANAGEMENT AND BUDGET REPORT AND BRIEFING.—Not later than 270 days after the effective date described in subsection (b)(2), the Director of the Office of Management and Budget, in coordination with the Director of National Intelligence and the National Cyber Director, shall provide to the Majority Leader and Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority leader of the House of Representatives, and the appropriate congressional committees (as defined in section 889(f) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 41 U.S.C. 3901 note prec.)) a report and briefing on—

(1) the implementation of the amendments made by subsection (a), including any challenges in the implementation; and

(2) the effectiveness and utility of the waiver authority under subsection (d) of such section 889.

Subtitle F—American Security Drone Act of 2022

SEC. 5881. SHORT TITLE.

This subtitle may be cited as the ''American Security Drone Act of 2022''.

SEC. 5882. DEFINITIONS.

In this subtitle:

(1) COVERED FOREIGN ENTITY.—The term ''covered foreign entity'' means an entity included on a list developed and maintained by the Federal Acquisition Security Council. This list will include entities in the following categories:

(A) An entity included on the Consolidated Screening List.

(B) Any entity that is subject to extrajudicial direction from a foreign government, as determined by the Secretary of Homeland Security.

(C) Any entity the Secretary of Homeland Security, in coordination with the Attorney General, Director of National Intelligence, and the Secretary of Defense, determines poses a national security risk.

(D) Any entity domiciled in the People's Republic of China or subject to influence or control by the Government of the People's Republic of China or the Communist Party of the People's Republic of China, as determined by the Secretary of Homeland Security.

(E) Any subsidiary or affiliate of an entity described in subparagraphs (A) through (D).

(2) COVERED UNMANNED AIRCRAFT SYSTEM.—The term ''covered unmanned aircraft system'' has the meaning given the term ''unmanned aircraft system'' in section 44801 of title 49, United States Code.

(3) INTELLIGENCE; INTELLIGENCE COMMUNITY.—The terms ''intelligence'' and ''intelligence community'' have the meanings given those terms in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 5883. PROHIBITION ON PROCUREMENT OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—Except as provided under subsections (b) through (f), the head of an executive agency may not procure any covered unmanned aircraft system that is manufactured or assembled by a covered foreign entity, which includes associated elements (consisting of communication links and the components that control the unmanned aircraft) that enable the operator to operate the aircraft in the National Airspace System. The Federal Acquisition Security Council, in coordination with the Secretary of Transportation, shall develop and update a list of associated elements.

(b) EXEMPTION.—The Secretary of Homeland Security, the Secretary of Defense, the Director of National Intelligence, and the Attorney General are exempt from the restriction under subsection (a) if the procurement is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of unmanned aircraft system or counter-unmanned aircraft system technology;

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal criminal or national security investigations, including forensic examinations, or for electronic warfare, information warfare operations, cybersecurity, or development of an unmanned aircraft system or counter-unmanned aircraft system technology; or

(3) is an unmanned aircraft system that, as procured or as modified after procurement but before operational use, can no longer transfer to, or download data from, a covered foreign entity and otherwise poses no national security cybersecurity risks as determined by the exempting official.

(c) DEPARTMENT OF TRANSPORTATION AND FEDERAL AVIATION ADMINISTRATION EXEMPTION.—The Secretary of Transportation is exempt from the restriction under subsection (a) if the operation or procurement is deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, including activities carried out under the Federal Aviation Administration's Alliance for System Safety of UAS through Research Excellence (ASSURE) Center of Excellence (COE) and any other activity deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, as determined by the Secretary or the Secretary's designee.

(d) NATIONAL TRANSPORTATION SAFETY BOARD EXEMPTION.—The National Transportation Safety Board, in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the operation or procurement is necessary for the sole purpose of conducting safety investigations.

(e) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION EXEMPTION.—The Administrator of the National Oceanic and Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the procurement is necessary for the purpose of meeting NOAA's science or management objectives.

(f) WAIVER.—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis—

(1) with the approval of the Director of the Office of Management and Budget, after consultation with the Federal Acquisition Security Council; and

(2) upon notification to—

(A) the Committee on Homeland Security and Government Affairs of the Senate;

(B) the Committee on Oversight and Reform in the House of Representatives; and

(C) other appropriate congressional committees of jurisdiction.

SEC. 5884. PROHIBITION ON OPERATION OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) PROHIBITION.—

(1) IN GENERAL.—Beginning on the date that is two years after the date of the enactment of this Act, no Federal department or agency may operate a covered unmanned aircraft system manufactured or assembled by a covered foreign entity.

(2) APPLICABILITY TO CONTRACTED SERVICES.—The prohibition under paragraph (1) applies to any covered unmanned aircraft systems that are being used by any executive agency through the method of contracting for the services of covered unmanned aircraft systems.

(b) EXEMPTION.—The Secretary of Homeland Security, the Secretary of Defense, the Director of National Intelligence, and the Attorney General are exempt from the restriction under subsection (a) if the procurement is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of unmanned aircraft system or counter-unmanned aircraft system technology;

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal criminal or national security investigations, including forensic examinations, or for electronic warfare, information warfare operations, cybersecurity, or development of an unmanned aircraft system or counter-unmanned aircraft system technology; or

(3) is an unmanned aircraft system that, as procured or as modified after procurement but before operational use, can no longer transfer to, or download data from, a covered foreign entity and otherwise poses no national security cybersecurity risks as determined by the exempting official.

(c) DEPARTMENT OF TRANSPORTATION AND FEDERAL AVIATION ADMINISTRATION EXEMPTION.—The Secretary of Transportation is exempt from the restriction under subsection (a) if the operation or procurement is deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, including activities carried out under the Federal Aviation Administration's Alliance for System Safety of UAS through Research Excellence (ASSURE) Center of Excellence (COE) and any other activity deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, as determined by the Secretary or the Secretary's designee.

(d) NATIONAL TRANSPORTATION SAFETY BOARD EXEMPTION.—The National Transportation Safety Board, in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the procurement is necessary for the sole purpose of conducting safety investigations.

(e) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION EXEMPTION.—The Administrator of the National Oceanic and Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the procurement is necessary for the purpose of meeting NOAA's science or management objectives.

(f) WAIVER.—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis—

(1) with the approval of the Director of the Office of Management and Budget, after consultation with the Federal Acquisition Security Council; and

(2) upon notification to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Oversight and Reform in the House of Representatives; and

(C) other appropriate congressional committees of jurisdiction.

(g) REGULATIONS AND GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Attorney General shall prescribe regulations or guidance to implement this section.

SEC. 5885. PROHIBITION ON USE OF FEDERAL FUNDS FOR PURCHASES AND OPERATION OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—Beginning on the date that is two years after the date of the enactment of this Act, except as provided in subsection (b), no Federal funds awarded through a contract, grant, or cooperative agreement, or otherwise made available may be used—

(1) to purchase a covered unmanned aircraft system that is manufactured or assembled by a covered foreign entity; or

(2) in connection with the operation of such a drone or unmanned aircraft system.

(b) EXEMPTION.—The Secretary of Homeland Security, the Secretary of Defense, the Director of National Intelligence, and the Attorney General are exempt from the restriction under subsection (a) if the procurement is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of unmanned aircraft system or counter-unmanned aircraft system technology;

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal criminal or national security investigations, including forensic examinations, or for electronic warfare, information warfare operations, cybersecurity, or development of an unmanned aircraft system or counter-unmanned aircraft system technology; or

(3) is an unmanned aircraft system that, as procured or as modified after procurement but before operational use, can no longer transfer to, or download data from, a covered foreign entity and otherwise poses no national security cybersecurity risks as determined by the exempting official.

(c) DEPARTMENT OF TRANSPORTATION AND FEDERAL AVIATION ADMINISTRATION EXEMPTION.—The Secretary of Transportation is exempt from the restriction under subsection (a) if the operation or procurement is deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, including activities carried out under the Federal Aviation Administration's Alliance for System Safety of UAS through Research Excellence (ASSURE) Center of Excellence (COE) and any other activity deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, as determined by the Secretary or the Secretary's designee.

(d) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION EXEMPTION.—The Administrator of the National Oceanic and Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the operation or procurement is necessary for the purpose of meeting NOAA's science or management objectives.

(e) WAIVER.—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis—

(1) with the approval of the Director of the Office of Management and Budget, after consultation with the Federal Acquisition Security Council; and

(2) upon notification to—

(A) the Committee on Homeland Security and Government Affairs of the Senate;

(B) the Committee on Oversight and Reform in the House of Representatives; and

(C) other appropriate congressional committees of jurisdiction.

(f) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall prescribe regulations or guidance, as necessary, to implement the requirements of this section pertaining to Federal contracts.

SEC. 5886. PROHIBITION ON USE OF GOVERNMENT-ISSUED PURCHASE CARDS TO PURCHASE COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

Effective immediately, Government-issued Purchase Cards may not be used to procure any covered unmanned aircraft system from a covered foreign entity.

SEC. 5887. MANAGEMENT OF EXISTING INVENTORIES OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—All executive agencies must account for existing inventories of covered unmanned aircraft systems manufactured or assembled by a covered foreign entity in their personal property accounting systems, within one year of the date of enactment of this Act, regardless of the original procurement cost, or the purpose of procurement due to the special monitoring and accounting measures necessary to track the items' capabilities.

(b) CLASSIFIED TRACKING.—Due to the sensitive nature of missions and operations conducted by the United States Government, inventory data related to covered unmanned aircraft systems manufactured or assembled by a covered foreign entity may be tracked at a classified level.

(c) EXCEPTIONS.—The Department of Defense, Department of Homeland Security, Department of Justice, and Department of Transportation may exclude from the full inventory process, covered unmanned aircraft systems that are deemed expendable due to mission risk such as recovery issues or that are one-time-use covered unmanned aircraft due to requirements and low cost.

SEC. 5888. COMPTROLLER GENERAL REPORT.

Not later than 275 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the amount of commercial off-the-shelf drones and covered unmanned aircraft systems procured by Federal departments and agencies from covered foreign entities.

SEC. 5889. GOVERNMENT-WIDE POLICY FOR PROCUREMENT OF UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in coordination with the Department of Homeland Security, Department of Transportation, the Department of Justice, and other Departments as determined by the Director of the Office of Management and Budget, and in consultation with the National Institute of Standards and Technology, shall establish a government-wide policy for the procurement of an unmanned aircraft system—

(1) for non-Department of Defense and non-intelligence community operations; and

(2) through grants and cooperative agreements entered into with non-Federal entities.

(b) INFORMATION SECURITY.—The policy developed under subsection (a) shall include the following specifications, which to the extent practicable, shall be based on industry standards and technical guidance from the National Institute of Standards and Technology, to address the risks associated with processing, storing, and transmitting Federal information in an unmanned aircraft system:

(1) Protections to ensure controlled access to an unmanned aircraft system.

(2) Protecting software, firmware, and hardware by ensuring changes to an unmanned aircraft system are properly managed, including by ensuring an unmanned aircraft system can be updated using a secure, controlled, and configurable mechanism.

(3) Cryptographically securing sensitive collected, stored, and transmitted data, including proper handling of privacy data and other controlled unclassified information.

(4) Appropriate safeguards necessary to protect sensitive information, including during and after use of an unmanned aircraft system.

(5) Appropriate data security to ensure that data is not transmitted to or stored in non-approved locations.

(6) The ability to opt out of the uploading, downloading, or transmitting of data that is

not required by law or regulation and an ability to choose with whom and where information is shared when it is required.

(c) REQUIREMENT.—The policy developed under subsection (a) shall reflect an appropriate risk-based approach to information security related to use of an unmanned aircraft system.

(d) REVISION OF ACQUISITION REGULATIONS.—Not later than 180 days after the date on which the policy required under subsection (a) is issued—

(1) the Federal Acquisition Regulatory Council shall revise the Federal Acquisition Regulation, as necessary, to implement the policy; and

(2) any Federal department or agency or other Federal entity not subject to, or not subject solely to, the Federal Acquisition Regulation shall revise applicable policy, guidance, or regulations, as necessary, to implement the policy.

(e) EXEMPTION.—In developing the policy required under subsection (a), the Director of the Office of Management and Budget shall—

(1) incorporate policies to implement the exemptions contained in this subtitle; and

(2) incorporate an exemption to the policy in the case of a head of the procuring department or agency determining, in writing, that no product that complies with the information security requirements described in subsection (b) is capable of fulfilling mission critical performance requirements, and such determination—

(A) may not be delegated below the level of the Deputy Secretary, or Administrator, of the procuring department or agency;

(B) shall specify—

(i) the quantity of end items to which the waiver applies and the operation or procurement value of those items; and

(ii) the time period over which the waiver applies, which shall not exceed three years;

(C) shall be reported to the Office of Management and Budget following issuance of such a determination; and

(D) not later than 30 days after the date on which the determination is made, shall be provided to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives.

SEC. 5890. STATE, LOCAL, AND TERRITORIAL LAW ENFORCEMENT AND EMERGENCY SERVICE EXEMPTION.

(a) RULE OF CONSTRUCTION.—Nothing in this subtitle shall prevent a State, local, or territorial law enforcement or emergency service agency from procuring or operating a covered unmanned aircraft system purchased with non-Federal dollars.

(b) CONTINUITY OF ARRANGEMENTS.—The Federal Government may continue entering into contracts, grants, and cooperative agreements or other Federal funding instruments with State, local, or territorial law enforcement or emergency service agencies under which a covered unmanned aircraft system will be purchased or operated if the agency has received approval or waiver to purchase or operate a covered unmanned aircraft system pursuant to section 5885.

SEC. 5891. STUDY.

(a) STUDY ON THE SUPPLY CHAIN FOR UNMANNED AIRCRAFT SYSTEMS AND COMPONENTS.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall provide to the appropriate congressional committees a report on the supply chain for covered unmanned aircraft systems, including a discussion of current and projected future demand for covered unmanned aircraft systems.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A description of the current and future global and domestic market for covered unmanned aircraft systems that are not widely commercially available except from a covered foreign entity.

(B) A description of the sustainability, availability, cost, and quality of secure sources of covered unmanned aircraft systems domestically and from sources in allied and partner countries.

(C) The plan of the Secretary of Defense to address any gaps or deficiencies identified in subparagraph (B), including through the use of funds available under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) and partnerships with the National Aeronautics and Space Administration and other interested persons.

(D) Such other information as the Under Secretary of Defense for Acquisition and Sustainment determines to be appropriate.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section the term ''appropriate congressional committees'' means:

(A) The Committees on Armed Services of the Senate and the House of Representatives.

(B) The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives.

(C) The Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

(D) The Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 5892. EXCEPTIONS.

(a) EXCEPTION FOR WILDFIRE MANAGEMENT OPERATIONS AND SEARCH AND RESCUE OPERATIONS.—The appropriate Federal agencies, in consultation with the Secretary of Homeland Security, are exempt from the procurement, operation, and purchase restrictions under sections 5883, 5884, and 5885 to the extent the procurement, operation, or purchase is necessary for the purpose of supporting the full range of wildfire management operations or search and rescue operations.

(b) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—The elements of the intelligence community, in consultation with the Director of National Intelligence, are exempt from the procurement, operation, and purchase restrictions under sections 5883, 5884, and 5885 to the extent the procurement, operation, or purchase is necessary for the purpose of supporting intelligence activities.

(c) EXCEPTION FOR TRIBAL LAW ENFORCEMENT OR EMERGENCY SERVICE AGENCY.—Tribal law enforcement or Tribal emergency service agencies, in consultation with the Secretary of Homeland Security, are exempt from the procurement, operation, and purchase restrictions under sections 5883, 5884, and 5885 to the extent the procurement, operation, or purchase is necessary for the purpose of supporting the full range of law enforcement operations or search and rescue operations on Indian lands.

SEC. 5893. SUNSET.

Sections 5883, 5884, and 5885 shall cease to have effect on the date that is five years after the date of the enactment of this Act.

TITLE LIX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

SEC. 5901. 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 of Defense 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) identify, accelerate, and sustain the establishment, research, development, construction, procurement, leasing, consolidation, alteration, improvement, or repair of tangible and intangible assets vital to national security;

''(2) protect vital tangible and intangible assets from theft, acquisition, and transfer by the People's Republic of China, the Russian Federation, and other countries that are adversaries of the United States; and

''(3) provide capital assistance to eligible entities engaged in eligible investments.

''(d) APPLICATIONS.—

''(1) IN GENERAL.—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.

''(2) PRELIMINARY RATING OPINION LETTER.—

''(A) IN GENERAL.—Except as provided by subparagraph (B), an application submitted under paragraph (1) seeking capital assistance for an eligible investment shall include a preliminary rating opinion letter from at least one rating agency indicating that the senior obligations of the investment have the potential to achieve an investment-grade rating.

''(B) EXCEPTIONS.—The Director may waive the requirement under subparagraph (A) with respect to an investment if it is not possible to obtain a preliminary rating opinion letter with respect to the investment.

''(e) SELECTION OF INVESTMENTS.—The Director shall establish criteria for selecting among eligible investments for which applications are submitted under subsection (d). Such criteria shall include—

''(1) the extent to which an investment is significant to the national security of the United States;

''(2) the creditworthiness of an investment; and

''(3) 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.

''(f) CAPITAL ASSISTANCE.—

''(1) LOANS AND LOAN GUARANTEES.—

''(A) IN GENERAL.—The Office may provide loans or loan guarantees to finance or refinance the costs of an eligible investment selected pursuant to subsection (e).

''(B) INVESTMENT-GRADE RATING REQUIRED.—

''(i) IN GENERAL.—Except as provided by clause (ii), a loan or loan guarantee may be provided under subparagraph (A) only with respect to an investment that receives an investment-grade rating from a rating agency.

''(ii) EXCEPTION.—The Director may waive the requirement under clause (i) with respect to an investment if—

''(I) it is not possible to obtain a preliminary rating opinion letter with respect to the investment; and

''(II) the investment is determined by the Secretary of Defense to be vital to the national security of the United States.

''(C) SECURITY.—A loan provided under subparagraph (A) is required—

''(i) to be payable, in whole or in part, from tolls, user fees, or other dedicated revenue sources; and

''(ii) to include a rate covenant, coverage requirement, or similar security feature supporting investment obligations.

''(D) ADMINISTRATION OF LOANS.—

''(i) INTEREST RATE.—

''(I) IN GENERAL.—Except as provided by 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 Director 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.

''(ii) FINAL MATURITY DATE.—The final maturity date of a loan provided under subparagraph (A) shall be not later than 35 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) CAPITAL RESERVE SUBSIDY AMOUNT.—The Director of the Office of Management and Budget and the rating agencies shall determine the appropriate capital reserve subsidy amount for each loan provided under subparagraph (A).

''(v) NONSUBORDINATION.—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.

''(vi) SALE OF LOANS.—After substantial completion of an investment for which a loan is provided under subparagraph (A) and after notifying the obligor, the Director may sell to another entity or reoffer into the capital markets a loan for the investment if the Director determines that the sale or reoffering can be made on favorable terms.

''(vii) LOAN GUARANTEES.—If the Director determines that the holder of a loan guaranteed by the Office defaults on the loan, the Director shall pay the holder as specified in the loan guarantee agreement.

''(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 Director 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 Director may, as a minority investor, support an eligible investment selected pursuant to subsection (e) with funds or use other mechanisms for the purpose of purchasing, and may make and fund commitments to purchase, invest in, make pledges in respect of, or otherwise acquire, equity or quasi-equity securities or shares or financial interests of the eligible entity receiving support for the eligible investment, including as a limited partner or other investor in investment funds, upon such terms and conditions as the Director may determine.

''(B) SALES AND LIQUIDATION OF POSITION.—The Office shall seek to sell and liquidate any support for an investment provided under subparagraph (A) as soon as commercially feasible, commensurate with other similar investors in the investment and taking into consideration the national security interests of the United States.

''(3) INSURANCE AND REINSURANCE.—The Director may issue insurance or reinsurance, upon such terms and conditions as the Director may determine, to an eligible entity for an eligible investment selected pursuant to subsection (e) assuring protection of the investments of the entity in whole or in part against any or all political risks such as currency inconvertibility and transfer restrictions, expropriation, war, terrorism, civil disturbance, breach of contract, or nonhonoring of financial obligations.

''(4) TECHNICAL ASSISTANCE.—The Director shall provide technical assistance with respect to developing and financing investments to eligible entities seeking capital assistance for eligible investments and eligible entities receiving capital assistance under this subsection.

''(5) TERMS AND CONDITIONS.—

''(A) FEES.—The Director may charge fees for the provision of capital assistance under this subsection to cover the costs to the Office of providing such assistance.

''(B) AMOUNT OF CAPITAL ASSISTANCE.—The Director shall provide to an eligible investment selected pursuant to subsection (e) the minimum amount of assistance necessary to carry out the investment.

''(C) USE OF UNITED STATES DOLLAR.—All financial transactions conducted under this subsection shall be conducted in United States dollars, unless the Director approves of the use of another currency.

''(g) CORPORATE FUNDS.—

''(1) CORPORATE CAPITAL ACCOUNT.—There is established in the Treasury of the United States a fund to be known as the 'Office of Strategic Capital Capital Account' (in this subsection referred to as the 'Capital Account') to carry out the purposes of the Office.

''(2) FUNDING.—The Capital Account shall consist of—

''(A) fees charged and collected pursuant to paragraph (3);

''(B) any amounts received pursuant to paragraph (6);

''(C) investments and returns on such investments pursuant to paragraph (7);

''(D) amounts appropriated pursuant to the authorization of appropriations under paragraph (8);

''(E) payments received in connection with settlements of all insurance and reinsurance claims of the Office; and

''(F) all other collections transferred to or earned by the Office, excluding the cost, as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a), of loans and loan guaranties.

''(3) FEE AUTHORITY.—Fees may be charged and collected for providing capital assistance in amounts to be determined by the Director. The Director shall establish the amount of such fees at an amount sufficient to cover all or a portion of the costs to the Office of providing capital assistance.

''(4) USE OF FUNDS.—

''(A) IN GENERAL.—Subject to appropriations Acts, the Director is authorized to pay, from amounts in the Capital Account—

''(i) 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; and

''(ii) administrative expenses of the Office.

''(B) INCOME AND REVENUE.—In order to carry out the purposes of the Office, all collections transferred to or earned by the Office (excluding the cost, as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a), of loans and loan guaranties) shall be deposited into the Capital Account and shall be available to carry out its purpose, including—

''(i) payment of all insurance and reinsurance claims of the Office;

''(ii) repayments to the Treasury of amounts borrowed under paragraph (5); and

''(iii) dividend payments to the Treasury under paragraph (6).

''(5) FULL FAITH AND CREDIT.—

''(A) IN GENERAL.—All capital assistance provided by the Office shall constitute obligations of the United States, and the full faith and credit of the United States is hereby pledged for the full payment and performance of such obligations.

''(B) AUTHORITY TO BORROW.—The Director is authorized to borrow from the Treasury such sums as may be necessary to fulfill such obligations of the United States and any such borrowing shall be at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yields on outstanding marketable obligations of the United States of comparable maturities, for a period jointly determined by the Director and the Secretary of Defense, and subject to such terms and conditions as the Secretary may require.

''(6) DIVIDENDS.—The Director, in consultation with the Director of the Office of Management and Budget, shall annually assess a dividend payment to the Treasury if the Office's insurance portfolio is more than 100 percent reserved.

''(7) INVESTMENT AUTHORITY.—

''(A) IN GENERAL.—The Director may request the Secretary of the Treasury to invest such portion of the Capital Account as is not, in the Director's judgment, required to meet the current needs of the Capital Account.

''(B) FORM OF INVESTMENTS.—Investments described in subparagraph (A) shall be made by the Secretary of the Treasury in public debt obligations, with maturities suitable to the needs of the Capital Account, as determined by the Director, and bearing interest at rates determined by the Secretary, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturities.

''(8) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—There are authorized to be appropriated to the Capital Account—

''(i) for fiscal year 2023, $20,000,000;

''(ii) for fiscal year 2024, $30,000,000;

''(iii) for fiscal year 2025, $40,000,000; and

''(iv) for fiscal year 2026 and each fiscal year thereafter, $50,000,000.

''(B) AVAILABILITY OF AMOUNTS.—Amounts appropriated pursuant to the authorization of appropriations under subparagraph (A) shall remain available until expended.

''(9) COLLECTIONS SUBJECT TO APPROPRIATIONS ACTS.—Interest earnings made pursuant to paragraph (6), earnings collected related to equity investments, and other amounts (excluding fees related to insurance or reinsurance) collected, may not be collected for any fiscal year except to the extent provided in advance in appropriations Acts.

''(h) REGULATIONS.—The Secretary of Defense shall prescribe such regulations as are necessary to carry out this section.

''(i) ANNUAL REPORT.—Not later than December 31 of each year, the Secretary of Defense shall submit to the congressional defense committees an annual report describing the activities of the Office in the preceding fiscal year and the goals of the Office for the next fiscal year.

''(j) 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 (f).

''(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 national security; or

''(B) to protect vital tangible and intangible assets from theft, acquisition, and transfer by the People's Republic of China, the Russian Federation, and other countries that are adversaries of the United States.

''(4) INVESTMENT-GRADE RATING.—The term 'investment-grade rating' means a rating of BBB minus, Baa3, bbb minus, BBB (low), or higher assigned by a rating agency to investment obligations.

''(5) OBLIGOR.—The term 'obligor' means a party that is primarily liable for payment of the principal of or interest on a loan.

''(6) RATING AGENCY.—The term 'rating agency' means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as that term is defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).

''(7) SUBSIDY AMOUNT.—The term 'subsidy amount' means the amount of budget authority sufficient to cover the estimated long-term cost to the Federal Government of a loan—

''(A) calculated on a net present value basis; and

''(B) excluding administrative costs and any incidental effects on governmental receipts or outlays in accordance with the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).''.

(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.

TITLE LX—GENERAL PROVISIONS

Subtitle C—Naval Vessels

SEC. 6011. BATTLE FORCE SHIP EMPLOYMENT, MAINTENANCE, AND MANNING BASELINE PLANS.

(a) IN GENERAL.—Chapter 863 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 8696. Battle force ship employment, maintenance, and manning baseline plans

''(a) IN GENERAL.—Not later than 45 days after the date of delivery of the first ship in a new class of battle force ships, the Secretary of the Navy shall submit to the congressional defense committees a report on the employment, maintenance, and manning baseline plans for the class, including a description of the following:

''(1) The sustainment and maintenance plans for the class that encompass the number of years the class is expected to be in service, including—

''(A) the allocation of maintenance tasks among organizational, intermediate, depot, or other activities;

''(B) the planned duration and interval of maintenance for all depot-level maintenance availabilities; and

''(C) the planned duration and interval of drydock maintenance periods.

''(2) Any contractually required integrated logistics support deliverables for the ship, including technical manuals, and an identification of—

''(A) the deliverables provided to the Government on or before the delivery date; and

''(B) the deliverables not provided to the Government on or before the delivery date and the expected dates those deliverables will be provided to the Government.

''(3) The planned maintenance system for the ship, including—

''(A) the elements of the system, including maintenance requirement cards, completed on or before the delivery date;

''(B) the elements of the system not completed on or before the delivery date and the expected completion date of those elements; and

''(C) the plans to complete planned maintenance from the delivery date until all elements of the system have been completed.

''(4) The coordinated shipboard allowance list for the class, including—

''(A) the items on the list onboard on or before the delivery date; and

''(B) the items on the list not onboard on or before the delivery date and the expected arrival date of those items.

''(5) The ship manpower document for the class, including—

''(A) the number of officers by grade and designator; and

''(B) the number of enlisted personnel by rate and rating.

''(6) The personnel billets authorized for the ship for the fiscal year in which the ship is delivered and each of the four fiscal years thereafter, including—

''(A) the number of officers by grade and designator; and

''(B) the number of enlisted personnel by rate and rating.

''(7) Programmed funding for manning and end strength on the ship for the fiscal year in which the ship is delivered and each of the four fiscal years thereafter, including—

''(A) the number of officers by grade and designator; and

''(B) the number of enlisted personnel by rate and rating.

''(8) Personnel assigned to the ship on the delivery date, including—

''(A) the number of officers by grade and designator; and

''(B) the number of enlisted personnel by rate and rating.

''(9) For each critical hull, mechanical, electrical, propulsion, and combat system of the class as so designated by the Senior Technical Authority pursuant to section 8669b(c)(2)(C) of this title, the following:

''(A) The Government-provided training available for personnel assigned to the ship at the time of delivery, including the nature, objectives, duration, and location of the training.

''(B) The contractor-provided training available for personnel assigned to the ship at the time of delivery, including the nature, objectives, duration, and location of the training.

''(C) Plans to adjust how the training described in subparagraphs (A) and (B) will be provided to personnel after delivery, including the nature and timeline of those adjustments.

''(10) The notional employment schedule of the ship for each month of the fiscal year in which the ship is delivered and each of the four fiscal years thereafter, including an identification of time spent in the following phases:

''(A) Basic.

''(B) Integrated or advanced.

''(C) Deployment.

''(D) Maintenance.

''(E) Sustainment.

''(b) NOTIFICATION REQUIRED.—Not less than 30 days before implementing a significant change to the baseline plans described in subsection (a) or any subsequent significant change, the Secretary of the Navy shall submit to the congressional defense committees written notification of the change, including for each such change the following:

''(1) An explanation of the change.

''(2) The desired outcome.

''(3) The rationale.

''(4) The duration.

''(5) The operational impact.

''(6) The budgetary impact, including—

''(A) in the year in which the change is made;

''(B) over the five years thereafter; and

''(C) over the expected service life of the relevant class of battle force ships.

''(7) The personnel impact, including—

''(A) in the year in which the change is made;

''(B) over the five years thereafter; and

''(C) over the expected service life of the relevant class of battle force ships.

''(8) The sustainment and maintenance impact, including—

''(A) in the year in which the change is made;

''(B) over the five years thereafter; and

''(C) over the expected service life of the relevant class of battle force ships.

''(c) TREATMENT OF CERTAIN SHIPS.—(1) For the purposes of this section, the Secretary of the Navy shall treat as the first ship in a new class of battle force ships the following:

''(A) U.S.S. John F. Kennedy (CVN–79).

''(B) U.S.S. Michael Monsoor (DDG–1001).

''(C) U.S.S. Jack H. Lucas (DDG–125).

''(2) For each ship described in paragraph (1), the Senior Technical Authority shall identify critical systems for the purposes of subsection (a)(9).

''(d) DEFINITIONS.—In this section:

''(1) The term 'battle force ship' means the following:

''(A) A commissioned United States Ship warship capable of contributing to combat operations.

''(B) A United States Naval Ship that contributes directly to Navy warfighting or support missions.

''(2) The term 'delivery' has the meaning provided for in section 8671 of this title.

''(3) The term 'Senior Technical Authority' has the meaning provided for in section 8669b of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 863 of such title is amended by adding at the end the following new item:

''8696. Battle force ship employment, maintenance, and manning baseline plans.

Subtitle F—Studies and Reports

SEC. 6021. REPORT ON LAND HELD BY ENTITIES CONNECTED TO THE PEOPLE'S REPUBLIC OF CHINA NEAR MILITARY INSTALLATIONS OR MILITARY AIRSPACE IN THE UNITED STATES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing land held by covered entities within 25 miles of a military instillation or military airspace in the United States—

(1) as of the date of the report; and

(2) as of the date that is 5 years before such date of enactment.

(b) COORDINATION WITH OTHER AGENCIES.—In preparing the report required by subsection (a), the Secretary may coordinate with the heads of other Federal agencies to ensure the completeness and accuracy of the information used to prepare the report.

(c) COVERED ENTITY DEFINED.—In this section, the term ''covered entity'' means any entity that—

(1) is headquartered in the People's Republic of China;

(2) is owned, directed, controlled, financed, or influenced directly or indirectly by the Government of the People's Republic of China, the Chinese Communist Party, or the military of the People's Republic of China, including any entity for which the Government of the People's Republic of China, the Chinese Communist Party, or the military of the People's Republic of China has the ability, through ownership of a majority or a dominant minority of the total outstanding voting interest in the entity, board representation, proxy voting, a special share, contractual arrangements, formal or informal arrangements to act in concert, or other means, to determine, direct, or decide for the entity in an important manner; or

(3) is a parent, subsidiary, or affiliate of any entity described in paragraph (2).

SEC. 6022. REPORT ON IMPACT OF GLOBAL CRITICAL MINERAL AND METAL RESERVES ON UNITED STATES MILITARY EQUIPMENT SUPPLY CHAINS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on—

(1) the impact of the current and future supply of global critical mineral and metal reserves on the United States military equipment supply chains; and

(2) the feasibility of public-private partnerships to foster supply chain resilience through strategic investments.

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

(1) an assessment of the efforts of the People's Republic of China and the Russian Federation to acquire global reserves of critical minerals and metals, including reserves of lithium, tungsten, tantalum, cobalt, and molybdenum;

(2) a description of the efforts of the Department of Defense to procure critical minerals and metals;

(3) a description of planned investments by the Department to ensure the resiliency and security of the United States military supply chains requiring critical minerals and metals;

(4) an assessment of the feasibility of engagement initiated by the Department with public-private partnerships to consult and coordinate in a concerted effort to improve information sharing with respect to development and mining projects, production technologies, and refining facilities relating to securing supply chains of critical minerals and metal reserves; and

(5) an assessment of the feasibility of loan guarantees provided by the Department to private industry to enable significant strategic investments in development and mining projects, production technologies, and refining facilities relating to securing supply chains of critical minerals and metal reserves.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form and include a classified annex.

SEC. 6023. CROSSCUT REPORT ON ARCTIC RESEARCH PROGRAMS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Director of the Office of Management and Budget shall submit a detailed report to Congress regarding all existing Federal programs relating to Arctic research, including—

(1) the goals of each such program;

(2) the funding levels for each such program for each of the 5 immediately preceding fiscal years;

(3) the anticipated funding levels for each such program for each of the 5 following fiscal years; and

(4) the total funding appropriated for the current fiscal year for such programs.

(b) DISTRIBUTION.—Not later than 3 days after submitting the report to Congress pursuant to subsection (a), the Director of the Office of Management and Budget shall submit a copy of the report to the National Science Foundation, the United States Arctic Research Commission, and the Office of Science and Technology Policy.

Subtitle G—Other Matters

SEC. 6031. DEFINITION OF LAND USE REVENUE UNDER WEST LOS ANGELES LEASING ACT OF 2016.

Section 2(d)(2) of the West Los Angeles Leasing Act of 2016 (Public Law 114–226) is amended—

(1) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph:

''(B) to the extent specified in advance in an appropriations Act for a fiscal year, any funds received as compensation for an easement described in subsection (e); and''.

SEC. 6032. FINANCIAL ASSISTANCE FOR CONSTRUCTION OF TEST BEDS AND SPECIALIZED FACILITIES.

Section 34 of the National Institute of Standards and Technology Act (15 U.S.C. 278s) is amended—

(1) by redesignating subsections (f) through (l) as subsections (g) through (m), respectively; and

(2) by inserting after subsection (e) the following:

''(f) AUTHORITY TO AWARD FINANCIAL ASSISTANCE FOR CONSTRUCTION OF TEST BEDS AND SPECIALIZED FACILITIES.—

''(1) IN GENERAL.—The Secretary may, acting through the Director, award financial assistance for the construction of test beds and specialized facilities by Manufacturing USA institutes established or supported under subsection (e) as the Secretary considers appropriate to carry out the purposes of the Program.

''(2) REQUIREMENTS.—The Secretary shall exercise authority under paragraph (1) in a manner and with requirements consistent with paragraphs (3) through (6) and paragraph (8) of subsection (e).

''(3) PRIORITY.—The Secretary shall establish preferences in selection criteria for proposals for financial assistance under this subsection from Manufacturing USA institutes that integrate as active members one or more covered entities as described in section 10262 of the Research and Development, Competition, and Innovation Act (Public Law 117–167).''.

SEC. 6033. HOMELAND PROCUREMENT REFORM ACT.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is amended by adding at the end the following:

''SEC. 836. REQUIREMENTS TO BUY CERTAIN ITEMS RELATED TO NATIONAL SECURITY INTERESTS.

''(a) DEFINITIONS.—In this section:

''(1) COVERED ITEM.—The term 'covered item' means any of the following:

''(A) Footwear provided as part of a uniform.

''(B) Uniforms.

''(C) Holsters and tactical pouches.

''(D) Patches, insignia, and embellishments.

''(E) Chemical, biological, radiological, and nuclear protective gear.

''(F) Body armor components intended to provide ballistic protection for an individual, consisting of 1 or more of the following:

''(i) Soft ballistic panels.

''(ii) Hard ballistic plates.

''(iii) Concealed armor carriers worn under a uniform.

''(iv) External armor carriers worn over a uniform.

''(G) Any other item of clothing or protective equipment as determined appropriate by the Secretary.

''(2) FRONTLINE OPERATIONAL COMPONENT.—The term 'frontline operational component' means any of the following organizations of the Department:

''(A) U.S. Customs and Border Protection.

''(B) U.S. Immigration and Customs Enforcement.

''(C) The United States Secret Service.

''(D) The Transportation Security Administration.

''(E) The Federal Protective Service.

''(F) The Federal Emergency Management Agency.

''(G) The Federal Law Enforcement Training Centers.

''(H) The Cybersecurity and Infrastructure Security Agency.

''(b) REQUIREMENTS.—

''(1) IN GENERAL.—The Secretary shall ensure that any procurement of a covered item for a frontline operational component meets the following criteria:

''(A)(i) To the maximum extent possible, not less than one-third of funds obligated in a specific fiscal year for the procurement of such covered items shall be covered items that are manufactured or supplied in the United States by entities that qualify as small business concerns, as such term is described under section 3 of the Small Business Act (15 U.S.C. 632).

''(ii) Covered items may only be supplied pursuant to subparagraph (A) to the extent that United States entities that qualify as small business concerns—

''(I) are unable to manufacture covered items in the United States; and

''(II) meet the criteria identified in subparagraph (B).

''(B) Each contractor with respect to the procurement of such a covered item, including the end-item manufacturer of such a covered item—

''(i) is an entity registered with the System for Award Management (or successor system) administered by the General Services Administration; and

''(ii) is in compliance with ISO 9001:2015 of the International Organization for Standardization (or successor standard) or a standard determined appropriate by the Secretary to ensure the quality of products and adherence to applicable statutory and regulatory requirements.

''(C) Each supplier of such a covered item with an insignia (such as any patch, badge, or emblem) and each supplier of such an insignia, if such covered item with such insignia or such insignia, as the case may be, is not produced, applied, or assembled in the United States, shall—

''(i) store such covered item with such insignia or such insignia in a locked area;

''(ii) report any pilferage or theft of such covered item with such insignia or such insignia occurring at any stage before delivery of such covered item with such insignia or such insignia; and

''(iii) destroy any such defective or unusable covered item with insignia or insignia in a manner established by the Secretary, and maintain records, for three years after the creation of such records, of such destruction that include the date of such destruction, a description of the covered item with insignia or insignia destroyed, the quantity of the covered item with insignia or insignia destroyed, and the method of destruction.

''(2) WAIVER.—

''(A) IN GENERAL.—In the case of a national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) or a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), the Secretary may waive a requirement in subparagraph (A), (B) or (C) of paragraph (1) if the Secretary determines there is an insufficient supply of a covered item that meets the requirement.

''(B) NOTICE.—Not later than 60 days after the date on which the Secretary determines a waiver under subparagraph (A) is necessary, the Secretary shall provide to the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives notice of such determination, which shall include—

''(i) identification of the national emergency or major disaster declared by the President;

''(ii) identification of the covered item for which the Secretary intends to issue the waiver; and

''(iii) a description of the demand for the covered item and corresponding lack of supply from contractors able to meet the criteria described in subparagraph (B) or (C) of paragraph (1).

''(c) PRICING.—The Secretary shall ensure that covered items are purchased at a fair and reasonable price, consistent with the procedures and guidelines specified in the Federal Acquisition Regulation.

''(d) REPORT.—Not later than 1 year after the date of enactment of this section and annually thereafter, the Secretary shall provide to the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate a briefing on instances in which vendors have failed to meet deadlines for delivery of covered items and corrective actions taken by the Department in response to such instances.

''(e) EFFECTIVE DATE.—This section applies with respect to a contract entered into by the Department or any frontline operational component on or after the date that is 180 days after the date of enactment of this section.''.

(b) STUDY.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a study of the adequacy of uniform allowances provided to employees of frontline operational components (as defined in section 836 of the Homeland Security Act of 2002, as added by subsection (a)).

(2) REQUIREMENTS.—The study conducted under paragraph (1) shall—

(A) be informed by a Department-wide survey of employees from across the Department of Homeland Security who receive uniform allowances that seeks to ascertain what, if any, improvements could be made to the current uniform allowances and what, if any, impacts current allowances have had on employee morale and retention;

(B) assess the adequacy of the most recent increase made to the uniform allowance for first year employees; and

(C) consider increasing by 50 percent, at minimum, the annual allowance for all other employees.

(c) ADDITIONAL REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall provide a report with recommendations on how the Department of Homeland Security could procure additional items from domestic sources and bolster the domestic supply chain for items related to national security to—

(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate; and

(B) the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives.

(2) CONTENTS.—The report required under paragraph (1) shall include the following:

(A) A review of the compliance of the Department of Homeland Security with the requirements under section 604 of title VI of division A of the American Recovery and Reinvestment Act of 2009 (6 U.S.C. 453b) to buy certain items related to national security interests from sources in the United States.

(B) An assessment of the capacity of the Department of Homeland Security to procure the following items from domestic sources:

(i) Personal protective equipment and other items necessary to respond to a pandemic such as that caused by COVID–19.

(ii) Helmets that provide ballistic protection and other head protection and components.

(iii) Rain gear, cold weather gear, and other environmental and flame resistant clothing.

(d) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 835 the following:

''Sec. 836. Requirements to buy certain items related to national security interests.

SEC. 6034. COLLECTION, VERIFICATION, AND DISCLOSURE OF INFORMATION BY ONLINE MARKETPLACES TO INFORM CONSUMERS.

(a) COLLECTION AND VERIFICATION OF INFORMATION.—

(1) COLLECTION.—

(A) IN GENERAL.—An online marketplace shall require any high-volume third party seller on such online marketplace's platform to provide, not later than 10 days after qualifying as a high-volume third party seller on the platform, the following information to the online marketplace:

(i) BANK ACCOUNT.—

(I) IN GENERAL.—A bank account number, or, if such seller does not have a bank account, the name of the payee for payments issued by the online marketplace to such seller.

(II) PROVISION OF INFORMATION.—The bank account or payee information required under subclause (I) may be provided by the seller in the following ways:

(aa) To the online marketplace.

(bb) To a payment processor or other third party contracted by the online marketplace to maintain such information, provided that the online marketplace ensures that it can obtain such information within 3 business days from such payment processor or other third party.

(ii) CONTACT INFORMATION.—Contact information for such seller as follows:

(I) With respect to a high-volume third party seller that is an individual, the individual's name.

(II) With respect to a high-volume third party seller that is not an individual, one of the following forms of contact information:

(aa) A copy of a valid government-issued identification for an individual acting on behalf of such seller that includes the individual's name.

(bb) A copy of a valid government-issued record or tax document that includes the business name and physical address of such seller.

(iii) TAX ID.—A business tax identification number, or, if such seller does not have a business tax identification number, a taxpayer identification number.

(iv) WORKING EMAIL AND PHONE NUMBER.—A current working email address and phone number for such seller.

(B) NOTIFICATION OF CHANGE; ANNUAL CERTIFICATION.—An online marketplace shall—

(i) periodically, but not less than annually, notify any high-volume third party seller on such online marketplace's platform of the requirement to keep any information collected under subparagraph (A) current; and

(ii) require any high-volume third party seller on such online marketplace's platform to, not later than 10 days after receiving the notice under clause (i), electronically certify that—

(I) the seller has provided any changes to such information to the online marketplace, if any such changes have occurred; or

(II) there have been no changes to such seller's information.

(C) SUSPENSION.—In the event that a high-volume third party seller does not provide the information or certification required under this paragraph, the online marketplace shall, after providing the seller with written or electronic notice and an opportunity to provide such information or certification not later than 10 days after the issuance of such notice, suspend any future sales activity of such seller until such seller provides such information or certification.

(2) VERIFICATION.—

(A) IN GENERAL.—An online marketplace shall—

(i) verify the information collected under paragraph (1)(A) not later than 10 days after such collection; and

(ii) verify any change to such information not later than 10 days after being notified of such change by a high-volume third party seller under paragraph (1)(B).

(B) PRESUMPTION OF VERIFICATION.—In the case of a high-volume third party seller that provides a copy of a valid government-issued tax document, any information contained in such document shall be presumed to be verified as of the date of issuance of such document.

(3) DATA USE LIMITATION.—Data collected solely to comply with the requirements of this section may not be used for any other purpose unless required by law.

(4) DATA SECURITY REQUIREMENT.—An online marketplace shall implement and maintain reasonable security procedures and practices, including administrative, physical, and technical safeguards that are appropriate to the nature of the data and the purposes for which the data will be used, to protect the data collected to comply with the requirements of this section from unauthorized use, disclosure, access, destruction, or modification.

(b) DISCLOSURE REQUIRED.—

(1) REQUIREMENT.—

(A) IN GENERAL.—An online marketplace shall—

(i) require any high-volume third party seller with an aggregate total of $20,000 or more in annual gross revenues on such online marketplace, and that uses such online

marketplace's platform, to provide the information described in subparagraph (B) to the online marketplace; and

(ii) disclose to consumers the information described in subparagraph (B) in a clear and conspicuous manner—

(I) on the product listing page (including via hyperlink); or

(II) in the order confirmation message or other document or communication made to the consumer after the purchase is finalized and in the consumer's account transaction history.

(B) INFORMATION DESCRIBED.—The information described in this subparagraph is the following:

(i) Subject to paragraph (2), the identity of the high-volume third party seller, including—

(I) the full name of the seller, which may include the seller name or seller's company name, or the name by which the seller or company operates on the online marketplace;

(II) the physical address of the seller; and

(III) contact information for the seller, to allow for the direct, unhindered communication with high-volume third party sellers by users of the online marketplace, including—

(aa) a current working phone number;

(bb) a current working email address; or

(cc) other means of direct electronic messaging (which may be provided to such seller by the online marketplace), provided that the requirements of this item shall not prevent an online marketplace from monitoring communications between high-volume third party sellers and users of the online marketplace for fraud, abuse, or spam.

(ii) Whether the high-volume third party seller used a different seller to supply the consumer product to the consumer upon purchase, and, upon the request of an authenticated purchaser, the information described in clause (i) relating to any such seller that supplied the consumer product to the purchaser, if such seller is different than the high-volume third party seller listed on the product listing prior to purchase.

(2) EXCEPTION.—

(A) IN GENERAL.—Subject to subparagraph (B), upon the request of a high-volume third party seller, an online marketplace may provide for partial disclosure of the identity information required under paragraph (1)(B)(i) in the following situations:

(i) If such seller certifies to the online marketplace that the seller does not have a business address and only has a residential street address, or has a combined business and residential address, the online marketplace may—

(I) disclose only the country and, if applicable, the State in which such seller resides; and

(II) inform consumers that there is no business address available for the seller and that consumer inquiries should be submitted to the seller by phone, email, or other means of electronic messaging provided to such seller by the online marketplace.

(ii) If such seller certifies to the online marketplace that the seller is a business that has a physical address for product returns, the online marketplace may disclose the seller's physical address for product returns.

(iii) If such seller certifies to the online marketplace that the seller does not have a phone number other than a personal phone number, the online marketplace shall inform consumers that there is no phone number available for the seller and that consumer inquiries should be submitted to the seller's email address or other means of electronic messaging provided to such seller by the online marketplace.

(B) LIMITATION ON EXCEPTION.—If an online marketplace becomes aware that a high-volume third party seller has made a false representation to the online marketplace in order to justify the provision of a partial disclosure under subparagraph (A) or that a high-volume third party seller who has requested and received a provision for a partial disclosure under subparagraph (A) has not provided responsive answers within a reasonable time frame to consumer inquiries submitted to the seller by phone, email, or other means of electronic messaging provided to such seller by the online marketplace, the online marketplace shall, after providing the seller with written or electronic notice and an opportunity to respond not later than 10 days after the issuance of such notice, suspend any future sales activity of such seller unless such seller consents to the disclosure of the identity information required under paragraph (1)(B)(i).

(3) REPORTING MECHANISM.—An online marketplace shall disclose to consumers in a clear and conspicuous manner on the product listing of any high-volume third party seller a reporting mechanism that allows for electronic and telephonic reporting of suspicious marketplace activity to the online marketplace.

(4) COMPLIANCE.—If a high-volume third party seller does not comply with the requirements to provide and disclose information under this subsection, the online marketplace shall, after providing the seller with written or electronic notice and an opportunity to provide or disclose such information not later than 10 days after the issuance of such notice, suspend any future sales activity of such seller until the seller complies with such requirements.

(c) ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.—

(1) UNFAIR AND DECEPTIVE ACTS OR PRACTICES.—A violation of subsection (a) or (b) by an online marketplace shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF THE COMMISSION.—

(A) IN GENERAL.—The Commission shall enforce subsections (a) and (b) in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PRIVILEGES AND IMMUNITIES.—Any person that violates subsection (a) or (b) shall be subject to the penalties, and entitled to the privileges and immunities, provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(3) REGULATIONS.—The Commission may promulgate regulations under section 553 of title 5, United States Code, with respect to the collection, verification, or disclosure of information under this section, provided that such regulations are limited to what is necessary to collect, verify, and disclose such information.

(4) AUTHORITY PRESERVED.—Nothing in this section shall be construed to limit the authority of the Commission under any other provision of law.

(d) ENFORCEMENT BY STATE ATTORNEYS GENERAL.—

(1) IN GENERAL.—If the attorney general of a State has reason to believe that any online marketplace has violated or is violating this section or a regulation promulgated under this section that affects one or more residents of that State, the attorney general of the State may bring a civil action in any appropriate district court of the United States, to—

(A) enjoin further such violation by the defendant;

(B) enforce compliance with this section or such regulation;

(C) obtain civil penalties in the amount provided for under subsection (c);

(D) obtain other remedies permitted under State law; and

(E) obtain damages, restitution, or other compensation on behalf of residents of the State.

(2) NOTICE.—The attorney general of a State shall provide prior written notice of any action under paragraph (1) to the Commission and provide the Commission with a copy of the complaint in the action, except in any case in which such prior notice is not feasible, in which case the attorney general shall serve such notice immediately upon instituting such action.

(3) INTERVENTION BY THE COMMISSION.—Upon receiving notice under paragraph (2), the Commission shall have the right—

(A) to intervene in the action;

(B) upon so intervening, to be heard on all matters arising therein; and

(C) to file petitions for appeal.

(4) LIMITATION ON STATE ACTION WHILE FEDERAL ACTION IS PENDING.—If the Commission has instituted a civil action for violation of this section or a regulation promulgated under this section, no State attorney general, or official or agency of a State, may bring a separate action under paragraph (1) during the pendency of that action against any defendant named in the complaint of the Commission for any violation of this section or a regulation promulgated under this section that is alleged in the complaint. A State attorney general, or official or agency of a State, may join a civil action for a violation of this section or regulation promulgated under this section filed by the Commission.

(5) RULE OF CONSTRUCTION.—For purposes of bringing a civil action under paragraph (1), nothing in this section shall be construed to prevent the chief law enforcement officer or official or agency of a State, from exercising the powers conferred on such chief law enforcement officer or official or agency of a State, by the laws of the State to conduct investigations, administer oaths or affirmations, or compel the attendance of witnesses or the production of documentary and other evidence.

(6) ACTIONS BY OTHER STATE OFFICIALS.—

(A) IN GENERAL.—In addition to civil actions brought by attorneys general under paragraph (1), any other officer of a State who is authorized by the State to do so, except for any private person on behalf of the State attorney general, may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) SAVINGS PROVISION.—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

(e) SEVERABILITY.—If any provision of this section, or the application thereof to any person or circumstance, is held invalid, the remainder of this section and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected by the invalidation.

(f) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(2) CONSUMER PRODUCT.—The term ''consumer product'' has the meaning given such term in section 101 of the Magnuson-Moss Warranty—Federal Trade Commission Improvement Act (15 U.S.C. 2301) and section 700.1 of title 16, Code of Federal Regulations.

(3) HIGH-VOLUME THIRD PARTY SELLER.—

(A) IN GENERAL.—The term ''high-volume third party seller'' means a participant on an online marketplace's platform who is a third party seller and, in any continuous 12-month period during the previous 24 months, has entered into 200 or more discrete sales or transactions of new or unused consumer products and an aggregate total of $5,000 or more in gross revenues.

(B) CLARIFICATION.—For purposes of calculating the number of discrete sales or transactions or the aggregate gross revenues under subparagraph (A), an online marketplace shall only be required to count sales or transactions made through the online marketplace and for which payment was processed by the online marketplace, either directly or through its payment processor.

(4) ONLINE MARKETPLACE.—The term ''online marketplace'' means any person or entity that operates a consumer-directed electronically based or accessed platform that—

(A) includes features that allow for, facilitate, or enable third party sellers to engage in the sale, purchase, payment, storage, shipping, or delivery of a consumer product in the United States;

(B) is used by one or more third party sellers for such purposes; and

(C) has a contractual or similar relationship with consumers governing their use of the platform to purchase consumer products.

(5) SELLER.—The term ''seller'' means a person who sells, offers to sell, or contracts to sell a consumer product through an online marketplace's platform.

(6) THIRD PARTY SELLER.—

(A) IN GENERAL.—The term ''third party seller'' means any seller, independent of an online marketplace, who sells, offers to sell, or contracts to sell a consumer product in the United States through such online marketplace's platform.

(B) EXCLUSIONS.—The term ''third party seller'' does not include, with respect to an online marketplace—

(i) a seller who operates the online marketplace's platform; or

(ii) a business entity that has—

(I) made available to the general public the entity's name, business address, and working contact information;

(II) an ongoing contractual relationship with the online marketplace to provide the online marketplace with the manufacture, distribution, wholesaling, or fulfillment of shipments of consumer products; and

(III) provided to the online marketplace identifying information, as described in subsection (a), that has been verified in accordance with that subsection.

(7) VERIFY.—The term ''verify'' means to confirm information provided to an online marketplace pursuant to this section, which may include the use of one or more methods that enable the online marketplace to reliably determine that any information and documents provided are valid, corresponding to the seller or an individual acting on the seller's behalf, not misappropriated, and not falsified.

(g) RELATIONSHIP TO STATE LAWS.—No State or political subdivision of a State, or territory of the United States, may establish or continue in effect any law, regulation, rule, requirement, or standard that conflicts with the requirements of this section.

(h) EFFECTIVE DATE.—This section shall take effect 180 days after the date of the enactment of this section.

(i) SHORT TITLE.—This section may be cited as the ''Integrity, Notification, and Fairness in Online Retail Marketplaces for Consumers Act'' or the ''INFORM Consumers Act''.

SEC. 6035. LOW POWER TV STATIONS.

(a) DEFINITIONS.—In this section—

(1) the term ''Commission'' means the Federal Communications Commission;

(2) the term ''Designated Market Area'' means—

(A) a Designated Market Area determined by Nielsen Media Research or any successor entity; or

(B) a Designated Market Area under a system of dividing television broadcast station licensees into local markets using a system that the Commission determines is equivalent to the system established by Nielsen Media Research; and

(3) the term ''low power TV station'' has the meaning given the term ''digital low power TV station'' in section 74.701 of title 47, Code of Federal Regulations, or any successor regulation.

(b) PURPOSE.—The purpose of this section is to provide low power TV stations with a limited window of opportunity to apply for the opportunity to be accorded primary status as Class A television licensees.

(c) RULEMAKING.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Commission shall issue a notice of proposed rulemaking to issue a rule that contains the requirements described in this subsection.

(2) REQUIREMENTS.—

(A) IN GENERAL.—The rule with respect to which the Commission is required to issue notice under paragraph (1) shall provide that, during the 1-year period beginning on the date on which that rule takes effect, a low power TV station may apply to the Commission to be accorded primary status as a Class A television licensee under section 73.6001 of title 47, Code of Federal Regulations, or any successor regulation.

(B) CONSIDERATIONS.—The Commission may approve an application submitted under subparagraph (A) if the low power TV station submitting the application—

(i) satisfies—

(I) section 336(f)(2) of the Communications Act of 1934 (47 U.S.C. 336(f)(2)) and the rules issued under that section, including the requirements under such section 336(f)(2) with respect to locally produced programming, except that, for the purposes of this subclause, the period described in the matter preceding subclause (I) of subparagraph (A)(i) of such section 336(f)(2) shall be construed to be the 90-day period preceding the date of enactment of this Act; and

(II) paragraphs (b), (c), and (d) of 73.6001 of title 47, Code of Federal Regulations, or any successor regulation;

(ii) demonstrates to the Commission that the Class A station for which the license is sought will not cause any interference described in section 336(f)(7) of the Communications Act of 1934 (47 U.S.C. 336(f)(7)); and

(iii) as of the date of enactment of this Act, operates in a Designated Market Area with not more than 95,000 television households.

(3) APPLICABILITY OF LICENSE.—A license that accords primary status as a Class A television licensee to a low power TV station as a result of the rule with respect to which the Commission is required to issue notice under paragraph (1) shall—

(A) be subject to the same license terms and renewal standards as a license for a full power television broadcast station, except as otherwise expressly provided in this subsection; and

(B) require the low power TV station to remain in compliance with paragraph (2)(B) during the term of the license.

(d) REPORTING.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report regarding the implementation of this section, which shall include—

(1) a list of the current, as of the date on which the report is submitted, licensees that have been accorded primary status as Class A television licensees; and

(2) of the licensees described in paragraph (1), an identification of each such licensee that has been accorded the status described in that paragraph because of the implementation of this section.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect a decision of the Commission relating to completion of the transition, relocation, or reimbursement of entities as a result of the systems of competitive bidding conducted pursuant to title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401 et seq.), and the amendments made by that title, that are collectively commonly referred to as the ''Television Broadcast Incentive Auction''.

SEC. 6036. POST-EMPLOYMENT RESTRICTIONS ON SENATE-CONFIRMED OFFICIALS AT THE DEPARTMENT OF STATE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Congress and the executive branch have recognized the importance of preventing and mitigating the potential for conflicts of interest following government service, including with respect to senior United States officials working on behalf of foreign governments; and

(2) Congress and the executive branch should jointly evaluate the status and scope of post-employment restrictions.

(b) RESTRICTIONS.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding at the end the following:

''(m) EXTENDED POST-EMPLOYMENT RESTRICTIONS FOR CERTAIN SENATE-CONFIRMED OFFICIALS.—

''(1) SECRETARY OF STATE AND DEPUTY SECRETARY OF STATE.—With respect to a person serving as the Secretary of State or Deputy Secretary of State, the restrictions described in section 207(f)(1) of title 18, United States Code, shall apply to representing, aiding, or advising a foreign governmental entity before an officer or employee of the executive branch of the United States at any time after the termination of that person's service as Secretary or Deputy Secretary.

''(2) UNDER SECRETARIES, ASSISTANT SECRETARIES, AND AMBASSADORS.—With respect to a person serving as an Under Secretary, Assistant Secretary, or Ambassador at the Department of State or the United States Permanent Representative to the United Nations, the restrictions described in section 207(f)(1) of title 18, United States Code, shall apply to representing, aiding, or advising a foreign governmental entity before an officer or employee of the executive branch of the United States for 3 years after the termination of that person's service in a position described in this paragraph, or the duration of the term or terms of the President who appointed that person to their position, whichever is longer.

''(3) ENHANCED RESTRICTIONS FOR POST-EMPLOYMENT WORK ON BEHALF OF CERTAIN COUNTRIES OF CONCERN.—

''(A) IN GENERAL.—With respect to all former officials listed in this subsection, the restrictions described in paragraphs (1) and (2) shall apply to representing, aiding, or advising a country of concern described in subparagraph (B) before an officer or employee of the executive branch of the United States at any time after the termination of that person's service in a position described in paragraph (1) or (2).

''(B) COUNTRIES SPECIFIED.—In this paragraph, the term 'country of concern' means—

''(i) the People's Republic of China;

''(ii) the Russian Federation;

''(iii) the Islamic Republic of Iran;

''(iv) the Democratic People's Republic of Korea;

''(v) the Republic of Cuba; and

''(vi) the Syrian Arab Republic.

''(4) PENALTIES AND INJUNCTIONS.—Any violations of the restrictions in paragraphs (1) or (2) shall be subject to the penalties and injunctions provided for under section 216 of title 18, United States Code.

''(5) DEFINITIONS.—In this subsection:

''(A) FOREIGN GOVERNMENT ENTITY.—The term 'foreign governmental entity' includes—

''(i) any person employed by—

''(I) any department, agency, or other entity of a foreign government at the national, regional, or local level;

''(II) any governing party or coalition of a foreign government at the national, regional, or local level; or

''(III) any entity majority-owned or majority-controlled by a foreign government at the national, regional, or local level; and

''(ii) in the case of a country described in paragraph (3)(B), any company, economic project, cultural organization, exchange program, or nongovernmental organization that is more than 33 percent owned or controlled by the government of such country.

''(B) REPRESENTATION.—The term 'representation' does not include representation by an attorney, who is duly licensed and authorized to provide legal advice in a United States jurisdiction, of a person or entity in a legal capacity or for the purposes of rendering legal advice.

''(6) NOTICE OF RESTRICTIONS.—Any person subject to the restrictions of this subsection shall be provided notice of these restrictions by the Department of State upon appointment by the President, and subsequently upon termination of service with the Department of State.

''(7) EFFECTIVE DATE.—The restrictions under this subsection shall apply only to persons who are appointed by the President to the positions referenced in this subsection on or after 120 days after the date of the enactment of this subsection.

''(8) SUNSET.—The enhanced restrictions under paragraph (3) shall expire on the date that is 7 years after the date of the enactment of this subsection.''.

SEC. 6037. REAUTHORIZATION OF THE TROPICAL FOREST AND CORAL REEF CONSERVATION ACT OF 1998.

Section 806(d) of the Tropical Forest and Coral Reef Conservation Act of 1998 (22 U.S.C. 2431d(d)) is amended by adding at the end the following new paragraphs:

''(9) $20,000,000 for fiscal year 2023.

''(10) $20,000,000 for fiscal year 2024.

''(11) $20,000,000 for fiscal year 2025.

''(12) $20,000,000 for fiscal year 2026.

''(13) $20,000,000 for fiscal year 2027.''.

SEC. 6038. INCENTIVES FOR STATES TO CREATE SEXUAL ASSAULT SURVIVORS' BILL OF RIGHTS.

(a) DEFINITION OF COVERED FORMULA GRANT.—In this section, the term ''covered formula grant'' means a grant under part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10441 et seq.) (commonly referred to as the ''STOP Violence Against Women Formula Grant Program'').

(b) GRANT INCREASE.—The Attorney General shall increase the amount of the covered formula grant provided to a State in accordance with this section if the State has in effect a law that provides to sexual assault survivors the rights, at a minimum, under section 3772 of title 18, United States Code.

(c) APPLICATION.—A State seeking an increase to a covered formula grant under this section shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may reasonably require, including information about the law described in subsection (b).

(d) PERIOD OF INCREASE.—The Attorney General may not provide an increase in the amount of the covered formula grant provided to a State under this section more than 4 times.

(e) AUTHORIZATION OF APPLICATION.—There are authorized to be appropriated $20,000,000 for each of fiscal years 2023 through 2027 to carry out this section.

SEC. 6039. INTERAGENCY STRATEGY TO DISRUPT AND DISMANTLE NARCOTICS PRODUCTION AND TRAFFICKING AND AFFILIATED NETWORKS LINKED TO THE REGIME OF BASHAR AL-ASSAD IN SYRIA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Captagon trade linked to the regime of Bashar al-Assad in Syria is a transnational security threat; and

(2) the United States should develop and implement an interagency strategy to deny, degrade, and dismantle Assad-linked narcotics production and trafficking networks.

(b) DEFINED TERM.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services of the Senate;

(2) the Committee on Appropriations of the Senate

(3) the Committee on the Judiciary of the Senate;

(4) the Committee on Foreign Relations of the Senate;

(5) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(6) the Select Committee on Intelligence of the Senate;

(7) the Committee on Armed Services of the House of Representatives;

(8) the Committee on Appropriations of the House of Representatives;

(9) the Committee on the Judiciary of the House of Representatives;

(10) the Committee on Foreign Affairs of the House of Representatives;

(11) the Committee on Financial Services of the House of Representatives; and

(12) the Permanent Select Committee on Intelligence of the House of Representatives.

(c) STRATEGY REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, the Secretary of the Treasury, the Administrator of the Drug Enforcement Administration, the Director of National Intelligence, the Director of the Office of National Drug Control Policy, and the heads of other appropriate Federal agencies, shall provide a written strategy (with a classified annex, if necessary), to the appropriate congressional committees for disrupting and dismantling narcotics production and trafficking and affiliated networks linked to the regime of Bashar al-Assad in Syria.

(2) CONTENTS.—The strategy required under paragraph (1) shall include—

(A) a detailed plan for—

(i) targeting, disrupting and degrading networks that directly and indirectly support the narcotics infrastructure of the Assad regime, particularly through diplomatic and intelligence support to law enforcement investigations; and

(ii) building counter-narcotics capacity to partner countries through assistance and training to law enforcement services in countries (other than Syria) that are receiving or transiting large quantities of Captagon;

(B)(i) the identification of the countries that are receiving or transiting large shipments of Captagon;

(ii) an assessment of the counter-narcotics capacity of such countries to interdict or disrupt the smuggling of Captagon; and

(iii) an assessment of current United States assistance and training programs to build such capacity in such countries;

(C) the use of sanctions, including sanctions authorized under section the Caesar Syria Civilian Protection Act of 2019 (22 U.S.C. 8791 note; title LXXIV of division F of Public Law 116–92), and associated actions to target individuals and entities directly or indirectly associated with the narcotics infrastructure of the Assad regime;

(D) the use of global diplomatic engagements associated with the economic pressure campaign against the Assad regime to target its narcotics infrastructure;

(E) leveraging multilateral institutions and cooperation with international partners to disrupt the narcotics infrastructure of the Assad regime; and

(F) mobilizing a public communications campaign to increase awareness of the extent of the connection of the Assad regime to the illicit narcotics trade.

SEC. 6039A. OUTREACH TO HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY SERVING INSTITUTIONS REGARDING NATIONAL SECURITY INNOVATION NETWORK (NSIN) PROGRAMS THAT PROMOTE ENTREPRENEURSHIP AND INNOVATION AT INSTITUTIONS OF HIGHER EDUCATION.

(a) SHORT TITLE.—This section may be referred to as the ''HBCU National Security Innovation Act''.

(b) PILOT PROGRAM.—The Under Secretary of Defense for Research and Engineering, acting through the National Security Innovation Network (NSIN), may establish activities, including outreach and technical assistance, to better connect historically Black colleges and universities and minority serving institutions (as described in section 371 of the Higher Education Act of 1965 (20 U.S.C. 1067q)) to the commercialization, innovation, and entrepreneurial activities of the Department of Defense.

(c) BRIEFING.—Not later than one year after the initiation of any pilot activities under subsection (b), the Secretary of Defense shall brief the congressional defense committees on the results of any activities conducted under the aforementioned pilot program, including—

(1) the results of outreach efforts;

(2) the success of expanding NSIN programs to historically Black colleges and universities and minority serving institutions;

(3) the potential barriers to expansion; and

(4) recommendations for how the Department of Defense can support such institutions to successfully participate in Department of Defense commercialization, innovation, and entrepreneurship programs.

SEC. 6039B. MODIFICATION OF AUTHORITY OF SECRETARY OF DEFENSE TO TRANSFER EXCESS AIRCRAFT TO OTHER DEPARTMENTS OF THE FEDERAL GOVERNMENT AND AUTHORITY TO TRANSFER EXCESS AIRCRAFT TO STATES.

Section 1091 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 2576 note) is amended—

(1) in the section heading, by inserting ''**AND TO STATES**'' after ''**FEDERAL GOVERNMENT**'';

(2) in subsection (a), in the first sentence, by striking ''and the Secretary of Homeland Security for use by the Forest Service and the United States Coast Guard'' and inserting ''for use by the Forest Service, to the Secretary of Homeland Security for use by

the United States Coast Guard, and to the Governor of a State''.

(3) in subsection (b)—

(A) in paragraph (1), by striking ''or the United States Coast Guard as a suitable platform to carry out their respective missions'' and inserting '', the United States Coast Guard, or the Governor of a State, as the case may be, as a suitable platform to carry out wildfire suppression, search and rescue, or emergency operations pertaining to wildfires'';

(B) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(C) in paragraph (4), by striking the period at the end and inserting ''; and''; and

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

''(5) in the case of aircraft to be transferred to the Governor of a State, acceptable for use by the State, as determined by the Governor.'';

(4) by striking subsection (c);

(5) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''up to seven''; and

(ii) by inserting ''the Governor of a State or to'' after ''offered to''; and

(B) by amending paragraph (2) to read as follows:

''(2) EXPIRATION OF RIGHT OF REFUSAL.—A right of refusal afforded the Secretary of Agriculture or the Secretary of Homeland Security under paragraph (1) with regards to an aircraft shall expire upon official notice of such Secretary to the Secretary of Defense that such Secretary declines such aircraft.'';

(6) in subsection (e)—

(A) in the matter preceding paragraph (1), by inserting ''or to the Governor of a State'' after ''the Secretary of Agriculture'';

(B) in paragraph (1), by striking ''wildfire suppression purposes'' and inserting ''purposes of wildfire suppression, search and rescue, or emergency operations pertaining to wildfires''; and

(C) in paragraph (2)—

(i) by inserting '', search and rescue, emergency operations pertaining to wildfires,'' after ''efforts''; and

(ii) by inserting ''or Governor of the State, as the case may be,'' after ''Secretary of Agriculture'';

(7) in subsection (f), by striking ''or the Secretary of Homeland Security'' and inserting '', the Secretary of Homeland Security, or the Governor of a State'';

(8) in subsection (g), by striking ''and the Secretary of Homeland Security'' and inserting '', the Secretary of Homeland Security, or the Governor of the State to which such aircraft is transferred'';

(9) by adding at the end the following new subsection:

''(h) REPORTING.—Not later than December 1, 2022, and annually thereafter, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on aircraft transferred, during the fiscal year preceding the date of such report, to—

''(1) the Secretary of Agriculture, the Secretary of Homeland Security, or the Governor of a State under this section;

''(2) the chief executive officer of a State under section 112 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1318); or

''(3) the Secretary of the Air Force or the Secretary of Agriculture under section 1098 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 881).''; and

(10) by redesignating subsections (d) through (h) as subsections (c) through (g), respectively.

SEC. 6039C. HBCU RISE.

(a) DEFINITIONS.—In this section:

(1) The term ''eligible institution'' means a historically Black college or university or other minority-serving institution that is classified as a high research activity status institution at the time of application for a grant under this section.

(2) The term ''high research activity status'' means R2 status, as classified by the Carnegie Classification of Institutions of Higher Education.

(3) The term ''historically Black college or university'' has the meaning given the term ''part B institution'' under section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(4) The term ''other minority-serving institution'' means an institution of higher education specified in paragraphs (2) through (7) of section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(5) The term ''Secretary'' means the Secretary of Defense.

(6) The term ''very high research activity status'' means R1 status, as classified by the Carnegie Classification of Institutions of Higher Education.

(7) The term ''very high research activity status indicators'' means the categories used by the Carnegie Classification of Institutions of Higher Education to delineate which institutions have very high research activity status, including—

(A) annual expenditures in science and engineering;

(B) per-capita (faculty member) expenditures in science and engineering;

(C) annual expenditures in non-science and engineering fields;

(D) per-capita (faculty member) expenditures in non-science and engineering fields;

(E) doctorates awarded in science, technology, engineering, and mathematics fields;

(F) doctorates awarded in social science fields;

(G) doctorates awarded in the humanities;

(H) doctorates awarded in other fields with a research emphasis;

(I) total number of research staff, including postdoctoral researchers;

(J) other doctorate-holding non-faculty researchers in science and engineering and per-capita (faculty) number of doctorate-level research staff, including post-doctoral researchers; and

(K) other categories utilized to determine classification.

(b) PROGRAM TO INCREASE CAPACITY TOWARD ACHIEVING VERY HIGH RESEARCH ACTIVITY STATUS.—

(1) PROGRAM.—

(A) IN GENERAL.—The Secretary shall establish and carry out a program to increase capacity at high research activity status historically Black colleges and universities and other minority-serving institutions toward achieving very high research activity status.

(B) RECOMMENDATIONS.—In establishing such program, the Secretary may consider the recommendations pursuant to section 262 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) and section 220 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81).

(2) CONSIDERATIONS.—In establishing the program under this section, the Secretary shall consider—

(A) the extent of nascent research capabilities and planned research capabilities at eligible institutions, with respect to research areas of interest to the Department of Defense;

(B) recommendations from previous studies for increasing the level of research activity at high research activity status historically Black colleges and universities and other minority-serving institutions toward achieving very high research activity status classification during the program, including measurable milestones such as growth in very high research activity status indicators and other relevant factors;

(C) how such institutions will sustain the increased level of research activity;

(D) how such institutions will evaluate and assess progress;

(E) reporting requirements for such institutions participating in the program.

(3) PROGRAM COMPONENTS.—

(A) ELEMENTS.—The Secretary may consider aspects of the program that address—

(i) faculty professional development;

(ii) stipends for undergraduate and graduate students and post-doctoral scholars;

(iii) laboratory equipment and instrumentation;

(iv) recruitment and retention of faculty and graduate students;

(v) communication and dissemination of products produced as part of the program;

(vi) construction, modernization, rehabilitation, or retrofitting of facilities for research purposes; and

(vii) other activities necessary to build capacity in achieving very high research activity status indicators.

(B) PRIORITY AREAS.—The Secretary shall establish and update, on an annual basis, a list of research priorities for STEM and critical technologies appropriate for the program established under this section.

(c) EVALUATION.—Not later than 2 years after the date of the enactment of this section and every 2 years thereafter until the termination of the program, the Secretary shall prepare and submit a report to the Committees on Armed Services of the Senate and the House of Representatives providing an update on the program, including—

(1) activities carried out under the program;

(2) an analysis of the growth in very high research activity status indicators of eligible institutions that participated in the program under this section; and

(3) emerging research areas of interest to the Department of Defense conducted by eligible institutions that participated in the program under this section.

(d) TERMINATION.—The program established by this section shall terminate 10 years after the date on which the Secretary establishes such program.

(e) REPORT TO CONGRESS.—Not later than 180 days after the termination of the program under subsection (d), the Secretary shall prepare and submit a report to the Committees on Armed Services of the Senate and the House of Representatives on the program that includes the following:

(1) An analysis of the growth in very high research activity status indicators of eligible institutions that participated in the program under this section.

(2) An evaluation on the effectiveness of the program in increasing the research capacity of eligible institutions that participated in the program under this section.

(3) A description of how institutions that have achieved very high research activity status plan to sustain that status beyond the duration of the program.

(4) An evaluation of the maintenance of very high research status by eligible institutions that participated in the program under this section.

(5) An evaluation of the effectiveness of the program in increasing the diversity of students conducting high quality research in unique areas.

(6) Recommendations with respect to additional activities and investments necessary to elevate the research status of historically Black colleges and universities and other minority-serving institutions.

(7) Recommendations on whether the program established under this section should be renewed or expanded.

SEC. 6039D. OFFICE OF CIVIL RIGHTS AND INCLUSION.

(a) SHORT TITLE.—This section may be cited as the ''Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022''.

(b) ESTABLISHMENT OF OFFICE.—Section 513 of the Homeland Security Act of 2002 (6 U.S.C. 321b) is amended to read as follows:

''SEC. 513. OFFICE OF CIVIL RIGHTS AND INCLUSION.

''(a) DEFINITIONS.—In this section—

''(1) the term 'appropriate committees of Congress' means—

''(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(B) the Committee on Transportation and Infrastructure, the Committee on Oversight and Reform, and the Committee on Homeland Security of the House of Representatives;

''(2) the term 'Director' means the Director of the Office of Civil Rights and Inclusion;

''(3) the term 'disaster assistance' means assistance provided under titles IV and V of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.);

''(4) the term 'Office' means the Office of Civil Rights and Inclusion; and

''(5) the term 'underserved community' means—

''(A) a rural community;

''(B) a low-income community;

''(C) the disability community;

''(D) the Native American, Alaska Native, and Native Hawaiian communities;

''(E) the African-American community;

''(F) the Asian community;

''(G) the Hispanic (including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin) community;

''(H) the Pacific Islander community;

''(I) the Middle Eastern and North African community; and

''(J) any other historically disadvantaged community, as determined by the Director.

''(b) OFFICE OF CIVIL RIGHTS AND INCLUSION.—

''(1) IN GENERAL.—The Office of Equal Rights of the Agency shall, on and after the date of enactment of the Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022, be known as the Office of Civil Rights and Inclusion.

''(2) REFERENCES.—Any reference to the Office of Equal Rights of the Agency in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Office of Civil Rights and Inclusion.

''(c) DIRECTOR.—

''(1) IN GENERAL.—The Office shall be headed by a Director, who shall report to the Administrator.

''(2) REQUIREMENT.—The Director shall have documented experience and expertise in civil rights, underserved community inclusion research, disaster preparedness, or resilience disparities elimination.

''(d) PURPOSE.—The purpose of the Office is to—

''(1) improve underserved community access to disaster assistance;

''(2) improve the quality of disaster assistance received by underserved communities;

''(3) eliminate underserved community disparities in the delivery of disaster assistance; and

''(4) carry out such other responsibilities of the Office of Equal Rights as in effect on the day before the date of enactment of the Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022, as determined appropriate by the Administrator.

''(e) AUTHORITIES AND DUTIES.—

''(1) IN GENERAL.—The Director shall be responsible for—

''(A) improving—

''(i) underserved community access to disaster assistance before and after a disaster; and

''(ii) the quality of Agency assistance underserved communities receive;

''(B) reviewing preparedness, response, and recovery programs and activities of the Agency to ensure the elimination of underserved community disparities in the delivery of such programs and activities; and

''(C) carrying out such other responsibilities of the Office of Equal Rights as in effect on the day before the date of enactment of the Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022, as determined appropriate by the Administrator.

''(2) REDUCING DISPARITIES IN PREPAREDNESS, RESPONSE, AND RECOVERY.—

''(A) IN GENERAL.—The Director shall develop measures to evaluate the effectiveness of the activities of program offices in the Agency and the activities of recipients aimed at reducing disparities in the services provided to underserved communities.

''(B) REQUIREMENT.—The measures developed under subparagraph (A) shall—

''(i) evaluate community outreach activities, language services, workforce competence, historical assistance for grants and loans provided to individuals and State, local, tribal, and territorial governments, the effects of disaster declaration thresholds on underserved communities, the percentage of contracts awarded to underserved businesses, historical barriers to equitable assistance across race and class during and after disasters, and other areas, as determined by the Director; and

''(ii) identify the communities implicated in the evaluations conducted under clause (i).

''(C) COORDINATION WITH OTHER OFFICES.—In carrying out this section, the Director shall—

''(i) participate in scenario-based disaster response exercises at the Agency;

''(ii) coordinate with the Office of Minority Health of the Department of Health and Human Services;

''(iii) coordinate with the Office of Civil Rights of the Department of Agriculture;

''(iv) as appropriate, coordinate with other relevant offices across the Federal Government, including by leading a voluntary task force to address disaster response needs of underserved communities;

''(v) coordinate with the Office for Civil Rights and Civil Liberties of the Department; and

''(vi) investigate allegations of unequal disaster assistance based on race or ethnic origin or refer those allegations to the appropriate office.

''(f) GRANTS AND CONTRACTS.—In carrying out this section, to further inclusion and engagement of underserved communities throughout preparedness, response, recovery, and mitigation and to eliminate underserved community disparities in the delivery of disaster assistance, as described in subsection (d), the Administrator shall—

''(1) administer and evaluate Agency programs and activities, including the programs and activities of recipients of preparedness, response, recovery, and mitigation grants and contracts, to—

''(A) further inclusion and engagement of underserved communities and underserved businesses; and

''(B) improve outcomes for underserved communities tied to Agency programs and activities; and

''(2) establish an underserved community initiative to award grants to, and enter into cooperative agreements and contracts with, nonprofit entities.

''(g) DISABILITY COORDINATOR.—

''(1) IN GENERAL.—There shall be within the Office a Disability Coordinator to ensure that the needs of individuals with disabilities are being properly addressed by proactively engaging with disability and underserved communities and State, local, and tribal governments in emergency preparedness and disaster relief.

''(2) RESPONSIBILITIES.—The Disability Coordinator shall be responsible for—

''(A) providing guidance and coordination on matters relating to individuals with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;

''(B) interacting with the staff of the Agency, the National Council on Disability, the Interagency Coordinating Council on Preparedness and Individuals with Disabilities established under Executive Order 13347 (6 U.S.C. 314 note; relating to individuals with disabilities in emergency preparedness), other agencies of the Federal Government, and State, local, and tribal government authorities relating to the needs of individuals with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;

''(C) consulting with stakeholders that represent the interests and rights of individuals with disabilities about the needs of individuals with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;

''(D) ensuring the coordination and dissemination of best practices and model evacuation plans and sheltering for individuals with disabilities;

''(E) ensuring the development of training materials and a curriculum for training emergency response providers, State, local, and tribal government officials, and others on the needs of individuals with disabilities;

''(F) promoting the accessibility of telephone hotlines and websites relating to emergency preparedness, evacuations, and disaster relief;

''(G) working to ensure that video programming distributors, including broadcasters, cable operators, and satellite television services, make emergency information accessible to individuals with hearing and vision disabilities;

''(H) providing guidance to State, local, and tribal government officials and other individuals, and implementing policies, relating to the availability of accessible transportation options for individuals with disabilities in the event of an evacuation;

''(I) providing guidance and implementing policies to external stakeholders to ensure that the rights and wishes of individuals with disabilities regarding post-evacuation residency and relocation are respected;

''(J) ensuring that meeting the needs of individuals with disabilities is a component of the national preparedness system established under section 644 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 744);

''(K) coordinate technical assistance for Agency programs based on input from underserved communities through a designee of the Director; and

''(L) any other duties assigned by the Director.

''(h) REPORTS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022, and biennially thereafter, the Administrator shall submit to the

appropriate committees of Congress a report describing the activities carried out under this section during the period for which the report is being prepared.

''(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

''(A) a narrative on activities conducted by the Office;

''(B) the results of the measures developed to evaluate the effectiveness of activities aimed at reducing preparedness, response, and recovery disparities; and

''(C) the number and types of allegations of unequal disaster assistance investigated by the Director or referred to other appropriate offices.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 513 (6 U.S.C. 321b) and inserting the following:

''Sec. 513. Office of Civil Rights and Inclusion.

(d) COVID–19 RESPONSE.—

(1) IN GENERAL.—During the period of time for which there is a major disaster or emergency declared by the President under section 401 or 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191) declared with respect to COVID–19, the Director of the Office of Civil Rights and Inclusion shall regularly consult with State, local, territorial, and Tribal government officials and community-based organizations from underserved communities the Office of Civil Rights and Inclusion identifies as disproportionately impacted by COVID–19.

(2) FACA APPLICABILITY.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any consultation conducted under paragraph (1).

SEC. 6039E. IMPROVED APPLICATION OF EMPLOYMENT AND REEMPLOYMENT RIGHTS OF ALL MEMBERS OF UNIFORMED SERVICES.

(a) IN GENERAL.—Paragraph (5) of section 4303 of title 38, United States Code, is amended to read as follows:

''(5) The term 'Federal executive agency'—

''(A) except as provided in subparagraph (B), includes—

''(i) the United States Postal Service;

''(ii) the Postal Regulatory Commission;

''(iii) any nonappropriated fund instrumentality of the United States;

''(iv) any Executive agency (as defined in section 105 of title 5); and

''(v) any military department (as defined in section 102 of title 5) with respect to the civilian employees of that department; and

''(B) does not include—

''(i) an agency referred to in section 2302(a)(2)(C)(ii) of title 5;

''(ii) the National Oceanic and Atmospheric Administration with respect to members of the commissioned officer corps of the National Oceanic and Atmospheric Administration; or

''(iii) the Public Health Service with respect to members of the Commissioned Corps of the Public Health Service serving on active duty, active duty for training, or inactive duty training.''.

(b) TECHNICAL CORRECTION.—Paragraph (16) of such section is amended by striking ''commissioned corps of the Public Health Service'' and inserting ''Commissioned Corps of the Public Health Service''.

SEC. 6039F. WEATHERIZATION ASSISTANCE PROGRAM.

(a) WEATHERIZATION READINESS FUND.—Section 414 of the Energy Conservation and Production Act (42 U.S.C. 6864) is amended by adding at the end the following:

''(d) WEATHERIZATION READINESS FUND.—

''(1) IN GENERAL.—The Secretary shall establish a fund, to be known as the 'Weatherization Readiness Fund', from which the Secretary shall distribute funds to States receiving financial assistance under this part, in accordance with subsection (a).

''(2) USE OF FUNDS.—

''(A) IN GENERAL.—A State receiving funds under paragraph (1) shall use the funds for repairs to dwelling units described in subparagraph (B) that will remediate the applicable structural defects or hazards of the dwelling unit so that weatherization measures may be installed.

''(B) DWELLING UNIT.—A dwelling unit referred to in subparagraph (A) is a dwelling unit occupied by a low-income person that, on inspection pursuant to the program under this part, was found to have significant defects or hazards that prevented the installation of weatherization measures under the program.

''(3) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated under section 422, there is authorized to be appropriated to the Secretary to carry out this subsection $30,000,000 for each of fiscal years 2023 through 2027.''.

(b) STATE AVERAGE COST PER UNIT.—

(1) IN GENERAL.—Section 415(c) of the Energy Conservation and Production Act (42 U.S.C. 6865(c)) is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) in the first sentence, by striking ''$6,500'' and inserting ''$12,000''; and

(II) by striking ''(c)(1) Except as provided in paragraphs (3) and (4)'' and inserting the following:

''(c) FINANCIAL ASSISTANCE.—

''(1) IN GENERAL.—Except as provided in paragraphs (3), (4), and (6)'';

(ii) by conforming the margins of subparagraphs (A) through (D) to the margin of subparagraph (E);

(iii) in subparagraph (D), by striking '', and'' and inserting ''; and''; and

(iv) in subparagraph (E), by adding a period at the end;

(B) in paragraph (2), in the first sentence, by striking ''weatherized (including dwelling units partially weatherized)'' and inserting ''fully weatherized'';

(C) in paragraph (4), by striking ''$3,000'' and inserting ''$6,000'';

(D) in paragraph (5)—

(i) in subparagraph (A)(i), by striking ''(6)(A)(ii)'' and inserting ''(7)(A)(ii)''; and

(ii) by striking ''(6)(A)(i)(I)'' each place it appears and inserting ''(7)(A)(i)(I)'';

(E) by redesignating paragraph (6) as paragraph (7); and

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

''(6) LIMIT INCREASE.—The Secretary may increase the amount of financial assistance provided per dwelling unit under this part beyond the limit specified in paragraph (1) if the Secretary determines that market conditions require such an increase to achieve the purposes of this part.''.

(2) CONFORMING AMENDMENT.—Section 414D(b)(1)(C) of the Energy Conservation and Production Act (42 U.S.C. 6864d(b)(1)(C)) is amended by striking ''415(c)(6)(A)'' and inserting ''415(c)(7)''.

SEC. 6039G. TECHNICAL CORRECTIONS TO HONORING OUR PACT ACT OF 2022.

(a) PRESUMPTION OF SERVICE CONNECTION FOR CERTAIN DISEASES ASSOCIATED WITH EXPOSURE TO BURN PITS AND OTHER TOXINS.—Section 1120(b)(2) of title 38, United States Code, as added by section 406(b) of the Honoring our PACT Act of 2022 (Public Law 117–168; 136 Stat. 1784), is amended—

(1) by striking subparagraph (G); and

(2) by redesignating subparagraphs (H) through (K) as (G) through (J), respectively.

(b) CONGRESSIONAL APPROVAL OF CERTAIN MEDICAL FACILITY ACQUISITIONS.—Subparagraph (C) of section 703(c)(5) of the Honoring our PACT Act of 2022 (Public Law 117–168; 136 Stat. 1797) is amended to read as follows:

''(C) by striking 'or a major medical facility lease (as defined in subsection (a)(3)(B))';''.

(c) USE OF COMPETITIVE PROCEDURES TO ACQUIRE SPACE FOR THE PURPOSE OF PROVIDING HEALTH-CARE RESOURCES TO VETERANS.—Subsection (h)(1) of section 8103 of title 38, United States Code, as added by section 704 of the Honoring our PACT Act of 2022 (Public Law 117–168; 136 Stat. 1799), is amended by striking ''section 2304 of title 10'' and inserting ''section 3301 of title 41''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Honoring our PACT Act of 2022 (Public Law 117–168).

SEC. 6039H. TREATMENT OF EXEMPTIONS UNDER FARA.

(a) DEFINITION.—Section 1 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611) is amended by adding at the end the following:

''(q) The term 'country of concern' means—

''(1) the People's Republic of China;

''(2) the Russian Federation;

''(3) the Islamic Republic of Iran;

''(4) the Democratic People's Republic of Korea;

''(5) the Republic of Cuba; and

''(6) the Syrian Arab Republic.''.

(b) EXEMPTIONS.—Section 3 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613), is amended, in the matter preceding subsection (a), by inserting '', except that the exemptions under subsections (d)(1) and (h) shall not apply to any agent of a foreign principal that is a country of concern'' before the colon.

(c) SUNSET.—The amendments made by subsections (a) and (b) shall terminate on October 1, 2025.

SEC. 6039I. COST-SHARING REQUIREMENTS APPLICABLE TO CERTAIN BUREAU OF RECLAMATION DAMS AND DIKES.

Section 4309 of the America's Water Infrastructure Act of 2018 (43 U.S.C. 377b note; Public Law 115–270) is amended—

(1) in the section heading, by inserting ''**DAMS AND**'' before ''**DIKES**'';

(2) in subsection (a), by striking ''effective beginning on the date of enactment of this section, the Federal share of the operations and maintenance costs of a dike described in subsection (b)'' and inserting ''effective during the 1-year period beginning on the date of enactment of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, the Federal share of the dam safety modifications costs of a dam or dike described in subsection (b), including repairing or replacing a gate or ancillary gate components,''; and

(3) in subsection (b)—

(A) in the subsection heading, by inserting ''DAMS AND '' before ''DIKES'';

(B) in the matter preceding paragraph (1), by inserting ''dam or'' before ''dike'' each place it appears; and

(C) in paragraph (2), by striking ''December 31, 1945'' and inserting ''December 31, 1948''.

SEC. 6039J. IMPROVING PILOT PROGRAM ON ACCEPTANCE BY THE DEPARTMENT OF VETERANS AFFAIRS OF DONATED FACILITIES AND RELATED IMPROVEMENTS.

(a) IN GENERAL.—Section 2 of the Communities Helping Invest through Property and Improvements Needed for Veterans Act of

2016 (Public Law 114–294; 38 U.S.C. 8103 note) is amended—

(1) in subsection (b)(1)(A), by inserting ''or for which funds are available from the Construction, Minor Projects, or Construction, Major Projects appropriations accounts'';

(2) in subsection (e)(1)—

(A) in subparagraph (A)—

(i) by striking ''The Secretary'' and inserting ''Except as otherwise provided in this paragraph, the Secretary''; and

(ii) by inserting ''or funds already generally available in the Construction, Minor Projects, or Construction, Major Projects appropriations accounts'' after ''that are in addition to the funds appropriated for the facility'';

(B) in subparagraph (B), by striking ''subparagraph (A)'' and inserting ''this paragraph'';

(C) by redesignating subparagraph (B) as subparagraph (F); and

(D) by inserting after subparagraph (A) the following new subparagraphs:

''(B) UNOBLIGATED AMOUNTS.—The Secretary may provide additional funds to help an entity described in subsection (a)(2) finance, design, or construct a facility in connection with real property and improvements to be donated under the pilot program and proposed to be accepted by the Secretary under subsection (b)(1)(B) if—

''(i) the Secretary determines that doing so is in the best interest of the Department and consistent with the mission of the Department; and

''(ii) funding provided under this subparagraph—

''(I) is in addition to amounts that have been appropriated for the facility before the date on which the Secretary and the entity enter into a formal agreement under subsection (c) for the construction and donation of the real property and improvements; and

''(II) is derived only from amounts that—

''(aa) are unobligated balances available in the Construction, Minor Projects, or Construction, Major Projects appropriations accounts of the Department that—

''(AA) are not associated with a specific project; or

''(BB) are amounts that are associated with a specific project, but are unobligated because they are the result of bid savings; and

''(bb) were appropriated to such an account before the date described in subclause (I).

''(C) ESCALATION CLAUSES.—

''(i) IN GENERAL.—The Secretary may include an escalation clause in a formal agreement under subsection (c) that authorizes an escalation of not more than an annual amount based on a rate established in the formal agreement and mutually agreed upon by the Secretary and an entity to account for inflation for an area if the Secretary determines, after consultation with the head of an appropriate Federal entity that is not part of the Department, that such escalation is necessary and in the best interest of the Department.

''(ii) USE OF EXISTING AMOUNTS.—The Secretary may obligate funds pursuant to clause (i) in connection with a formal agreement under subsection (c) using amounts that—

''(I) are unobligated balances available in the Construction, Minor Projects, or Construction, Major Projects appropriations accounts of the Department that—

''(aa) are not associated with a specific project; or

''(bb) are amounts that are associated with a specific project, but are unobligated because they are the result of bid savings; and

''(II) were appropriated to such an account before the date on which the Secretary and the entity entered into the formal agreement.

''(D) AVAILABILITY.—Unobligated amounts shall be available pursuant to subparagraphs (B) and (C) only to the extent and in such amounts as provided in advance in appropriations Acts subsequent to date of the enactment of the CHIP-IN Improvement Act of 2022, subject to subparagraph (E).

''(E) LIMITATION.—Unobligated amounts made available pursuant to subparagraphs (B) and (C) may not exceed 40 percent of the amount appropriated for the facility before the date on which the Secretary and the entity entered into a formal agreement under subsection (c).''; and

(3) in subsection (j)—

(A) by striking ''RULE'' and inserting ''RULES'';

(B) by striking ''Nothing in'' and inserting the following:

''(1) ENTERING ARRANGEMENTS AND AGREEMENTS.—Nothing in''; and

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

''(2) TREATMENT OF ASSISTANCE.—Nothing provided under this section shall be treated as Federal financial assistance as defined in section 200.40 of title 2, Code of Federal Regulations, as in effect on February 21, 2021.''.

(b) AMENDMENTS TO EXISTING AGREEMENTS.—Each agreement entered into under section (2)(c) of such Act before the date of the enactment of this Act that was in effect on the date of the enactment of this Act may be amended to incorporate terms authorized by subparagraphs (B) and (C) of section 2(e)(1) of such Act, as added by subsection (a)(2)(D) of this section.

Subtitle H—Judicial Security and Privacy

SEC. 6041. SHORT TITLE.

This subtitle may be cited as the ''Daniel Anderl Judicial Security and Privacy Act of 2021''.

SEC. 6042. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Members of the Federal judiciary perform the important function of interpreting the Constitution of the United States and administering justice in a fair and impartial manner.

(2) In recent years, partially as a result of the rise in the use of social media and online access to information, members of the Federal judiciary have been exposed to an increased number of personal threats in connection to their role. The ease of access to free or inexpensive sources of covered information has considerably lowered the effort required for malicious actors to discover where individuals live and where they spend leisure hours and to find information about their family members. Such threats have included calling a judge a traitor with references to mass shootings and serial killings, a murder attempt on a justice of the Supreme Court of the United States, calling for an ''angry mob'' to gather outside a home of a judge and, in reference to a judge on the court of appeals of the United States, stating how easy it would be to ''get them''.

(3) Between 2015 and 2019, threats and other inappropriate communications against Federal judges and other judiciary personnel increased from 926 in 2015 to approximately 4,449 in 2019.

(4) Over the past decade, several members of the Federal judiciary have experienced acts of violence against themselves or a family member in connection to their Federal judiciary role, including the murder in 2005 of the family of Joan Lefkow, a judge for the United States District Court for the Northern District of Illinois.

(5) On Sunday July 19, 2020, an assailant went to the home of Esther Salas, a judge for the United States District Court for the District of New Jersey, impersonating a package delivery driver, opening fire upon arrival, and killing Daniel Anderl, the 20-year-old only son of Judge Salas, and seriously wounding Mark Anderl, her husband.

(6) In the aftermath of the recent tragedy that occurred to Judge Salas and in response to the continuous rise of threats against members of the Federal judiciary, there is an immediate need for enhanced security procedures and increased availability of tools to protect Federal judges and their families.

(b) PURPOSE.—The purpose of this subtitle is to improve the safety and security of Federal judges, including senior, recalled, or retired Federal judges, and their immediate family members to ensure Federal judges are able to administer justice fairly without fear of personal reprisal from individuals affected by the decisions they make in the course of carrying out their public duties.

SEC. 6043. DEFINITIONS.

In this subtitle:

(1) AT-RISK INDIVIDUAL.—The term ''at-risk individual'' means—

(A) a Federal judge;

(B) a senior, recalled, or retired Federal judge;

(C) any individual who is the spouse, parent, sibling, or child of an individual described in subparagraph (A) or (B);

(D) any individual to whom an individual described in subparagraph (A) or (B) stands in loco parentis; or

(E) any other individual living in the household of an individual described in subparagraph (A) or (B).

(2) COVERED INFORMATION.—The term ''covered information''—

(A) means—

(i) a home address, including primary residence or secondary residences;

(ii) a home or personal mobile telephone number;

(iii) a personal email address;

(iv) a social security number or driver's license number;

(v) a bank account or credit or debit card information;

(vi) a license plate number or other unique identifiers of a vehicle owned, leased, or regularly used by an at-risk individual;

(vii) the identification of children of an at-risk individual under the age of 18;

(viii) the full date of birth;

(ix) information regarding current or future school or day care attendance, including the name or address of the school or day care, schedules of attendance, or routes taken to or from the school or day care by an at-risk individual; or

(x) information regarding the employment location of an at-risk individual, including the name or address of the employer, employment schedules, or routes taken to or from the employer by an at-risk individual; and

(B) does not include information regarding employment with a Government agency.

(3) DATA BROKER.—

(A) IN GENERAL.—The term ''data broker'' means a commercial entity engaged in collecting, assembling, or maintaining personal information concerning an individual who is not a customer, client, or an employee of that entity in order to sell the information or otherwise profit from providing third-party access to the information.

(B) EXCLUSION.—The term ''data broker'' does not include a commercial entity engaged in the following activities:

(i) Engaging in reporting, news-gathering, speaking, or other activities intended to inform the public on matters of public interest or public concern.

(ii) Providing 411 directory assistance or directory information services, including

name, address, and telephone number, on behalf of or as a function of a telecommunications carrier.

(iii) Using personal information internally, providing access to businesses under common ownership or affiliated by corporate control, or selling or providing data for a transaction or service requested by or concerning the individual whose personal information is being transferred.

(iv) Providing publicly available information via real-time or near-real-time alert services for health or safety purposes.

(v) A consumer reporting agency subject to the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.).

(vi) A financial institution to subject to the Gramm-Leach-Bliley Act (Public Law 106–102) and regulations implementing that title.

(vii) A covered entity for purposes of the privacy regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d-2 note).

(viii) The collection and sale or licensing of covered information incidental to conducting the activities described in clauses (i) through (vii).

(4) FEDERAL JUDGE.—The term ''Federal judge'' means—

(A) a justice of the United States or a judge of the United States, as those terms are defined in section 451 of title 28, United States Code;

(B) a bankruptcy judge appointed under section 152 of title 28, United States Code;

(C) a United States magistrate judge appointed under section 631 of title 28, United States Code;

(D) a judge confirmed by the United States Senate and empowered by statute in any commonwealth, territory, or possession to perform the duties of a Federal judge;

(E) a judge of the United States Court of Federal Claims appointed under section 171 of title 28, United States Code;

(F) a judge of the United States Court of Appeals for Veterans Claims appointed under section 7253 of title 38, United States Code;

(G) a judge of the United States Court of Appeals for the Armed Forces appointed under section 942 of title 10, United States Code;

(H) a judge of the United States Tax Court appointed under section 7443 of the Internal Revenue Code of 1986; and

(I) a special trial judge of the United States Tax Court appointed under section 7443A of the Internal Revenue Code of 1986.

(5) GOVERNMENT AGENCY.—The term ''Government agency'' includes—

(A) an Executive agency, as defined in section 105 of title 5, United States Code; and

(B) any agency in the judicial branch or legislative branch.

(6) IMMEDIATE FAMILY MEMBER.—The term ''immediate family member'' means—

(A) any individual who is the spouse, parent, sibling, or child of an at-risk individual;

(B) any individual to whom an at-risk individual stands in loco parentis; or

(C) any other individual living in the household of an at-risk individual.

(7) TRANSFER.—The term ''transfer'' means to sell, license, trade, or exchange for consideration the covered information of an at-risk individual or immediate family member.

SEC. 6044. PROTECTING COVERED INFORMATION IN PUBLIC RECORDS.

(a) GOVERNMENT AGENCIES.—

(1) IN GENERAL.—Each at-risk individual may—

(A) file written notice of the status of the individual as an at-risk individual, for themselves and immediate family members, with each Government agency that includes information necessary to ensure compliance with this section, as determined by the Administrative Office of the United States Courts; and

(B) request that each Government agency described in subparagraph (A) mark as private their covered information and that of their immediate family members.

(2) NO PUBLIC POSTING.—Government agencies shall not publicly post or display publicly available content that includes covered information of an at-risk individual or immediate family member. Government agencies, upon receipt of a written request under paragraph (1)(A), shall remove the covered information of the at-risk individual or immediate family member from publicly available content not later than 72 hours after such receipt.

(3) EXCEPTIONS.—Nothing in this section shall prohibit a Government agency from providing access to records containing the covered information of a Federal judge to a third party if the third party—

(A) possesses a signed release from the Federal judge or a court order;

(B) is subject to the requirements of title V of the Gramm-Leach-Bliley Act (15 U.S.C. 6801 et seq.); or

(C) executes a confidentiality agreement with the Government agency.

(b) DELEGATION OF AUTHORITY.—

(1) IN GENERAL.—An at-risk individual may directly, or through an agent designated by the at-risk individual, make any notice or request required or authorized by this section on behalf of the at-risk individual. The notice or request shall include information necessary to ensure compliance with this section.

(2) AUTHORIZATION OF GOVERNMENT AGENCIES TO MAKE REQUESTS.—

(A) ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS.—Upon written request of an at-risk individual, the Director of the Administrative Office of the United States Courts is authorized to make any notice or request required or authorized by this section on behalf of the at-risk individual. The notice or request shall include information necessary to ensure compliance with this section, as determined by the Administrative Office of the United States Courts. The Director may delegate this authority under section 602(d) of title 28, United States Code. Any notice or request made under this subsection shall be deemed to have been made by the at-risk individual and comply with the notice and request requirements of this section.

(B) UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS.—Upon written request of an at-risk individual described in section 6043(4)(F), the chief judge of the United States Court of Appeals for Veterans Claims is authorized to make any notice or request required or authorized by this section on behalf of the at-risk individual. Any notice or request made under this subsection shall be deemed to have been made by the at-risk individual and comply with the notice and request requirements of this section.

(C) UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES.—Upon written request of an at-risk individual described in section 6043(4)(G), the chief judge of the United States Court of Appeals for the Armed Forces is authorized to make any notice or request required or authorized by this section on behalf of the at-risk individual. Any notice or request made under this subsection shall be deemed to have been made by the at-risk individual and comply with the notice and request requirements of this section.

(D) UNITED STATES TAX COURT.—Upon written request of an at-risk individual described in subparagraph (H) or (I) of section 6043(4), the chief judge of the United States Tax Court is authorized to make any notice or request required or authorized by this section on behalf of the at-risk individual. Any notice or request made under this subsection shall be deemed to have been made by the at-risk individual and comply with the notice and request requirements of this section.

(c) STATE AND LOCAL GOVERNMENTS.—

(1) GRANT PROGRAM TO PREVENT DISCLOSURE OF PERSONAL INFORMATION OF AT-RISK INDIVIDUALS OR IMMEDIATE FAMILY MEMBERS.—

(A) AUTHORIZATION.—The Attorney General may make grants to prevent the release of covered information of at-risk individuals and immediate family members (in this subsection referred to as ''judges' covered information'') to the detriment of such individuals or their immediate family members to an entity that—

(i) is—

(I) a State or unit of local government, as defined in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251); or

(II) an agency of a State or unit of local government; and

(ii) operates a State or local database or registry that contains covered information.

(B) APPLICATION.—An entity seeking a grant under this subsection shall submit to the Attorney General an application at such time, in such manner, and containing such information as the Attorney General may reasonably require.

(2) SCOPE OF GRANTS.—Grants made under this subsection may be used to create or expand programs designed to protect judges' covered information, including through—

(A) the creation of programs to redact or remove judges' covered information, upon the request of an at-risk individual, from public records in State agencies, including hiring a third party to redact or remove judges' covered information from public records;

(B) the expansion of existing programs that the State may have enacted in an effort to protect judges' covered information;

(C) the development or improvement of protocols, procedures, and policies to prevent the release of judges' covered information;

(D) the defrayment of costs of modifying or improving existing databases and registries to ensure that judges' covered information is covered from release; and

(E) the development of confidential opt out systems that will enable at-risk individuals to make a single request to keep judges' covered information out of multiple databases or registries.

(3) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and biennially thereafter, the Comptroller General of the United States, shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives an annual report that includes—

(i) a detailed amount spent by States and local governments on protecting judges' covered information;

(ii) where the judges' covered information was found; and

(iii) the collection of any new types of personal data found to be used to identify judges who have received threats, including prior home addresses, employers, and institutional affiliations such as nonprofit boards.

(B) STATES AND LOCAL GOVERNMENTS.—States and local governments that receive funds under this subsection shall submit to the Comptroller General of the United States a report on data described in clauses (i) and (ii) of subparagraph (A) to be included in the report required under that subparagraph.

(d) DATA BROKERS AND OTHER BUSINESSES.—

(1) PROHIBITIONS.—

(A) DATA BROKERS.—It shall be unlawful for a data broker to knowingly sell, license, trade for consideration, or purchase covered information of an at-risk individual or immediate family members.

(B) OTHER BUSINESSES.—

(i) IN GENERAL.—Except as provided in clause (ii), no person, business, or association shall publicly post or publicly display on the internet covered information of an at-risk individual or immediate family member if the at-risk individual has made a written request to that person, business, or association not to disclose the covered information of the at-risk individual or immediate family member.

(ii) EXCEPTIONS.—Clause (i) shall not apply to—

(I) the display on the internet of the covered information of an at-risk individual or immediate family member if the information is relevant to and displayed as part of a news story, commentary, editorial, or other speech on a matter of public concern;

(II) covered information that the at-risk individual voluntarily publishes on the internet after the date of enactment of this Act; or

(III) covered information received from a Federal Government source (or from an employee or agent of the Federal Government).

(2) REQUIRED CONDUCT.—

(A) IN GENERAL.—After receiving a written request under paragraph (1)(B), the person, business, or association shall—

(i) remove within 72 hours the covered information from the internet and ensure that the information is not made available on any website or subsidiary website controlled by that person, business, or association; and

(ii) ensure that the covered information of the at-risk individual or immediate family member is not made available on any website or subsidiary website controlled by that person, business, or association.

(B) TRANSFER.—

(i) IN GENERAL.—Except as provided in clause (ii), after receiving a written request under paragraph (1)(B), the person, business, or association shall not transfer the covered information of the at-risk individual or immediate family member to any other person, business, or association through any medium.

(ii) EXCEPTIONS.—Clause (i) shall not apply to—

(I) the transfer of the covered information of the at-risk individual or immediate family member if the information is relevant to and displayed as part of a news story, commentary, editorial, or other speech on a matter of public concern;

(II) covered information that the at-risk individual or immediate family member voluntarily publishes on the internet after the date of enactment of this Act; or

(III) a transfer made at the request of the at-risk individual or that is necessary to effectuate a request to the person, business, or association from the at-risk individual.

(e) CIVIL ACTION.— An at-risk individual or their immediate family member whose covered information is made public as a result of a violation of this section may bring an action seeking injunctive or declaratory relief in any court of competent jurisdiction.

SEC. 6045. TRAINING AND EDUCATION.

Amounts appropriated to the Federal judiciary for fiscal year 2022, and each fiscal year thereafter, may be used for biannual judicial security training for active, senior, or recalled Federal judges described in subparagraph (A), (B), (C), (D), or (E) of section 6043(4) and their immediate family members, including—

(1) best practices for using social media and other forms of online engagement and for maintaining online privacy;

(2) home security program and maintenance;

(3) understanding removal programs and requirements for covered information; and

(4) any other judicial security training that the United States Marshals Services and the Administrative Office of the United States Courts determines is relevant.

SEC. 6046. VULNERABILITY MANAGEMENT CAPABILITY.

(a) AUTHORIZATION.—

(1) VULNERABILITY MANAGEMENT CAPABILITY.—The Federal judiciary is authorized to perform all necessary functions consistent with the provisions of this subtitle and to support existing threat management capabilities within the United States Marshals Service and other relevant Federal law enforcement and security agencies for Federal judges described in subparagraphs (A), (B), (C), (D), and (E) of section 6043(4), including—

(A) monitoring the protection of at-risk individuals and judiciary assets;

(B) managing the monitoring of websites for covered information of at-risk individuals and immediate family members and remove or limit the publication of such information;

(C) receiving, reviewing, and analyzing complaints by at-risk individuals of threats, whether direct or indirect, and report such threats to law enforcement partners; and

(D) providing training described in section 6045.

(2) VULNERABILITY MANAGEMENT FOR CERTAIN ARTICLE I COURTS.—The functions and support authorized in paragraph (1) shall be authorized as follows:

(A) The chief judge of the United States Court of Appeals for Veterans Claims is authorized to perform such functions and support for the Federal judges described in section 6043(4)(F).

(B) The United States Court of Appeals for the Armed Forces is authorized to perform such functions and support for the Federal judges described in section 6043(4)(G).

(C) The United States Tax Court is authorized to perform such functions and support for the Federal judges described in subparagraphs (H) and (I) of section 6043(4).

(3) TECHNICAL AND CONFORMING AMENDMENT.—Section 604(a) of title 28, United States Code is amended—

(A) in paragraph (23), by striking ''and'' at the end;

(B) by redesignating paragraph (24) as paragraph (25); and

(C) by inserting after paragraph (23) the following:

''(24) Establish and administer a vulnerability management program in the judicial branch; and''.

(b) EXPANSION OF CAPABILITIES OF OFFICE OF PROTECTIVE INTELLIGENCE.—

(1) IN GENERAL.—The United States Marshals Service is authorized to expand the current capabilities of the Office of Protective Intelligence of the Judicial Security Division to increase the workforce of the Office of Protective Intelligence to include additional intelligence analysts, United States deputy marshals, and any other relevant personnel to ensure that the Office of Protective Intelligence is ready and able to perform all necessary functions, consistent with the provisions of this subtitle, in order to anticipate and deter threats to the Federal judiciary, including—

(A) assigning personnel to State and major urban area fusion and intelligence centers for the specific purpose of identifying potential threats against the Federal judiciary and coordinating responses to such potential threats;

(B) expanding the use of investigative analysts, physical security specialists, and intelligence analysts at the 94 judicial districts and territories to enhance the management of local and distant threats and investigations; and

(C) increasing the number of United States Marshal Service personnel for the protection of the Federal judicial function and assigned to protective operations and details for the Federal judiciary.

(2) INFORMATION SHARING.—If any of the activities of the United States Marshals Service uncover information related to threats to individuals other than Federal judges, the United States Marshals Service shall, to the maximum extent practicable, share such information with the appropriate Federal, State, and local law enforcement agencies.

(c) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Department of Justice, in consultation with the Administrative Office of the United States Courts, the United States Court of Appeals for Veterans Claims, the United States Court of Appeals for the Armed Forces, and the United States Tax Court, shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the security of Federal judges arising from Federal prosecutions and civil litigation.

(2) DESCRIPTION.—The report required under paragraph (1) shall describe—

(A) the number and nature of threats and assaults against at-risk individuals handling prosecutions and other matters described in paragraph (1) and the reporting requirements and methods;

(B) the security measures that are in place to protect at-risk individuals handling prosecutions described in paragraph (1), including threat assessments, response procedures, the availability of security systems and other devices, firearms licensing such as deputations, and other measures designed to protect the at-risk individuals and their immediate family members; and

(C) for each requirement, measure, or policy described in subparagraphs (A) and (B), when the requirement, measure, or policy was developed and who was responsible for developing and implementing the requirement, measure, or policy.

(3) PUBLIC POSTING.—The report described in paragraph (1) shall, in whole or in part, be exempt from public disclosure if the Attorney General determines that such public disclosure could endanger an at-risk individual.

SEC. 6047. RULES OF CONSTRUCTION.

(a) IN GENERAL.—Nothing in this subtitle shall be construed—

(1) to prohibit, restrain, or limit—

(A) the lawful investigation or reporting by the press of any unlawful activity or misconduct alleged to have been committed by an at-risk individual or their immediate family member; or

(B) the reporting on an at-risk individual or their immediate family member regarding matters of public concern;

(2) to impair access to decisions and opinions from a Federal judge in the course of carrying out their public functions;

(3) to limit the publication or transfer of covered information with the written consent of the at-risk individual or their immediate family member; or

(4) to prohibit information sharing by a data broker to a Federal, State, Tribal, or local government, or any unit thereof.

(b) PROTECTION OF COVERED INFORMATION.—This subtitle shall be broadly construed to favor the protection of the covered information of at-risk individuals and their immediate family members.

SEC. 6048. SEVERABILITY.

If any provision of this subtitle, an amendment made by this subtitle, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this subtitle and the amendments made by this subtitle, and the application of the remaining provisions of this subtitle and amendments to any person or circumstance shall not be affected.

SEC. 6049. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this subtitle shall take effect on the date of enactment of this Act.

(b) EXCEPTION.—Subsections (c)(1), (d), and (e) of section 6044 shall take effect on the date that is 120 days after the date of enactment of this Act.

Subtitle I—21st Century Assistive Technology Act

SEC. 6051. SHORT TITLE.

This subtitle may be cited as the ''21st Century Assistive Technology Act''.

SEC. 6052. REAUTHORIZATION.

The Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.) is amended to read as follows:

''SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

''(a) SHORT TITLE.—This Act may be cited as the 'Assistive Technology Act of 1998'.

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

''Sec. 1. Short title; table of contents.
''Sec. 2. Purposes.
''Sec. 3. Definitions.
''Sec. 4. Grants for State assistive technology programs.
''Sec. 5. Grants for protection and advocacy services related to assistive technology.
''Sec. 6. Technical assistance and data collection support.
''Sec. 7. Projects of national significance.
''Sec. 8. Administrative provisions.
''Sec. 9. Authorization of appropriations; reservations and distribution of funds.

''SEC. 2. PURPOSES.

''The purposes of this Act are—

''(1) to support State efforts to improve the provision of assistive technology to individuals with disabilities through comprehensive statewide programs of technology-related assistance, for individuals with disabilities of all ages, that are designed to—

''(A) increase the availability of, funding for, access to, provision of, and training about assistive technology devices and assistive technology services;

''(B) increase the ability of individuals with disabilities of all ages to secure and maintain possession of assistive technology devices as such individuals make the transition between services offered by educational or human service agencies or between settings of daily living (for example, between home and work);

''(C) increase the capacity of public agencies and private entities to provide and pay for assistive technology devices and assistive technology services on a statewide basis for individuals with disabilities of all ages;

''(D) increase the involvement of individuals with disabilities and, if appropriate, their family members, guardians, advocates, and authorized representatives, in decisions related to the provision of assistive technology devices and assistive technology services;

''(E) increase and promote coordination among State agencies, between State and local agencies, among local agencies, and between State and local agencies and private entities (such as managed care providers), that are involved or are eligible to be involved in carrying out activities under this Act;

''(F) increase the awareness and facilitate the change of laws, regulations, policies, practices, procedures, and organizational structures that facilitate the availability or provision of assistive technology devices and assistive technology services; and

''(G) increase awareness and knowledge of the benefits of assistive technology devices and assistive technology services among targeted individuals and entities and the general population; and

''(2) to provide States and protection and advocacy systems with financial assistance that supports programs designed to maximize the ability of individuals with disabilities and their family members, guardians, advocates, and authorized representatives to obtain assistive technology devices and assistive technology services.

''SEC. 3. DEFINITIONS.

''In this Act:

''(1) ADULT SERVICE PROGRAM.—The term 'adult service program' means a program that provides services to, or is otherwise substantially involved with the major life functions of, individuals with disabilities. Such term includes—

''(A) a program providing residential, supportive, or employment services, or employment-related services, to individuals with disabilities;

''(B) a program carried out by a center for independent living, such as a center described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.);

''(C) a program carried out by an employment support agency connected to adult vocational rehabilitation, such as a one-stop partner, as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102); and

''(D) a program carried out by another organization or vender licensed or registered by the designated State agency, as defined in section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705).

''(2) AMERICAN INDIAN CONSORTIUM.—The term 'American Indian consortium' means an entity that is an American Indian Consortium (as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002)), and that is established to provide protection and advocacy services for purposes of receiving funding under subtitle C of title I of such Act (42 U.S.C. 15041 et seq.).

''(3) ASSISTIVE TECHNOLOGY.—The term 'assistive technology' means technology designed to be utilized in an assistive technology device or assistive technology service.

''(4) ASSISTIVE TECHNOLOGY DEVICE.—The term 'assistive technology device' means any item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities.

''(5) ASSISTIVE TECHNOLOGY SERVICE.—The term 'assistive technology service' means any service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device. Such term includes—

''(A) the evaluation of the assistive technology needs of an individual with a disability, including a functional evaluation of the impact of the provision of appropriate assistive technology and appropriate services to the individual in the customary environment of the individual;

''(B) a service consisting of purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by individuals with disabilities;

''(C) a service consisting of selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, replacing, or donating assistive technology devices;

''(D) coordination and use of necessary therapies, interventions, or services with assistive technology devices, such as therapies, interventions, or services associated with education and rehabilitation plans and programs;

''(E) training or technical assistance for an individual with a disability or, where appropriate, the family members, guardians, advocates, or authorized representatives of such an individual;

''(F) training or technical assistance for professionals (including individuals providing education and rehabilitation services and entities that manufacture or sell assistive technology devices), employers, providers of employment and training services, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of individuals with disabilities; and

''(G) a service consisting of expanding the availability of access to technology, including electronic and information technology, to individuals with disabilities.

''(6) CAPACITY BUILDING AND ADVOCACY ACTIVITIES.—The term 'capacity building and advocacy activities' means efforts that—

''(A) result in laws, regulations, policies, practices, procedures, or organizational structures that promote consumer-responsive programs or entities; and

''(B) facilitate and increase access to, provision of, and funding for, assistive technology devices and assistive technology services, in order to empower individuals with disabilities to achieve greater independence, productivity, and integration and inclusion within the community and the workforce.

''(7) COMPREHENSIVE STATEWIDE PROGRAM OF TECHNOLOGY-RELATED ASSISTANCE.—The term 'comprehensive statewide program of technology-related assistance' means a consumer-responsive program of technology-related assistance for individuals with disabilities that—

''(A) is implemented by a State;

''(B) is equally available to all individuals with disabilities residing in the State, regardless of their type of disability, age, income level, or location of residence in the State, or the type of assistive technology device or assistive technology service required; and

''(C) incorporates all the activities described in section 4(e) (unless excluded pursuant to section 4(e)(6)).

''(8) CONSUMER-RESPONSIVE.—The term 'consumer-responsive'—

''(A) with regard to policies, means that the policies are consistent with the principles of—

''(i) respect for individual dignity, personal responsibility, self-determination, and pursuit of meaningful careers, based on informed choice, of individuals with disabilities;

''(ii) respect for the privacy, rights, and equal access (including the use of accessible formats) of such individuals;

''(iii) inclusion, integration, and full participation of such individuals in society;

''(iv) support for the involvement in decisions of a family member, a guardian, an advocate, or an authorized representative, if an individual with a disability requests, desires, or needs such involvement; and

''(v) support for individual and systems advocacy and community involvement; and

''(B) with respect to an entity, program, or activity, means that the entity, program, or activity—

''(i) is easily accessible to, and usable by, individuals with disabilities and, when appropriate, their family members, guardians, advocates, or authorized representatives;

''(ii) responds to the needs of individuals with disabilities in a timely and appropriate manner; and

''(iii) facilitates the full and meaningful participation of individuals with disabilities (including individuals from underrepresented populations and rural populations) and their family members, guardians, advocates, and authorized representatives, in—

''(I) decisions relating to the provision of assistive technology devices and assistive technology services to such individuals; and

''(II) decisions related to the maintenance, improvement, and evaluation of the comprehensive statewide program of technology-related assistance, including decisions that affect capacity building and advocacy activities.

''(9) DISABILITY.—The term 'disability' has the meaning given the term under section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).

''(10) INDIVIDUAL WITH A DISABILITY.—The term 'individual with a disability' means any individual of any age, race, or ethnicity—

''(A) who has a disability; and

''(B) who is or would be enabled by an assistive technology device or an assistive technology service to minimize deterioration in functioning, to maintain a level of functioning, or to achieve a greater level of functioning in any major life activity.

''(11) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), and includes a community college receiving funding under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.).

''(12) PROTECTION AND ADVOCACY SERVICES.—The term 'protection and advocacy services' means services that—

''(A) are described in subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.), the Protection and Advocacy for Individuals with Mental Illness Act (42 U.S.C. 10801 et seq.), or section 509 of the Rehabilitation Act of 1973 (29 U.S.C. 794e); and

''(B) assist individuals with disabilities with respect to assistive technology devices and assistive technology services.

''(13) SECRETARY.—The term 'Secretary' means the Secretary of Health and Human Services, acting through the Administrator of the Administration for Community Living.

''(14) STATE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'State' means each of the 50 States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(B) OUTLYING AREAS.—In section 4(b):

''(i) OUTLYING AREA.—The term 'outlying area' means the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(ii) STATE.—The term 'State' does not include the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(15) STATE ASSISTIVE TECHNOLOGY PROGRAM.—The term 'State assistive technology program' means a program authorized under section 4.

''(16) TARGETED INDIVIDUALS AND ENTITIES.—The term 'targeted individuals and entities' means—

''(A) individuals with disabilities of all ages and their family members, guardians, advocates, and authorized representatives;

''(B) underrepresented populations, including the aging workforce;

''(C) individuals who work for public or private entities (including centers for independent living described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.), insurers, or managed care providers) that have contact with, or provide services to, individuals with disabilities;

''(D) educators at all levels (including providers of early intervention services, elementary schools, secondary schools, community colleges, and vocational and other institutions of higher education) and related services personnel;

''(E) technology experts (including web designers and procurement officials);

''(F) health, allied health, and rehabilitation professionals and hospital employees (including discharge planners);

''(G) employers, especially small business employers, and providers of employment and training services;

''(H) entities that manufacture or sell assistive technology devices;

''(I) entities that carry out community programs designed to develop essential community services in rural and urban areas; and

''(J) other appropriate individuals and entities, as determined for a State by the State.

''(17) UNDERREPRESENTED POPULATION.—The term 'underrepresented population' means a population that is typically underrepresented in service provision, and includes populations such as individuals who have low-incidence disabilities, racial and ethnic minorities, low income individuals, homeless individuals (including children and youth), children in foster care, individuals with limited English proficiency, older individuals, or individuals living in rural areas.

''(18) UNIVERSAL DESIGN.—The term 'universal design' means a concept or philosophy for designing and delivering products and services that are usable by people with the widest possible range of functional capabilities, which include products and services that are directly accessible (without requiring assistive technologies) and products and services that are interoperable with assistive technologies.

''SEC. 4. GRANTS FOR STATE ASSISTIVE TECHNOLOGY PROGRAMS.

''(a) GRANTS TO STATES.—The Secretary shall award grants under subsection (b) to States to maintain a comprehensive statewide continuum of integrated assistive technology activities described in subsection (e) through State assistive technology programs that are designed—

''(1) to maximize the ability of individuals with disabilities across the human lifespan and across the wide array of disabilities, and their family members, guardians, advocates, and authorized representatives, to obtain assistive technology; and

''(2) to increase access to assistive technology.

''(b) AMOUNT OF FINANCIAL ASSISTANCE.—

''(1) IN GENERAL.—From funds made available to carry out this section, the Secretary shall award a grant to each eligible State and eligible outlying area from an allotment determined in accordance with paragraph (2).

''(2) CALCULATION OF STATE GRANTS.—

''(A) BASE YEAR.—Except as provided in subparagraphs (B) and (C), the Secretary shall allot to each State and outlying area for a fiscal year an amount that is not less than the amount the State or outlying area received under the grants provided under section 4 of this Act (as in effect on the day before the effective date of the 21st Century Assistive Technology Act) for fiscal year 2022.

''(B) RATABLE REDUCTION.—

''(i) IN GENERAL.—If funds made available to carry out this section for any fiscal year are insufficient to make the allotments required for each State and outlying area under subparagraph (A) for such fiscal year, the Secretary shall ratably reduce the allotments for such fiscal year.

''(ii) ADDITIONAL FUNDS.—If, after the Secretary makes the reductions described in clause (i), additional funds become available to carry out this section for the fiscal year, the Secretary shall ratably increase the allotments, until the Secretary has allotted the entire base year amount under subparagraph (A).

''(C) APPROPRIATION HIGHER THAN BASE YEAR AMOUNT.—For a fiscal year for which the amount of funds made available to carry out this section is greater than the base year amount under subparagraph (A) and no greater than $40,000,000, the Secretary shall—

''(i) make the allotments described in subparagraph (A);

''(ii) from a portion of the remainder of the funds after the Secretary makes the allotments described in clause (i), the Secretary shall—

''(I) from 50 percent of the portion, allot to each State an equal amount; and

''(II) from 50 percent of the portion, allot to each State an amount that bears the same relationship to such 50 percent as the population of the State bears to the population of all States;

until each State has received an allotment of not less than $410,000 under clause (i) and this clause; and

''(iii) from the remainder of the funds after the Secretary makes the allotments described in clause (ii), the Secretary shall—

''(I) from 80 percent of the remainder, allot to each State an amount that bears the same relationship to such 80 percent as the population of the State bears to the population of all States; and

''(II) from 20 percent of the remainder, allot to each State an equal amount.

''(D) APPROPRIATION HIGHER THAN THRESHOLD AMOUNT.—For a fiscal year for which the amount of funds made available to carry out this section is $40,000,000 or greater, the Secretary shall—

''(i) make the allotments described in subparagraph (A);

''(ii) from the funds remaining after the allotment described in clause (i), allot to each outlying area an amount of such funds until each outlying area has received an allotment of exactly $150,000 under clause (i) and this clause;

''(iii) from a portion of the remainder of the funds after the Secretary makes the allotments described in clauses (i) and (ii), the Secretary shall—

''(I) from 50 percent of the portion, allot to each State an equal amount; and

''(II) from 50 percent of the portion, allot to each State an amount that bears the same relationship to such 50 percent as the population of the State bears to the population of all States;

until each State has received an allotment of not less than $450,000 under clause (i) and this clause; and

''(iv) from the remainder of the funds after the Secretary makes the allotments described in clause (iii), the Secretary shall—

''(I) from 80 percent of the remainder, allot to each State an amount that bears the same relationship to such 80 percent as the population of the State bears to the population of all States; and

''(II) from 20 percent of the remainder, allot to each State an equal amount.

''(3) AVAILABILITY OF FUNDS.—Amounts made available for a fiscal year under this section shall be available for the fiscal year and the year following the fiscal year.

''(c) LEAD AGENCY, IMPLEMENTING ENTITY, AND ADVISORY COUNCIL.—

''(1) LEAD AGENCY AND IMPLEMENTING ENTITY.—

''(A) LEAD AGENCY.—

''(i) IN GENERAL.—The Governor of a State shall designate a public agency as a lead agency—

''(I) to control and administer the funds made available through the grant awarded to the State under this section; and

''(II) to submit the application described in subsection (d) on behalf of the State, to ensure conformance with Federal and State accounting requirements.

''(ii) DUTIES.—The duties of the lead agency shall include—

''(I) preparing the application described in subsection (d) and carrying out State activities described in that application, including making programmatic and resource allocation decisions necessary to implement the comprehensive statewide program of technology-related assistance;

''(II) coordinating the activities of the comprehensive statewide program of technology-related assistance among public and private entities, including coordinating efforts related to entering into interagency agreements, and maintaining and evaluating the program; and

''(III) coordinating culturally competent efforts related to the active, timely, and meaningful participation by individuals with disabilities and their family members, guardians, advocates, or authorized representatives, and other appropriate individuals, with respect to activities carried out through the grant.

''(B) IMPLEMENTING ENTITY.—The Governor may designate an agency, office, or other entity to carry out State activities under this section (referred to in this section as the 'implementing entity'), if such implementing entity is different from the lead agency. The implementing entity shall carry out responsibilities under this Act through a subcontract or another administrative agreement with the lead agency.

''(C) CHANGE IN AGENCY OR ENTITY.—

''(i) IN GENERAL.—On obtaining the approval of the Secretary—

''(I) the Governor may redesignate the lead agency of a State, if the Governor shows to the Secretary good cause why the agency designated as the lead agency should not serve as that agency; and

''(II) the Governor may redesignate the implementing entity of a State, if the Governor shows to the Secretary in accordance with subsection (d)(2)(B), good cause why the entity designated as the implementing entity should not serve as that entity.

''(ii) CONSTRUCTION.—Nothing in this paragraph shall be construed to require the Governor of a State to change the lead agency or implementing entity of the State to an agency other than the lead agency or implementing entity of such State as of the date of enactment of the Assistive Technology Act of 2004 (Public Law 108–364; 118 Stat. 1707).

''(2) ADVISORY COUNCIL.—

''(A) IN GENERAL.—There shall be established an advisory council to provide consumer-responsive, consumer-driven advice to the State for planning of, implementation of, and evaluation of the activities carried out through the grant, including setting the measurable goals described in subsection (d)(3)(C).

''(B) COMPOSITION AND REPRESENTATION.—

''(i) COMPOSITION.—The advisory council shall be composed of—

''(I) individuals with disabilities who use assistive technology, including older individuals, or the family members or guardians of the individuals;

''(II) a representative of the designated State agency, as defined in section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705) and the State agency for individuals who are blind (within the meaning of section 101 of that Act (29 U.S.C. 721)), if such agency is separate;

''(III) a representative of a State center for independent living described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.) or the Statewide Independent Living Council established under section 705 of such Act (29 U.S.C. 796d);

''(IV) a representative of the State workforce development board established under section 101 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111);

''(V) a representative of the State educational agency, as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801);

''(VI) a representative of an alternative financing program for assistive technology if—

''(aa) there is an alternative financing program for assistive technology in the State;

''(bb) such program is separate from the State assistive technology program supported under subsection (e)(2); and

''(cc) the program described in item (aa) is operated by a nonprofit entity;

''(VII) representatives of other State agencies, public agencies, or private organizations, as determined by the State; and

''(VIII) a representative of 1 or more of the following:

''(aa) The agency responsible for administering the State Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

''(bb) The designated State agency for purposes of section 124 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15024).

''(cc) The State agency designated under section 305(a)(1) of the Older Americans Act of 1965 (42 U.S.C. 3025(a)(1)) or an organization that receives assistance under such Act (42 U.S.C. 3001 et seq.).

''(dd) An organization representing disabled veterans.

''(ee) A University Center for Excellence in Developmental Disabilities Education, Research, and Service designated under section 151(a) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15061(a)).

''(ff) The State protection and advocacy system established in accordance with section 143 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15043).

''(gg) The State Council on Developmental Disabilities established under section 125 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15025).

''(ii) MAJORITY.—

''(I) IN GENERAL.—Not less than 51 percent of the members of the advisory council shall be members appointed under clause (i)(I), a majority of whom shall be individuals with disabilities.

''(II) REPRESENTATIVES OF AGENCIES.—Members appointed under subclauses (II) through (VIII) of clause (i) shall not count toward the majority membership requirement established in subclause (I).

''(iii) REPRESENTATION.—The advisory council shall be geographically representative of the State and reflect the diversity of the State with respect to race, ethnicity, types of disabilities across the age span, and users of types of services that an individual with a disability may receive.

''(C) EXPENSES.—The members of the advisory council shall receive no compensation for their service on the advisory council, but shall be reimbursed for reasonable and necessary expenses actually incurred in the performance of official duties for the advisory council.

''(D) IMPACT ON EXISTING STATUTES, RULES, OR POLICIES.—Nothing in this paragraph shall be construed to affect State statutes, rules, or official policies relating to advisory bodies for State assistive technology programs or require changes to governing bodies of incorporated agencies that carry out State assistive technology programs.

''(d) APPLICATION.—

''(1) IN GENERAL.—Any State that desires to receive a grant under this section shall submit an application to the Secretary, at such time, in such manner, and containing such information as the Secretary may require.

''(2) LEAD AGENCY AND IMPLEMENTING ENTITY.—

''(A) IN GENERAL.—The application shall contain—

''(i) information identifying and describing the lead agency referred to in subsection (c)(1)(A);

''(ii) information identifying and describing the implementing entity referred to in subsection (c)(1)(B), if the Governor of the State designates such an entity; and

''(iii) a description of how individuals with disabilities were involved in the development of the application and will be involved in the implementation of the activities to be carried out through the grant and through the advisory council established in accordance with subsection (c)(2).

''(B) CHANGE IN LEAD AGENCY OR IMPLEMENTING ENTITY.—In any case where—

''(i) the Governor requests to redesignate a lead agency, the Governor shall include in, or amend, the application to request the redesignation and provide a written description of the rationale for why the agency designated as the lead agency should not serve as that agency; or

''(ii) the Governor requests to redesignate an implementing entity, the Governor shall include in, or amend, the application to request the redesignation and provide a written description of the rationale for why the entity designated as the implementing entity should not serve as that entity.

''(3) STATE PLAN.—The application under this subsection shall include a State plan for assistive technology consisting of—

''(A) a description of how the State will carry out a statewide continuum of integrated assistive technology activities described in subsection (e) (unless excluded by the State pursuant to subsection (e)(6));

''(B) a description of how the State will allocate and utilize grant funds to implement the activities, including describing proposed budget allocations and planned procedures for tracking expenditures for the activities;

''(C) measurable goals, and a timeline for meeting the goals, that the State has set for addressing the assistive technology needs of individuals with disabilities in the State related to—

''(i) education, including goals involving the provision of assistive technology to individuals with disabilities who receive services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

''(ii) employment, including goals involving the State vocational rehabilitation program carried out under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.);

''(iii) access to tele-assistive technology to aid in the access of health care services, including mental health and substance use disorder;

''(iv) accessible information and communication technology training; and

''(v) community living;

''(D) information describing how the State will quantifiably measure the goals to determine whether the goals have been achieved

in a manner consistent with the data submitted through the progress reports under subsection (f); and

''(E) a description of any activities described in subsection (e) that the State will support with State or non-Federal funds.

''(4) INVOLVEMENT OF PUBLIC AND PRIVATE ENTITIES.—The application shall describe how various public and private entities were involved in the development of the application and will be involved in the implementation of the activities to be carried out through the grant, including—

''(A) in cases determined to be appropriate by the State, a description of the nature and extent of resources that will be committed by public and private collaborators to assist in accomplishing identified goals; and

''(B) a description of the mechanisms established to ensure coordination of activities and collaboration between the implementing entity, if any, and the State.

''(5) ASSURANCES.—The application shall include assurances that—

''(A) the State will annually collect data related to the required activities implemented by the State under this section in order to prepare the progress reports required under subsection (f);

''(B) funds received through the grant—

''(i) will be expended in accordance with this section; and

''(ii) will be used to supplement, and not supplant, funds available from other sources for technology-related assistance, including the provision of assistive technology devices and assistive technology services;

''(C) the lead agency will control and administer the funds received through the grant;

''(D) the State will adopt such fiscal control and accounting procedures as may be necessary to ensure proper disbursement of and accounting for the funds received through the grant;

''(E) the physical facility of the lead agency and implementing entity, if any, meets the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding accessibility for individuals with disabilities;

''(F) a public agency or an individual with a disability holds title to any property purchased with funds received under the grant and administers that property;

''(G) activities carried out in the State that are authorized under this Act, and supported by Federal funds received under this Act, will comply with the standards established by the Architectural and Transportation Barriers Compliance Board under section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d); and

''(H) the State will—

''(i) prepare reports to the Secretary in such form and containing such information as the Secretary may require to carry out the Secretary's functions under this Act; and

''(ii) keep such records and allow access to such records as the Secretary may require to ensure the correctness and verification of information provided to the Secretary under this subparagraph.

''(e) USE OF FUNDS.—

''(1) REQUIRED ACTIVITIES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B) and paragraph (6), any State that receives a grant under this section shall—

''(i) use a portion of not more than 40 percent of the funds made available through the grant to carry out all activities described in paragraph (3), of which not less than 5 percent of such portion shall be available for activities described in paragraph (3)(A)(iii); and

''(ii) use a portion of the funds made available through the grant to carry out all of the activities described in paragraph (2).

''(B) STATE OR NON-FEDERAL FINANCIAL SUPPORT.—A State receiving a grant under this section shall not be required to use grant funds to carry out the category of activities described in subparagraph (A), (B), (C), or (D) of paragraph (2) if, in that State—

''(i) financial support is provided from State or other non-Federal resources or entities for that category of activities; and

''(ii) the amount of the financial support is comparable to, or greater than, the amount of the portion of the funds made available through the grant that the State would have expended for that category of activities, in the absence of this subparagraph.

''(2) STATE-LEVEL ACTIVITIES.—

''(A) STATE FINANCING ACTIVITIES.—The State shall support State financing activities to increase access to, and funding for, assistive technology devices and assistive technology services (which shall not include direct payment for such a device or service for an individual with a disability but may include support and administration of a program to provide such payment), including development of systems to provide and pay for such devices and services, for targeted individuals and entities described in section 3(16)(A), including—

''(i) support for the development of systems for the purchase, lease, or other acquisition of, or payment for, assistive technology devices and assistive technology services;

''(ii) another mechanism that is approved by the Secretary; or

''(iii) support for the development of a State-financed or privately financed alternative financing program engaged in the provision of assistive technology devices, such as—

''(I) a low-interest loan fund;

''(II) an interest buy-down program;

''(III) a revolving loan fund; or

''(IV) a loan guarantee or insurance program.

''(B) DEVICE REUTILIZATION PROGRAMS.—The State shall directly, or in collaboration with public or private entities, carry out assistive technology device reutilization programs that provide for the exchange, repair, recycling, or other reutilization of assistive technology devices, which may include redistribution through device sales, loans, rentals, or donations.

''(C) DEVICE LOAN PROGRAMS.—The State shall directly, or in collaboration with public or private entities, carry out device loan programs that provide short-term loans of assistive technology devices to individuals, employers, public agencies, or others seeking to meet the needs of targeted individuals and entities, including others seeking to comply with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

''(D) DEVICE DEMONSTRATIONS.—

''(i) IN GENERAL.—The State shall directly, or in collaboration with public and private entities, such as one-stop partners, as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102), demonstrate a variety of assistive technology devices and assistive technology services (including assisting individuals in making informed choices regarding, and providing experiences with, the devices and services), using personnel who are familiar with such devices and services and their applications.

''(ii) COMPREHENSIVE INFORMATION.—The State shall directly, or through referrals, provide to individuals, to the extent practicable, comprehensive information about State and local assistive technology venders, providers, and repair services.

''(3) STATE LEADERSHIP ACTIVITIES.—

''(A) TRAINING AND TECHNICAL ASSISTANCE.—

''(i) IN GENERAL.—The State shall (directly or through the provision of support to public or private entities with demonstrated expertise in collaborating with public or private agencies that serve individuals with disabilities) develop and disseminate training materials, conduct training, and provide technical assistance, for individuals from local settings statewide, including representatives of State and local educational agencies, State vocational rehabilitation programs, other State and local agencies, early intervention programs, adult service programs, hospitals and other health care facilities, institutions of higher education, and businesses.

''(ii) AUTHORIZED ACTIVITIES.—In carrying out activities under clause (i), the State shall carry out activities that enhance the knowledge, skills, and competencies of individuals from local settings described in such clause, which may include—

''(I) general awareness training on the benefits of assistive technology and the Federal, State, and private funding sources available to assist targeted individuals, especially older individuals and transition-age youth with disabilities, and entities in acquiring assistive technology;

''(II) skills-development training in assessing the need for assistive technology devices and assistive technology services;

''(III) training to ensure the appropriate application and use of assistive technology devices, assistive technology services, and accessible information and communication technology for e-government functions;

''(IV) training in the importance of multiple approaches to assessment and implementation necessary to meet the individualized needs of individuals with disabilities and older individuals; and

''(V) technical training on integrating assistive technology into the development and implementation of service plans, including any education, health, discharge, Olmstead, employment, or other plan required under Federal or State law.

''(iii) TRANSITION ASSISTANCE TO INDIVIDUALS WITH DISABILITIES.—The State shall (directly or through the provision of support to public or private entities) develop and disseminate training materials, conduct training, facilitate access to assistive technology, and provide technical assistance, to assist—

''(I) students with disabilities, within the meaning of the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), that receive transition services; and

''(II) adults who are individuals with disabilities maintaining or transitioning to community living.

''(B) PUBLIC-AWARENESS ACTIVITIES.—

''(i) IN GENERAL.—The State shall conduct public-awareness activities designed to provide information to targeted individuals, including older individuals and transition-age youth with disabilities, and entities relating to the availability, benefits, appropriateness, and costs of assistive technology devices and assistive technology services, including—

''(I) the development of procedures for providing direct communication between providers of assistive technology and targeted individuals and entities, which may include partnerships with entities in the statewide and local workforce development systems established under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), State vocational rehabilitation programs, public and private employers, or elementary and secondary public schools;

''(II) the development and dissemination to targeted individuals, including older individuals and transition-age youth with disabilities, and entities, of information about State efforts related to assistive technology; and

''(III) the distribution of materials to appropriate public and private agencies that provide social, medical, educational, employment, and transportation services to individuals with disabilities.

''(ii) STATEWIDE INFORMATION AND REFERRAL SYSTEM.—

''(I) IN GENERAL.—The State shall directly, or in collaboration with public or private (such as nonprofit) entities, provide for the continuation and enhancement of a statewide information and referral system designed to meet the needs of targeted individuals and entities.

''(II) CONTENT.—The system shall deliver information on assistive technology devices, assistive technology services (with specific data regarding provider availability within the State), and the availability of resources, including funding through public and private sources, to obtain assistive technology devices and assistive technology services. The system shall also deliver information on the benefits of assistive technology devices and assistive technology services with respect to enhancing the capacity of individuals with disabilities of all ages to perform activities of daily living.

''(C) COORDINATION AND COLLABORATION.—The State shall coordinate activities described in paragraph (2) and this paragraph, among public and private entities that are responsible for policies, procedures, or funding for the provision of assistive technology devices and assistive technology services to individuals with disabilities, service providers, and others to improve access to assistive technology devices and assistive technology services for individuals with disabilities of all ages in the State.

''(4) INDIRECT COSTS.—Not more than 10 percent of the funds made available through a grant to a State under this section may be used for indirect costs.

''(5) FUNDING RULES.—

''(A) PROHIBITION.—Funds made available through a grant to a State under this section shall not be used for direct payment for an assistive technology device for an individual with a disability.

''(B) FEDERAL PARTNER COLLABORATION.—In order to provide the maximum availability of funding to access and acquire assistive technology through device demonstration, loan, reuse, and State financing activities, a State receiving a grant under this section shall ensure that the lead agency or implementing entity is conducting outreach to and, as appropriate, collaborating with, other State agencies that receive Federal funding for assistive technology, including—

''(i) the State educational agency receiving assistance under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

''(ii) the State vocational rehabilitation agency receiving assistance under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.);

''(iii) the agency responsible for administering the State Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

''(iv) the State agency receiving assistance under the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.); and

''(v) any other agency in a State that funds assistive technology.

''(6) STATE FLEXIBILITY.—

''(A) IN GENERAL.—Notwithstanding paragraph (1)(A) and subject to subparagraph (B), a State may use funds that the State receives under a grant awarded under this section to carry out any 2 or more of the activities described in paragraph (2).

''(B) SPECIAL RULE.—Notwithstanding paragraph (1)(A), any State that exercises its authority under subparagraph (A)—

''(i) shall carry out each of the required activities described in paragraph (3); and

''(ii) shall use not more than 30 percent of the funds made available through the grant to carry out such activities.

''(7) ASSISTIVE TECHNOLOGY DEVICE DISPOSITION.—Notwithstanding other equipment disposition policy under Federal law, an assistive technology device purchased to be used in activities authorized under this section may be reutilized to the maximum extent possible and then donated to a public agency, private nonprofit agency, or individual with a disability in need of such device.

''(f) ANNUAL PROGRESS REPORTS.—

''(1) DATA COLLECTION.—Each State receiving a grant under this section shall participate in data collection as required by law, including data collection required for preparation of the reports described in paragraph (2).

''(2) REPORTS.—

''(A) IN GENERAL.—Each State shall prepare and submit to the Secretary an annual progress report on the activities carried out by the State in accordance with subsection (e), including activities funded by State or non-Federal sources under subsection (e)(1)(B) at such time, and in such manner, as the Secretary may require.

''(B) CONTENTS.—The report shall include data collected pursuant to this section. The report shall document, with respect to activities carried out under this section in the State—

''(i) the type of State financing activities described in subsection (e)(2)(A) used by the State;

''(ii) the amount and type of assistance given to consumers of the State financing activities described in subsection (e)(2)(A) (which shall be classified by type of assistive technology device or assistive technology service financed through the State financing activities, and geographic distribution within the State), including—

''(I) the number of applications for assistance received;

''(II) the number of applications—

''(aa) approved;

''(bb) denied; or

''(cc) withdrawn;

''(III) the number, percentage, and dollar amount of defaults for the financing activities;

''(IV) the range and average interest rate for the financing activities;

''(V) the range and average income of approved applicants for the financing activities; and

''(VI) the types and dollar amounts of assistive technology financed;

''(iii) the number, type, and length of time of loans of assistive technology devices provided to individuals with disabilities, employers, public agencies, or public accommodations through the device loan program described in subsection (e)(2)(C), and an analysis of the individuals with disabilities who have benefited from the device loan program;

''(iv) the number, type, estimated value, and scope of assistive technology devices exchanged, repaired, recycled, or reutilized (including redistributed through device sales, loans, rentals, or donations) through the device reutilization program described in subsection (e)(2)(B), and an analysis of the individuals with disabilities that have benefited from the device reutilization program;

''(v) the number and type of device demonstrations and referrals provided under subsection (e)(2)(D), and an analysis of individuals with disabilities who have benefited from the demonstrations and referrals;

''(vi)(I) the number and general characteristics of individuals who participated in training under subsection (e)(3)(A) (such as individuals with disabilities, parents, educators, employers, providers of employment services, health care workers, counselors, other service providers, or venders) and the topics of such training; and

''(II) to the extent practicable, the geographic distribution of individuals who participated in the training;

''(vii) the frequency of provision and nature of technical assistance provided to State and local agencies and other entities;

''(viii) the number of individuals assisted through the statewide information and referral system described in subsection (e)(3)(B)(ii) and descriptions of the public awareness activities under subsection (e)(3)(B) with high impact;

''(ix) the outcomes of any improvement initiatives carried out by the State as a result of activities funded under this section, including a description of any written policies, practices, and procedures that the State has developed and implemented regarding access to, provision of, and funding for, assistive technology devices, and assistive technology services, in the contexts of education, health care, employment, community living, and accessible information and communication technology, including e-government;

''(x) the source of leveraged funding or other contributed resources, including resources provided through subcontracts or other collaborative resource-sharing agreements, from and with public and private entities to carry out State activities described in subsection (e)(3)(C), the number of individuals served with the contributed resources for which information is not reported under clauses (i) through (ix) or clause (xi), and other outcomes accomplished as a result of such activities carried out with the contributed resources; and

''(xi) the level of customer satisfaction with the services provided.

''SEC. 5. GRANTS FOR PROTECTION AND ADVOCACY SERVICES RELATED TO ASSISTIVE TECHNOLOGY.

''(a) GRANTS.—

''(1) IN GENERAL.—The Secretary shall make grants under subsection (b) to protection and advocacy systems in each State for the purpose of enabling such systems to assist in the acquisition, utilization, or maintenance of assistive technology devices or assistive technology services for individuals with disabilities.

''(2) GENERAL AUTHORITIES.—In providing such assistance, protection and advocacy systems shall have the same general authorities as the systems are afforded under subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.), as determined by the Secretary.

''(b) RESERVATION; DISTRIBUTION.—

''(1) RESERVATION.—For each fiscal year, the Secretary shall reserve, from the amounts made available to carry out this section under section 9(b)(2)(B), such sums as may be necessary to carry out paragraph (4).

''(2) POPULATION BASIS.—From the funds appropriated for this section for a fiscal year and remaining after the reservation required by paragraph (1) has been made, the Secretary shall make a grant to a protection and advocacy system within each State in an amount bearing the same ratio to the remaining funds as the population of the State bears to the population of all States.

''(3) MINIMUMS.—Subject to the availability of appropriations and paragraph (5), the

amount of a grant to a protection and advocacy system under paragraph (2) for a fiscal year shall—

''(A) in the case of a protection and advocacy system located in American Samoa, Guam, the United States Virgin Islands, or the Commonwealth of the Northern Mariana Islands, not be less than $30,000; and

''(B) in the case of a protection and advocacy system located in a State not described in subparagraph (A), not be less than $50,000.

''(4) PAYMENT TO THE SYSTEM SERVING THE AMERICAN INDIAN CONSORTIUM.—

''(A) IN GENERAL.—The Secretary shall make grants to the protection and advocacy system serving the American Indian Consortium to provide services in accordance with this section.

''(B) AMOUNT OF GRANTS.—The amount of such grants shall be the same as the amount provided under paragraph (3)(A).

''(5) ADJUSTMENTS.—For each fiscal year in which the total amount appropriated under section 9(b)(2)(B) to carry out this section is $8,000,000 or more and such appropriated amount exceeds the total amount appropriated to carry out this section in the preceding fiscal year, the Secretary shall increase each of the minimum grant amounts described in subparagraphs (A) and (B) of paragraph (3) by a percentage equal to the percentage increase in the total amount appropriated under section 9 to carry out this section for the preceding fiscal year and such total amount for the fiscal year for which the determination is being made.

''(c) DIRECT PAYMENT.—Notwithstanding any other provision of law, the Secretary shall pay directly to any protection and advocacy system that complies with this section, the total amount of the grant made for such system under this section, unless the system provides otherwise for payment of the grant amount.

''(d) CARRYOVER; PROGRAM INCOME.—

''(1) CARRYOVER.—Any amount paid to an eligible system for a fiscal year under this section that remains unobligated at the end of such fiscal year shall remain available to such system for obligation during the subsequent fiscal year.

''(2) PROGRAM INCOME.—Program income generated from any amount paid to an eligible system for a fiscal year shall—

''(A) remain available to the eligible system until expended and be considered an addition to the grant; and

''(B) only be used to improve the awareness of individuals with disabilities about the accessibility of assistive technology and assist such individuals in the acquisition, utilization, or maintenance of assistive technology devices or assistive technology services.

''(e) REPORT TO SECRETARY.—An entity that receives a grant under this section shall annually prepare and submit to the Secretary a report that contains such information as the Secretary may require, including documentation of the progress of the entity in—

''(1) conducting consumer-responsive activities, including activities that will lead to increased access for individuals with disabilities, to funding for assistive technology devices and assistive technology services;

''(2) engaging in informal advocacy to assist in securing assistive technology devices and assistive technology services for individuals with disabilities;

''(3) engaging in formal representation for individuals with disabilities to secure systems change, and in advocacy activities to secure assistive technology devices and assistive technology services for individuals with disabilities;

''(4) developing and implementing strategies to enhance the long-term abilities of individuals with disabilities and their family members, guardians, advocates, and authorized representatives to advocate the provision of assistive technology devices and assistive technology services to which the individuals with disabilities are entitled under law other than this Act;

''(5) coordinating activities with protection and advocacy services funded through sources other than this Act, and coordinating activities with the capacity building and advocacy activities carried out by the lead agency; and

''(6) effectively allocating funds made available under this section to improve the awareness of individuals with disabilities about the accessibility of assistive technology and assist such individuals in the acquisition, utilization, or maintenance of assistive technology devices or assistive technology services.

''(f) REPORTS AND UPDATES TO STATE AGENCIES.—An entity that receives a grant under this section shall prepare and submit to the lead agency of the State designated under section 4(c)(1) the report described in subsection (e) and quarterly updates concerning the activities described in such subsection.

''(g) COORDINATION.—On making a grant under this section to an entity in a State, the Secretary shall solicit and consider the opinions of the lead agency of the State with respect to efforts at coordination of activities, collaboration, and promoting outcomes between the lead agency and the entity that receives the grant under this section.

''SEC. 6. TECHNICAL ASSISTANCE AND DATA COLLECTION SUPPORT.

''(a) DEFINITIONS.—In this section:

''(1) QUALIFIED DATA COLLECTION AND REPORTING ENTITY.—The term 'qualified data collection and reporting entity' means an entity with demonstrated expertise in data collection and reporting as described in section 4(f)(2)(B), in order to—

''(A) provide recipients of grants under this Act with training and technical assistance; and

''(B) assist such recipients with data collection and data requirements.

''(2) QUALIFIED PROTECTION AND ADVOCACY SYSTEM TECHNICAL ASSISTANCE PROVIDER.—The term 'qualified protection and advocacy system technical assistance provider' means an entity that has experience in—

''(A) working with protection and advocacy systems established in accordance with section 143 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15043); and

''(B) providing technical assistance to protection and advocacy agencies.

''(3) QUALIFIED TRAINING AND TECHNICAL ASSISTANCE PROVIDER.—The term 'qualified training and technical assistance provider' means an entity with demonstrated expertise in assistive technology and that has (directly or through grant or contract)—

''(A) experience and expertise in administering programs, including developing, implementing, and administering all of the activities described in section 4(e); and

''(B) documented experience in and knowledge about—

''(i) assistive technology device loan and demonstration;

''(ii) assistive technology device reuse;

''(iii) financial loans and microlending, including the activities of alternative financing programs for assistive technology; and

''(iv) State leadership activities.

''(b) TECHNICAL ASSISTANCE AND DATA COLLECTION SUPPORT AUTHORIZED.—

''(1) SUPPORT FOR ASSISTIVE TECHNOLOGY TRAINING AND TECHNICAL ASSISTANCE.—From amounts made available under section 9(b)(1), the Secretary shall award, on a competitive basis—

''(A) 1 grant, contract, or cooperative agreement to a qualified training and technical assistance provider to support activities described in subsection (d)(1) for States receiving grants under section 4; and

''(B) 1 grant, contract, or cooperative agreement to a qualified protection and advocacy system technical assistance provider to support activities described in subsection (d)(1) for protection and advocacy systems receiving grants under section 5.

''(2) SUPPORT FOR DATA COLLECTION AND REPORTING ASSISTANCE.—From amounts made available under section 9(b)(1), the Secretary shall award, on a competitive basis—

''(A) 1 grant, contract, or cooperative agreement to a qualified data collection and reporting entity, to enable the qualified data collection and reporting entity to carry out the activities described in subsection (d)(2) for States receiving grants under section 4; and

''(B) 1 grant, contract, or cooperative agreement to a qualified protection and advocacy system technical assistance provider, to enable the eligible protection and advocacy system to carry out the activities described in subsection (d)(2) for protection and advocacy systems receiving grants under section 5.

''(c) APPLICATION.—

''(1) IN GENERAL.—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(2) INPUT.—In awarding grants, contracts, or cooperative agreements under this section and in reviewing the activities proposed under the applications described in paragraph (1), the Secretary shall consider the input of the recipients of grants under sections 4 and 5 and other individuals the Secretary determines to be appropriate, especially—

''(A) individuals with disabilities who use assistive technology and understand the barriers to the acquisition of such technology and assistive technology services;

''(B) family members, guardians, advocates, and authorized representatives of such individuals;

''(C) relevant employees from Federal departments and agencies, other than the Department of Health and Human Services;

''(D) representatives of businesses; and

''(E) venders and public and private researchers and developers.

''(d) AUTHORIZED ACTIVITIES.—

''(1) USE OF FUNDS FOR ASSISTIVE TECHNOLOGY TRAINING AND TECHNICAL ASSISTANCE.—

''(A) TRAINING AND TECHNICAL ASSISTANCE EFFORTS.—A qualified training and technical assistance provider or qualified protection and advocacy system technical assistance provider receiving a grant, contract, or cooperative agreement under subsection (b)(1) shall support a training and technical assistance program for States or protection and advocacy systems receiving a grant under section 4 or 5, respectively, that—

''(i) addresses State-specific information requests concerning assistive technology from entities funded under this Act and public entities not funded under this Act, including—

''(I) requests for information on effective approaches to Federal-State coordination of programs for individuals with disabilities related to improving funding for or access to assistive technology devices and assistive technology services for individuals with disabilities of all ages;

''(II) requests for state-of-the-art, or model, Federal, State, and local laws, regulations, policies, practices, procedures, and

organizational structures, that facilitate, and overcome barriers to, funding for, and access to, assistive technology devices and assistive technology services;

''(III) requests for information on effective approaches to developing, implementing, evaluating, and sustaining activities described in section 4 or 5, as the case may be, and related to improving acquisition and access to assistive technology devices and assistive technology services for individuals with disabilities of all ages, and requests for assistance in developing corrective action plans;

''(IV) requests for examples of policies, practices, procedures, regulations, or judicial decisions that have enhanced or may enhance access to and acquisition of assistive technology devices and assistive technology services for individuals with disabilities;

''(V) requests for information on effective approaches to the development of consumer-controlled systems that increase access to, funding for, and awareness of, assistive technology devices and assistive technology services; and

''(VI) other requests for training and technical assistance from entities funded under this Act;

''(ii) in the case of a program that will serve States receiving grants under section 4—

''(I) assists targeted individuals and entities by disseminating information and responding to requests relating to assistive technology by providing referrals to recipients of grants under section 4 or other public or private resources; and

''(II) provides State-specific, regional, and national training and technical assistance concerning assistive technology to entities funded under this Act, other entities funded under this Act, and public and private entities not funded under this Act, including—

''(aa) annually providing a forum for exchanging information concerning, and promoting program and policy improvements in, required activities of the State assistive technology programs;

''(bb) facilitating onsite and electronic information sharing using state-of-the-art Internet technologies such as real-time online discussions, multipoint video conferencing, and web-based audio or video broadcasts, on emerging topics that affect State assistive technology programs;

''(cc) convening experts from State assistive technology programs to discuss and make recommendations with regard to national emerging issues of importance to individuals with assistive technology needs;

''(dd) sharing best practice and evidence-based practices among State assistive technology programs;

''(ee) maintaining an accessible website that includes links to State assistive technology programs, appropriate Federal departments and agencies, and private associations;

''(ff) developing a resource that connects individuals from a State with the State assistive technology program in their State;

''(gg) providing access to experts in the areas of assistive technology device loan and demonstration, assistive technology device reuse, State financing, banking, microlending, and finance, for entities funded under this Act, through site visits, teleconferences, and other means, to ensure access to information for entities that are carrying out new programs or programs that are not making progress in achieving the objectives of the programs; and

''(hh) supporting and coordinating activities designed to reduce the financial costs of purchasing assistive technology for the activities described in section 4(e), and reducing duplication of activities among State assistive technology programs; and

''(iii) includes such other activities as the Secretary may require.

''(B) COLLABORATION.—In developing and providing training and technical assistance under this paragraph, a qualified training and technical assistance provider or qualified protection and advocacy system technical assistance provider shall—

''(i) collaborate with—

''(I) organizations representing individuals with disabilities;

''(II) national organizations representing State assistive technology programs;

''(III) organizations representing State officials and agencies engaged in the delivery of assistive technology;

''(IV) other qualified data collection and reporting entities and technical assistance providers;

''(V) providers of State financing activities, including alternative financing programs for assistive technology;

''(VI) providers of device loans, device demonstrations, and device reutilization; and

''(VII) any other organizations determined appropriate by the provider or the Secretary; and

''(ii) in the case of a qualified training and technical assistance provider, include activities identified as priorities by State advisory councils and lead agencies and implementing entities for grants under section 4.

''(2) USE OF FUNDS FOR ASSISTIVE TECHNOLOGY DATA COLLECTION AND REPORTING ASSISTANCE.—A qualified data collection and reporting entity or a qualified protection and advocacy system technical assistance provider receiving a grant, contract, or cooperative agreement under subsection (b)(2) shall assist States or protection and advocacy systems receiving a grant under section 4 or 5, respectively, to develop and implement effective and accessible data collection and reporting systems that—

''(A) focus on quantitative and qualitative data elements;

''(B) help measure the accrued benefits of the activities to individuals who need assistive technology; and

''(C) in the case of systems that will serve States receiving grants under section 4—

''(i) measure the outcomes of all activities described in section 4(e) and the progress of the States toward achieving the measurable goals described in section 4(d)(3)(C); and

''(ii) provide States with the necessary information required under this Act or by the Secretary for reports described in section 4(f)(2).

''SEC. 7. PROJECTS OF NATIONAL SIGNIFICANCE.

''(a) DEFINITION OF PROJECT OF NATIONAL SIGNIFICANCE.—In this section, the term 'project of national significance'—

''(1) means a project that—

''(A) increases access to, and acquisition of, assistive technology; and

''(B) creates opportunities for individuals with disabilities to directly and fully contribute to, and participate in, all facets of education, employment, community living, and recreational activities; and

''(2) may—

''(A) develop and expand partnerships between State Medicaid agencies and recipients of grants under section 4 to reutilize durable medical equipment;

''(B) increase collaboration between the recipients of grants under section 4 and States receiving grants under the Money Follows the Person Rebalancing Demonstration under section 6071 of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note);

''(C) increase collaboration between recipients of grants under section 4 and area agencies on aging, as such term is defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002), which may include collaboration on emergency preparedness, safety equipment, or assistive technology toolkits;

''(D) provide aid to assist youth with disabilities (including youth with intellectual and developmental disabilities) to transition from school to adult life, especially in—

''(i) finding employment and postsecondary education opportunities; and

''(ii) upgrading and changing any assistive technology devices that may be needed as a youth matures;

''(E) increase access to and acquisition of assistive technology addressing the needs of aging individuals and aging caregivers in the community;

''(F) increase effective and efficient use of assistive technology as part of early intervention for infants and toddlers with disabilities from birth to age 3;

''(G) increase awareness of and access to the Disability Funds-Financial Assistance funding provided by the Community Development Financial Institutions Fund that supports acquisition of assistive technology; and

''(H) increase awareness of and access to other federally funded disability programs or increase knowledge of assistive technology, as determined appropriate by the Secretary.

''(b) PROJECTS AUTHORIZED.—If funds are available pursuant to section 9(c) to carry out this section for a fiscal year, the Secretary may award, on a competitive basis, grants, contracts, and cooperative agreements to public or private nonprofit entities to enable the entities to carry out projects of national significance.

''(c) APPLICATION.—A public or private nonprofit entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(d) AWARD BASIS.—

''(1) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to a public or private nonprofit entity funded under section 4 or 5 for the most recent award period.

''(2) PREFERENCE.—For each grant award period, the Secretary may give preference for 1 or more categories of projects of national significance described in subparagraphs (A) through (H) of subsection (a)(2) or another category identified by the Secretary, if the Secretary determines that there is a reason to prioritize that category of project.

''(e) MINIMUM FUNDING LEVEL REQUIRED.—The Secretary may only award grants, contracts, or cooperative agreements under this section if the amount made available under section 9 to carry out sections 4, 5, and 6 is equal to or greater than $49,000,000.

''SEC. 8. ADMINISTRATIVE PROVISIONS.

''(a) GENERAL ADMINISTRATION.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of the Administration for Community Living shall be responsible for the administration of this Act.

''(2) COLLABORATION.—The Administrator of the Administration for Community Living shall consult with the Office of Special Education Programs of the Department of Education, the Rehabilitation Services Administration of the Department of Education, the Office of Disability Employment Policy of the Department of Labor, the National Institute on Disability, Independent Living, and Rehabilitation Research, and other appropriate Federal entities in the administration of this Act.

''(3) ADMINISTRATION.—

''(A) IN GENERAL.—In administering this Act, the Administrator of the Administration for Community Living shall ensure that programs funded under this Act will address—

''(i) the needs of individuals with all types of disabilities and across the lifespan; and

''(ii) the use of assistive technology in all potential environments, including employment, education, and community living, or for other reasons.

''(B) FUNDING LIMITATIONS.—For each fiscal year, not more than ½ of 1 percent of the total funding appropriated for this Act shall be used by the Administrator of the Administration for Community Living to support the administration of this Act.

''(b) REVIEW OF PARTICIPATING ENTITIES.—

''(1) IN GENERAL.—The Secretary shall assess the extent to which entities that receive grants under this Act are complying with the applicable requirements of this Act and achieving measurable goals that are consistent with the requirements of the grant programs under which the entities received the grants.

''(2) PROVISION OF INFORMATION.—To assist the Secretary in carrying out the responsibilities of the Secretary under this section, the Secretary may require States to provide relevant information, including the information required under subsection (d).

''(c) CORRECTIVE ACTION AND SANCTIONS.—

''(1) CORRECTIVE ACTION.—If the Secretary determines that an entity that receives a grant under this Act fails to substantially comply with the applicable requirements of this Act, or to make substantial progress toward achieving the measurable goals described in subsection (b)(1) with respect to the grant program, the Secretary shall assist the entity, through technical assistance funded under section 6 or other means, within 90 days after such determination, to develop a corrective action plan.

''(2) SANCTIONS.—If the entity fails to develop and comply with a corrective action plan described in paragraph (1) during a fiscal year, the entity shall be subject to 1 of the following corrective actions selected by the Secretary:

''(A) Partial or complete termination of funding under the grant program, until the entity develops and complies with such a plan.

''(B) Ineligibility to participate in the grant program in the following year.

''(C) Reduction in the amount of funding that may be used for indirect costs under section 4 for the following year.

''(D) Required redesignation of the lead agency designated under section 4(c)(1) or an entity responsible for administering the grant program.

''(3) APPEALS PROCEDURES.—The Secretary shall establish appeals procedures for entities that are determined to be in noncompliance with the applicable requirements of this Act, or have not made substantial progress toward achieving the measurable goals described in subsection (b)(1).

''(4) SECRETARIAL ACTION.—As part of the annual report required under subsection (d), the Secretary shall describe each such action taken under paragraph (1) or (2) and the outcomes of each such action.

''(5) PUBLIC NOTIFICATION.—The Secretary shall notify the public, by posting on the internet website of the Department of Health and Human Services, of each action taken by the Secretary under paragraph (1) or (2). As a part of such notification, the Secretary shall describe each such action taken under paragraph (1) or (2) and the outcomes of each such action.

''(d) ANNUAL REPORT TO CONGRESS.—

''(1) IN GENERAL.—Not later than December 31 of each year, the Secretary shall prepare, and submit to the President and to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives, a report on the activities funded under this Act to improve the access of assistive technology devices and assistive technology services to individuals with disabilities.

''(2) CONTENTS.—Such report shall include—

''(A) a compilation and summary of the information provided by the States in annual progress reports submitted under section 4(f); and

''(B) a summary of the State applications described in section 4(d) and an analysis of the progress of the States in meeting the measurable goals established in State applications under section 4(d)(3)(C).

''(e) CONSTRUCTION.—Nothing in this section shall be construed to affect the enforcement authority of the Secretary, another Federal officer, or a court under part D of the General Education Provisions Act (20 U.S.C. 1234 et seq.) or other applicable law.

''(f) EFFECT ON OTHER ASSISTANCE.—This Act may not be construed as authorizing a Federal or State agency to reduce medical or other assistance available, or to alter eligibility for a benefit or service, under any other Federal law.

''SEC. 9. AUTHORIZATION OF APPROPRIATIONS; RESERVATIONS AND DISTRIBUTION OF FUNDS.

''(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act—

''(1) $60,000,000 for fiscal year 2023; and

''(2) such sums as may be necessary for each of fiscal years 2024 through 2027.

''(b) RESERVATIONS AND DISTRIBUTION OF FUNDS.—Of the funds made available under subsection (a) to carry out this Act and subject to subsection (c), the Secretary shall—

''(1) reserve an amount equal to 3 percent of such available funds to carry out section 6(b)(1) and section 6(b)(2); and

''(2) of the amounts remaining after the reservation under paragraph (1)—

''(A) use 85.5 percent of such amounts to carry out section 4; and

''(B) use 14.5 percent of such amounts to carry out section 5.

''(c) LIMIT FOR PROJECTS OF NATIONAL SIGNIFICANCE.—In any fiscal year for which the amount made available under subsection (a) exceeds $49,000,000 the Secretary may reserve an amount, which shall not exceed the lesser of the excess amount made available or $2,000,000, for section 7 before carrying out subsection (b).''.

SEC. 6053. EFFECTIVE DATE.

This subtitle, and the amendments made by this subtitle, shall take effect on the day that is 6 months after the date of enactment of this Act.

TITLE LXI—CIVILIAN PERSONNEL MATTERS

SEC. 6101. CIVILIAN CYBERSECURITY RESERVE PILOT PROJECT AT THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY.

(a) DEFINITIONS.—In this section:

(1) AGENCY.—The term ''Agency'' means the Cybersecurity and Infrastructure Security Agency.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Homeland Security of the House of Representatives;

(D) the Committee on Oversight and Reform of the House of Representatives; and

(E) the Committee on Appropriations of the House of Representatives.

(3) CIVILIAN CYBERSECURITY RESERVE.—The term ''Civilian Cybersecurity Reserve'' means the Civilian Cybersecurity Reserve at the Agency established under subsection (b).

(4) COMPETITIVE SERVICE.—The term ''competitive service'' has the meaning given the term in section 2102 of title 5, United States Code.

(5) DIRECTOR.—The term ''Director'' means the Director of the Agency.

(6) EXCEPTED SERVICE.—The term ''excepted service'' has the meaning given the term in section 2103 of title 5, United States Code.

(7) PILOT PROJECT.—The term ''pilot project'' means the pilot project established by subsection (b).

(8) SIGNIFICANT INCIDENT.—The term ''significant incident''—

(A) means an incident or a group of related incidents that results, or is likely to result, in demonstrable harm to—

(i) the national security interests, foreign relations, or economy of the United States; or

(ii) the public confidence, civil liberties, or public health and safety of the people of the United States; and

(B) does not include an incident or a portion of a group of related incidents that occurs on—

(i) a national security system, as defined in section 3552 of title 44, United States Code; or

(ii) an information system described in paragraph (2) or (3) of section 3553(e) of title 44, United States Code.

(9) TEMPORARY POSITION.—The term ''temporary position'' means a position in the competitive or excepted service for a period of 180 days or less.

(10) UNIFORMED SERVICES.—The term ''uniformed services'' has the meaning given the term in section 2101 of title 5, United States Code.

(b) PILOT PROJECT.—There is established a pilot project under which the Director may establish a Civilian Cybersecurity Reserve at the Agency in accordance with subsection (c).

(c) CIVILIAN CYBERSECURITY RESERVE AT THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY.—

(1) PURPOSE.—The purpose of a Civilian Cybersecurity Reserve is to enable the Agency to effectively respond to significant incidents.

(2) ALTERNATIVE METHODS.—Consistent with section 4703 of title 5, United States Code, in carrying out the pilot project, the Director may, without further authorization from the Office of Personnel Management, provide for alternative methods of—

(A) establishing qualifications requirements for, recruitment of, and appointment to positions; and

(B) classifying positions.

(3) APPOINTMENTS.—Under the pilot project, upon occurrence of a significant incident, the Director—

(A) may activate members of the Civilian Cybersecurity Reserve by—

(i) noncompetitively appointing members of the Civilian Cybersecurity Reserve to temporary positions in the competitive service; or

(ii) appointing members of the Civilian Cybersecurity Reserve to temporary positions in the excepted service;

(B) shall notify Congress whenever a member is activated under subparagraph (A); and

(C) may appoint not more than 30 members to the Civilian Cybersecurity Reserve under subparagraph (A) at any time.

(4) STATUS AS EMPLOYEES.—An individual appointed under paragraph (3) shall be considered a Federal civil service employee under section 2105 of title 5, United States Code.

(5) ADDITIONAL EMPLOYEES.—Individuals appointed under paragraph (3) shall be in addition to any employees of the Agency who provide cybersecurity services.

(6) EMPLOYMENT PROTECTIONS.—The Secretary of Labor shall prescribe such regulations as necessary to ensure the reemployment, continuation of benefits, and non-discrimination in reemployment of individuals appointed under paragraph (3), provided that such regulations shall include, at a minimum, those rights and obligations set forth under chapter 43 of title 38, United States Code.

(7) STATUS IN RESERVE.—During the period beginning on the date on which an individual is recruited by the Agency to serve in the Civilian Cybersecurity Reserve and ending on the date on which the individual is appointed under paragraph (3), and during any period in between any such appointments, the individual shall not be considered a Federal employee.

(8) ELIGIBILITY; APPLICATION AND SELECTION.—

(A) IN GENERAL.—Under the pilot project, the Director shall establish criteria for—

(i) individuals to be eligible for the Civilian Cybersecurity Reserve; and

(ii) the application and selection processes for the Civilian Cybersecurity Reserve.

(B) REQUIREMENTS FOR INDIVIDUALS.—The criteria established under subparagraph (A)(i) with respect to an individual shall include—

(i) previous employment—

(I) by the executive branch;

(II) within the uniformed services;

(III) as a Federal contractor within the executive branch; or

(IV) by a State, local, Tribal, or territorial government;

(ii) if the individual has previously served as a member of the Civilian Cybersecurity Reserve, that the previous appointment ended not less than 60 days before the individual may be appointed for a subsequent temporary position in the Civilian Cybersecurity Reserve; and

(iii) cybersecurity expertise.

(C) PRESCREENING.—The Director shall—

(i) conduct a prescreening of each individual prior to appointment under paragraph (3) for any topic or product that would create a conflict of interest; and

(ii) require each individual appointed under paragraph (3) to notify the Director if a potential conflict of interest arises during the appointment.

(D) AGREEMENT REQUIRED.—An individual may become a member of the Civilian Cybersecurity Reserve only if the individual enters into an agreement with the Director to become such a member, which shall set forth the rights and obligations of the individual and the Agency.

(E) 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.

(F) PRIORITY.—In appointing individuals to the Civilian Cybersecurity Reserve, the Agency shall prioritize the appointment of individuals described in subclause (I) or (II) of subparagraph (B)(i) before considering individuals described in subclause (III) or (IV) of subparagraph (B)(i).

(G) PROHIBITION.—Any individual who is an employee of the executive branch may not be recruited or appointed to serve in the Civilian Cybersecurity Reserve.

(9) SECURITY CLEARANCES.—

(A) IN GENERAL.—The Director 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.

(B) 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 Agency shall be responsible for the cost of sponsoring the security clearance of the member.

(10) STUDY AND IMPLEMENTATION PLAN.—

(A) STUDY.—Not later than 60 days after the date of the enactment of this Act, the Director shall begin a study on the design and implementation of the pilot project, including—

(i) compensation and benefits for members of the Civilian Cybersecurity Reserve;

(ii) activities that members may undertake as part of their duties;

(iii) methods for identifying and recruiting members, including alternatives to traditional qualifications requirements;

(iv) methods for preventing conflicts of interest or other ethical concerns as a result of participation in the pilot project and details of mitigation efforts to address any conflict of interest concerns;

(v) resources, including additional funding, needed to carry out the pilot project;

(vi) possible penalties for individuals who do not respond to activation when called, in accordance with the rights and procedures set forth under title 5, Code of Federal Regulations; and

(vii) processes and requirements for training and onboarding members.

(B) IMPLEMENTATION PLAN.—Not later than one year after beginning the study required under subparagraph (A), the Director shall—

(i) submit to the appropriate congressional committees an implementation plan for the pilot project; and

(ii) provide to the appropriate congressional committees a briefing on the implementation plan.

(C) PROHIBITION.—The Director may not take any action to begin implementation of the pilot project until the Director fulfills the requirements under subparagraph (B).

(11) PROJECT GUIDANCE.—If the Director establishes the Civilian Cybersecurity Reserve, not later than two years after the date of the enactment of this Act, the Director shall, in consultation with the Office of Personnel Management and the Office of Government Ethics, issue guidance establishing and implementing the pilot project.

(12) BRIEFINGS AND REPORT.—

(A) BRIEFINGS.—Not later than one year after the date on which the Director issues guidance establishing and implementing the pilot project under paragraph (11), and every year thereafter until the date on which the pilot project terminates under subsection (d), the Director shall provide to the appropriate congressional committees a briefing on activities carried out under the pilot project, including—

(i) participation in the Civilian Cybersecurity Reserve, including the number of participants, the diversity of participants, and any barriers to recruitment or retention of members;

(ii) an evaluation of the ethical requirements of the pilot project;

(iii) whether the Civilian Cybersecurity Reserve has been effective in providing additional capacity to the Agency during significant incidents; and

(iv) an evaluation of the eligibility requirements for the pilot project.

(B) REPORT.—Not earlier than 180 days and not later than 90 days before the date on which the pilot project terminates under subsection (d), the Director shall submit to the appropriate congressional committees a report and provide a briefing on recommendations relating to the pilot project, including recommendations for—

(i) whether the pilot project should be modified, extended in duration, or established as a permanent program, and if so, an appropriate scope for the program;

(ii) how to attract participants, ensure a diversity of participants, and address any barriers to recruitment or retention of members of the Civilian Cybersecurity Reserve;

(iii) the ethical requirements of the pilot project and the effectiveness of mitigation efforts to address any conflict of interest concerns; and

(iv) an evaluation of the eligibility requirements for the pilot project.

(13) EVALUATION.—Not later than three years after the Civilian Cybersecurity Reserve is established under subsection (b), the Comptroller General of the United States shall—

(A) conduct a study evaluating the pilot project; and

(B) submit to Congress—

(i) a report on the results of the study; and

(ii) a recommendation with respect to whether the pilot project should be modified, extended in duration, or established as a permanent program.

(d) SUNSET.—The pilot project required under subsection (b) shall terminate on the date that is four years after the date on which the pilot project is established.

(e) NO ADDITIONAL FUNDS.—

(1) IN GENERAL.—No additional funds are authorized to be appropriated for the purpose of carrying out this section.

(2) EXISTING AUTHORIZED AMOUNTS.—Funds to carry out this section may, as provided in advance in appropriations Acts, only come from amounts authorized to be appropriated to the Agency.

TITLE LXII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 6201. SECURITY COOPERATION ACTIVITIES AT COUNTER-UAS TRAINING ACADEMY.

(a) SENSE OF CONGRESS.—Congress—

(1) supports the Department of Defense's decision to establish the Counter-UAS Training Academy at Fort Sill, Oklahoma (in this section referred to as the ''C-UAS Academy'');

(2) believes the C-UAS Academy will play an important role in synchronizing training on counter-drone tactics across the military services;

(3) recognizes the important role of the C-UAS Academy in the military education and training of foreign partners on counter-unmanned aircraft systems operations; and

(4) encourages the Department of Defense to utilize the C-UAS Academy to expand such efforts.

(b) BRIEFING ON SECURITY COOPERATION EFFORTS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on how the Department of Defense intends to bolster security cooperation activities with allies and partners at the C-UAS Academy, including an identification of any shortfalls in resourcing or gaps in authorities that could inhibit these security cooperation efforts.

SEC. 6202. UNITED STATES – ISRAEL ARTIFICIAL INTELLIGENCE CENTER.

(a) SHORT TITLE.—This section may be cited as the ''United States - Israel Artificial Intelligence Center Act''.

(b) DEFINED TERM.—The term ''foreign country of concern'' means the People's Republic of China, the Democratic People's Republic of Korea, the Russian Federation, the Islamic Republic of Iran, and any other country that the Secretary of State determines to be a country of concern.

(c) ESTABLISHMENT OF CENTER.—The Secretary of State, in consultation with the Secretary of Commerce, the Director of the National Science Foundation, and the heads of other relevant Federal agencies, shall establish the United States – Israel Artificial Intelligence Center (referred to in this section as the ''Center'') in the United States.

(d) PURPOSE.—The purpose of the Center shall be to leverage the experience, knowledge, and expertise of institutions of higher education and private sector entities in the United States and the State of Israel (referred to in this section as ''Israel'') to develop more robust research and development cooperation in the areas of—

(1) machine learning;

(2) image classification;

(3) object detection;

(4) speech recognition;

(5) natural language processing;

(6) data labeling;

(7) computer vision; and

(8) model explainability and interpretability.

(e) ARTIFICIAL INTELLIGENCE PRINCIPLES.—In carrying out the purpose described in subsection (d), the Center shall adhere to the principles for the use of artificial intelligence in the Federal Government set forth in section 3 of Executive Order 13960 (85 Fed. Reg. 78939).

(f) INTERNATIONAL PARTNERSHIPS.—

(1) IN GENERAL.—The Secretary of State and the heads of other relevant Federal agencies, subject to the availability of appropriations, may enter into agreements supporting and enhancing dialogue and planning involving international partnerships between the Department of State or such agencies and the Government of Israel and its ministries, offices, and institutions.

(2) FEDERAL SHARE.—Not more than 50 percent of the costs of implementing the agreements entered into pursuant to paragraph (1) may be paid by the United States Government.

(g) LIMITATIONS.—The Center is prohibited from receiving any investment from or contracting with—

(1) any individual or entity with ties to any entity affiliated (officially or unofficially) with the Chinese Communist Party, the People's Liberation Army, or the government of a foreign country of concern;

(2) any entity owned, controlled by, or affiliated with the Chinese Communist Party or the People's Republic of China, or in which the government of a foreign country of concern has an ownership interest; or

(3) any entity on the Entity List that is maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations .

(h) COUNTERINTELLIGENCE SCREENING.—Not later than 180 days after the date of the enactment of this Act, and not later than each December 31 thereafter, Director of National Intelligence, in collaboration with the Director of the National Counterintelligence and Security Center and the Director of the Federal Bureau of Investigation, shall—

(1) assess—

(A) whether the Center or its participant institutions pose a counterintelligence threat to the United States;

(B) what specific measures the Center has implemented to ensure that intellectual property developed with the assistance of the Center has sufficient protections in place to preclude misuse of United States intellectual property, research and development, and innovation efforts; and

(C) other threats from a foreign country of concern and other entities; and

(2) submit a report to Congress containing the results of the assessment described in paragraph (1).

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Center $10,000,000 for each of the fiscal years 2023 through 2027 to carry out this section.

Subtitle C—Matters Relating to Europe and the Russian Federation

SEC. 6231. BRIEFING ON SUPPORTING GOVERNMENT OF UKRAINE TO MITIGATE, TREAT, AND REHABILITATE TRAUMATIC EXTREMITY INJURIES AND TRAUMATIC BRAIN INJURIES OF UKRAINIAN SOLDIERS.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the treatment and rehabilitation of severely wounded Ukrainian soldiers is of paramount importance to the United States and Ukraine as Ukraine continues to valiantly repulse an unprovoked invasion of its sovereignty by the Russian Federation;

(2) the Senate applauds efforts by the Secretary of Defense to provide treatment in medical facilities of the United States Armed Forces through the Secretarial Designee Program; and

(3) the Senate encourages the Secretary to continue working with defense officials of Ukraine, and as necessary with other governmental and private sources, to fund transportation, lodging, meals, caretakers, and any other nonmedical expenses necessary in connection with treatment for severely wounded Ukrainian soldiers.

(b) BRIEFING.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall assess, and provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives on, whether there is an appropriate role for the Extremity Trauma and Amputation Center of Excellence or the National Intrepid Center of Excellence of the Department of Defense in helping the Government of Ukraine to mitigate, treat, and rehabilitate traumatic extremity injuries and traumatic brain injuries sustained in Ukraine.

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

(A) An assessment of the extent to which the Extremity Trauma and Amputation Center of Excellence and the National Intrepid Center of Excellence of the Department of Defense can facilitate relevant scientific research aimed at saving injured extremities, avoiding amputations, and preserving and restoring the function of injured extremities for the purpose of addressing the current medical needs of Ukraine.

(B) An identification of specific activities such Centers could feasibly undertake to improve and enhance the efforts of the Government of Ukraine in the mitigation, treatment, and rehabilitation of traumatic extremity injuries and traumatic brain injuries.

(C) A determination whether there are other government agencies, institutions of higher education, or public or private entities, including international entities, with which such Centers could partner for the purpose of supporting the Government of Ukraine in such efforts.

SEC. 6232. PROHIBITION AGAINST UNITED STATES RECOGNITION OF THE RUSSIAN FEDERATION'S CLAIM OF SOVEREIGNTY OVER ANY PORTION OF UKRAINE.

(a) STATEMENT OF POLICY.—It is the policy of the United States not to recognize the Russian Federation's claim of sovereignty over any portion of the internationally-recognized territory of Ukraine, including its airspace and its territorial waters.

(b) PROHIBITION.—In accordance with subsection (a), no Federal department or agency may take any action or extend any assistance that implies recognition of the Russian Federation's claim of sovereignty over any portion of the internationally-recognized territory of Ukraine, including its airspace and its territorial waters.

SEC. 6233. TEMPORARY AUTHORIZATIONS RELATED TO UKRAINE AND OTHER MATTERS.

(a) TEMPORARY AUTHORIZATIONS FOR COVERED AGREEMENTS RELATED TO UKRAINE.—

(1) COVERED AGREEMENT DEFINED.—In this subsection, the term ''covered agreement'' includes a contract, subcontract, transaction, or modification of a contract, subcontract, or transaction awarded by the Department of Defense—

(A) to build the stocks of critical munitions of the Department;

(B) to provide materiel and related services to foreign allies and partners that have provided support to the Government of Ukraine; and

(C) to provide materiel and related services to the Government of Ukraine.

(2) PUBLIC INTEREST.—

(A) IN GENERAL.—A covered agreement may be presumed to be in the public interest for purposes of meeting the requirements of subsection (a)(7) of section 3204 of title 10, United States Code.

(B) PROCEDURES.—Notwithstanding the provisions of subsection (a)(7) of section 3204 of title 10, United States Code, with respect to a covered agreement—

(i) the Secretary of Defense may delegate the authority under that subsection to an officer or employee who—

(I) in the case of an officer or employee who is a member of the Armed Forces, is serving in a grade at or above brigadier general or rear admiral (lower half); or

(II) in the case of a civilian officer or employee, is serving in a position with a grade under the General Schedule (or any other schedule for civilian officers or employees) that is comparable to or higher than the grade of brigadier general or rear admiral (lower half); and

(ii) not later than 7 days before using the applicable procedures under section 3204 of title 10, United States Code, the Secretary, or a designee of the Secretary, shall submit to the congressional defense committees a written notification of the use of such procedures.

(C) DOCUMENTATION.—Consistent with paragraph (4)(C) of subsection (e) of section 3204 of title 10, United States Code, the documentation otherwise required by paragraph (1) of such subsection is not required in the case of a covered agreement permitted by subsection (a)(7) of such section.

(3) PROCUREMENT AUTHORITIES.—The special emergency procurement authorities provided under subsections (b) and (c) of section 1903 of title 41, United States Code, may be used by the Department of Defense for a covered agreement.

(4) CONTRACT FINANCING.—The Secretary may waive the provisions of subsections (a) and (c) of section 3372 of title 10, United States Code, for a covered agreement.

(5) TECHNICAL DATA PACKAGES FOR LARGE-CALIBER CANNON.—The requirements of section 7542 of title 10, United States Code, do

not apply to the transfer of technical data to an international partner for the production of large-caliber cannons produced for—

(A) the replacement of defense articles from stocks of the Department of Defense provided to the Government of Ukraine or to foreign countries that have provided support to Ukraine at the request of the United States, or

(B) contracts awarded by the Department of Defense to provide materiel directly to the Government of Ukraine.

(6) TEMPORARY EXEMPTION FROM CERTIFIED COST AND PRICING DATA REQUIREMENTS.—

(A) IN GENERAL.—The requirements under section 3702 of title 10, United States Code, shall not apply to a covered agreement awarded on a Fixed Price Incentive Firm Target basis, where target price equals ceiling price, and the Government Underrun Share ratio is 100 percent with a cap for profit of 15 percent of target cost.

(B) USE OF EXEMPTION.—The following shall apply to an exemption under subparagraph (A):

(i) Awarded profit dollars shall be fixed, but the contractor may ultimately realize a profit rate of higher than 15 percent in relation to its final actual cost.

(ii) The prices negotiated by the Federal Government shall not exceed the most recent negotiated prices for the same items while allowing for appropriate adjustments, including those for quantity differences or relevant, applicable economic indices.

(C) APPLICATION.—An exemption under subparagraph (A) shall apply to subcontracts under prime contracts that are exempt under this paragraph.

(7) TERMINATION OF TEMPORARY AUTHORIZATIONS.—The provisions of this subsection shall terminate on September 30, 2024.

(b) MODIFICATION OF COOPERATIVE LOGISTIC SUPPORT AGREEMENTS: NATO COUNTRIES.—Section 2350d of title 10, United States Code, is amended—

(1) in the section heading, by striking ''**logistic support**'' and inserting ''**acquisition and logistics support**'';

(2) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''logistics support'' and inserting ''acquisition and logistics support''; and

(ii) in subparagraph (B), by striking ''logistic support'' and inserting ''acquisition and logistics support''; and

(B) in paragraph (2)(B), by striking ''logistics support'' and inserting ''armaments and logistics support''; and

(3) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''Partnership Agreement'' and inserting ''Partnership Agreement or Arrangement'';

(B) in paragraph (1)—

(i) by striking ''supply and acquisition of logistics support in Europe for requirements'' and inserting ''supply, services, support, and acquisition, including armaments for requirements''; and

(ii) by striking ''supply and acquisition are appropriate'' and inserting ''supply, services, support, and acquisition are appropriate''; and

(C) in paragraph (2), by striking ''logistics support'' each place it appears and inserting ''acquisition and logistics support''.

(c) CONTRACT AUTHORITY.—

(1) PROCUREMENT AUTHORIZED.—In fiscal years 2023 and 2024, the Secretary of Defense may enter into one or more contracts for the procurement of up to—

(A) 750,000 XM1128 and XM1123 (155mm rounds);

(B) 30,000 AGM–114 Hellfire;

(C) 36,000 AGM–179 Joint Air-to-Ground Missiles (JAGM);

(D) 700 M142 High Mobility Artillery Rocket Systems (HIMARS);

(E) 6,000 MGM–140 Army Tactical Missile Systems (ATACMS);

(F) 1,000 Harpoons;

(G) 800 Naval Strike Missiles;

(H) 100,000 Guided Multiple Launch Rocket Systems (GMLRS);

(I) 10,000 PATRIOT Advanced Capability – 3 (PAC–3) Missile Segment Enhancement (MSE);

(J) 20,000 FIM–92 Stinger;

(K) 25,000 FGM–148 Javelin;

(L) 20,000 AIM–120 Advanced Medium-Range Air-to-Air Missile (AMRAAM); and

(M) 1,000 M777 Howitzer.

(2) PROCUREMENT IN CONJUNCTION WITH EXISTING CONTRACTS.—The systems authorized to be procured under paragraph (1) may be procured as additions to existing contracts covering such programs.

(3) CERTIFICATION REQUIRED.—A contract may not be entered into under paragraph (1) unless the Secretary certifies to the congressional defense committees in writing, not later than 7 days before entry into the contract, each of the following, which shall be prepared by the milestone decision authority for each such program:

(A) The use of such a contract is consistent with the projected force structure requirements for such program.

(B) The use of such a contract will result in significant savings compared to the total anticipated costs of carrying out the program through annual contracts. In certifying cost savings under the preceding sentence, the Secretary shall include a written explanation of—

(i) the estimated end cost and appropriated funds by fiscal year, by system, without the authority provided in paragraph (1);

(ii) the estimated end cost and appropriated funds by fiscal year, by system, with the authority provided in paragraph (1);

(iii) the estimated cost savings or increase by fiscal year, by system, with the authority provided in paragraph (1);

(iv) the discrete actions that will accomplish such cost savings or avoidance; and

(v) the contractual actions that will ensure the estimated cost savings are realized.

(C) There is a reasonable expectation that throughout the contemplated contract period the Secretary will request funding for the contract at the level required to avoid contract cancellation.

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

(E) The estimates of both the cost of the contract and the anticipated cost avoidance through the use of a contract authorized under paragraph (1) are realistic.

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

(G) During the fiscal year in which such contract is to be awarded, sufficient funds will be available to perform the contract in such fiscal year, and the future-years defense program (as defined in section 221 of title 10, United States Code) for such fiscal year will include the funding required to execute the program without cancellation.

(4) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary may enter into one or more contracts for advance procurement associated with a program for which authorization to enter into a contract is provided under paragraph (1) and for systems and subsystems associated with such program in economic order quantities when cost savings are achievable.

(5) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year is subject to the availability of appropriations for that purpose for such fiscal year.

SEC. 6234. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER SOVEREIGN UKRAINIAN TERRITORY.

(a) IN GENERAL.—Section 1234 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1974) is amended—

(1) in the section heading, by striking ''**CRIMEA**'' and inserting ''**SOVEREIGN UKRANIAN TERRITORY**''; and

(2) in subsection (a), by striking ''over Crimea'' and inserting ''over territory internationally recognized to be the sovereign territory of Ukraine, including Crimea and territory the Russian Federation claimed to have annexed in Kherson Oblast, Zaporizhzhia Oblast, Donetsk Oblast, and Luhansk Oblast''.

(b) CLERICAL AMENDMENTS.—The tables of sections in section 2(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1541) and at the beginning of title XII of such Act (135 Stat. 1956) are amended, in the matter relating to section 1234, by striking ''Crimea'' and inserting ''sovereign Ukranian territory''.

SEC. 6235. IMPOSITION OF SANCTIONS WITH RESPECT TO THE SALE, SUPPLY, OR TRANSFER OF GOLD TO OR FROM RUSSIA.

(a) IDENTIFICATION.—Not later than 90 days after the date of the enactment of this Act, and periodically as necessary thereafter, the President—

(1) shall submit to Congress a report identifying foreign persons that knowingly participated in a significant transaction—

(A) for the sale, supply, or transfer (including transportation) of gold, directly or indirectly, to or from the Russian Federation or the Government of the Russian Federation, including from reserves of the Central Bank of the Russian Federation held outside the Russian Federation; or

(B) that otherwise involved gold in which the Government of the Russian Federation had any interest; and

(2) shall impose the sanctions described in subsection (b)(1) with respect to each such person; and

(3) may impose the sanctions described in subsection (b)(2) with respect to any such person that is an alien.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) BLOCKING OF PROPERTY.—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a foreign person identified in the report required by subsection (a)(1) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a)(1) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—An alien described in subsection (a)(1) is subject to revocation of any

visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(c) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) NATIONAL INTEREST WAIVER.—The President may waive the imposition of sanctions under this section with respect to a person if the President—

(1) determines that such a waiver is in the national interests of the United States; and

(2) submits to Congress a notification of the waiver and the reasons for the waiver.

(e) TERMINATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the requirement to impose sanctions under this section, and any sanctions imposed under this section, shall terminate on the earlier of—

(A) the date that is 3 years after the date of the enactment of this Act; or

(B) the date that is 30 days after the date on which the President certifies to Congress that—

(i) the Government of the Russian Federation has ceased its destabilizing activities with respect to the sovereignty and territorial integrity of Ukraine; and

(ii) such termination in the national interests of the United States.

(2) TRANSITION RULES.—

(A) CONTINUATION OF CERTAIN AUTHORITIES.—Any authorities exercised before the termination date under paragraph (1) to impose sanctions with respect to a foreign person under this section may continue to be exercised on and after that date if the President determines that the continuation of those authorities is in the national interests of the United States.

(B) APPLICATION TO ONGOING INVESTIGATIONS.—The termination date under paragraph (1) shall not apply to any investigation of a civil or criminal violation of this section or any regulation, license, or order issued to carry out this section, or the imposition of a civil or criminal penalty for such a violation, if—

(i) the violation occurred before the termination date; or

(ii) the person involved in the violation continues to be subject to sanctions pursuant to subparagraph (A).

(f) EXCEPTIONS.—

(1) EXCEPTIONS FOR AUTHORIZED INTELLIGENCE AND LAW ENFORCEMENT AND NATIONAL SECURITY ACTIVITIES.—This section shall not apply with respect to activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence, law enforcement, or national security activities of the United States.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL AGREEMENTS.—Sanctions under subsection (b)(2) may not apply with respect to the admission of an alien to the United States if such admission is necessary to comply with the obligations of the United States under the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other international obligations.

(3) HUMANITARIAN EXEMPTION.—The President shall not impose sanctions under this section with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices or for the provision of humanitarian assistance.

(4) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The requirement or authority to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(g) DEFINITIONS.—In this section:

(1) The terms ''admission'', ''admitted'', ''alien'', and ''lawfully admitted for permanent residence'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) The term ''foreign person'' means an individual or entity that is not a United States person.

(3) The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(4) The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

Subtitle D—Matters Relating to the Indo-Pacific Region

SEC. 6241. REVIEW OF PORT AND PORT-RELATED INFRASTRUCTURE PURCHASES AND INVESTMENTS MADE BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA AND ENTITIES DIRECTED OR BACKED BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—The Secretary of State, in coordination with the Director of National Intelligence, the Secretary of Defense, and the head of any other agency the Secretary of State considers necessary, shall conduct a review of port and port-related infrastructure purchases and investments critical to the interests and national security of the United States made by—

(1) the Government of the People's Republic of China;

(2) entities directed or backed by the Government of the People's Republic of China; and

(3) entities with beneficial owners that include the Government of the People's Republic of China or a private company controlled by the Government of the People's Republic of China.

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

(1) A list of port and port-related infrastructure purchases and investments described in that subsection, prioritized in order of the purchases or investments that pose the greatest threat to United States economic, defense, and foreign policy interests.

(2) An analysis of the effects the consolidation of such investments, or the assertion of control by the Government of the People's Republic of China over entities described in paragraph (2) or (3) of that subsection, would have on Department of State, Office of the Director of National Intelligence, and Department of Defense contingency plans.

(3) A description of the integration into ports of technologies developed and produced by the Government of the People's Republic of China or entities described in paragraphs (2) or (3) of subsection (a), and the data and cyber security risks posed by such integration.

(4) A description of past and planned efforts by the Secretary of State, the Director of National Intelligence, and the Secretary of Defense to address such purchases, investments, and consolidation of investments or assertion of control.

(c) COORDINATION WITH OTHER FEDERAL AGENCIES.—In conducting the review required by subsection (a), the Secretary of State may coordinate with the head of any other Federal agency, as the Secretary of State considers appropriate.

(d) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a report on the results of the review under subsection (a).

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) PORT.—The term ''port'' means—

(A) any port—

(i) on the navigable waters of the United States; or

(ii) that is considered by the Secretary of State to be critical to United States interests; and

(B) any harbor, marine terminal, or other shoreside facility used principally for the movement of goods on inland waters that the Secretary of State considers critical to United States interests.

(3) PORT-RELATED INFRASTRUCTURE.—The term ''port-related infrastructure'' includes—

(A) crane equipment;

(B) logistics, information, and communications systems; and

(C) any other infrastructure the Secretary of State considers appropriate.

SEC. 6242. SPECIAL ENVOY TO THE PACIFIC ISLANDS FORUM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States must increase its diplomatic activity and presence in the Pacific, particularly among Pacific Island nations; and

(2) the Special Envoy to the Pacific Islands Forum—

(A) should be used to coordinate policies across the Pacific region with like-minded democracies; and

(B) should have a direct line to the President and the Secretary of State to communicate regarding the unique and particular needs of Pacific partner nations.

(b) SPECIAL ENVOY TO THE PACIFIC ISLANDS FORUM.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended—

(1) by redesignating subsection (h) (as added by section 361(a)(1) of division FF of Public Law 116–260) as subsection (k); and

(2) by adding at the end the following:

''(1) SPECIAL ENVOY TO THE PACIFIC ISLANDS FORUM.—

''(1) APPOINTMENT.—The President shall appoint, by and with the advice and consent of the Senate, either the United States Ambassador to a country that is a member of the Pacific Islands Forum or another qualified individual to serve as Special Envoy to the Pacific Islands Forum (referred to in this section as the 'Special Envoy'). If an Ambassador is appointed to serve as the Special Envoy pursuant this paragraph, he or she may not begin such service until after Senate confirmation to such position and shall serve concurrently as an Ambassador and as the Special Envoy without receiving additional compensation.

''(2) DUTIES.—The Special Envoy shall—

''(A) represent the United States in its role as dialogue partner to the Pacific Islands Forum; and

''(B) carry out such other duties as the President or the Secretary of State may prescribe.''.

Subtitle F—Other Matters

SEC. 6271. ELIGIBILITY OF PORTUGUESE TRADERS AND INVESTORS FOR E–1 AND E–2 NONIMMIGRANT VISAS.

(a) SHORT TITLES.—This Act may be cited as the ''Advancing Mutual Interests and Growing Our Success Act'' or the ''AMIGOS Act''.

(b) NONIMMIGRANT TRADERS AND INVESTORS.—For purposes of clauses (i) and (ii) of section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)), Portugal shall be considered to be a foreign state described in such section if the Government of Portugal provides similar nonimmigrant status to nationals of the United States.

(c) MODIFICATION OF ELIGIBILITY CRITERIA FOR E VISAS.—Section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)) is amended—

(1) in the matter preceding clause (i)—

(A) by inserting ''(or, in the case of an alien who acquired the relevant nationality through a financial investment and who has not previously been granted status under this subparagraph, the foreign state of which the alien is a national and in which the alien has been domiciled for a continuous period of not less than 3 years at any point before applying for a nonimmigrant visa under this subparagraph)'' before '', and the spouse''; and

(B) by striking ''him'' and inserting ''such alien''; and

(2) by striking ''he'' each place such term appears and inserting ''the alien''.

SEC. 6272. GLOBAL FOOD SECURITY.

(a) SHORT TITLE.—The section may be cited as the ''Global Food Security Reauthorization Act of 2022''.

(b) FINDINGS.—Section 2 of the Global Food Security Act of 2016 (22 U.S.C. 9301) is amended by striking ''Congress makes'' and all that follows through ''(3) A comprehensive'' and inserting ''Congress finds that a comprehensive''.

(c) STATEMENT OF POLICY OBJECTIVES; SENSE OF CONGRESS.—Section 3(a) of such Act (22 U.S.C. 9302(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''programs, activities, and initiatives that'' and inserting ''comprehensive, multi-sectoral programs, activities, and initiatives that consider agriculture and food systems in their totality and that''.

(2) in paragraph (1), by striking ''and economic freedom through the coordination'' and inserting '', economic freedom, and security through the phasing, sequencing, and coordination'';

(3) by striking paragraphs (3) and (4) and inserting the following:

''(3) increase the productivity, incomes, and livelihoods of small-scale producers and artisanal fishing communities, especially women in these communities, by working across terrestrial and aquatic food systems and agricultural value chains, including by—

''(A) enhancing local capacity to manage agricultural resources and food systems effectively and expanding producer access to, and participation in, local, regional, and international markets;

''(B) increasing the availability and affordability of high quality nutritious and safe foods and clean water;

''(C) creating entrepreneurship opportunities and improving access to business development related to agriculture and food systems, including among youth populations, linked to local, regional, and international markets; and

''(D) enabling partnerships to facilitate the development of and investment in new agricultural technologies to support more resilient and productive agricultural practices;

''(4) build resilience to agriculture and food systems shocks and stresses, including global food catastrophes in which conventional methods of agriculture are unable to provide sufficient food and nutrition to sustain the global population, among vulnerable populations and households through inclusive growth, while reducing reliance upon emergency food and economic assistance;'';

(4) by amending paragraph (6) to read as follows:

''(6) improve the nutritional status of women, adolescent girls, and children, with a focus on reducing child stunting and incidence of wasting, including through the promotion of highly nutritious foods, diet diversification, large-scale food fortification, and nutritional behaviors that improve maternal and child health and nutrition, especially during the first 1,000-day window until a child reaches 2 years of age;''; and

(5) in paragraph (7)—

(A) by striking ''science and technology,'' and inserting ''combating fragility, resilience, science and technology, natural resource management''; and

(B) by inserting '', including deworming,'' after ''nutrition,''.

(d) DEFINITIONS.—Section 4 of the Global Food Security Act of 2016 (22 U.S.C. 9303) is amended—

(1) in paragraph (2), by inserting '', including in response to shocks and stresses to food and nutrition security'' before the period at the end;

(2) by redesignating paragraphs (4) through (12) as paragraphs (5) through (13), respectively;

(3) by inserting after paragraph (3) the following:

''(4) FOOD SYSTEM.—The term 'food system' means the intact or whole unit made up of interrelated components of people, behaviors, relationships, and material goods that interact in the production, processing, packaging, transporting, trade, marketing, consumption, and use of food, feed, and fiber through aquaculture, farming, wild fisheries, forestry, and pastoralism that operates within and is influenced by social, political, economic, and environmental contexts.'';

(4) in paragraph (6), as redesignated, by amending subparagraph (H) to read as follows:

''(H) local agricultural producers, including farmer and fisher organizations, cooperatives, small-scale producers, youth, and women; and'';

(5) in paragraph (7), as redesignated, by inserting ''the Inter-American Foundation,'' after ''United States African Development Foundation,'';

(6) in paragraph (9), as redesignated—

(A) by inserting ''agriculture and food'' before ''systems''; and

(B) by inserting '', including global food catastrophes,'' after ''food security'';

(7) in paragraph (10), as redesignated, by striking ''fishers'' and inserting ''artisanal fishing communities'';

(8) in paragraph (11), as redesignated, by amending subparagraphs (D) and (E) to read as follows:

''(D) is a marker of an environment deficient in the various needs that allow for a child's healthy growth, including nutrition; and

''(E) is associated with long-term poor health, delayed motor development, impaired cognitive function, and decreased immunity'';

(9) in paragraph (13), as redesignated, by striking ''agriculture and nutrition security'' and inserting ''food and nutrition security and agriculture-led economic growth''; and

(10) by adding at the end the following:

''(14) WASTING.—The term 'wasting' means—

''(A) a life-threatening condition attributable to poor nutrient intake or disease that is characterized by a rapid deterioration in nutritional status over a short period of time; and

''(B) in the case of children, is characterized by low weight for height and weakened immunity, increasing their risk of death due to greater frequency and severity of common infection, particularly when severe.''.

(e) COMPREHENSIVE GLOBAL FOOD SECURITY STRATEGY.—Section 5(a) of the Global Food Security Act of 2016 (22 U.S.C. 9304) is amended—

(1) in paragraph (4), by striking ''country-owned agriculture, nutrition, and food security policy and investment plans'' and inserting ''partner country-led agriculture, nutrition, regulatory, food security, and water resources management policy and investment plans and governance systems'';

(2) by amending paragraph (5) to read as follows:

''(5) support the locally-led and inclusive development of agriculture and food systems, including by enhancing the extent to which small-scale food producers, especially women, have access to and control over the inputs, skills, resource management capacity, networking, bargaining power, financing, market linkages, technology, and information needed to sustainably increase productivity and incomes, reduce poverty and malnutrition, and promote long-term economic prosperity;'';

(3) in paragraph (6)—

(A) by inserting '', adolescent girls,'' after ''women''; and

(B) by inserting ''and preventing incidence of wasting'' after ''reducing child stunting'';

(4) in paragraph (7), by inserting ''poor water resource management and'' after ''including'';

(5) in paragraph (8)—

(A) by striking ''the long term success of programs'' and inserting ''long-term impact''; and

(B) by inserting '', including agricultural research capacity,'' after ''institutions'';

(6) in paragraph (9), by striking ''integrate resilience and nutrition strategies into food security programs, such that chronically vulnerable populations are better able to'' and inserting ''coordinate with and complement relevant strategies to ensure that chronically vulnerable populations are better able to adapt,'';

(7) by redesignating paragraph (17) as paragraph (22);

(8) by redesignating paragraphs (12) through (16) as paragraphs (14) through (18), respectively;

(9) by striking paragraphs (10) and (11) and inserting the following:

''(10) develop community and producer resilience and adaptation strategies to disasters, emergencies, and other shocks and stresses to food and nutrition security, including conflicts, droughts, flooding, pests, and diseases, that adversely impact agricultural yield and livelihoods;

''(11) harness science, technology, and innovation, including the research and extension activities supported by the private sector, relevant Federal departments and agencies, Feed the Future Innovation Labs or any successor entities, and international and local researchers and innovators, recognizing that significant investments in research and technological advances will be necessary to reduce global poverty, hunger, and malnutrition;

''(12) use evidenced-based best practices, including scientific and forecasting data, and improved planning and coordination by, with, and among key partners and relevant Federal departments and agencies to identify, analyze, measure, and mitigate risks, and strengthen resilience capacities;

''(13) ensure scientific and forecasting data is accessible and usable by affected communities and facilitate communication and collaboration among local stakeholders in support of adaptation planning and implementation, including scenario planning and preparedness using seasonal forecasting and scientific and local knowledge;'';

(10) in paragraph (15), as redesignated, by inserting ''nongovernmental organizations, including'' after ''civil society,'';

(11) in paragraph (16), as redesignated, by inserting ''and coordination, as appropriate,'' after ''collaboration'';

(12) in paragraph (18), as redesignated, by striking ''section 8(b)(4); and'' and inserting ''section 8(a)(4);''; and

(13) by inserting after paragraph (18), as redesignated, the following:

''(19) improve the efficiency and resilience of agricultural production, including management of crops, rangelands, pastures, livestock, fisheries, and aquacultures;

''(20) ensure investments in food and nutrition security consider and integrate best practices in the management and governance of natural resources and conservation, especially among food insecure populations living in or near biodiverse ecosystems;

''(21) be periodically updated in a manner that reflects learning and best practices; and''.

(f) PERIODIC UPDATES.—Section 5 of the Global Food Security Act of 2016 (22 U.S.C. 9304), as amended by subsection (e), is further amended by adding at the end the following:

''(d) PERIODIC UPDATES.—Not less frequently than quinquennially through fiscal year 2030, the President, in consultation with the head of each relevant Federal department and agency, shall submit to the appropriate congressional committees updates to the Global Food Security Strategy required under subsection (a) and the agency-specific plans described in subsection (c)(2).''.

(g) AUTHORIZATION OF APPROPRIATIONS TO IMPLEMENT THE GLOBAL FOOD SECURITY STRATEGY.—Section 6(b) of such Act (22 U.S.C. 9305(b)) is amended—

(1) by striking ''$1,000,600,000 for each of fiscal years 2017 through 2023'' and inserting ''$1,200,000,000 for each of the fiscal years 2024 through 2028''; and

(2) by adding at the end the following: ''Amounts authorized to appropriated under this subsection should be prioritized to carry out programs and activities in target countries.''.

(h) EMERGENCY FOOD SECURITY PROGRAM.—

(1) IN GENERAL.—Section 7 of the Global Food Security Act of 2016 (22 U.S.C. 9306) is amended by striking ''(a) SENSE OF CONGRESS.—'' and all that follows through ''It shall be'' and inserting ''It shall be''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 492(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2292a(a)) is amended by striking ''$2,794,184,000 for each of fiscal years 2017 through 2023, of which up to $1,257,382,000'' and inserting ''$3,905,460,000 for each of the fiscal years 2024 through 2028, of which up to $1,757,457,000''.

(i) REPORTS.—Section 8(a) of the Global Food Security Act of 2016 (22 U.S.C. 9307) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''During each of the first 7 years after the date of the submission of the strategy required under section 5(c),'' and inserting ''For each of the fiscal years 2024 through 2028,'';

(B) by striking ''reports that describe'' and inserting ''a report that describes''; and

(C) by striking ''at the end of the reporting period'' and inserting ''during the preceding year'';

(2) in paragraph (2), by inserting '', including any changes to the target countries selected pursuant to the selection criteria described in section 5(a)(2) and justifications for any such changes'' before the semicolon at the end;

(3) in paragraph (3), by inserting ''identify and'' before ''describe'';

(4) by redesignating paragraphs (12) through (14) as paragraphs (15) through (17), respectively;

(5) by redesignating paragraphs (5) through (11) as paragraphs (7) through (13), respectively;

(6) by striking paragraph (4) and inserting the following:

''(4) identify and describe the priority quantitative metrics used to establish baselines and performance targets at the initiative, country, and zone of influence levels;

''(5) identify such established baselines and performance targets at the country and zone of influence levels;

''(6) identify the output and outcome benchmarks and indicators used to measure results annually, and report the annual measurement of results for each of the priority metrics identified pursuant to paragraph (4), disaggregated by age, gender, and disability, to the extent practicable and appropriate, in an open and transparent manner that is accessible to the people of the United States;'';

(7) in paragraph (7), as redesignated, by striking ''agriculture'' and inserting ''food'';

(8) in paragraph (8), as redesignated—

(A) by inserting ''quantitative and qualitative'' after ''how''; and

(B) by inserting ''at the initiative, country, and zone of influence levels, including longitudinal data and key uncertainties'' before the semicolon at the end;

(9) in paragraph (9), as redesignated, by inserting ''within target countries, amounts and justification for any spending outside of target countries'' after ''amounts spent'';

(10) in paragraph (13), as redesignated, by striking ''and the impact of private sector investment'' and inserting ''and efforts to encourage financial donor burden sharing and the impact of such investment and efforts'';

(11) by inserting after paragraph (13), as redesignated, the following:

''(14) describe how agriculture research is prioritized within the Global Food Security Strategy to support agriculture-led growth and eventual self-sufficiency and assess efforts to coordinate research programs within the Global Food Security Strategy with key stakeholders;'';

(12) in paragraph (16), as redesignated, by striking ''and'' at the end;

(13) in paragraph (17), as redesignated—

(A) by inserting '', including key challenges or missteps,'' after ''lessons learned''; and

(B) by striking the period at the end and inserting ''; and''; and

(14) by adding at the end the following:

''(18) during the final year of each strategy required under section 5, complete country graduation reports to determine whether a country should remain a target country based on quantitative and qualitative analysis.''.

SEC. 6273. ENDING GLOBAL WILDLIFE POACHING AND TRAFFICKING.

(a) SHORT TITLE.—This section may be cited as the ''Eliminate, Neutralize, and Disrupt Wildlife Trafficking Reauthorization and Improvements Act of 2022''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States Government should continue to work with international partners, including nations, nongovernmental organizations, and the private sector, to identify long-standing and emerging areas of concern in wildlife poaching and trafficking related to global supply and demand; and

(2) the activities and required reporting of the Presidential Task Force on Wildlife Trafficking, established by Executive Order 13648 (78 Fed. Reg. 40621), and modified by sections 201 and 301 of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7621 and 7631) should be reauthorized to minimize the disruption of the work of such Task Force.

(c) DEFINITIONS.—Section 2 of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7601) is amended—

(1) in paragraph (3), by inserting ''involving local communities'' after ''approach to conservation'';

(2) by amending paragraph (4) to read as follows:

''(4) COUNTRY OF CONCERN.—The term 'country of concern' means a foreign country specially designated by the Secretary of State pursuant to section 201(b) as a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products, in which—

''(A) the government has actively engaged in, or knowingly profited from, the trafficking of protected species; or

''(B) the government facilitates such trafficking through conduct that may include a persistent failure to make serious and sustained efforts to prevent and prosecute such trafficking.''; and

(3) in paragraph (11), by striking ''section 201'' and inserting ''section 301''.

(d) FRAMEWORK FOR INTERAGENCY RESPONSE AND REPORTING.—

(1) REAUTHORIZATION OF REPORT ON MAJOR WILDLIFE TRAFFICKING COUNTRIES.—Section 201 of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7621) is amended—

(A) in subsection (a), by striking ''annually thereafter'' and inserting ''biennially thereafter by June 1 of each year in which a report is required''; and

(B) by striking subsection (c) and inserting the following:

''(c) DESIGNATION.—A country may be designated as a country of concern under subsection (b) regardless of such country's status as a focus country.

''(d) PROCEDURE FOR REMOVING COUNTRIES FROM LIST.—In the first report required under this section submitted after the date of the enactment of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Reauthorization and Improvements Act of 2022, the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall publish, in the Federal Register, a procedure for removing from the list in the biennial report any country of concern that no longer meets the definition of country of concern under section 2(4).

''(e) SUNSET.—This section shall cease to have force or effect on September 30, 2028.''.

(2) PRESIDENTIAL TASK FORCE ON WILDLIFE TRAFFICKING RESPONSIBILITIES.—Section 301(a) of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7631(a)) is amended—

(A) in paragraph (4), by striking ''and'' at the end;

(B) by redesignating paragraph (5) as paragraph (9); and

(C) by inserting after paragraph (4) the following:

''(5) pursue programs and develop a strategy—

''(A) to expand the role of technology for anti-poaching and anti-trafficking efforts, in partnership with the private sector, foreign governments, academia, and nongovernmental organizations (including technology companies and the transportation and logistics sectors); and

''(B) to enable local governments to develop and use such technologies;

''(6) consider programs and initiatives that address the expansion of the illegal wildlife trade to digital platforms, including the use of digital currency and payment platforms for transactions by collaborating with the private sector, academia, and nongovernmental organizations, including social media, e-commerce, and search engine companies, as appropriate;

''(7)(A) implement interventions to address the drivers of poaching, trafficking, and demand for illegal wildlife and wildlife products in focus countries and countries of concern;

''(B) set benchmarks for measuring the effectiveness of such interventions; and

''(C) consider alignment and coordination with indicators developed by the Task Force;

''(8) consider additional opportunities to increase coordination between law enforcement and financial institutions to identify trafficking activity; and''.

(3) PRESIDENTIAL TASK FORCE ON WILDLIFE TRAFFICKING STRATEGIC REVIEW.—Section 301 of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7631), as amended by paragraph (2), is further amended—

(A) in subsection (d)—

(i) in the matter preceding paragraph (1), by striking ''annually'' and inserting ''biennially'';

(ii) in paragraph (4), by striking ''and'' at the end;

(iii) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(6) an analysis of the indicators developed by the Task Force, and recommended by the Government Accountability Office, to track and measure inputs, outputs, law enforcement outcomes, and the market for wildlife products for each focus country listed in the report, including baseline measures, as appropriate, for each indicator in each focus country to determine the effectiveness and appropriateness of such indicators to assess progress and whether additional or separate indicators, or adjustments to indicators, may be necessary for focus countries.''; and

(B) in subsection (e), by striking ''5 years after'' and all that follows and inserting ''on September 30, 2028''.

SEC. 6274. CENTER FOR EXCELLENCE IN ENVIRONMENTAL SECURITY.

(a) IN GENERAL.—Chapter 7 of title 10, United States Code, is amended by inserting after section 182 the following new section:

''SEC. 182a. CENTER FOR EXCELLENCE IN ENVIRONMENTAL SECURITY.

''(a) ESTABLISHMENT.—The Secretary of Defense may operate a Center for Excellence in Environmental Security (in this section referred to as the 'Center').

''(b) MISSIONS.—(1) The Center shall be used to provide and facilitate education, training, and research in civil-military operations, particularly operations that require international assistance and operations that require coordination between the Department of Defense and other agencies.

''(2) The Center shall be used to provide and facilitate education, training, interagency coordination, and research on the following additional matters:

''(A) Management of the consequences of environmental insecurity with respect to—

''(i) access to water, food, and energy;

''(ii) related health matters; and

''(iii) matters relating to when, how, and why environmental stresses to human safety, health, water, energy, and food will cascade to economic, social, political, or national security events.

''(B) Appropriate roles for the reserve components in response to environmental insecurity resulting from natural disasters.

''(C) Meeting requirements for information in connection with regional and global disasters, including the use of advanced communications technology as a virtual library.

''(3) The Center shall be granted access to the data, archives, talent and physical capability of all Federal agencies to enable the development of global environmental indicators.

''(4) The Center shall perform such other missions as the Secretary of Defense may specify.

''(c) JOINT OPERATION WITH EDUCATIONAL INSTITUTION AUTHORIZED.—The Secretary of Defense may enter into an agreement with appropriate officials of an institution of higher education to provide for operation of the Center. Any such agreement shall provide for the institution to furnish necessary administrative services for the Center, including administration and allocation of funds.

''(d) ACCEPTANCE OF DONATIONS.—

''(1) Except as provided in paragraph (2), the Secretary of Defense may accept, on behalf of the Center, donations to be used to defray the costs of the Center or to enhance the operation of the Center. Such donations may be accepted from any agency of the Federal Government, any State or local government, any foreign government, any foundation or other charitable organization (including any that is organized or operates under the laws of a foreign country), or any other private source in the United States or a foreign country.

''(2) The Secretary may not accept a donation under paragraph (1) if the acceptance of the donation would compromise or appear to compromise—

''(A) the ability of the Department of Defense, any employee of the Department, or members of the armed forces, to carry out any responsibility or duty of the Department in a fair and objective manner; or

''(B) the integrity of any program of the Department of Defense or of any person involved in such a program.

''(3) The Secretary shall prescribe written guidance setting forth the criteria to be used in determining whether or not the acceptance of a foreign donation would have a result described in paragraph (2).

''(4) Funds accepted by the Secretary under paragraph (1) as a donation on behalf of the Center shall be credited to appropriations available to the Department of Defense for the Center. Funds so credited shall be merged with the appropriations to which credited and shall be available for the Center for the same purposes and the same period as the appropriations with which merged.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 182 the following new item:

''182a. Center for Excellence in Environmental Security''.

Subtitle G—United States-Ecuador Partnership Act of 2022

SEC. 6281. SHORT TITLE; TABLE OF CONTENTS.

This subtitle may be cited as the ''United States-Ecuador Partnership Act of 2022''.

SEC. 6282. FINDINGS.

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

(1) The United States and Ecuador have a history of bilateral cooperation grounded in mutual respect, shared democratic values, and mutual security interests.

(2) On February 7, 2021, and April 11, 2021, Ecuador held democratic elections that included parties from across the political spectrum, paving the way for continued progress towards strengthening democratic institutions.

(3) The United States and Ecuador share strategic interests in strengthening Ecuador's democratic institutions, generating inclusive economic growth, and building capacity in law enforcement, anti-corruption, and conservation efforts.

(4) The United States and Ecuador historically have enjoyed strong commercial, investment, and economic ties, yet Ecuador continues to face significant challenges to inclusive economic development, including—

(A) the heavy economic toll of the COVID–19 pandemic;

(B) vulnerabilities with respect to the growing role of the People's Republic of China in the financing and refinancing of Ecuador's debts, and in strategic infrastructure projects and sectors of the Ecuadorian economy; and

(C) the need to develop and strengthen open and transparent economic policies that strengthen Ecuador's integration with global markets, inclusive economic growth, and opportunities for upward social mobility for the Ecuadorian people.

(5) Since its establishment in December 2019, the United States Development Finance Corporation has provided more than $440,000,000 in financing to Ecuador.

(6) Ecuador's justice system has taken important steps to fight corruption and criminality and to increase accountability. However, enduring challenges to the rule of law in Ecuador, including the activities of transnational criminal organizations, illicit mining, illegal, unreported, and unregulated (IUU) fishing, and undemocratic actors, present ongoing risks for political and social stability in Ecuador.

(7) The activities undertaken by the Government of the People's Republic of China in

Ecuador, including its development of the ECU–911 video surveillance and facial recognition system, financing of the corruptly managed and environmentally deleterious Coca Codo Sinclair Dam, and support for illegal, unreported, and unregulated fishing practices around the Galapagos Islands, pose risks to democratic governance and biodiversity in the country.

(8) Ecuador, which is home to several of the Earth's most biodiverse ecosystems, including the Galapagos Islands, the headwaters of the Amazon river, the Condor mountain range, and the Yasuni Biosphere Reserve, has seen a reduction in its rainforests between 1990 and 2016, due in part to the incursion of criminal networks into protected areas.

(9) On March 24, 2021, the Senate unanimously approved Senate Resolution 22 (117th Congress), reaffirming the partnership between the United States and the Republic of Ecuador, and recognizing the restoration and advancement of economic relations, security, and development opportunities in both nations.

(10) On August 13, 2021, the United States and Ecuador celebrated the entry into force of the Protocol to the Trade and Investment Council Agreement between the Government of the United States of America and the Government of the Republic of Ecuador Relating to Trade Rules and Transparency, recognizing the steps Ecuador has taken to decrease unnecessary regulatory burden and create a more transparent and predictable legal framework for foreign direct investment in recent years.

SEC. 6283. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States should take additional steps to strengthen its bilateral partnership with Ecuador, including by developing robust trade and investment frameworks, increasing law enforcement cooperation, renewing the activities of the United States Agency for International Development in Ecuador, and supporting Ecuador's response to and recovery from the COVID–19 pandemic, as necessary and appropriate; and

(2) strengthening the United States-Ecuador partnership presents an opportunity to advance core United States national security interests and work with other democratic partners to maintain a prosperous, politically stable, and democratic Western Hemisphere that is resilient to malign foreign influence.

SEC. 6284. FACILITATING ECONOMIC AND COMMERCIAL TIES.

The Secretary of State, in coordination with the Secretary of Commerce, the United States Trade Representative, the Secretary of the Treasury, and the heads of other relevant Federal departments and agencies, as appropriate, shall develop and implement a strategy to strengthen commercial and economic ties between the United States and Ecuador by—

(1) promoting cooperation and information sharing to encourage awareness of and increase trade and investment opportunities between the United States and Ecuador;

(2) supporting efforts by the Government of Ecuador to promote a more open, transparent, and competitive business environment, including by lowering trade barriers, implementing policies to reduce trading times, and improving efficiencies to expedite customs operations for importers and exporters of all sizes, in all sectors, and at all entry ports in Ecuador;

(3) establishing frameworks or mechanisms to review the long term financial sustainability and security implications of foreign investments in Ecuador in strategic sectors or services;

(4) establishing competitive and transparent infrastructure project selection and procurement processes in Ecuador that promote transparency, open competition, financial sustainability, and robust adherence to global standards and norms;

(5) developing programs to help the Government of Ecuador improve efficiency and transparency in customs administration, including through support for the Government of Ecuador's ongoing efforts to digitize its customs process and accept electronic documents required for the import, export, and transit of goods under specific international standards, as well as related training to expedite customs, security, efficiency, and competitiveness;

(6) spurring digital transformation that would advance—

(A) the provision of digitized government services with the greatest potential to improve transparency, lower business costs, and expand citizens' access to public services and public information;

(B) the provision of transparent and affordable access to the internet and digital infrastructure; and

(C) best practices to mitigate the risks to digital infrastructure by doing business with communication networks and communications supply chains with equipment and services from companies with close ties to or susceptible to pressure from governments or security services without reliable legal checks on governmental powers; and

(7) identifying, as appropriate, a role for the United States International Development Finance Corporation, the Millennium Challenge Corporation, the United States Agency for International Development, and the United States private sector in supporting efforts to increase private sector investment and strengthen economic prosperity.

SEC. 6285. PROMOTING INCLUSIVE ECONOMIC DEVELOPMENT.

The Administrator of the United States Agency for International Development, in coordination with the Secretary of State and the heads of other relevant Federal departments and agencies, as appropriate, shall develop and implement a strategy and related programs to support inclusive economic development across Ecuador's national territory by—

(1) facilitating increased access to public and private financing, equity investments, grants, and market analysis for small and medium-sized businesses;

(2) providing technical assistance to local governments to formulate and enact local development plans that invest in Indigenous and Afro-Ecuadorian communities;

(3) connecting rural agricultural networks, including Indigenous and Afro-Ecuadorian agricultural networks, to consumers in urban centers and export markets, including through infrastructure construction and maintenance programs that are subject to audits and carefully designed to minimize potential environmental harm;

(4) partnering with local governments, the private sector, and local civil society organizations, including organizations representing marginalized communities and faith-based organizations, to provide skills training and investment in support of initiatives that provide economically viable, legal alternatives to participating in illegal economies; and

(5) connecting small scale fishing enterprises to consumers and export markets, in order to reduce vulnerability to organized criminal networks.

SEC. 6286. COMBATING ILLICIT ECONOMIES, CORRUPTION, AND NEGATIVE FOREIGN INFLUENCE.

The Secretary of State shall develop and implement a strategy and related programs to increase the capacity of Ecuador's justice system and law enforcement authorities to combat illicit economies, corruption, transnational criminal organizations, and the harmful influence of malign foreign and domestic actors by—

(1) providing technical assistance and support to specialized units within the Attorney General's office to combat corruption and to promote and protect internationally recognized human rights in Ecuador, including the Transparency and Anti-Corruption Unit, the Anti-Money Laundering Unit, the Task Force to Combat Corruption in Central America, and the Environmental Crimes Unit;

(2) strengthening bilateral assistance and complementary support through multilateral anti-corruption mechanisms, as necessary and appropriate, to counter corruption and recover assets derived from corruption, including through strengthening independent inspectors general to track and reduce corruption;

(3) improving the technical capacity of prosecutors and financial institutions in Ecuador to combat corruption by—

(A) detecting and investigating suspicious financial transactions, and conducting asset forfeitures and criminal analysis; and

(B) combating money laundering, financial crimes, and extortion;

(4) providing technical assistance and material support (including, as appropriate, radars, vessels, and communications equipment) to vetted specialized units of Ecuador's national police and the armed services to disrupt, degrade, and dismantle organizations involved in illicit narcotics trafficking, transnational criminal activities, illicit mining, and illegal, unregulated, and unreported fishing, among other illicit activities;

(5) providing technical assistance to address challenges related to Ecuador's penitentiary and corrections system;

(6) strengthening the regulatory framework of mining through collaboration with key Ecuadorian institutions, such as the Interior Ministry's Special Commission for the Control of Illegal Mining and the National Police's Investigative Unit on Mining Crimes, and providing technical assistance in support of their law enforcement activities;

(7) providing technical assistance to judges, prosecutors, and ombudsmen to increase capacity to enforce laws against human smuggling and trafficking, illicit mining, illegal logging, illegal, unregulated, and unreported (IUU) fishing, and other illicit economic activities;

(8) providing support to the Government of Ecuador to prevent illegal, unreported, and unregulated fishing, including through expanding detection and response capabilities, and the use of dark vessel tracing technology;

(9) supporting multilateral efforts to stem illegal, unreported, and unregulated fishing with neighboring countries in South America and within the South Pacific Regional Fisheries Management Organisation;

(10) assisting the Government of Ecuador's efforts to protect defenders of internationally recognized human rights, including through the work of the Office of the Ombudsman of Ecuador, and by encouraging the inclusion of Indigenous and Afro-Ecuadorian communities and civil society organizations in this process;

(11) supporting efforts to improve transparency, uphold accountability, and build capacity within the Office of the Comptroller General;

(12) enhancing the institutional capacity and technical capabilities of defense and security institutions of Ecuador to conduct national or regional security missions, including through regular bilateral and multilateral cooperation, foreign military financing, international military education, and training programs, consistent with applicable Ecuadorian laws and regulations;

(13) enhancing port management and maritime security partnerships to disrupt, degrade, and dismantle transnational criminal networks and facilitate the legitimate flow of people, goods, and services; and

(14) strengthening cybersecurity cooperation—

(A) to effectively respond to cybersecurity threats, including state-sponsored threats;

(B) to share best practices to combat such threats;

(C) to help develop and implement information architectures that respect individual privacy rights and reduce the risk that data collected through such systems will be exploited by malign state and non-state actors;

(D) to strengthen resilience against cyberattacks, misinformation, and propaganda; and

(E) to strengthen the resilience of critical infrastructure.

SEC. 6287. STRENGTHENING DEMOCRATIC GOVERNANCE.

(a) STRENGTHENING DEMOCRATIC GOVERNANCE.—The Secretary of State, in coordination with the Administrator of the United States Agency for International Development, should develop and implement initiatives to strengthen democratic governance in Ecuador by supporting—

(1) measures to improve the capacity of national and subnational government institutions to govern through transparent, inclusive, and democratic processes;

(2) efforts that measurably enhance the capacity of political actors and parties to strengthen democratic institutions and the rule of law;

(3) initiatives to strengthen democratic governance, including combating political, administrative, and judicial corruption and improving transparency of the administration of public budgets; and

(4) the efforts of civil society organizations and independent media—

(A) to conduct oversight of the Government of Ecuador and the National Assembly of Ecuador;

(B) to promote initiatives that strengthen democratic governance, anti-corruption standards, and public and private sector transparency; and

(C) to foster political engagement between the Government of Ecuador, including the National Assembly of Ecuador, and all parts of Ecuadorian society, including women, indigenous communities, and Afro-Ecuadorian communities.

(b) LEGISLATIVE STRENGTHENING.—The Administrator of the United States Agency for International Development, working through the Consortium for Elections and Political Process Strengthening or any equivalent or successor mechanism, shall develop and implement programs to strengthen the National Assembly of Ecuador by providing training and technical assistance to—

(1) members and committee offices of the National Assembly of Ecuador, including the Ethics Committee and Audit Committee;

(2) assist in the creation of entities that can offer comprehensive and independent research and analysis on legislative and oversight matters pending before the National Assembly, including budgetary and economic issues; and

(3) improve democratic governance and government transparency, including through effective legislation.

(c) BILATERAL LEGISLATIVE COOPERATION.—To the degree practicable, in implementing the programs required under subsection (b), the Administrator of the United States Agency for International Development should facilitate meetings and collaboration between members of the United States Congress and the National Assembly of Ecuador.

SEC. 6288. FOSTERING CONSERVATION AND STEWARDSHIP.

The Administrator of the United States Agency for International Development, in coordination with the Secretary of State and the heads of other relevant Federal departments and agencies, shall develop and implement programs and enhance existing programs, as necessary and appropriate, to improve ecosystem conservation and enhance the effective stewardship of Ecuador's natural resources by—

(1) providing technical assistance to Ecuador's Ministry of the Environment to safeguard national parks and protected forests and protected species, while promoting the participation of Indigenous communities in this process;

(2) strengthening the capacity of communities to access the right to prior consultation, encoded in Article 57 of the Constitution of Ecuador and related laws, executive decrees, administrative acts, and ministerial regulations;

(3) supporting Indigenous and Afro-Ecuadorian communities as they raise awareness of threats to biodiverse ancestral lands, including through support for local media in such communities and technical assistance to monitor illicit activities;

(4) partnering with the Government of Ecuador in support of reforestation and improving river, lake, and coastal water quality;

(5) providing assistance to communities affected by illegal mining and deforestation; and

(6) fostering mechanisms for cooperation on emergency preparedness and rapid recovery from natural disasters, including by—

(A) establishing regional preparedness, recovery, and emergency management centers to facilitate rapid response to survey and help maintain planning on regional disaster anticipated needs and possible resources; and

(B) training disaster recovery officials on latest techniques and lessons learned from United States experiences.

SEC. 6289. AUTHORIZATION TO TRANSFER EXCESS COAST GUARD VESSELS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should undertake efforts to expand cooperation with the Government of Ecuador to—

(1) ensure protections for the Galápagos Marine Reserve;

(2) deter illegal, unreported, and unregulated fishing; and

(3) increase interdiction of narcotics trafficking and other forms of illicit trafficking.

(b) AUTHORITY TO TRANSFER EXCESS COAST GUARD VESSELS TO THE GOVERNMENT OF ECUADOR.—The President shall conduct a joint assessment with the Government of Ecuador to ensure sufficient capacity exists to maintain Island class cutters. Upon completion of a favorable assessment, the President is authorized to transfer up to two ISLAND class cutters to the Government of Ecuador as excess defense articles pursuant to the authority of section 516 of the Foreign Assistance Act (22 U.S.C. 2321j).

(c) GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of a vessel transferred to another country on a grant basis pursuant to authority provided by subsection (b) shall not be counted against the aggregate value of excess defense articles transferred in any fiscal year under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(d) COSTS OF TRANSFERS.—Any expense incurred by the United States in connection with a transfer authorized by this section shall be charged to the recipient notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)).

(e) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the recipient to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that recipient, performed at a shipyard located in the United States.

(f) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under this section shall expire at the end of the 3-year period beginning on the date of the enactment of this Act.

SEC. 6289A. REPORTING REQUIREMENTS.

(a) SECRETARY OF STATE.—The Secretary of State, in coordination with the heads of other relevant Federal departments and agencies as described in sections 6284, 6286, and 6287(a), shall—

(1) not later than 180 days after the date of the enactment of this Act, submit to the appropriate congressional committees a comprehensive strategy to address the requirements described in sections 6284, 6286, and 6287(a); and

(2) not later than 2 years and 4 years after submitting the comprehensive strategy under paragraph (1), submit to the appropriate congressional committees a report describing the implementation of the strategy.

(b) ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—The Administrator of the United States Agency for International Development, in coordination with the heads of other relevant Federal departments and agencies as described in sections 6285, 6287(b), and 6288, shall—

(1) not later than 180 days after the date of the enactment of this Act, submit to appropriate congressional committees a comprehensive strategy to address the requirements described in sections 6284, 6287(b), and 6288; and

(2) not later than 2 years and 4 years after submitting the comprehensive strategy under paragraph (1), submit to the appropriate congressional committees a report describing the implementation of the strategy.

(c) SUBMISSION.—The strategies and reports required under subsections (a) and (b) may be submitted to the appropriate congressional committees as joint strategies and reports.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subtitle, the term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 6289B. SUNSET.

This subtitle shall terminate on the date that is 5 years after the date of the enactment of this Act.

Subtitle H—International Pandemic Preparedness

SEC. 6291. SHORT TITLE.

This subtitle may be cited as the ''International Pandemic Preparedness and COVID–19 Response Act of 2022''.

SEC. 6292. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(2) GLOBAL HEALTH SECURITY AGENDA; GHSA.—The terms ''Global Health Security Agenda'' and ''GHSA'' mean the multi-sectoral initiative launched in 2014, and renewed in 2018, that brings together countries, regions, international organizations, nongovernmental organizations, and the private sector—

(A) to elevate global health security as a national-level priority;

(B) to share best practices; and

(C) to facilitate national capacity to comply with and adhere to—

(i) the International Health Regulations (2005);

(ii) the international standards and guidelines established by the World Organisation for Animal Health;

(iii) United Nations Security Council Resolution 1540 (2004);

(iv) the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological and Toxin Weapons and on their Destruction, done at Washington, London, and Moscow, April 10, 1972 (commonly referred to as the ''Biological Weapons Convention'');

(v) the Global Health Security Agenda 2024 Framework; and

(vi) other relevant frameworks that contribute to global health security.

(3) GLOBAL HEALTH SECURITY INDEX .—The term ''Global Health Security Index'' means the comprehensive assessment and benchmarking of health security and related capabilities across the countries that make up the States Parties to the International Health Regulations (2005).

(4) GLOBAL HEALTH SECURITY INITIATIVE.—The term ''Global Health Security Initiative'' means the informal network of countries and organizations that came together in 2001, to undertake concerted global action to strengthen public health preparedness and response to chemical, biological, radiological, and nuclear threats, including pandemic influenza.

(5) IHR (2005) MONITORING AND EVALUATION FRAMEWORK.—The term ''IHR (2005) Monitoring and Evaluation Framework'' means the framework through which the World Health Organization and the State Parties to the International Health Regulations, as amended in 2005, review, measure, and assess core country public health capacities and ensure mutual accountability for global health security under the International Health Regulations (2005), including through the Joint External Evaluations, simulation exercises, and after-action reviews.

(6) JOINT EXTERNAL EVALUATION.—The term ''Joint External Evaluation'' means the voluntary, collaborative, multi-sectoral process facilitated by the World Health Organization—

(A) to assess country capacity to prevent, detect, and rapidly respond to public health risks occurring naturally or due to deliberate or accidental events;

(B) to assess progress in achieving the targets under the International Health Regulations (2005); and

(C) to recommend priority actions.

(7) KEY STAKEHOLDERS.—The term ''key stakeholders'' means actors engaged in efforts to advance global health security programs and objectives, including—

(A) national and local governments in partner countries;

(B) other bilateral donors;

(C) international, regional, and local organizations, including private, voluntary, nongovernmental, and civil society organizations, including faith-based and indigenous organizations;

(D) international, regional, and local financial institutions;

(E) representatives of historically marginalized groups, including women, youth, and indigenous peoples;

(F) the private sector, including medical device, technology, pharmaceutical, manufacturing, logistics, and other relevant companies; and

(G) public and private research and academic institutions.

(8) ONE HEALTH APPROACH.—The term ''One Health approach'' means the collaborative, multi-sectoral, and transdisciplinary approach toward achieving optimal health outcomes in a manner that recognizes the interconnection between people, animals, plants, and their shared environment.

(9) PANDEMIC PREPAREDNESS.—The term ''pandemic preparedness'' refers to the actions taken to establish and sustain the capacity and capabilities necessary to rapidly identify, prevent, protect against, and respond to the emergence, reemergence, and spread of pathogens of pandemic potential.

(10) PARTNER COUNTRY.—The term ''partner country'' means a foreign country in which the relevant Federal departments and agencies are implementing United States foreign assistance for global health security and pandemic prevention and preparedness under this section.

(11) RELEVANT FEDERAL DEPARTMENTS AND AGENCIES.—The term ''relevant Federal departments and agencies'' means any Federal department or agency implementing United States policies and programs relevant to the advancement of United States global health security and diplomacy overseas, which may include—

(A) the Department of State;

(B) the United States Agency for International Development;

(C) the Department of Health and Human Services;

(D) the Department of Defense;

(E) the Defense Threat Reduction Agency;

(F) the Millennium Challenge Corporation;

(G) the Development Finance Corporation;

(H) the Peace Corps; and

(I) any other department or agency that the President determines to be relevant for these purposes.

(12) RESILIENCE.—The term ''resilience'' means the ability of people, households, communities, systems, institutions, countries, and regions to reduce, mitigate, withstand, adapt to, and quickly recover from shocks and stresses in a manner that reduces chronic vulnerability to the emergence, reemergence, and spread of pathogens of pandemic potential and facilitates inclusive growth.

(13) RESPOND AND RESPONSE.—The terms ''respond'' and ''response'' mean the actions taken to counter an infectious disease.

(14) USAID.—The term ''USAID'' means the United States Agency for International Development.

SEC. 6293. ENHANCING THE UNITED STATES' INTERNATIONAL RESPONSE TO THE COVID–19 PANDEMIC.

(a) STATEMENT OF POLICY REGARDING INTERNATIONAL COOPERATION TO END THE COVID–19 PANDEMIC.—It is the policy of the United States to lead and implement a comprehensive and coordinated international response to end the COVID–19 pandemic in a manner that recognizes the critical role that multilateral and regional organizations can and should play in pandemic prevention, preparedness, and response, including by—

(1) seeking adoption of a United Nations Security Council resolution that—

(A) declares pandemics, including the COVID–19 pandemic, to be threats to international peace and security; and

(B) urges member states to address such threats by aligning their health preparedness plans with international best practices, including practices established by the Global Health Security Agenda, to improve country capacity to prevent, detect, and respond to infectious disease threats of pandemic potential;

(2) advancing efforts to reform the World Health Organization to serve as an effective, normative, and coordinating body that is capable of aligning member countries around a strategic operating plan to detect, contain, treat, and deter the further spread of COVID–19;

(3) providing timely, appropriate levels of financial support to United Nations agencies, multilateral facilities, and other partners responding to the COVID–19 pandemic;

(4) prioritizing United States foreign assistance for the COVID–19 response in the world's most vulnerable countries and regions;

(5) encouraging other donor governments to similarly increase contributions to the United Nations agencies, multilateral facilities, and other partners responding to the COVID–19 pandemic in the world's poorest and most vulnerable countries;

(6) working with key stakeholders to accelerate progress toward meeting and exceeding, as practicable, global COVID–19 vaccination goals;

(7) engaging with key overseas stakeholders, including through multilateral facilities such as the COVID–19 Vaccines Global Access initiative (referred to in this section as ''COVAX'') and the Access to COVID–19 Tools (ACT) Accelerator initiative;

(8) expanding bilateral efforts, including through the United States International Development Finance Corporation, to accelerate the development, manufacturing, local production, and efficient and equitable distribution of—

(A) vaccines and related raw materials to meet or exceed the vaccination goals referred to in paragraph (6); and

(B) global health commodities, including supplies to combat COVID–19 and to help immediately disrupt the transmission of SARS-CoV-2;

(9) supporting global COVID–19 vaccine distribution strategies that—

(A) strengthen underlying health systems for global health security and pandemic prevention, preparedness, and response; and

(B) ensure that people living in vulnerable and marginalized communities, including women, do not face undue barriers to vaccination;

(10) working with key stakeholders, including the World Bank Group, the United Nations, the International Monetary Fund, the United States International Development Finance Corporation, and other relevant regional and bilateral financial institutions, to address the economic and financial implications of the COVID–19 pandemic, while taking into account the differentiated needs of disproportionately affected, vulnerable, and marginalized populations;

(11) entering into discussions with vaccine manufacturing companies to support partnerships, with the goal of ensuring adequate global supply of vaccines, which may include necessary components and raw materials;

(12) establishing clear timelines, benchmarks, and goals for COVID–19 response strategies and activities under this section; and

(13) generating commitments of resources in support of the vaccination goals referred to in paragraph (6).

(b) GLOBAL COVID–19 VACCINE DISTRIBUTION AND DELIVERY.—

(1) ACCELERATING GLOBAL VACCINE DISTRIBUTION STRATEGY.—The President shall develop a strategy to expand access to, and accelerate the global distribution of, COVID–19 vaccines to other countries. This strategy shall—

(A) identify the countries that—

(i) have the highest infection and death rates due to COVID–19;

(ii) have the lowest COVID–19 vaccination rates; and

(iii) face the most difficult political, logistical, and financial challenges to obtaining and delivering COVID–19 vaccines;

(B) describe the basis and metrics used to identify the countries described in subparagraph (A);

(C) identify which countries and regions will be prioritized and targeted for COVID–19 vaccine delivery, and the rationale for such prioritization;

(D) describe efforts that the United States is making to increase COVID–19 vaccine manufacturing capacity, both domestically and internationally, as appropriate, through support for the establishment or refurbishment of regional manufacturing hubs in South America, Southern Africa, and South Asia, including through the provision of international development finance;

(E) estimate when, how many, and which types of vaccines will be provided by the United States Government bilaterally and through COVAX;

(F) describe efforts to encourage international partners to take actions similar to the efforts referred to in subparagraph (D);

(G) describe how the United States Government will ensure the efficient delivery of COVID–19 vaccines to intended recipients, including United States citizens residing overseas;

(H) identify complementary United States foreign assistance that will facilitate vaccine readiness, distribution, delivery, monitoring, and administration activities;

(I) describe how the United States Government will ensure the efficient delivery and administration of COVID–19 vaccines to United States citizens residing overseas, including through the donation of vaccine doses to United States embassies and consulates, as appropriate, giving priority to—

(i) countries in which United States citizens are deemed ineligible or low priority in the national vaccination deployment plan; and

(ii) countries that are not presently distributing a COVID–19 vaccine that—

(I) has been licensed or authorized for emergency use by the Food and Drug Administration; or

(II) has met the necessary criteria for safety and efficacy established by the World Health Organization;

(J) summarize the United States Government's efforts to encourage and facilitate technology sharing and the licensing of intellectual property, to the extent necessary, to support the adequate and timely supply of vaccines and vaccine components to meet the vaccination goals specified in subsection (a)(6), giving due consideration to avoiding undermining intellectual property innovation and intellectual property rights protections with respect to vaccine development;

(K) describe the roles, responsibilities, tasks, and, as appropriate, the authorities of the Secretary of State, the USAID Administrator, the Secretary of Health and Human Services, the Director of the Centers for Disease Control and Prevention, the Chief Executive Officer of the United States International Development Finance Corporation, and the heads of other relevant Federal departments and agencies with respect to the implementation of the strategy;

(L) describe how the Department of State and USAID will coordinate with the Secretary of Health and Human Services and the heads of other relevant Federal agencies—

(i) to expedite the export and distribution of Federally purchased vaccines to countries in need; and

(ii) to ensure that such vaccines will not be wasted;

(M) summarize the United States public diplomacy strategies for branding and addressing vaccine misinformation and hesitancy within partner countries; and

(N) describe efforts that the United States is making to help countries disrupt the current transmission of COVID–19, utilizing medical products and medical supplies.

(2) SUBMISSION OF STRATEGY.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit the strategy described in paragraph (1) to—

(A) the appropriate congressional committees;

(B) the Committee on Health, Education, Labor, and Pensions of the Senate; and

(C) the Committee on Energy and Commerce of the House of Representatives.

(c) LEVERAGING UNITED STATES BILATERAL GLOBAL HEALTH PROGRAMS FOR THE INTERNATIONAL COVID–19 RESPONSE.—Amounts appropriated or otherwise made available to carry out section 104 of the Foreign Assistance Act (22 U.S.C. 2151b) may be used in countries receiving United States foreign assistance—

(1) to combat the COVID–19 pandemic, including through the sharing of COVID–19 vaccines; and

(2) to support related activities, including—

(A) strengthening vaccine readiness;

(B) reducing vaccine hesitancy and misinformation;

(C) delivering and administering COVID–19 vaccines;

(D) strengthening health systems and global supply chains as necessary for global health security and pandemic preparedness, prevention, and response;

(E) supporting global health workforce planning, training, and management for pandemic preparedness, prevention, and response;

(F) enhancing transparency, quality, and reliability of public health data;

(G) increasing bidirectional testing, including screening for symptomatic and asymptomatic cases; and

(H) building laboratory capacity.

(d) ROLES OF THE DEPARTMENT OF STATE, USAID, AND THE DEPARTMENT OF HEALTH AND HUMAN SERVICES IN INTERNATIONAL PANDEMIC RESPONSE.—

(1) DESIGNATION OF LEAD AGENCIES FOR COORDINATION OF THE UNITED STATES' INTERNATIONAL RESPONSE TO INFECTIOUS DISEASE OUTBREAKS WITH SEVERE OR PANDEMIC POTENTIAL.—The President shall designate relevant Federal departments and agencies, including the Department of State, USAID, and the Department of Health and Human Services (including the Centers for Disease Control and Prevention), to lead specific aspects of the United States international response to outbreaks of emerging high-consequence infectious disease threats.

(2) NOTIFICATION.—Not later than 120 days after the date of the enactment of this Act, the President shall notify the appropriate congressional committees, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives of the designations made pursuant to paragraph (1), including detailed descriptions of the roles and responsibilities of each relevant department and agency.

(e) USAID DISASTER SURGE CAPACITY.—

(1) DISASTER SURGE CAPACITY.—Amounts appropriated or otherwise made available to carry out part I and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 and 2346), including funds made available for ''Assistance for Europe, Eurasia and Central Asia'', may be used, in addition to amounts otherwise made available for such purposes, for the cost (including support costs) of individuals detailed to or employed by USAID whose primary responsibility is to carry out programs in response to global health emergencies and natural or manmade disasters.

(2) NOTIFICATION.—Not later than 15 days before making funds available to address manmade disasters pursuant to paragraph (1), the Secretary of State or the USAID Administrator shall notify the appropriate congressional committees of such intended action.

SEC. 6294. INTERNATIONAL PANDEMIC PREVENTION AND PREPAREDNESS.

(a) UNITED STATES INTERNATIONAL ACTIVITIES TO ADVANCE GLOBAL HEALTH SECURITY AND DIPLOMACY STRATEGY AND REPORT.—

(1) IN GENERAL.—The President shall develop, update, maintain, and advance a comprehensive strategy for improving United States global health security and diplomacy for pandemic prevention, preparedness which, consistent with the purposes of this subtitle, shall —

(A) clearly articulate United States policy goals related to pandemic prevention, preparedness, and response, including through actions to strengthen diplomatic leadership and the effectiveness of United States foreign assistance for global health security through advancement of a One Health approach, the Global Health Security Agenda, the International Health Regulations (2005), and other relevant frameworks that contribute to pandemic prevention and preparedness;

(B) establish specific and measurable goals, benchmarks, timetables, performance metrics, and monitoring and evaluation plans for United States foreign policy and assistance for global health security that promote learning and adaptation and reflect international best practices relating to global health security, transparency, and accountability;

(C) establish transparent mechanisms to improve coordination and avoid duplication of effort between and among the relevant Federal departments and agencies, partner countries, donor countries, the private sector, multilateral organizations, and other key stakeholders;

(D) prioritize working with partner countries with—

(i) demonstrated need, as identified through the Joint External Evaluation process, the Global Health Security Index classification of health systems, national action plans for health security, Global Health Security Agenda, other risk-based assessments, and complementary or successor indicators of global health security and pandemic preparedness; and

(ii) demonstrated commitment to transparency, including budget and global health data transparency, complying with the International Health Regulations (2005), investing in domestic health systems, and achieving measurable results;

(E) reduce long-term reliance upon United States foreign assistance for global health security by—

(i) ensuring that United States global health assistance authorized under this subtitle is strategically planned and coordinated in a manner that delivers immediate

impact and contributes to enduring results, including through efforts to enhance community capacity and resilience to infectious disease threats and emergencies; and

(ii) ensuring partner country ownership of global health security strategies, data, programs, and outcomes and improved domestic resource mobilization, co-financing, and appropriate national budget allocations for global health security and pandemic prevention, preparedness, and response;

(F) assist partner countries in building the technical capacity of relevant ministries, systems, and networks to prepare, execute, monitor, and evaluate national action plans for global health security and pandemic prevention, preparedness, and response that are developed with input from key stakeholders, including mechanism to enhance budget and global health data transparency, as necessary and appropriate;

(G) support and align United States foreign assistance authorized under this subtitle with such national action plans for health security and pandemic prevention, preparedness, and response, as appropriate;

(H) facilitate communication and collaboration, as appropriate, among local stakeholders in support of country-led strategies and initiatives to better identify and prevent health impacts related to deforestation, climate-related events, and increased unsafe interactions between wildlife, livestock, and people contributing to the emergence, re-emergence, and spread of zoonoses;

(I) support global health budget and workforce planning in partner countries, consistent with the purposes of this subtitle, including training in financial management and budget and global health data transparency;

(J) strengthen linkages between complementary bilateral and multilateral foreign assistance programs, including efforts of the World Bank, the World Health Organization, the Global Fund to Fight AIDS, Tuberculosis, and Malaria, and Gavi, the Vaccine Alliance, that contribute to the development of more resilient health systems and global supply chains for global health security and pandemic prevention, preparedness, and response in partner countries with the capacity, resources, and personnel required to prevent, detect, and respond to infectious disease threats; and

(K) support innovation and partnerships with the private sector, health organizations, civil society, nongovernmental, faith-based and indigenous organizations, and health research and academic institutions to improve pandemic prevention, preparedness, and response, including for the development and deployment of effective and accessible infectious disease tracking tools, diagnostics, therapeutics, and vaccines.

(2) SUBMISSION OF STRATEGY.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President, in consultation with the heads of the relevant Federal departments and agencies, shall submit the strategy required under paragraph (1) to—

(i) the appropriate congressional committees;

(ii) the Committee on Health, Education, Labor, and Pensions of the Senate; and

(iii) the Committee on Energy and Commerce of the House of Representatives.

(B) AGENCY-SPECIFIC PLANS.—The strategy required under paragraph (1) shall include specific implementation plans from each relevant Federal department and agency that describe—

(i) the anticipated contributions of the Federal department or agency, including technical, financial, and in-kind contributions, to implement the strategy; and

(ii) the efforts of the Federal department or agency to ensure that the activities and programs carried out pursuant to the strategy are designed to achieve maximum impact and long-term sustainability.

(3) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than 1 year after the submission of the strategy pursuant to paragraph (2), and not later than October 1 of each year thereafter, the President shall submit a report to the committees referred to in paragraph (2)(A) that describes the status of the implementation of such strategy.

(B) CONTENTS.—Each report submitted pursuant to subparagraph (A) shall—

(i) identify any substantial changes made to the strategy during the preceding calendar year;

(ii) describe the progress made in implementing the strategy, including specific information related to the progress toward improving countries' ability to detect, prevent, and respond to infectious disease threats, such as COVID–19 and Ebola;

(iii) identify—

(I) the indicators used to establish benchmarks and measure results over time; and

(II) the mechanisms for reporting such results in an open and transparent manner;

(iv) contain a transparent, open, and detailed accounting of obligations by relevant Federal departments and agencies to implement the strategy, including, to the extent practicable, for each such Federal department and agency, the statutory source of obligated funds, the amounts obligated, implementing partners and sub-partners, targeted beneficiaries, and activities supported; and

(v) the efforts of the relevant Federal department or agency to ensure that the activities and programs carried out pursuant to the strategy are designed to achieve maximum impact and enduring results, including through specific activities to strengthen health systems for global health security and pandemic prevention, preparedness, and response, as appropriate.

(C) FORM.—The strategy and reports required under this subsection shall be submitted in unclassified form, but may contain a classified annex.

(b) ESTABLISHMENT OF THE UNITED STATES GLOBAL HEALTH SECURITY AGENDA INTERAGENCY REVIEW COUNCIL.—

(1) STATEMENT OF POLICY.—It is the policy of the United States—

(A) to promote and invest in global health security and pandemic prevention, preparedness, and response as a core national and security interest;

(B) to advance the aims of the Global Health Security Agenda;

(C) to collaborate with other countries to promote early detection and mitigation of infectious disease threats before such threats become pandemics; and

(D) to encourage and support other countries to advance pandemic prevention and preparedness by investing in resilient and sustainable health systems for global health security and pandemic prevention and preparedness.

(2) ESTABLISHMENT.—The President shall establish a Global Health Security Agenda Interagency Review Council (referred to in this section as the ''Council'') to carry out the activities described in paragraphs (4) and (7).

(3) MEETINGS.—The Council shall meet not fewer than 4 times each year to advance its mission and fulfill its responsibilities.

(4) GENERAL RESPONSIBILITIES.—The Council shall—

(A) provide policy-level recommendations to participating agencies regarding Global Health Security Agenda goals, objectives, and implementation, and other international efforts to strengthen pandemic preparedness and response;

(B) facilitate interagency, multi-sectoral engagement to carry out GHSA implementation;

(C) provide a forum for raising and working to resolve interagency disagreements concerning the GHSA, and other international efforts to strengthen pandemic preparedness and response;

(D) review the progress toward, and work to resolve challenges in achieving, United States commitments under the GHSA, including commitments to assist other countries in achieving the GHSA targets; and

(E) consider, among other issues—

(i) the status of United States financial commitments to the GHSA in the context of commitments by other donors, and the contributions of partner countries to achieve the GHSA targets;

(ii) the progress toward the milestones outlined in—

(I) GHSA national plans for countries in which the United States Government has committed to assist in implementing the GHSA; and

(II) annual work plans outlining agency priorities for implementing the GHSA; and

(iii) the external evaluations of United States and partner country capabilities to address infectious disease threats, including the ability to achieve the targets outlined within the World Health Organization's Joint External Evaluation Tool, and gaps identified by such external evaluations.

(5) PARTICIPATION.—The Council—

(A) shall be headed by the Assistant to the President for National Security Affairs, in coordination with the heads of relevant Federal agencies; and

(B) should consist of representatives each of the relevant Federal departments and agencies, as determined by the President.

(6) RESPONSIBILITIES OF FEDERAL DEPARTMENTS AND AGENCIES.—The Assistant to the President for National Security Affairs and the Council may not assume any responsibilities or authorities of the head of any Federal department, agency, or office, including the foreign affairs responsibilities and authorities of the Secretary of State to oversee the implementation of programs and policies that advance global health security within foreign countries.

(7) SPECIFIC ROLES AND RESPONSIBILITIES.—

(A) IN GENERAL.—The heads of the agencies referred to in paragraph (5) shall—

(i) make the implementation of the GHSA and global pandemic preparedness a high priority within their respective agencies;

(ii) include activities related to the GHSA and global pandemic preparedness within their respective agencies' strategic planning and budget processes;

(iii) designate a senior-level official to be responsible for the implementation of this subsection;

(iv) designate, in accordance with paragraph (5), an appropriate representative at the Assistant Secretary level or higher to participate on the Council;

(v) keep the Council apprised of GHSA-related activities undertaken within their respective agencies;

(vi) maintain responsibility for agency-related programmatic functions in coordination with other relevant Federal agencies, governments in partner countries, country teams, and GHSA in-country teams;

(vii) coordinate with other Federal agencies that are identified in this section—

(I) to satisfy programmatic goals; and

(II) to further facilitate coordination of country teams, implementers, and donors in partner countries; and

(viii) coordinate across national health security action plans and with GHSA and other

appropriate partners to which the United States is providing assistance.

(B) ADDITIONAL ROLES AND RESPONSIBILITIES.—In addition to the roles and responsibilities described subparagraph (A), the heads of relevant Federal departments and agencies should carry out their respective roles and responsibilities described in—

(i) Executive Order 13747 (81 Fed. Reg. 78701; relating to Advancing the Global Health Security Agenda to Achieve a World Safe and Secure from Infectious Disease Threats); and

(ii) National Security Directive on United States Global Leadership to Strengthen the International COVID–19 Response and to Advance Global Health Security and Biological Preparedness, issued on January 21, 2021.

(c) ORGANIZATION OF UNITED STATES INTERNATIONAL ACTIVITIES TO ADVANCE GLOBAL HEALTH SECURITY AND DIPLOMACY.—

(1) ESTABLISHMENT.—There is established, within the Department of State, the position of Special Representative for United States International Activities to Advance Global Health Security and Diplomacy Overseas (referred to in this section as the ''Special Representative'').

(2) APPOINTMENT; QUALIFICATIONS.—The Special Representative—

(A) shall be appointed by the President, by and with the advice and consent of the Senate;

(B) shall report to the Secretary of State; and

(C) shall have—

(i) demonstrated knowledge and experience in the fields of development and public health, epidemiology, or medicine; and

(ii) relevant diplomatic, policy, and political expertise.

(3) AUTHORITIES.—The Special Representative may—

(A) operate internationally to carry out the purposes of this section;

(B) ensure effective coordination, management, and oversight of United States foreign policy, diplomatic efforts, and foreign assistance funded with amounts appropriated to carry out this subtitle to advance the relevant elements of the United States Global Health Security and Diplomacy Strategy developed pursuant to subsection (a) by—

(i) formulating, issuing, and updating related policy guidance;

(ii) establishing, in coordination with USAID and the Department of Health and Human Services, unified auditing, monitoring, and evaluation plans;

(iii) avoiding duplication of effort and working to resolve policy, program, and funding disputes among the relevant Federal departments and agencies;

(iv) leading diplomatic efforts to identify and address current and emerging threats to global health security;

(v) ensuring, in consultation with the Secretary of Health and Human Services and the USAID Administrator, effective representation of the United States in relevant international forums, including the World Health Organization, the World Health Assembly, and meetings of the Global Health Security Agenda and of the Global Health Security Initiative;

(vi) working to enhance coordination with, and transparency among, the governments of partner countries and key stakeholders, including the private sector;

(vii) promoting greater donor and national investment in partner countries to build health systems and supply chains for global health security and pandemic prevention and preparedness;

(viii) securing bilateral and multilateral financing commitments to advance the Global Health Security Agenda, in coordination with relevant Federal departments and agencies, including through funding for the financing mechanism described in section 6295; and

(ix) providing regular updates to the appropriate congressional committees, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives regarding the fulfillment of the activities described in this paragraph;

(C) represent the United States in the multilateral, catalytic financing mechanism described in section 6295;

(D) utilize detailees, on a reimbursable or nonreimbursable basis, from relevant Federal departments and agencies and hire personal service contractors, who may operate domestically and internationally, to ensure that the Office of the Special Representative has access to the highest quality experts available to the United States Government to carry out the functions under this subtitle; and

(E) perform such other functions as the Secretary of State may assign.

(d) STRENGTHENING HEALTH SYSTEMS FOR GLOBAL HEALTH SECURITY AND PANDEMIC PREVENTION AND PREPAREDNESS.—

(1) STATEMENT OF POLICY.—It is the policy of the United States to ensure that bilateral global health assistance programs are effectively managed and coordinated, as necessary and appropriate to achieve the purposes of this subtitle, to contribute to the strengthening of health systems for global health security and pandemic prevention, preparedness, and response in each country in which such programs are carried out.

(2) COORDINATION.—The USAID Administrator shall work with the Global Malaria Coordinator, the United States Global AIDS Coordinator, the Special Representative for Global Health Diplomacy at the Department of State, and, as appropriate, the Secretary of Health and Human Services, to identify areas of collaboration and coordination in countries with global health programs and activities undertaken by USAID pursuant to the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25) and other relevant statutes to ensure that such activities contribute to the strengthening of health systems for global health security and pandemic prevention and preparedness.

(e) INTERNATIONAL PANDEMIC EARLY WARNING NETWORK.—

(1) IN GENERAL.—The Secretary of State and the Secretary of Health and Human Services, in coordination with the USAID Administrator, the Director of the Centers for Disease Control and Prevention, and the heads of the other relevant Federal departments and agencies, should work with the World Health Organization and other key stakeholders to establish or strengthen effective early warning systems, at the partner country, regional, and international levels, that utilize innovative information and analytical tools and robust review processes to track, document, analyze, and forecast infectious disease threats with epidemic and pandemic potential.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for the following 4 years, the Secretary of State, in coordination with the Secretary of Health and Human Services and the heads of the other relevant Federal departments and agencies, shall submit a report to the appropriate congressional committees, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives that describes United States Government efforts and opportunities to establish or strengthen effective early warning systems to detect infectious disease threats internationally.

(f) INTERNATIONAL EMERGENCY OPERATIONS.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that it is essential to enhance the capacity of key stakeholders to effectively operationalize early warning and execute multi-sectoral emergency operations during an infectious disease outbreak, particularly in countries and areas that deliberately withhold critical global health data and delay access during an infectious disease outbreak in advance of the next infectious disease outbreak with pandemic potential.

(2) PUBLIC HEALTH EMERGENCIES OF INTERNATIONAL CONCERN.—The Secretary of State, in coordination with the Secretary of Health and Human Services, should work with the World Health Organization and like-minded member states to adopt an approach toward assessing infectious disease threats under the International Health Regulations (2005) for the World Health Organization to identify and transparently communicate, on an ongoing basis, varying levels of risk leading up to a declaration by the Director General of the World Health Organization of a Public Health Emergency of International Concern for the duration and in the aftermath of such declaration.

(3) EMERGENCY OPERATIONS.—The Secretary of State and the Secretary of Health and Human Services, in coordination with the USAID Administrator, the Director of the Centers for Disease Control and Prevention, and the heads of other relevant Federal departments and agencies, and consistent with the requirements under the International Health Regulations (2005) and the objectives of the World Health Organization's Health Emergencies Programme, the Global Health Security Agenda, and national actions plans for health security, shall work, in cooperation with the World Health Organization, with partner countries and other key stakeholders to support the establishment, strengthening, and rapid response capacity of global health emergency operations centers, at the partner country and international levels, including efforts—

(A) to collect and share public health data, assess risk, and operationalize early warning;

(B) to secure, including through utilization of stand-by arrangements and emergency funding mechanisms, the staff, systems, and resources necessary to execute cross-sectoral emergency operations during the 48-hour period immediately following an infectious disease outbreak with pandemic potential; and

(C) to organize and conduct emergency simulations.

SEC. 6295. INTERNATIONAL FINANCING MECHANISM FOR GLOBAL HEALTH SECURITY AND PANDEMIC PREVENTION AND PREPAREDNESS.

(a) DEFINED TERM.—In this section, the term ''eligible partner country'' means a country in which the Fund for Global Health Security and Pandemic Prevention and Preparedness established pursuant to subsection (b) may finance global health security and pandemic prevention and preparedness assistance programs under this subtitle based on—

(1) the country's demonstrated need, as identified through the IHR (2005) Monitoring and Evaluation Framework, the Global Health Security Index classification of health systems, national action plans for health security, the World Organization for Animal Health's Performance of Veterinary Services evaluation, and other complementary or successor indicators of global health security and pandemic prevention and preparedness; and

(2) the country's commitment to transparency, including—

(A) budget and global health data transparency;

(B) its compliance with the International Health Regulations (2005);

(C) investments in domestic health systems; and

(D) the achievement of measurable results.

(b) ESTABLISHMENT OF FUND FOR GLOBAL HEALTH SECURITY AND PANDEMIC PREVENTION AND PREPAREDNESS.—

(1) NEGOTIATIONS.—The Secretary of State, in coordination with the USAID Administrator, the Secretary of Health and Human Services, and the heads of other relevant Federal departments and agencies, as necessary and appropriate, should seek to enter into negotiations with donors, relevant United Nations agencies, including the World Health Organization, and other key multilateral stakeholders, to establish—

(A) a multilateral, catalytic financing mechanism for global health security and pandemic prevention and preparedness, which may be formed as financial intermediary fund of the World Bank and be known as the Fund for Global Health Security and Pandemic Prevention and Preparedness (referred to in this section as ''the Fund''), in accordance with the provisions of this subsection; and

(B) a Technical Advisory Panel to the Fund, in accordance with subsection (e).

(2) PURPOSES.—The purposes of the Fund should be—

(A) to close critical gaps in global health security and pandemic prevention and preparedness; and

(B) to work with, and build the capacity of, eligible partner countries in the areas of global health security, infectious disease control, and pandemic prevention and preparedness in order to—

(i) prioritize capacity building and financing availability in eligible partner countries;

(ii) incentivize countries to prioritize the use of domestic resources for global health security and pandemic prevention and preparedness;

(iii) leverage governmental, nongovernmental, and private sector investments;

(iv) regularly respond to and evaluate progress based on clear metrics and benchmarks, such as those developed through the IHR (2005) Monitoring and Evaluation Framework and the Global Health Security Index;

(v) align with and complement ongoing bilateral and multilateral efforts and financing, including through the World Bank, the World Health Organization, the Global Fund to Fight AIDS, Tuberculosis, and Malaria, the Coalition for Epidemic Preparedness and Innovation, and Gavi, the Vaccine Alliance; and

(vi) help countries accelerate and achieve compliance with the International Health Regulations (2005) and fulfill the Global Health Security Agenda 2024 Framework not later than 8 years after the date on which the Fund is established, in coordination with the ongoing Joint External Evaluation national action planning process.

(3) EXECUTIVE BOARD.—

(A) IN GENERAL.—The Fund should be governed by a transparent and accountable body (referred to in this section as the ''Executive Board''), which should—

(i) function as a partnership with, and through full engagement by, donor governments, eligible partner countries, and independent civil society; and

(ii) be composed of not more than 21 representatives of governments, foundations, academic institutions, independent civil society, indigenous people, vulnerable communities, frontline health workers, and the private sector with demonstrated commitment to carrying out the purposes of the Fund and upholding transparency and accountability requirements.

(B) DUTIES.—The Executive Board should—

(i) be charged with approving strategies, operations, and grant making authorities such that it is able to conduct effective fiduciary, monitoring, and evaluation efforts, and other oversight functions;

(ii) determine operational procedures to enable the Fund to effectively fulfill its mission;

(iii) provide oversight and accountability for the Fund in collaboration with the Inspector General established pursuant to subsection (d)(5)(A)(i);

(iv) develop and utilize a mechanism to obtain formal input from eligible partner countries, independent civil society, and implementing entities relative to program design, review, and implementation and associated lessons learned; and

(v) coordinate and align with other multilateral financing and technical assistance activities, and with the activities of the United States and other nations leading pandemic prevention, preparedness, and response activities in partner countries, as appropriate.

(C) COMPOSITION.—The Executive Board should include—

(i) representatives of the governments of founding member countries who, in addition to meeting the requirements under subparagraph (A), qualify based upon—

(I) meeting an established initial contribution threshold, which should be not less than 10 percent of the country's total initial contributions; and

(II) demonstrating a commitment to supporting the International Health Regulations (2005);

(ii) a geographically diverse group of members from donor countries, academic institutions, independent civil society, including faith-based and indigenous organizations, and the private sector who are selected on the basis of their experience and commitment to innovation, best practices, and the advancement of global health security objectives;

(iii) representatives of the World Health Organization, to serve in an observer status; and

(iv) the chair of the Global Health Security Agenda Steering Group, to serve in an observer status.

(D) CONTRIBUTIONS.—Each government or private sector entity represented on the Executive Board should agree to make annual contributions to the Fund in an amount that is not less than the minimum amount determined by the Executive Board.

(E) QUALIFICATIONS.—Individuals appointed to the Executive Board should have demonstrated knowledge and experience across a variety of sectors, including human and animal health, agriculture, development, defense, finance, research, and academia.

(F) CONFLICTS OF INTEREST.—All Executive Board members should be required to recuse themselves from matters presenting conflicts of interest, including financing decisions relating to such countries, bodies, and institutions.

(G) UNITED STATES REPRESENTATION.—

(i) FOUNDING MEMBER.—The Secretary of State should seek—

(I) to establish the United States as a founding member of the Fund; and

(II) to ensure the United States is represented on the Executive Board by an officer or employee of the United States who has been appointed by the President.

(ii) EFFECTIVE AND TERMINATION DATES.—

(I) EFFECTIVE DATE.—This subparagraph shall take effect on the date on which the Secretary of State submits to Congress a certified copy of the agreement establishing the Fund.

(II) TERMINATION DATE.—The membership established pursuant to clause (i) shall terminate upon the date of termination of the Fund.

(H) REMOVAL PROCEDURES.—The Fund should establish procedures for the removal of members of the Executive Board who—

(i) engage in a consistent pattern of human rights abuses;

(ii) fail to uphold global health data transparency requirements; or

(iii) otherwise violate the established standards of the Fund, including in relation to corruption.

(4) ENFORCEABILITY.—Any agreement concluded under the authorities provided under this subsection shall be legally effective and binding upon the United States, in accordance with the terms of the agreement—

(A) upon the enactment of appropriate implementing legislation that provides for the approval of the specific agreement or agreements, including attachments, annexes, and supporting documentation, as appropriate; or

(B) if concluded and submitted as a treaty, upon the approval by the Senate of the resolution of ratification of such treaty.

(c) AUTHORITIES.—

(1) PROGRAM OBJECTIVES.—

(A) IN GENERAL.—In carrying out the purpose described in subsection (b), the Fund, acting through the Executive Board, should—

(i) develop grant making requirements to be administered by an independent technical review panel comprised of entities barred from applying for funding or support;

(ii) provide grants, including challenge grants, technical assistance, concessional lending, catalytic investment funds, and other innovative funding mechanisms, in coordination with ongoing bilateral and multilateral United States assistance efforts, as appropriate—

(I) to help eligible partner countries close critical gaps in health security, as identified through the IHR (2005) Monitoring and Evaluation Framework, the Global Health Security Index classification of health systems, and national action plans for health security and other complementary or successor indicators of global health security and pandemic prevention and preparedness; and

(II) to support measures that enable such countries, at both the national and subnational levels, and in partnership with civil society and the private sector, to strengthen and sustain resilient health systems and supply chains for global health security and pandemic prevention and preparedness with the resources, capacity, and personnel required to prevent, detect, and respond to infectious disease threats before they become pandemics;

(iii) leverage the expertise, capabilities, and resources of proven, existing agencies and organizations to effectively target and manage resources for impact, including through alignment with, and co-financing of, complementary programs, as appropriate, in accordance with subparagraph (C); and

(iv) develop recommendations for a mechanism for assisting countries that are at high risk for the emergence or reemergence of pathogens with pandemic potential to participate in the Global Health Security Agenda and the Joint External Evaluations.

(B) ACTIVITIES SUPPORTED.—The activities to be supported by the Fund should include efforts—

(i) to enable eligible partner countries to formulate and implement national health security and pandemic prevention and preparedness action plans, advance action packages under the Global Health Security Agenda, and adopt and uphold commitments under the International Health Regulations (2005) and complementary or successor indicators of global health security and pandemic prevention and preparedness, as appropriate;

(ii) to support global health security budget planning in eligible partner countries, including training in public financial management, integrated and transparent budget and global health data and human resource information systems;

(iii) to strengthen the health security workforce, including hiring, training, and deploying experts and other essential staff, including community health workers, to improve frontline prevention of, and monitoring and preparedness for, unknown, new, emerging, or reemerging pathogens of pandemic potential, including capacity to surge and manage additional staff during emergencies;

(iv) to improve the quality of community health worker programs as the foundation of pandemic preparedness and response through application of appropriate assessment tools;

(v) to improve—

(I) infection prevention and control;

(II) the protection of healthcare workers, including community health workers; and

(III) access to water and sanitation within healthcare settings;

(vi) to combat the threat of antimicrobial resistance;

(vii) to strengthen laboratory capacity and promote biosafety and biosecurity through the provision of material and technical assistance;

(viii) to reduce the risk of—

(I) bioterrorism;

(II) the emergence, reemergence, or spread of zoonotic disease (whether through loss of natural habitat, the commercial trade in wildlife for human consumption, or other means); and

(III) accidental biological release;

(ix) to build technical capacity to manage, as appropriate, supply chains for global health security and pandemic prevention and preparedness through effective forecasting, procurement, warehousing, and delivery from central warehouses to points of service in the public and private sectors;

(x) to enable bilateral, regional, and international partnerships and cooperation, including through pandemic early warning systems and emergency operations centers, to identify and address transnational infectious disease threats exacerbated by natural and man-made disasters, human displacement, and zoonotic infection;

(xi) to establish partnerships for the sharing of best practices and enabling eligible countries to meet targets and indicators under the IHR (2005) Monitoring and Evaluation Framework, the Global Health Security Index classification of health systems, and national action plans for health security relating to the prevention, detection, and treatment of neglected tropical diseases;

(xii) to develop and utilize metrics to monitor and evaluate programmatic performance and identify best practices, including in accordance with the IHR (2005) Monitoring and Evaluation Framework, including Joint External Evaluation benchmarks, Global Health Security Agenda targets, and Global Health Security Index indicators;

(xiii) to develop and deploy mechanisms to enhance and independently monitor the transparency and accountability of global health security and pandemic prevention and preparedness programs and data, in compliance with the International Health Regulations (2005), including through the sharing of trends, risks, and lessons learned;

(xiv) to promote broad participation in health emergency planning and advisory bodies, including by women and frontline health workers;

(xv) to develop and implement simulation exercises, to produce and release after action reports, and to address related gaps;

(xvi) to support countries in conducting Joint External Evaluations;

(xvii) to improve disease surveillance capacity in partner counties, including at the community level, to improve such countries' capacity to detect and respond to known and unknown pathogens and zoonotic infectious diseases; and

(xviii) to support governments through coordinated and prioritized assistance efforts to prevent the emergence, reemergence, or spread of zoonotic diseases caused by deforestation, commercial trade in wildlife for human consumption, climate-related events, and unsafe interactions between wildlife, livestock, and people.

(C) IMPLEMENTATION OF PROGRAM OBJECTIVES.—In carrying out the objectives described in subparagraph (A), the Fund should work to eliminate duplication and waste by upholding strict transparency and accountability standards and coordinating its programs and activities with key partners working to advance global health security and pandemic prevention and preparedness, including—

(i) governments, independent civil society, nongovernmental, faith-based, and indigenous organizations, research and academic institutions, and private sector entities in eligible partner countries;

(ii) the pandemic early warning systems and emergency operations centers to be established under subsections (e) and (f) of section 6294;

(iii) the World Health Organization;

(iv) the Global Health Security Agenda;

(v) the Global Health Security Initiative;

(vi) the Global Fund to Fight AIDS, Tuberculosis and Malaria;

(vii) the United Nations Office for the Coordination of Humanitarian Affairs, UNICEF, and other relevant funds, programs, and specialized agencies of the United Nations;

(viii) Gavi, the Vaccine Alliance;

(ix) the Coalition for Epidemic Preparedness Innovations;

(x) the World Organisation for Animal Health;

(xi) the United Nations Environment Programme;

(xii) the Food and Agriculture Organization;

(xiii) the Global Polio Eradication Initiative; and

(xiv) the Special Representative for United States International Activities to Advance Global Health Security and Diplomacy Overseas described in section 6294(c).

(2) PRIORITY.—In providing assistance under this subsection, the Fund should give priority to low-and lower middle income countries with—

(A) low scores on the Global Health Security Index classification of health systems;

(B) measurable gaps in global health security and pandemic prevention and preparedness identified under the IHR (2005) Monitoring and Evaluation Framework and national action plans for health security;

(C) demonstrated political and financial commitment to pandemic prevention and preparedness; and

(D) demonstrated commitment to—

(i) upholding global health budget and data transparency and accountability standards;

(ii) complying with the International Health Regulations (2005);

(iii) investing in domestic health systems; and

(iv) achieving measurable results.

(3) ELIGIBLE GRANT RECIPIENTS.—Governments and nongovernmental, faith-based and indigenous organizations should be eligible to receive grants described in this subsection.

(d) ADMINISTRATION.—

(1) APPOINTMENTS.—The Executive Board of the Fund should appoint—

(A) an Administrator, who should be responsible for managing the day-to-day operations of the Fund; and

(B) an independent Inspector General, who should be responsible for monitoring grants implementation and proactively safeguarding against conflicts of interests.

(2) AUTHORITY TO ACCEPT AND SOLICIT CONTRIBUTIONS.—The Fund should be authorized to solicit and accept contributions from governments, the private sector, foundations, individuals, and nongovernmental entities of all kinds.

(3) ACCOUNTABILITY; CONFLICTS OF INTEREST; CRITERIA FOR PROGRAMS.—As part of the negotiations described in subsection (b)(1), the Secretary of the State, consistent with paragraph (4), shall—

(A) take such actions as may be necessary to ensure that the Fund will have in effect adequate procedures and standards to account for and monitor the use of funds contributed to the Fund, including the cost of administering the Fund;

(B) seek to ensure there is agreement to put in place a conflict of interest policy to ensure fairness and a high standard of ethical conduct in the Fund's decision-making processes, including proactive procedures to screen staff for conflicts of interest and measures to address any conflicts, such as—

(i) potential divestments of interests;

(ii) prohibition from engaging in certain activities;

(iii) recusal from certain decision-making and administrative processes; and

(iv) representation by an alternate board member; and

(C) seek agreement on the criteria that should be used to determine the programs and activities that should be assisted by the Fund.

(4) SELECTION OF PARTNER COUNTRIES, PROJECTS, AND RECIPIENTS.—The Executive Board should establish—

(A) eligible partner country selection criteria, including transparent metrics to measure and assess global health security and pandemic prevention and preparedness strengths and vulnerabilities in countries seeking assistance;

(B) minimum standards for ensuring eligible partner country ownership and commitment to long-term results, including requirements for domestic budgeting, resource mobilization, and co-investment;

(C) criteria for the selection of projects to receive support from the Fund;

(D) standards and criteria regarding qualifications of recipients of such support; and

(E) such rules and procedures as may be necessary—

(i) for cost-effective management of the Fund; and

(ii) to ensure transparency and accountability in the grant-making process.

(5) ADDITIONAL TRANSPARENCY AND ACCOUNTABILITY REQUIREMENTS.—

(A) INSPECTOR GENERAL.—

(i) IN GENERAL.—The Secretary of State shall seek to ensure that the Fund maintains and independent Office of the Inspector General, appointed pursuant to paragraph (1)(B), who—

(I) is fully enabled to operate independently and transparently;

(II) is supported by and with the requisite resources and capacity to regularly conduct and publish, on a publicly accessible website, rigorous financial, programmatic, and reporting audits and investigations of the Fund and its grantees, including subgrantees; and

(III) establishes an investigative unit that—

(aa) develops an oversight mechanism to ensure that grant funds are not diverted to illicit or corrupt purposes or activities; and

(bb) submits an annual report to the Executive Board describing its activities, investigations, and results.

(ii) SENSE OF CONGRESS ON CORRUPTION.—It is the sense of Congress that—

(I) corruption within global health programs contribute directly to the loss of human life and cannot be tolerated; and

(II) in making financial recoveries relating to a corrupt act or criminal conduct committed by a grant recipient, as determined by the Inspector General, the responsible grant recipient should be assessed at a recovery rate of up to 150 percent of such loss.

(B) ADMINISTRATIVE EXPENSES; FINANCIAL TRACKING SYSTEMS.—The Secretary of State shall seek to ensure the Fund establishes, maintains, and makes publicly available—

(i) a system to track the administrative and management costs of the Fund on a quarterly basis; and

(ii) a system to track the amount of funds disbursed to each grant recipient and subrecipient during each grant's fiscal cycle.

(C) EXEMPTION FROM DUTIES AND TAXES.—The Secretary should ensure that the Fund adopts rules that condition grants upon agreement by the relevant national authorities in an eligible partner country to exempt from duties and taxes all products financed by such grants, including procurements by any principal or subrecipient for the purpose of carrying out such grants.

(e) TECHNICAL ADVISORY PANEL.—

(1) IN GENERAL.—There should be an Technical Advisory Panel to the Fund.

(2) APPOINTMENTS.—The members of the Technical Advisory Panel should be composed of—

(A) a geographically diverse group of individuals that includes representation from low- and middle-income countries;

(B) individuals with experience and leadership in the fields of development, global health, epidemiology, medicine, biomedical research, and social sciences; and

(C) representatives of relevant United Nations agencies, including the World Health Organization, and nongovernmental, faith-based, and indigenous organizations with on-the ground experience in implementing global health programs in low and lower-middle income countries.

(3) RESPONSIBILITIES.—The Technical Advisory Panel should provide advice and guidance to the Executive Board of the Fund on the development and implementation of programs and projects to be assisted by the Fund and on leveraging donations to the Fund.

(4) PROHIBITION ON PAYMENT OF COMPENSATION.—

(A) IN GENERAL.—Except for travel expenses (including per diem in lieu of subsistence), no member of the Technical Advisory Panel should receive compensation for services performed as a member of the Board.

(B) UNITED STATES REPRESENTATIVE.—Notwithstanding any other provision of law (including an international agreement), a representative of the United States on the Technical Advisory Panel may not accept compensation for services performed as a member of the Technical Advisory Panel, except that such representative may accept travel expenses, including per diem in lieu of subsistence, while away from the representative's home or regular place of business in the performance of services for the Technical Advisory Panel.

(5) CONFLICTS OF INTEREST.—Members of the Technical Advisory Panel should be required—

(A) to disclose any potential conflicts of interest before serving on the Technical Advisory Panel; and

(B) to recuse themselves from any matters that present any conflicts of interest during their service on the Technical Advisory Panel.

(f) REPORTS TO CONGRESS.—

(1) STATUS REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the USAID Administrator, and the heads of other relevant Federal departments and agencies, shall submit a report to the appropriate congressional committees that describes the progress of international negotiations to establish the Fund.

(2) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date on which the Fund is established, and annually thereafter for the duration of the Fund, the Secretary of State shall submit a report on the activities of the Fund to the appropriate congressional committees.

(B) REPORT ELEMENTS.—The report required under subparagraph (A) shall describe—

(i) the goals of the Fund;

(ii) the programs, projects, and activities supported by the Fund;

(iii) private and governmental contributions to the Fund; and

(iv) the criteria utilized to determine the programs and activities that should be assisted by the Fund, including baselines, targets, desired outcomes, measurable goals, and extent to which those goals are being achieved.

(3) GAO REPORT ON EFFECTIVENESS.—Not later than 2 years after the date on which the Fund is established, the Comptroller General of the United States shall submit a report to the appropriate congressional committees that evaluates the effectiveness of the Fund, including—

(A) the effectiveness of the programs, projects, and activities supported by the Fund; and

(B) an assessment of the merits of continued United States participation in the Fund.

(g) UNITED STATES CONTRIBUTIONS.—

(1) IN GENERAL.—Subject to paragraph (4)(C), the President may release Federal funding that has been appropriated by Congress for United States contributions to the Fund.

(2) NOTIFICATION.—The Secretary of State shall notify the appropriate congressional committees not later than 15 days before making a contribution to the Fund of—

(A) the amount of the proposed contribution;

(B) the total of funds contributed by other donors; and

(C) the national interests served by United States participation in the Fund.

(3) LIMITATION.—During the 5-year period beginning on the date of the enactment of this Act, the cumulative total of United States contributions to the Fund may not exceed 33 percent of the total contributions to the Fund from all sources.

(4) WITHHOLDINGS.—

(A) SUPPORT FOR ACTS OF INTERNATIONAL TERRORISM.—If the Secretary of State determines that the Fund has provided assistance to a country, the government of which the Secretary of State has determined, for purposes of section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371) has repeatedly provided support for acts of international terrorism, the United States shall withhold from its contribution to the Fund for the next fiscal year an amount equal to the amount expended by the Fund to the government of such country.

(B) EXCESSIVE SALARIES.—If the Secretary of State determines that the salary during any of the first 5 fiscal years beginning after the date of the enactment of this Act of any individual employed by the Fund exceeds the salary of the Vice President of the United States for such fiscal year, the United States should withhold from its contribution for the following fiscal year an amount equal to the aggregate difference between the 2 salaries.

(C) ACCOUNTABILITY CERTIFICATION REQUIREMENT.—The Secretary of State may withhold not more than 20 percent of planned United States contributions to the Fund until the Secretary certifies to the appropriate congressional committees that the Fund has established procedures to provide access by the Office of Inspector General of the Department of State, as cognizant Inspector General, the Inspector General of the Department of Health and Human Services, the USAID Inspector General, and the Comptroller General of the United States to the Fund's financial data and other information relevant to United States contributions to the Fund (as determined by the Inspector General of the Department of State, in consultation with the Secretary of State).

SEC. 6296. GENERAL PROVISIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary, for the 5-year period beginning on October 1, 2022, $5,000,000,000, which—

(A) shall be used to carry out sections 6299H and 6299I, in consultation with the appropriate congressional committees and subject to the requirements under chapters 1 and 10 of part I and section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.); and

(B) may include support for—

(i) enhancing pandemic prevention, preparedness, and response in partner countries through implementation of the Global Health Security and Diplomacy Strategy developed pursuant to section 6294; and

(ii) United States contributions to a multilateral, catalytic financing mechanism for global health security and pandemic prevention and preparedness described in section 6295.

(2) EXCEPTION.—Section 110 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107) shall not apply to assistance made available pursuant to this subsection.

(b) COMPLIANCE WITH THE FOREIGN AID TRANSPARENCY AND ACCOUNTABILITY ACT OF 2016.—Section 2(3) of the Foreign Aid Transparency and Accountability Act of 2016 (Public Law 114–191; 22 U.S.C. 2394c note) is amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(F) the International Pandemic Preparedness and COVID–19 Response Act of 2022.''.

SEC. 6297. SUNSET.

This subtitle, and the amendments to this subtitle, shall cease to be effective on September 30, 2027.

TITLE LXV—SPACE ACTIVITIES, STRATEGIC PROGRAMS, AND INTELLIGENCE MATTERS

SEC. 6501. SENSE OF THE SENATE ON PERSONNEL FOR THE SPACE DEVELOPMENT AGENCY.

It is the sense of the Senate that—

(1) as the Space Development Agency transfers into the United States Space Force in October 2022, the Space Development Agency should retain the original organizational structure during that process, including leadership positions;

(2) there should be a transfer of three Senior Executive Service positions authorized for the Department of Defense to the Space Development Agency;

(3) the modification described in paragraph (2) should be approved per the National Defense Authorization Act for Fiscal Year 2021 Joint Explanatory Statement, which directed that when the Space Development Agency transfers to the Department of the Air Force, the Space Development Agency shall retain the equivalent position of tier-3 Senior Executive Service; and

(4) the Director of the Space Development Agency should maintain equivalency to—

(A) the Commander of Space Systems Command;

(B) the Director of the Department of the Air Force Rapid Capabilities Office;

(C) the Director of the Space Security and Defense Program;

(D) the Director of the Space Warfighting Analysis Center;

(E) the Director of the Space Rapid Capabilities Office;

(F) the Commander of Space Operations Command; and

(G) the Commander of Space Training and Readiness Command.

SEC. 6502. AUTHORIZATION OF WORKFORCE DEVELOPMENT AND TRAINING PARTNERSHIP PROGRAMS WITHIN NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) IN GENERAL.—The Administrator for Nuclear Security may authorize management and operating contractors at covered facilities to develop and implement workforce development and training partnership programs with covered institutions to further the education and training of employees or prospective employees of such management and operating contractors in order to meet the requirements of section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a).

(b) CAPACITY.—To carry out subsection (a), a management and operating contractor at a covered facility may provide to a covered institution funding through grants or other means to cover the costs of the development and implementation of a workforce development and training partnership program authorized under subsection (a), including costs related to curriculum development, hiring of teachers, procurement of equipment and machinery, use of facilities or other properties, and provision of scholarships and fellowships.

(c) DEFINITIONS.—In this section:

(1) COVERED INSTITUTION.—The term ''covered institution'' means—

(A) a historically Black college or university;

(B) a Hispanic-serving institution; or

(C) a Tribal College or University.

(2) COVERED FACILITY.—The term ''covered facility'' means—

(A) Los Alamos National Laboratory, Los Alamos, New Mexico; or

(B) the Savannah River Site, Aiken, South Carolina.

(3) HISPANIC-SERVING INSTITUTION.—The term ''Hispanic-serving institution'' has the meaning given that term in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101a).

(4) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term ''historically Black college or university'' has the meaning given the term ''part B institution'' in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(5) PROSPECTIVE EMPLOYEE.—The term ''prospective employee'' means an individual who has applied or who, based on their field of study and experience, is likely to apply for a position of employment with a management and operating contractor to support plutonium pit production at a covered facility.

(6) TRIBAL COLLEGE OR UNIVERSITY.—The term ''Tribal College or University'' has the meaning given that term in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c).

SEC. 6503. IRAN NUCLEAR WEAPONS CAPABILITY AND TERRORISM MONITORING ACT OF 2022.

(a) SHORT TITLE.—This section may be cited as the ''Iran Nuclear Weapons Capability and Terrorism Monitoring Act of 2022''.

(b) FINDINGS.—Congress makes the following findings:

(1) In the late 1980s, the Islamic Republic of Iran established the AMAD Project with the intent to manufacture 5 nuclear weapons and prepare an underground nuclear test site.

(2) Since at least 2002, the Islamic Republic of Iran has advanced its nuclear and ballistic missile programs, posing serious threats to the security interests of the United States, Israel, and other allies and partners.

(3) In 2002, nuclear facilities in Natanz and Arak, Iran, were revealed to the public by the National Council of Resistance of Iran.

(4) On April 11, 2006, the Islamic Republic of Iran announced that it had enriched uranium for the first time to a level close to 3.5 percent at the Natanz Pilot Fuel Enrichment Plant, Natanz, Iran.

(5) On December 23, 2006, the United Nations Security Council adopted Resolution 1737 (2006), which imposed sanctions with respect to the Islamic Republic of Iran for its failure to suspend enrichment activities.

(6) The United Nations Security Council subsequently adopted Resolutions 1747 (2007), 1803 (2008), and 1929 (2010), all of which targeted the nuclear program of and imposed additional sanctions with respect to the Islamic Republic of Iran.

(7) On February 3, 2009, the Islamic Republic of Iran announced that it had launched its first satellite, which raised concern over the applicability of the satellite to the ballistic missile program.

(8) In September 2009, the United States, the United Kingdom, and France revealed the existence of the clandestine Fordow Fuel Enrichment Plant in Iran, years after construction started on the plant.

(9) In 2010, the Islamic Republic of Iran reportedly had enriched uranium to a level of 20 percent.

(10) On March 9, 2016, the Islamic Republic of Iran launched 2 variations of the Qadr medium-range ballistic missile.

(11) On January 28, 2017, the Islamic Republic of Iran conducted a test of a medium-range ballistic missile, which traveled an estimated 600 miles.

(12) In 2018, Israel seized a significant portion of the nuclear archive of the Islamic Republic of Iran, which contained tens of thousands of files and compact discs relating to past efforts at nuclear weapon design, development, and manufacturing by the Islamic Republic of Iran.

(13) On September 27, 2018, Israel revealed the existence of a warehouse housing radioactive material in the Turquz Abad district in Tehran, and an inspection of the warehouse by the International Atomic Energy Agency detected radioactive particles, which the Government of the Islamic Republic of Iran failed to adequately explain.

(14) On January 8, 2020, an Iranian missile struck an Iraqi military base where members of the United States Armed Forces were stationed, resulting in 11 of such members being treated for injuries.

(15) On June 19, 2020, the International Atomic Energy Agency adopted Resolution GOV/2020/34 expressing ''serious concern. . . that Iran has not provided access to the Agency under the Additional Protocol to two locations''.

(16) On November 28, 2020, following the death of the head of the Organization of Defense Innovation and Research of the Islamic Republic of Iran, the Supreme Leader of the Islamic Republic of Iran vowed to ''to continue the martyr's scientific and technological efforts in all the sectors where he was active'' in the ''nuclear and defense fields''.

(17) On April 17, 2021, the International Atomic Energy Agency verified that the Islamic Republic of Iran had begun to enrich uranium to 60 percent purity.

(18) On August 14, 2021, President of Iran Hassan Rouhani stated that ''Iran's Atomic Energy Organization can enrich uranium by 20 percent and 60 percent and if one day our reactors need it, it can enrich uranium to 90 percent purity''.

(19) On November 9, 2021, the Islamic Republic of Iran completed Zolfaghar-1400, a 3-day war game that included conventional navy, army, air force, and air defense forces testing cruise missiles, torpedoes, and suicide drones in the Strait of Hormuz, the Gulf of Oman, the Red Sea, and the Indian Ocean.

(20) On December 20, 2021, the Islamic Republic of Iran commenced a 5-day drill in which it launched a number of short- and long-range ballistic missiles that it claimed could destroy Israel, constituting an escalation in the already genocidal rhetoric of the Islamic Republic of Iran toward Israel.

(21) On January 13, 2022, the head of the Islamic Revolutionary Guards Corps Aerospace Force claimed that the military launched a solid-fuel, mobile satellite launch rocket, with implications for development of an intercontinental ballistic missile.

(22) On January 24, 2022, Houthi rebels, backed by the Islamic Republic of Iran, fired 2 missiles at Al Dhafra Air Base in the United Arab Emirates, which hosts around 2,000 members of the Armed Forces of the United States.

(23) On January 31, 2022, surface-to-air interceptors of the United Arab Emirates shot down a Houthi missile fired at the United Arab Emirates during a visit by President of Israel Isaac Herzog, the first-ever visit of an Israeli President to the United Arab Emirates.

(24) On February 9, 2022, the Islamic Republic of Iran unveiled a new surface-to-surface missile, named ''Kheibar Shekan'', which has a reported range of 900 miles (1450 kilometers) and is capable of penetrating missile shields.

(25) On March 13, 2022, the Islamic Republic of Iran launched 12 missiles into Erbil, Iraq, which struck near a consulate building of the United States.

(26) On April 17, 2022, the Islamic Republic of Iran confirmed the relocation of a production facility for advanced centrifuges from an aboveground facility at Karaj, Iran, to the fortified underground Natanz Enrichment Complex.

(27) On April 19, 2022, the Department of State released a report stating that there are ''serious concerns'' about ''possible undeclared nuclear material and activities in Iran''.

(28) On May 30, 2022, the International Atomic Energy Agency reported that the Islamic Republic of Iran had achieved a stockpile of 43.3 kilograms, equivalent to 95.5 pounds, of 60 percent highly enriched uranium, roughly enough material for a nuclear weapon.

(29) On June 8, 2022, the Islamic Republic of Iran turned off surveillance cameras installed by the International Atomic Energy Agency to monitor uranium enrichment activities at nuclear sites in the country.

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department of State has used evidence of the intent of the Islamic Republic of Iran to advance a nuclear program to secure the support of the international community in passing and implementing United Nations Security Council Resolutions on the Islamic Republic of Iran;

(2) intelligence agencies have compiled evidence of the intent of the Islamic Republic of Iran to advance a nuclear program, with evidence of a nuclear program prior to 2003;

(3) an Islamic Republic of Iran that possesses a nuclear weapons capability would be a serious threat to the national security of the United States, Israel, and other allies and partners;

(4) the Islamic Republic of Iran has been less than cooperative with international inspectors from the International Atomic Energy Agency and has obstructed their ability to inspect nuclear facilities across Iran;

(5) the Islamic Republic of Iran continues to advance missile programs, which are a threat to the national security of the United States, Israel, and other allies and partners;

(6) the Islamic Republic of Iran continues to support proxies in the Middle East in a manner that—

(A) undermines the sovereignty of regional governments;

(B) threatens the safety of United States citizens;

(C) threatens United States allies and partners; and

(D) directly undermines the national security interests of the United States;

(7) the Islamic Republic of Iran has engaged in assassination plots against former United States officials and has been implicated in plots to kidnap United States citizens within the United States;

(8) the Islamic Republic of Iran is engaged in unsafe and unprofessional maritime activity that threatens the movement of naval vessels of the United States and the free flow of commerce through strategic maritime chokepoints in the Middle East and North Africa;

(9) the Islamic Republic of Iran has delivered hundreds of armed drones to the Russian Federation, which will enable Vladimir Putin to continue the assault against Ukraine in direct opposition of the national security interests of the United States; and

(10) the United States must—

(A) ensure that the Islamic Republic of Iran does not develop a nuclear weapons capability;

(B) protect against aggression from the Islamic Republic of Iran manifested through its missiles program; and

(C) counter regional and global terrorism of the Islamic Republic of Iran in a manner that minimizes the threat posed by state and non-state actors to the interests of the United States.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Natural Resources, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Commerce, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) COMPREHENSIVE SAFEGUARDS AGREEMENT.—The term ''Comprehensive Safeguards Agreement'' means the Agreement between the Islamic Republic of Iran and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, done at Vienna June 19, 1973.

(3) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(4) TASK FORCE.—The term ''task force'' means the task force established under subsection (e).

(5) UNMANNED AIRCRAFT SYSTEM.—The term ''unmanned aircraft system'' has the meaning given the term in section 44801 of title 49, United States Code.

(e) ESTABLISHMENT OF INTERAGENCY TASK FORCE ON NUCLEAR ACTIVITY AND GLOBAL REGIONAL TERRORISM OF THE ISLAMIC REPUBLIC OF IRAN.—

(1) ESTABLISHMENT.—The Secretary of State shall establish a task force to coordinate and synthesize efforts by the United States Government regarding—

(A) nuclear activity of the Islamic Republic of Iran or its proxies; and

(B) regional and global terrorism activity by the Islamic Republic of Iran or its proxies.

(2) COMPOSITION.—

(A) CHAIRPERSON.—The Secretary of State shall be the Chairperson of the task force.

(B) MEMBERSHIP.—

(i) IN GENERAL.—The task force shall be composed of individuals, each of whom shall be an employee of and appointed to the task force by the head of one of the following agencies:

(I) The Department of State.

(II) The Office of the Director of National Intelligence.

(III) The Department of Defense.

(IV) The Department of Energy.

(V) The Central Intelligence Agency.

(ii) ADDITIONAL MEMBERS.—The Chairperson may appoint to the task force additional individuals from other Federal agencies, as the Chairperson considers necessary.

(3) SUNSET.—The task force shall terminate on December 31, 2028.

(f) ASSESSMENTS.—

(1) INTELLIGENCE ASSESSMENT ON NUCLEAR ACTIVITY.—

(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and every 120 days thereafter until December 31, 2028, the Director of National Intelligence shall submit to the appropriate congressional committees an assessment regarding any uranium enrichment, nuclear weapons development, delivery vehicle development, and associated engineering and research activities of the Islamic Republic of Iran.

(B) CONTENTS.—The assessment required by subparagraph (A) shall include—

(i) a description and location of current fuel cycle activities for the production of fissile material being undertaken by the Islamic Republic of Iran, including—

(I) research and development activities to procure or construct additional advanced IR-2, IR-6 and other model centrifuges and enrichment cascades, including for stable isotopes;

(II) research and development of reprocessing capabilities, including—

(aa) reprocessing of spent fuel; and

(bb) extraction of medical isotopes from irradiated uranium targets;

(III) activities with respect to designing or constructing reactors, including—

(aa) the construction of heavy water reactors;

(bb) the manufacture or procurement of reactor components, including the intended application of such components; and

(cc) efforts to rebuild the original reactor at Arak;

(IV) uranium mining, concentration, conversion, and fuel fabrication, including—

(aa) estimated uranium ore production capacity and annual recovery;

(bb) recovery processes and ore concentrate production capacity and annual recovery;

(cc) research and development with respect to, and the annual rate of, conversion of uranium; and

(dd) research and development with respect to the fabrication of reactor fuels, including the use of depleted, natural, and enriched uranium; and

(V) activities with respect to—

(aa) producing or acquiring plutonium or uranium (or their alloys);

(bb) conducting research and development on plutonium or uranium (or their alloys);

(cc) uranium metal; or

(dd) casting, forming, or machining plutonium or uranium;

(ii) with respect to any activity described in clause (i), a description, as applicable, of—

(I) the number and type of centrifuges used to enrich uranium and the operating status of such centrifuges;

(II) the number and location of any enrichment or associated research and development facility used to engage in such activity;

(III) the amount of heavy water, in metric tons, produced by such activity and the acquisition or manufacture of major reactor components, including, for the second and subsequent assessments, the amount produced since the last assessment;

(IV) the number and type of fuel assemblies produced by the Islamic Republic of Iran, including failed or rejected assemblies; and

(V) the total amount of—

(aa) uranium–235 enriched to not greater than 5 percent purity;

(bb) uranium–235 enriched to greater than 5 percent purity and not greater than 20 percent purity ;

(cc) uranium–235 enriched to greater than 20 percent purity and not greater than 60 percent purity;

(dd) uranium–235 enriched to greater than 60 percent purity and not greater than 90 percent purity; and

(ee) uranium–235 enriched greater than 90 percent purity;

(iii) a description of any weaponization plans and weapons development capabilities of the Islamic Republic of Iran, including—

(I) plans and capabilities with respect to—

(aa) weapon design, including fission, warhead miniaturization, and boosted and early thermonuclear weapon design;

(bb) high yield fission development;

(cc) design, development, acquisition, or use of computer models to simulate nuclear explosive devices;

(dd) design, development, fabricating, acquisition, or use of explosively driven neutron sources or specialized materials for explosively driven neutron sources; and

(ee) design, development, fabrication, acquisition, or use of precision machining and tooling that could enable the production of nuclear explosive device components;

(II) the ability of the Islamic Republic of Iran to deploy a working or reliable delivery vehicle capable of carrying a nuclear warhead;

(III) the estimated breakout time for the Islamic Republic of Iran to develop and deploy a nuclear weapon, including a crude nuclear weapon; and

(IV) the status and location of any research and development work site related to the preparation of an underground nuclear test;

(iv) an identification of any clandestine nuclear facilities;

(v) an assessment of whether the Islamic Republic of Iran maintains locations to store equipment, research archives, or other material previously used for a weapons program or that would be of use to a weapons program that the Islamic Republic of Iran has not declared to the International Atomic Energy Agency;

(vi) any diversion by the Islamic Republic of Iran of uranium, carbon-fiber, or other materials for use in an undeclared or clandestine facility;

(vii) an assessment of activities related to developing or acquiring the capabilities for the production of nuclear weapons, conducted at facilities controlled by the Ministry of Defense and Armed Forces Logistics of Iran, the Islamic Revolutionary Guard Corps, and the Organization of Defensive Innovation and Research, including an analysis of gaps in knowledge due to the lack of inspections and nontransparency of such facilities;

(viii) a description of activities between the Islamic Republic of Iran and other countries with respect to sharing information on nuclear weapons or activities related to weaponization;

(ix) with respect to any new ballistic, cruise, or hypersonic missiles being designed and tested by the Islamic Republic of Iran or any of its proxies, a description of—

(I) the type of missile;

(II) the range of such missiles;

(III) the capability of such missiles to deliver a nuclear warhead;

(IV) the number of such missiles; and

(V) any testing of such missiles;

(x) an assessment of whether the Islamic Republic of Iran or any of its proxies possesses an unmanned aircraft system or other military equipment capable of delivering a nuclear weapon;

(xi) an assessment of whether the Islamic Republic of Iran or any of its proxies has engaged in new or evolving nuclear weapons development activities, or activities related to developing the capabilities for the production of nuclear weapons or potential delivery vehicles, that would pose a threat to the national security of the United States, Israel, or other partners or allies; and

(xii) any other information that the task force determines is necessary to ensure a complete understanding of the capability of the Islamic Republic of Iran to develop and manufacture nuclear or other types of associated weapons systems.

(2) ASSESSMENT ON REGIONAL AND GLOBAL TERRORISM OF THE ISLAMIC REPUBLIC OF IRAN.—

(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and every 120 days thereafter until December 31, 2028, the Director of National Intelligence shall submit to the appropriate congressional committees an assessment regarding the regional and global terrorism of the Islamic Republic of Iran.

(B) CONTENTS.—The assessment required by subparagraph (A) shall include—

(i) a description of the lethal support of the Islamic Republic of Iran, including training, equipment, and associated intelligence support, to regional and global non-state terrorist groups and proxies;

(ii) a description of the lethal support of the Islamic Republic of Iran, including training and equipment, to state actors;

(iii) an assessment of financial support of the Islamic Republic of Iran to Middle Eastern non-state terrorist groups and proxies and associated Iranian revenue streams funding such support;

(iv) an assessment of the threat posed by the Islamic Republic of Iran and Iranian-supported groups to members of the Armed Forces, diplomats, and military and diplomatic facilities of the United States throughout the Middle East and North Africa;

(v) a description of attacks by, or sponsored by, the Islamic Republic of Iran against members of the Armed Forces, diplomats, and military and diplomatic facilities of the United States and the associated response by the United States Government in the previous 120 days;

(vi) a description of attacks by, or sponsored by, the Islamic Republic of Iran against United States partners or allies and the associated response by the United States Government in the previous 120 days;

(vii) an assessment of interference by the Islamic Republic of Iran into the elections and political processes of sovereign countries in the Middle East and North Africa in an effort to create conditions for or shape agendas more favorable to the policies of the Government of the Islamic Republic of Iran;

(viii) a description of any plots by the Islamic Republic of Iran against former and current United States officials;

(ix) a description of any plots by the Islamic Republic of Iran against United States citizens both abroad and within the United States; and

(x) a description of maritime activity of the Islamic Republic of Iran and associated impacts on the free flow of commerce and the national security interests of the United States.

(3) FORM; PUBLIC AVAILABILITY; DUPLICATION.—

(A) FORM.—Each assessment required by this subsection shall be submitted in unclassified form but may include a classified annex for information that, if released, would be detrimental to the national security of the United States.

(B) PUBLIC AVAILABILITY.—The unclassified portion of an assessment required by this subsection shall be made available to the public on an internet website of the Office of the Director of National Intelligence.

(C) DUPLICATION.—For any assessment required by this subsection, the Director of National Intelligence may rely upon existing products that reflect the current analytic judgment of the intelligence community, including reports or products produced in response to congressional mandate or requests from executive branch officials.

(g) DIPLOMATIC STRATEGY TO ADDRESS IDENTIFIED NUCLEAR, BALLISTIC MISSILE, AND TERRORISM THREATS TO THE UNITED STATES.—

(1) IN GENERAL.—Not later than 30 days after the submission of the initial assessment under subsection (f)(1), and annually thereafter until December 31, 2028, the Secretary of State, in consultation with the task force, shall submit to the appropriate congressional committees a diplomatic strategy that outlines a comprehensive plan for engaging with partners and allies of the United States regarding uranium enrichment, nuclear weaponization, and missile development activities and regional and global terrorism of the Islamic Republic of Iran.

(2) CONTENTS.—The diplomatic strategy required by paragraph (1) shall include—

(A) an assessment of whether the Islamic Republic of Iran—

(i) is in compliance with the Comprehensive Safeguards Agreement and modified Code 3.1 of the Subsidiary Arrangements to the Comprehensive Safeguards Agreement; and

(ii) has denied access to sites that the International Atomic Energy Agency has sought to inspect during previous 1-year period;

(B) a description of any dual-use item (as defined under section 730.3 of title 15, Code of Federal Regulations or listed on the List of Nuclear-Related Dual-Use Equipment, Materials, Software, and Related Technology issued by the Nuclear Suppliers Group or any successor list) the Islamic Republic of Iran is using to further the nuclear weapon or missile program;

(C) a description of efforts of the United States to counter efforts of the Islamic Republic of Iran to project political and military influence into the Middle East;

(D) a description of efforts to address the increased threat that new or evolving uranium enrichment, nuclear weaponization, or missile development activities by the Islamic Republic of Iran pose to United States citizens, the diplomatic presence of the United States in the Middle East, and the national security interests of the United States;

(E) a description of efforts to address the threat that terrorism by, or sponsored by, the Islamic Republic of Iran poses to United States citizens, the diplomatic presence of the United States in the Middle East, and the national security interests of the United States;

(F) a description of efforts to address the impact of the influence of the Islamic Republic of Iran on sovereign governments on the safety and security of United States citizens, the diplomatic presence of the United States in the Middle East, and the national security interests of the United States;

(G) a description of a coordinated whole-of-government approach to use political, economic, and security related tools to address such activities; and

(H) a comprehensive plan for engaging with allies and regional partners in all relevant multilateral fora to address such activities.

(3) UPDATED STRATEGY RELATED TO NOTIFICATION.—Not later than 15 days after the submission of a notification to Congress that there has been a significant development in the nuclear weapons capability or delivery systems capability of the Islamic Republic of Iran, the Secretary of State shall submit to the appropriate congressional committees an update to the most recent diplomatic strategy submitted under paragraph (1).

TITLE LXVI—CYBERSPACE-RELATED MATTERS

SEC. 6601. ADDITIONAL AMOUNT FOR CYBER PARTNERSHIP ACTIVITIES.

(a) ADDITIONAL AMOUNT.—Of the amount authorized to be appropriated under this Act for United States Air Force, the amount available for cyber partnership activities (PE–0208059F) is hereby increased by $500,000, with the amount of such increase to be used to support additional travel and workload to achieve an initial intent of expanded Jordanian engagement.

(b) OFFSET.—Of the amount authorized to be appropriated under this Act for United States Navy, the amount available for the SHARKCAGE program (PE–0303140N) is hereby reduced by $500,000.

TITLE LXXVIII—MILITARY CONSTRUCTION AND GENERAL PROVISIONS

SEC. 7801. COMPTROLLER GENERAL ASSESSMENT OF IMPLEMENTATION OF CERTAIN STATUTORY PROVISIONS INTENDED TO IMPROVE THE EXPERIENCE OF RESIDENTS OF PRIVATIZED MILITARY HOUSING.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct an independent assessment of the implementation by the Department of Defense of sections 2890, 2891c(b), and 2894(c) of title 10, United States Code.

(2) ELEMENTS.—The assessment required under paragraph (1) shall include—

(A) a summary and evaluation of the analysis and information provided to residents of privatized military housing regarding the assessment of performance indicators pursuant to section 2891c(b) of title 10, United States Code, and the extent to which such residents have requested such an assessment;

(B) a summary of the extent to which the Department collects and uses data on whether members of the Armed Forces and their families residing in privatized military housing, including family and unaccompanied housing, have exercised the rights afforded in the Military Housing Privatization Initiative Tenant Bill of Rights under subsection (a) of section 2890 of title 10, United States Code, to include the rights specified under paragraphs (8), (12), (13), (14), and (15) of subsection (b) of such section, and an evaluation of the implementation by each military department of such section;

(C) an evaluation of the implementation by each military department of section 2894(c) of title 10, United States Code, including, with regard to paragraph (5) of such section—

(i) the number of requests that have been resolved favorably; and

(ii) the number of requests that have been resolved in compliance within the required time period; and

(D) such other matters as the Comptroller General considers necessary.

(b) BRIEFING AND REPORT.—

(1) BRIEFING.—Not later than March 31, 2022, the Comptroller General shall provide to the Committees on Armed Services of the Senate and the House of Representatives an interim briefing on the assessment conducted under subsection (a).

(2) 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 assessment conducted under subsection (a).

(c) PRIVATIZED MILITARY HOUSING DEFINED.—In this section, the term ''privatized military housing'' means military housing provided under subchapter IV of chapter 169 of title 10, United States Code.

SEC. 7802. LAND CONVEYANCE, STARKVILLE, MISSISSIPPI.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army (in this section referred to as the ''Secretary'') may convey to the City of Starkville, Mississippi (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 improvements thereon, located at 343 Highway 12, Starkville, Mississippi 39759, to be used for economic development purposes.

(b) REVERSIONARY 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, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such property.

(2) DETERMINATION.—A determination by the Secretary under paragraph (1) shall be made on the record after an opportunity for a hearing.

(c) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance of property under subsection (a), the City shall pay to the United States an amount equal to the fair market value of the property to be conveyed.

(2) DETERMINATION OF FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the property to be conveyed under subsection (a) using an independent appraisal based on the highest and best use of the property.

(3) TREATMENT OF CONSIDERATION RECEIVED.—Consideration received under paragraph (1) shall be deposited in the special account in the Treasury established under subparagraph (A) of section 572(b)(5) of title 40, United States Code, and shall be available in accordance with subparagraph (B) of such section.

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT.—

(A) IN GENERAL.—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 survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance.

(B) REFUND.—If amounts are collected from the City under subparagraph (A) 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.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance, or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(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. 7803. LAND CONVEYANCE, LEWES, DELAWARE.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army (in this section referred to as the ''Secretary'') may convey, without consideration, to the City of Lewes, Delaware (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 improvements thereon, consisting of approximately 5.26 acres located at 1137 Savannah Road, Lewes, Delaware 19958, for the purpose of housing a new municipal campus for Lewes City Hall, a police station, and a board of public works.

(b) REVERSIONARY 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 AUTHORIZED.—

(A) IN GENERAL.—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 survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance.

(B) REFUND.—If amounts are collected from the City under subparagraph (A) 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 may refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) may be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance, or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited may be merged with amounts in such fund or account and may be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) may be determined by a survey satisfactory to the Secretary.

(e) 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.

TITLE LXXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 8101. PLAN TO ACCELERATE RESTORATION OF DOMESTIC URANIUM ENRICHMENT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States is engaged in a period of intense strategic competition with 2 peer adversaries, each of which aims to develop nuclear forces superior to the nuclear forces of the United States and its allies in the North Atlantic Treaty Organization;

(2) successfully deterring the aims of such adversaries and preserving the national security of the United States and the security of its allies requires that the United States maintain a capable, credible nuclear force, including the capability to produce the materials needed to manufacture nuclear weapons and provide reliable sources of energy for naval vessels and military facilities; and

(3) a key component to achieving those goals is the restoration of the domestic uranium enrichment capability of the United States, a component that will allow the United States to make significant strides toward improved energy independence by reducing reliance on international sources of enriched uranium and opening up tremendous opportunities for improving the competitiveness of the United States in the international energy economy.

(b) PLAN.—

(1) IN GENERAL.—Not later than June 1, 2023, the Secretary of Defense, in coordination with the Administrator for Nuclear Security, shall submit to the congressional defense committees a plan to restore the domestic uranium enrichment capability of the United States by not later than 2035.

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

(A) Recommendations restore unobligated uranium production, conversion and enrichment capabilities, including production of high-enriched uranium—

(i) to refurbish the nuclear weapons stockpile of the United States over a period of not more than 30 years;

(ii) to satisfy the annual requirements of the United States for naval reactor fuel, including projections for satisfying fuel requirements for all submarines developed using reactor designs and technology of the United States; and

(iii) to satisfy the annual requirements of the United States for defense nuclear power reactors.

(B) Recommendations to improve the production capacity of unobligated low-enriched uranium needed to satisfy annual tritium production requirements for the nuclear weapons stockpile of the United States and associated research and development objectives.

(C) Such other recommendations and information as the Secretary of Defense or the Administrator for Nuclear Security consider appropriate.

SEC. 8102. ASSESSMENT OF READINESS AND SURVIVABILITY OF STRATEGIC FORCES OF THE UNITED STATES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff and the Commander of the United States Strategic Command, shall submit to the congressional defense committees a report on the readiness and survivability of the strategic forces of the United States, including recommendations for improving such readiness and survivability.

SEC. 8103. U.S. NUCLEAR FUELS SECURITY INITIATIVE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department should—

(A) prioritize activities to increase domestic production of low-enriched uranium; and

(B) accelerate efforts to establish a domestic high-assay, low-enriched uranium enrichment capability; and

(2) if domestic enrichment of high-assay, low-enriched uranium will not be commercially available at the scale needed in time to meet the needs of the advanced nuclear reactor demonstration projects of the Department, the Secretary shall consider and implement, as necessary—

(A) all viable options to make high-assay, low-enriched uranium produced from inventories owned by the Department available in a manner that is sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers, without impacting existing Department missions, until such time that commercial enrichment and deconversion capability for high-assay, low-enriched uranium exists at a scale sufficient to meet future needs; and

(B) all viable options for partnering with countries that are allies or partners of the United States to meet those needs and schedules until that time.

(b) OBJECTIVES.—The objectives of this section are—

(1) to expeditiously increase domestic production of low-enriched uranium;

(2) to expeditiously increase domestic production of high-assay, low-enriched uranium by an annual quantity, and in such form, determined by the Secretary to be sufficient to meet the needs of—

(A) advanced nuclear reactor developers; and

(B) the consortium;

(3) to ensure the availability of domestically produced, converted, and enriched uranium in a quantity determined by the Secretary, in consultation with U.S. nuclear energy companies, to be sufficient to address a reasonably anticipated supply disruption;

(4) to address gaps and deficiencies in the domestic production, conversion, enrichment, deconversion, and reduction of uranium by partnering with countries that are allies or partners of the United States if domestic options are not practicable;

(5) to ensure that, in the event of a supply disruption in the nuclear fuel market, a reserve of nuclear fuels is available to serve as a backup supply to support the nuclear nonproliferation and civil nuclear energy objectives of the Department;

(6) to support enrichment, deconversion, and reduction technology deployed in the United States; and

(7) to ensure that, until such time that domestic enrichment and deconversion of high-assay, low-enriched uranium is commercially available at the scale needed to meet the needs of advanced nuclear reactor developers, the Secretary considers and implements, as necessary—

(A) all viable options to make high-assay, low-enriched uranium produced from inventories owned by the Department available in a manner that is sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers; and

(B) all viable options for partnering with countries that are allies or partners of the United States to meet those needs and schedules.

(c) DEFINITIONS.—In this section:

(1) ADVANCED NUCLEAR REACTOR.—The term ''advanced nuclear reactor'' has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

(2) ASSOCIATED ENTITY.—The term ''associated entity'' means an entity that—

(A) is owned, controlled, or dominated by—

(i) the government of a country that is an ally or partner of the United States; or

(ii) an associated individual; or

(B) is organized under the laws of, or otherwise subject to the jurisdiction of, a country that is an ally or partner of the United States, including a corporation that is incorporated in such a country.

(3) ASSOCIATED INDIVIDUAL.—The term ''associated individual'' means an alien who is a national of a country that is an ally or partner of the United States.

(4) CONSORTIUM.—The term ''consortium'' means the consortium established under section 2001(a)(2)(F) of the Energy Act of 2020 (42 U.S.C. 16281(a)(2)(F)).

(5) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(6) HIGH-ASSAY, LOW-ENRICHED URANIUM; HALEU.—The term ''high-assay, low-enriched uranium'' or ''HALEU'' means high-assay low-enriched uranium (as defined in section 2001(d) of the Energy Act of 2020 (42 U.S.C. 16281(d))).

(7) LOW-ENRICHED URANIUM; LEU.—The term ''low-enriched uranium'' or ''LEU'' means each of—

(A) low-enriched uranium (as defined in section 3102 of the USEC Privatization Act (42 U.S.C. 2297h)); and

(B) low-enriched uranium (as defined in section 3112A(a) of that Act (42 U.S.C. 2297h–10a(a))).

(8) PROGRAMS.—The term ''Programs'' means—

(A) the Nuclear Fuel Security Program established under subsection (d)(1);

(B) the American Assured Fuel Supply Program of the Department; and

(C) the HALEU for Advanced Nuclear Reactor Demonstration Projects Program established under subsection (d)(3).

(9) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(10) U.S. NUCLEAR ENERGY COMPANY.—The term ''U.S. nuclear energy company'' means a company that—

(A) is organized under the laws of, or otherwise subject to the jurisdiction of, the United States; and

(B) is involved in the nuclear energy industry.

(d) ESTABLISHMENT AND EXPANSION OF PROGRAMS.—The Secretary, consistent with the objectives described in subsection (b), shall—

(1) establish a program, to be known as the ''Nuclear Fuel Security Program'', to increase the quantity of LEU and HALEU produced by U.S. nuclear energy companies;

(2) expand the American Assured Fuel Supply Program of the Department to ensure the availability of domestically produced, converted, and enriched uranium in the event of a supply disruption; and

(3) establish a program, to be known as the ''HALEU for Advanced Nuclear Reactor Demonstration Projects Program''—

(A) to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers until such time that commercial enrichment and deconversion capability for HALEU exists in the United States at a scale sufficient to meet future needs; and

(B) where practicable, to partner with countries that are allies or partners of the United States to meet those needs and schedules until that time.

(e) NUCLEAR FUEL SECURITY PROGRAM.—

(1) IN GENERAL.—In carrying out the Nuclear Fuel Security Program, the Secretary—

(A) shall—

(i) not later than 180 days after the date of enactment of this Act, enter into 2 or more contracts to begin acquiring not less than 100 metric tons per year of LEU by December 31, 2026 (or the earliest operationally feasible date thereafter), to ensure diverse domestic uranium mining, conversion, enrichment, deconversion, and reduction capacity and technologies, including new capacity, among U.S. nuclear energy companies;

(ii) not later than 180 days after the date of enactment of this Act, enter into 2 or more contracts with members of the consortium to begin acquiring not less than 20 metric tons per year of HALEU by December 31, 2027 (or the earliest operationally feasible date thereafter), from U.S. nuclear energy companies;

(iii) utilize only uranium produced, converted, and enriched in—

(I) the United States; or

(II) if domestic options are not practicable, a country that is an ally or partner of the United States; and

(iv) to the maximum extent practicable, ensure that the use of domestic uranium utilized as a result of that program does not negatively affect the economic operation of nuclear reactors in the United States; and

(B)(i) may not make commitments under this subsection (including cooperative agreements (used in accordance with section 6305 of title 31, United States Code), purchase agreements, guarantees, leases, service contracts, or any other type of commitment) for the purchase or other acquisition of HALEU or LEU unless—

(I) funds are specifically provided for those purposes in advance in appropriations Acts enacted after the date of enactment of this Act; or

(II) the commitment is funded entirely by funds made available to the Secretary from the account described in subsection (i)(2)(B); and

(ii) may make a commitment described in clause (i) only—

(I) if the full extent of the anticipated costs stemming from the commitment is recorded as an obligation at the time that the commitment is made; and

(II) to the extent of that up-front obligation recorded in full at that time.

(2) CONSIDERATIONS.—In carrying out paragraph (1)(A)(ii), the Secretary shall consider and, if appropriate, implement—

(A) options to ensure the quickest availability of commercially enriched HALEU, including—

(i) partnerships between 2 or more commercial enrichers; and

(ii) utilization of up to 10-percent enriched uranium as feedstock in demonstration-scale or commercial HALEU enrichment facilities;

(B) options to partner with countries that are allies or partners of the United States to provide LEU and HALEU for commercial purposes;

(C) options that provide for an array of HALEU—

(i) enrichment levels;

(ii) output levels to meet demand; and

(iii) fuel forms, including uranium metal and oxide; and

(D) options—

(i) to replenish, as necessary, Department stockpiles of uranium that was intended to be downblended for other purposes, but was instead used in carrying out activities under the HALEU for Advanced Nuclear Reactor Demonstration Projects Program;

(ii) to continue supplying HALEU to meet the needs of the recipients of an award made pursuant to the funding opportunity announcement of the Department numbered DE–FOA–0002271 for Pathway 1, Advanced Reactor Demonstrations; and

(iii) to make HALEU available to other advanced nuclear reactor developers and other end-users.

(3) AVOIDANCE OF MARKET DISRUPTIONS.—In carrying out the Nuclear Fuel Security Program, the Secretary, to the extent practicable and consistent with the purposes of that program, shall not disrupt or replace market mechanisms by competing with U.S. nuclear energy companies.

(f) EXPANSION OF THE AMERICAN ASSURED FUEL SUPPLY PROGRAM.—The Secretary, in consultation with U.S. nuclear energy companies, shall—

(1) expand the American Assured Fuel Supply Program of the Department by merging the operations of the Uranium Reserve Program of the Department with the American Assured Fuel Supply Program; and

(2) in carrying out the American Assured Fuel Supply Program of the Department, as expanded under paragraph (1)—

(A) maintain, replenish, diversify, or increase the quantity of uranium made available by that program in a manner determined by the Secretary to be consistent with the purposes of that program and the objectives described in subsection (b);

(B) utilize only uranium produced, converted, and enriched in—

(i) the United States; or

(ii) if domestic options are not practicable, a country that is an ally or partner of the United States;

(C) make uranium available from the American Assured Fuel Supply, subject to terms and conditions determined by the Secretary to be reasonable and appropriate;

(D) refill and expand the supply of uranium in the American Assured Fuel Supply, including by maintaining a limited reserve of uranium to address a potential event in which a domestic or foreign recipient of uranium experiences a supply disruption for which uranium cannot be obtained through normal market mechanisms or under normal market conditions; and

(E) take other actions that the Secretary determines to be necessary or appropriate to address the purposes of that program and the objectives described in subsection (b).

(g) HALEU FOR ADVANCED NUCLEAR REACTOR DEMONSTRATION PROJECTS PROGRAM.—

(1) ACTIVITIES.—On enactment of this Act, the Secretary shall immediately accelerate and, as necessary, initiate activities to make available from inventories or stockpiles owned by the Department and made available to the consortium, HALEU for use in advanced nuclear reactors that cannot operate on uranium with lower enrichment levels or on alternate fuels, with priority given to the awards made pursuant to the funding opportunity announcement of the Department numbered DE–FOA–0002271 for Pathway 1, Advanced Reactor Demonstrations, with additional HALEU to be made available to other advanced nuclear reactor developers, as the Secretary determines to be appropriate.

(2) QUANTITY.—In carrying out activities under this subsection, the Secretary shall consider and implement, as necessary, all viable options to make HALEU available in quantities sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers, including by seeking to make available—

(A) by September 30, 2024, not less than 3 metric tons of HALEU;

(B) by December 31, 2025, not less than an additional 8 metric tons of HALEU; and

(C) by June 30, 2026, not less than an additional 10 metric tons of HALEU.

(3) FACTORS FOR CONSIDERATION.—In carrying out activities under this subsection, the Secretary shall take into consideration—

(A) options for providing HALEU from a stockpile of uranium owned by the Department, including—

(i) uranium that has been declared excess to national security needs during or prior to fiscal year 2022;

(ii) uranium that—

(I) directly meets the needs of advanced nuclear reactor developers; but

(II) has been previously used or fabricated for another purpose;

(iii) uranium that can meet the needs of advanced nuclear reactor developers after removing radioactive or other contaminants that resulted from previous use or fabrication of the fuel for research, development, demonstration, or deployment activities of the Department, including activities that reduce the environmental liability of the Department by accelerating the processing of uranium from stockpiles designated as waste;

(iv) uranium from a high-enriched uranium stockpile, which can be blended with lower assay uranium to become HALEU to meet the needs of advanced nuclear reactor developers; and

(v) uranium from stockpiles intended for other purposes (excluding stockpiles intended for national security needs), but for which uranium could be swapped or replaced in time in such a manner that would not negatively impact the missions of the Department;

(B) options for expanding, or establishing new, capabilities or infrastructure to support the processing of uranium from Department inventories;

(C) options for accelerating the availability of HALEU from HALEU enrichment demonstration projects of the Department;

(D) options for providing HALEU from domestically enriched HALEU procured by the Department through a competitive process pursuant to the Nuclear Fuel Security Program established under subsection (d)(1);

(E) options to replenish, as needed, Department stockpiles of uranium made available pursuant to subparagraph (A) with domestically enriched HALEU procured by the Department through a competitive process pursuant to the Nuclear Fuel Security Program established under subsection (d)(1); and

(F) options that combine 1 or more of the approaches described in subparagraphs (A) through (E) to meet the deadlines described in paragraph (2).

(4) LIMITATIONS.—

(A) CERTAIN SERVICES.—The Secretary shall not barter or otherwise sell or transfer uranium in any form in exchange for services relating to—

(i) the final disposition of radioactive waste from uranium that is the subject of a contract for sale, resale, transfer, or lease under this subsection; or

(ii) environmental cleanup activities.

(B) CERTAIN COMMITMENTS.—In carrying out activities under this subsection, the Secretary—

(i) may not make commitments under this subsection (including cooperative agreements (used in accordance with section 6305 of title 31, United States Code), purchase agreements, guarantees, leases, service contracts, or any other type of commitment) for the purchase or other acquisition of HALEU or LEU unless—

(I) funds are specifically provided for those purposes in advance in appropriations Acts enacted after the date of enactment of this Act; or

(II) the commitment is funded entirely by funds made available to the Secretary from the account described in subsection (i)(2)(B); and

(ii) may make a commitment described in clause (i) only—

(I) if the full extent of the anticipated costs stemming from the commitment is recorded as an obligation at the time that the commitment is made; and

(II) to the extent of that up-front obligation recorded in full at that time.

(5) SUNSET.—The authority of the Secretary to carry out activities under this subsection shall terminate on the date on which the Secretary notifies Congress that the HALEU needs of advanced nuclear reactor developers can be fully met by commercial HALEU suppliers in the United States, as determined by the Secretary, in consultation with U.S. nuclear energy companies.

(h) DOMESTIC SOURCING CONSIDERATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may only carry out an activity in connection with 1 or more of the Programs if—

(A) the activity promotes manufacturing in the United States associated with uranium supply chains; or

(B) the activity relies on resources, materials, or equipment developed or produced—

(i) in the United States; or

(ii) in a country that is an ally or partner of the United States by—

(I) the government of that country;

(II) an associated entity; or

(III) a U.S. nuclear energy company.

(2) WAIVER.—The Secretary may waive the requirements of paragraph (1) with respect to an activity if the Secretary determines a waiver to be necessary to achieve 1 or more of the objectives described in subsection (b).

(i) REASONABLE COMPENSATION.—

(1) IN GENERAL.—In carrying out activities under this section, the Secretary shall ensure that any LEU and HALEU made available by the Secretary under 1 or more of the Programs is subject to reasonable compensation, taking into account the fair market value of the LEU or HALEU and the purposes of this section.

(2) AVAILABILITY OF CERTAIN FUNDS.—

(A) IN GENERAL.—Notwithstanding section 3302(b) of title 31, United States Code, revenues received by the Secretary from the sale or transfer of fuel feed material acquired by the Secretary pursuant to a contract entered into under clause (i) or (ii) of subsection (e)(1)(A) shall—

(i) be deposited in the account described in subparagraph (B);

(ii) be available to the Secretary for carrying out the purposes of this section, to reduce the need for further appropriations for those purposes; and

(iii) remain available until expended.

(B) REVOLVING FUND.—There is established in the Treasury an account into which the revenues described in subparagraph (A) shall be—

(i) deposited in accordance with clause (i) of that subparagraph; and

(ii) made available in accordance with clauses (ii) and (iii) of that subparagraph.

(j) NUCLEAR REGULATORY COMMISSION.—The Nuclear Regulatory Commission shall prioritize and expedite consideration of any action related to the Programs to the extent permitted under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) and related statutes.

(k) USEC PRIVATIZATION ACT.—The requirements of section 3112 of the USEC Privatization Act (42 U.S.C. 2297h–10) shall not apply to activities related to the Programs.

(l) NATIONAL SECURITY NEEDS.—The Secretary shall only make available to a member of the consortium under this section for commercial use or use in a demonstration project material that the President has determined is not necessary for national security needs, subject to the condition that the material made available shall not include any material that the Secretary determines to be necessary for the National Nuclear Security Administration or any critical mission of the Department.

(m) INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with the obligations of the United States under international agreements.

(n) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise available, there are authorized to be appropriated to the Secretary—

(1) for the Nuclear Fuel Security Program, $3,500,000,000 for fiscal year 2023, to remain available until September 30, 2031, of which the Secretary may use $1,000,000,000 by September 30, 2028, to carry out the HALEU for Advanced Nuclear Reactor Demonstration Projects Program; and

(2) for the American Assured Fuel Supply Program of the Department, as expanded under this section, such sums as are necessary for the period of fiscal years 2023 through 2030, to remain available until September 30, 2031.

SEC. 8104. ISOTOPE DEMONSTRATION AND ADVANCED NUCLEAR RESEARCH INFRASTRUCTURE ENHANCEMENT.

(a) EVALUATION AND ESTABLISHMENT OF ISOTOPE DEMONSTRATION PROGRAM.—Section 952(a)(2)(A) of the Energy Policy Act of 2005 (42 U.S.C. 16272(a)(2)(A)) is amended by striking ''shall evaluate the technical and economic feasibility of the establishment of'' and inserting ''shall evaluate the technical and economic feasibility of, and, if feasible, is authorized to establish,''.

(b) ADVANCED NUCLEAR RESEARCH INFRASTRUCTURE ENHANCEMENT.—Section 954(a)(5) of the Energy Policy Act of 2005 (42 U.S.C. 16274(a)(5)) is amended—

(1) by redesignating subparagraph (E) as subparagraph (F); and

(2) by inserting after subparagraph (D) the following:

''(E) FUEL SERVICES.—The Secretary shall expand the Research Reactor Infrastructure subprogram of the Radiological Facilities Management program of the Department carried out under paragraph (6) to provide fuel services to research reactors established under this paragraph.''.

SEC. 8105. REPORT ON CIVIL NUCLEAR CREDIT PROGRAM.

Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to the appropriate committees of Congress a report that identifies the anticipated funding requirements for the civil nuclear credit program described in section 40323 of the Infrastructure Investment and Jobs Act (42 U.S.C. 18753), taking into account—

(1) the zero-emission nuclear power production credit authorized by section 45U of the Internal Revenue Code of 1986; and

(2) any increased fuel costs associated with the use of domestic fuel that may arise from the implementation of that program.

DIVISION F—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2023

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''American Security Drone Act of 2022''.

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

DIVISION ____—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2023

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified Schedule of Authorizations.
Sec. 103. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 301. Modification of advisory board in National Reconnaissance Office.
Sec. 302. Prohibition on employment with governments of certain countries.
Sec. 303. Counterintelligence and national security protections for intelligence community grant funding.
Sec. 304. Extension of Central Intelligence Agency law enforcement jurisdiction to facilities of Office of Director of National Intelligence.
Sec. 305. Clarification regarding protection of Central Intelligence Agency functions.
Sec. 306. Establishment of advisory board for National Geospatial-Intelligence Agency.
Sec. 307. Annual reports on status of recommendations of Comptroller General of the United States for the Director of National Intelligence.
Sec. 308. Timely submission of budget documents from intelligence community.
Sec. 309. Copyright protection for civilian faculty of the National Intelligence University.
Sec. 310. Expansion of reporting requirements relating to authority to pay personnel of Central Intelligence Agency for certain injuries to the brain.
Sec. 311. Modifications to Foreign Malign Influence Response Center.
Sec. 312. Requirement to offer cyber protection support for personnel of intelligence community in positions highly vulnerable to cyber attack.
Sec. 313. Minimum cybersecurity standards for national security systems of intelligence community.
Sec. 314. Review and report on intelligence community activities under Executive Order 12333.
Sec. 315. Elevation of the commercial and business operations office of the National Geospatial-Intelligence Agency.
Sec. 316. Assessing intelligence community open-source support for export controls and foreign investment screening.
Sec. 317. Annual training requirement and report regarding analytic standards.
Sec. 318. Historical Advisory Panel of the Central Intelligence Agency.

TITLE IV—INTELLIGENCE MATTERS RELATING TO THE PEOPLE'S REPUBLIC OF CHINA

Sec. 401. Report on wealth and corrupt activities of the leadership of the Chinese Communist Party.
Sec. 402. Identification and threat assessment of companies with investments by the People's Republic of China.
Sec. 403. Intelligence community working group for monitoring the economic and technological capabilities of the People's Republic of China.
Sec. 404. Annual report on concentrated reeducation camps in the Xinjiang Uyghur Autonomous Region of the People's Republic of China.
Sec. 405. Assessments of production of semiconductors by the People's Republic of China.

TITLE V—PERSONNEL AND SECURITY CLEARANCE MATTERS

Sec. 501. Improving onboarding of personnel in intelligence community.
Sec. 502. Improving onboarding at the Central Intelligence Agency.
Sec. 503. Report on legislative action required to implement Trusted Workforce 2.0 initiative.
Sec. 504. Comptroller General of the United States assessment of administration of polygraphs in intelligence community.
Sec. 505. Timeliness in the administration of polygraphs.
Sec. 506. Policy on submittal of applications for access to classified information for certain personnel.

Sec. 507. Technical correction regarding Federal policy on sharing of covered insider threat information.
Sec. 508. Establishing process parity for adverse security clearance and access determinations.
Sec. 509. Elimination of cap on compensatory damages for retaliatory revocation of security clearances and access determinations.
Sec. 510. Comptroller General of the United States report on use of Government and industry space certified as sensitive compartmented information facilities.
TITLE VI—INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
Sec. 601. Submittal of complaints and information by whistleblowers in the intelligence community to Congress.
Sec. 602. Modification of whistleblower protections for contractor employees in intelligence community.
Sec. 603. Prohibition against disclosure of whistleblower identity as reprisal against whistleblower disclosure by employees and contractors in intelligence community.
Sec. 604. Definitions regarding whistleblower complaints and information of urgent concern received by inspectors general of the intelligence community.
TITLE VII—OTHER MATTERS
Sec. 701. Improvements relating to continuity of Privacy and Civil Liberties Oversight Board membership.
Sec. 702. Modification of requirement for office to address unidentified aerospace-undersea phenomena.
Sec. 703. Unidentified aerospace-undersea phenomena reporting procedures.
Sec. 704. Comptroller General of the United States compilation of unidentified aerospace-undersea phenomena records.
Sec. 705. Office of Global Competition Analysis.
Sec. 706. Report on tracking and collecting precursor chemicals used in the production of synthetic opioids.
Sec. 707. Assessment and report on mass migration in the Western Hemisphere.
Sec. 708. Notifications regarding transfers of detainees at United States Naval Station, Guantanamo Bay, Cuba.
Sec. 709. Report on international norms, rules, and principles applicable in space.
Sec. 710. Assessments of the effects of sanctions imposed with respect to the Russian Federation's invasion of Ukraine.
Sec. 711. Assessments and briefings on implications of food insecurity that may result from the Russian Federation's invasion of Ukraine.
Sec. 712. Pilot program for Director of Federal Bureau of Investigation to undertake an effort to identify International Mobile Subscriber Identity-catchers and develop countermeasures.
Sec. 713. Department of State Bureau of Intelligence and Research assessment of anomalous health incidents.

SEC. 2. DEFINITIONS.

In this division:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given such term in such section.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2023 for the conduct of the intelligence and intelligence-related activities of the Federal Government.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 101 for the conduct of the intelligence activities of the Federal Government are those specified in the classified Schedule of Authorizations prepared to accompany this division.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch of the Federal Government.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2023 the sum of $650,000,000.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2023 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2023.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

SEC. 301. MODIFICATION OF ADVISORY BOARD IN NATIONAL RECONNAISSANCE OFFICE.

Section 106A(d) of the National Security Act of 1947 (50 U.S.C. 3041a(d)) is amended—

(1) in paragraph (3)(A)(i), by inserting '', in consultation with the Director of National Intelligence and the Secretary of Defense,'' after ''Director''; and

(2) in paragraph (7), by striking ''the date that is 3 years after the date of the first meeting of the Board'' and inserting ''September 30, 2024''.

SEC. 302. PROHIBITION ON EMPLOYMENT WITH GOVERNMENTS OF CERTAIN COUNTRIES.

(a) IN GENERAL.—Title III of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by inserting after section 304 the following:

''SEC. 305. PROHIBITION ON EMPLOYMENT WITH GOVERNMENTS OF CERTAIN COUNTRIES.

''(a) DEFINITIONS.—In this section:

''(1) COVERED EMPLOYEE.—The term 'covered employee', with respect to an employee occupying a position within an element of the intelligence community, means an officer or official of an element of the intelligence community, a contractor of such an element, a detailee to such an element, or a member of the Armed Forces assigned to such an element that, based on the level of access of a person occupying such position to information regarding sensitive intelligence sources or methods or other exceptionally sensitive matters, the head of such element determines should be subject to the requirements of this section.

''(2) FORMER COVERED EMPLOYEE.—The term 'former covered employee' means an individual who was a covered employee on or after the date of enactment of the American Security Drone Act of 2022 and is no longer a covered employee.

''(3) STATE SPONSOR OF TERRORISM.—The term 'state sponsor of terrorism' means a country the government of which the Secretary of State determines has repeatedly provided support for international terrorism pursuant to—

''(A) section 1754(c)(1)(A) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A));

''(B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

''(C) section 40 of the Arms Export Control Act (22 U.S.C. 2780); or

''(D) any other provision of law.

''(b) PROHIBITION ON EMPLOYMENT AND SERVICES.—No former covered employee may provide services relating to national security, intelligence, the military, or internal security to—

''(1) the government of a country that is a state sponsor of terrorism, the People's Republic of China, or the Russian Federation;

''(2) a person or entity that is directed and controlled by a government described in paragraph (1).

''(c) TRAINING AND WRITTEN NOTICE.—The head of each element of the intelligence community shall—

''(1) regularly provide to the covered employees of the element training on the prohibition in subsection (b); and

''(2) provide to each covered employee of the element before the covered employee becomes a former covered employee written notice of the prohibition in subsection (b).

''(d) LIMITATION ON ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—A former covered employee who knowingly and willfully violates subsection (b) shall not be considered eligible for access to classified information (as defined in the procedures established pursuant to section 801(a) of this Act (50 U.S.C. 3161(a))) by any element of the intelligence community.

''(e) CRIMINAL PENALTIES.—A former employee who knowingly and willfully violates subsection (b) shall be fined under title 18, United States Code, or imprisoned for not more than 5 years, or both.

''(f) APPLICATION.—Nothing in this section shall apply to—

''(1) a former covered employee who continues to provide services described in subsection (b) that the former covered employee

first began to provide before the date of the enactment of the American Security Drone Act of 2022;

''(2) a former covered employee who, on or after the date of the enactment of the American Security Drone Act of 2022, provides services described in subsection (b) to a person or entity that is directed and controlled by a country that is a state sponsor of terrorism, the People's Republic of China, or the Russian Federation as a result of a merger, acquisition, or similar change of ownership that occurred after the date on which such former covered employee first began to provide such services;

''(3) a former covered employee who, on or after the date of the enactment of the American Security Drone Act of 2022, provides services described in subsection (b) to—

''(A) a government that was designated as a state sponsor of terrorism after the date on which such former covered employee first began to provide such services; or

''(B) a person or entity directed and controlled by a government described in subparagraph (A).''.

(b) ANNUAL REPORTS.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(C) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) IN GENERAL.—Not later than March 31 of each year through 2032, the Director of National Intelligence shall submit to the appropriate committees of Congress a report on any violations of subsection (b) of section 305 of the National Security Act of 1947, as added by subsection (a) of this section, by former covered employees (as defined in subsection (a) of such section 305).

(c) CLERICAL AMENDMENT.—The table of contents immediately preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002) is amended by inserting after the item relating to section 304 the following new item:

''Sec. 305. Prohibition on employment with governments of certain countries.

SEC. 303. COUNTERINTELLIGENCE AND NATIONAL SECURITY PROTECTIONS FOR INTELLIGENCE COMMUNITY GRANT FUNDING.

(a) DISCLOSURE AS CONDITION FOR RECEIPT OF GRANT.—The head of an element of the intelligence community may not award a grant to a person or entity unless the person or entity has disclosed to the head of the element any material financial or material in-kind support received by the person or entity, during the 5-year period ending on the date of the person or entity's application for the grant.

(b) REVIEW OF GRANT APPLICANTS.—

(1) TRANSMITTAL OF DISCLOSURES.—Each head of an element of the intelligence community shall immediately transmit a copy of each disclosure under subsection (a) to the Director of National Intelligence.

(2) PROCESS.—The Director, in consultation with such heads of elements of the intelligence community as the Director considers appropriate, shall establish a process—

(A) to review the disclosures under subsection (a); and

(B) to take such actions as may be necessary to ensure that the applicants for grants awarded by elements of the intelligence community do not pose an unacceptable risk, including as a result of an applicant's material financial or material in-kind support from a person or entity having ownership or control, in whole or in part, by the government of the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, or the Republic of Cuba, of—

(i) misappropriation of United States intellectual property, research and development, and innovation efforts; or

(ii) other threats from foreign governments and other entities.

(c) ANNUAL REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act and not less frequently than once each year thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives an annual report identifying the following for the one-year period covered by the report:

(1) The number of applications for grants received by each element of the intelligence community.

(2) The number of such applications that were reviewed for each element of the intelligence community, using the process established under subsection (b).

(3) The number of such applications that were denied and the reasons for such denials for each element of the intelligence community.

(d) APPLICABILITY.—Subsections (a) and (b) shall apply only with respect to grants awarded by an element of the intelligence community after the date of the enactment of this Act.

SEC. 304. EXTENSION OF CENTRAL INTELLIGENCE AGENCY LAW ENFORCEMENT JURISDICTION TO FACILITIES OF OFFICE OF DIRECTOR OF NATIONAL INTELLIGENCE.

(a) IN GENERAL.—Section 15(a) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3515(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by striking ''; and'' and inserting a semicolon;

(B) by redesignating subparagraph (D) as subparagraph (E);

(C) by inserting after subparagraph (C) the following:

''(D) within an installation owned, or contracted to be occupied for a period of one year or longer, by the Office of the Director of National Intelligence; and''; and

(D) in subparagraph (E), as redesignated by subparagraph (B), by inserting ''or (D)'' after ''in subparagraph (C)'';

(2) in paragraph (2), by striking ''or (D)'' and inserting ''or (E)''; and

(3) in paragraph (4), by striking ''in subparagraph (A) or (C)'' and inserting ''in subparagraph (A), (C), or (D)''.

(b) CONFORMING AMENDMENT.—Section 5(a)(4) of such Act (50 U.S.C. 3506(a)(4)) is amended by inserting ''and Office of the Director of National Intelligence'' after ''protection of Agency''.

SEC. 305. CLARIFICATION REGARDING PROTECTION OF CENTRAL INTELLIGENCE AGENCY FUNCTIONS.

Section 6 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3507) is amended by striking '', functions'' and inserting ''or functions of the Agency, or of the''.

SEC. 306. ESTABLISHMENT OF ADVISORY BOARD FOR NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

(a) ESTABLISHMENT.—There is established in the National Geospatial-Intelligence Agency an advisory board (in this section referred to as the ''Board'').

(b) DUTIES.—The Board shall—

(1) study matters relating to the mission of the National Geospatial-Intelligence Agency, including with respect to integration of commercial capabilities, promoting innovation, advice on next generation tasking, collection, processing, exploitation, and dissemination capabilities, strengthening functional management, acquisition, and such other matters as the Director of the National Geospatial-Intelligence Agency considers appropriate; and

(2) advise and report directly to the Director with respect to such matters.

(c) MEMBERS.—

(1) NUMBER AND APPOINTMENT.—

(A) IN GENERAL.—The Board shall be composed of 6 members appointed by the Director from among individuals with demonstrated academic, government, business, or other expertise relevant to the mission and functions of the Agency.

(B) NOTIFICATION.—Not later than 30 days after the date on which the Director appoints a member to the Board, the Director shall notify the congressional intelligence committees and the congressional defense committees (as defined in section 101(a) of title 10, United States Code) of such appointment.

(C) INITIAL APPOINTMENTS.—Not later than 180 days after the date of the enactment of this Act, the Director shall appoint the initial 6 members to the Board.

(2) TERMS.—Each member shall be appointed for a term of 3 years.

(3) VACANCY.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term.

(4) CHAIR.—The Board shall have a Chair, who shall be appointed by the Director from among the members.

(5) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(6) EXECUTIVE SECRETARY.—The Director may appoint an executive secretary, who shall be an employee of the Agency, to support the Board.

(d) MEETINGS.—The Board shall meet not less than quarterly, but may meet more frequently at the call of the Director.

(e) REPORTS.—Not later than March 31 of each year, the Board shall submit to the Director and to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the activities and significant findings of the Board during the preceding year.

(f) NONAPPLICABILITY OF CERTAIN REQUIREMENTS.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

(g) TERMINATION.—The Board shall terminate on the date that is 3 years after the date of the first meeting of the Board.

SEC. 307. ANNUAL REPORTS ON STATUS OF RECOMMENDATIONS OF COMPTROLLER GENERAL OF THE UNITED STATES FOR THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) DEFINITION OF OPEN RECOMMENDATIONS.—In this section, the term ''open recommendations'' refers to recommendations of the Comptroller General of the United States that the Comptroller General has not yet designated as closed.

(b) ANNUAL LISTS BY COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than October 31, 2023, and each October 31 thereafter through 2025, the Comptroller General of the United States shall submit to the congressional intelligence committees and the Director of National Intelligence a list of all open recommendations made to the Director,

disaggregated by report number and recommendation number.

(c) ANNUAL REPORTS BY DIRECTOR OF NATIONAL INTELLIGENCE.—Not later than 120 days after the date on which the Director receives a list under subsection (b), the Director shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Comptroller General a report on the actions taken by the Director and actions the Director intends to take, alone or in coordination with the heads of other Federal agencies, in response to each open recommendation identified in the list, including open recommendations the Director considers closed and recommendations the Director determines do not require further action, as well as the basis for that determination.

SEC. 308. TIMELY SUBMISSION OF BUDGET DOCUMENTS FROM INTELLIGENCE COMMUNITY.

Not later than 5 days after the date on which the President submits to Congress a budget for a fiscal year pursuant to section 1105(a) of title 31, United States Code, the Director of National Intelligence shall submit to Congress the supporting information under such section for each element of the intelligence community for that fiscal year.

SEC. 309. COPYRIGHT PROTECTION FOR CIVILIAN FACULTY OF THE NATIONAL INTELLIGENCE UNIVERSITY.

Section 105 of title 17, United States Code, is amended—

(1) by redesignating the second subsection (c) as subsection (d);

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

''(c) USE BY FEDERAL GOVERNMENT.—

''(1) SECRETARY OF DEFENSE AUTHORITY.—With respect to a covered author who produces a covered work in the course of employment at a covered institution described in subparagraphs (A) through (L) of subsection (d)(2), the Secretary of Defense may direct the covered author to provide the Federal Government with an irrevocable, royalty-free, worldwide, nonexclusive license to reproduce, distribute, perform, or display such covered work for purposes of the United States Government.

''(2) DIRECTOR OF NATIONAL INTELLIGENCE AUTHORITY.—With respect to a covered author who produces a covered work in the course of employment at the covered institution described in subsection (d)(2)(M), the Director of National Intelligence may direct the covered author to provide the Federal Government with an irrevocable, royalty-free, world-wide, nonexclusive license to reproduce, distribute, perform, or display such covered work for purposes of the United States Government.''; and

(3) in paragraph (2) of subsection (d), as so redesignated, by adding at the end the following:

''(M) National Intelligence University.''.

SEC. 310. EXPANSION OF REPORTING REQUIREMENTS RELATING TO AUTHORITY TO PAY PERSONNEL OF CENTRAL INTELLIGENCE AGENCY FOR CERTAIN INJURIES TO THE BRAIN.

Section 2(d)(1) of the Helping American Victims Afflicted by Neurological Attacks Act of 2021 (Public Law 117–46) is amended—

(1) in subparagraph (A), by inserting ''and not less frequently than once each year thereafter for 5 years'' after ''Not later than 365 days after the date of the enactment of this Act'';

(2) in subparagraph (B), by adding at the end the following:

''(iv) Detailed information about the number of covered employees, covered individuals, and covered dependents who reported experiencing vestibular, neurological, or related injuries, including those broadly termed 'anomalous health incidents'.

''(v) The number of individuals who have sought benefits under any provision of section 19A of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b).

''(vi) The number of covered employees, covered individuals, and covered dependents who are unable to perform all or part of their professional duties as a result of injuries described in clause (iv).

''(vii) An updated analytic assessment coordinated by the National Intelligence Council regarding the potential causes and perpetrators of anomalous health incidents, as well as any and all dissenting views within the intelligence community, which shall be included as appendices to the assessment.''; and

(3) in subparagraph (C), by striking ''The'' and inserting ''Each''.

SEC. 311. MODIFICATIONS TO FOREIGN MALIGN INFLUENCE RESPONSE CENTER.

(a) RENAMING.—

(1) IN GENERAL.—Section 119C of the National Security Act of 1947 (50 U.S.C. 3059) is amended—

(A) in the section heading, by striking ''**RESPONSE**''; and

(B) in subsection (a), by striking ''Response''.

(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of such Act is amended by striking the item relating to section 119C and inserting the following:

''Sec. 119C. Foreign Malign Influence Center.

(3) CONFORMING AMENDMENT.—Section 589E(d)(2) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2001 note prec.) is amended by striking ''Response''.

(4) REFERENCE.—Any reference in law, regulation, map, document, paper, or other record of the United States to the ''Foreign Malign Influence Response Center'' shall be deemed to be a reference to the Foreign Malign Influence Center.

(b) SUNSET.—Section 119C of such Act (50 U.S.C. 3059) is further amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

''(f) SUNSET.—The authorities and requirements of this section shall terminate on December 31, 2027, and the Director of National Intelligence shall take such actions as may be necessary to conduct an orderly wind-down of the activities of the Center before December 31, 2028.''.

(c) REPORT.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate; and

(C) the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives.

(2) IN GENERAL.—Not later than December 31, 2026, the Director of National Intelligence shall submit to the appropriate committees of Congress a report assessing the continued need for operating the Foreign Malign Influence Center.

SEC. 312. REQUIREMENT TO OFFER CYBER PROTECTION SUPPORT FOR PERSONNEL OF INTELLIGENCE COMMUNITY IN POSITIONS HIGHLY VULNERABLE TO CYBER ATTACK.

(a) IN GENERAL.—Section 6308(b) of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3334d(b)) is amended—

(1) in paragraph (1)—

(A) by striking ''may provide'' and inserting ''shall offer'';

(B) by inserting ''and shall provide such support to any such personnel who request'' before the period at the end; and

(2) in the subsection heading, by striking ''AUTHORITY'' and inserting ''REQUIREMENT''.

(b) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives an implementation plan for providing the support described section 6308(b) of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3334d(b)), as amended by subsection (a), including a description of the training and resources needed to implement the support and the methodology for determining the personnel described in paragraph (2) of such section.

SEC. 313. MINIMUM CYBERSECURITY STANDARDS FOR NATIONAL SECURITY SYSTEMS OF INTELLIGENCE COMMUNITY.

(a) DEFINITION OF NATIONAL SECURITY SYSTEMS.—In this section, the term ''national security systems'' has the meaning given such term in section 3552(b) of title 44, United States Code, and includes systems described in paragraph (2) or (3) of section 3553(e) of such title.

(b) REQUIREMENT TO ESTABLISH CYBERSECURITY STANDARDS FOR NATIONAL SECURITY SYSTEMS.—The Director of National Intelligence shall, in coordination with the National Manager for National Security Systems, establish minimum cybersecurity requirements that shall apply to all national security systems operated by, on the behalf of, or under a law administered by the head of an element of the intelligence community.

(c) IMPLEMENTATION DEADLINE.—The requirements published pursuant to subsection (b) shall include appropriate deadlines by which all elements of the intelligence community that own or operate a national security system shall have fully implemented the requirements established under subsection (b) for all national security systems that it owns or operates.

(d) MAINTENANCE OF REQUIREMENTS.—Not less frequently than once every 2 years, the Director shall reevaluate and update the minimum cybersecurity requirements established under subsection (b).

(e) RESOURCES.—The head of each element of the intelligence community that owns or operates a national security system shall update plans of the element to prioritize resources in such a manner as to fully implement the requirements established in subsection (b) by the deadline established pursuant to subsection (c) for the next 10 fiscal years.

(f) EXEMPTIONS.—

(1) IN GENERAL.—A national security system of an element of the intelligence community may be exempted from the minimum cybersecurity standards established under subsection (b) in accordance with the process established under paragraph (2).

(2) PROCESS FOR EXEMPTION.—The Director shall establish and administer a process by which specific national security systems can be exempted under paragraph (1).

(g) ANNUAL REPORTS ON EXEMPTION REQUESTS.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(C) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) IN GENERAL.—Each year, the Director shall submit to the appropriate committees of Congress an annual report documenting all exemption requests received under subsection (f), the number of exemptions denied, and the justification for each exemption request that was approved.

SEC. 314. REVIEW AND REPORT ON INTELLIGENCE COMMUNITY ACTIVITIES UNDER EXECUTIVE ORDER 12333.

(a) REVIEW AND REPORT REQUIRED.—No later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) conduct a review to ascertain the feasibility and advisability of compiling and making public information relating to activities of the intelligence community under Executive Order 12333 (50 U.S.C. 3001 note; relating to United States intelligence activities); and

(2) submit to the congressional intelligence, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives committees a report on the findings of the Director with respect to the review conducted under paragraph (1).

(b) MATTERS ADDRESSED.—The report shall address the feasibility and advisability of making available to the public information relating to the following:

(1) Data on activities described in subsection (a)(1), including the following:

(A) The amount of United States person information collected pursuant to such activities.

(B) Queries of United States persons pursuant to such activities.

(C) Dissemination of United States person information pursuant to such activities, including masking and unmasking.

(D) The use of United States person information in criminal proceedings.

(2) Quantitative data and qualitative descriptions of incidents in which the intelligence community violated Executive Order 12333 and associated guidelines and procedures.

(c) CONSIDERATIONS.—In conducting the review under subsection (a)(1), the Director shall consider—

(1) the public transparency associated with the use by the intelligence community of the authorities provided under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), including relevant data and compliance incidents; and

(2) the application of the transparency model developed in connection with such Act to activities conducted under Executive Order 12333.

(d) DISAGGREGATION FOR PUBLIC RELEASE.—In conducting the review under subsection (a)(1), the Director shall address whether the relevant data and compliance incidents associated with the different intelligence community entities can be disaggregated for public release.

SEC. 315. ELEVATION OF THE COMMERCIAL AND BUSINESS OPERATIONS OFFICE OF THE NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

Beginning not later than 90 days after the date of the enactment of this Act, the head of the commercial and business operations office of the National Geospatial-Intelligence Agency shall report directly to the Director of the National Geospatial-Intelligence Agency.

SEC. 316. ASSESSING INTELLIGENCE COMMUNITY OPEN-SOURCE SUPPORT FOR EXPORT CONTROLS AND FOREIGN INVESTMENT SCREENING.

(a) PILOT PROGRAM TO ASSESS OPEN SOURCE SUPPORT FOR EXPORT CONTROLS AND FOREIGN INVESTMENT SCREENING.—

(1) PILOT PROGRAM AUTHORIZED.—The Director of National Intelligence shall carry out a pilot program to assess the feasibility and advisability of providing intelligence derived from open source, publicly and commercially available information—

(A) to the Department of Commerce to support the export control and investment screening functions of the Department; and

(B) to the Department of Homeland Security to support the export control functions of the Department.

(2) AUTHORITY.—In carrying out the pilot program required by paragraph (1), the Director—

(A) shall establish a process for the provision of information as described in such paragraph; and

(B) may—

(i) acquire and prepare data, consistent with applicable provisions of law and Executive orders;

(ii) modernize analytic systems, including through the acquisition, development, or application of automated tools; and

(iii) establish standards and policies regarding the acquisition, treatment, and sharing of open source, publicly and commercially available information.

(3) DURATION.—The pilot program required by paragraph (1) shall be carried out during a 3-year period.

(b) PLAN AND REPORT REQUIRED.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Banking, Housing, and Urban Affairs, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

(2) PLAN.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director shall, in coordination with the Secretary of Commerce and the Secretary of Homeland Security, submit to the appropriate committees of Congress a plan to carry out the pilot program required by subsection (a)(1).

(B) CONTENTS.—The plan submitted under subparagraph (A) shall include the following:

(i) A list, developed in consultation with the Secretary of Commerce and the Secretary of Homeland Security, of the activities of the Department of Commerce and the Department of Homeland Security that will be supported by the pilot program.

(ii) A plan for measuring the effectiveness of the pilot program and the value of open source, publicly and commercially available information to the export control and investment screening missions.

(3) REPORT.—

(A) IN GENERAL.—Not later than 540 days after the date on which the Director submits the plan under paragraph (2)(A), the Director shall submit to the appropriate committees of Congress a report on the findings of the Director with respect to the pilot program.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include the following:

(i) An assessment of the feasibility and advisability of providing information as described in subsection (a)(1).

(ii) An assessment of the value of open source, publicly and commercially available information to the export control and investment screening missions, using the measures of effectiveness under paragraph (2)(B)(ii).

(iii) Identification of opportunities for and barriers to more effective use of open source, publicly and commercially available information by the intelligence community.

SEC. 317. ANNUAL TRAINING REQUIREMENT AND REPORT REGARDING ANALYTIC STANDARDS.

(a) POLICY FOR TRAINING PROGRAM REQUIRED.—Consistent with sections 1019 and 1020 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3364 and 3364 note), the Director of National Intelligence shall issue a policy that requires each head of an element of the intelligence community, that has not already done so, to create, before the date that is 180 days after the date of the enactment of this Act, an annual training program on the standards set forth in Intelligence Community Directive 203, Analytic Standards (or successor directive).

(b) CONDUCT OF TRAINING.—Training required pursuant to the policy required by subsection (a) may be conducted in conjunction with other required annual training programs conducted by the element of the intelligence community concerned.

(c) CERTIFICATION OF COMPLETION OF TRAINING.—Each year, each head of an element of the intelligence community shall submit to the congressional intelligence committees a certification as to whether all of the analysts of that element have completed the training required pursuant to the policy required by subsection (a) and if the analysts have not, an explanation of why the training has not been completed.

(d) REPORTS.—

(1) ANNUAL REPORT.—In conjunction with each briefing provided under section 1019(c) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3364(c)), the Director shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the number and themes of compliance incidents reported to intelligence community analytic ombudspersons relating to the standards set forth in Intelligence Community Directive 203 (relating to analytic standards), or successor directive.

(2) REPORT ON PERFORMANCE EVALUATION.—Not later than 90 days after the date of the enactment of this Act, the head of analysis at each element of the intelligence community that conducts all-source analysis shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report describing how compliance with the standards set forth in Intelligence Community Directive 203 (relating to analytic standards), or successor directive, is considered in the performance evaluations and consideration for merit pay, bonuses, promotions, and any other personnel actions for analysts within the element.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit the Director from providing training described in this section as a service of common concern.

(f) SUNSET.—This section shall cease to be effective on the date that is 5 years after the date of the enactment of this Act.

SEC. 318. HISTORICAL ADVISORY PANEL OF THE CENTRAL INTELLIGENCE AGENCY.

The Central Intelligence Agency Act of 1949 (50 U.S.C. 3501 et seq.) is amended by adding at the end the following:

"SEC. 29. HISTORICAL ADVISORY PANEL.

''(a) DEFINITIONS.—In this section, the terms 'congressional intelligence committees' and 'intelligence community' have the meanings given those terms in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

''(b) ESTABLISHMENT.—There is established within the Agency an advisory panel to be known as the 'Historical Advisory Panel' (in this section referred to as the 'panel').

''(c) MEMBERSHIP.—

''(1) COMPOSITION.—

''(A) IN GENERAL.—The panel shall be composed of up to 7 members appointed by the Director from among individuals recognized as scholarly authorities in history, international relations, or related fields.

''(B) INITIAL APPOINTMENTS.—Not later than 180 days after the date of the enactment of this section, the Director shall appoint the initial members of the panel.

''(2) CHAIRPERSON.—The Director shall designate a Chairperson of the panel from among the members of the panel.

''(d) SECURITY CLEARANCES AND ACCESSES.—The Director shall sponsor appropriate security clearances and accesses for all members of the panel.

''(e) TERMS OF SERVICE.—

''(1) IN GENERAL.—Each member of the panel shall be appointed for a term of 3 years.

''(2) RENEWAL.—The Director may renew the appointment of a member of the panel for not more than 2 subsequent terms.

''(f) DUTIES.—The panel shall advise the Agency on—

''(1) topics for research and publication within the Agency;

''(2) topics for discretionary declassification reviews;

''(3) declassification of specific records or types of records;

''(4) determinations regarding topics and records whose continued classification is outweighed by the public benefit of disclosure;

''(5) technological tools to modernize the classification and declassification processes to improve the efficiency and effectiveness of those processes; and

''(6) other matters as the Director may assign.

''(g) REPORTS.—Not less than once each year, the panel shall submit to the Director and the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the activities of the panel.

''(h) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the panel.

''(i) SUNSET.—The provisions of this section shall expire 7 years after the date of the enactment of the American Security Drone Act of 2022, unless reauthorized by statute.''.

TITLE IV—INTELLIGENCE MATTERS RELATING TO THE PEOPLE'S REPUBLIC OF CHINA

SEC. 401. REPORT ON WEALTH AND CORRUPT ACTIVITIES OF THE LEADERSHIP OF THE CHINESE COMMUNIST PARTY.

(a) REPORT REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence shall make available to the public an unclassified report on the wealth and corrupt activities of the leadership of the Chinese Communist Party, including the General Secretary of the Chinese Communist Party and senior leadership officials in the Central Committee, the Politburo, the Politburo Standing Committee, and any other regional Party Secretaries.

(b) ANNUAL UPDATES.—Not later than 2 years after the date of the enactment of this Act and not less frequently than once each year thereafter until the date that is 6 years after the date of the enactment of this Act, the Director shall update the report published under subsection (a).

SEC. 402. IDENTIFICATION AND THREAT ASSESSMENT OF COMPANIES WITH INVESTMENTS BY THE PEOPLE'S REPUBLIC OF CHINA.

Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with such heads of elements of the intelligence community as the Director considers appropriate, shall provide to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the risk to national security of the use of—

(1) telecommunications companies with substantial investment by the People's Republic of China operating in the United States or providing services to affiliates and personnel of the intelligence community; and

(2) hospitality and conveyance companies with substantial investment by the People's Republic of China by affiliates and personnel of the intelligence community for travel on behalf of the United States Government.

SEC. 403. INTELLIGENCE COMMUNITY WORKING GROUP FOR MONITORING THE ECONOMIC AND TECHNOLOGICAL CAPABILITIES OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—The Director of National Intelligence, in consultation with such heads of elements of the intelligence community as the Director considers appropriate, shall establish a cross-intelligence community analytical working group (in this section referred to as the ''working group'') on the economic and technological capabilities of the People's Republic of China.

(b) MONITORING AND ANALYSIS.—The working group shall monitor and analyze—

(1) the economic and technological capabilities of the People's Republic of China;

(2) the extent to which those capabilities rely on exports, investments in companies, or services from the United States and other foreign countries;

(3) the links of those capabilities to the military-industrial complex of the People's Republic of China; and

(4) the threats those capabilities pose to the national and economic security and values of the United States.

(c) ANNUAL ASSESSMENT.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(C) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) IN GENERAL.—Not less frequently than once each year, the working group shall submit to the appropriate committees of Congress an assessment of the economic and technological strategy, efforts, and progress of the People's Republic of China to become the dominant military, technological, and economic power in the world and undermine the rules-based world order.

(3) ELEMENTS.—Each assessment required by paragraph (2) shall include the following:

(A) An unclassified overview of the major goals, strategies, and policies of the People's Republic of China to control, shape, or develop self-sufficiency in key technologies and control related supply chains and ecosystems, including—

(i) efforts to acquire United States and other foreign technology and recruit foreign talent in technology sectors of the People's Republic of China, including the extent to which those efforts relate to the military-industrial complex of the People's Republic of China;

(ii) efforts related to incentivizing offshoring of United States and foreign manufacturing to China, influencing global supply chains, and creating supply chain vulnerabilities for the United States, including China's investments or potential investments in foreign countries to create monopolies in the processing and exporting of rare earth and other critical materials necessary for renewable energy, including cobalt, lithium, and nickel;

(iii) related tools and market access restrictions or distortions imposed by the People's Republic of China on foreign firms and laws and regulations of the People's Republic of China that discriminate against United States and other foreign firms; and

(iv) efforts of the People's Republic of China to attract investment from the United States and other foreign investors to build self-sufficient capabilities and the type of capital flows from the United States to China, including information on documentation of the lifecycle of investments, from the specific actions taken by the Government of the People's Republic of China to attract the investments to the outcome of such efforts for entities and persons of the People's Republic of China.

(B) An unclassified assessment of the progress of the People's Republic of China to achieve its goals, disaggregated by economic sector.

(C) An unclassified assessment of the impact of the transfer of capital, technology, data, talent, and technical expertise from the United States to China on the economic, technological, and military capabilities of the People's Republic of China.

(D) An unclassified list of the top 200 businesses, academic and research institutions, or other entities of the People's Republic of China that are—

(i) designated by Chinese securities issuing and trading entities or other sources as supporting the military-industrial complex of the People's Republic of China;

(ii) developing, producing, or exporting technologies of strategic importance to the People's Republic of China or supporting entities of the People's Republic of China that are subject to sanctions imposed by the United States;

(iii) supporting the military-civil fusion program of the People's Republic of China; or

(iv) otherwise supporting the goals and efforts of the Chinese Communist Party and Chinese government entities, including the Ministry of State Security, the Ministry of Public Security, and the People's Liberation Army.

(E) An unclassified list of the top 100 development, infrastructure, or other strategic projects that the People's Republic of China is financing abroad that—

(i) advance the technology goals and strategies of the Chinese Communist Party; or

(ii) evade financial sanctions, export controls, or import restrictions imposed by the United States.

(F) An unclassified list of the top 100 businesses, research institutions, or other entities of the People's Republic of China that are developing surveillance, smart cities, or related technologies that are—

(i) exported to other countries, undermining democracy worldwide; or

(ii) provided to the security services of the People's Republic of China, enabling them to commit severe human rights abuses in China.

(G) An unclassified list of the top 100 businesses or other entities of the People's Republic of China that are—

(i) operating in the genocide zone in Xinjiang; or

(ii) supporting the Xinjiang Public Security Bureau, the Xinjiang Bureau of the Ministry of State Security, the People's Armed Police, or the Xinjiang Production and Construction Corps.

(H) A list of investment funds, public companies, or private or early-stage firms of the People's Republic of China that have received more than $100,000,000 in capital flows from the United States during the 10-year period preceding the date on which the assessment is submitted.

(4) PREPARATION OF ASSESSMENTS.—In preparing each assessment required by paragraph (2), the working group shall use open source documents in Chinese language and commercial databases.

(5) FORMAT.—An assessment required by paragraph (2) may be submitted in the format of a National Intelligence Estimate.

(6) FORM.—Each assessment required by paragraph (2) shall be submitted in unclassified form, but may include a classified annex.

(7) PUBLICATION.—The unclassified portion of each assessment required by paragraph (2) shall be published on the publicly accessible website of the Director of National Intelligence.

(d) BRIEFINGS TO CONGRESS.—Not less frequently than quarterly, the working group shall provide to Congress a classified briefing on the economic and technological goals, strategies, and progress of the People's Republic of China, especially on the information that cannot be disclosed in the unclassified portion of an assessment required by subsection (c)(2).

(e) CLASSIFIED ANALYSES.—Each classified annex to an assessment required by subsection (c)(2) or corresponding briefing provided under subsection (d) shall include an analysis of—

(1) the vulnerabilities of the People's Republic of China, disaggregated by economic sector, industry, and entity; and

(2) the technological or supply chain chokepoints of the People's Republic of China that provide leverage to the United States.

(f) SUNSET.—This section shall cease to be effective on the date that is 5 years after the date of the enactment of this Act.

SEC. 404. ANNUAL REPORT ON CONCENTRATED REEDUCATION CAMPS IN THE XINJIANG UYGHUR AUTONOMOUS REGION OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Appropriations of the Senate; and

(C) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Appropriations of the House of Representatives.

(2) COVERED CAMP.—The term ''covered camp'' means a detention camp, prison, forced labor camp, or forced labor factory located in the Xinjiang Uyghur Autonomous Region of the People's Republic of China, referred to by the Government of the People's Republic of China as ''concentrated reeducation camps'' or ''vocational training centers''.

(b) ANNUAL REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter for 5 years, the Director of National Intelligence, in consultation with such heads of elements of the intelligence community as the Director considers appropriate, shall submit to the appropriate committees of Congress a report on the status of covered camps.

(c) ELEMENTS.—Each report required by subsection (b) shall include the following:

(1) An identification of the number and geographic location of covered camps and an estimate of the number of victims detained in covered camps.

(2) A description of—

(A) the types of personnel and equipment in covered camps;

(B) the funding received by covered camps from the Government of the People's Republic of China; and

(C) the role of the security services of the People's Republic of China and the Xinjiang Production and Construction Corps in enforcing atrocities at covered camps.

(3) A comprehensive list of—

(A) the entities of the Xinjiang Production and Construction Corps, including subsidiaries and affiliated businesses, with respect to which sanctions have been imposed by the United States;

(B) commercial activities of those entities outside of the People's Republic of China; and

(C) other Chinese businesses, including in the artificial intelligence, biotechnology, and surveillance technology sectors, that are involved with the atrocities in Xinjiang or supporting the policies of the People's Republic of China in the region.

(d) FORM.—Each report required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

(e) PUBLICATION.—The unclassified portion of each report required by subsection (b) shall be published on the publicly accessible website of the Office of the Director of National Intelligence.

SEC. 405. ASSESSMENTS OF PRODUCTION OF SEMICONDUCTORS BY THE PEOPLE'S REPUBLIC OF CHINA.

(a) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Appropriations of the House of Representatives.

(b) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter for 3 years, the Director of National Intelligence shall submit to the appropriate committees of Congress an assessment of progress by the People's Republic of China in global competitiveness in the production of semiconductors by Chinese firms.

(c) ELEMENTS.—Each assessment submitted under subsection (b) shall include the following:

(1) The progress of the People's Republic of China toward self-sufficiency in the supply of semiconductors for globally competitive Chinese firms, including those firms competing in the fields of artificial intelligence, cloud computing, autonomous vehicles, next-generation and renewable energy, and high-performance computing.

(2) Activity of Chinese firms with respect to the procurement of semiconductor manufacturing equipment necessary for the production of microelectronics below the 20 nanometer process node, including any identified export diversion to evade export controls.

(3) A comprehensive summary of unilateral and multilateral export controls that Chinese semiconductor manufacturers have been subject to in the year preceding the date on which the assessment is submitted, as well as a description of the status of export licenses issued by any export control authority during that time period.

(4) Any observed stockpiling efforts by Chinese firms with respect to semiconductor manufacturing equipment, substrate materials, silicon wafers, or other necessary inputs for semiconductor production.

(5) An analysis of the relative market share of different Chinese semiconductor manufacturers at different process nodes and the estimated increase or decrease of market share by that manufacturer in each product category during the preceding year.

(6) A comprehensive summary of recruitment activity of the People's Republic of China targeting semiconductor manufacturing engineers and managers from non-Chinese firms.

(7) An analysis of the capability of the workforce of the People's Republic of China to design, produce, and manufacture microelectronics below the 20 nanometer process node and relevant equipment.

(d) FORM OF ASSESSMENTS.—Each assessment submitted under subsection (b) shall be submitted in unclassified form and include a classified annex.

TITLE V—PERSONNEL AND SECURITY CLEARANCE MATTERS

SEC. 501. IMPROVING ONBOARDING OF PERSONNEL IN INTELLIGENCE COMMUNITY.

(a) METHODOLOGY.—The Director of National Intelligence shall establish a methodology appropriate for all elements of the intelligence community that can be used to measure, consistently and reliably, the time it takes to onboard personnel, from time of application to beginning performance of duties.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the time it takes to onboard personnel in the intelligence community.

(2) ELEMENTS.—The report submitted under paragraph (1) shall cover the mean and median time it takes to onboard personnel in the intelligence community, disaggregated by mode of onboarding and element of the intelligence community.

(c) PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees a plan to reduce the time it takes to onboard personnel in the intelligence community, for elements of the intelligence community that have median onboarding times that exceed 180 days.

(2) ELEMENTS.—The plan submitted under paragraph (1) shall include milestones to achieve certain specific goals with respect to

the mean, median, and mode time it takes to onboard personnel in the elements of the intelligence community described in such paragraph, disaggregated by element of the intelligence community.

SEC. 502. IMPROVING ONBOARDING AT THE CENTRAL INTELLIGENCE AGENCY.

(a) DEFINITION OF ONBOARD PERIOD.—In this section, the term ''onboard period'' means the period beginning on the date on which an individual submits an application for employment with the Central Intelligence Agency and the date on which the individual is formally offered one or more entrance on duty dates.

(b) IN GENERAL.—The Director of the Central Intelligence Agency shall take such actions as the Director considers appropriate and necessary to ensure that, by December 31, 2023, the median duration of the onboard period for new employees at the Central Intelligence Agency is equal to or less than 180 days.

SEC. 503. REPORT ON LEGISLATIVE ACTION REQUIRED TO IMPLEMENT TRUSTED WORKFORCE 2.0 INITIATIVE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Deputy Director for Management of the Office of Management and Budget shall, in the Deputy Director's capacity as the Chair of the Security, Suitability, and Credentialing Performance Accountability Council pursuant to section 2.4 of Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for Government employment, fitness for contractor employees, and eligibility for access to classified national security information), submit to Congress a report on the legislative action required to implement the Trusted Workforce 2.0 initiative.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) Specification of the statutes that require amendment in order to implement the initiative described in subsection (a).

(2) For each statute specified under paragraph (1), an indication of the priority for enactment of an amendment.

(3) For each statute specified under paragraph (1), a description of the consequences if the statute is not amended.

SEC. 504. COMPTROLLER GENERAL OF THE UNITED STATES ASSESSMENT OF ADMINISTRATION OF POLYGRAPHS IN INTELLIGENCE COMMUNITY.

(a) ASSESSMENT REQUIRED.—The Comptroller General of the United States shall conduct an assessment of the administration of polygraph evaluations that are needed in the intelligence community to meet current annual mission demand.

(b) ELEMENTS.—The assessment completed under subsection (a) shall include the following:

(1) Identification of the number of polygraphers currently available at each element of the intelligence community to meet the demand described in subsection (a).

(2) If the demand described in subsection (a) cannot be met, an identification of the number of polygraphers that would need to be hired and certified to meet it.

(c) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall brief the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives on the preliminary findings of the Comptroller General with respect to the assessment conducted pursuant to subsection (a).

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the committees described in subsection (c) a report on the findings of the Comptroller General with respect to the assessment conducted pursuant to subsection (a).

SEC. 505. TIMELINESS IN THE ADMINISTRATION OF POLYGRAPHS.

(a) STANDARDS REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in the Director's capacity as the Security Executive Agent pursuant to section 803(a) of the National Security Act of 1947 (50 U.S.C. 3162a(a)), issue standards for timeliness for Federal agencies to administer polygraphs conducted for the purpose of—

(A) adjudicating decisions regarding eligibility for access to classified information (as defined in the procedures established pursuant to section 801(a) of the National Security Act of 1947 (50 U.S.C. 3161(a))); and

(B) granting reciprocity pursuant to Security Executive Agent Directive 2, or successor directive.

(2) PUBLICATION.—The Director shall publish the standards issued under paragraph (1) in the Federal Register or such other venue as the Director considers appropriate.

(b) IMPLEMENTATION PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to Congress an implementation plan for Federal agencies to comply with the standards issued under subsection (a). Such plan shall specify the resources required by Federal agencies to comply with such standards.

SEC. 506. POLICY ON SUBMITTAL OF APPLICATIONS FOR ACCESS TO CLASSIFIED INFORMATION FOR CERTAIN PERSONNEL.

Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in the Director's capacity as the Security Executive Agent pursuant to section 803(a) of the National Security Act of 1947 (50 U.S.C. 3162a(a)), issue a policy that allows a private person to submit a certain number or proportion of applications, on a nonreimbursable basis, for employee access to classified information for personnel who perform key management and oversight functions who may not merit an application due to their work under any one contract.

SEC. 507. TECHNICAL CORRECTION REGARDING FEDERAL POLICY ON SHARING OF COVERED INSIDER THREAT INFORMATION.

Section 806(b) of the Intelligence Authorization Act for Fiscal Year 2022 (Public Law 117–103) is amended by striking ''contracting agency'' and inserting ''contractor that employs the contractor employee''.

SEC. 508. ESTABLISHING PROCESS PARITY FOR ADVERSE SECURITY CLEARANCE AND ACCESS DETERMINATIONS.

Subparagraph (C) of section 3001(j)(4) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(4)) is amended to read as follows:

''(C) CONTRIBUTING FACTOR.—

''(i) IN GENERAL.—Subject to clause (iii), in determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall find that paragraph (1) was violated if the individual has demonstrated that a disclosure described in paragraph (1) was a contributing factor in the adverse security clearance or access determination taken against the individual.

''(ii) CIRCUMSTANTIAL EVIDENCE.—An individual under clause (i) may demonstrate that the disclosure was a contributing factor in the adverse security clearance or access determination taken against the individual through circumstantial evidence, such as evidence that—

''(I) the official making the determination knew of the disclosure; and

''(II) the determination occurred within a period such that a reasonable person could conclude that the disclosure was a contributing factor in the determination.

''(iii) DEFENSE.—In determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall not find that paragraph (1) was violated if, after a finding that a disclosure was a contributing factor, the agency demonstrates by clear and convincing evidence that it would have made the same security clearance or access determination in the absence of such disclosure.''.

SEC. 509. ELIMINATION OF CAP ON COMPENSATORY DAMAGES FOR RETALIATORY REVOCATION OF SECURITY CLEARANCES AND ACCESS DETERMINATIONS.

Section 3001(j)(4)(B) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(4)(B)) is amended, in the second sentence, by striking ''not to exceed $300,000''.

SEC. 510. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON USE OF GOVERNMENT AND INDUSTRY SPACE CERTIFIED AS SENSITIVE COMPARTMENTED INFORMATION FACILITIES.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the average annual utilization of Federal Government and industry space certified as a sensitive compartmented information facility under intelligence community or Department of Defense policy.

TITLE VI—INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY

SEC. 601. SUBMITTAL OF COMPLAINTS AND INFORMATION BY WHISTLEBLOWERS IN THE INTELLIGENCE COMMUNITY TO CONGRESS.

(a) AMENDMENTS TO INSPECTOR GENERAL ACT OF 1978.—

(1) APPOINTMENT OF SECURITY OFFICERS.—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) by redesignating subsection (h) as subsection (i); and

(B) by inserting after subsection (g) the following:

''(h) APPOINTMENT OF SECURITY OFFICERS.—Each Inspector General under this section, including the designees of the Inspector General of the Department of Defense pursuant to subsection (a)(3), shall appoint within their offices security officers to provide, on a permanent basis, confidential, security-related guidance and direction to an employee of their respective establishment, an employee assigned or detailed to such establishment, or an employee of a contractor of such establishment who intends to report to Congress a complaint or information, so that such employee can obtain direction on how to report to Congress in accordance with appropriate security practices.''.

(2) PROCEDURES.—Subsection (d) of such section is amended—

(A) in paragraph (1), by inserting ''or any other committee of jurisdiction of the Senate or the House of Representatives'' after ''either or both of the intelligence committees'';

(B) by amending paragraph (2) to read as follows:

''(2)(A) Except as provided in subparagraph (B), the employee may contact an intelligence committee or another committee of jurisdiction directly as described in paragraph (1) of this subsection or in subsection (a)(4) only if the employee—

''(i) before making such a contact, furnishes to the head of the establishment, through the Inspector General (or designee), a statement of the employee's complaint or

information and notice of the employee's intent to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly; and

''(ii)(I) obtains and follows from the head of the establishment, through the Inspector General (or designee), procedural direction on how to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives in accordance with appropriate security practices; or

''(II) obtains and follows such procedural direction from the applicable security officer appointed under subsection (h).

''(B) If an employee seeks procedural direction under subparagraph (A)(ii) and does not receive such procedural direction within 30 days, or receives insufficient direction to report to Congress a complaint or information, the employee may contact an intelligence committee or any other committee of jurisdiction of the Senate or the House of Representatives directly without obtaining or following the procedural direction otherwise required under such subparagraph.''; and

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

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

''(3) An employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information to the Chairman and Vice Chairman or Ranking Member, as the case may be, of an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives, a nonpartisan member of the committee staff designated for purposes of receiving complaints or information under this section, or a member of the majority staff and a member of the minority staff of the committee.''.

(3) CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.—Subsection (a) of such section is amended by adding at the end the following:

''(4) Subject to paragraphs (2) and (3) of subsection (d), an employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information directly to Congress, regardless of whether the complaint or information is with respect to an urgent concern—

''(A) in lieu of reporting such complaint or information under paragraph (1); or

''(B) in addition to reporting such complaint or information under paragraph (1).''.

(b) AMENDMENTS TO NATIONAL SECURITY ACT OF 1947.—

(1) APPOINTMENT OF SECURITY OFFICERS.—Section 103H(j) of the National Security Act of 1947 (50 U.S.C. 3033(j)) is amended by adding at the end the following:

''(5) The Inspector General shall appoint within the Office of the Inspector General security officers as required by subsection (h) of section 8H of the Inspector General Act of 1978 (5 U.S.C. App.).''.

(2) PROCEDURES.—Subparagraph (D) of section 103H(k)(5) of such Act (50 U.S.C. 3033(k)(5)) is amended—

(A) in clause (i), by inserting ''or any other committee of jurisdiction of the Senate or the House of Representatives'' after ''either or both of the congressional intelligence committees'';

(B) by amending clause (ii) to read as follows:

''(ii)(I) Except as provided in subclause (II), an employee may contact a congressional intelligence committee or another committee of jurisdiction directly as described in clause (i) only if the employee—

''(aa) before making such a contact, furnishes to the Director, through the Inspector General, a statement of the employee's complaint or information and notice of the employee's intent to contact a congressional intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly; and

''(bb)(AA) obtains and follows from the Director, through the Inspector General, procedural direction on how to contact a congressional intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives in accordance with appropriate security practices; or

''(BB) obtains and follows such procedural direction from the applicable security officer appointed under section 8H(h) of the Inspector General Act of 1978 (5 U.S.C. App.).

''(II) If an employee seeks procedural direction under subclause (I)(bb) and does not receive such procedural direction within 30 days, or receives insufficient direction to report to Congress a complaint or information, the employee may contact a congressional intelligence committee or any other committee of jurisdiction of the Senate or the House of Representatives directly without obtaining or following the procedural direction otherwise required under such subclause.'';

(C) by redesignating clause (iii) as clause (iv); and

(D) by inserting after clause (ii) the following:

''(iii) An employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information to the Chairman and Vice Chairman or Ranking Member, as the case may be, of a congressional intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives, a nonpartisan member of the committee staff designated for purposes of receiving complaints or information under this section, or a member of the majority staff and a member of the minority staff of the committee.''.

(3) CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.—Subparagraph (A) of such section is amended—

(A) by inserting ''(i)'' before ''An employee of''; and

(B) by adding at the end the following:

''(ii) Subject to clauses (ii) and (iii) of subparagraph (D), an employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information directly to Congress, regardless of whether the complaint or information is with respect to an urgent concern—

''(I) in lieu of reporting such complaint or information under clause (i); or

''(II) in addition to reporting such complaint or information under clause (i).''.

(c) AMENDMENTS TO THE CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—

(1) APPOINTMENT OF SECURITY OFFICERS.—Section 17(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)) is amended by adding at the end the following:

''(I) The Inspector General shall appoint within the Office of the Inspector General security officers as required by subsection (h) of section 8H of the Inspector General Act of 1978 (5 U.S.C. App.).''.

(2) PROCEDURES.—Subparagraph (D) of such section is amended—

(A) in clause (i), by inserting ''or any other committee of jurisdiction of the Senate or the House of Representatives'' after ''either or both of the intelligence committees'';

(B) by amending clause (ii) to read as follows:

''(ii)(I) Except as provided in subclause (II), an employee may contact an intelligence committee or another committee of jurisdiction directly as described in clause (i) only if the employee—

''(aa) before making such a contact, furnishes to the Director, through the Inspector General, a statement of the employee's complaint or information and notice of the employee's intent to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly; and

''(bb)(AA) obtains and follows from the Director, through the Inspector General, procedural direction on how to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives in accordance with appropriate security practices; or

''(BB) obtains and follows such procedural direction from the applicable security officer appointed under section 8H(h) of the Inspector General Act of 1978 (5 U.S.C. App.).

''(II) If an employee seeks procedural direction under subclause (I)(bb) and does not receive such procedural direction within 30 days, or receives insufficient direction to report to Congress a complaint or information, the employee may contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly without obtaining or following the procedural direction otherwise required under such subclause.'';

(C) by redesignating clause (iii) as clause (iv); and

(D) by inserting after clause (ii) the following:

''(iii) An employee of the Agency who intends to report to Congress a complaint or information may report such complaint or information to the Chairman and Vice Chairman or Ranking Member, as the case may be, of an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives, a nonpartisan member of the committee staff designated for purposes of receiving complaints or information under this section, or a member of the majority staff and a member of the minority staff of the committee.''.

(3) CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.—Subparagraph (A) of such section is amended—

(A) by inserting ''(i)'' before ''An employee of''; and

(B) by adding at the end the following:

''(ii) Subject to clauses (ii) and (iii) of subparagraph (D), an employee of the Agency who intends to report to Congress a complaint or information may report such complaint or information directly to Congress, regardless of whether the complaint or information is with respect to an urgent concern—

''(I) in lieu of reporting such complaint or information under clause (i); or

''(II) in addition to reporting such complaint or information under clause (i).''.

(d) RULE OF CONSTRUCTION.—Nothing in this section or an amendment made by this section shall be construed to revoke or diminish any right of an individual provided by section 2303 of title 5, United States Code.

SEC. 602. MODIFICATION OF WHISTLEBLOWER PROTECTIONS FOR CONTRACTOR EMPLOYEES IN INTELLIGENCE COMMUNITY.

Section 1104(c)(1)(A) of the National Security Act of 1947 (50 U.S.C. 3234(c)(1)(A)) is amended by inserting ''a supervisor of the employing agency with responsibility for the subject matter of the disclosure,'' after ''chain of command,''.

SEC. 603. PROHIBITION AGAINST DISCLOSURE OF WHISTLEBLOWER IDENTITY AS REPRISAL AGAINST WHISTLEBLOWER DISCLOSURE BY EMPLOYEES AND CONTRACTORS IN INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) is amended—

(1) in subsection (a)(3) of such section—

(A) in subparagraph (I), by striking ''; or'' and inserting a semicolon;

(B) by redesignating subparagraph (J) as subparagraph (K); and

(C) by inserting after subparagraph (I) the following:

''(J) a knowing and willful disclosure revealing the identity or other personally identifiable information of an employee or contractor employee; or'';

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

(3) by inserting after subsection (e) the following:

''(f) PERSONNEL ACTIONS INVOLVING DISCLOSURES OF WHISTLEBLOWER IDENTITY.—A personnel action described in subsection (a)(3)(J) shall not be considered in violation of subsection (b) or (c) under the following circumstances:

''(1) The personnel action was taken with the express consent of the employee or contractor employee.

''(2) An Inspector General with oversight responsibility for a covered intelligence community element determines that—

''(A) the personnel action was unavoidable under section 103H(g)(3)(A) of this Act (50 U.S.C. 3033(g)(3)(A)), section 17(e)(3)(A) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(e)(3)(A)), section 7(b) of the Inspector General Act of 1978 (5 U.S.C. App.), or section 8M(b)(2)(B) of the Inspector General Act of 1978 (5 U.S.C. App.);

''(B) the personnel action was made to an official of the Department of Justice responsible for determining whether a prosecution should be undertaken; or

''(C) the personnel action was required by statute or an order from a court of competent jurisdiction.''.

(b) APPLICABILITY TO DETAILEES.—Subsection (a) of section 1104 of such Act (50 U.S.C. 3234) is amended by adding at the end the following:

''(5) EMPLOYEE.—The term 'employee', with respect to an agency or a covered intelligence community element, includes an individual who has been detailed to such agency or covered intelligence community element.''.

SEC. 604. DEFINITIONS REGARDING WHISTLEBLOWER COMPLAINTS AND INFORMATION OF URGENT CONCERN RECEIVED BY INSPECTORS GENERAL OF THE INTELLIGENCE COMMUNITY.

(a) NATIONAL SECURITY ACT OF 1947.—Section 103H(k)(5)(G)(i)(I) of the National Security Act of 1947 (50 U.S.C. 3033(k)(5)(G)(i)(I)) is amended by striking ''within the'' and all that follows through ''policy matters.'' and inserting the following: ''of the Federal Government that is—

''(aa) a matter of national security; and

''(bb) not a difference of opinion concerning public policy matters.''.

(b) INSPECTOR GENERAL ACT OF 1978.—Section 8H(h)(1)(A)(i) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking ''involving'' and all that follows through ''policy matters.'' and inserting the following: ''of the Federal Government that is—

''(I) a matter of national security; and

''(II) not a difference of opinion concerning public policy matters.''.

(c) CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—Section 17(d)(5)(G)(i)(I)(aa) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)(G)(i)(I)(aa)) is amended by striking ''involving'' and all that follows through ''policy matters.'' and inserting the following: ''of the Federal Government that is—

''(AA) a matter of national security; and

''(BB) not a difference of opinion concerning public policy matters.''.

TITLE VII—OTHER MATTERS

SEC. 701. IMPROVEMENTS RELATING TO CONTINUITY OF PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD MEMBERSHIP.

Paragraph (4) of section 1061(h) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(h)) is amended to read as follows:

''(4) TERM.—

''(A) COMMENCEMENT.—Each member of the Board shall serve a term of 6 years, commencing on the date of the appointment of the member to the Board.

''(B) REAPPOINTMENT.—A member may be reappointed to one or more additional terms.

''(C) VACANCY.—A vacancy on the Board shall be filled in the manner in which the original appointment was made.

''(D) EXTENSION.—Upon the expiration of the term of office of a member, the member may continue to serve, at the election of the member—

''(i) during the period preceding the reappointment of the member pursuant to subparagraph (B); or

''(ii) until the member's successor has been appointed and qualified.''.

SEC. 702. MODIFICATION OF REQUIREMENT FOR OFFICE TO ADDRESS UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA.

(a) IN GENERAL.—Section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373) is amended to read as follows:

''SEC. 1683. ESTABLISHMENT OF UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA JOINT PROGRAM OFFICE.

''(a) ESTABLISHMENT OF OFFICE.—

''(1) IN GENERAL.—Not later than 120 days after the date of the enactment of the American Security Drone Act of 2022, the Secretary of Defense, in coordination with the Director of National Intelligence, shall establish an office within a component of the Office of the Secretary of Defense, or within a joint organization of the Department of Defense and the Office of the Director of National Intelligence, to carry out the duties of the Unidentified Aerial Phenomena Task Force, as in effect on December 26, 2021, and such other duties as are required by this section, including those pertaining to—

''(A) transmedium objects or devices and unidentified aerospace-undersea phenomena;

''(B) space, atmospheric, and water domains; and

''(C) currently unknown technology and other domains.

''(2) DESIGNATION.—The office established under paragraph (1) shall be known as the 'Unidentified Aerospace-Undersea Phenomena Joint Program Office' (in this section referred to as the 'Office').

''(b) DIRECTOR AND DEPUTY DIRECTOR OF THE OFFICE.—

''(1) APPOINTMENT OF DIRECTOR.—The head of the Office shall be the Director of the Unidentified Aerospace-Undersea Phenomena Joint Program Office (in this section referred to as the 'Director of the Office'), who shall be appointed by the Secretary of Defense.

''(2) APPOINTMENT OF DEPUTY DIRECTOR.—There shall be in the Office a Deputy Director of the Unidentified Aerospace-Undersea Phenomena Joint Program Office (in this section referred to as the 'Deputy Director of the Office'), who shall be appointed by the Director of National Intelligence.

''(3) REPORTING.—(A) The Director of the Office shall report to the Secretary of Defense.

''(B) The Deputy Director of the Office shall report—

''(i) to the Secretary of Defense and the Director of National Intelligence on all administrative matters of the Office; and

''(ii) to the Secretary of Defense on all operational matters of the Office.

''(c) DUTIES.—The duties of the Office shall include the following:

''(1) Developing procedures to synchronize and standardize the collection, reporting, and analysis of incidents, including adverse physiological effects, regarding unidentified aerospace-undersea phenomena across the Department of Defense and the intelligence community, in consultation with the Director of National Intelligence, and submitting a report on such procedures to the congressional defense committees, the congressional intelligence committees, and congressional leadership.

''(2) Developing processes and procedures to ensure that such incidents from each component of the Department and each element of the intelligence community are reported and incorporated in a centralized repository.

''(3) Establishing procedures to require the timely and consistent reporting of such incidents.

''(4) Evaluating links between unidentified aerospace-undersea phenomena and adversarial foreign governments, other foreign governments, or nonstate actors.

''(5) Evaluating the threat that such incidents present to the United States.

''(6) Coordinating with other departments and agencies of the Federal Government, as appropriate, including the Federal Aviation Administration, the National Aeronautics and Space Administration, the Department of Homeland Security, the National Oceanic and Atmospheric Administration, the National Science Foundation, and the Department of Energy.

''(7) Coordinating with allies and partners of the United States, as appropriate, to better assess the nature and extent of unidentified aerospace-undersea phenomena.

''(8) Preparing reports for Congress, in both classified and unclassified form, including under subsection (j).

''(9) Ensuring that appropriate elements of the intelligence community receive all reports received by the Office regarding a temporary nonattributed object or an object that is positively identified as man-made, including by creating a procedure to ensure that the Office refers such reports to an appropriate element of the intelligence community for distribution among other relevant elements of the intelligence community, in addition to the reports in the repository described in paragraph (2).

''(d) RESPONSE TO AND FIELD INVESTIGATIONS OF UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA.—

''(1) DESIGNATION.—The Secretary, in coordination with the Director of National Intelligence, shall designate one or more line organizations within the Department of Defense and the intelligence community that possess appropriate expertise, authorities, accesses, data, systems, platforms, and capabilities to rapidly respond to, and conduct field investigations of, incidents involving unidentified aerospace-undersea phenomena under the direction of the Director of the Office.

''(2) ABILITY TO RESPOND.—The Secretary, in coordination with the Director of National Intelligence, shall ensure that each line organization designated under paragraph (1) has adequate personnel with the

requisite expertise, equipment, transportation, and other resources necessary to respond rapidly to incidents or patterns of observations involving unidentified aerospace-undersea phenomena of which the Office becomes aware.

''(e) SCIENTIFIC, TECHNOLOGICAL, AND OPERATIONAL ANALYSES OF DATA ON UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA.—

''(1) DESIGNATION.—The Secretary, in coordination with the Director of National Intelligence, shall designate one or more line organizations that will be primarily responsible for scientific, technical, and operational analysis of data gathered by field investigations conducted pursuant to subsection (d) and data from other sources, including with respect to the testing of materials, medical studies, and development of theoretical models, to better understand and explain unidentified aerospace-undersea phenomena.

''(2) AUTHORITY.—The Secretary and the Director of National Intelligence shall each issue such directives as are necessary to ensure that each line organization designated under paragraph (1) has authority to draw on the special expertise of persons outside the Federal Government with appropriate security clearances.

''(f) DATA; INTELLIGENCE COLLECTION.—

''(1) AVAILABILITY OF DATA AND REPORTING ON UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA.—The Director of National Intelligence and the Secretary shall each, in coordination with one another, ensure that—

''(A) each element of the intelligence community with data relating to unidentified aerospace-undersea phenomena makes such data available immediately to the Office; and

''(B) military and civilian personnel of the Department of Defense or an element of the intelligence community, and contractor personnel of the Department or such an element, have access to procedures by which the personnel shall report incidents or information, including adverse physiological effects, involving or associated with unidentified aerospace-undersea phenomena directly to the Office.

''(2) INTELLIGENCE COLLECTION AND ANALYSIS PLAN.—The Director of the Office, acting on behalf of the Secretary of Defense and the Director of National Intelligence, shall supervise the development and execution of an intelligence collection and analysis plan to gain as much knowledge as possible regarding the technical and operational characteristics, origins, and intentions of unidentified aerospace-undersea phenomena, including with respect to the development, acquisition, deployment, and operation of technical collection capabilities necessary to detect, identify, and scientifically characterize unidentified aerospace-undersea phenomena.

''(3) USE OF RESOURCES AND CAPABILITIES.—In developing the plan under paragraph (2), the Director of the Office shall consider and propose, as the Director of the Office determines appropriate, the use of any resource, capability, asset, or process of the Department and the intelligence community.

''(4) DIRECTOR OF THE NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.—

''(A) LEADERSHIP.—The Director of the National Geospatial-Intelligence Agency shall lead the collection efforts of the intelligence community with respect to unidentified aerospace-undersea phenomena geospatial intelligence.

''(B) BRIEFINGS.—Not later than 90 days after the date of the enactment of the American Security Drone Act of 2022 and not less frequently than once every 90 days thereafter, the Director shall brief the congressional defense committees, the congressional intelligence committees, and congressional leadership on the activities of the Director under this paragraph.

''(g) SCIENCE PLAN.—The Director of the Office, on behalf of the Secretary and the Director of National Intelligence, shall supervise the development and execution of a science plan to develop and test, as practicable, scientific theories to—

''(1) account for characteristics and performance of unidentified aerospace-undersea phenomena that exceed the known state of the art in science or technology, including in the areas of propulsion, aerodynamic control, signatures, structures, materials, sensors, countermeasures, weapons, electronics, and power generation; and

''(2) provide the foundation for potential future investments to replicate or otherwise better understand any such advanced characteristics and performance.

''(h) ASSIGNMENT OF PRIORITY.—The Director of National Intelligence, in consultation with, and with the recommendation of the Secretary, shall assign an appropriate level of priority within the National Intelligence Priorities Framework to the requirement to understand, characterize, and respond to unidentified aerospace-undersea phenomena.

''(i) CORE GROUP.—Not later than 180 days after the date of the enactment of the American Security Drone Act of 2022, the Director of the Office, the Secretary of Defense, and the Director of National Intelligence shall jointly establish a core group within the Office that shall include, at a minimum, representatives with all relevant and appropriate security clearances from the following:

''(1) The Central Intelligence Agency.

''(2) The National Security Agency.

''(3) The Department of Energy.

''(4) The National Reconnaissance Office.

''(5) The Air Force.

''(6) The Space Force.

''(7) The Defense Intelligence Agency.

''(8) The National Geospatial-Intelligence Agency.

''(9) The Department of Homeland Security.

''(j) ANNUAL REPORTS.—

''(1) REPORTS FROM DIRECTOR OF NATIONAL INTELLIGENCE.—

''(A) REQUIREMENT.—Not later than 180 days after the date of the enactment of the American Security Drone Act of 2022, and annually thereafter for 4 years, the Director of National Intelligence, in consultation with the Secretary, shall submit to the appropriate congressional committees a report on unidentified aerospace-undersea phenomena.

''(B) ELEMENTS.—Each report under subparagraph (A) shall include, with respect to the year covered by the report, the following information:

''(i) All reported unidentified aerospace-undersea phenomena-related events that occurred during the one-year period.

''(ii) All reported unidentified aerospace-undersea phenomena-related events that occurred during a period other than that one-year period but were not included in an earlier report.

''(iii) An analysis of data and intelligence received through each reported unidentified aerospace-undersea phenomena-related event.

''(iv) An analysis of data relating to unidentified aerospace-undersea phenomena collected through—

''(I) geospatial intelligence;

''(II) signals intelligence;

''(III) human intelligence; and

''(IV) measurement and signature intelligence.

''(v) The number of reported incidents of unidentified aerospace-undersea phenomena over restricted airspace of the United States during the one-year period.

''(vi) An analysis of such incidents identified under clause (v).

''(vii) Identification of potential aerospace or other threats posed by unidentified aerospace-undersea phenomena to the national security of the United States.

''(viii) An assessment of any activity regarding unidentified aerospace-undersea phenomena that can be attributed to one or more adversarial foreign governments.

''(ix) Identification of any incidents or patterns regarding unidentified aerospace-undersea phenomena that indicate a potential adversarial foreign government may have achieved a breakthrough aerospace capability.

''(x) An update on the coordination by the United States with allies and partners on efforts to track, understand, and address unidentified aerospace-undersea phenomena.

''(xi) An update on any efforts underway on the ability to capture or exploit discovered unidentified aerospace-undersea phenomena.

''(xii) An assessment of any health related effects for individuals that have encountered unidentified aerospace-undersea phenomena.

''(xiii) The number of reported incidents, and descriptions thereof, of unidentified aerospace-undersea phenomena associated with military nuclear assets, including strategic nuclear weapons and nuclear-powered ships and submarines.

''(xiv) In consultation with the Administrator for Nuclear Security, the number of reported incidents, and descriptions thereof, of unidentified aerospace-undersea phenomena associated with facilities or assets associated with the production, transportation, or storage of nuclear weapons or components thereof.

''(xv) In consultation with the Chairman of the Nuclear Regulatory Commission, the number of reported incidents, and descriptions thereof, of unidentified aerospace-undersea phenomena or drones of unknown origin associated with nuclear power generating stations, nuclear fuel storage sites, or other sites or facilities regulated by the Nuclear Regulatory Commission.

''(xvi) The names of the line organizations that have been designated to perform the specific functions under subsections (d) and (e), and the specific functions for which each such line organization has been assigned primary responsibility.

''(C) FORM.—Each report submitted under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

''(2) REPORTS FROM ELEMENTS OF INTELLIGENCE COMMUNITY.—Not later than one year after the date of enactment of the American Security Drone Act of 2022, and annually thereafter, each head of an element of the intelligence community shall submit to the congressional committees specified in subparagraphs (A), (B), (D), and (E) of subsection (o)(1) and congressional leadership a report on the activities of the element of the head undertaken in the past year to support the Office, including a section prepared by the Office that includes a detailed description of the coordination between the Office and the element of the intelligence community, any concerns with such coordination, and any recommendations for improving such coordination.

''(k) SEMIANNUAL BRIEFINGS.—

''(1) REQUIREMENT.—Not later than December 31, 2022, and not less frequently than semiannually thereafter until December 31, 2026, the Director of the Office shall provide to the congressional committees specified in subparagraphs (A), (B), (D), and (E) of subsection (o)(1) classified briefings on unidentified aerospace-undersea phenomena.

''(2) FIRST BRIEFING.—The first briefing provided under paragraph (1) shall include all incidents involving unidentified aerospace-undersea phenomena that were reported to the Unidentified Aerial Phenomena Task Force or to the Office established under subsection (a) after June 24, 2021, regardless of the date of occurrence of the incident.

''(3) SUBSEQUENT BRIEFINGS.—Each briefing provided subsequent to the first briefing described in paragraph (2) shall include, at a minimum, all events relating to unidentified aerospace-undersea phenomena that occurred during the previous 180 days, and events relating to unidentified aerospace-undersea phenomena that were not included in an earlier briefing.

''(4) INSTANCES IN WHICH DATA WAS NOT SHARED.—For each briefing period, the Director of the Office shall jointly provide to the chairman or chair and the ranking member or vice chairman of the congressional committees specified in subparagraphs (A) and (D) of subsection (o)(1) an enumeration of any instances in which data relating to unidentified aerospace-undersea phenomena was not provided to the Office because of classification restrictions on that data or for any other reason.

''(l) QUARTERLY BRIEFINGS.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the American Security Drone Act of 2022, and not less frequently than once every 90 days thereafter, the Director of the Office shall provide the appropriate congressional committees and congressional leadership briefings on unidentified aerospace-undersea phenomena events.

''(2) ELEMENTS.—The briefings provided under paragraph (1) shall include the following:

''(A) A continuously updated compendium of unidentified aerospace-undersea phenomena events.

''(B) Details about each sighting that has occurred within the past 90 days and the status of each sighting's resolution.

''(C) Updates on the Office's collection activities and posture, analysis, and research.

''(m) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out the work of the Office, including with respect to—

''(1) general intelligence gathering and intelligence analysis; and

''(2) strategic defense, space defense, defense of controlled air space, defense of ground, air, or naval assets, and related purposes.

''(n) TASK FORCE TERMINATION.—Not later than the date on which the Secretary establishes the Office under subsection (a), the Secretary shall terminate the Unidentified Aerial Phenomena Task Force.

''(o) DEFINITIONS.—In this section:

''(1) The term 'appropriate congressional committees' means the following:

''(A) The Committees on Armed Services of the Senate and the House of Representatives.

''(B) The Committees on Appropriations of the Senate and the House of Representatives.

''(C) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

''(D) The Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

''(E) The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

''(2) The term 'congressional defense committees' has the meaning given such term in section 101(a) of title 10, United States Code.

''(3) The term 'congressional intelligence committees' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

''(4) 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.

''(5) 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).

''(6) The term 'line organization' means, with respect to a department or agency of the Federal Government, an organization that executes programs and activities to directly advance the core functions and missions of the department or agency to which the organization is subordinate, but, with respect to the Department of Defense, does not include a component of the Office of the Secretary of Defense.

''(7) The term 'transmedium objects or devices' means objects or devices that are—

''(A) observed to transition between space and the atmosphere, or between the atmosphere and bodies of water; and

''(B) not immediately identifiable.

''(8) The term 'unidentified aerospace-undersea phenomena'—

''(A) means—

''(i) airborne objects that are not immediately identifiable;

''(ii) transmedium objects or devices; and

''(iii) submerged objects or devices that are not immediately identifiable and that display behavior or performance characteristics suggesting that the objects or devices may be related to the objects or devices described in subparagraph (A) or (B); and

''(B) does not include temporary nonattributed objects or those that are positively identified as man-made.''.

(b) DELEGATION OF DUTIES OF DIRECTOR OF NATIONAL INTELLIGENCE.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall select a full-time equivalent employee of the intelligence community and delegate to such employee the responsibilities of the Director under section 1683 of such Act (50 U.S.C. 3373), as amended by subsection (a).

(c) CLERICAL AMENDMENT.—The table of contents in section 2(b) of such Act is amended by striking the item relating to section 1683 of division A and inserting the following new item:

''Sec. 1683. Establishment of Unidentified Aerospace-Undersea Phenomena Joint Program Office.

SEC. 703. UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA REPORTING PROCEDURES.

(a) AUTHORIZATION FOR REPORTING.—Notwithstanding the terms of any nondisclosure written or oral agreement, order, or other instrumentality or means, that could be interpreted as a legal constraint on reporting by a witness of an unidentified aerospace-undersea phenomena, reporting in accordance with the system established under subsection (b) is hereby authorized and shall be deemed to comply with any regulation or order issued under the authority of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information) or chapter 18 of the Atomic Energy Act of 1954 (42 U.S.C. 2271 et seq.).

(b) SYSTEM FOR REPORTING.—

(1) ESTABLISHMENT.—The head of the Office, on behalf of the Secretary of Defense and the Director of National Intelligence, shall establish a secure system for receiving reports of—

(A) any event relating to unidentified aerospace-undersea phenomena; and

(B) any Government or Government contractor activity or program related to unidentified aerospace-undersea phenomena.

(2) PROTECTION OF SYSTEMS, PROGRAMS, AND ACTIVITY.—The system established pursuant to paragraph (1) shall serve as a mechanism to prevent unauthorized public reporting or compromise of properly classified military and intelligence systems, programs, and related activity, including all categories and levels of special access and compartmented access programs, current, historical, and future.

(3) ADMINISTRATION.—The system established pursuant to paragraph (1) shall be administered by designated and widely known, easily accessible, and appropriately cleared Department of Defense and intelligence community employees or contractors assigned to the Unidentified Aerial Phenomena Task Force or the Office.

(4) SHARING OF INFORMATION.—The system established under paragraph (1) shall provide for the immediate sharing with Office personnel and supporting analysts and scientists of information previously prohibited from reporting under any nondisclosure written or oral agreement, order, or other instrumentality or means, except in cases where the cleared Government personnel administering such system conclude that the preponderance of information available regarding the reporting indicates that the observed object and associated events and activities likely relate to a special access program or compartmented access program that, as of the date of the reporting, has been explicitly and clearly reported to the congressional defense committees and congressional intelligence committees, and is documented as meeting those criteria.

(5) INITIAL REPORT AND PUBLICATION.—Not later than 180 days after the date of the enactment of this Act, the head of the Office, on behalf of the Secretary and the Director, shall—

(A) submit to the congressional intelligence committees, the congressional defense committees, and congressional leadership a report detailing the system established under paragraph (1); and

(B) make available to the public on a website of the Department of Defense information about such system, including clear public guidance for accessing and using such system and providing feedback about the expected timeline to process a report.

(6) ANNUAL REPORTS.—Subsection (j)(1) of section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), as amended by section 703, is further amended—

(A) in subparagraph (A), by inserting ''and congressional leadership'' after ''appropriate congressional committees''; and

(B) in subparagraph (B), by adding at the end the following new clause:

''(xvii) A summary of the reports received using the system established under section 703(b)(1) of the American Security Drone Act of 2022.''.

(c) RECORDS OF NONDISCLOSURE AGREEMENTS.—

(1) IDENTIFICATION OF NONDISCLOSURE AGREEMENTS.—The Secretary of Defense, the Director of National Intelligence, the Secretary of Homeland Security, the heads of such other departments and agencies of the Federal Government that have supported investigations of the types of events covered by subparagraph (A) of subsection (b)(1) and activities and programs described in subparagraph (B) of such subsection, and contractors of the Federal Government supporting such activities and programs shall conduct comprehensive searches of all

records relating to nondisclosure orders or agreements or other obligations relating to the types of events described in subsection (a) and provide copies of all relevant documents to the Office.

(2) SUBMITTAL TO CONGRESS.—The head of the Office shall—

(A) make the records compiled under paragraph (1) accessible to the congressional intelligence committees, the congressional defense committees, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, and congressional leadership; and

(B) not later than September 30, 2023, and at least once each fiscal year thereafter through fiscal year 2026, provide to such committees and congressional leadership briefings and reports on such records.

(d) PROTECTION FROM LIABILITY.—

(1) PROTECTION FROM LIABILITY.—It shall not be a violation of any law, and no cause of action shall lie or be maintained in any court or other tribunal against any person, for reporting any information through, and in compliance with, the system established pursuant to subsection (b)(1).

(2) PROHIBITION ON REPRISALS.—An employee of a Federal agency and an employee of a contractor for the Federal Government who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or fail to take, or threaten to take or fail to take, a personnel action, including the revocation or suspension of security clearances, with respect to any individual as a reprisal for any reporting as described in paragraph (1).

(e) REVIEW BY INSPECTORS GENERAL.—Not later than one year after the date of the enactment of this Act, the Inspector General of the Department of Defense and the Inspector General of the Intelligence Community shall each—

(1) conduct an assessment of the compliance with the requirements of this section and the operation and efficacy of the system established under subsection (b); and

(2) submit to the congressional intelligence committees, the congressional defense committees, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, and congressional leadership a report on their respective findings with respect to the assessments they conducted under paragraph (1).

(f) DEFINITIONS.—In this section:

(1) The term ''congressional defense committees'' has the meaning given such term in section 101(a) of title 10, United States Code.

(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 ''Office'' means the office established under section 1683(a) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(a)), as amended by section 703.

(4) The term ''personnel action'' has the meaning given such term in section 1104(a) of the National Security Act of 1947 (50 U.S.C. 3234(a)).

(5) The term ''unidentified aerospace-undersea phenomena'' has the meaning given such term in section 1683(o) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(o)), as amended by section 703.

SEC. 704. COMPTROLLER GENERAL OF THE UNITED STATES COMPILATION OF UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA RECORDS.

(a) DEFINITION OF UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA.—In this section, the term ''unidentified aerospace-undersea phenomena'' has the meaning given such term in section 1683(o) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(o)), as amended by section 703.

(b) COMPILATION REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) commence a review of the records and documents of the intelligence community, oral history interviews, open source analytic analysis, interviews of current and former government officials, classified and unclassified national archives (including those records any third party obtained pursuant to section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'' or ''FOIA'')), and such other relevant historical sources as the Comptroller General considers appropriate; and

(2) for the period beginning on January 1, 1947, and ending on the date on which the Comptroller General completes activities under this subsection, compile and itemize a complete historical record of the intelligence community's involvement with unidentified aerospace-undersea phenomena, including successful or unsuccessful efforts to identify and track unidentified aerospace-undersea phenomena, and any intelligence community efforts to obfuscate, manipulate public opinion, hide, or otherwise provide unclassified or classified misinformation about unidentified aerospace-undersea phenomena or related activities, based on the review conducted under paragraph (1).

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date on which the Comptroller General completes the compilation and itemization required by subsection (b)(2), the Comptroller General shall submit to Congress a report summarizing the historical record described in such subsection.

(2) RESOURCES.—The report submitted under paragraph (1) shall include citations to the resources relied upon and instructions as to how the resources can be accessed.

(3) FORM.—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex as necessary.

(d) COOPERATION OF INTELLIGENCE COMMUNITY.—The heads of elements of the intelligence community whose participation the Comptroller General deems necessary to carry out subsections (b) and (c), including the Director of National Intelligence, the Under Secretary of Defense for Intelligence and Security, and the Director of the Unidentified Aerospace-Undersea Phenomena Joint Program Office, shall fully cooperate with the Comptroller General and provide to the Comptroller General such information as the Comptroller General determines necessary to carry out such subsections.

(e) ACCESS TO RECORDS OF THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION.—The Archivist of the United States shall make available to the Comptroller General such information maintained by the National Archives and Records Administration, including classified information, as the Comptroller General considers necessary to carry out subsections (b) and (c).

SEC. 705. OFFICE OF GLOBAL COMPETITION ANALYSIS.

(a) DEFINITIONS.—In this section:

(1) EXECUTIVE AGENCY.—The term ''Executive agency'' has the meaning given such term in section 105 of title 5, United States Code.

(2) OFFICE.—The term ''Office'' means the Office of Global Competition Analysis established under subsection (b).

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The President shall establish an office for analysis of global competition.

(2) PURPOSES.—The purposes of the Office are as follows:

(A) To carry out a program of analysis relevant to United States leadership in technology and innovation sectors critical to national security and economic prosperity relative to other countries, particularly those countries that are strategic competitors of the United States.

(B) To support policy development and decisionmaking across the Federal Government to ensure United States leadership in technology and innovation sectors critical to national security and economic prosperity relative to other countries, particularly those countries that are strategic competitors of the United States.

(3) DESIGNATION.—The office established under paragraph (1) shall be known as the ''Office of Global Competition Analysis''.

(c) ACTIVITIES.—In accordance with the priorities determined under subsection (d), the Office shall—

(1) subject to subsection (f), acquire, access, use, and handle data or other information relating to the purposes of the Office under subsection (b);

(2) conduct long- and short-term analyses regarding—

(A) United States policies that enable technological competitiveness relative to those of other countries, particularly with respect to countries that are strategic competitors of the United States;

(B) United States science and technology ecosystem elements, including technology innovation, development, advanced manufacturing, supply chain resiliency, workforce, and production, relative to those of other countries, particularly with respect to countries that are strategic competitors of the United States;

(C) United States competitiveness in technology and innovation sectors critical to national security and economic prosperity relative to other countries, including the availability and scalability of United States technology in such sectors abroad, particularly with respect to countries that are strategic competitors of the United States;

(D) trends and trajectories, including rate of change in technologies, related to technology and innovation sectors critical to national security and economic prosperity;

(E) threats to United States' national security interests as a result of any foreign country's dependence on technologies of strategic competitors of the United States; and

(F) threats to United States interests based on dependencies on foreign technologies critical to national security and economic prosperity;

(3) solicit input on technology and economic trends, data, and metrics from relevant private sector stakeholders and engage with academia to inform the analyses under paragraph (2); and

(4) to the greatest extent practicable and as may be appropriate, ensure that versions of the analyses under paragraph (2) are unclassified.

(d) DETERMINATION OF PRIORITIES.—On a periodic basis, the Director of the Office of Science and Technology Policy, the Assistant to the President for Economic Policy, the Assistant to the President for National Security Affairs, the Secretary of Commerce, the Director of National Intelligence, the Secretary of Defense, the Secretary of

Energy, the Secretary of State, and the Secretary of Homeland Security shall, in coordination with such heads of Executive agencies as such Directors, Assistants, and Secretaries jointly consider appropriate, jointly determine the priorities of the Office with respect to subsection (b)(2)(A), considering, as may be appropriate, the strategies and reports under subtitle B of title VI of the Research and Development, Competition, and Innovation Act (Public Law 117–167).

(e) ADMINISTRATION.—To carry out the purposes set forth under subsection (b)(2), the Office shall enter into an agreement with a Federally funded research and development center, a university affiliated research center, or a consortium of federally funded research and development centers and university-affiliated research centers.

(f) ACQUISITION, ACCESS, USE, AND HANDLING OF DATA OR INFORMATION.—In carrying out the activities under subsection (c), the Office—

(1) shall acquire, access, use, and handle data or information in a manner consistent with applicable provisions of law and policy and subject to any restrictions required by the source of the information;

(2) shall have access to all information, data, or reports of any Executive agency that the Office determines necessary to carry out this section upon written request, consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters; and

(3) may obtain commercially available information that may not be publicly available.

(g) ADDITIONAL SUPPORT.—A head of an Executive agency may provide to the Office such support, in the form of financial assistance and personnel, as the head considers appropriate to assist the Office in carrying out any activity under subsection (c), consistent with the priorities determined under subsection (d).

(h) ANNUAL REPORT.—Not less frequently than once each year, the Office shall submit to Congress a report on the activities of the Office under this section, including a description of the priorities under subsection (d) and any support, disaggregated by Executive agency, provided to the Office consistent with subsection (g) in order to advance those priorities.

(i) PLANS .—Before establishing the Office under subsection (b)(1), the President shall submit to the appropriate committees of Congress a report detailing plans for—

(1) the administrative structure of the Office, including—

(A) a detailed spending plan that includes administrative costs; and

(B) a disaggregation of costs associated with carrying out subsection (e)(1);

(2) ensuring consistent and sufficient funding for the Office; and

(3) coordination between the Office and relevant Executive agencies.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000 for fiscal year 2023.

SEC. 706. REPORT ON TRACKING AND COLLECTING PRECURSOR CHEMICALS USED IN THE PRODUCTION OF SYNTHETIC OPIOIDS.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on the Judiciary and the Committee on Appropriations of the Senate; and

(3) the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives.

(b) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the appropriate committees of Congress a report on—

(1) any gaps or challenges related to tracking licit precursor chemicals that are bound for illicit use in the production of synthetic opioids; and

(2) any gaps in authorities related to the collection of licit precursor chemicals that have been routed toward illicit supply chains.

(c) FORM OF REPORT.—The report submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 707. ASSESSMENT AND REPORT ON MASS MIGRATION IN THE WESTERN HEMISPHERE.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations, the Committee on the Judiciary, and the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives.

(b) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall assess, and submit to the congressional intelligence committees a report on—

(1) the threats to the interests of the United States created or enhanced by, or associated with, the mass migration of people within the Western Hemisphere, particularly to the southern border of the United States;

(2) the use of or the threat of using mass migration in the Western Hemisphere by the regime of Nicolás Maduro in Venezuela and the regime of Miguel Díaz-Canel and Raúl Castro in Cuba—

(A) to effectively curate populations so that people who remain in those countries are powerless to meaningfully dissent;

(B) to extract diplomatic concessions from the United States; and

(C) to enable the increase of remittances from migrants residing in the United States as a result of the mass migration to help finance the regimes in Venezuela and Cuba; and

(3) any gaps in resources, collection capabilities, or authorities relating to the ability of the intelligence community to timely identify the threats described in paragraphs (1) and (2), and recommendations for addressing those gaps.

(c) FORM OF REPORT.—The report submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 708. NOTIFICATIONS REGARDING TRANSFERS OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE MEMBERS OF CONGRESS.—The term ''appropriate Members of Congress'' means—

(A) the majority leader and the minority leader of the Senate;

(B) the Chairman and Ranking Member of the Committee on Armed Services of the Senate;

(C) the Chairman and Vice Chairman of the Select Committee on Intelligence of the Senate;

(D) the Chairman and Vice Chairman of the Committee on Appropriations of the Senate;

(E) the Chairman and Ranking Member of the Committee on Foreign Relations of the Senate;

(F) the Speaker of the House of Representatives;

(G) the minority leader of the House of Representatives;

(H) the Chairman and Ranking Member of the Committee on Armed Services of the House of Representatives;

(I) the Chairman and Ranking Member of the Permanent Select Committee on Intelligence of the House of Representatives;

(J) the Chair and Ranking Member of the Committee on Appropriations of the House of Representatives; and

(K) the Chairman and Ranking Member of the Committee on Foreign Affairs of the House of Representatives.

(2) EXECUTIVE ORDER 13567.—The term ''Executive Order 13567'' means Executive Order 13567 (10 U.S.C. 801 note; relating to periodic review of individuals detained at Guantánamo Bay Naval Station pursuant to the Authorization for Use of Military Force).

(3) INDIVIDUAL DETAINED AT GUANTANAMO.—The term ''individual detained at Guantanamo'' has the meaning given that term in section 1034(f)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 971; 10 U.S.C. 801 note).

(4) PERIODIC REVIEW BOARD.—The term ''Periodic Review Board'' has the meaning given that term in section 9 of Executive Order 13567 or successor order.

(5) REVIEW COMMITTEE.—The term ''Review Committee'' has the meaning given that term in section 9 of Executive Order 13567 or successor order.

(b) NOTIFICATIONS REQUIRED.—

(1) ELIGIBILITY FOR TRANSFER.—Not later than 3 days after a Periodic Review Board or Review Committee makes a final determination that the continued law of war detention of an individual detained at Guantanamo is not warranted, and consistent with Executive Order 13567 or successor order, the Secretary of Defense shall submit to the appropriate Members of Congress a notification of that determination.

(2) TRANSFER.—

(A) IN GENERAL.—In any circumstance in which a certification referred to in paragraph (1) of section 1034(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 969; 10 U.S.C. 801 note) concerning the transfer of an individual detained at Guantanamo is not required pursuant to paragraph (2) of that section, not less than 30 days prior to the transfer of the individual, the Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the appropriate Members of Congress a notification of the transfer.

(B) MATTERS TO BE INCLUDED.—Each notification submitted under subparagraph (A) shall include the following:

(i) The name and country of origin of the individual to be transferred.

(ii) The country to which the individual will be transferred and the rationale for transferring the individual to that particular country.

(iii) An estimated date of transfer and the basis therefor.

SEC. 709. REPORT ON INTERNATIONAL NORMS, RULES, AND PRINCIPLES APPLICABLE IN SPACE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and the Secretary of State, in coordination with the

Secretary of Defense, the Secretary of Commerce, the Administrator of the National Aeronautics and Space Administration, and the heads of any other agencies as the Director considers necessary, shall jointly submit to Congress a report on international norms, rules, and principles applicable in space.

(b) ELEMENTS.—The report submitted under subsection (a) shall—

(1) identify threats to the interests of the United States in space that may be mitigated by international norms, rules, and principles, including such norms, rules, and principles relating to developments in dual-use technology; and

(2) identify opportunities for the United States to influence international norms, rules, and principles applicable in space, including through bilateral and multilateral engagement.

(c) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 710. ASSESSMENTS OF THE EFFECTS OF SANCTIONS IMPOSED WITH RESPECT TO THE RUSSIAN FEDERATION'S INVASION OF UKRAINE.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Appropriations of the House of Representatives.

(b) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and every 180 days thereafter for 3 years, the Director of National Intelligence shall submit to the appropriate committees of Congress an assessment of the cumulative and material effects of the sanctions imposed by the United States, European countries, and the international community with respect to the Russian Federation in response to the February 24, 2022, invasion of Ukraine and subsequent actions by the Russian Federation.

(c) ELEMENTS.—Each assessment submitted under subsection (b) shall include the following:

(1) A description of efforts by the Russian Federation to evade or circumvent sanctions imposed by the United States, European countries, or the international community through direct or indirect engagement or direct or indirect assistance from—

(A) the regimes in Cuba and Nicaragua and the regime of Nicolás Maduro in Venezuela;

(B) the People's Republic of China;

(C) the Islamic Republic of Iran; and

(D) any other country the Director considers appropriate.

(2) An assessment of the cumulative effect of the efforts described in paragraph (1), including on the Russian Federation's strategic relationship with the regimes and countries described in such paragraph.

(3) A description of the material effect of the sanctions described in subsection (b), including the effect of those sanctions on senior leadership, senior military officers, state-sponsored actors, and other state-affiliated actors in the Russian Federation that are either directly or incidentally subject to those sanctions.

(4) A description of any developments by other countries in creating alternative payment systems as a result of the invasion of Ukraine.

(5) A description of efforts by the Russian Federation to evade sanctions using digital assets and a description of any related intelligence gaps.

(6) An assessment of how countries have assessed the risk of holding reserves in United States dollars since the February 24, 2022, invasion of Ukraine.

(7) An assessment of the impact of any general licenses issued in relation to the sanctions described in subsection (b), including the extent to which authorizations for internet-based communications have enabled continued monetization by Russian influence actors.

(d) FORM OF ASSESSMENTS.—Each assessment submitted under subsection (b) shall be submitted in unclassified form and include a classified annex.

SEC. 711. ASSESSMENTS AND BRIEFINGS ON IMPLICATIONS OF FOOD INSECURITY THAT MAY RESULT FROM THE RUSSIAN FEDERATION'S INVASION OF UKRAINE.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(b) ASSESSMENTS.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter for 2 years, the Director of National Intelligence shall conduct a comprehensive assessment of the implications of food insecurity that may result from the Russian Federation's invasion of Ukraine.

(2) ELEMENTS.—Each assessment conducted under paragraph (1) shall address the following:

(A) The projected timeline for indicators of any food insecurity described in paragraph (1) to manifest.

(B) The potential for political instability and security crises that may occur as a result of any such food insecurity, disaggregated by region.

(C) Factors that could minimize the potential effects of any such food insecurity on political instability and security described in subparagraph (B), disaggregated by region.

(D) Opportunities for the United States to prevent or mitigate any such food insecurity.

(c) BRIEFINGS.—Not later than 30 days after the date on which an assessment conducted under subsection (b)(1) is completed, the Director of National Intelligence shall brief the appropriate committees of Congress on the findings of the assessment.

SEC. 712. PILOT PROGRAM FOR DIRECTOR OF FEDERAL BUREAU OF INVESTIGATION TO UNDERTAKE AN EFFORT TO IDENTIFY INTERNATIONAL MOBILE SUBSCRIBER IDENTITY-CATCHERS AND DEVELOP COUNTERMEASURES.

Section 5725 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3024 note; Public Law 116–92) is amended—

(1) in subsection (a), in the matter before paragraph (1)—

(A) by striking ''The Director of National Intelligence and the Director of the Federal Bureau of Investigation'' and inserting ''The Director of the Federal Bureau of Investigation'';

(B) by inserting ''the Director of National Intelligence,'' before ''the Under Secretary''; and

(C) by striking ''Directors determine'' and inserting ''Director of the Federal Bureau of Investigation determines'';

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

(3) by inserting after subsection (a) the following:

''(b) PILOT PROGRAM.—

''(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, in collaboration with the Director of National Intelligence, the Under Secretary of Homeland Security for Intelligence and Analysis, and the heads of such other Federal, State, or local agencies as the Director of the Federal Bureau of Investigation determines appropriate, and in accordance with applicable law and policy, shall conduct a pilot program designed to implement subsection (a) with respect to the National Capital Region.

''(2) COMMENCEMENT; COMPLETION.—The Director of the Federal Bureau of Investigation shall—

''(A) commence carrying out the pilot program required by paragraph (1) not later than 180 days after the date of the enactment of the American Security Drone Act of 2022; and

''(B) complete the pilot program not later than 2 years after the date on which the Director commences carrying out the pilot program under subparagraph (A).''; and

(4) in subsection (c), as redesignated by paragraph (2)—

(A) in the matter before paragraph (1), by striking ''Prior'' and all that follows through ''Investigation'' and inserting ''Not later than 180 days after the date on which the Director of the Federal Bureau of Investigation determines that the pilot program required by subsection (b)(1) is operational, the Director and the Director of National Intelligence'';

(B) in paragraph (1), by striking ''within the United States''; and

(C) in paragraph (2), by striking ''by the'' and inserting ''deployed by the Federal Bureau of Investigation and other elements of the''.

SEC. 713. DEPARTMENT OF STATE BUREAU OF INTELLIGENCE AND RESEARCH ASSESSMENT OF ANOMALOUS HEALTH INCIDENTS.

(a) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(3) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(b) ASSESSMENT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Assistant Secretary of State for Intelligence and Research shall submit to the appropriate committees of Congress an assessment of the findings relating to the events that have been collectively labeled as ''anomalous health incidents''.

(c) CONTENTS.—The assessment submitted under subsection (b) shall include the following:

(1) Any diplomatic reporting or other relevant information, including sources and reliability of respective sources, on the causation of anomalous health incidents.

(2) Any diplomatic reporting or other relevant information, including sources and reliability of respective sources, on any person or entity who may be responsible for such incidents.

(3) Detailed plans, including metrics, timelines, and measurable goals, for the Bureau of Intelligence and Research to understand anomalous health incidents and share findings with other elements of the intelligence community.

DIVISION G—DEPARTMENT OF STATE AUTHORIZATIONS

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Department of State Authorization Act of 2022''.

SEC. 5002. DEFINITIONS.

In this division:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the United States Agency for International Development.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(3) DEPARTMENT.—Unless otherwise specified, the term ''Department'' means the Department of State.

(4) SECRETARY.—Unless otherwise specified, the term ''Secretary'' means the Secretary of State.

(5) USAID.—The term ''USAID'' means the United States Agency for International Development.

TITLE LI—ORGANIZATION AND OPERATIONS OF THE DEPARTMENT OF STATE

SEC. 5101. MODERNIZING THE BUREAU OF ARMS CONTROL, VERIFICATION, AND COMPLIANCE AND THE BUREAU OF INTERNATIONAL SECURITY AND NONPROLIFERATION.

It is the sense of Congress that—

(1) the Secretary should take steps to address staffing shortfalls in the chemical, biological, and nuclear weapons issue areas in the Bureau of Arms Control, Verification, and Compliance and in the Bureau of International Security and Nonproliferation;

(2) maintaining a fully staffed and resourced Bureau of Arms Control, Verification, and Compliance and Bureau of International Security and Nonproliferation is necessary to effectively confront the threat of increased global proliferation; and

(3) the Bureau of Arms Control, Verification, and Compliance and the Bureau of International Security and Nonproliferation should increase efforts and dedicate resources to combat the dangers posed by the People's Republic of China's conventional and nuclear build-up, the Russian Federation's tactical nuclear weapons and new types of nuclear weapons, bioweapons proliferation, dual use of life sciences research, and chemical weapons.

SEC. 5102. NOTIFICATION TO CONGRESS FOR UNITED STATES NATIONALS UNLAWFULLY OR WRONGFULLY DETAINED ABROAD.

Section 302 of the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1741) is amended—

(1) in subsection (a), by inserting '', as expeditiously as possible,'' after ''review''; and

(2) by amending subsection (b) to read as follows:

''(b) REFERRALS TO SPECIAL ENVOY; NOTIFICATION TO CONGRESS.—

''(1) IN GENERAL.—Upon a determination by the Secretary of State, based on the totality of the circumstances, that there is credible information that the detention of a United States national abroad is unlawful or wrongful, and regardless of whether the detention is by a foreign government or a nongovernmental actor, the Secretary shall—

''(A) expeditiously transfer responsibility for such case from the Bureau of Consular Affairs of the Department of State to the Special Envoy for Hostage Affairs; and

''(B) not later than 14 days after such determination, notify the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives of such determination and provide such committees with a summary of the facts that led to such determination.

''(2) FORM.—The notification described in paragraph (1)(B) may be classified, if necessary.''.

SEC. 5103. FAMILY ENGAGEMENT COORDINATOR.

Section 303 of the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1741a) is amended by adding at the end the following:

''(d) FAMILY ENGAGEMENT COORDINATOR.—There shall be, in the Office of the Special Presidential Envoy for Hostage Affairs, a Family Engagement Coordinator, who shall ensure—

''(1) for a United States national unlawfully or wrongfully detained abroad, that—

''(A) any interaction by executive branch officials with any family member of such United States national occurs in a coordinated fashion;

''(B) such family member receives consistent and accurate information from the United States Government; and

''(C) appropriate coordination with the Family Engagement Coordinator described in section 304(c)(2); and

''(2) for a United States national held hostage abroad, that any engagement with a family member is coordinated with, consistent with, and not duplicative of the efforts of the Family Engagement Coordinator described in section 304(c)(2).''.

SEC. 5104. REWARDS FOR JUSTICE.

Section 36(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(b)) is amended—

(1) in paragraph (4), by striking ''or (10);'' and inserting ''(10), or (14);'';

(2) in paragraph (12), by striking ''or'' at the end;

(3) in paragraph (13), by striking the period at the end and inserting ''; or''; and

(4) by adding at the end the following:

''(14) the prevention, frustration, or resolution of the hostage taking of a United States person, the identification, location, arrest, or conviction of a person responsible for the hostage taking of a United States person, or the location of a United States person who has been taken hostage, in any country.''.

SEC. 5105. ENSURING GEOGRAPHIC DIVERSITY AND ACCESSIBILITY OF PASSPORT AGENCIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that Department initiatives to expand passport services and accessibility, including through online modernization projects, should include the construction of new physical passport agencies.

(b) REVIEW.—The Secretary shall conduct a review of the geographic diversity and accessibility of existing passport agencies to identify—

(1) the geographic areas in the United States that are farther than 6 hours' driving distance from the nearest passport agency;

(2) the per capita demand for passport services in the areas described in paragraph (1); and

(3) a plan to ensure that in-person services at physical passport agencies are accessible to all eligible Americans, including Americans living in large population centers, in rural areas, and in States with a high per capita demand for passport services.

(c) CONSIDERATIONS.—The Secretary shall consider the metrics identified in paragraphs (1) and (2) of subsection (b) when determining locations for the establishment of new physical passport agencies.

(d) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives that contains the findings of the review conducted pursuant to subsection (b).

SEC. 5106. CULTURAL ANTIQUITIES TASK FORCE.

The Secretary is authorized to use up to $1,000,000 for grants to carry out the activities of the Cultural Antiquities Task Force.

SEC. 5107. BRIEFING ON "CHINA HOUSE".

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall brief the appropriate congressional committees regarding the organizational structure, personnel, resources, and mission of the Department of State's ''China House'' team.

SEC. 5108. OFFICE OF SANCTIONS COORDINATION.

(a) EXTENSION OF AUTHORITIES.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended, in paragraph (4)(B) of subsection (l), as redesignated by section 5502(a)(2) of this Act, by striking ''the date that is two years after the date of the enactment of this subsection'' and inserting ''December 31, 2024''.

(b) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury, or designee, shall brief the appropriate congressional committees with respect to the steps that the Office of Sanctions Coordination has taken to coordinate its activities with the Department of the Treasury and humanitarian aid programs, in an effort to help ensure appropriate flows of humanitarian assistance and goods to countries subject to United States sanctions.

TITLE LII—PERSONNEL ISSUES

SEC. 5201. DEPARTMENT OF STATE PAID STUDENT INTERNSHIP PROGRAM.

(a) IN GENERAL.—The Secretary shall establish the Department of State Student Internship Program (referred to in this section as the ''Program'') to offer internship opportunities at the Department to eligible students to raise awareness of the essential role of diplomacy in the conduct of United States foreign policy and the realization of United States foreign policy objectives.

(b) ELIGIBILITY.—An applicant is eligible to participate in the Program if the applicant—

(1) is enrolled at least half-time at—

(A) an institution of higher education (as such term is defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a))); or

(B) an institution of higher education based outside the United States, as determined by the Secretary of State; and

(2) is eligible to receive and hold an appropriate security clearance.

(c) SELECTION.—The Secretary shall establish selection criteria for students to be admitted into the Program that includes a demonstrated interest in a career in foreign affairs.

(d) OUTREACH.—The Secretary shall—

(1) widely advertise the Program, including—

(A) on the internet;

(B) through the Department's Diplomats in Residence program; and

(C) through other outreach and recruiting initiatives targeting undergraduate and graduate students; and

(2) conduct targeted outreach to encourage participation in the Program from—

(A) individuals belonging to an underrepresented group; and

(B) students enrolled at minority-serving institutions (which shall include any institution listed in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(e) COMPENSATION.—

(1) HOUSING ASSISTANCE.—

(A) ABROAD.—The Secretary shall provide housing assistance to any student participating in the Program whose permanent address is within the United States if the location of the internship in which such student is participating is outside of the United States.

(B) DOMESTIC.—The Secretary may provide housing assistance to a student participating in the Program whose permanent address is within the United States if the location of the internship in which such student is participating is more than 50 miles away from such student's permanent address.

(2) TRAVEL ASSISTANCE.—The Secretary shall provide a student participating in the Program whose permanent address is within the United States with financial assistance that is sufficient to cover the travel costs of a single round trip by air, train, bus, or other appropriate transportation between the student's permanent address and the location of the internship in which such student is participating if such location is—

(A) more than 50 miles from the student's permanent address; or

(B) outside of the United States.

(f) WORKING WITH INSTITUTIONS OF HIGHER EDUCATION.—The Secretary, to the maximum extent practicable, shall structure internships to ensure that such internships satisfy criteria for academic credit at the institutions of higher education in which participants in such internships are enrolled.

(g) TRANSITION PERIOD.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), beginning not later than 2 years after the date of the enactment of this Act—

(A) the Secretary shall convert unpaid internship programs of the Department, including the Foreign Service Internship Program, to internship programs that offer compensation; and

(B) upon selection as a candidate for entry into an internship program of the Department, a participant in such internship program may refuse compensation, including if doing so allows such participant to receive college or university curricular credit.

(2) EXCEPTION.—The transition required under paragraph (1) shall not apply to unpaid internship programs of the Department that are part of the Virtual Student Federal Service internship program.

(3) WAIVER.—

(A) IN GENERAL.—The Secretary may waive the requirement under paragraph (1)(A) with respect to a particular unpaid internship program if the Secretary, not later than 30 days after making a determination that the conversion of such internship program to a compensated internship program would not be consistent with effective management goals, submits a report explaining such determination to—

(i) the appropriate congressional committees;

(ii) the Committee on Appropriations of the Senate; and

(iii) the Committee on Appropriations of the House of Representatives.

(B) REPORT.—The report required under subparagraph (A) shall—

(i) describe the reasons why converting an unpaid internship program of the Department to an internship program that offers compensation would not be consistent with effective management goals; and

(ii)(I) provide justification for maintaining such unpaid status indefinitely; or

(II) identify any additional authorities or resources that would be necessary to convert such unpaid internship program to offer compensation in the future.

(h) REPORTS.—Not later than 18 months after the date of the enactment of this Act, the Secretary of State shall submit a report to the committees referred to in subsection (g)(3)(A) that includes—

(1) data, to the extent the collection of such information is permissible by law, regarding the number of students who applied to the Program, were offered a position, and participated, respectively, disaggregated by race, ethnicity, sex, institution of higher education, home State, State where each student graduated from high school, and disability status;

(2) data regarding the number of security clearance investigations initiated for the students described in paragraph (1), including the timeline for such investigations, whether such investigations were completed, and when an interim security clearance was granted;

(3) information on Program expenditures; and

(4) information regarding the Department's compliance with subsection (g).

(i) VOLUNTARY PARTICIPATION.—

(1) IN GENERAL.—Nothing in this section may be construed to compel any student who is a participant in an internship program of the Department to participate in the collection of the data or divulge any personal information. Such students shall be informed that their participation in the data collection under this section is voluntary.

(2) PRIVACY PROTECTION.—Any data collected under this section shall be subject to the relevant privacy protection statutes and regulations applicable to Federal employees.

(j) SPECIAL HIRING AUTHORITY.—Notwithstanding any other provision of law, the Secretary, in consultation with the Director of the Office of Personnel Management, with respect to the number of interns to be hired each year, may—

(1) select, appoint, and employ individuals for up to 1 year through compensated internships in the excepted service; and

(2) remove any compensated intern employed pursuant to paragraph (1) without regard to the provisions of law governing appointments in the competitive excepted service.

SEC. 5202. IMPROVEMENTS TO THE PREVENTION OF, AND THE RESPONSE TO, HARASSMENT, DISCRIMINATION, SEXUAL ASSAULT, AND RELATED RETALIATION.

(a) POLICIES.—The Secretary should develop and strengthen policies regarding harassment, discrimination, sexual assault, and related retaliation, including policies for—

(1) addressing, reporting, and providing transitioning support;

(2) advocacy, service referrals, and travel accommodations; and

(3) disciplining anyone who violates Department policies regarding harassment, discrimination, sexual assault, or related retaliation occurring between covered individuals and noncovered individuals.

(b) DISCIPLINARY ACTION.—

(1) SEPARATION FOR CAUSE.—Section 610(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 4010(a)(1)), is amended—

(A) by striking ''decide to''; and

(B) by inserting ''upon receiving notification from the Bureau of Diplomatic Security that such member has engaged in criminal misconduct, such as murder, rape, or other sexual assault'' before the period at the end.

(2) UPDATE TO MANUAL.—The Director of Global Talent shall—

(A) update the ''Grounds for Disciplinary Action'' and ''List of Disciplinary Offenses and Penalties'' sections of the Foreign Affairs Manual to reflect the amendments made under paragraph (1); and

(B) communicate such updates to Department staff through publication in Department Notices.

(c) SEXUAL ASSAULT PREVENTION AND RESPONSE VICTIM ADVOCATES.—

(1) PLACEMENT.—The Secretary shall ensure that the Diplomatic Security Service's Victims' Resource Advocacy Program—

(A) is appropriately staffed by advocates who are physically present at—

(i) the headquarters of the Department; and

(ii) major domestic and international facilities and embassies, as determined by the Secretary;

(B) considers the logistics that are necessary to allow for the expedient travel of victims from Department facilities that do not have advocates; and

(C) uses funds available to the Department to provide emergency food, shelter, clothing, and transportation for victims involved in matters being investigated by the Diplomatic Security Service.

SEC. 5203. INCREASING THE MAXIMUM AMOUNT AUTHORIZED FOR SCIENCE AND TECHNOLOGY FELLOWSHIP GRANTS AND COOPERATIVE AGREEMENTS.

Section 504(e)(3) of the Foreign Relations Authorization Act, Fiscal Year 1979 (22 U.S.C. 2656d(e)(3)) is amended by striking ''$500,000'' and inserting ''$2,000,000''.

SEC. 5204. ADDITIONAL PERSONNEL TO ADDRESS BACKLOGS IN HIRING AND INVESTIGATIONS.

(a) IN GENERAL.—The Secretary shall seek to increase the number of personnel within the Bureau of Global Talent Management and the Office of Civil Rights to address backlogs in hiring and investigations into complaints conducted by the Office of Civil Rights.

(b) EMPLOYMENT TARGETS.—The Secretary shall seek to employ—

(1) not fewer than 15 additional personnel in the Bureau of Global Talent Management and the Office of Civil Rights (compared to the number of personnel so employed as of the day before the date of the enactment of this Act) by the date that is 180 days after such date of enactment; and

(2) not fewer than 15 additional personnel in such Bureau and Office (compared to the number of personnel so employed as of the day before the date of the enactment of this Act) by the date that is 1 year after such date of enactment.

SEC. 5205. FOREIGN AFFAIRS TRAINING.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department is a crucial national security agency, whose employees, both Foreign Service and Civil Service, require the best possible training and professional development at every stage of their careers to prepare them to promote and defend United States national interests and the health and safety of United States citizens abroad;

(2) the Department faces increasingly complex and rapidly evolving challenges, many of which are science- and technology-driven, and which demand continual, high-quality training and professional development of its personnel;

(3) the new and evolving challenges of national security in the 21st century necessitate the expansion of standardized training and professional development opportunities linked to equitable, accountable, and transparent promotion and leadership practices for Department and other national security agency personnel; and

(4) consistent with gift acceptance authority of the Department and other applicable

laws in effect as of the date of the enactment of this Act, the Department and the Foreign Service Institute may accept funds and other resources from foundations, not-for-profit corporations, and other appropriate sources to help the Department and the Institute enhance the quantity and quality of training and professional development offerings, especially in the introduction of new, innovative, and pilot model courses.

(b) DEFINED TERM.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee on Appropriations of the House of Representatives.

(c) TRAINING AND PROFESSIONAL DEVELOPMENT PRIORITIZATION.—In order to provide the Civil Service of the Department and the Foreign Service with the level of professional development and training needed to effectively advance United States interests across the world, the Secretary shall—

(1) increase relevant offerings provided by the Department—

(A) of interactive virtual instruction to make training and professional development more accessible and useful to personnel deployed throughout the world; or

(B) at partner organizations, including universities, industry entities, and nongovernmental organizations, throughout the United States to provide useful outside perspectives to Department personnel by providing such personnel—

(i) a more comprehensive outlook on different sectors of United States society; and

(ii) practical experience dealing with commercial corporations, universities, labor unions, and other institutions critical to United States diplomatic success;

(2) offer courses using computer-based or computer-assisted simulations, allowing civilian officers to lead decision making in a crisis environment, and encourage officers of the Department, and reciprocally, officers of other Federal departments to participate in similar exercises held by the Department or other government organizations and the private sector;

(3) increase the duration and expand the focus of certain training and professional development courses, including by extending—

(A) the A–100 entry-level course to as long as 12 weeks, which better matches the length of entry-level training and professional development provided to the officers in other national security departments and agencies; and

(B) the Chief of Mission course to as long as 6 weeks for first time Chiefs of Mission and creating comparable courses for new Assistant Secretaries and Deputy Assistant Secretaries to more accurately reflect the significant responsibilities accompanying such roles; and

(4) ensure that Foreign Service officers who are assigned to a country experiencing significant population displacement due to the impacts of climatic and non-climatic shocks and stresses, including rising sea levels and lack of access to affordable and reliable energy and electricity, receive specific instruction on United States policy with respect to resiliency and adaptation to such climatic and non-climatic shocks and stresses.

(d) FELLOWSHIPS.—The Director General of the Foreign Service shall—

(1) expand and establish new fellowship programs for Foreign Service and Civil Service officers that include short- and long-term opportunities at organizations, including—

(A) think tanks and nongovernmental organizations;

(B) the Department of Defense and other relevant Federal agencies;

(C) industry entities, especially such entities related to technology, global operations, finance, and other fields directly relevant to international affairs; and

(D) schools of international relations and other relevant programs at universities throughout the United States; and

(2) not later than 180 days after the date of the enactment of this Act, submit a report to Congress that describes how the Department could expand the Pearson Fellows Program for Foreign Service Officers and the Brookings Fellow Program for Civil Servants to provide fellows in such programs with the opportunity to undertake a follow-on assignment within the Department in an office in which fellows will gain practical knowledge of the people and processes of Congress, including offices other than the Legislative Affairs Bureau, including—

(A) an assessment of the current state of congressional fellowships, including the demand for fellowships and the value the fellowships provide to both the career of the officer and to the Department; and

(B) an assessment of the options for making congressional fellowships for both the Foreign and Civil Services more career-enhancing.

(e) BOARD OF VISITORS OF THE FOREIGN SERVICE INSTITUTE.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall establish a Board of Visitors of the Foreign Service Institute (referred to in this subsection as the ''Board'').

(2) DUTIES.—The Board shall provide the Secretary with independent advice and recommendations regarding organizational management, strategic planning, resource management, curriculum development, and other matters of interest to the Foreign Service Institute, including regular observations about how well the Department is integrating training and professional development into the work of the Bureau for Global Talent Management.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The Board shall be—

(i) nonpartisan; and

(ii) composed of 12 members, of whom—

(I) 2 members shall be appointed by the Chairperson of the Committee on Foreign Relations of the Senate;

(II) 2 members shall be appointed by the ranking member of the Committee on Foreign Relations of the Senate;

(III) 2 members shall be appointed by the Chairperson of the Committee on Foreign Affairs of the House of Representatives;

(IV) 2 members shall be appointed by the ranking member of the Committee on Foreign Affairs of the House of Representatives; and

(V) 4 members shall be appointed by the Secretary.

(B) QUALIFICATIONS.—Members of the Board shall be appointed from among individuals who—

(i) are not officers or employees of the Federal Government; and

(ii) are eminent authorities in the fields of diplomacy, national security, management, leadership, economics, trade, technology, or advanced international relations education.

(C) OUTSIDE EXPERTISE.—

(i) IN GENERAL.—Not fewer than 6 members of the Board shall have a minimum of 10 years of relevant expertise outside the field of diplomacy.

(ii) PRIOR SENIOR SERVICE AT THE DEPARTMENT.—Not more than 6 members of the Board may be persons who previously served in the Senior Foreign Service or the Senior Executive Service at the Department.

(4) TERMS.—Each member of the Board shall be appointed for a term of 3 years, except that of the members first appointed—

(A) 4 members shall be appointed for a term of 3 years;

(B) 4 members shall be appointed for a term of 2 years; and

(C) 4 members shall be appointed for a term of 1 year.

(5) REAPPOINTMENT; REPLACEMENT.—A member of the Board may be reappointed or replaced at the discretion of the official who made the original appointment.

(6) CHAIRPERSON; CO-CHAIRPERSON.—

(A) APPROVAL.—The Chairperson and Vice Chairperson of the Board shall be approved by the Secretary of State based upon a recommendation from the members of the Board.

(B) SERVICE.—The Chairperson and Vice Chairperson shall serve at the discretion of the Secretary.

(7) MEETINGS.—The Board shall meet—

(A) at the call of the Director of the Foreign Service Institute and the Chairperson; and

(B) not fewer than 2 times per year.

(8) COMPENSATION.—Each member of the Board shall serve without compensation, except that a member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Board. Notwithstanding section 1342 of title 31, United States Code, the Secretary may accept the voluntary and uncompensated service of members of the Board.

(9) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Board established under this subsection.

(f) ESTABLISHMENT OF PROVOST OF THE FOREIGN SERVICE INSTITUTE.—

(1) ESTABLISHMENT.—There is established in the Foreign Service Institute the position of Provost.

(2) APPOINTMENT; REPORTING.—The Provost shall—

(A) be appointed by the Secretary; and

(B) report to the Director of the Foreign Service Institute.

(3) QUALIFICATIONS.—The Provost shall be—

(A) an eminent authority in the field of diplomacy, national security, education, management, leadership, economics, history, trade, adult education, or technology; and

(B) a person with significant experience outside the Department, whether in other national security agencies or in the private sector, and preferably in positions of authority in educational institutions or the field of professional development and mid-career training with oversight for the evaluation of academic programs.

(4) DUTIES.—The Provost shall—

(A) oversee, review, evaluate, and coordinate the academic curriculum for all courses taught and administered by the Foreign Service Institute;

(B) coordinate the development of an evaluation system to ascertain how well participants in Foreign Service Institute courses have absorbed and utilized the information, ideas, and skills imparted by each such course, such that performance assessments can be included in the personnel records maintained by the Bureau of Global Talent Management and utilized in Foreign Service Selection Boards, which may include—

(i) the implementation of a letter or numerical grading system; and

(ii) assessments done after the course has concluded; and

(C) report not less frequently than quarterly to the Board of Visitors regarding the development of curriculum and the performance of Foreign Service officers.

(5) TERM.—The Provost shall serve for a term of not fewer than 5 years and may be reappointed for 1 additional 5-year term.

(6) COMPENSATION.—The Provost shall receive a salary commensurate with the rank and experience of a member of the Senior Foreign Service or the Senior Executive Service, as determined by the Secretary.

(g) OTHER AGENCY RESPONSIBILITIES AND OPPORTUNITIES FOR CONGRESSIONAL STAFF.—

(1) OTHER AGENCIES.—National security agencies other than the Department should be afforded the ability to increase the enrollment of their personnel in courses at the Foreign Service Institute and other training and professional development facilities of the Department to promote a whole-of-government approach to mitigating national security challenges.

(2) CONGRESSIONAL STAFF.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that describes—

(A) the training and professional development opportunities at the Foreign Service Institute and other Department facilities available to congressional staff;

(B) the budget impacts of offering such opportunities to congressional staff; and

(C) potential course offerings.

(h) STRATEGY FOR ADAPTING TRAINING REQUIREMENTS FOR MODERN DIPLOMATIC NEEDS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall develop and submit to the appropriate committees of Congress a strategy for adapting and evolving training requirements to better meet the Department's current and future needs for 21st century diplomacy.

(2) ELEMENTS.—The strategy required under subsection (a) shall include the following elements:

(A) Integrating training requirements into the Department's promotion policies, including establishing educational and professional development standards for training and attainment to be used as a part of tenure and promotion guidelines.

(B) Addressing multiple existing and emerging national security challenges, including—

(i) democratic backsliding and authoritarianism;

(ii) countering, and assisting United States allies to address, state-sponsored disinformation, including through the Global Engagement Center;

(iii) cyber threats;

(iv) the aggression and malign influence of Russia, Cuba, Iran, North Korea, the Maduro Regime, and the Chinese Communist Party's multi-faceted and comprehensive challenge to the rules-based order;

(v) the implications of climate change for United States diplomacy; and

(vi) nuclear threats.

(C) An examination of the likely advantages and disadvantages of establishing residential training for the A–100 orientation course administered by the Foreign Service Institute and evaluating the feasibility of residential training for other long-term training opportunities.

(D) An examination of the likely advantages and disadvantages of establishing a press freedom curriculum for the National Foreign Affairs Training Center that enables Foreign Service officers to better understand issues of press freedom and the tools that are available to help protect journalists and promote freedom of the press norms, which may include—

(i) the historic and current issues facing press freedom, including countries of specific concern;

(ii) the Department's role in promoting press freedom as an American value, a human rights issue, and a national security imperative;

(iii) ways to incorporate press freedom promotion into other aspects of diplomacy; and

(iv) existing tools to assist journalists in distress and methods for engaging foreign governments and institutions on behalf of individuals engaged in journalistic activity who are at risk of harm.

(E) The expansion of external courses offered by the Foreign Service Institute at academic institutions or professional associations on specific topics, including in-person and virtual courses on monitoring and evaluation, audience analysis, and the use of emerging technologies in diplomacy.

(3) UTILIZATION OF EXISTING RESOURCES.—In examining the advantages and disadvantages of establishing a residential training program pursuant to paragraph (2)(C), the Secretary shall—

(A) collaborate with other national security departments and agencies that employ residential training for their orientation courses; and

(B) consider using the Department's Foreign Affairs Security Training Center in Blackstone, Virginia.

(i) REPORT AND BRIEFING REQUIREMENTS.—

(1) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that includes—

(A) a strategy for broadening and deepening professional development and training at the Department, including assessing current and future needs for 21st century diplomacy;

(B) the process used and resources needed to implement the strategy referred to in subparagraph (A) throughout the Department; and

(C) the results and impact of the strategy on the workforce of the Department, particularly the relationship between professional development and training and promotions for Department personnel, and the measurement and evaluation methods used to evaluate such results.

(2) BRIEFING.—Not later than 1 year after the date on which the Secretary submits the report required under paragraph (1), and annually thereafter for 2 years, the Secretary shall provide to the appropriate committees of Congress a briefing on the information required to be included in the report.

(j) FOREIGN LANGUAGE MAINTENANCE INCENTIVE PROGRAM.—

(1) AUTHORIZATION.—The Secretary is authorized to establish and implement an incentive program, with a similar structure as the Foreign Language Proficiency Bonus offered by the Department of Defense, to encourage members of the Foreign Service who possess language proficiency in any of the languages that qualify for additional incentive pay, as determined by the Secretary, to maintain critical foreign language skills.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate committees of Congress that includes a detailed plan for implementing the program authorized under paragraph (1), including anticipated resource requirements to carry out such program.

(k) DEPARTMENT OF STATE WORKFORCE MANAGEMENT.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that informed, data-driven, and long-term workforce management, including with respect to the Foreign Service, the Civil Service, locally employed staff, and contractors, is needed to align diplomatic priorities with the appropriate personnel and resources.

(2) ANNUAL WORKFORCE REPORT.—

(A) IN GENERAL.—In order to understand the Department's long-term trends with respect to its workforce, the Secretary, is consultation with relevant bureaus and offices, including the Bureau of Global Talent Management and the Center for Analytics, shall submit a report to the appropriate committees of Congress that details the Department's workforce, disaggregated by Foreign Service, Civil Service, locally employed staff, and contractors, including, with respect to the reporting period—

(i) for Federal personnel—

(I) the number of personnel who were hired;

(II) the number of personnel whose employment or contract was terminated or who voluntarily left the Department;

(III) the number of personnel who were promoted, including the grade to which they were promoted;

(IV) the demographic breakdown of personnel; and

(V) the distribution of the Department's workforce based on domestic and overseas assignments, including a breakdown of the number of personnel in geographic and functional bureaus, and the number of personnel in overseas missions by region; and

(ii) for personal service contracts and other contracts with individuals—

(I) the number of individuals under active contracts; and

(II) the distribution of these individual contractors, including a breakdown of the number of personnel in geographic and functional bureaus, and the number of individual contractors supporting overseas missions, disagreggated by region.

(B) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit the report described in subparagraph (A) for each of the fiscal years 2016 through 2022.

(C) RECURRING REPORT.—Not later than December 31, 2023, and annually thereafter for the following 5 years, the Secretary shall submit the report described in subparagraph (A) for the most recently concluded fiscal year.

(D) USE OF REPORT DATA.—The data in each of the reports required under this paragraph shall be used by Congress, in coordination with the Secretary, to inform recommendations on the appropriate size and composition of the Department.

(l) SENSE OF CONGRESS ON THE IMPORTANCE OF FILLING THE POSITION OF UNDERSECRETARY FOR PUBLIC DIPLOMACY AND PUBLIC AFFAIRS.—It is the sense of Congress that since a vacancy in the position of Under Secretary for Public Diplomacy and Public Affairs is detrimental to the national security interests of the United States, the President should expeditiously nominate a qualified individual to such position whenever such vacancy occurs to ensure that the bureaus reporting to such position are able to fulfill their mission of—

(1) expanding and strengthening relationships between the people of the United States and citizens of other countries; and

(2) engaging, informing, and understanding the perspectives of foreign audiences.

(m) REPORT ON PUBLIC DIPLOMACY.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that includes—

(1) an evaluation of the May 2019 merger of the Bureau of Public Affairs and the Bureau of International Information Programs into the Bureau of Global Public Affairs with respect to—

(A) the efficacy of the current configuration of the bureaus reporting to the Under Secretary for Public Diplomacy and Public Affairs in achieving the mission of the Department;

(B) the metrics before and after such merger, including personnel data, disaggregated by position and location, content production, opinion polling, program evaluations, and media appearances;

(C) the results of a survey of public diplomacy practitioners to determine their opinion of the efficacy of such merger and any adjustments that still need to be made;

(D) a plan for evaluating and monitoring, not less frequently than once every 2 years, the programs, activities, messaging, professional development efforts, and structure of the Bureau of Global Public Affairs, and submitting a summary of each such evaluation to the appropriate committees of Congress; and

(2) a review of recent outside recommendations for modernizing diplomacy at the Department with respect to public diplomacy efforts, including—

(A) efforts in each of the bureaus reporting to the Under Secretary for Public Diplomacy and Public Affairs to address issues of diversity and inclusion in their work, structure, data collection, programming, and personnel, including any collaboration with the Chief Officer for Diversity and Inclusion;

(B) proposals to collaborate with think tanks and academic institutions working on public diplomacy issues to implement recent outside recommendations; and

(C) additional authorizations and appropriations necessary to implement such recommendations.

SEC. 5206. SECURITY CLEARANCE APPROVAL PROCESS.

(a) RECOMMENDATIONS.—Not later than 270 days after the date of the enactment of this Act, the Secretary, in coordination with the Director of National Intelligence, shall submit recommendations to the appropriate congressional committees for streamlining the security clearance approval process within the Bureau of Diplomatic Security so that the security clearance approval process for Civil Service and Foreign Service applicants is completed within 6 months, on average, and within 1 year, in the vast majority of cases.

(b) REPORT.—Not later than 90 days after the recommendations are submitted pursuant to subsection (a), the Secretary shall submit a report to the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives that—

(1) describes the status of the efforts of the Department to streamline the security clearance approval process; and

(2) identifies any remaining obstacles preventing security clearances from being completed within the time frames set forth in subsection (a), including lack of cooperation or other actions by other Federal departments and agencies.

SEC. 5207. ADDENDUM FOR STUDY ON FOREIGN SERVICE ALLOWANCES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees an addendum to the report required under section 5302 of the Department of State Authorization Act of 2021 (division E of Public Law 117–81), which shall be entitled the ''Report on Bidding for Domestic and Overseas Posts and Filling Unfilled Positions''. The addendum shall be prepared using input from the same federally funded research and development center that prepared the analysis conducted for the purposes of such report.

(b) ELEMENTS.—The addendum required under subsection (a) shall include—

(1) the total number of domestic and overseas positions open during the most recent summer bidding cycle;

(2) the total number of bids each position received;

(3) the number of unfilled positions at the conclusion of the most recent summer bidding cycle, disaggregated by bureau; and

(4) detailed recommendations and a timeline for—

(A) increasing the number of qualified bidders for underbid positions; and

(B) minimizing the number of unfilled positions at the end of the bidding season.

SEC. 5208. CURTAILMENTS, REMOVALS FROM POST, AND WAIVERS OF PRIVILEGES AND IMMUNITIES.

(a) CURTAILMENTS REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary shall submit a report to the appropriate congressional committees regarding curtailments of Department personnel from overseas posts.

(2) CONTENTS.—The Secretary shall include in the report required under paragraph (1)—

(A) relevant information about any post that, during the 6-month period preceding the report—

(i) had more than 5 curtailments; or

(ii) had curtailments representing more than 5 percent of Department personnel at such post; and

(B) for each post referred to in subparagraph (A), the number of curtailments, disaggregated by month of occurrence.

(b) REMOVAL OF DIPLOMATS.—Not later than 5 days after the date on which any United States personnel under Chief of Mission authority is declared persona non grata by a host government, the Secretary shall—

(1) notify the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives of such declaration; and

(2) include with such notification—

(A) the official reason for such declaration (if provided by the host government);

(B) the date of the declaration; and

(C) whether the Department responded by declaring a host government's diplomat in the United States persona non grata.

(c) WAIVER OF PRIVILEGES AND IMMUNITIES.—Not later than 15 days after any waiver of privileges and immunities pursuant to the Vienna Convention on Diplomatic Relations, done at Vienna April 18, 1961, that is applicable to an entire diplomatic post or to the majority of United States personnel under Chief of Mission authority, the Secretary shall notify the appropriate congressional committees of such waiver and the reason for such waiver.

(d) TERMINATION.—This section shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. 5209. REPORT ON WORLDWIDE AVAILABILITY.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees on the feasibility of requiring that each member of the Foreign Service, at the time of entry into the Foreign Service and thereafter, be worldwide available, as determined by the Secretary.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) the feasibility of a worldwide availability requirement for all members of the Foreign Service;

(2) considerations if such a requirement were to be implemented, including the potential effect on recruitment and retention; and

(3) recommendations for exclusions and limitations, including exemptions for medical reasons, disability, and other circumstances.

SEC. 5210. PROFESSIONAL DEVELOPMENT.

(a) REQUIREMENTS.—The Secretary shall strongly encourage that Foreign Service officers seeking entry into the Senior Foreign Service participate in professional development described in subsection (c).

(b) REQUIREMENTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit recommendations on requiring that Foreign Service officers complete professional development described in subsection (c) to be eligible for entry into the Senior Foreign Service.

(c) PROFESSIONAL DEVELOPMENT DESCRIBED.—Professional development described in this subsection is not less than 6 months of training or experience outside of the Department, including time spent—

(1) as a detailee to another government agency, including Congress or a State, Tribal, or local government;

(2) in Department-sponsored and -funded university training that results in an advanced degree, excluding time spent at a university that is fully funded or operated by the Federal Government.

(d) PROMOTION PRECEPTS.—The Secretary shall instruct promotion boards to consider positively long-term training and out-of-agency detail assignments.

SEC. 5211. MANAGEMENT ASSESSMENTS AT DIPLOMATIC AND CONSULAR POSTS.

(a) IN GENERAL.—Beginning not later than 1 year after the date of the enactment of this Act, the Secretary shall annually conduct, at each diplomatic and consular post, a voluntary survey, which shall be offered to all staff assigned to that post who are citizens of the United States (excluding the Chief of Mission) to assess the management and leadership of that post by the Chief of Mission, the Deputy Chief of Mission, and the Charge d'Affaires.

(b) ANONYMITY.—All responses to the survey shall be—

(1) fully anonymized; and

(2) made available to the Director General of the Foreign Service.

(c) SURVEY.—The survey shall seek to assess—

(1) the general morale at post;

(2) the presence of any hostile work environment;

(3) the presence of any harassment, discrimination, retaliation, or other mistreatment; and

(4) effective leadership and collegial work environment.

(d) DIRECTOR GENERAL RECOMMENDATIONS.—Upon compilation and review of the surveys, the Director General of the Foreign Service shall issue recommendations to posts, as appropriate, based on the findings of the surveys.

(e) REFERRAL.—If the surveys reveal any action that is grounds for referral to the Inspector General of the Department of State and the Foreign Service, the Director General of the Foreign Service may refer the matter to the Inspector General of the Department of State and the Foreign Service,

who shall, as the Inspector General considers appropriate, conduct an inspection of the post in accordance with section 209(b) of the Foreign Service Act of 1980 (22 U.S.C. 3929(b)).

(f) ANNUAL REPORT.—The Director General of the Foreign Service shall submit an annual report to the appropriate congressional committees that includes—

(1) any trends or summaries from the surveys;

(2) the posts where corrective action was recommended or taken in response to any issues identified by the surveys; and

(3) the number of referrals to the Inspector General of the Department of State and the Foreign Service, as applicable.

(g) INITIAL BASIS.—The Secretary shall carry out the surveys required under this section on an initial basis for 5 years.

SEC. 5212. INDEPENDENT REVIEW OF PROMOTION POLICIES.

Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a comprehensive review of the policies, personnel, organization, and processes related to promotions within the Department, including—

(1) a review of—

(A) the selection and oversight of Foreign Service promotion panels; and

(B) the use of quantitative data and metrics in such panels;

(2) an assessment of the promotion practices of the Department, including how promotion processes are communicated to the workforce and appeals processes; and

(3) recommendations for improving promotion panels and promotion practices.

SEC. 5213. THIRD PARTY VERIFICATION OF PERMANENT CHANGE OF STATION (PCS) ORDERS.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a mechanism for third parties to verify the employment of, and the validity of permanent change of station (PCS) orders received by, members of the Foreign Service, in a manner that protects the safety, security, and privacy of sensitive employee information.

SEC. 5214. POST-EMPLOYMENT RESTRICTIONS ON SENATE-CONFIRMED OFFICIALS AT THE DEPARTMENT OF STATE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Congress and the executive branch have recognized the importance of preventing and mitigating the potential for conflicts of interest following government service, including with respect to senior United States officials working on behalf of foreign governments; and

(2) Congress and the executive branch should jointly evaluate the status and scope of post-employment restrictions.

(b) RESTRICTIONS.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding at the end the following:

''(m) EXTENDED POST-EMPLOYMENT RESTRICTIONS FOR CERTAIN SENATE-CONFIRMED OFFICIALS.—

''(1) DEFINITIONS.—In this subsection:

''(A) COUNTRY OF CONCERN.—The term 'country of concern' means—

''(i) the People's Republic of China;

''(ii) the Russian Federation;

''(iii) the Islamic Republic of Iran;

''(iv) the Democratic People's Republic of Korea;

''(v) the Republic of Cuba; and

''(vi) the Syrian Arab Republic.

''(B) FOREIGN GOVERNMENT ENTITY.—The term 'foreign governmental entity' includes—

''(i) any person employed by—

''(I) any department, agency, or other entity of a foreign government at the national, regional, or local level;

''(II) any governing party or coalition of a foreign government at the national, regional, or local level; or

''(III) any entity majority-owned or majority-controlled by a foreign government at the national, regional, or local level; and

''(ii) in the case of a country described in paragraph (3)(B), any company, economic project, cultural organization, exchange program, or nongovernmental organization that is more than 33 percent owned or controlled by the government of such country.

''(C) REPRESENTATION.—The term 'representation' does not include representation by an attorney, who is duly licensed and authorized to provide legal advice in a United States jurisdiction, of a person or entity in a legal capacity or for the purposes of rendering legal advice.

''(2) SECRETARY OF STATE AND DEPUTY SECRETARY OF STATE.—With respect to a person serving as the Secretary of State or Deputy Secretary of State, the restrictions described in section 207(f)(1) of title 18, United States Code, shall apply to any such person who knowingly represents, aids, or advises a foreign governmental entity before an officer or employee of the executive branch of the United States at any time after the termination of that person's service as Secretary or Deputy Secretary.

''(3) UNDER SECRETARIES, ASSISTANT SECRETARIES, AND AMBASSADORS.—With respect to a person serving as an Under Secretary, Assistant Secretary, or Ambassador at the Department of State or as the United States Permanent Representative to the United Nations, the restrictions described in section 207(f)(1) of title 18, United States Code, shall apply to any such person who knowingly represents, aids, or advises—

''(A) a foreign governmental entity before an officer or employee of the executive branch of the United States for 3 years after the termination of that person's service in a position described in this paragraph, or the duration of the term or terms of the President who appointed that person to their position, whichever is longer; or

''(B) a foreign governmental entity of a country of concern before an officer or employee of the executive branch of the United States at any time after the termination of that person's service in a position described in this paragraph.

''(4) PENALTIES AND INJUNCTIONS.—Any violations of the restrictions under paragraphs (2) or (3) shall be subject to the penalties and injunctions provided for under section 216 of title 18, United States Code.

''(5) NOTICE OF RESTRICTIONS.—Any person subject to the restrictions under this subsection shall be provided notice of these restrictions by the Department of State—

''(A) upon appointment by the President; and

''(B) upon termination of service with the Department of State.

''(6) EFFECTIVE DATE.—The restrictions under this subsection shall apply only to persons who are appointed by the President to the positions referenced in this subsection on or after 120 days after the date of the enactment of the Department of State Authorization Act of 2022.

''(7) SUNSET.—The restrictions under paragraph (3)(B) shall expire on the date that is 7 years after the date of the enactment of this Act.''.

SEC. 5215. EXPANSION OF AUTHORITIES REGARDING SPECIAL RULES FOR CERTAIN MONTHLY WORKERS' COMPENSATION PAYMENTS AND OTHER PAYMENTS.

Section 901 of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b) is amended by adding at the end the following:

''(j) EXPANSION OF AUTHORITIES.—The head of any Federal agency may exercise the authorities of this section, including to designate an incident, whether the incident occurred in the United States or abroad, for purposes of subparagraphs (A)(ii) and (B)(ii) of subsection (e)(4) when the incident affects United States Government employees of the agency or their dependents who are not under the security responsibility of the Secretary of State as set forth in section 103 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4802) or when operational control of overseas security responsibility for such employees or dependents has been delegated to the head of the agency.''.

TITLE LIII—EMBASSY SECURITY AND CONSTRUCTION

SEC. 5301. AMENDMENTS TO SECURE EMBASSY CONSTRUCTION AND COUNTERTERRORISM ACT OF 1999.

(a) SHORT TITLE.—This section may be cited as the ''Secure Embassy Construction and Counterterrorism Act of 2022''.

(b) FINDINGS.—Congress makes the following findings:

(1) The Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of appendix G of Public Law 106–113) was a necessary response to bombings on August 7, 1998, at the United States embassies in Nairobi, Kenya, and in Dar es Salaam, Tanzania, that were destroyed by simultaneously exploding bombs. The resulting explosions killed 220 persons and injured more than 4,000 others. Twelve Americans and 40 Kenyan and Tanzanian employees of the United States Foreign Service were killed in the attacks.

(2) Those bombings, followed by the expeditionary diplomatic efforts in Iraq and Afghanistan, demonstrated the need to prioritize the security of United States posts and personnel abroad above other considerations.

(3) Between 1999 and 2022, the risk calculus of the Department impacted the ability of United States diplomats around the world to advance the interests of the United States through access to local populations, leaders, and places.

(4) America's competitors and adversaries do not have the same restrictions that United States diplomats have, especially in critically important medium-threat and high-threat posts.

(5) The Department's 2021 Overseas Security Panel report states that—

(A) the requirement for setback and collocation of diplomatic posts under paragraphs (2) and (3) of section 606(a) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)) has led to skyrocketing costs of new embassies and consulates; and

(B) the locations of such posts have become less desirable, creating an extremely suboptimal nexus that further hinders United States diplomats who are willing to accept more risk in order to advance United States interests.

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the setback and collocation requirements referred to in subsection (b)(5)(A), even with available waivers, no longer provide the security such requirements used to provide because of advancement in technologies, such as remote controlled drones,

that can evade walls and other such static barriers;

(2) the Department should focus on creating performance security standards that—

(A) attempt to keep the setback requirements of diplomatic posts as limited as possible; and

(B) provide diplomats access to local populations as much as possible, while still providing a necessary level of security;

(3) collocation of diplomatic facilities is often not feasible or advisable, particularly for public diplomacy spaces whose mission is to reach and be accessible to wide sectors of the public, including in countries with repressive governments, since such spaces are required to permit the foreign public to enter and exit the space easily and openly;

(4) the Bureau of Diplomatic Security should—

(A) fully utilize the waiver process provided under paragraphs (2)(B) and (3)(B) of section 606(a) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)); and

(B) appropriately exercise such waiver process as a tool to right-size the appropriate security footing at each diplomatic post rather than only approving waivers in extreme circumstances;

(5) the return of great power competition requires—

(A) United States diplomats to do all they can to outperform our adversaries; and

(B) the Department to better optimize use of taxpayer funding to advance United States national interests; and

(6) this section will better enable United States diplomats to compete in the 21st century, while saving United States taxpayers millions in reduced property and maintenance costs at embassies and consulates abroad.

(d) DEFINITION OF UNITED STATES DIPLOMATIC FACILITY.—Section 603 of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of appendix G of Public Law 106–113) is amended to read as follows:

"SEC. 603. UNITED STATES DIPLOMATIC FACILITY DEFINED.

''In this title, the terms 'United States diplomatic facility' and 'diplomatic facility' mean any chancery, consulate, or other office that—

''(1) is considered by the Secretary of State to be diplomatic or consular premises, consistent with the Vienna Convention on Diplomatic Relations, done at Vienna April 18, 1961, and the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, and was notified to the host government as such; or

''(2) is otherwise subject to a publicly available bilateral agreement with the host government (contained in the records of the United States Department of State) that recognizes the official status of the United States Government personnel present at the facility.''.

(e) GUIDANCE AND REQUIREMENTS FOR DIPLOMATIC FACILITIES.—

(1) GUIDANCE FOR CLOSURE OF PUBLIC DIPLOMACY FACILITIES.—Section 5606(a) of the Public Diplomacy Modernization Act of 2021 (Public Law 117–81; 22 U.S.C. 1475g note) is amended to read as follows:

''(a) IN GENERAL.—In order to preserve public diplomacy facilities that are accessible to the publics of foreign countries, not later than 180 days after the date of the enactment of the Secure Embassy Construction and Counterterrorism Act of 2022, the Secretary of State shall adopt guidelines to collect and utilize information from each diplomatic post at which the construction of a new embassy compound or new consulate compound could result in the closure or co-location of an American Space that is owned and operated by the United States Government, generally known as an American Center, or any other public diplomacy facility under the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 et seq.).''.

(2) SECURITY REQUIREMENTS FOR UNITED STATES DIPLOMATIC FACILITIES.—Section 606(a) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)) is amended—

(A) in paragraph (1)(A), by striking ''the threat'' and inserting ''a range of threats, including that'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by inserting ''in a location that has certain minimum ratings under the Security Environment Threat List as determined by the Secretary in his or her discretion'' after ''abroad''; and

(II) by inserting '', personnel of the Peace Corps, and personnel of any other type or category of facility that the Secretary may identify'' after ''military commander''; and

(ii) in subparagraph (B)—

(I) by amending clause (i) to read as follows:

''(i) IN GENERAL.—Subject to clause (ii), the Secretary of State may waive subparagraph (A) if the Secretary, in consultation with, as appropriate, the head of each agency employing personnel that would not be located at the site, if applicable, determines that it is in the national interest of the United States after taking account of any considerations the Secretary in his or her discretion considers relevant, which may include security conditions.''; and

(II) in clause (ii), by striking ''(ii) CHANCERY OR CONSULATE BUILDING.—'' and all that follows through ''15 days prior'' and inserting the following:

''(ii) CHANCERY OR CONSULATE BUILDING.—Prior''; and

(C) in paragraph (3)—

(i) by amending subparagraph (A) to read as follows:

''(A) REQUIREMENT.—

''(i) IN GENERAL.—Each newly acquired United States diplomatic facility in a location that has certain minimum ratings under the Security Environment Threat List as determined by the Secretary of State in his or her discretion shall—

''(I) be constructed or modified to meet the measured building blast performance standard applicable to a diplomatic facility sited not less than 100 feet from the perimeter of the property on which the facility is situated; or

''(II) fulfill the criteria described in clause (ii).

''(ii) ALTERNATIVE ENGINEERING EQUIVALENCY STANDARD REQUIREMENT.—Each facility referred to in clause (i) may, instead of meeting the requirement under such clause, fulfill such other criteria as the Secretary is authorized to employ to achieve an engineering standard of security and degree of protection that is equivalent to the numerical perimeter distance setback described in such clause seeks to achieve.''; and

(ii) in subparagraph (B)—

(I) in clause (i)—

(aa) by striking ''security considerations permit and''; and

(bb) by inserting ''after taking account of any considerations the Secretary in his or her discretion considers relevant, which may include security conditions'' after ''national interest of the United States'';

(II) in clause (ii), by striking ''(ii) CHANCERY OR CONSULATE BUILDING.—'' and all that follows through ''15 days prior'' and inserting the following:

''(ii) CHANCERY OR CONSULATE BUILDING.—Prior''; and

(III) in clause (iii), by striking ''an annual'' and inserting ''a quarterly''.

SEC. 5302. DIPLOMATIC SUPPORT AND SECURITY.

(a) SHORT TITLE.—This section may be cited as the ''Diplomatic Support and Security Act of 2022''.

(b) FINDINGS.—Congress makes the following findings:

(1) A robust overseas diplomatic presence is part of an effective foreign policy, particularly in volatile environments where a flexible and timely diplomatic response can be decisive in preventing and addressing conflict.

(2) Diplomats routinely put themselves and their families at great personal risk to serve their country overseas where they face threats related to international terrorism, violent conflict, and public health.

(3) The Department has a remarkable record of protecting personnel while enabling an enormous amount of global diplomatic activity, often in unsecure and remote places and facing a variety of evolving risks and threats. With support from Congress, the Department of State has revised policy, improved physical security through retrofitting and replacing old facilities, deployed additional security personnel and armored vehicles, and greatly enhanced training requirements and training facilities, including the new Foreign Affairs Security Training Center in Blackstone, Virginia.

(4) Diplomatic missions rely on robust staffing and ambitious external engagement to advance United States interests as diverse as competing with China's malign influence around the world, fighting terrorism and transnational organized crime, preventing and addressing violent conflict and humanitarian disasters, promoting United States businesses and trade, protecting the rights of marginalized groups, addressing climate change, and preventing pandemic disease.

(5) Efforts to protect personnel overseas have often resulted in inhibiting diplomatic activity and limiting engagement between embassy personnel and local governments and populations.

(6) Given that Congress currently provides annual appropriations in excess of $1,900,000,000 for embassy security, construction, and maintenance, the Department should be able to ensure a robust overseas presence without inhibiting the ability of diplomats to—

(A) meet outside United States secured facilities with foreign leaders to explain, defend, and advance United States priorities;

(B) understand and report on foreign political, social, and economic conditions through meeting and interacting with community officials outside of United States facilities;

(C) provide United States citizen services; and

(D) collaborate and, at times, compete with other diplomatic missions, particularly those, such as that of the People's Republic of China, that do not have restrictions on meeting locations.

(7) Given these stakes, Congress has a responsibility to empower, support, and hold the Department accountable for implementing an aggressive strategy to ensure a robust overseas presence that mitigates potential risks and adequately considers the myriad direct and indirect consequences of a lack of diplomatic presence.

(c) ENCOURAGING EXPEDITIONARY DIPLOMACY.—

(1) PURPOSE.—Section 102(b) of the Diplomatic Security Act of 1986 (22 U.S.C. 4801(b)) is amended—

(A) by amending paragraph (3) to read as follows:

''(3) to promote strengthened security measures, institutionalize a culture of learning, and, in the case of apparent gross negligence or breach of duty, recommend that the Secretary investigate accountability for United States Government personnel with security-related responsibilities under chief of mission authority;'';

(B) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(C) by inserting after paragraph (3) the following:

''(4) to support a culture of risk management, instead of risk avoidance, that enables the Department of State to pursue its vital goals with full knowledge that it is neither desirable nor possible for the Department to avoid all risks;''.

(2) BRIEFINGS ON EMBASSY SECURITY.—Section 105(a)(1) of the Diplomatic Security Act of 1986 (22 U.S.C. 4804(a)) is amended—

(A) by striking ''any plans to open or reopen a high risk, high threat post'' and inserting ''progress towards opening or reopening a high risk, high threat post, and the risk to national security of the continued closure or any suspension of operations and remaining barriers to doing so'';

(B) in subparagraph (A), by inserting ''the risk to United States national security of the post's continued closure or suspension of operations,'' after ''national security of the United States,''; and

(C) in subparagraph (C), by inserting ''the type and level of security threats such post could encounter, and'' before ''security 'tripwires' ''.

(d) SECURITY REVIEW COMMITTEES.—

(1) IN GENERAL.—Section 301 of the Diplomatic Security Act of 1986 (22 U.S.C. 4831) is amended—

(A) in the section heading, by striking ''**ACCOUNTABILITY REVIEW BOARDS**'' and inserting ''**SECURITY REVIEW COMMITTEES**'';

(B) in subsection (a)—

(i) by amending paragraph (1) to read as follows:

''(1) CONVENING THE SECURITY REVIEW COMMITTEE.—In any case of a serious security incident involving loss of life, serious injury, or significant destruction of property at, or related to, a United States Government diplomatic mission abroad (referred to in this title as a 'Serious Security Incident'), and in any case of a serious breach of security involving intelligence activities of a foreign government directed at a United States Government mission abroad, the Secretary of State shall convene a Security Review Committee, which shall issue a report providing a full account of what occurred, consistent with section 304.'';

(C) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(D) by inserting after paragraph (1) the following:

''(2) COMMITTEE COMPOSITION.—The Secretary shall designate a Chairperson and may designate additional personnel of commensurate seniority to serve on the Security Review Committee, which shall include—

''(A) the Director of the Office of Management Strategy and Solutions;

''(B) the Assistant Secretary responsible for the region where the incident occurred;

''(C) the Assistant Secretary of State for Diplomatic Security;

''(D) the Assistant Secretary of State for Intelligence and Research;

''(E) an Assistant Secretary-level representative from any involved United States Government department or agency; and

''(F) other personnel determined to be necessary or appropriate.'';

(i) in paragraph (3), as redesignated by clause (ii)—

(I) in the paragraph heading, by striking ''DEPARTMENT OF DEFENSE FACILITIES AND PERSONNEL'' and inserting ''EXCEPTIONS TO CONVENING A SECURITY REVIEW COMMITTEE'';

(II) by striking ''The Secretary of State is not required to convene a Board in the case'' and inserting the following:

''(A) IN GENERAL.—The Secretary of State is not required to convene a Security Review Committee—

''(i) if the Secretary determines that the incident involves only causes unrelated to security, such as when the security at issue is outside of the scope of the Secretary of State's security responsibilities under section 103;

''(ii) if operational control of overseas security functions has been delegated to another agency in accordance with section 106;

''(iii) if the incident is a cybersecurity incident and is covered by other review mechanisms; or

''(iv) in the case''; and

(III) by striking ''In any such case'' and inserting the following:

''(B) DEPARTMENT OF DEFENSE INVESTIGATIONS.—In the case of an incident described in subparagraph (A)(iv)''; and

(E) by adding at the end the following:

''(5) RULEMAKING.—The Secretary of State shall promulgate regulations defining the membership and operating procedures for the Security Review Committee and provide such guidance to the Chair and ranking members of the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''BOARDS'' and inserting ''SECURITY REVIEW COMMITTEES''; and

(B) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—The Secretary of State shall convene a Security Review Committee not later than 60 days after the occurrence of an incident described in subsection (a)(1), or 60 days after the Department first becomes aware of such an incident, whichever is earlier, except that the 60-day period for convening a Security Review Committee may be extended for one additional 60-day period if the Secretary determines that the additional period is necessary.''; and

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

''(c) CONGRESSIONAL NOTIFICATION.—Whenever the Secretary of State convenes a Security Review Committee, the Secretary shall promptly inform the chair and ranking member of—

''(1) the Committee on Foreign Relations of the Senate;

''(2) the Select Committee on Intelligence of the Senate;

''(3) the Committee on Foreign Affairs of the House of Representatives; and

''(4) the Permanent Select Committee on Intelligence of the House of Representatives''.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—Section 302 of the Diplomatic Security Act of 1986 (22 U.S.C. 4832) is amended—

(1) in the section heading, by striking ''**ACCOUNTABILITY REVIEW BOARD**'' and inserting ''**SECURITY REVIEW COMMITTEE**''; and

(2) by striking ''a Board'' each place such term appears and inserting ''a Security Review Committee''.

(f) SERIOUS SECURITY INCIDENT INVESTIGATION PROCESS.—Section 303 of the Diplomatic Security Act of 1986 (22 U.S.C. 4833) is amended to read as follows:

''SEC. 303. SERIOUS SECURITY INCIDENT INVESTIGATION PROCESS.

''(a) INVESTIGATION PROCESS.—

''(1) INITIATION UPON REPORTED INCIDENT.—A United States mission shall submit an initial report of a Serious Security Incident not later than 3 days after such incident occurs, whenever feasible, at which time an investigation of the incident shall be initiated.

''(2) INVESTIGATION.—Not later than 10 days after the submission of a report pursuant to paragraph (1), the Secretary shall direct the Diplomatic Security Service to assemble an investigative team to investigate the incident and independently establish what occurred. Each investigation under this subsection shall cover—

''(A) an assessment of what occurred, who perpetrated or is suspected of having perpetrated the Serious Security Incident, and whether applicable security procedures were followed;

''(B) in the event the Serious Security Incident involved a United States diplomatic compound, motorcade, residence, or other facility, an assessment of whether adequate security countermeasures were in effect based on a known threat at the time of the incident;

''(C) if the incident involved an individual or group of officers, employees, or family members under Chief of Mission security responsibility conducting approved operations or movements outside the United States mission, an assessment of whether proper security briefings and procedures were in place and whether weighing of risk of the operation or movement took place; and

''(D) an assessment of whether the failure of any officials or employees to follow procedures or perform their duties contributed to the security incident.

''(3) INVESTIGATIVE TEAM.—The investigative team assembled pursuant to paragraph (2) shall consist of individuals from the Diplomatic Security Service who shall provide an independent examination of the facts surrounding the incident and what occurred. The Secretary, or the Secretary's designee, shall review the makeup of the investigative team for a conflict, appearance of conflict, or lack of independence that could undermine the results of the investigation and may remove or replace any members of the team to avoid such an outcome.

''(b) REPORT OF INVESTIGATION.—Not later than 90 days after the occurrence of a Serious Security Incident, the investigative team investigating the incident shall prepare and submit a Report of Investigation to the Security Review Committee that includes—

''(1) a detailed description of the matters set forth in subparagraphs (A) through (D) of subsection (a)(2), including all related findings;

''(2) a complete and accurate account of the casualties, injuries, and damage resulting from the incident; and

''(3) a review of security procedures and directives in place at the time of the incident.

''(c) CONFIDENTIALITY.—The investigative team investigating a Serious Security Incident shall adopt such procedures with respect to confidentiality as determined necessary, including procedures relating to the conduct of closed proceedings or the submission and use of evidence in camera, to ensure in particular the protection of classified information relating to national defense, foreign policy, or intelligence matters. The Director of National Intelligence shall establish the level of protection required for intelligence information and for information relating to intelligence personnel included in the report required under subsection (b). The Security Review Committee shall determine the level of classification of the final report prepared pursuant to section 304(b), and shall incorporate the same confidentiality measures in such report to the maximum extent practicable.''.

(g) FINDINGS AND RECOMMENDATIONS OF THE SECURITY REVIEW COMMITTEE.—Section 304 of

the Diplomatic Security Act of 1986 (22 U.S.C. 4834) is amended to read as follows:

"SEC. 304. SECURITY REVIEW COMMITTEE FINDINGS AND REPORT.

''(a) FINDINGS.—The Security Review Committee shall—

''(1) review the Report of Investigation prepared pursuant to section 303(b), and all other evidence, reporting, and relevant information relating to a Serious Security Incident at a United States mission abroad, including an examination of the facts and circumstances surrounding any serious injuries, loss of life, or significant destruction of property resulting from the incident; and

''(2) determine, in writing—

''(A) whether the incident was security related and constituted a Serious Security Incident;

''(B) if the incident involved a diplomatic compound, motorcade, residence, or other mission facility—

''(i) whether the security systems, security countermeasures, and security procedures operated as intended; and

''(ii) whether such systems worked to materially mitigate the attack or were found to be inadequate to mitigate the threat and attack;

''(C) if the incident involved an individual or group of officers conducting an approved operation outside the mission, whether a valid process was followed in evaluating the requested operation and weighing the risk of the operation, which determination shall not seek to assign accountability for the incident unless the Security Review Committee determines that an official breached his or her duty;

''(D) the impact of intelligence and information availability, and whether the mission was aware of the general operating threat environment or any more specific threat intelligence or information and took that into account in ongoing and specific operations; and

''(E) any other facts and circumstances that may be relevant to the appropriate security management of United States missions abroad.

''(b) REPORT.—

''(1) SUBMISSION TO SECRETARY OF STATE.—Not later than 60 days after receiving the Report of Investigation prepared pursuant to section 303(b), the Security Review Committee shall submit a report to the Secretary of State that includes—

''(A) the findings described in subsection (a); and

''(B) any related recommendations.

''(2) SUBMISSION TO CONGRESS.—Not later than 90 days after receiving the report pursuant to paragraph (1), the Secretary of State shall submit a copy of the report to—

''(A) the Committee on Foreign Relations of the Senate;

''(B) the Select Committee on Intelligence of the Senate;

''(C) the Committee on Foreign Affairs of the House of Representatives; and

''(D) the Permanent Select Committee on Intelligence of the House of Representatives.

''(c) PERSONNEL RECOMMENDATIONS.—If in the course of conducting an investigation under section 303, the investigative team finds reasonable cause to believe any individual described in section 303(a)(2)(D) has breached the duty of that individual or finds lesser failures on the part of an individual in the performance of his or her duties related to the incident, it shall be reported to the Security Review Committee. If the Security Review Committee finds reasonable cause to support the determination, it shall be reported to the Secretary for appropriate action.''.

(h) RELATION TO OTHER PROCEEDINGS.—Section 305 of the Diplomatic Security Act of 1986 (22 U.S.C. 4835) is amended—

(1) by inserting ''(a) NO EFFECT ON EXISTING REMEDIES OR DEFENSES.—'' before ''Nothing in this title''; and

(2) by adding at the end the following:

''(b) FUTURE INQUIRIES.—Nothing in this title may be construed to preclude the Secretary of State from convening a follow-up public board of inquiry to investigate any security incident if the incident was of such magnitude or significance that an internal process is deemed insufficient to understand and investigate the incident. All materials gathered during the procedures provided under this title shall be provided to any related board of inquiry convened by the Secretary.''.

SEC. 5303. ESTABLISHMENT OF UNITED STATES EMBASSIES IN VANUATU, KIRIBATI, AND TONGA.

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

(1) The Pacific Islands are vital to United States national security and national interests in the Indo-Pacific region and globally.

(2) The Pacific Islands region spans 15 percent of the world's surface area and controls access to open waters in the Central Pacific, sea lanes to the Western Hemisphere, supply lines to United States forward-deployed forces in East Asia, and economically important fisheries.

(3) The Pacific Islands region is home to the State of Hawaii, 11 United States territories, United States Naval Base Guam, and United States Andersen Air Force Base.

(4) Pacific Island countries cooperate with the United States and United States partners on maritime security and efforts to stop illegal, unreported, and destructive fishing.

(5) The Pacific Islands are rich in biodiversity and are on the frontlines of environmental challenges and climate issues.

(6) The People's Republic of China (PRC) seeks to increase its influence in the Pacific Islands region, including through infrastructure development under the PRC's One Belt, One Road Initiative and its new security agreement with the Solomon Islands.

(7) The United States Embassy in Papua New Guinea manages the diplomatic affairs of the United States to the Republic of Vanuatu, and the United States Embassy in Fiji manages the diplomatic affairs of the United States to the Republic of Kiribati and the Kingdom of Tonga.

(8) The United States requires a physical diplomatic presence in the Republic of Vanuatu, the Republic of Kiribati, and the Kingdom of Tonga, to ensure the physical and operational security of our efforts in those countries to deepen relations, protect United States national security, and pursue United States national interests.

(9) Increasing the number of United States embassies dedicated solely to a Pacific Island country demonstrates the United States' ongoing commitment to the region and to the Pacific Island countries.

(b) ESTABLISHMENT OF EMBASSIES.—

(1) IN GENERAL.—The Secretary of State should establish physical United States embassies in the Republic of Kiribati and in the Kingdom of Tonga, and a physical presence in the Republic of Vanuatu as soon as possible.

(2) OTHER STRATEGIES.—

(A) PHYSICAL INFRASTRUCTURE.—In establishing embassies pursuant to paragraph (1) and creating the physical infrastructure to ensure the physical and operational safety of embassy personnel, the Secretary may pursue rent or purchase existing buildings or colocate personnel in embassies of like-minded partners, such as Australia and New Zealand.

(B) PERSONNEL.—In establishing a physical presence in the Republic of Vanuatu pursuant to paragraph (1), the Secretary may assign 1 or more United States Government personnel to the Republic of Vanuatu as part of the United States mission in Papua New Guinea.

(3) WAIVER AUTHORITY.—The President may waive the requirements under paragraph (1) for a period of one year if the President determines and reports to Congress in advance that such waiver is necessary to protect the national security interests of the United States.

(c) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated to the Department of State for Embassy Security, Construction, and Maintenance—

(1) $40,200,000 is authorized to be appropriated for fiscal year 2023 for the establishment and maintenance of the 3 embassies authorized to be established under subsection (b); and

(2) $3,000,000 is authorized to be appropriated for fiscal year 2024 to maintain such embassies.

(d) REPORT.—

(1) DEFINED TERM.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(2) PROGRESS REPORT.—Not later than 180 days following the date of the enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a report that includes—

(A) a description of the status of activities carried out to achieve the objectives described in this section;

(B) an estimate of when embassies and a physical presence will be fully established pursuant to subsection (b)(1); and

(C) an update on events in the Pacific Islands region relevant to the establishment of United States embassies, including activities by the People's Republic of China.

(3) REPORT ON FINAL DISPOSITION.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that—

(A) confirms the establishment of the 2 embassies and the physical presence required under subsection (b)(1); or

(B) if the embassies and physical presence required in subsection (b)(1) have not been established, a justification for such failure to comply with such requirement.

TITLE LIV—A DIVERSE WORKFORCE: RECRUITMENT, RETENTION, AND PROMOTION

SEC. 5401. REPORT ON BARRIERS TO APPLYING FOR EMPLOYMENT WITH THE DEPARTMENT OF STATE.

Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that—

(1) identifies any barriers for applicants applying for employment with the Department;

(2) provides demographic data of online applicants during the most recent 3 years disaggregated by race, ethnicity, sex, age, veteran status, disability, geographic region;

(3) assesses any barriers that exist for applying online for employment with the Department, disaggregated by race, ethnicity, sex, age, veteran status, disability, geographic region; and

(4) includes recommendations for addressing any disparities identified in the online application process.

SEC. 5402. COLLECTION, ANALYSIS, AND DISSEMINATION OF WORKFORCE DATA.

(a) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that includes disaggregated demographic data and other information regarding the diversity of the workforce of the Department.

(b) DATA.—The report required under subsection (a) shall include, to the maximum extent that the collection and dissemination of such data can be done in a way that protects the confidentiality of individuals and is otherwise permissible by law—

(1) demographic data on each element of the workforce of the Department during the 5-year period ending on the date of the enactment of this Act, disaggregated by rank and grade or grade-equivalent, with respect to—

(A) individuals hired to join the workforce;

(B) individuals promoted, including promotions to and within the Senior Executive Service or the Senior Foreign Service;

(C) individuals serving as special assistants in any of the offices of the Secretary of State, the Deputy Secretary of State, the Counselor of the Department of State, the Secretary's Policy Planning Staff, the Under Secretary of State for Arms Control and International Security, the Under Secretary of State for Civilian Security, Democracy, and Human Rights, the Under Secretary of State for Economic Growth, Energy, and the Environment, the Under Secretary of State for Management, the Under Secretary of State for Political Affairs, and the Under Secretary of State for Public Diplomacy and Public Affairs;

(D) individuals serving in each bureau's front office;

(E) individuals serving as detailees to the National Security Council;

(F) individuals serving on applicable selection boards;

(G) members of any external advisory committee or board who are subject to appointment by individuals at senior positions in the Department;

(H) individuals participating in professional development programs of the Department and the extent to which such participants have been placed into senior positions within the Department after such participation;

(I) individuals participating in mentorship or retention programs; and

(J) individuals who separated from the agency, including individuals in the Senior Executive Service or the Senior Foreign Service;

(2) an assessment of agency compliance with the essential elements identified in Equal Employment Opportunity Commission Management Directive 715, effective October 1, 2003; and

(3) data on the overall number of individuals who are part of the workforce, the percentages of such workforce corresponding to each element specified in paragraph (1), and the percentages corresponding to each rank, grade, or grade equivalent.

(c) EFFECTIVENESS OF DEPARTMENT EFFORTS.—The report required under subsection (a) shall describe and assess the effectiveness of the efforts of the Department—

(1) to propagate fairness, impartiality, and inclusion in the work environment, both domestically and abroad;

(2) to enforce anti-harassment and anti-discrimination policies, both domestically and at posts overseas;

(3) to refrain from engaging in unlawful discrimination in any phase of the employment process, including recruitment, hiring, evaluation, assignments, promotion, retention, and training;

(4) to prevent retaliation against employees for participating in a protected equal employment opportunity activity or for reporting sexual harassment or sexual assault;

(5) to provide reasonable accommodation for qualified employees and applicants with disabilities; and

(6) to recruit a representative workforce by—

(A) recruiting women, persons with disabilities, and minorities;

(B) recruiting at women's colleges, historically Black colleges and universities, minority-serving institutions, and other institutions serving a significant percentage of minority students;

(C) placing job advertisements in newspapers, magazines, and job sites oriented toward women and minorities;

(D) sponsoring and recruiting at job fairs in urban and rural communities and at land-grant colleges or universities;

(E) providing opportunities through the Foreign Service Internship Program under chapter 12 of the Foreign Service Act of 1980 (22 U.S.C. 4141 et seq.), and other hiring initiatives;

(F) recruiting mid-level and senior-level professionals through programs designed to increase representation in international affairs of people belonging to traditionally under-represented groups;

(G) offering the Foreign Service written and oral assessment examinations in several locations throughout the United States or via online platforms to reduce the burden of applicants having to travel at their own expense to take either or both such examinations;

(H) expanding the use of paid internships; and

(I) supporting recruiting and hiring opportunities through—

(i) the Charles B. Rangel International Affairs Fellowship Program;

(ii) the Thomas R. Pickering Foreign Affairs Fellowship Program; and

(iii) other initiatives, including agency-wide policy initiatives.

(d) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 1 year after the publication of the report required under subsection (a), the Secretary of State shall submit a report to the appropriate congressional committees, and make such report available on the Department's website, that includes, without compromising the confidentiality of individuals and to the extent otherwise consistent with law—

(A) disaggregated demographic data, to the maximum extent that collection of such data is permissible by law, relating to the workforce and information on the status of diversity and inclusion efforts of the Department;

(B) an analysis of applicant flow data, to the maximum extent that collection of such data is permissible by law; and

(C) disaggregated demographic data relating to participants in professional development programs of the Department and the rate of placement into senior positions for participants in such programs.

(2) COMBINATION WITH OTHER ANNUAL REPORT.—The report required under paragraph (1) may be combined with another annual report required by law, to the extent practicable.

SEC. 5403. CENTERS OF EXCELLENCE IN FOREIGN AFFAIRS AND ASSISTANCE.

(a) PURPOSE.—The purposes of this section are—

(1) to advance the values and interests of the United States overseas through programs that foster innovation, competitiveness, and a diversity of backgrounds, views, and experience in the formulation and implementation of United States foreign policy and assistance; and

(2) to create opportunities for specialized research, education, training, professional development, and leadership opportunities for individuals belonging to an underrepresented group within the Department and USAID.

(b) STUDY.—

(1) IN GENERAL.—The Secretary and the Administrator of USAID shall conduct a study on the feasibility of establishing Centers of Excellence in Foreign Affairs and Assistance (referred to in this section as the ''Centers of Excellence'') within institutions that serve individuals belonging to an underrepresented group to focus on 1 or more of the areas described in paragraph (2).

(2) ELEMENTS.—In conducting the study required under paragraph (1), the Secretary and the Administrator, respectively, shall consider—

(A) opportunities to enter into public-private partnerships that will—

(i) increase diversity in foreign affairs and foreign assistance Federal careers;

(ii) prepare a diverse cadre of students (including nontraditional, mid-career, part-time, and heritage students) and nonprofit or business professionals with the skills and education needed to meaningfully contribute to the formulation and execution of United States foreign policy and assistance;

(iii) support the conduct of research, education, and extension programs that reflect diverse perspectives and a wide range of views of world regions and international affairs—

(I) to assist in the development of regional and functional foreign policy skills;

(II) to strengthen international development and humanitarian assistance programs; and

(III) to strengthen democratic institutions and processes in policymaking, including supporting public policies that engender equitable and inclusive societies and focus on challenges and inequalities in education, health, wealth, justice, and other sectors faced by diverse communities;

(iv) enable domestic and international educational, internship, fellowship, faculty exchange, training, employment or other innovative programs to acquire or strengthen knowledge of foreign languages, cultures, societies, and international skills and perspectives;

(v) support collaboration among institutions of higher education, including community colleges, nonprofit organizations, and corporations, to strengthen the engagement between experts and specialists in the foreign affairs and foreign assistance fields; and

(vi) leverage additional public-private partnerships with nonprofit organizations, foundations, corporations, institutions of higher education, and the Federal Government; and

(B) budget and staffing requirements, including appropriate sources of funding, for the establishment and conduct of operations of such Centers of Excellence.

(c) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that contains the findings of the study conducted pursuant to subsection (b).

SEC. 5404. INSTITUTE FOR TRANSATLANTIC ENGAGEMENT.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary is authorized to establish

the Institute for Transatlantic Engagement (referred to in this section as the ''Institute'').

(b) PURPOSE.—The purpose of the Institute shall be to strengthen national security by highlighting, to a geographically diverse set of populations from the United States, Canada, and European nations, the importance of the transatlantic relationship and the threats posed by adversarial countries, such as the Russian Federation and the People's Republic of China, to democracy, free-market economic principles, and human rights, with the aim that lessons learned from the Institute will be shared across the United States and Europe.

(c) DIRECTOR.—The Institute shall be headed by a Director, who shall have expertise in transatlantic relations and diverse populations in the United States and Europe.

(d) SCOPE AND ACTIVITIES.—The Institute shall—

(1) strengthen knowledge of the formation and implementation of transatlantic policies critical to national security, including the threats posed by the Russian Federation and the People's Republic of China;

(2) increase awareness of the roles of government and nongovernmental actors, such as multilateral organizations, businesses, civil society actors, academia, think tanks, and philanthropic institutions, in transatlantic policy development and execution;

(3) increase understanding of the manner in which diverse backgrounds and perspectives affect the development of transatlantic policies;

(4) enhance the skills, abilities, and effectiveness of government officials at national and international levels;

(5) increase awareness of the importance of, and interest in, international public service careers;

(6) annually invite not fewer than 30 individuals to participate in programs of the Institute;

(7) not less than 3 times annually, convene representatives of the Government of the United States, the Government of Canada, and of governments of European nations for a program offered by the Institute that is not less than 2 days in duration; and

(8) develop metrics to track the success and efficacy of the program.

(e) ELIGIBILITY TO PARTICIPATE.—Participants in the programs of the Institute shall include elected government officials—

(1) serving at national, regional, or local levels in the United States, Canada, and European nations; and

(2) who represent geographically diverse backgrounds or constituencies in the United States, Canada, and Europe.

(f) SELECTION OF PARTICIPANTS.—

(1) UNITED STATES PARTICIPANTS.—Participants from the United States shall be appointed in an equally divided manner by—

(A) the chairpersons and ranking members of the appropriate congressional committees;

(B) the Speaker of the House of Representatives and the Minority Leader of the House of Representatives; and

(C) the Majority Leader of the Senate and the Minority Leader of the Senate.

(2) EUROPEAN AND CANADIAN PARTICIPANTS.—Participants from Europe and Canada shall be appointed by the Secretary, in consultation with—

(A) the chairpersons and ranking members of the appropriate congressional committees;

(B) the Speaker of the House of Representatives and the Minority Leader of the House of Representatives; and

(C) the Majority Leader of the Senate and the Minority Leader of the Senate.

(g) RESTRICTIONS.—

(1) UNPAID PARTICIPATION.—Participants in the Institute may not be paid a salary for such participation.

(2) REIMBURSEMENT.—The Institute may pay or reimburse participants for reasonable travel, lodging, and food in connection with participation in the program.

(3) TRAVEL.—No funds authorized to be appropriated under subsection (h) may be used for travel for Members of Congress to participate in Institute activities.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated up to $750,000 for fiscal year 2023 to carry out this section.

SEC. 5405. RULE OF CONSTRUCTION.

Nothing in this division may be construed as altering existing law regarding merit system principles.

TITLE LV—INFORMATION SECURITY AND CYBER DIPLOMACY

SEC. 5501. UNITED STATES INTERNATIONAL CYBERSPACE POLICY.

(a) IN GENERAL.—It is the policy of the United States—

(1) to work internationally to promote an open, interoperable, reliable, and secure internet governed by the multi-stakeholder model, which—

(A) promotes democracy, the rule of law, and human rights, including freedom of expression;

(B) supports the ability to innovate, communicate, and promote economic prosperity; and

(C) is designed to protect privacy and guard against deception, malign influence, incitement to violence, harassment and abuse, fraud, and theft;

(2) to encourage and aid United States allies and partners in improving their own technological capabilities and resiliency to pursue, defend, and protect shared interests and values, free from coercion and external pressure; and

(3) in furtherance of the efforts described in paragraphs (1) and (2)—

(A) to provide incentives to the private sector to accelerate the development of the technologies referred to in such paragraphs;

(B) to modernize and harmonize with allies and partners export controls and investment screening regimes and associated policies and regulations; and

(C) to enhance United States leadership in technical standards-setting bodies and avenues for developing norms regarding the use of digital tools.

(b) IMPLEMENTATION.—In implementing the policy described in subsection (a), the President, in consultation with outside actors, as appropriate, including private sector companies, nongovernmental organizations, security researchers, and other relevant stakeholders, in the conduct of bilateral and multilateral relations, shall strive—

(1) to clarify the applicability of international laws and norms to the use of information and communications technology (referred to in this subsection as ''ICT'');

(2) to reduce and limit the risk of escalation and retaliation in cyberspace, damage to critical infrastructure, and other malicious cyber activity that impairs the use and operation of critical infrastructure that provides services to the public;

(3) to cooperate with like-minded countries that share common values and cyberspace policies with the United States, including respect for human rights, democracy, and the rule of law, to advance such values and policies internationally;

(4) to encourage the responsible development of new, innovative technologies and ICT products that strengthen a secure internet architecture that is accessible to all;

(5) to secure and implement commitments on responsible country behavior in cyberspace, including commitments by countries—

(A) not to conduct, or knowingly support, cyber-enabled theft of intellectual property, including trade secrets or other confidential business information, with the intent of providing competitive advantages to companies or commercial sectors;

(B) to take all appropriate and reasonable efforts to keep their territories clear of intentionally wrongful acts using ICT in violation of international commitments;

(C) not to conduct or knowingly support ICT activity that intentionally damages or otherwise impairs the use and operation of critical infrastructure providing services to the public, in violation of international law;

(D) to take appropriate measures to protect the country's critical infrastructure from ICT threats;

(E) not to conduct or knowingly support malicious international activity that harms the information systems of authorized international emergency response teams (also known as ''computer emergency response teams'' or ''cybersecurity incident response teams'') of another country or authorize emergency response teams to engage in malicious international activity, in violation of international law;

(F) to respond to appropriate requests for assistance to mitigate malicious ICT activity emanating from their territory and aimed at the critical infrastructure of another country;

(G) to not restrict cross-border data flows or require local storage or processing of data; and

(H) to protect the exercise of human rights and fundamental freedoms on the internet, while recognizing that the human rights that people have offline also need to be protected online; and

(6) to advance, encourage, and support the development and adoption of internationally recognized technical standards and best practices.

SEC. 5502. BUREAU OF CYBERSPACE AND DIGITAL POLICY.

(a) IN GENERAL.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a), is amended—

(1) by redesignating subsections (i) and (j) as subsection (j) and (k), respectively;

(2) by redesignating subsection (h) (as added by section 361(a)(1) of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116–260)) as subsection (l); and

(3) by inserting after subsection (h) the following:

''(i) BUREAU OF CYBERSPACE AND DIGITAL POLICY.—

''(1) IN GENERAL.—There is established, within the Department of State, the Bureau of Cyberspace and Digital Policy (referred to in this subsection as the 'Bureau'). The head of the Bureau shall have the rank and status of ambassador and shall be appointed by the President, by and with the advice and consent of the Senate.

''(2) DUTIES.—

''(A) IN GENERAL.—The head of the Bureau shall perform such duties and exercise such powers as the Secretary of State shall prescribe, including implementing the diplomatic and foreign policy aspects of the policy described in section 5501(a) of the Department of State Authorization Act of 2022.

''(B) DUTIES DESCRIBED.—The principal duties and responsibilities of the head of the Bureau shall, in furtherance of the diplomatic and foreign policy mission of the Department, be—

''(i) to serve as the principal cyberspace policy official within the senior management of the Department of State and as the advisor to the Secretary of State for cyberspace and digital issues;

''(ii) to lead, coordinate, and execute, in coordination with other relevant bureaus

and offices, the Department of State's diplomatic cyberspace, and cybersecurity efforts (including efforts related to data privacy, data flows, internet governance, information and communications technology standards, and other issues that the Secretary has assigned to the Bureau);

''(iii) to coordinate with relevant Federal agencies and the Office of the National Cyber Director to ensure the diplomatic and foreign policy aspects of the cyber strategy in section 5501 of the Department of State Authorization Act of 2022 and any other subsequent strategy are implemented in a manner that is fully integrated with the broader strategy;

''(iv) to promote an open, interoperable, reliable, and secure information and communications technology infrastructure globally;

''(v) to represent the Secretary of State in interagency efforts to develop and advance Federal Government cyber priorities and activities, including efforts to develop credible national capabilities, strategies, and policies to deter and counter cyber adversaries, and carry out the purposes of title V of the Department of State Authorization Act of 2022;

''(vi) to engage civil society, the private sector, academia, and other public and private entities on relevant international cyberspace and international information and communications technology issues;

''(vii) to support United States Government efforts to uphold and further develop global deterrence frameworks for malicious cyber activity;

''(viii) to advise the Secretary of State and coordinate with foreign governments regarding responses to national security-level cyber incidents, including coordination on diplomatic response efforts to support allies and partners threatened by malicious cyber activity, in conjunction with members of the North Atlantic Treaty Organization and like-minded countries;

''(ix) to promote the building of foreign capacity relating to cyberspace policy priorities;

''(x) to promote an open, interoperable, reliable, and secure information and communications technology infrastructure globally and an open, interoperable, secure, and reliable internet governed by the multi-stakeholder model;

''(xi) to promote an international regulatory environment for technology investments and the internet that benefits United States economic and national security interests;

''(xii) to promote cross-border flow of data and combat international initiatives seeking to impose unreasonable requirements on United States businesses;

''(xiii) to promote international policies to protect the integrity of United States and international telecommunications infrastructure from foreign-based threats, including cyber-enabled threats;

''(xiv) to lead engagement, in coordination with relevant executive branch agencies, with foreign governments on relevant international cyberspace, cybersecurity, cybercrime, and digital economy issues described in title V of the Department of State Authorization Act of 2022;

''(xv) to promote international policies to secure radio frequency spectrum in the best interests of the United States;

''(xvi) to promote and protect the exercise of human rights, including freedom of speech and religion, through the internet;

''(xvii) to build capacity of United States diplomatic officials to engage on cyberspace issues;

''(xviii) to encourage the development and adoption by foreign countries of internationally recognized standards, policies, and best practices;

''(xix) to support efforts by the Global Engagement Center to counter cyber-enabled information operations against the United States or its allies and partners; and

''(xx) to conduct such other matters as the Secretary of State may assign.

''(3) QUALIFICATIONS.—The head of the Bureau should be an individual of demonstrated competency in the fields of—

''(A) cybersecurity and other relevant cyberspace and information and communications technology policy issues; and

''(B) international diplomacy.

''(4) ORGANIZATIONAL PLACEMENT.—

''(A) INITIAL PLACEMENT.—Except as provided in subparagraph (B), the head of the Bureau shall report to the Deputy Secretary of State.

''(B) SUBSEQUENT PLACEMENT.—The head of the Bureau may report to an Under Secretary of State or to an official holding a higher position than Under Secretary if, not later than 15 days before any change in such reporting structure, the Secretary of State—

''(i) consults with the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives; and

''(ii) submits a report to such committees that—

''(I) indicates that the Secretary, with respect to the reporting structure of the Bureau, has consulted with and solicited feedback from—

''(aa) other relevant Federal entities with a role in international aspects of cyber policy; and

''(bb) the elements of the Department of State with responsibility for aspects of cyber policy, including the elements reporting to—

''(AA) the Under Secretary of State for Political Affairs;

''(BB) the Under Secretary of State for Civilian Security, Democracy, and Human Rights;

''(CC) the Under Secretary of State for Economic Growth, Energy, and the Environment;

''(DD) the Under Secretary of State for Arms Control and International Security Affairs;

''(EE) the Under Secretary of State for Management; and

''(FF) the Under Secretary of State for Public Diplomacy and Public Affairs;

''(II) describes the new reporting structure for the head of the Bureau and the justification for such new structure; and

''(III) includes a plan describing how the new reporting structure will better enable the head of the Bureau to carry out the duties described in paragraph (2), including the security, economic, and human rights aspects of cyber diplomacy.

''(5) SPECIAL HIRING AUTHORITIES.—The Secretary of State may—

''(A) appoint employees without regard to the provisions of title 5, United States Code, regarding appointments in the competitive service; and

''(B) fix the basic compensation of such employees without regard to chapter 51 and subchapter III of chapter 53 of such title regarding classification and General Schedule pay rates.

''(6) COORDINATION.—In implementing the duties prescribed under paragraph (2), the head of the Bureau shall coordinate with the heads of such Federal agencies as the National Cyber Director deems appropriate.

''(7) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed—

''(A) to preclude the head of the Bureau from being designated as an Assistant Secretary, if such an Assistant Secretary position does not increase the number of Assistant Secretary positions at the Department above the number authorized under subsection (c)(1); or

''(B) to alter or modify the existing authorities of any other Federal agency or official.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Bureau established under section 1(i) of the State Department Basic Authorities Act of 1956, as added by subsection (a), should have a diverse workforce composed of qualified individuals, including individuals belonging to an underrepresented group.

(c) UNITED NATIONS.—The Permanent Representative of the United States to the United Nations should use the voice, vote, and influence of the United States to oppose any measure that is inconsistent with the policy described in section 5501(a).

SEC. 5503. INTERNATIONAL CYBERSPACE AND DIGITAL POLICY STRATEGY.

(a) STRATEGY REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the President, acting through the Secretary, and in coordination with the heads of other relevant Federal departments and agencies, shall develop an international cyberspace and digital policy strategy.

(b) ELEMENTS.—The strategy required under subsection (a) shall include—

(1) a review of actions and activities undertaken to support the policy described in section 5501(a);

(2) a plan of action to guide the diplomacy of the Department with regard to foreign countries, including—

(A) conducting bilateral and multilateral activities—

(i) to develop and support the implementation of norms of responsible country behavior in cyberspace consistent with the objectives specified in section 5501(b)(5);

(ii) to reduce the frequency and severity of cyberattacks on United States individuals, businesses, governmental agencies, and other organizations;

(iii) to reduce cybersecurity risks to United States and allied critical infrastructure;

(iv) to improve allies' and partners' collaboration with the United States on cybersecurity issues, including information sharing, regulatory coordination and improvement, and joint investigatory and law enforcement operations related to cybercrime; and

(v) to share best practices and advance proposals to strengthen civilian and private sector resiliency to threats and access to opportunities in cyberspace; and

(B) reviewing the status of existing efforts in relevant multilateral fora, as appropriate, to obtain commitments on international norms regarding cyberspace;

(3) a review of alternative concepts for international norms regarding cyberspace offered by foreign countries;

(4) a detailed description, in consultation with the Office of the National Cyber Director and relevant Federal agencies, of new and evolving threats regarding cyberspace from foreign adversaries, state-sponsored actors, and non-state actors to—

(A) United States national security;

(B) the Federal and private sector cyberspace infrastructure of the United States;

(C) intellectual property in the United States; and

(D) the privacy and security of citizens of the United States;

(5) a review of the policy tools available to the President to deter and de-escalate tensions with foreign countries, state-sponsored actors, and private actors regarding—

(A) threats in cyberspace;

(B) the degree to which such tools have been used; and

(C) whether such tools have been effective deterrents;

(6) a review of resources required to conduct activities to build responsible norms of international cyber behavior;

(7) a review, in coordination with the Office of the National Cyber Director and the Office of Management and Budget, to determine whether the budgetary resources, technical expertise, legal authorities, and personnel available to the Department are adequate to achieve the actions and activities undertaken by the Department to support the policy described in section 5501(a);

(8) a review to determine whether the Department is properly organized and coordinated with other Federal agencies to achieve the objectives described in section 5501(b); and

(9) a plan of action, developed in consultation with relevant Federal departments and agencies as the President may direct, to guide the diplomacy of the Department with respect to the inclusion of cyber issues in mutual defense agreements.

(c) FORM OF STRATEGY.—

(1) PUBLIC AVAILABILITY.—The strategy required under subsection (a) shall be available to the public in unclassified form, including through publication in the Federal Register.

(2) CLASSIFIED ANNEX.—The strategy required under subsection (a) may include a classified annex.

(d) BRIEFING.—Not later than 30 days after the completion of the strategy required under subsection (a), the Secretary shall brief the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Armed Services of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Permanent Select Committee on Intelligence of the House of Representatives, and the Committee on Armed Services of the House of Representatives regarding the strategy, including any material contained in a classified annex.

(e) UPDATES.—The strategy required under subsection (a) shall be updated—

(1) not later than 90 days after any material change to United States policy described in such strategy; and

(2) not later than 1 year after the inauguration of each new President.

SEC. 5504. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON CYBER DIPLOMACY.

Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report and provide a briefing to the appropriate congressional committees that includes—

(1) an assessment of the extent to which United States diplomatic processes and other efforts with foreign countries, including through multilateral fora, bilateral engagements, and negotiated cyberspace agreements, advance the full range of United States interests regarding cyberspace, including the policy described in section 5501(a);

(2) an assessment of the Department's organizational structure and approach to managing its diplomatic efforts to advance the full range of United States interests regarding cyberspace, including a review of—

(A) the establishment of a Bureau within the Department to lead the Department's international cyber mission;

(B) the current or proposed diplomatic mission, structure, staffing, funding, and activities of such Bureau;

(C) how the establishment of such Bureau has impacted or is likely to impact the structure and organization of the Department; and

(D) what challenges, if any, the Department has faced or will face in establishing such Bureau; and

(3) any other matters that the Comptroller General determines to be relevant.

SEC. 5505. REPORT ON DIPLOMATIC PROGRAMS TO DETECT AND RESPOND TO CYBER THREATS AGAINST ALLIES AND PARTNERS.

Not later than 180 days after the date of the enactment of this Act, the Secretary, in coordination with the heads of other relevant Federal agencies, shall submit a report to the appropriate congressional committees that assesses the capabilities of the Department to provide civilian-led support for acute cyber incident response in ally and partner countries that includes—

(1) a description and assessment of the Department's coordination with cyber programs and operations of the Department of Defense and the Department of Homeland Security;

(2) recommendations on how to improve coordination and executive of Department involvement in programs or operations to support allies and partners in responding to acute cyber incidents; and

(3) the budgetary resources, technical expertise, legal authorities, and personnel needed for the Department to formulate and implement the programs described in this section.

SEC. 5506. CYBERSECURITY RECRUITMENT AND RETENTION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that improving computer programming language proficiency will improve—

(1) the cybersecurity effectiveness of the Department; and

(2) the ability of foreign service officers to engage with foreign audiences on cybersecurity matters.

(b) TECHNOLOGY TALENT ACQUISITION.—

(1) ESTABLISHMENT.—The Secretary shall establish positions within the Bureau of Global Talent Management that are solely dedicated to the recruitment and retention of Department personnel with backgrounds in cybersecurity, engineering, data science, application development, artificial intelligence, critical and emerging technology, and technology and digital policy.

(2) GOALS.—The goals of the positions described in paragraph (1) shall be—

(A) to fulfill the critical need of the Department to recruit and retain employees for cybersecurity, digital, and technology positions;

(B) to actively recruit relevant candidates from academic institutions, the private sector, and related industries;

(C) to work with the Office of Personnel Management and the United States Digital Service to develop and implement best strategies for recruiting and retaining technology talent; and

(D) to inform and train supervisors at the Department on the use of the authorities listed in subsection (c)(1).

(3) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a plan to the appropriate congressional committees that describes how the objectives and goals set forth in paragraphs (1) and (2) will be implemented.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $750,000 for each of the fiscal years 2023 through 2027 to carry out this subsection.

(c) ANNUAL REPORT ON HIRING AUTHORITIES.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary shall submit a report to the appropriate congressional committees that includes—

(1) a list of the hiring authorities available to the Department to recruit and retain personnel with backgrounds in cybersecurity, engineering, data science, application development, artificial intelligence, critical and emerging technology, and technology and digital policy;

(2) a list of which hiring authorities described in paragraph (1) have been used during the previous 5 years;

(3) the number of employees in qualified positions hired, aggregated by position and grade level or pay band;

(4) the number of employees who have been placed in qualified positions, aggregated by bureau and offices within the Department;

(5) the rate of attrition of individuals who begin the hiring process and do not complete the process and a description of the reasons for such attrition;

(6) the number of individuals who are interviewed by subject matter experts and the number of individuals who are not interviewed by subject matter experts; and

(7) recommendations for—

(A) reducing the attrition rate referred to in paragraph (5) by 5 percent each year;

(B) additional hiring authorities needed to acquire needed technology talent;

(C) hiring personnel to hold public trust positions until such personnel can obtain the necessary security clearance; and

(D) informing and training supervisors within the Department on the use of the authorities listed in paragraph (1).

(d) INCENTIVE PAY FOR CYBERSECURITY PROFESSIONALS.—To increase the number of qualified candidates available to fulfill the cybersecurity needs of the Department, the Secretary shall—

(1) include computer programming languages within the Recruitment Language Program; and

(2) provide appropriate language incentive pay.

(e) REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary shall provide a list to the appropriate congressional committees that identifies—

(1) the computer programming languages included within the Recruitment Language Program and the language incentive pay rate; and

(2) the number of individuals benefitting from the inclusion of such computer programming languages in the Recruitment Language Program and language incentive pay.

SEC. 5507. SHORT COURSE ON EMERGING TECHNOLOGIES FOR SENIOR OFFICIALS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall develop and begin providing, for senior officials of the Department, a course addressing how the most recent and relevant technologies affect the activities of the Department.

(b) THROUGHPUT OBJECTIVES.—The Secretary should ensure that—

(1) during the first year that the course developed pursuant to subsection (a) is offered, not fewer than 20 percent of senior officials are certified as having passed such course; and

(2) in each subsequent year, until the date on which 80 percent of senior officials are certified as having passed such course, an additional 10 percent of senior officials are certified as having passed such course.

SEC. 5508. ESTABLISHMENT AND EXPANSION OF REGIONAL TECHNOLOGY OFFICER PROGRAM.

(a) REGIONAL TECHNOLOGY OFFICER PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish a program, which shall be known as

the ''Regional Technology Officer Program'' (referred to in this section as the ''Program'').

(2) GOALS.—The goals of the Program shall include the following:

(A) Promoting United States leadership in technology abroad.

(B) Working with partners to increase the deployment of critical and emerging technology in support of democratic values.

(C) Shaping diplomatic agreements in regional and international fora with respect to critical and emerging technologies.

(D) Building diplomatic capacity for handling critical and emerging technology issues.

(E) Facilitating the role of critical and emerging technology in advancing the foreign policy objectives of the United States through engagement with research labs, incubators, and venture capitalists.

(F) Maintaining the advantages of the United States with respect to critical and emerging technologies.

(b) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit an implementation plan to the appropriate congressional committees that outlines strategies for—

(1) advancing the goals described in subsection (a)(2);

(2) hiring Regional Technology Officers and increasing the competitiveness of the Program within the Foreign Service bidding process;

(3) expanding the Program to include a minimum of 15 Regional Technology Officers; and

(4) assigning not fewer than 2 Regional Technology Officers to posts within—

(A) each regional bureau of the Department; and

(B) the Bureau of International Organization Affairs.

(c) ANNUAL BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary shall brief the appropriate congressional committees regarding the status of the implementation plan required under subsection (b).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated up to $25,000,000 for each of the fiscal years 2023 through 2027 to carry out this section.

SEC. 5509. VULNERABILITY DISCLOSURE POLICY AND BUG BOUNTY PROGRAM REPORT.

(a) DEFINITIONS.—In this section:

(1) BUG BOUNTY PROGRAM.—The term ''bug bounty program'' means a program under which an approved individual, organization, or company is temporarily authorized to identify and report vulnerabilities of internet-facing information technology of the Department in exchange for compensation.

(2) INFORMATION TECHNOLOGY.—The term ''information technology'' has the meaning given such term in section 11101 of title 40, United States Code.

(b) VULNERABILITY DISCLOSURE POLICY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall design, establish, and make publicly known a Vulnerability Disclosure Policy (referred to in this section as the ''VDP'') to improve Department cybersecurity by—

(A) creating Department policy and infrastructure to receive reports of and remediate discovered vulnerabilities in line with existing policies of the Office of Management and Budget and the Department of Homeland Security Binding Operational Directive 20–01 or any subsequent directive; and

(B) providing a report on such policy and infrastructure to Congress.

(2) ANNUAL REPORTS.—Not later than 180 days after the establishment of the VDP pursuant to paragraph (1), and annually thereafter for the following 5 years, the Secretary shall submit a report on the VDP to the Committee on Foreign Relations of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Homeland Security of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives that includes information relating to—

(A) the number and severity of all security vulnerabilities reported;

(B) the number of previously unidentified security vulnerabilities remediated as a result;

(C) the current number of outstanding previously unidentified security vulnerabilities and Department of State remediation plans;

(D) the average time between the reporting of security vulnerabilities and remediation of such vulnerabilities;

(E) the resources, surge staffing, roles, and responsibilities within the Department used to implement the VDP and complete security vulnerability remediation;

(F) how the VDP identified vulnerabilities are incorporated into existing Department vulnerability prioritization and management processes;

(G) any challenges in implementing the VDP and plans for expansion or contraction in the scope of the VDP across Department information systems; and

(H) any other topic that the Secretary determines to be relevant.

(c) BUG BOUNTY PROGRAM REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to Congress that describes any ongoing efforts by the Department or a third-party vendor under contract with the Department to establish or carry out a bug bounty program that identifies security vulnerabilities of internet-facing information technology of the Department.

(2) REPORT.—Not later than 180 days after the date on which any bug bounty program is established, the Secretary shall submit a report to the Committee on Foreign Relations of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Homeland Security of the House of Representatives regarding such program, including information relating to—

(A) the number of approved individuals, organizations, or companies involved in such program, disaggregated by the number of approved individuals, organizations, or companies that—

(i) registered;

(ii) were approved;

(iii) submitted security vulnerabilities; and

(iv) received compensation;

(B) the number and severity of all security vulnerabilities reported as part of such program;

(C) the number of previously unidentified security vulnerabilities remediated as a result of such program;

(D) the current number of outstanding previously unidentified security vulnerabilities and Department remediation plans for such outstanding vulnerabilities;

(E) the average length of time between the reporting of security vulnerabilities and remediation of such vulnerabilities;

(F) the types of compensation provided under such program;

(G) the lessons learned from such program;

(H) the public accessibility of contact information for the Department regarding the bug bounty program;

(I) the incorporation of bug bounty program identified vulnerabilities into existing Department vulnerability prioritization and management processes; and

(J) any challenges in implementing the bug bounty program and plans for expansion or contraction in the scope of the bug bounty program across Department information systems.

TITLE LVI—PUBLIC DIPLOMACY

SEC. 5601. UNITED STATES PARTICIPATION IN INTERNATIONAL FAIRS AND EXPOSITIONS.

(a) IN GENERAL.—Notwithstanding section 204 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (22 U.S.C. 2452b), and subject to subsection (b), amounts available under title I of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022 (division K of Public Law 117–103), or under prior such Acts, may be made available to pay for expenses related to United States participation in international fairs and expositions abroad, including for construction and operation of pavilions or other major exhibits.

(b) LIMITATION ON SOLICITATION OF FUNDS.—Senior employees of the Department, in their official capacity, may not solicit funds to pay expenses for a United States pavilion or other major exhibit at any international exposition or world's fair registered by the Bureau of International Expositions.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated up to $20,000,000 to the Department for United States participation in international fairs and expositions abroad, including for construction and operation of pavilions or other major exhibits.

SEC. 5602. PRESS FREEDOM CURRICULUM.

The Secretary shall ensure that there is a press freedom curriculum for the National Foreign Affairs Training Center that enables Foreign Service officers to better understand issues of press freedom and the tools that are available to help protect journalists and promote freedom of the press norms, which may include—

(1) the historic and current issues facing press freedom, including countries of specific concern;

(2) the Department's role in promoting press freedom as an American value, a human rights issue, and a national security imperative;

(3) ways to incorporate press freedom promotion into other aspects of diplomacy; and

(4) existing tools to assist journalists in distress and methods for engaging foreign governments and institutions on behalf of individuals engaged in journalistic activity who are at risk of harm.

SEC. 5603. GLOBAL ENGAGEMENT CENTER.

(a) IN GENERAL.—Section 1287(j) of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2656 note) is amended by striking ''the date that is 8 years after the date of the enactment of this Act'' and inserting ''December 31, 2027''.

(b) HIRING AUTHORITY FOR GLOBAL ENGAGEMENT CENTER.—Notwithstanding any other provision of law, the Secretary, during the 5-year period beginning on the date of the enactment of this Act and solely to carry out the functions of the Global Engagement Center described in section 1287(b) of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2656 note), may—

(1) appoint employees without regard to appointment in the competitive service; and

(2) fix the basic compensation of such employees regarding classification and General Schedule pay rates.

SEC. 5604. UNDER SECRETARY FOR PUBLIC DIPLOMACY.

Section 1(b)(3) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(F) coordinate the allocation and management of the financial and human resources for public diplomacy, including for—

''(i) the Bureau of Educational and Cultural Affairs;

''(ii) the Bureau of Global Public Affairs;

''(iii) the Office of Policy, Planning, and Resources for Public Diplomacy and Public Affairs;

''(iv) the Global Engagement Center; and

''(v) the public diplomacy functions within the regional and functional bureaus.''.

TITLE LVII—OTHER MATTERS

SEC. 5701. SUPPORTING THE EMPLOYMENT OF UNITED STATES CITIZENS BY INTERNATIONAL ORGANIZATIONS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department should continue to eliminate the unreasonable barriers United States nationals face to obtain employment in the United Nations Secretariat, funds, programs, and agencies; and

(2) the Department should bolster efforts to increase the number of qualified United States nationals who are candidates for leadership and oversight positions in the United Nations system, agencies, and commissions, and in other international organizations.

(b) IN GENERAL.—The Secretary is authorized to promote the employment and advancement of United States citizens by international organizations and bodies, including by—

(1) providing stipends, consultation, and analytical services to support United States citizen applicants; and

(2) making grants for the purposes described in paragraph (1).

(c) USING DIPLOMATIC PROGRAMS FUNDING TO PROMOTE THE EMPLOYMENT OF UNITED STATES CITIZENS BY INTERNATIONAL ORGANIZATIONS.—Amounts appropriated under the heading ''DIPLOMATIC PROGRAMS'' in Acts making appropriations for the Department of State, Foreign Operations, and Related Programs are authorized to be appropriated for grants, programs, and activities described in subsection (b).

(d) STRATEGY TO ESTABLISH JUNIOR PROFESSIONAL PROGRAM.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary, in coordination with the Secretary of the Treasury and other relevant cabinet members, shall publish a strategy for encouraging United States citizens to pursue careers with international organizations, particularly organizations that—

(A) set international scientific, technical, or commercial standards; or

(B) are involved in international finance and development.

(2) REPORT TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in coordination with the Secretary of the Treasury and other relevant cabinet members, shall submit a report to the appropriate congressional committees that identifies—

(A) the number of United States citizens who are involved in relevant junior professional programs in an international organization;

(B) the distribution of individuals described in subparagraph (A) among various international organizations; and

(C) the types of predeployment training that are available to United States citizens through a junior professional program at an international organization.

SEC. 5702. INCREASING HOUSING AVAILABILITY FOR CERTAIN EMPLOYEES ASSIGNED TO THE UNITED STATES MISSION TO THE UNITED NATIONS.

Section 9(2) of the United Nations Participation Act of 1945 (22 U.S.C. 287e–1(2)), is amended by striking ''30'' and inserting ''41''.

SEC. 5703. LIMITATION ON UNITED STATES CONTRIBUTIONS TO PEACEKEEPING OPERATIONS NOT AUTHORIZED BY THE UNITED NATIONS SECURITY COUNCIL.

The United Nations Participation Act of 1945 (22 U.S.C. 287 et seq.) is amended by adding at the end the following:

''SEC. 12. LIMITATION ON UNITED STATES CONTRIBUTIONS TO PEACEKEEPING OPERATIONS NOT AUTHORIZED BY THE UNITED NATIONS SECURITY COUNCIL.

''None of the funds authorized to be appropriated or otherwise made available to pay assessed and other expenses of international peacekeeping activities under this Act may be made available for an international peacekeeping operation that has not been expressly authorized by the United Nations Security Council.''.

SEC. 5704. BOARDS OF RADIO FREE EUROPE/RADIO LIBERTY, RADIO FREE ASIA, THE MIDDLE EAST BROADCASTING NETWORKS, AND THE OPEN TECHNOLOGY FUND.

The United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.) is amended by inserting after section 306 (22 U.S.C. 6205) the following:

''SEC. 307. GRANTEE CORPORATE BOARDS OF DIRECTORS.

''(a) IN GENERAL.—The corporate board of directors of each grantee under this title—

''(1) shall be bipartisan;

''(2) shall, except as otherwise provided in this Act, have the sole responsibility to operate their respective grantees within the jurisdiction of their respective States of incorporation;

''(3) shall be composed of not fewer than 5 members, who shall be qualified individuals who are not employed in the public sector; and

''(4) shall appoint successors in the event of vacancies on their respective boards, in accordance with applicable bylaws.

''(b) NOT FEDERAL EMPLOYEES.—No employee of any grantee under this title may be a Federal employee.''.

SEC. 5705. BROADCASTING ENTITIES NO LONGER REQUIRED TO CONSOLIDATE INTO A SINGLE PRIVATE, NONPROFIT CORPORATION.

Section 310 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6209) is repealed.

SEC. 5706. INTERNATIONAL BROADCASTING ACTIVITIES.

Section 305(a) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6204(a)) is amended—

(1) by striking paragraph (20);

(2) by redesignating paragraphs (21), (22), and (23) as paragraphs (20), (21), and (22), respectively; and

(3) in paragraph (20), as redesignated, by striking ''or between grantees,''.

SEC. 5707. GLOBAL INTERNET FREEDOM.

(a) STATEMENT OF POLICY.—It is the policy of the United States to promote internet freedom through programs of the Department and USAID that preserve and expand the internet as an open, global space for freedom of expression and association, which shall be prioritized for countries—

(1) whose governments restrict freedom of expression on the internet; and

(2) that are important to the national interest of the United States.

(b) PURPOSE AND COORDINATION WITH OTHER PROGRAMS.—Global internet freedom programming under this section—

(1) shall be coordinated with other United States foreign assistance programs that promote democracy and support the efforts of civil society—

(A) to counter the development of repressive internet-related laws and regulations, including countering threats to internet freedom at international organizations;

(B) to combat violence against bloggers and other civil society activists who utilize the internet; and

(C) to enhance digital security training and capacity building for democracy activists;

(2) shall seek to assist efforts—

(A) to research key threats to internet freedom;

(B) to continue the development of technologies that provide or enhance access to the internet, including circumvention tools that bypass internet blocking, filtering, and other censorship techniques used by authoritarian governments; and

(C) to maintain the technological advantage of the Federal Government over the censorship techniques described in subparagraph (B); and

(3) shall be incorporated into country assistance and democracy promotion strategies, as appropriate.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fiscal year 2023—

(1) $75,000,000 to the Department and USAID, to continue efforts to promote internet freedom globally, and shall be matched, to the maximum extent practicable, by sources other than the Federal Government, including the private sector; and

(2) $49,000,000 to the United States Agency for Global Media (referred to in this section as the ''USAGM'') and its grantees, for internet freedom and circumvention technologies that are designed—

(A) for open-source tools and techniques to securely develop and distribute digital content produced by the USAGM and its grantees;

(B) to facilitate audience access to such digital content on websites that are censored;

(C) to coordinate the distribution of such digital content to targeted regional audiences; and

(D) to promote and distribute such tools and techniques, including digital security techniques.

(d) UNITED STATES AGENCY FOR GLOBAL MEDIA ACTIVITIES.—

(1) ANNUAL CERTIFICATION.—For any new tools or techniques authorized under subsection (c)(2), the Chief Executive Officer of the USAGM, in consultation with the President of the Open Technology Fund (referred to in this subsection as the ''OTF'') and relevant Federal departments and agencies, shall submit an annual certification to the appropriate congressional committees that verifies they—

(A) have evaluated the risks and benefits of such new tools or techniques; and

(B) have established safeguards to minimize the use of such new tools or techniques for illicit purposes.

(2) INFORMATION SHARING.—The Secretary may not direct programs or policy of the

USAGM or the OTF, but may share any research and development with relevant Federal departments and agencies for the exclusive purposes of—

(A) sharing information, technologies, and best practices; and

(B) assessing the effectiveness of such technologies.

(3) UNITED STATES AGENCY FOR GLOBAL MEDIA.—The Chief Executive Officer of the USAGM, in consultation with the President of the OTF, shall—

(A) coordinate international broadcasting programs and incorporate such programs into country broadcasting strategies, as appropriate;

(B) solicit project proposals through an open, transparent, and competitive application process, including by seeking input from technical and subject matter experts; and

(C) support internet circumvention tools and techniques for audiences in countries that are strategic priorities for the OTF, in accordance with USAGM's annual language service prioritization review.

(e) USAGM REPORT.—Not later than 120 days after the date of the enactment of this Act, the Chief Executive Office of the USAGM shall submit a report to the appropriate congressional committees that describes—

(1) as of the date of the report—

(A) the full scope of internet freedom programs within the USAGM, including—

(i) the efforts of the Office of Internet Freedom; and

(ii) the efforts of the Open Technology Fund;

(B) the capacity of internet censorship circumvention tools supported by the Office of Internet Freedom and grantees of the Open Technology Fund that are available for use by individuals in foreign countries seeking to counteract censors; and

(C) any barriers to the provision of the efforts described in clauses (i) and (ii) of subparagraph (A), including access to surge funding; and

(2) successful examples from the Office of Internet Freedom and Open Technology Fund involving—

(A) responding rapidly to internet shutdowns in closed societies; and

(B) ensuring uninterrupted circumvention services for USAGM entities to promote internet freedom within repressive regimes.

(f) JOINT REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary and the Administrator of USAID shall jointly submit a report, which may include a classified annex, to the appropriate congressional committees that describes—

(1) as of the date of the report—

(A) the full scope of internet freedom programs within the Department and USAID, including—

(i) Department circumvention efforts; and

(ii) USAID efforts to support internet infrastructure;

(B) the capacity of internet censorship circumvention tools supported by the Federal Government that are available for use by individuals in foreign countries seeking to counteract censors; and

(C) any barriers to provision of the efforts enumerated in clauses (i) and (ii) of subsection (e)(1)(A), including access to surge funding; and

(2) any new resources needed to provide the Federal Government with greater capacity to provide and boost internet access—

(A) to respond rapidly to internet shutdowns in closed societies; and

(B) to provide internet connectivity to foreign locations where the provision of additional internet access service would promote freedom from repressive regimes.

(g) SECURITY AUDITS.—Before providing any support for open source technologies under this section, such technologies must undergo comprehensive security audits to ensure that such technologies are secure and have not been compromised in a manner that is detrimental to the interest of the United States or to the interests of individuals and organizations benefitting from programs supported by such funding.

(h) SURGE.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Subject to paragraph (2), there is authorized to be appropriated, in addition to amounts otherwise made available for such purposes, up to$2,500,000 to support internet freedom programs in closed societies, including programs that—

(A) are carried out in crisis situations by vetted entities that are already engaged in internet freedom programs;

(B) involve circumvention tools; or

(C) increase the overseas bandwidth for companies that received Federal funding during the previous fiscal year.

(2) CERTIFICATION.—Amounts authorized to be appropriated pursuant to paragraph (1) may not be expended until the Secretary has certified to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives that the use of such funds is in the national interest of the United States.

(i) DEFINED TERM.—In this section, the term ''internet censorship circumvention tool'' means a software application or other tool that an individual can use to evade foreign government restrictions on internet access.

SEC. 5708. ARMS EXPORT CONTROL ACT ALIGNMENT WITH THE EXPORT CONTROL REFORM ACT.

Section 38(e) of the Arms Export Control Act (22 U.S.C. 2778(e)) is amended—

(1) by striking ''subsections (c), (d), (e), and (g) of section 11 of the Export Administration Act of 1979, and by subsections (a) and (c) of section 12 of such Act'' and inserting ''subsections (c) and (d) of section 1760 of the Export Control Reform Act of 2018 (50 U.S.C. 4819), and by subsections (a)(1), (a)(2), (a)(3), (a)(4), (a)(7), (c), and (h) of section 1761 of such Act (50 U.S.C. 4820)'';

(2) by striking ''11(c)(2)(B) of such Act'' and inserting ''1760(c)(2) of such Act (50 U.S.C. 4819(c)(2))'';

(3) by striking ''11(c) of the Export Administration Act of 1979'' and inserting ''section 1760(c) of the Export Control Reform Act of 2018 (50 U.S.C. 4819(c))''; and

(4) by striking ''$500,000'' and inserting ''the greater of $1,200,000 or the amount that is twice the value of the transaction that is the basis of the violation with respect to which the penalty is imposed.''.

SEC. 5709. INCREASING THE MAXIMUM ANNUAL LEASE PAYMENT AVAILABLE WITHOUT APPROVAL BY THE SECRETARY.

Section 10(a) of the Foreign Service Buildings Act, 1926 (22 U.S.C. 301(a)), is amended by striking ''$50,000'' and inserting ''$100,000''.

SEC. 5710. REPORT ON UNITED STATES ACCESS TO CRITICAL MINERAL RESOURCES ABROAD.

Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that details, with regard to the Department—

(1) diplomatic efforts to ensure United States access to critical minerals acquired from outside of the United States that are used to manufacture clean energy technologies; and

(2) collaboration with other parts of the Federal Government to build a robust supply chain for critical minerals necessary to manufacture clean energy technologies.

SEC. 5711. OVERSEAS UNITED STATES STRATEGIC INFRASTRUCTURE DEVELOPMENT PROJECTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the One Belt, One Road Initiative (referred to in this section as ''OBOR'') exploits gaps in infrastructure in developing countries to advance the People's Republic of China's own foreign policy objectives;

(2) although OBOR may meet many countries' short-term strategic infrastructure needs, OBOR—

(A) frequently places countries in debt to the PRC;

(B) contributes to widespread corruption;

(C) often fails to maintain the infrastructure that is built; and

(D) rarely takes into account human rights, labor standards, or the environment; and

(3) the need to challenge OBOR represents a major national security concern for the United States, as the PRC's efforts to control markets and supply chains for strategic infrastructure projects, including critical and strategic minerals resource extraction, represent a grave national security threat.

(b) DEFINITIONS.—In this section:

(1) OBOR.—The term ''OBOR'' means the One Belt, One Road Initiative, a global infrastructure development strategy initiated by the Government of the People's Republic of China in 2013.

(2) PRC.—The term ''PRC'' means the People's Republic of China.

(c) ASSESSMENT OF IMPACT TO UNITED STATES NATIONAL SECURITY OF PRC INFRASTRUCTURE PROJECTS IN THE DEVELOPING WORLD.—

(1) IN GENERAL.—The Secretary, in coordination with the Administrator, shall enter into a contract with an independent research organization to prepare the report described in paragraph (2).

(2) REPORT ELEMENTS.—The report described in this paragraph shall—

(A) describe the nature and cost of OBOR investments, operation, and construction of strategic infrastructure projects, including logistics, refining, and processing industries and resource facilities, and critical and strategic mineral resource extraction projects, including an assessment of—

(i) the strategic benefits of such investments that are derived by the PRC and the host nation; and

(ii) the negative impacts of such investments to the host nation and to United States interests;

(B) describe the nature and total funding of United States' strategic infrastructure investments and construction, such as projects financed through initiatives such as Prosper Africa and the Millennium Challenge Corporation;

(C) assess the national security threats posed by the foreign infrastructure investment gap between China and the United States, including strategic infrastructure, such as ports, market access to, and the security of, critical and strategic minerals, digital and telecommunications infrastructure, threats to the supply chains, and general favorability towards the PRC and the United States among the populations of host countries;

(D) assess the opportunities and challenges for companies based in the United States and companies based in United States partner and allied countries to invest in foreign strategic infrastructure projects in countries where the PRC has focused these types of investments;

(E) identify challenges and opportunities for the United States Government and

United States partners and allies to more directly finance and otherwise support foreign strategic infrastructure projects, including an assessment of the authorities and capabilities of United States agencies, departments, public-private partnerships, and international or multilateral organizations to support such projects without undermining United States domestic industries, such as domestic mineral deposits;

(F) include a feasibility study and options for United States Government agencies to undertake or increase support for United States businesses to support foreign, large-scale, strategic infrastructure projects, such as roads, power grids, and ports; and

(G) identify at least 5 strategic infrastructure projects, with one each in the Western Hemisphere, Africa, and Asia, that are needed, but have not yet been initiated.

(3) SUBMISSION TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a copy of the report prepared pursuant to this subsection to the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 5712. PROVISION OF PARKING SERVICES AND RETENTION OF PARKING FEES.

The Secretary of State may—

(1) provide parking services, including electric vehicle charging and other parking services, in facilities operated by or for the Department; and

(2) charge fees for such services that may be deposited into the appropriate account of the Department, to remain available until expended for the purposes of such account.

SEC. 5713. DIPLOMATIC RECEPTION AREAS.

(a) DEFINED TERM.—In this section, the term ''reception areas'' has the meaning given such term in section 41(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2713(c)).

(b) IN GENERAL.—The Secretary may sell goods and services and use the proceeds of such sales for administration and related support of the reception areas consistent with section 41(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2713(a)).

(c) AMOUNTS COLLECTED.—Amounts collected pursuant to the authority provided under subsection (b) may be deposited into an account in the Treasury, to remain available until expended.

SEC. 5714. CONSULAR AND BORDER SECURITY PROGRAMS VISA SERVICES COST RECOVERY PROPOSAL.

Section 103(d) of the Enhanced Border Security and Visa Entry Reform Act of 2002 (8 U.S.C. 1713) is amended by adding at the end the following: ''The amount of the machine-readable visa fee or surcharge under this subsection may also account for the cost of other consular services that are not otherwise subject to a fee or surcharge retained by the Department of State.''.

SEC. 5715. RETURN OF SUPPORTING DOCUMENTS FOR PASSPORT APPLICATIONS THROUGH UNITED STATES POSTAL SERVICE CERTIFIED MAIL.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a procedure that provides, to any individual applying for a new United States passport or to renew the United States passport of the individual by mail, the option to have supporting documents for the application returned to the individual by the United States Postal Service through certified mail.

(b) COST.—

(1) RESPONSIBILITY.—The cost of returning supporting documents to an individual as described in subsection (a) shall be the responsibility of the individual.

(2) FEE.—The fee charged to the individual by the Secretary for returning supporting documents as described in subsection (a) shall be the sum of—

(A) the retail price charged by the United States Postal Service for the service; and

(B) the estimated cost of processing the return of the supporting documents.

(3) REPORT.—The Secretary shall submit a report to the appropriate congressional committees that—

(A) details the costs included in the processing fee described in paragraph (2); and

(B) includes an estimate of the average cost per request.

SEC. 5716. REPORT ON DISTRIBUTION OF PERSONNEL AND RESOURCES RELATED TO ORDERED DEPARTURES AND POST CLOSURES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that describes—

(1) how Department personnel and resources dedicated to Mission Afghanistan were reallocated following the closure of diplomatic posts in Afghanistan in August 2021; and

(2) the extent to which Department personnel and resources for Mission Iraq were reallocated following ordered departures for diplomatic posts in March 2020, and how such resources were reallocated.

SEC. 5717. ELIMINATION OF OBSOLETE REPORTS.

(a) CERTIFICATION OF EFFECTIVENESS OF THE AUSTRALIA GROUP.—Section 2(7) of Senate Resolution 75 (105th Congress) is amended by striking subparagraph (C).

(b) ACTIVITIES OF THE TALIBAN.—Section 7044(a)(4) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021 (division K of Public Law 116–260) is amended by striking ''the following purposes—'' and all that follows through ''(B)''.

(c) PLANS TO IMPLEMENT THE GANDHI-KING SCHOLARLY EXCHANGE INITIATIVE.—The Gandhi-King Scholarly Exchange Initiative Act (subtitle D of title III of division FF of Public Law 116–260) is amended by striking section 336.

(d) PROGRESS REPORT ON JERUSALEM EMBASSY.—The Jerusalem Embassy Act of 1995 (Public Law 104–45) is amended by striking section 6.

(e) BURMA'S TIMBER TRADE.—The Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008 (Public Law 110–286; 50 U.S.C. 1701 note) is amended by striking section 12.

(f) MONITORING OF ASSISTANCE FOR AFGHANISTAN.—Section 103 of the Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7513) is amended by striking subsection (d).

(g) PRESIDENTIAL ANTI-PEDOPHILIA CERTIFICATION.—Section 102 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) is amended by striking subsection (g).

(h) MICROENTERPRISE FOR SELF-RELIANCE REPORT.—Title III of the Microenterprise for Self-Reliance and International Anti-Corruption Act of 2000 (Public Law 106–309; 22 U.S.C. 2462 note) is amended by striking section 304.

SEC. 5718. LOCALITY PAY FOR FEDERAL EMPLOYEES WORKING OVERSEAS UNDER DOMESTIC EMPLOYEE TELEWORKING OVERSEAS AGREEMENTS.

(a) DEFINITIONS.—In this section:

(1) CIVIL SERVICE.—The term ''civil service'' has the meaning given the term in section 2101 of title 5, United States Code.

(2) COVERED EMPLOYEE.—The term ''covered employee'' means an employee who—

(A) occupies a position in the civil service; and

(B) is working overseas under a Domestic Employee Teleworking Overseas agreement.

(3) LOCALITY PAY.—The term ''locality pay'' means a locality-based comparability payment paid in accordance with subsection (b).

(4) NONFOREIGN AREA.—The term ''nonforeign area'' has the meaning given the term in section 591.205 of title 5, Code of Federal Regulations, or any successor regulation.

(5) OVERSEAS.—The term ''overseas'' means any geographic location that is not in—

(A) the continental United States; or

(B) a nonforeign area.

(b) PAYMENT OF LOCALITY PAY.—Each covered employee shall be paid locality pay in an amount that is equal to the lesser of—

(1) the amount of a locality-based comparability payment that the covered employee would have been paid under section 5304 or 5304a of title 5, United States Code, had the official duty station of the covered employee not been changed to reflect an overseas location under the applicable Domestic Employee Teleworking Overseas agreement; or

(2) the amount of a locality-based comparability payment that the covered employee would be paid under section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111–32), as limited under section 5803(a)(4)(B) of this Act, if the covered employee were an eligible member of the Foreign Service (as defined in subsection (b) of such section 1113).

(c) APPLICATION.—Locality pay paid to a covered employee under this section—

(1) shall begin to be paid not later than 60 days after the date of the enactment of this Act; and

(2) shall be treated in the same manner, and subject to the same terms and conditions, as a locality-based comparability payment paid under section 5304 or 5304a of title 5, United States Code.

(d) ANNUITY COMPUTATION.—Notwithstanding any other provision of law, for purposes of any annuity computation under chapter 83 or 84 of title 5, United States Code, the basic pay of a covered employee shall—

(1) be considered to be the rate of basic pay that would have been paid to the covered employee had the official duty station of the covered employee not been changed to reflect an overseas location under the applicable Domestic Employee Teleworking Overseas agreement; and

(2) include locality pay paid to the covered employee under this section.

SEC. 5719. MODIFICATIONS TO SANCTIONS WITH RESPECT TO HUMAN RIGHTS VIOLATIONS.

(a) SENSE OF CONGRESS.—

(1) IN GENERAL.—The Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.) is amended by inserting after section 1262 the following:

"SEC. 1262A. SENSE OF CONGRESS.

''It is the sense of Congress that the President should establish and regularize information sharing and sanctions-related decision making with like-minded governments possessing human rights and anti-corruption sanctions programs similar in nature to those authorized under this subtitle.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 2(b) and in title XII of division A of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) are each amended by inserting after the items relating to section 1262 the following:

''Sec. 1262A. Sense of Congress.

(b) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—Section 1263(a) of the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10102) is amended by striking paragraphs (2) through (4) and inserting the following:

''(2) is a current or former government official, or a person acting for or on behalf of such an official, who is responsible for or complicit in, or has directly or indirectly engaged in—

''(A) corruption, including—

''(i) the misappropriation of state assets;

''(ii) the expropriation of private assets for personal gain;

''(iii) corruption related to government contracts or the extraction of natural resources; or

''(iv) bribery; or

''(B) the transfer or facilitation of the transfer of the proceeds of corruption;

''(3) is or has been a leader or official of—

''(A) an entity, including a government entity, that has engaged in, or whose members have engaged in, any of the activities described in paragraph (1) or (2) related to the tenure of the leader or official; or

''(B) an entity whose property and interests in property are blocked pursuant to this section as a result of activities related to the tenure of the leader or official;

''(4) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of—

''(A) an activity described in paragraph (1) or (2) that is conducted by a foreign person;

''(B) a person whose property and interests in property are blocked pursuant to this section; or

''(C) an entity, including a government entity, that has engaged in, or whose members have engaged in, an activity described in paragraph (1) or (2) conducted by a foreign person; or

''(5) is owned or controlled by, or has acted or been purported to act for or on behalf of, directly or indirectly, a person whose property and interests in property are blocked pursuant to this section.''.

(2) CONSIDERATION OF CERTAIN INFORMATION.—Subsection (c)(2) of such section is amended by inserting ''corruption and'' after ''monitor''.

(3) REQUESTS BY CONGRESS.—Subsection (d)(2) of such section is amended to read as follows:

''(2) REQUIREMENTS.—A request under paragraph (1) with respect to whether a foreign person has engaged in an activity described in subsection (a) shall be submitted to the President in writing jointly by the chairperson and ranking member of one of the appropriate congressional committees.''.

(c) REPORTS TO CONGRESS.—Section 1264(a) of the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10103(a)) is amended—

(1) in paragraph (5), by striking ''; and'' and inserting a semicolon;

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

(3) by adding at the end the following:

''(7) a description of additional steps taken by the President through diplomacy, international engagement, and assistance to foreign or security sectors to address persistent underlying causes of conduct giving rise to the imposition of sanctions under this section, as amended on or after the date of the enactment of this paragraph, in each country in which foreign persons with respect to which such sanctions have been imposed are located; and

''(8) a description of additional steps taken by the President to ensure the pursuit of judicial accountability in appropriate jurisdictions with respect to foreign persons subject to sanctions under this section.''.

SEC. 5720. REPORT ON COUNTERING THE ACTIVITIES OF MALIGN ACTORS.

(a) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of the Treasury and the Administrator, shall submit a report to the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives regarding United States diplomatic efforts in Africa in achieving United States policy goals and countering the activities of malign actors.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) case studies from Mali, Sudan, the Central African Republic, the Democratic Republic of the Congo, and South Sudan, with the goal of assessing the effectiveness of diplomatic tools during the 5-year period ending on the date of the enactment of this Act; and

(B) an assessment of—

(i) the extent and effectiveness of certain diplomatic tools to advance United States priorities in the respective case study countries, including—

(I) in-country diplomatic presence;

(II) humanitarian and development assistance;

(III) support for increased 2-way trade and investment;

(IV) United States security assistance;

(V) public diplomacy; and

(VI) accountability measures, including sanctions;

(ii) whether the use of the diplomatic tools described in clause (i) achieved the diplomatic ends for which they were intended; and

(iii) the means by which the Russian Federation and the People's Republic of China exploited any openings for diplomatic engagement in the case study countries.

(b) FORM.—The report required under subsection (b) shall be submitted in classified form.

(c) CLASSIFIED BRIEFING REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Secretary and the Administrator shall jointly brief Congress regarding the report required under subsection (b).

TITLE LVIII—EXTENSION OF AUTHORITIES

SEC. 5801. CONSULTING SERVICES.

Any consulting services through procurement contracts shall be limited to contracts in which such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive orders issued pursuant to existing law.

SEC. 5802. DIPLOMATIC FACILITIES.

For the purposes of calculating the costs of providing new United States diplomatic facilities in any fiscal year, in accordance with section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the Secretary of State, in consultation with the Director of the Office of Management and Budget, shall determine the annual program level and agency shares for such fiscal year in a manner that is proportional to the contribution of the Department of State for this purpose.

SEC. 5803. EXTENSION OF EXISTING AUTHORITIES.

(a) EXTENSION OF AUTHORITIES.—

(1) PASSPORT FEES.—Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by striking ''September 30, 2010'' and inserting ''September 30, 2024''.

(2) INCENTIVES FOR CRITICAL POSTS.—The authority contained in section 1115(d) of the Supplemental Appropriations Act, 2009 (Public Law 111–32) shall remain in effect through ''September 30, 2024''.

(3) USAID CIVIL SERVICE ANNUITANT WAIVER.—Section 625(j)(1)(B) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)(B)) shall be applied by striking ''October 1, 2010'' and inserting ''September 30, 2024''.

(4) OVERSEAS PAY COMPARABILITY AND LIMITATION.—

(A) IN GENERAL.—The authority provided by section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111–32) shall remain in effect through September 30, 2024.

(B) LIMITATION.—The authority described in subparagraph (A) may not be used to pay an eligible member of the Foreign Service (as defined in section 1113(b) of the Supplemental Appropriations Act, 2009 (Public Law 111–32)) a locality-based comparability payment (stated as a percentage) that exceeds two-thirds of the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such member under section 5304 of title 5, United States Code, if such member's official duty station were in the District of Columbia.

(5) INSPECTOR GENERAL ANNUITANT WAIVER.—The authorities provided in section 1015(b) of the Supplemental Appropriations Act, 2010 (Public Law 111–212)—

(A) shall remain in effect through September 30, 2024; and

(B) may be used to facilitate the assignment of persons for oversight of programs in Somalia, South Sudan, Syria, Venezuela, and Yemen.

(6) ACCOUNTABILITY REVIEW BOARDS.—The authority provided under section 301(a)(3) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect for facilities in Afghanistan and shall apply to facilities in Ukraine through September 30, 2024, except that the notification and reporting requirements contained in such section shall include the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives.

(7) DEPARTMENT OF STATE INSPECTOR GENERAL WAIVER AUTHORITY.—The Inspector General of the Department may waive the provisions of subsections (a) through (d) of section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064), on a case-by-case basis, for an annuitant reemployed by the Inspector General on a temporary basis, subject to the same constraints and in the same manner by which the Secretary of State may exercise such waiver authority pursuant to subsection (g) of such section.

(b) EXTENSION OF PROCUREMENT AUTHORITY.—Section 7077 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74) shall continue in effect until September 30, 2024.

SEC. 5804. WAR RESERVES STOCKPILE AND MILITARY TRAINING REPORT.

(a) EXTENSION OF 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 ''of this section'' and all that follows through the period at the end and inserting ''of this section after September 30, 2024.''.

(b) ANNUAL FOREIGN MILITARY TRAINING REPORT.—

(1) IN GENERAL.—For the purposes of implementing section 656 of the Foreign Assistance Act of 1961 (22 U.S.C. 2416), the term ''military training provided to foreign military personnel by the Department of Defense and the Department of State'' shall be

deemed to include all military training provided by foreign governments with funds appropriated to the Department of Defense or the Department of State, except for training provided by the government of a country designated under section 517(b) of such Act (22 U.S.C. 2321k(b)) as a major non-North Atlantic Treaty Organization ally. Such third-country training shall be clearly identified in the report submitted pursuant to such section 656.

(2) DISTRIBUTION OF REPORT.—section 656(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2416(e)) is amended to read as follows:

''(e) DEFINED TERM.—In this section, the term 'appropriate congressional committees' means—

''(1) the Committee on Foreign Relations of the Senate;

''(2) the Committee on Appropriations of the Senate;

''(3) the Committee on Armed Services of the Senate;

''(4) the Committee on Foreign Affairs of the House of Representatives;

''(5) the Committee on Appropriations of the House of Representatives; and

''(6) the Committee on Armed Services of the House of Representatives.''.

SEC. 5805. COMMISSION ON REFORM AND MODERNIZATION OF THE DEPARTMENT OF STATE.

(a) SHORT TITLE.—This section may be cited as the ''Commission on Reform and Modernization of the Department of State Act''.

(b) ESTABLISHMENT OF COMMISSION.—There is established, in the legislative branch, the Commission on Reform and Modernization of the Department of State (referred to in this section as the ''Commission'').

(c) PURPOSES.—The purposes of the Commission are—

(1) to examine the changing nature of diplomacy in the 21st century and the ways in which the Department and its personnel can modernize to advance the interests of the United States; and

(2) to offer recommendations to the President and Congress related to—

(A) the organizational structure of the Department, including a review of the jurisdictional responsibilities of all of the Department's regional bureaus (the Bureau of African Affairs, the Bureau of East Asian and Pacific Affairs, the Bureau of European and Eurasian Affairs, the Bureau of Near Eastern Affairs, the Bureau of South and Central Asian Affairs, and the Bureau of Western Hemisphere Affairs);

(B) personnel-related matters, including recruitment, promotion, training, and retention of the Department's workforce in order to retain the best and brightest personnel and foster effective diplomacy worldwide, including measures to strengthen diversity and inclusion to ensure that the Department's workforce represents all of America;

(C) the Department of State's infrastructure (both domestic and overseas), including infrastructure relating to information technology, transportation, and security;

(D) the link among diplomacy and defense, intelligence, development, commercial, health, law enforcement, and other core United States interests;

(E) core legislation that authorizes United States diplomacy, including the Foreign Service Act of 1980 (Public Law 96–465);

(F) related regulations, rules, and processes that define United States diplomatic efforts, including the Foreign Affairs Manual; and

(G) treaties that impact United States overseas presence.

(d) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of 10 members, of whom—

(A) 2 members shall be appointed by the President;

(B) 1 member shall be appointed by the chairperson of the Committee on Foreign Relations of the Senate;

(C) 1 member shall be appointed by the ranking member of the Committee on Foreign Relations of the Senate;

(D) 1 member shall be appointed by the chairperson of the Committee on Foreign Affairs of the House of Representatives;

(E) 1 member shall be appointed by the ranking member of the Committee on Foreign Affairs of the House of Representatives;

(F) 1 member shall be appointed by the majority leader of the Senate, who shall serve as co-chair of the Commission;

(G) 1 member shall be appointed by the Speaker of the House of Representatives;

(H) 1 member shall be appointed by the minority leader of the Senate, who shall serve as co-chair of the Commission; and

(I) 1 member shall be appointed by the minority leader of the House of Representatives.

(2) QUALIFICATIONS; MEETINGS.—

(A) MEMBERSHIP.—The members of the Commission should be prominent United States citizens, with national recognition and significant depth of experience in international relations and with the Department.

(B) POLITICAL PARTY AFFILIATION.—Not more than 4 members of the Commission may be from the same political party.

(C) MEETINGS.—

(i) INITIAL MEETING.—Not later than 45 days after the date of the enactment of this Act, the Commission shall hold the first meeting and begin operations as soon as practicable.

(ii) FREQUENCY.—The Commission shall meet at the call of the co-chairs.

(iii) QUORUM.—Six members of the Commission shall constitute a quorum for purposes of conducting business, except that 2 members of the Commission shall constitute a quorum for purposes of receiving testimony.

(D) VACANCIES.—Any vacancy in the Commission shall not affect the powers of the Commission, but shall be filled in the same manner as the original appointment.

(e) FUNCTIONS OF COMMISSION.—

(1) IN GENERAL.—The Commission shall act by resolution agreed to by a majority of the members of the Commission voting and present.

(2) PANELS.—The Commission may establish panels composed of less than the full membership of the Commission for purposes of carrying out the duties of the Commission under this section. The actions of any such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel may not be considered the findings and determinations of the Commission unless such findings and determinations are approved by the Commission.

(3) DELEGATION.—Any member, agent, or staff of the Commission may, if authorized by the co-chairs of the Commission, take any action which the Commission is authorized to take pursuant to this section.

(f) POWERS OF COMMISSION.—

(1) HEARINGS AND EVIDENCE.—The Commission or any panel or member of the Commission, as delegated by the co-chairs, may, for the purpose of carrying out this section—

(A) hold such hearings and meetings, take such testimony, receive such evidence, and administer such oaths as the Commission or such designated subcommittee or designated member considers necessary;

(B) require the attendance and testimony of such witnesses and the production of such correspondence, memoranda, papers, and documents, as the Commission or such designated subcommittee or designated member considers necessary; and

(C) subject to applicable privacy laws and relevant regulations, secure directly from the Department, USAID, the United States International Development Finance Corporation, the Millennium Challenge Corporation, the Peace Corps, Trade Development Agency, and the United States Agency for Global Media information and data necessary to enable it to carry out its mission, which shall be provided not later than 30 days after the Commission provides a written request for such information and data. .

(2) CONTRACTS.—The Commission, to such extent and in such amounts as are provided in appropriations Acts, may enter into contracts to enable the Commission to discharge its duties under this section.

(3) INFORMATION FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—The Commission may secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of this section.

(B) HANDLING.—Information may only be received, handled, stored, and disseminated by members of the Commission and its staff in accordance with all applicable statutes, regulations, and Executive orders.

(4) ASSISTANCE FROM FEDERAL AGENCIES.—

(A) SECRETARY OF STATE.—The Secretary shall provide to the Commission, on a nonreimbursable basis, such administrative services, staff, and other support services as are necessary for the performance of the Commission's duties under this section.

(B) OTHER DEPARTMENTS AND AGENCIES.—Other Federal departments and agencies may provide the Commission such services, staff, and other support as such departments and agencies consider advisable and authorized by law.

(5) ASSISTANCE FROM INDEPENDENT ORGANIZATIONS.—

(A) IN GENERAL.—In order to inform its work, the Commission should review reports that were written during the 15-year period ending on the date of the enactment of this Act by independent organizations and outside experts relating to reform and modernization of the Department.

(B) AVOIDING DUPLICATION.—In analyzing the reports referred to in subparagraph (A), the Commission should pay particular attention to any specific reform proposals that have been recommended by 2 or more of such reports.

(6) CONGRESSIONAL CONSULTATION.—Not less frequently than quarterly, the Commission shall provide a briefing to the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives regarding the work of the Commission.

(g) STAFF AND COMPENSATION.—

(1) STAFF.—

(A) COMPENSATION.—The co-chairs of the Commission, in accordance with rules established by the Commission, shall appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its duties, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable to a person occupying a position at level V of the Executive Schedule under section 5316 of such title.

(B) DETAIL OF GOVERNMENT EMPLOYEES.—A Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(C) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The co-chairs of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of such title.

(2) COMMISSION MEMBERS.—

(A) COMPENSATION.—

(i) IN GENERAL.—Except as provided in paragraph (2), each member of the Commission may be compensated at a rate not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission under this section.

(ii) WAIVER OF CERTAIN PROVISIONS.—Subsections (a) through (d) of section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064) are waived for an annuitant on a temporary basis so as to be compensated for work performed as part of the Commission.

(3) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of service for the Commission, members and staff of the Commission, and any Federal Government employees detailed to the Commission, shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703(b) of title 5, United States Code.

(4) SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.—The appropriate Federal agencies or departments shall cooperate with the Commission in expeditiously providing to Commission members and staff appropriate security clearances to the extent possible pursuant to existing procedures and requirements, except that no person shall be provided access to classified information under this section without the appropriate security clearances.

(h) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Commission shall submit a final report to the President and to Congress that—

(A) examines all substantive aspects of Department personnel, management, and operations; and

(B) contains such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(2) ELEMENTS.—The report required under paragraph (1) shall include findings, conclusions, and recommendations related to—

(A) the organizational structure of the Department, including recommendations on whether any of the jurisdictional responsibilities among the bureaus referred to in subsection (c)(2)(A) should be adjusted, with particular focus on the opportunities and costs of adjusting jurisdictional responsibility between the Bureau of Near Eastern Affairs to the Bureau of African Affairs, the Bureau of East Asian and Pacific Affairs, the Bureau of South and Central Asian Affairs, and any other bureaus as may be necessary to advance United States efforts to strengthen its diplomatic engagement in the Indo-Pacific region;

(B) personnel-related matters, including recruitment, promotion, training, and retention of the Department's workforce in order to retain the best and brightest personnel and foster effective diplomacy worldwide, including measures to strengthen diversity and inclusion to ensure that the Department's workforce represents all of America;

(C) the Department of State's infrastructure (both domestic and overseas), including infrastructure relating to information technology, transportation, and security;

(D) the link between diplomacy and defense, development, commercial, health, law enforcement, and other core United States interests;

(E) core legislation that authorizes United States diplomacy;

(F) related regulations, rules, and processes that define United States diplomatic efforts, including the Foreign Affairs Manual;

(G) treaties that impact United States overseas presence;

(H) any other areas that the Commission considers necessary for a complete appraisal of United States diplomacy and Department management and operations; and

(I) the amount of time, manpower, and financial resources that would be necessary to implement the recommendations specified under this paragraph.

(3) DEPARTMENT RESPONSE.—The Secretary, in coordination with the heads of appropriate Federal departments and agencies, shall have the right to review and respond to all Commission recommendations—

(A) before the Commission submits its report to the President and to Congress; and

(B) not later than 90 days after receiving such recommendations from the Commission.

(i) TERMINATION OF COMMISSION.—

(1) IN GENERAL.—The Commission, and all the authorities under this section, shall terminate on the date that is 60 days after the date on which the final report is submitted pursuant to subsection (h).

(2) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports and disseminating the report.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated up to $2,000,000 for fiscal year 2023 to carry out this section.

DIVISION H—MATTERS RELATED TO TAIWAN

SEC. 10001. SHORT TITLE.

This division may be cited as ''American Security Drone Act of 2022''.

TITLE I—IMPLEMENTATION OF AN ENHANCED DEFENSE PARTNERSHIP BETWEEN THE UNITED STATES AND TAIWAN

SEC. 10101. MODERNIZING TAIWAN'S SECURITY CAPABILITIES TO DETER AND, IF NECESSARY, DEFEAT AGGRESSION BY THE PEOPLE'S REPUBLIC OF CHINA.

(a) TAIWAN SECURITY PROGRAMS.—The Secretary of State, in consultation with the Secretary of Defense, shall use the authorities under this section to strengthen the United States-Taiwan defense relationship, and to support the acceleration of the modernization of Taiwan's defense capabilities, consistent with the Taiwan Relations Act (Public Law 96–8).

(b) PURPOSE.—In addition to the purposes otherwise authorized for Foreign Military Financing programs under the Arms Export Control Act (22 U.S.C. 2751 et seq.), a purpose of the Foreign Military Financing Program should be to provide assistance, including equipment, training, and other support, to build the civilian and defensive military capabilities of Taiwan—

(1) to accelerate the modernization of self-defense capabilities that will enable Taiwan to delay, degrade, and deny attempts by People's Liberation Army forces—

(A) to conduct coercive or grey zone activities;

(B) to blockade Taiwan; or

(C) to secure a lodgment on any islands administered by Taiwan and expand or otherwise use such lodgment to seize control of a population center or other key territory in Taiwan; and

(2) to prevent the People's Republic of China from decapitating, seizing control of, or otherwise neutralizing or rendering ineffective Taiwan's civilian and defense leadership.

(c) REGIONAL CONTINGENCY STOCKPILE.—Of the amounts authorized to be appropriated pursuant to subsection (g), not more than $100,000,000 may be used during each of the fiscal years 2023 through 2032 to maintain a stockpile (if established under section 10002), in accordance with section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), as amended by section 10002.

(d) AVAILABILITY OF FUNDS.—

(1) ANNUAL SPENDING PLAN.—Not later than March 1, 2023, and annually thereafter, the Secretary of State, in coordination with the Secretary of Defense, shall submit a plan to the appropriate committees of Congress describing how amounts authorized to be appropriated pursuant to subsection (g), if made available, would be used to achieve the purpose described in subsection (b).

(2) CERTIFICATION.—

(A) IN GENERAL.—Amounts authorized to be appropriated for each fiscal year pursuant to subsection (g) are authorized to be made available after the Secretary of State, in coordination with the Secretary of Defense, certifies not less than annually to the appropriate committees of Congress that Taiwan has increased its defense spending relative to Taiwan's defense spending in its prior fiscal year, which may include support for an asymmetric strategy, excepting accounts in Taiwan's defense budget related to personnel expenditures, (other than military training and education and any funding related to the All-Out Defense Mobilization Agency).

(B) WAIVER.—The Secretary of State may waive the certification requirement under subparagraph (A) if the Secretary, in consultation with the Secretary of Defense, certifies to the Committee on Foreign Relations of the Senate, the Committee on Armed Services of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Armed Services of the House of Representatives, and the Committee on Appropriations of the House of Representatives that for any given year—

(i) Taiwan is unable to increase its defense spending relative to its defense spending in its prior fiscal year due to severe hardship; and

(ii) making available the amounts authorized under subparagraph (A) is in the national interests of the United States.

(3) REMAINING FUNDS.—Amounts authorized to be appropriated for a fiscal year pursuant to subsection (g) that are not obligated and expended during such fiscal year shall be added to the amount that may be used for Foreign Military Financing to Taiwan in the subsequent fiscal year.

(e) ANNUAL REPORT ON ADVANCING THE DEFENSE OF TAIWAN.—

(1) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Armed Services of the House of Representatives.

(2) INITIAL REPORT.—Concurrently with the first certification required under subsection (d)(2), the Secretary of State and the Secretary of Defense shall jointly submit a report to the appropriate congressional committees that describes steps taken to enhance the United States-Taiwan defense relationship and Taiwan's modernization of its defense capabilities.

(3) MATTERS TO BE INCLUDED.—Each report required under paragraph (2) shall include—

(A) an assessment of the commitment of Taiwan to implement a military strategy that will deter and, if necessary, defeat military aggression by the People's Republic of China, including the steps that Taiwan has taken and the steps that Taiwan has not taken towards such implementation;

(B) an assessment of the efforts of Taiwan to acquire and employ within its forces counterintervention capabilities, including—

(i) long-range precision fires;

(ii) integrated air and missile defense systems;

(iii) anti-ship cruise missiles;

(iv) land-attack cruise missiles;

(v) coastal defense;

(vi) anti-armor;

(vii) undersea warfare;

(viii) survivable swarming maritime assets;

(ix) manned and unmanned aerial systems;

(x) mining and countermining capabilities;

(xi) intelligence, surveillance, and reconnaissance capabilities;

(xii) command and control systems; and

(xiii) any other defense capabilities that the United States and Taiwan jointly determine are crucial to the defense of Taiwan;

(C) an evaluation of the balance between conventional and counter intervention capabilities in the defense force of Taiwan as of the date on which the report is submitted;

(D) an assessment of steps taken by Taiwan to enhance the overall readiness of its defense forces, including—

(i) the extent to which Taiwan is requiring and providing regular and relevant training to such forces;

(ii) the extent to which such training is realistic to the security environment that Taiwan faces; and

(iii) the sufficiency of the financial and budgetary resources Taiwan is putting toward readiness of such forces;

(E) an assessment of steps taken by Taiwan to ensure that the Taiwan Reserve Command can recruit, train, and equip its forces;

(F) an evaluation of—

(i) the severity of manpower shortages in the military of Taiwan, including in the reserve forces;

(ii) the impact of such shortages in the event of a conflict scenario; and

(iii) the efforts made by Taiwan to address such shortages;

(G) an assessment of the efforts made by Taiwan to boost its civilian defenses, including any informational campaigns to raise awareness among the population of Taiwan of the risks Taiwan faces;

(H) an assessment of the efforts made by Taiwan to secure its critical infrastructure, including in transportation, telecommunications networks, and energy;

(I) an assessment of the efforts made by Taiwan to enhance its cybersecurity, including the security of civilian government and military networks;

(J) an assessment of any significant gaps in any of the matters described in subparagraphs (A) through (I) with respect to which the United States assesses that additional action is needed;

(K) a description of cooperative efforts between the United States and Taiwan on the matters described in subparagraphs (A) through (J); and

(L) a description of any resistance in Taiwan to—

(i) implementing the matters described in subparagraphs (A) through (I); or

(ii) United States' support or engagement with regard to such matters.

(4) SUBSEQUENT REPORTS.—Concurrently with subsequent certifications required under subsection (d)(2), the Secretary of State and the Secretary of Defense shall jointly submit updates to the initial report required under paragraph (2) that provides a description of changes and developments that occurred in the prior year.

(5) FORM.—The reports required under paragraphs (2) and (4) shall be submitted in classified form, but shall include a detailed unclassified summary.

(6) SHARING OF SUMMARY.—The Secretary of State and the Secretary of Defense shall jointly share the unclassified summary required under paragraph (5) with Taiwan, as appropriate.

(f) FOREIGN MILITARY FINANCING LOAN AND LOAN GUARANTEE AUTHORITY.—

(1) DIRECT LOANS.—

(A) IN GENERAL.—Notwithstanding section 23(c)(1) of the Arms Export Control Act (22 U.S.C. 2763), during fiscal years 2023 through 2027, the Secretary of State is authorized to make direct loans available for Taiwan pursuant to section 23 of such Act.

(B) MAXIMUM OBLIGATIONS.—Gross obligations for the principal amounts of loans authorized under subparagraph (A) may not exceed $2,000,000,000.

(C) SOURCE OF FUNDS.—

(i) DEFINED TERM.—In this subparagraph, the term ''cost''—

(I) has the meaning given such term in section 502(5) of the Congressional Budget Act of 1974 (2 U.S.C. 661a(5));

(II) shall include the cost of modifying a loan authorized under subparagraph (A); and

(III) may include the costs of selling, reducing, or cancelling any amounts owed to the United States or to any agency of the United States.

(ii) IN GENERAL.—Amounts authorized to be appropriated pursuant to subsection (g) may be made available to pay for the cost of loans authorized under subparagraph (A).

(D) FEES AUTHORIZED.—

(i) IN GENERAL.—The Government of the United States may charge fees for loans made pursuant to subparagraph (A), which shall be collected from borrowers through a financing account (as defined in section 502(7) of the Congressional Budget Act of 1974 (2 U.S.C. 661a(7)).

(ii) LIMITATION ON FEE PAYMENTS.—Amounts made available under any appropriations Act for any fiscal year may not be used to pay any fees associated with a loan authorized under subparagraph (A).

(E) REPAYMENT.—Loans made pursuant to subparagraph (A) shall be repaid not later than 12 years after the loan is received by the borrower, including a grace period of not more than 1 year on repayment of principal.

(F) INTEREST.—

(i) IN GENERAL.—Notwithstanding section 23(c)(1) of the Arms Export Control Act (22 U.S.C. 2763(c)(1)), interest for loans made pursuant to subparagraph (A) may be charged at a rate determined by the Secretary of State, except that such rate may not be less than the prevailing interest rate on marketable Treasury securities of similar maturity.

(ii) TREATMENT OF LOAN AMOUNTS USED TO PAY INTEREST.—Amounts made available under this paragraph for interest costs shall not be considered assistance for the purposes of any statutory limitation on assistance to a country.

(2) LOAN GUARANTEES.—

(A) IN GENERAL.—Amounts authorized to be appropriated pursuant to subsection (g) may be made available for the costs of loan guarantees for Taiwan under section 24 of the Arms Export Control Act (22 U.S.C. 2764) for Taiwan to subsidize gross obligations for the principal amount of commercial loans and total loan principal, any part of which may be guaranteed, not to exceed $2,000,000,000.

(B) MAXIMUM AMOUNTS.—A loan guarantee authorized under subparagraph (A)—

(i) may not guarantee a loan that exceeds $2,000,000,000; and

(ii) may not exceed 80 percent of the loan principal with respect to any single borrower.

(C) SUBORDINATION.—Any loan guaranteed pursuant to subparagraph (A) may not be subordinated to—

(i) another debt contracted by the borrower; or

(ii) any other claims against the borrower in the case of default.

(D) REPAYMENT.—Repayment in United States dollars of any loan guaranteed under this paragraph shall be required not later than 12 years after the loan agreement is signed.

(E) FEES.—Notwithstanding section 24 of the Arms Export Control Act (22 U.S.C. 2764), the Government of the United States may charge fees for loan guarantees authorized under subparagraph (A), which shall be collected from borrowers, or from third parties on behalf of such borrowers, through a financing account (as defined in section 502(7) of the Congressional Budget Act of 1974 (2 U.S.C. 661a(7)).

(F) TREATMENTS OF LOAN GUARANTEES.—Amounts made available under this paragraph for the costs of loan guarantees authorized under subparagraph (A) shall not be considered assistance for the purposes of any statutory limitation on assistance to a country.

(3) NOTIFICATION REQUIREMENT.—Amounts authorized to be appropriated to carry out this subsection may not be expended without prior notification of the appropriate committees of Congress.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated for Foreign Military Financing, there is authorized to be appropriated to the Department of State for Taiwan Foreign Military Finance grant assistance up to $2,000,000,000 for each of the fiscal years 2023 through 2027.

(2) TRAINING AND EDUCATION.—Of the amounts authorized to be appropriated under paragraph (1), the Secretary of State should use not less than $2,000,000 per fiscal year for one or more blanket order Foreign Military Financing training programs related to the defense needs of Taiwan.

(3) DIRECT COMMERCIAL CONTRACTING.—Of the amounts authorized to be appropriated under paragraph (1), the Secretary of State may utilize such funds for the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act (22 U.S.C. 2751 et seq.).

(4) OFFSHORE PROCUREMENT.—Of the amounts authorized to be appropriated for Foreign Military Financing and made available for Taiwan, not more than 15 percent made available for each fiscal year may be available for the procurement by Taiwan in

Taiwan of defense articles and defense services, including research and development, as agreed by the United States and Taiwan.

(h) SUNSET PROVISION.—Assistance may not be provided under this section after September 30, 2032.

SEC. 10102. INCREASE IN ANNUAL REGIONAL CONTINGENCY STOCKPILE ADDITIONS AND SUPPORT FOR TAIWAN.

(a) IN GENERAL.—Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking ''$200,000,000'' and all that follows and inserting ''$500,000,000 for any of the fiscal years 2023, 2024, or 2025.''.

(b) ESTABLISHMENT.—Subject to section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President may establish a regional contingency stockpile for Taiwan that consists of munitions and other appropriate defense articles.

(c) INCLUSION OF TAIWAN AMONG OTHER ALLIES ELIGIBLE FOR DEFENSE ARTICLES.—Chapter 2 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.) is amended—

(1) in section 514(c)(2) (22 U.S.C. 2321h(c)(2)), by inserting ''Taiwan,'' after ''Thailand,''; and

(2) in section 516(c)(2) (22 U.S.C. 2321j(c)(2)), by inserting ''to Taiwan,'' after ''major non-NATO allies on such southern and southeastern flank,''.

(d) ANNUAL BRIEFING.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 7 years, the President shall provide a briefing to the appropriate committees of Congress regarding the status of a regional contingency stockpile established under subsection (b).

SEC. 10103. INTERNATIONAL MILITARY EDUCATION AND TRAINING COOPERATION WITH TAIWAN.

The Secretary of State is authorized to provide training and education to relevant entities in Taiwan through the International Military Education and Training program (22 U.S.C. 2347 et seq).

SEC. 10104. ADDITIONAL AUTHORITIES TO SUPPORT TAIWAN.

(a) DRAWDOWN AUTHORITY.—Section 506(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)) is amended , insert the following paragraph:

''(3) In addition to amounts already specified in this section, the President may direct the drawdown of defense articles from the stocks of the Department of Defense, defense services of the Department of Defense, and military education and training, of an aggregate value of not to exceed $1,000,000,000 per fiscal year, to be provided to Taiwan.''.

(b) EMERGENCY AUTHORITY.—In section 552(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2348a(c)), insert at the end the following: ''In addition to the aggregate value of $25,000,000 authorized in paragraph (2) of the preceding sentence, the President may direct the drawdown of commodities and services from the inventory and resources of any agency of the United States Government for the purposes of providing necessary and immediate assistance to Taiwan of a value not to exceed $25,000,000 in any fiscal year.''.

SEC. 10105. MULTI-YEAR PLAN TO FULFILL DEFENSIVE REQUIREMENTS OF MILITARY FORCES OF TAIWAN AND MODIFICATION OF ANNUAL REPORT ON TAIWAN MILITARY CAPABILITIES AND INTELLIGENCE SUPPORT.

(a) MULTI-YEAR PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall engage for the purposes of establishing a joint consultative mechanism with appropriate officials of Taiwan to develop and implement a multi-year plan to provide for the acquisition of appropriate defensive capabilities by Taiwan and to engage with Taiwan in a series of combined training, exercises, and planning activities consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.).

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

(1) An identification of the defensive military capability gaps and capacity shortfalls of Taiwan that are required to—

(A) allow Taiwan to respond effectively to aggression by the People's Liberation Army or other actors from the People's Republic of China; and

(B) advance a strategy of denial, reduce the threat of conflict, thwart an invasion, and mitigate other risks to the United States and Taiwan.

(2) An assessment of the relative priority assigned by appropriate departments and agencies of Taiwan to include its military to address such capability gaps and capacity shortfalls.

(3) An explanation of the annual resources committed by Taiwan to address such capability gaps and capacity shortfalls.

(4) A description and justification of the relative importance of overcoming each identified capability gap and capacity shortfall for deterring, delaying, or defeating military aggression by the People's Republic of China;

(5) An assessment of—

(A) the capability gaps and capacity shortfalls that could be addressed in a sufficient and timely manner by Taiwan; and

(B) the capability gaps and capacity shortfalls that are unlikely to be addressed in a sufficient and timely manner solely by Taiwan.

(6) An assessment of the capability gaps and capacity shortfalls described in paragraph (5)(B) that could be addressed in a sufficient and timely manner by—

(A) the Foreign Military Financing, Foreign Military Sales, and Direct Commercial Sales programs of the Department of State;

(B) Department of Defense security assistance authorized by chapter 16 of title 10, United States Code;

(C) Department of State training and education programs authorized by chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.);

(D) section 506 of the Foreign Assistance Act of 1961 (22 U.S.C. 2318);

(E) the provision of excess defense articles pursuant to the requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.); or

(F) any other authority available to the Secretary of Defense or the Secretary of State.

(7) A description of United States or Taiwan engagement with other countries that could assist in addressing in a sufficient and timely manner the capability gaps and capacity shortfalls identified pursuant to paragraph (1).

(8) An identification of opportunities to build interoperability, combined readiness, joint planning capability, and shared situational awareness between the United States, Taiwan, and other foreign partners and allies, as appropriate, through combined training, exercises, and planning events, including—

(A) table-top exercises and wargames that allow operational commands to improve joint and combined planning for contingencies involving a well-equipped adversary in a counter-intervention campaign;

(B) joint and combined exercises that test the feasibility of counter-intervention strategies, develop interoperability across services, and develop the lethality and survivability of combined forces against a well-equipped adversary;

(C) logistics exercises that test the feasibility of expeditionary logistics in an extended campaign with a well-equipped adversary;

(D) service-to-service exercise programs that build functional mission skills for addressing challenges posed by a well-equipped adversary in a counter-intervention campaign; and

(E) any other combined training, exercises, or planning with Taiwan's military forces that the Secretary of Defense and Secretary of State consider relevant.

(9) An identification of options for the United States to use, to the maximum extent practicable, existing authorities or programs to expedite military assistance to Taiwan in the event of a crisis or conflict, including—

(A) a list of defense articles of the United States that may be transferred to Taiwan during a crisis or conflict;

(B) a list of authorities that may be used to provide expedited military assistance to Taiwan during a crisis or conflict;

(C) an assessment of methods that could be used to deliver such assistance to Taiwan during a crisis or conflict, including—

(i) the feasibility of employing such methods in different scenarios; and

(ii) recommendations for improving the ability of the Armed Forces to deliver such assistance to Taiwan; and

(D) an assessment of any challenges in providing such assistance to Taiwan in the event of a crisis or conflict and recommendations for addressing such challenges.

(c) RECURRENCE.—The joint consultative mechanism required in subsection (a) shall convene on a recurring basis and not less than annually.

SEC. 10106. FAST-TRACKING SALES TO TAIWAN UNDER FOREIGN MILITARY SALES PROGRAM.

(a) PRECLEARANCE OF CERTAIN FOREIGN MILITARY SALES ITEMS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in coordination with the Secretary of Defense, and in conjunction with coordinating entities such as the National Disclosure Policy Committee, the Arms Transfer and Technology Release Senior Steering Group, and other appropriate entities, shall compile a list of available and emerging military platforms, technologies, and equipment that are pre-cleared and prioritized for sale and release to Taiwan through the Foreign Military Sales program.

(2) SELECTION OF ITEMS.—

(A) RULE OF CONSTRUCTION.—The list compiled pursuant to paragraph (1) shall not be construed as limiting the type, timing, or quantity of items that may be requested by, or sold to, Taiwan under the Foreign Military Sales program.

(B) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to supersede congressional notification requirements as required by the Arms Export Control Act (22 U.S.C. 2751 et. seq.).

(b) PRIORITIZED PROCESSING OF FOREIGN MILITARY SALES REQUESTS FROM TAIWAN.—

(1) REQUIREMENT.—The Secretary of State and the Secretary of Defense shall prioritize and expedite the processing of requests from Taiwan under the Foreign Military Sales program, and may not delay the processing of requests for bundling purposes.

(2) DURATION.—The requirement under paragraph (1) shall continue until the Secretary of State determines and certifies to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that the threat to Taiwan has significantly abated.

(c) INTERAGENCY POLICY.—The Secretary of State and the Secretary of Defense shall

jointly review and update interagency policies and implementation guidance related to Foreign Military Sales requests from Taiwan, including incorporating the preclearance provisions of this section.

SEC. 10107. EXPEDITING DELIVERY OF ARMS EXPORTS TO TAIWAN AND UNITED STATES ALLIES IN THE INDO-PACIFIC.

(a) REPORT REQUIRED.—Not later than March 1, 2023, and annually thereafter for a period of 5 years, the Secretary of State, in coordination with the Secretary of Defense, shall transmit to the appropriate committees of Congress a report with respect to the transfer of all defense articles or defense services that have yet to be completed pursuant to the authorities provided by—

(1) section 3, 21, or 36 of the Arms Export Control Act (22 U.S.C. 2753, 2761, or 2776); or

(2) section 516(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(c)(2)).

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

(1) A list of all approved transfers of defense articles and services authorized by Congress pursuant to sections 25 and 36 of the Arms Export Control Act (22 U.S.C. 2765, 2776) with a total value of $25,000,000 or more, to Taiwan, Japan, South Korea, Australia, the Philippines, Thailand, or New Zealand, that have not been fully delivered by the start of the fiscal year in which the report is being submitted.

(2) The estimated start and end dates of delivery for each approved and incomplete transfer listed pursuant to paragraph (1), including additional details and dates for any transfers that involve multiple tranches of deliveries.

(3) With respect to each approved and incomplete transfer listed pursuant to paragraph (1), a detailed description of—

(A) any changes in the delivery dates of defense articles or services relative to the dates anticipated at the time of congressional approval of the transfer, including specific reasons for any delays related to the United States Government, defense suppliers, or a foreign partner;

(B) the feasibility and advisability of providing the partner subject to such delayed delivery with an interim capability or solution, including drawing from United States stocks, and the mechanisms under consideration for doing so as well as any challenges to implementing such a capability or solution;

(C) authorities, appropriations, or waiver requests that Congress could provide to improve delivery timelines or authorize the provision of interim capabilities or solutions identified pursuant to subparagraph (B); and

(D) a description of which countries are ahead of Taiwan for delivery of each item listed pursuant to paragraph (1).

(4) A description of ongoing interagency efforts to support attainment of operational capability of the corresponding defense articles and services once delivered, including advance training with United States or armed forces of partner countries on the systems to be received. The description of any such training shall also include an identification of the training implementer.

(5) If a transfer listed pursuant to paragraph (1) has been terminated prior to the date of the submission of the report for any reason—

(A) the case information for such transfer, including the date of congressional notification, delivery date of the Letter of Offer and Acceptance (LOA), final signature of the LOA, and information pertaining to delays in delivering LOAs for signature;

(B) a description of the reasons for which the transfer is no longer in effect; and

(C) the impact this termination will have on the intended end-user and the consequent implications for regional security, including the impact on deterrence of military action by countries hostile to the United States, the military balance in the Taiwan Strait, and other factors.

(6) A separate description of the actions the United States is taking to expedite and prioritize deliveries of defense articles and services to Taiwan, including—

(A) a description of what actions the Department of State and the Department of Defense have taken or are planning to take to prioritize Taiwan's Foreign Military Sales cases;

(B) current procedures or mechanisms for determining that a Foreign Military Sales case for Taiwan should be prioritized above a sale to another country of the same or similar item; and

(C) whether the United States intends to divert defense articles from United States stocks to provide an interim capability or solution with respect to any delayed deliveries to Taiwan and the plan, if applicable, to replenish any such diverted stocks.

(7) A description of other potential actions already undertaken by or currently under consideration by the Department of State and the Department of Defense to improve delivery timelines for the transfers listed pursuant to paragraph (1).

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(d) FORM.—The report required under subsection (b) shall be submitted in unclassified form but may include a classified annex.

SEC. 10108. ASSESSMENT OF TAIWAN'S NEEDS FOR CIVILIAN DEFENSE AND RESILIENCE.

(a) ASSESSMENT REQUIRED.—Not later than 120 days after the date of enactment of this Act, the Secretary of State and the Secretary of Defense, in coordination with the Director of National Intelligence, shall submit a written assessment, with a classified annex, of Taiwan's needs in the areas of civilian defense and resilience to the appropriate committees of Congress, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) MATTERS TO BE INCLUDED.—The assessment required under subsection (a) shall—

(1) analyze the potential role of Taiwan's public and civilian assets in defending against various scenarios for foreign militaries to coerce or conduct military aggression against Taiwan;

(2) carefully analyze Taiwan's needs for enhancing its defensive capabilities through the support of civilians and civilian sectors, including—

(A) greater utilization of Taiwan's high tech labor force;

(B) the creation of clear structures and logistics support for civilian defense role allocation;

(C) recruitment and skills training for Taiwan's defense and civilian sectors; and

(D) other defense needs and considerations at the provincial, city, and neighborhood levels;

(3) analyze Taiwan's needs for enhancing resiliency among its people and in key economic sectors;

(4) identify opportunities for Taiwan to enhance communications at all levels to strengthen trust and understanding between the military, other government departments, civilian agencies and the general public, including—

(A) communications infrastructure necessary to ensure reliable communications in response to a conflict or crisis; and

(B) a plan to effectively communicate to the general public in response to a conflict or crisis; and

(5) identify the areas and means through which the United States could provide training, exercises, and assistance at all levels to support the needs discovered through the assessment and fill any critical gaps where capacity falls short of such needs.

(c) SHARING OF REPORT.—The assessment required by subsection (a) shall be shared with appropriate officials Taiwan to facilitate cooperation.

SEC. 10109. ANNUAL REPORT ON TAIWAN DEFENSIVE MILITARY CAPABILITIES AND INTELLIGENCE SUPPORT.

Section 1248 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1988) is amended to read as follows:

''SEC. 1248. ANNUAL REPORT ON TAIWAN CAPABILITIES AND INTELLIGENCE SUPPORT.

''(a) IN GENERAL.—The Secretary of State and the Secretary of Defense, in coordination with the heads of other relevant Federal departments and agencies, shall jointly each year through fiscal year 2027, consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3302(c)), perform an annual assessment of security matters related to Taiwan, including intelligence matters, Taiwan's defensive military capabilities, and how defensive shortcomings or vulnerabilities of Taiwan could be mitigated through cooperation, modernization, or integration. At a minimum, the assessment shall include the following:

''(1) An intelligence assessment regarding—

''(A) conventional military and nuclear threats to Taiwan from China, including exercises, patrols, and presence intended to intimidate or coerce Taiwan; and

''(B) irregular warfare activities, including influence operations, conducted by China to interfere in or undermine the peace and stability of the Taiwan Strait.

''(2) The current military capabilities of Taiwan and the ability of Taiwan to defend itself from external conventional and irregular military threats across a range of scenarios.

''(3) The interoperability of current and future defensive capabilities of Taiwan with the military capabilities of the United States and its allies and partners.

''(4) The plans, tactics, techniques, and procedures underpinning an effective defense strategy for Taiwan, including how addressing identified capability gaps and capacity shortfalls will improve the effectiveness of such strategy.

''(5) A description of additional personnel, resources, and authorities in Taiwan or in the United States that may be required to meet any shortcomings in the development of Taiwan's military capabilities identified pursuant to this section.

''(6) With respect to materiel capabilities and capacities the Secretary of Defense and Secretary of State jointly assess to be most effective in deterring, defeating, or delaying military aggression by the People's Republic of China, a prioritized list of capability gaps and capacity shortfalls of the military forces of Taiwan, including—

''(A) an identification of—

''(i) any United States, Taiwan, or ally or partner country defense production timeline challenge related to potential materiel and solutions to such capability gaps;

''(ii) the associated investment costs of enabling expanded production for items currently at maximum production;

''(iii) the associated investment costs of, or mitigation strategies for, enabling export for items currently not exportable; and

''(iv) existing stocks of such capabilities in the United States and ally and partner countries;

''(B) the feasibility and advisability of procuring solutions to such gaps and shortfalls through United States allies and partners, including through co-development or co-production;

''(C) the feasibility and advisability of assisting Taiwan in the domestic production of solutions to capability gaps, including through—

''(i) the transfer of intellectual property; and

''(ii) co-development or co-production arrangements;

''(D) the estimated costs, expressed in a range of options, of procuring sufficient capabilities and capacities to address such gaps and shortfalls;

''(E) an assessment of the relative priority assigned by appropriate officials of Taiwan to each such gap and shortfall; and

''(F) a detailed explanation of the extent to which Taiwan is prioritizing the development, production, or fielding of solutions to such gaps and shortfalls within its overall defense budget.

''(7) The applicability of Department of State and Department of Defense authorities for improving the defensive military capabilities of Taiwan in a manner consistent with the Taiwan Relations Act.

''(8) A description of any security assistance provided or Foreign Military Sales and Direct Commercial Sales activity with Taiwan over the past year.

''(9) A description of each engagement between the United States and Taiwan personnel related to planning over the past year.

''(10) With respect to each to training and exercises —

''(A) a description of each such instance over the past year;

''(B) a description of how each such instance—

''(i) sought to achieve greater interoperability, improved readiness, joint planning capability, and shared situational awareness between the United States and Taiwan, or among the United States, Taiwan, and other countries;

''(ii) familiarized the militaries of the United States and Taiwan with each other; and

''(iii) improved Taiwan's defense capabilities.

''(11) A description of the areas and means through which the United States is assisting and support training, exercises, and assistance to support Taiwan's requirements related to civilian defense and resilience, and how the United States is seeking to assist Taiwan in addressing any critical gaps where capacity falls short of meeting such requirements, including those elements identified in the assessment required by [section 10100 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023].

''(12) An assessment of the implications of current levels of pre-positioned war reserve materiel on the ability of the United States to respond to a crisis or conflict involving Taiwan with respect to—

''(A) providing military or non-military aid to Taiwan; and

''(B) sustaining military installations and other infrastructure of the United States in the Indo-Pacific region.

''(13) An assessment of the current intelligence, surveillance, and reconnaissance capabilities of Taiwan, including any existing gaps in such capabilities and investments in such capabilities by Taiwan since the preceding report.

''(14) A summary of changes to pre-positioned war reserve materiel of the United States in the Indo-Pacific region since the preceding report.

''(15) Any other matters the Secretary of Defense or the Secretary of State considers appropriate.

''(b) PLAN.—The Secretary of Defense and the Secretary of State shall jointly develop a plan for assisting Taiwan in improving its defensive military capabilities and addressing vulnerabilities identified pursuant to subsection (a) that includes—

''(1) recommendations, if any, for new Department of State or Department of Defense authorities, or modifications to existing Department of State or Department of Defense authorities, necessary to improve the defensive military capabilities of Taiwan in a manner consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.);

''(2) an identification of opportunities for key leader and subject matter expert engagement between Department personnel and military and civilian counterparts in Taiwan; and

''(3) an identification of challenges and opportunities for leveraging authorities, resources, and capabilities outside the Department of Defense and the Department of State to improve the defensive capabilities of Taiwan in accordance with the Taiwan Relations Act.

''(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter through fiscal year 2027, the Secretary of State and the Secretary of Defense shall jointly submit to the appropriate committees of Congress—

''(1) a report on the results of the assessment required by subsection (a);

''(2) the plan required by subsection (b); and

''(3) a report on—

''(A) the status of efforts to develop and implement the joint multi-year plan required under section 10007 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 to provide for the acquisition of appropriate defensive military capabilities by Taiwan and to engage with Taiwan in a series of combined training and planning activities consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.); and

''(B) any other matters the Secretary considers necessary.

''(d) FORM.—The reports required by subsection (c) shall be submitted in unclassified form, but may include a classified annex.

''(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—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.''.

TITLE II—COUNTERING PEOPLE'S REPUBLIC OF CHINA'S COERCION AND INFLUENCE CAMPAIGNS

SEC. 10201. STRATEGY TO RESPOND TO INFLUENCE AND INFORMATION OPERATIONS TARGETING TAIWAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and annually thereafter for the following 5 years, the Secretary of State, in coordination with the Director of National Intelligence, shall develop and implement a strategy to respond to—

(1) covert, coercive, and corrupting activities carried out to advance the Chinese Communist Party's ''United Front'' work, including activities directed, coordinated, or otherwise supported by the United Front Work Department or its subordinate or affiliated entities; and

(2) information and disinformation campaigns, cyber attacks, and nontraditional propaganda measures supported by the Government of the People's Republic of China and the Chinese Communist Party that are directed toward persons or entities in Taiwan.

(b) ELEMENTS.—The strategy required under subsection (a) shall include descriptions of—

(1) the proposed response to propaganda and disinformation campaigns by the People's Republic of China and cyber-intrusions targeting Taiwan, including—

(A) assistance in building the capacity of Taiwan's public and private-sector entities to document and expose propaganda and disinformation supported by the Government of the People's Republic of China, the Chinese Communist Party, or affiliated entities;

(B) assistance to enhance Taiwan's ability to develop a holistic strategy to respond to sharp power operations, including election interference; and

(C) media training for Taiwan officials and other Taiwan entities targeted by disinformation campaigns;

(2) the proposed response to political influence operations that includes an assessment of the extent of influence exerted by the Government of the People's Republic of China and the Chinese Communist Party in Taiwan on local political parties, financial institutions, media organizations, and other entities;

(3) support for exchanges and other technical assistance to strengthen the Taiwan legal system's ability to respond to sharp power operations; and

(4) programs carried out by the Global Engagement Center to expose misinformation and disinformation in the Chinese Communist Party's propaganda.

SEC. 10202. STRATEGY TO COUNTER ECONOMIC COERCION BY THE PEOPLE'S REPUBLIC OF CHINA TARGETING COUNTRIES AND ENTITIES THAT SUPPORT TAIWAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a description of the strategy being used by the Department of State to respond to the Government of the People's Republic of China's increased response, including economic coercion, against countries which have strengthened their ties with, or support for, Taiwan.

(b) ASSISTANCE FOR COUNTRIES AND ENTITIES TARGETED BY THE PEOPLE'S REPUBLIC OF CHINA FOR ECONOMIC COERCION.—The Department of State, the United States Agency for International Development, the United States International Development Finance Corporation, the Department of Commerce and the Department of the Treasury shall provide appropriate assistance to countries and entities that are subject to coercive economic practices by the People's Republic of China.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Committee on Appropriations of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives;

(5) the Committee on Armed Services of the House of Representatives; and

(6) the Committee on Appropriations of the House of Representatives.

SEC. 10203. CHINA CENSORSHIP MONITOR AND ACTION GROUP.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) QUALIFIED RESEARCH ENTITY.—The term ''qualified research entity'' means an entity that—

(A) is a nonpartisan research organization or a Federally funded research and development center;

(B) has appropriate expertise and analytical capability to write the report required under subsection (c); and

(C) is free from any financial, commercial, or other entanglements, which could undermine the independence of such report or create a conflict of interest or the appearance of a conflict of interest, with—

(i) the Government of the People's Republic of China;

(ii) the Chinese Communist Party;

(iii) any company incorporated in the People's Republic of China or a subsidiary of such company; or

(iv) any company or entity incorporated outside of the People's Republic of China that is believed to have a substantial financial or commercial interest in the People's Republic of China.

(3) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.

(b) CHINA CENSORSHIP MONITOR AND ACTION GROUP.—

(1) IN GENERAL.—The President shall establish an interagency task force, which shall be known as the ''China Censorship Monitor and Action Group'' (referred to in this subsection as the ''Task Force'').

(2) MEMBERSHIP.—The President shall take the following actions with respect to the membership of, and participation in, the Task Force:

(A) Appoint the chair of the Task Force from among the staff of the National Security Council.

(B) Appoint the vice chair of the Task Force from among the staff of the National Economic Council.

(C) Direct the head of each of the following executive branch agencies to appoint personnel to participate in the Task Force:

(i) The Department of State.

(ii) The Department of Commerce.

(iii) The Department of the Treasury.

(iv) The Department of Justice.

(v) The Office of the United States Trade Representative.

(vi) The Office of the Director of National Intelligence, and other appropriate elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(vii) The United States Agency for Global Media.

(viii) Other agencies designated by the President.

(3) RESPONSIBILITIES.—The Task Force shall—

(A) oversee the development and execution of an integrated Federal Government strategy to monitor and address the impacts of efforts directed, or directly supported, by the Government of the People's Republic of China to censor or intimidate, in the United States or in any of its possessions or territories, any United States person, including United States companies that conduct business in the People's Republic of China, which are exercising their right to freedom of speech; and

(B) submit the strategy developed pursuant to subparagraph (A) to the appropriate congressional committees not later than 120 days after the date of the enactment of this Act.

(4) MEETINGS.—The Task Force shall meet not less frequently than twice per year.

(5) CONSULTATIONS.—The Task Force should regularly consult, to the extent necessary and appropriate, with—

(A) Federal agencies that are not represented on the Task Force;

(B) independent agencies of the United States Government that are not represented on the Task Force;

(C) relevant stakeholders in the private sector and the media; and

(D) relevant stakeholders among United States allies and partners facing similar challenges related to censorship or intimidation by the Government of the People's Republic of China.

(6) REPORTING REQUIREMENTS.—

(A) ANNUAL REPORT.—The Task Force shall submit an annual report to the appropriate congressional committees that describes, with respect to the reporting period—

(i) the strategic objectives and policies pursued by the Task Force to address the challenges of censorship and intimidation of United States persons while in the United States or any of its possessions or territories, which is directed or directly supported by the Government of the People's Republic of China;

(ii) the activities conducted by the Task Force in support of the strategic objectives and policies referred to in clause (i); and

(iii) the results of the activities referred to in clause (ii) and the impact of such activities on the national interests of the United States.

(B) FORM OF REPORT.—Each report submitted pursuant to subparagraph (A) shall be unclassified, but may include a classified annex.

(C) CONGRESSIONAL BRIEFINGS.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Task Force shall provide briefings to the appropriate congressional committees regarding the activities of the Task Force to execute the strategy developed pursuant to paragraph (3)(A).

(c) REPORT ON CENSORSHIP AND INTIMIDATION OF UNITED STATES PERSONS BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.—

(1) REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall select and seek to enter into an agreement with a qualified research entity that is independent of the Department of State to write a report on censorship and intimidation in the United States and its possessions and territories of United States persons, including United States companies that conduct business in the People's Republic of China, which is directed or directly supported by the Government of the People's Republic of China.

(B) MATTERS TO BE INCLUDED.—The report required under subparagraph (A) shall—

(i) assess major trends, patterns, and methods of the Government of the People's Republic of China's efforts to direct or directly support censorship and intimidation of United States persons, including United States companies that conduct business in the People's Republic of China, which are exercising their right to freedom of speech;

(ii) assess, including through the use of illustrative examples, as appropriate, the impact on and consequences for United States persons, including United States companies that conduct business in the People's Republic of China, that criticize—

(I) the Chinese Communist Party;

(II) the Government of the People's Republic of China;

(III) the authoritarian model of government of the People's Republic of China; or

(IV) a particular policy advanced by the Chinese Communist Party or the Government of the People's Republic of China;

(iii) identify the implications for the United States of the matters described in clauses (i) and (ii);

(iv) assess the methods and evaluate the efficacy of the efforts by the Government of the People's Republic of China to limit freedom of expression in the private sector, including media, social media, film, education, travel, financial services, sports and entertainment, technology, telecommunication, and internet infrastructure interests;

(v) include policy recommendations for the United States Government, including recommendations regarding collaboration with United States allies and partners, to address censorship and intimidation by the Government of the People's Republic of China; and

(vi) include policy recommendations for United States persons, including United States companies that conduct business in China, to address censorship and intimidation by the Government of the People's Republic of China.

(C) APPLICABILITY TO UNITED STATES ALLIES AND PARTNERS.—To the extent practicable, the report required under subparagraph (A) should identify implications and policy recommendations that are relevant to United States allies and partners facing censorship and intimidation directed or directly supported by the Government of the People's Republic of China.

(2) SUBMISSION OF REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit the report written by the qualified research entity selected pursuant to paragraph (1)(A) to the appropriate congressional committees.

(B) PUBLICATION.—The report referred to in subparagraph (A) shall be made accessible to the public online through relevant United States Government websites.

(d) SUNSET.—This section shall terminate on the date that is 5 years after the date of enactment of this Act.

TITLE III—INCLUSION OF TAIWAN IN INTERNATIONAL ORGANIZATIONS

SEC. 10301. PARTICIPATION OF TAIWAN IN INTERNATIONAL ORGANIZATIONS.

(a) STATEMENT OF POLICY.—It is the policy of the United States to promote Taiwan's inclusion and meaningful participation in international organizations.

(b) SUPPORT FOR MEANINGFUL PARTICIPATION.—The Permanent Representative of the United States to the United Nations and other relevant United States officials shall actively support Taiwan's meaningful participation in all appropriate international organizations.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate committees of Congress that—

(1) describes the People's Republic of China's efforts at the United Nations and

other international bodies to block Taiwan's meaningful participation and inclusion; and

(2) recommends appropriate responses that should be taken by the United States to carry out the policy described in subsection (a).

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Committee on Appropriations of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives;

(5) the Committee on Armed Services of the House of Representatives; and

(6) the Committee on Appropriations of the House of Representatives.

SEC. 10302. MEANINGFUL PARTICIPATION OF TAIWAN IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the International Civil Aviation Organization (ICAO) should allow Taiwan to meaningfully participate in the organization, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms;

(2) Taiwan is a global leader and hub for international aviation, with a range of expertise, information, and resources and the fifth busiest airport in Asia (Taoyuan International Airport), and its meaningful participation in ICAO would significantly enhance the ability of ICAO to ensure the safety and security of global aviation; and

(3) coercion by the Chinese Communist Party and the People's Republic of China has ensured the systematic exclusion of Taiwan from meaningful participation in ICAO, significantly undermining the ability of ICAO to ensure the safety and security of global aviation.

(b) PLAN FOR TAIWAN'S MEANINGFUL PARTICIPATION IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.—The Secretary of State, in coordination with the Secretary of Commerce and the Secretary of Transportation, is authorized—

(1) to initiate a United States plan to secure Taiwan's meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms; and

(2) to instruct the United States representative to the ICAO to—

(A) use the voice and vote of the United States to ensure Taiwan's meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms; and

(B) seek to secure a vote at the next ICAO triennial assembly session on the question of Taiwan's participation in that session.

(c) REPORT CONCERNING TAIWAN'S MEANINGFUL PARTICIPATION IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.—Not later than 90 days after the date of the enactment of this Act, and not later than April 1 of each year thereafter for the following 6 years, the Secretary of State, in coordination with the Secretary of Commerce, shall submit to the Committee on Foreign Relations and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Foreign Affairs and Committee on Energy and Commerce of the House of Representatives an unclassified report that—

(1) describes the United States plan to ensure Taiwan's meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms;

(2) includes an account of the efforts made by the Secretary of State and the Secretary of Commerce to ensure Taiwan's meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms; and

(3) identifies the steps the Secretary of State and the Secretary of Commerce will take in the next year to ensure Taiwan's meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 10401. REPORT ON TAIWAN TRAVEL ACT.

(a) LIST OF HIGH-LEVEL VISITS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary of State, in accordance with the Taiwan Travel Act (Public Law 115–135), shall submit to the appropriate committees of Congress—

(1) a list of high-level officials from the United States Government who have traveled to Taiwan; and

(2) a list of high-level officials of Taiwan who have entered the United States.

(b) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary of State shall submit a report on the implementation of the Taiwan Travel Act, including a discussion of its positive effects on United States interests in the region, to the appropriate committees of Congress.

(2) FORM.—The report required under 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 Foreign Relations of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Committee on Appropriations of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives;

(5) the Committee on Armed Services of the House of Representatives; and

(6) the Committee on Appropriations of the House of Representatives.

SEC. 10402. AMENDMENTS TO THE TAIWAN ALLIES INTERNATIONAL PROTECTION AND ENHANCEMENT INITIATIVE (TAIPEI) ACT OF 2019.

The Taiwan Allies International Protection and Enhancement Initiative (TAIPEI) Act of 2019 (Public Law 116–135) is amended—

(1) in section 2(5), by striking ''and Kiribati'' and inserting ''Kiribati, and Nicaragua,'';

(2) in section 4—

(A) in the matter preceding paragraph (1), by striking ''should be'' and inserting ''is'';

(B) in paragraph (2), by striking ''and'' at the end;

(C) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(4) to support Taiwan's diplomatic relations with governments and countries''; and

(3) in section 5—

(A) in subsection (a)—

(i) in paragraph (2), by striking ''and'' at the end;

(ii) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(4) identify why governments and countries have altered their diplomatic status vis-a-vis Taiwan and make recommendations to mitigate further deterioration in Taiwan's diplomatic relations with governments and countries.'';

(B) in subsection (b), by striking ''1 year after the date of the enactment of this Act, and annually thereafter for five years, the Secretary of State shall report'' and inserting ''90 days after the date of the enactment of American Security Drone Act of 2022, and annually thereafter for the following 7 years, the Secretary of State shall submit an unclassified report, with a classified annex,'';

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

(D) by inserting after subsection (b) the following:

''(c) BRIEFINGS.—Not later than 90 days after the date of the enactment of American Security Drone Act of 2022, and annually thereafter for the following 7 years, the Department of State shall provide briefings to the appropriate congressional committees on the steps taken in accordance with section (a). The briefings required under this subsection shall take place in an unclassified setting, but may be accompanied by an additional classified briefing.''.

SEC. 10403. REPORT ON ROLE OF PEOPLE'S REPUBLIC OF CHINA'S NUCLEAR THREAT IN ESCALATION DYNAMICS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense and the Director of National Intelligence, shall submit to the appropriate congressional committees a report assessing the role of the increasing nuclear threat of the People's Republic of China in escalation dynamics with respect to Taiwan.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Select Committee on Intelligence of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives;

(5) the Committee on Armed Services of the House of Representatives; and

(6) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 10404. REPORT ANALYZING THE IMPACT OF RUSSIA'S WAR AGAINST UKRAINE ON THE OBJECTIVES OF THE PEOPLE'S REPUBLIC OF CHINA WITH RESPECT TO TAIWAN.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense and the Director of National Intelligence, shall submit a report to the appropriate congressional committees that analyzes the impact of Russia's war against Ukraine on the PRC's diplomatic, military, economic, and propaganda objectives with respect to Taiwan.

(b) ELEMENTS.—The report required under subsection (a) shall describe—

(1) adaptations or known changes to PRC strategies and military doctrine since the commencement of the Russian invasion of Ukraine on February 24, 2022, including changes—

(A) to PRC behavior in international forums;

(B) within the People's Liberation Army, with respect to the size of forces, the makeup of leadership, weapons procurement, equipment upkeep, the doctrine on the use of specific weapons, such as weapons banned

under the international law of armed conflict, efforts to move weapons supply chains onto mainland PRC, or any other changes in its military strategy with respect to Taiwan;

(C) in economic planning, such as sanctions evasion, efforts to minimize exposure to sanctions, or moves in support of the protection of currency or other strategic reserves;

(D) to propaganda, disinformation, and other information operations originating in the PRC; and

(E) to the PRC's strategy for the use of force against Taiwan, including any information on preferred scenarios or operations to secure its objectives in Taiwan, adjustments based on how the Russian military has performed in Ukraine, and other relevant matters;

(2) United States' plans to adapt its policies and military planning in response to the changes referred to in paragraph (1).

(c) FORM.—The report required under subsection (a) shall be submitted in classified form.

(d) COORDINATION WITH ALLIES AND PARTNERS.—The Secretary of State shall share information contained in the report required under subsection (a), as appropriate, with appropriate officials of allied and partners, including Taiwan and other partners in Europe and in the Indo-Pacific.

(e) DEFINED TERM.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Committee on Appropriations of the Senate;

(4) the Select Committee on Intelligence of the Senate;

(5) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(6) the Committee on Foreign Affairs of the House of Representatives;

(7) the Committee on Armed Services of the House of Representatives;

(8) the Committee on Appropriations of the House of Representatives;

(9) the Permanent Select Committee on Intelligence of the House of Representatives; and

(10) the Committee on Financial Services of the House of Representatives.

TITLE V—UNITED STATES-TAIWAN PUBLIC HEALTH PROTECTION

SEC. 10501. SHORT TITLE.

This title may be cited as ''Integrity, Notification, and Fairness in Online Retail Marketplaces for Consumers Act''.

SEC. 10502. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—For the purposes of this title, the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on Energy and Commerce of the House of Representatives; and

(F) the Committee on Appropriations of the House of Representatives.

(2) CENTER.—The term ''Center'' means the Infectious Disease Monitoring Center described in section 10503.

SEC. 10503. STUDY.

(a) STUDY.—Not later than one year after the date of the enactment of this Act, the Secretary of State and the Secretary of Health and Human Services, in consultation with the heads of other relevant Federal departments and agencies, shall submit to appropriate congressional committees a study that includes the following:

(1) A description of ongoing cooperation between the United States Government and Taiwan related to public health, including public health activities supported by the United States in Taiwan.

(2) A description how the United States and Taiwan can promote further cooperation and expand public health activities, including the feasibility and utility of establishing an Infectious Disease Monitoring Center within the American Institute of Taiwan in Taipei, Taiwan to—

(A) regularly monitor, analyze, and disseminate open-source material from countries in the region, including viral strains, bacterial subtypes, and other pathogens;

(B) engage in people-to-people contacts with medical specialists and public health officials in the region;

(C) provide expertise and information on infectious diseases to the United States Government and Taiwanese officials; and

(D) carry out other appropriate activities, as determined by the Director of the Center.

(b) ELEMENTS.—The study required by subsection (a) shall include—

(1) a plan on how such a Center would be established and operationalized, including—

(A) the personnel, material, and funding requirements necessary to establish and operate the Center; and

(B) the proposed structure and composition of Center personnel, which may include—

(i) infectious disease experts from the Department of Health and Human Services, who are recommended to serve as detailees to the Center; and

(ii) additional qualified persons to serve as detailees to or employees of the Center, including—

(I) from any other relevant Federal department or agencies, to include the Department of State and the United States Agency for International Development;

(II) qualified foreign service nationals or locally engaged staff who are considered citizens of Taiwan; and

(III) employees of the Taiwan Centers for Disease Control;

(2) an evaluation, based on the factors in paragraph (1), of whether to establish the Center; and

(3) a description of any consultations or agreements between the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office in the United States regarding the establishment and operation of the Center, including—

(A) the role that employees of the Taiwan Centers for Disease Control would play in supporting or coordinating with the Center; and

(B) whether any employees of the Taiwan Centers for Disease Control would be detailed to, or co-located with, the Center.

(c) CONSULTATION.—The Secretary of State and the Secretary of Health and Human Services shall consult with the appropriate congressional committees before full completion of the study.

TITLE VI—RULES OF CONSTRUCTION

SEC. 10601. RULE OF CONSTRUCTION.

Nothing in this division may be construed—

(1) to restore diplomatic relations with the Republic of China; or

(2) to alter the United States Government's position with respect to the international status of the Republic of China.

SEC. 10602. RULE OF CONSTRUCTION REGARDING THE USE OF MILITARY FORCE.

Nothing in this division may be construed as authorizing the use of military force or the introduction of United States forces into hostilities.

DIVISION I—HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS MATTERS

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TITLE LI—HOMELAND SECURITY

Subtitle A—Global Catastrophic Risk Management Act of 2022

SEC. 5101. SHORT TITLE.

This subtitle may be cited as the ''Global Catastrophic Risk Management Act of 2022''.

SEC. 5102. DEFINITIONS.

In this subtitle:

(1) BASIC NEED.—The term ''basic need''—

(A) means any good, service, or activity necessary to protect the health, safety, and general welfare of the civilian population of the United States; and

(B) includes—

(i) food;

(ii) water;

(iii) shelter;

(iv) basic communication services;

(v) basic sanitation and health services; and

(vi) public safety.

(2) CATASTROPHIC INCIDENT.—The term ''catastrophic incident''—

(A) means any natural or man-made disaster that results in extraordinary levels of casualties or damage, mass evacuations, or disruption severely affecting the population, infrastructure, environment, economy, national morale, or government functions in an area; and

(B) may include an incident—

(i) with a sustained national impact over a prolonged period of time;

(ii) that may rapidly exceed resources available to State and local government and private sector authorities in the impacted area; or

(iii) that may significantly interrupt governmental operations and emergency services to such an extent that national security could be threatened.

(3) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' has the meaning given the term in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e)).

(4) EXISTENTIAL RISK.—The term ''existential risk'' means the potential for an outcome that would result in human extinction.

(5) GLOBAL CATASTROPHIC RISK.—The term ''global catastrophic risk'' means the risk of events or incidents consequential enough to significantly harm, set back, or destroy human civilization at the global scale.

(6) GLOBAL CATASTROPHIC AND EXISTENTIAL THREATS.—The term ''global catastrophic and existential threats'' means those threats that with varying likelihood can produce consequences severe enough to result in significant harm or destruction of human civilization at the global scale, or lead to human extinction. Examples of global catastrophic and existential threats include severe global pandemics, nuclear war, asteroid and comet impacts, supervolcanoes, sudden and severe changes to the climate, and intentional or accidental threats arising from the use and development of emerging technologies.

(7) INDIAN TRIBAL GOVERNMENT.—The term ''Indian Tribal government'' has the meaning given the term ''Indian tribal government'' in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(8) LOCAL GOVERNMENT; STATE.—The terms ''local government'' and ''State'' have the meanings given those terms in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(9) NATIONAL EXERCISE PROGRAM.—The term ''national exercise program'' means activities carried out to test and evaluate the national preparedness goal and related plans and strategies as described in section 648(b) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 748(b)).

(10) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

SEC. 5103. ASSESSMENT OF GLOBAL CATASTROPHIC RISK.

(a) IN GENERAL.—The Secretary shall conduct an assessment of global catastrophic risk.

(b) CONSULTATION.—When conducting the assessment under subsection (a), the Secretary shall consult with senior representatives of—

(1) the Assistant to the President for National Security Affairs;

(2) the Director of the Office of Science and Technology Policy;

(3) the Administrator of the Federal Emergency Management Agency;

(4) the Secretary of State and the Under Secretary of State for Arms Control and International Security;

(5) the Attorney General and the Director of the Federal Bureau of Investigation;

(6) the Secretary of Energy, the Under Secretary of Energy for Nuclear Security, and the Director of Science;

(7) the Secretary of Health and Human Services, the Assistant Secretary for Preparedness and Response, and the Assistant Secretary of Global Affairs;

(8) the Secretary of Commerce, the Under Secretary of Commerce for Oceans and Atmosphere, and the Under Secretary of Commerce for Standards and Technology;

(9) the Secretary of the Interior and the Director of the United States Geological Survey;

(10) the Administrator of the Environmental Protection Agency and the Assistant Administrator for Water;

(11) the Administrator of the National Aeronautics and Space Administration;

(12) the Director of the National Science Foundation;

(13) the Secretary of the Treasury;

(14) the Chair of the Board of Governors of the Federal Reserve System;

(15) the Secretary of Defense, the Assistant Secretary of the Army for Civil Works, and the Chief of Engineers and Commanding General of the Army Corps of Engineers;

(16) the Chairman of the Joint Chiefs of Staff;

(17) the Administrator of the United States Agency for International Development;

(18) the Secretary of Transportation; and

(19) other stakeholders the Secretary determines appropriate.

SEC. 5104. REPORT REQUIRED.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every 10 years thereafter, the Secretary shall submit to Congress a report containing a detailed assessment of global catastrophic and existential risk.

(b) MATTERS COVERED.—Each report required under subsection (a) shall include—

(1) expert estimates of cumulative global catastrophic and existential risk in the next 30 years, including separate estimates for the likelihood of occurrence and potential consequences;

(2) expert-informed analyses of the risk of the most concerning specific global catastrophic and existential threats, including separate estimates, where reasonably feasible and credible, of each threat for its likelihood of occurrence and its potential consequences, as well as associated uncertainties;

(3) a comprehensive list of potential catastrophic or existential threats, including even those that may have very low likelihood;

(4) technical assessments and lay explanations of the analyzed global catastrophic and existential risks, including their qualitative character and key factors affecting their likelihood of occurrence and potential consequences;

(5) an explanation of any factors that limit the ability of the Secretary to assess the risk both cumulatively and for particular threats, and how those limitations may be overcome through future research or with additional resources, programs, or authorities;

(6) a review of the effectiveness of intelligence collection, early warning and detection systems, or other functions and programs necessary to evaluate the risk of particular global catastrophic and existential threats, if any exist and as applicable for particular threats;

(7) a forecast of if and why global catastrophic and existential risk is likely to increase or decrease significantly in the next 30 years, both qualitatively and quantitatively, as well as a description of associated uncertainties;

(8) proposals for how the Federal Government may more adequately assess global catastrophic and existential risk on an ongoing basis in future years;

(9) recommendations for legislative actions, as appropriate, to support the evaluation and assessment of global catastrophic and existential risk; and

(10) other matters deemed appropriate by the Secretary.

(c) CONSULTATION REQUIREMENT.—In producing the report required under subsection (a), the Secretary shall regularly consult with experts on global catastrophic and existential risks, including from non-governmental, academic, and private sector institutions.

SEC. 5105. ENHANCED CATASTROPHIC INCIDENT ANNEX.

(a) IN GENERAL.—The Secretary shall supplement each Federal Interagency Operational Plan to include an annex containing a strategy to ensure the health, safety, and general welfare of the civilian population affected by catastrophic incidents by—

(1) providing for the basic needs of the civilian population of the United States that is impacted by catastrophic incidents in the United States;

(2) coordinating response efforts with State, local, and Indian Tribal governments, the private sector, and nonprofit relief organizations;

(3) promoting personal and local readiness and non-reliance on government relief during periods of heightened tension or after catastrophic incidents; and

(4) developing international partnerships with allied nations for the provision of relief services and goods.

(b) ELEMENTS OF THE STRATEGY.—The strategy required under subsection (a) shall include a description of—

(1) actions the Federal Government should take to ensure the basic needs of the civilian population of the United States in a catastrophic incident are met;

(2) how the Federal Government should coordinate with non-Federal entities to multiply resources and enhance relief capabilities, including—

(A) State and local governments;

(B) Indian Tribal governments;

(C) State disaster relief agencies;

(D) State and local disaster relief managers;

(E) State National Guards;

(F) law enforcement and first response entities; and

(G) nonprofit relief services;

(3) actions the Federal Government should take to enhance individual resiliency to the effects of a catastrophic incident, which actions shall include—

(A) readiness alerts to the public during periods of elevated threat;

(B) efforts to enhance domestic supply and availability of critical goods and basic necessities; and

(C) information campaigns to ensure the public is aware of response plans and services that will be activated when necessary;

(4) efforts the Federal Government should undertake and agreements the Federal Government should seek with international allies to enhance the readiness of the United States to provide for the general welfare;

(5) how the strategy will be implemented should multiple levels of critical infrastructure be destroyed or taken offline entirely for an extended period of time; and

(6) the authorities the Federal Government should implicate in responding to a catastrophic incident.

(c) ASSUMPTIONS.—In designing the strategy under subsection (a), the Secretary shall account for certain factors to make the strategy operationally viable, including the assumption that—

(1) multiple levels of critical infrastructure have been taken offline or destroyed by catastrophic incidents or the effects of catastrophic incidents;

(2) impacted sectors may include—

(A) the transportation sector;

(B) the communication sector;

(C) the energy sector;

(D) the healthcare and public health sector;

(E) the water and wastewater sector; and

(F) the financial sector;

(3) State, local, Indian Tribal, and territorial governments have been equally affected or made largely inoperable by catastrophic incidents or the effects of catastrophic incidents;

(4) the emergency has exceeded the response capabilities of State, local, and Indian Tribal governments under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and other relevant disaster response laws; and

(5) the United States military is sufficiently engaged in armed or cyber conflict with State or non-State adversaries, or is otherwise unable to augment domestic response capabilities in a significant manner due to a catastrophic incident.

SEC. 5106. VALIDATION OF THE STRATEGY THROUGH AN EXERCISE.

Not later than 1 year after the addition of the annex required under section 5105, the Department of Homeland Security shall lead an exercise as part of the national exercise program to test and enhance the operationalization of the strategy required under section 5105.

SEC. 5107. RECOMMENDATIONS.

(a) IN GENERAL.—The Secretary shall provide recommendations to Congress for—

(1) actions that should be taken to prepare the United States to implement the strategy required under section 5105, increase readiness, and address preparedness gaps for responding to the impacts of catastrophic incidents on citizens of the United States; and

(2) additional authorities that should be considered for Federal agencies to more effectively implement the strategy required under section 5105.

(b) INCLUSION IN REPORTS.—The Secretary may include the recommendations required under subsection (a) in a report submitted under section 5108.

SEC. 5108. REPORTING REQUIREMENTS.

Not later than 1 year after the date on which Department of Homeland Security leads the exercise under section 5106, the Secretary shall submit to Congress a report that includes—

(1) a description of the efforts of the Secretary to develop and update the strategy required under section 5105; and

(2) an after-action report following the conduct of the exercise described in section 5106.

SEC. 5109. RULE OF CONSTRUCTION.

Nothing in this subtitle shall be construed to supersede the civilian emergency management authority of the Administrator of the Federal Emergency Management Agency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or the Post Katrina Emergency Management Reform Act (6 U.S.C. 701 et seq.).

Subtitle B—DHS Economic Security Council

SEC. 5111. DHS ECONOMIC SECURITY COUNCIL.

(a) ESTABLISHMENT OF THE DHS ECONOMIC SECURITY COUNCIL.—

(1) DEFINITIONS.—In this subsection:

(A) COUNCIL.—The term ''Council'' means the DHS Economic Security Council established under paragraph (2).

(B) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(C) ECONOMIC SECURITY.—The term ''economic security'' has the meaning given that term in section 890B(c)(2) of the Homeland Security Act of 2002 (6 U.S.C. 474(c)(2)).

(D) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(2) DHS ECONOMIC SECURITY COUNCIL.—In accordance with the mission of the Department under section 101(b) of the Homeland Security Act of 2002 (6 U.S.C. 111(b)), and in particular paragraph (1)(F) of that section, the Secretary shall establish a standing council of component heads or their designees within the Department, which shall be known as the ''DHS Economic Security Council''.

(3) DUTIES OF THE COUNCIL.—Pursuant to the scope of the mission of the Department as described in paragraph (2), the Council shall provide to the Secretary advice and recommendations on matters of l security, including—

(A) identifying concentrated risks for trade and economic security;

(B) setting priorities for securing the trade and economic security of the United States;

(C) coordinating Department-wide activity on trade and economic security matters;

(D) with respect to the development of the continuity of the economy plan of the President under section 9603 of the William M. (Mac) Thornberry National Defense Authorization Act of Fiscal Year 2021 (6 U.S.C. 322);

(E) proposing statutory and regulatory changes impacting trade and economic security; and

(F) any other matters the Secretary considers appropriate.

(4) CHAIR AND VICE CHAIR.—The Under Secretary for Strategy, Policy, and Plans of the Department—

(A) shall serve as Chair of the Council; and

(B) may designate a Council member as a Vice Chair.

(5) MEETINGS.—The Council shall meet not less frequently than quarterly, as well as—

(A) at the call of the Chair; or

(B) at the direction of the Secretary.

(6) BRIEFINGS.—Not later than 180 days after the date of enactment of this Act and every 180 days thereafter for 4 years, the Council shall brief the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, the Committee on Finance of the Senate, and the Committee on Ways and Means of the House of Representatives on the actions and activities of the Council.

(b) ASSISTANT SECRETARY FOR ECONOMIC SECURITY.—Section 709 of the Homeland Security Act of 2002 (6 U.S.C. 349) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

''(g) ASSISTANT SECRETARY FOR ECONOMIC SECURITY.—

''(1) IN GENERAL.—There is established within the Office of Strategy, Policy, and Plans an Assistant Secretary for Economic Security.

''(2) DUTIES.—At the direction of the Under Secretary for Strategy, Policy, and Plans, the Assistant Secretary for Economic Security shall be responsible for policy formulation regarding matters relating to economic

security and trade, as such matters relate to the mission and the operations of the Department.

''(3) ADDITIONAL RESPONSIBILITIES.—In addition to the duties specified in paragraph (2), the Assistant Secretary for Economic Security, at the direction of the Under Secretary for Strategy, Policy, and Plans, may—

''(A) oversee—

''(i) coordination of supply chain policy; and

''(ii) assessments and reports to Congress related to critical economic security domains;

''(B) serve as the representative of the Under Secretary for Strategy, Policy, and Plans for the purposes of representing the Department on—

''(i) the Committee on Foreign Investment in the United States; and

''(ii) the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector;

''(C) coordinate with stakeholders in other Federal departments and agencies and nongovernmental entities with trade and economic security interests, authorities, and responsibilities; and

''(D) perform such additional duties as the Secretary or the Under Secretary of Strategy, Policy, and Plans may prescribe.

''(4) DEFINITIONS.—In this subsection:

''(A) CRITICAL ECONOMIC SECURITY DOMAIN.—The term 'critical economic security domain' means any infrastructure, industry, technology, or intellectual property (or combination thereof) that is essential for the economic security of the United States.

''(B) ECONOMIC SECURITY.—The term 'economic security' has the meaning given that term in section 890B(c)(2).''.

(c) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to affect or diminish the authority otherwise granted to any other officer of the Department of Homeland Security.

Subtitle C—Transnational Criminal Investigative Units

SEC. 5121. SHORT TITLE.

This subtitle may be cited as the ''Transnational Criminal Investigative Unit Stipend Act''.

SEC. 5122. STIPENDS FOR TRANSNATIONAL CRIMINAL INVESTIGATIVE UNITS.

(a) IN GENERAL.—Subtitle H of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 451 et seq.) is amended by adding at the end the following:

''SEC. 890C. TRANSNATIONAL CRIMINAL INVESTIGATIVE UNITS.

''(a) IN GENERAL.—The Secretary, with the concurrence of the Secretary of State, shall operate Transnational Criminal Investigative Units within Homeland Security Investigations.

''(b) COMPOSITION.—Each Transnational Criminal Investigative Unit shall be composed of trained foreign law enforcement officials who shall collaborate with Homeland Security Investigations to investigate and prosecute individuals involved in transnational criminal activity.

''(c) VETTING REQUIREMENT.—

''(1) IN GENERAL.—Before entry into a Transnational Criminal Investigative Unit, and at periodic intervals while serving in such a unit, foreign law enforcement officials shall be required to pass certain security evaluations, which may include a background check, a polygraph examination, a urinalysis test, or other measures that the Secretary determines to be appropriate.

''(2) LEAHY VETTING REQUIRED.—No member of a foreign law enforcement unit may join a Transnational Criminal Investigative Unit if the Secretary, in coordination with the Secretary of State, has credible information that such foreign law enforcement unit has committed a gross violation of human rights, consistent with the limitations set forth in section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d).

''(3) APPROVAL AND CONCURRENCE.—The establishment and continued support of the Transnational Criminal Investigative Units who are assigned under paragraph (1)—

''(A) shall be performed with the approval of the chief of mission to the foreign country to which the personnel are assigned;

''(B) shall be consistent with the duties and powers of the Secretary of State and the chief of mission for a foreign country under section 103 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4802) and section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927), respectively; and

''(C) shall not be established without the concurrence of the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs.

''(4) REPORT.—The Executive Associate Director of Homeland Security Investigations shall submit a report to the Committee on Foreign Relations of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Homeland Security of the House of Representatives that describes—

''(A) the procedures used for vetting Transnational Criminal Investigative Unit members to include compliance with the vetting required under paragraph (3); and

''(B) any additional measures that should be implemented to prevent personnel in vetted units from being compromised by criminal organizations.

''(d) MONETARY STIPEND.—The Executive Associate Director of Homeland Security Investigations is authorized to pay vetted members of a Transnational Criminal Investigative Unit a monetary stipend in an amount associated with their duties dedicated to unit activities.

''(e) ANNUAL BRIEFING.—The Executive Associate Director of Homeland Security Investigations, during the 5-year period beginning on the date of the enactment of this Act, shall provide an annual unclassified briefing to the congressional committees referred to in subsection (c)(3), which may include a classified session, if necessary, that identifies—

''(1) the number of vetted members of Transnational Criminal Investigative Unit in each country;

''(2) the amount paid in stipends to such members, disaggregated by country;

''(3) relevant enforcement statistics, such as arrests and progress made on joint investigations, in each such country; and

''(4) whether any vetted members of the Transnational Criminal Investigative Unit in each country were involved in any unlawful activity, including human rights abuses or significant acts of corruption.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Homeland Security Act of 2002 (Public Law 107–296) is amended by inserting after the item relating to section 890B the following:

''Sec. 890C. Transnational Criminal Investigative Units.

Subtitle D—Technological Hazards Preparedness and Training

SEC. 5131. SHORT TITLE.

This subtitle may be cited as the ''Technological Hazards Preparedness and Training Act of 2022''.

SEC. 5132. DEFINITIONS.

In this subtitle:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Emergency Management Agency.

(2) INDIAN TRIBAL GOVERNMENT.—The term ''Indian Tribal government'' has the meaning given the term ''Indian tribal government'' in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(3) LOCAL GOVERNMENT; STATE.—The terms ''local government'' and ''State'' have the meanings given those terms in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(4) TECHNOLOGICAL HAZARD AND RELATED EMERGING THREAT.—The term ''technological hazard and related emerging threat''—

(A) means a hazard that involves materials created by humans that pose a unique hazard to the general public and environment and which may result from—

(i) an accident;

(ii) an emergency caused by another hazard; or

(iii) intentional use of the hazardous materials; and

(B) includes a chemical, radiological, biological, and nuclear hazard.

SEC. 5133. ASSISTANCE AND TRAINING FOR COMMUNITIES WITH TECHNOLOGICAL HAZARDS AND RELATED EMERGING THREATS.

(a) IN GENERAL.—The Administrator shall maintain the capacity to provide States, local, and Indian Tribal governments with technological hazards and related emerging threats technical assistance, training, and other preparedness programming to build community resilience to technological hazards and related emerging threats.

(b) AUTHORITIES.—The Administrator shall carry out subsection (a) in accordance with—

(1) the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(2) section 1236 of the Disaster Recovery Reform Act of 2018 (42 U.S.C. 5196g); and

(3) the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109–295; 120 Stat. 1394).

(c) ASSESSMENT AND NOTIFICATION.—In carrying out subsection (a), the Administrator shall—

(1) use any available and appropriate multi-hazard risk assessment and mapping tools and capabilities to identify the communities that have the highest risk of and vulnerability to a technological hazard in each State; and

(2) ensure each State and Indian Tribal government is aware of—

(A) the communities identified under paragraph (1); and

(B) the availability of programming under this section for—

(i) technological hazards and related emerging threats preparedness; and

(ii) building community capability.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Appropriations of the Senate, the Committee on Energy and Natural Resources of the Senate, the Committee on Energy and Commerce of the House of Representatives, the Committee on Homeland Security of the House of Representatives, the Committee on Appropriations of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives a report relating to—

(1) actions taken to implement this section; and

(2) technological hazards and related emerging threats preparedness programming provided under this section during the 1-year

period preceding the date of submission of the report.

(e) CONSULTATION.—The Secretary of Homeland Security may seek continuing input relating to technological hazards and related emerging threats preparedness needs by consulting State, Tribal, territorial, and local emergency services organizations and private sector stakeholders.

(f) COORDINATION.—The Secretary of Homeland Security shall coordinate with the Secretary of Energy relating to technological hazard preparedness and training for a hazard that could result from activities or facilities authorized or licensed by the Department of Energy.

SEC. 5134. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this subtitle $20,000,000 for each of fiscal years 2023 through 2024.

SEC. 5135. SAVINGS PROVISION.

Nothing in this subtitle shall diminish or divert resources from—

(1) the full completion of federally-led chemical surety material storage missions or chemical demilitarization missions that are underway as of the date of enactment of this Act; or

(2) any transitional activities or other community assistance incidental to the completion of the missions described in paragraph (1).

Subtitle E—Offices of Countering Weapons of Mass Destruction and Health Security

SEC. 5141. SHORT TITLE.

This subtitle may be cited as the ''Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022''.

CHAPTER 1—COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE

SEC. 5142. COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE.

(a) HOMELAND SECURITY ACT OF 2002.—Title XIX of the Homeland Security Act of 2002 (6 U.S.C. 590 et seq.) is amended—

(1) in section 1901 (6 U.S.C. 591)—

(A) in subsection (c), by amending paragraphs (1) and (2) to read as follows:

''(1) matters and strategies pertaining to—

''(A) weapons of mass destruction; and

''(B) chemical, biological, radiological, nuclear, and other related emerging threats; and

''(2) coordinating the efforts of the Department to counter—

''(A) weapons of mass destruction; and

''(B) chemical, biological, radiological, nuclear, and other related emerging threats.''; and

(B) by striking subsection (e);

(2) by amending section 1921 (6 U.S.C. 591g) to read as follows:

''SEC. 1921. MISSION OF THE OFFICE.

''The Office shall be responsible for—

''(1) coordinating the efforts of the Department to counter—

''(A) weapons of mass destruction; and

''(B) chemical, biological, radiological, nuclear, and other related emerging threats; and

''(2) enhancing the ability of Federal, State, local, Tribal, and territorial partners to prevent, detect, protect against, and mitigate the impacts of attacks using—

''(A) weapons of mass destruction against the United States; and

''(B) chemical, biological, radiological, nuclear, and other related emerging threats against the United States.'';

(3) in section 1922 (6 U.S.C. 591h)—

(A) by striking subsection (b); and

(B) by redesignating subsection (c) as subsection (b);

(4) in section 1923 (6 U.S.C. 592)—

(A) by redesignating subsections (a) and (b) as subsections (b) and (d), respectively;

(B) by inserting before subsection (b), as so redesignated, the following:

''(a) OFFICE RESPONSIBILITIES.—

''(1) IN GENERAL.—For the purposes of coordinating the efforts of the Department to counter weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats, the Office shall—

''(A) provide expertise and guidance to Department leadership and components on chemical, biological, radiological, nuclear, and other related emerging threats, subject to the research, development, testing, and evaluation coordination requirement described in subparagraph (G);

''(B) in coordination with the Office for Strategy, Policy, and Plans, lead development of policies and strategies to counter weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats on behalf of the Department;

''(C) identify, assess, and prioritize capability gaps relating to the strategic and mission objectives of the Department for weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats;

''(D) in coordination with the Office of Intelligence and Analysis, support components of the Department, and Federal, State, local, Tribal, and territorial partners, provide intelligence and information analysis and reports on weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats;

''(E) in consultation with the Science and Technology Directorate, assess risk to the United States from weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats;

''(F) lead development and prioritization of Department requirements to counter weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats, subject to the research, development, testing, and evaluation coordination requirement described in subparagraph (G), which requirements shall be—

''(i) developed in coordination with end users; and

''(ii) reviewed by the Joint Requirements Council, as directed by the Secretary;

''(G) in coordination with the Science and Technology Directorate, direct, fund, and coordinate capability development activities to counter weapons of mass destruction and all chemical, biological, radiological, nuclear, and other related emerging threats research, development, test, and evaluation matters, including research, development, testing, and evaluation expertise, threat characterization, technology maturation, prototyping, and technology transition;

''(H) acquire, procure, and deploy counter weapons of mass destruction capabilities, and serve as the lead advisor of the Department on component acquisition, procurement, and deployment of counter-weapons of mass destruction capabilities;

''(I) in coordination with the Office of Health Security, support components of the Department, and Federal, State, local, Tribal, and territorial partners on chemical, biological, radiological, nuclear, and other related emerging threats health matters;

''(J) provide expertise on weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats to Department and Federal partners to support engagements and efforts with international partners subject to the research, development, testing, and evaluation coordination requirement under subparagraph (G); and

''(K) carry out any other duties assigned to the Office by the Secretary.

''(2) DETECTION AND REPORTING.—For purposes of the detection and reporting responsibilities of the Office for weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats, the Office shall—

''(A) in coordination with end users, including State, local, Tribal, and territorial partners, as appropriate—

''(i) carry out a program to test and evaluate technology, in consultation with the Science and Technology Directorate, to detect and report on weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats weapons or unauthorized material, in coordination with other Federal agencies, as appropriate, and establish performance metrics to evaluate the effectiveness of individual detectors and detection systems in detecting those weapons or material—

''(I) under realistic operational and environmental conditions; and

''(II) against realistic adversary tactics and countermeasures;

''(B) in coordination with end users, conduct, support, coordinate, and encourage a transformational program of research and development to generate and improve technologies to detect, protect against, and report on the illicit entry, transport, assembly, or potential use within the United States of weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats weapons or unauthorized material, and coordinate with the Under Secretary for Science and Technology on research and development efforts relevant to the mission of the Office and the Under Secretary for Science and Technology;

''(C) before carrying out operational testing under subparagraph (A), develop a testing and evaluation plan that articulates the requirements for the user and describes how these capability needs will be tested in developmental test and evaluation and operational test and evaluation;

''(D) as appropriate, develop, acquire, and deploy equipment to detect and report on weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats weapons or unauthorized material in support of Federal, State, local, Tribal, and territorial governments;

''(E) support and enhance the effective sharing and use of appropriate information on weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats and related emerging issues generated by elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), law enforcement agencies, other Federal agencies, State, local, Tribal, and territorial governments, and foreign governments, as well as provide appropriate information to those entities;

''(F) consult, as appropriate, with the Federal Emergency Management Agency and other departmental components, on weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats and efforts to mitigate, prepare, and respond to all threats in support of the State, local, and Tribal communities; and

''(G) perform other duties as assigned by the Secretary.'';

(C) in subsection (b), as so redesignated—

(i) in the subsection heading, by striking ''MISSION'' and inserting ''RADIOLOGICAL AND NUCLEAR RESPONSIBILITIES'';

(ii) in paragraph (1)—

(I) by inserting ''deploy,'' after ''acquire,''; and

(II) by striking ''deployment'' and inserting ''operations'';

(iii) by striking paragraphs (6) through (10);

(iv) redesignating paragraphs (11) and (12) as paragraphs (6) and (7), respectively;

(v) in paragraph (7)(C)(v), as so redesignated—

(I) in the matter preceding subclause (I), by inserting ''except as otherwise provided,'' before ''require''; and

(II) in subclause (II)—

(aa) in the matter preceding item (aa), by striking ''death or disability'' and inserting ''death, disability, or a finding of good cause as determined by the Assistant Secretary (including extreme hardship, extreme need, or the needs of the Office) and for which the Assistant Secretary may grant a waiver of the repayment obligation''; and

(bb) in item (bb), by adding ''and'' at the end;

(vi) by striking paragraph (13); and

(vii) by redesignating paragraph (14) as paragraph (8); and

(D) by inserting after subsection (b), as so redesignated, the following:

''(c) CHEMICAL AND BIOLOGICAL RESPONSIBILITIES.—The Office—

''(1) shall be responsible for coordinating with other Federal efforts to enhance the ability of Federal, State, local, and Tribal governments to prevent, detect, protect against, and mitigate the impacts of chemical and biological threats against the United States; and

''(2) shall—

''(A) serve as a primary entity of the Federal Government to further develop, acquire, deploy, and support the operations of a national biosurveillance system in support of Federal, State, local, Tribal, and territorial governments, and improve that system over time;

''(B) enhance the chemical and biological detection efforts of Federal, State, local, Tribal, and territorial governments and provide guidance, tools, and training to help ensure a managed, coordinated response; and

''(C) collaborate with the Biomedical Advanced Research and Development Authority, the Office of Health Security, the Defense Advanced Research Projects Agency, and the National Aeronautics and Space Administration, and other relevant Federal stakeholders, and receive input from industry, academia, and the national laboratories on chemical and biological surveillance efforts.'';

(5) in section 1924 (6 U.S.C. 593), by striking ''section 11011 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note).'' and inserting ''section 4092 of title 10, United States Code, except that the authority shall be limited to facilitate the recruitment of experts in the chemical, biological, radiological, or nuclear specialties.'';

(6) in section 1927(a)(1)(C) (6 U.S.C. 596a(a)(1)(C))—

(A) in clause (i), by striking ''required under section 1036 of the National Defense Authorization Act for Fiscal Year 2010'';

(B) in clause (ii), by striking ''and'' at the end;

(C) in clause (iii), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(iv) includes any other information regarding national technical nuclear forensics activities carried out under section 1923.'';

(7) in section 1928 (6 U.S.C. 596b)—

(A) in subsection (c)(1), by striking ''from among high-risk urban areas under section 2003'' and inserting ''based on the capability and capacity of the jurisdiction, as well as the relative threat, vulnerability, and consequences from terrorist attacks and other high-consequence events utilizing nuclear or other radiological materials''; and

(B) by striking subsection (d) and inserting the following:

''(d) REPORT.—Not later than 2 years after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Secretary shall submit to the appropriate congressional committees an update on the STC program.''; and

(8) by adding at the end the following:

''SEC. 1929. ACCOUNTABILITY.

''(a) DEPARTMENTWIDE STRATEGY.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, and every 4 years thereafter, the Secretary shall create a Departmentwide strategy and implementation plan to counter weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats, which should—

''(A) have clearly identified authorities, specified roles, objectives, benchmarks, accountability, and timelines;

''(B) incorporate the perspectives of non-Federal and private sector partners; and

''(C) articulate how the Department will contribute to relevant national-level strategies and work with other Federal agencies.

''(2) CONSIDERATION.—The Secretary shall appropriately consider weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats when creating the strategy and implementation plan required under paragraph (1).

''(3) REPORT.—The Office shall submit to the appropriate congressional committees a report on the updated Departmentwide strategy and implementation plan required under paragraph (1).

''(b) DEPARTMENTWIDE BIODEFENSE REVIEW AND STRATEGY.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Secretary, in consultation with appropriate stakeholders representing Federal, State, Tribal, territorial, academic, private sector, and nongovernmental entities, shall conduct a Departmentwide review of biodefense activities and strategies.

''(2) REVIEW.—The review required under paragraph (1) shall—

''(A) identify with specificity the biodefense lines of effort of the Department, including relating to biodefense roles, responsibilities, and capabilities of components and offices of the Department;

''(B) assess how such components and offices coordinate internally and with public and private partners in the biodefense enterprise;

''(C) identify any policy, resource, capability, or other gaps in the Department's ability to assess, prevent, protect against, and respond to biological threats; and

''(D) identify any organizational changes or reforms necessary for the Department to effectively execute its biodefense mission and role, including with respect to public and private partners in the biodefense enterprise.

''(3) STRATEGY.—Not later than 1 year after completion of the review required under paragraph (1), the Secretary shall issue a biodefense strategy for the Department that—

''(A) is informed by such review and is aligned with section 1086 of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 104; relating to the development of a national biodefense strategy and associated implementation plan, including a review and assessment of biodefense policies, practices, programs, and initiatives) or any successor strategy; and

''(B) shall—

''(i) describe the biodefense mission and role of the Department, as well as how such mission and role relates to the biodefense lines of effort of the Department;

''(ii) clarify, as necessary, biodefense roles, responsibilities, and capabilities of the components and offices of the Department involved in the biodefense lines of effort of the Department;

''(iii) establish how biodefense lines of effort of the Department are to be coordinated within the Department;

''(iv) establish how the Department engages with public and private partners in the biodefense enterprise, including other Federal agencies, national laboratories and sites, and State, local, Tribal, and territorial entities, with specificity regarding the frequency and nature of such engagement by Department components and offices with State, local, Tribal and territorial entities; and

''(v) include information relating to—

''(I) milestones and performance metrics that are specific to the biodefense mission and role of the Department described in clause (i); and

''(II) implementation of any operational changes necessary to carry out clauses (iii) and (iv).

''(4) PERIODIC UPDATE.—Beginning not later than 5 years after the issuance of the biodefense strategy and implementation plans required under paragraph (3), and not less often than once every 5 years thereafter, the Secretary shall review and update, as necessary, such strategy and plans.

''(5) CONGRESSIONAL OVERSIGHT.—Not later than 30 days after the issuance of the biodefense strategy and implementation plans required under paragraph (3), the Secretary shall brief the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives regarding such strategy and plans.

''(c) EMPLOYEE MORALE.—Not later than 180 days after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Office shall submit to and brief the appropriate congressional committees on a strategy and plan to continuously improve morale within the Office.

''(d) COMPTROLLER GENERAL.—Not later than 1 year after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Comptroller General of the United States shall conduct a review of and brief the appropriate congressional committees on—

''(1) the efforts of the Office to prioritize the programs and activities that carry out the mission of the Office, including research and development;

''(2) the consistency and effectiveness of stakeholder coordination across the mission of the Department, including operational and support components of the Department and State and local entities; and

''(3) the efforts of the Office to manage and coordinate the lifecycle of research and development within the Office and with other components of the Department, including the Science and Technology Directorate.

''(e) NATIONAL ACADEMIES OF SCIENCES, ENGINEERING, AND MEDICINE.—

''(1) STUDY.—The Secretary shall enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to conduct a consensus study and report to the Secretary and the appropriate congressional committees on—

''(A) the role of the Department in preparing, detecting, and responding to biological and health security threats to the homeland;

''(B) recommendations to improve departmental biosurveillance efforts against biological threats, including any relevant biological detection methods and technologies; and

''(C) the feasibility of different technological advances for biodetection compared to the cost, risk reduction, and timeliness of those advances.

''(2) BRIEFING.—Not later than 1 year after the date on which the Secretary receives the report required under paragraph (1), the Secretary shall brief the appropriate congressional committees on—

''(A) the implementation of the recommendations included in the report; and

''(B) the status of biological detection at the Department, and, if applicable, timelines for the transition from Biowatch to updated technology.

''(f) ADVISORY COUNCIL.—

''(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Secretary shall establish an advisory body to advise on the ongoing coordination of the efforts of the Department to counter weapons of mass destruction, to be known as the Advisory Council for Countering Weapons of Mass Destruction (in this subsection referred to as the 'Advisory Council').

''(2) MEMBERSHIP.—The members of the Advisory Council shall—

''(A) be appointed by the Assistant Secretary; and

''(B) to the extent practicable, represent a geographic (including urban and rural) and substantive cross section of officials, from State, local, and Tribal governments, academia, the private sector, national laboratories, and nongovernmental organizations, including, as appropriate—

''(i) members selected from the emergency management field and emergency response providers;

''(ii) State, local, and Tribal government officials;

''(iii) experts in the public and private sectors with expertise in chemical, biological, radiological, and nuclear agents and weapons;

''(iv) representatives from the national laboratories; and

''(v) such other individuals as the Assistant Secretary determines to be appropriate.

''(3) RESPONSIBILITIES.— The Advisory Council shall—

''(A) advise the Assistant Secretary on all aspects of countering weapons of mass destruction;

''(B) incorporate State, local, and Tribal government, national laboratories, and private sector input in the development of the strategy and implementation plan of the Department for countering weapons of mass destruction; and

''(C) establish performance criteria for a national biological detection system and review the testing protocol for biological detection prototypes.

''(4) CONSULTATION.—To ensure input from and coordination with State, local, and Tribal governments, the Assistant Secretary shall regularly consult and work with the Advisory Council on the administration of Federal assistance provided by the Department, including with respect to the development of requirements for countering weapons of mass destruction programs, as appropriate.

''(5) VOLUNTARY SERVICE.—The members of the Advisory Council shall serve on the Advisory Council on a voluntary basis.

''(6) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Council.''.

(b) COUNTERING WEAPONS OF MASS DESTRUCTION ACT OF 2018.—Section 2 of the Countering Weapons of Mass Destruction Act of 2018 (Public Law 115–387; 132 Stat. 5162) is amended—

(1) in subsection (b)(2) (6 U.S.C. 591 note), by striking ''1927'' and inserting ''1926''; and

(2) in subsection (g) (6 U.S.C. 591 note)—

(A) in the matter preceding paragraph (1), by striking ''one year after the date of the enactment of this Act, and annually thereafter,'' and inserting ''June 30 of each year,''; and

(B) in paragraph (2), by striking ''Security, including research and development activities'' and inserting ''Security''.

(c) SECURITY AND ACCOUNTABILITY FOR EVERY PORT ACT OF 2006.—The Security and Accountability for Every Port Act of 2006 (6 U.S.C. 901 et seq.) is amended—

(1) in section 1(b) (Public Law 109–347; 120 Stat 1884), by striking the item relating to section 502; and

(2) by striking section 502 (6 U.S.C. 592a).

SEC. 5143. RULE OF CONSTRUCTION.

Nothing in this chapter or the amendments made by this chapter shall be construed to affect or diminish the authorities or responsibilities of the Under Secretary for Science and Technology.

CHAPTER 2—OFFICE OF HEALTH SECURITY

SEC. 5144. OFFICE OF HEALTH SECURITY.

(a) ESTABLISHMENT.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) in section 103 (6 U.S.C. 113)—

(A) in subsection (a)(2)—

(i) by striking ''the Assistant Secretary for Health Affairs,''; and

(ii) by striking ''Affairs, or'' and inserting ''Affairs or''; and

(B) in subsection (d), by adding at the end the following:

''(6) A Chief Medical Officer.'';

(2) by adding at the end the following:

''TITLE XXIII—OFFICE OF HEALTH SECURITY'';

(3) by redesignating section 1931 (6 U.S.C. 597) as section 2301 and transferring such section to appear after the heading for title XXIII, as added by paragraph (2); and

(4) in section 2301, as so redesignated—

(A) in the section heading, by striking ''**CHIEF MEDICAL OFFICER**'' and inserting ''**OFFICE OF HEALTH SECURITY**'';

(B) by striking subsections (a) and (b) and inserting the following:

''(a) IN GENERAL.—There is established in the Department an Office of Health Security.

''(b) HEAD OF OFFICE OF HEALTH SECURITY.—The Office of Health Security shall be headed by a chief medical officer, who shall—

''(1) be the Assistant Secretary for Health Security and the Chief Medical Officer of the Department;

''(2) be a licensed physician possessing a demonstrated ability in and knowledge of medicine and public health;

''(3) be appointed by the President; and

''(4) report directly to the Secretary.'';

(C) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking ''medical issues related to natural disasters, acts of terrorism, and other man-made disasters'' and inserting ''oversight of all medical, public health, and workforce health and safety matters of the Department'';

(ii) in paragraph (1), by striking '', the Administrator of the Federal Emergency Management Agency, the Assistant Secretary, and other Department officials'' and inserting ''and all other Department officials'';

(iii) in paragraph (4), by striking ''and'' at the end;

(iv) by redesignating paragraph (5) as paragraph (13); and

(v) by inserting after paragraph (4) the following:

''(5) overseeing all medical and public health activities of the Department, including the delivery, advisement, and oversight of direct patient care and the organization, management, and staffing of component operations that deliver direct patient care;

''(6) advising the head of each component of the Department that delivers direct patient care regarding the recruitment and appointment of a component chief medical officer and deputy chief medical officer or the employee who functions in the capacity of chief medical officer and deputy chief medical officer;

''(7) advising the Secretary and the head of each component of the Department that delivers direct patient care regarding knowledge and skill standards for medical personnel and the assessment of that knowledge and skill;

''(8) advising the Secretary and the head of each component of the Department that delivers patient care regarding the collection, storage, and oversight of medical records;

''(9) with respect to any psychological health counseling or assistance program of the Department, including such a program of a law enforcement, operational, or support component of the Department, advising the head of each such component with such a program regarding—

''(A) ensuring such program includes safeguards against adverse action, including automatic referrals for a fitness for duty examination, by such component with respect to any employee solely because such employee self-identifies a need for psychological health counseling or assistance or receives such counseling or assistance;

''(B) increasing the availability and number of local psychological health professionals with experience providing psychological support services to personnel;

''(C) establishing a behavioral health curriculum for employees at the beginning of their careers to provide resources early regarding the importance of psychological health;

''(D) establishing periodic management training on crisis intervention and such component's psychological health counseling or assistance program;

''(E) improving any associated existing employee peer support programs, including by making additional training and resources available for peer support personnel in the workplace across such component;

''(F) developing and implementing a voluntary alcohol treatment program that includes a safe harbor for employees who seek treatment;

''(G) including, when appropriate, collaborating and partnering with key employee stakeholders and, for those components with employees with an exclusive representative, the exclusive representative with respect to such a program;

''(10) in consultation with the Chief Information Officer of the Department—

''(A) identifying methods and technologies for managing, updating, and overseeing patient records; and

''(B) setting standards for technology used by the components of the Department regarding the collection, storage, and oversight of medical records;

''(11) advising the Secretary and the head of each component of the Department that

delivers direct patient care regarding contracts for the delivery of direct patient care, other medical services, and medical supplies;

''(12) coordinating with the Countering Weapons of Mass Destruction Office and other components of the Department as directed by the Secretary to enhance the ability of Federal, State, local, Tribal, and territorial governments to prevent, detect, protect against, and mitigate the health effects of chemical, biological, radiological, and nuclear issues; and''; and

(D) by adding at the end the following:

''(d) ASSISTANCE AND AGREEMENTS.—The Secretary, acting through the Chief Medical Officer, in support of the medical and public health activities of the Department, may—

''(1) provide technical assistance, training, and information and distribute funds through grants and cooperative agreements to State, local, Tribal, and territorial governments and nongovernmental organizations;

''(2) enter into other transactions;

''(3) enter into agreements with other Federal agencies; and

''(4) accept services from personnel of components of the Department and other Federal agencies on a reimbursable or nonreimbursable basis.

''(e) OFFICE OF HEALTH SECURITY PRIVACY OFFICER.—There shall be a Privacy Officer in the Office of Health Security with primary responsibility for privacy policy and compliance within the Office, who shall—

''(1) report directly to the Chief Medical Officer; and

''(2) ensure privacy protections are integrated into all Office of Health Security activities, subject to the review and approval of the Privacy Officer of the Department to the extent consistent with the authority of the Privacy Officer of the Department under section 222.

''(f) ACCOUNTABILITY.—

''(1) STRATEGY AND IMPLEMENTATION PLAN.—Not later than 180 days after the date of enactment of this section, and every 4 years thereafter, the Secretary shall create a Departmentwide strategy and implementation plan to address health threats.

''(2) BRIEFING.—Not later than 90 days after the date of enactment of this section, the Secretary shall brief the appropriate congressional committees on the organizational transformations of the Office of Health Security, including how best practices were used in the creation of the Office of Health Security.'';

(5) by redesignating section 710 (6 U.S.C. 350) as section 2302 and transferring such section to appear after section 2301, as so redesignated;

(6) in section 2302, as so redesignated—

(A) in the section heading, by striking ''**MEDICAL SUPPORT**'' and inserting ''**SAFETY**'';

(B) in subsection (a), by striking ''Under Secretary for Management'' each place that term appears and inserting ''Chief Medical Officer''; and

(C) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking ''Under Secretary for Management, in coordination with the Chief Medical Officer,'' and inserting ''Chief Medical Officer''; and

(ii) in paragraph (3), by striking ''as deemed appropriate by the Under Secretary,'';

(7) by redesignating section 528 (6 U.S.C. 321q) as section 2303 and transferring such section to appear after section 2302, as so redesignated; and

(8) in section 2303(a), as so redesignated, by striking ''Assistant Secretary for the Countering Weapons of Mass Destruction Office'' and inserting ''Chief Medical Officer''.

(b) TRANSITION AND TRANSFERS.—

(1) TRANSITION.—The individual appointed pursuant to section 1931 of the Homeland Security Act of 2002 (6 U.S.C. 597) of the Department of Homeland Security, as in effect on the day before the date of enactment of this Act, and serving as the Chief Medical Officer of the Department of Homeland Security on the day before the date of enactment of this Act, shall continue to serve as the Chief Medical Officer of the Department on and after the date of enactment of this Act without the need for reappointment.

(2) RULE OF CONSTRUCTION.—The rule of construction described in section 2(hh) of the Presidential Appointment Efficiency and Streamlining Act of 2011 (5 U.S.C. 3132 note) shall not apply to the Chief Medical Officer of the Department of Homeland Security, including the incumbent who holds the position on the day before the date of enactment of this Act, and such officer shall be paid pursuant to section 3132(a)(2) or 5315 of title 5, United States Code.

(3) TRANSFER.—The Secretary of Homeland Security shall transfer to the Chief Medical Officer of the Department of Homeland Security—

(A) all functions, personnel, budget authority, and assets of the Under Secretary for Management relating to workforce health and safety, as in existence on the day before the date of enactment of this Act;

(B) all functions, personnel, budget authority, and assets of the Assistant Secretary for the Countering Weapons of Mass Destruction Office relating to the Chief Medical Officer, including the Medical Operations Directorate of the Countering Weapons of Mass Destruction Office, as in existence on the day before the date of enactment of this Act; and

(C) all functions, personnel, budget authority, and assets of the Assistant Secretary for the Countering Weapons of Mass Destruction Office associated with the efforts pertaining to the program coordination activities relating to defending the food, agriculture, and veterinary defenses of the Office, as in existence on the day before the date of enactment of this Act.

SEC. 5145. MEDICAL COUNTERMEASURES PROGRAM.

The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by redesignating section 1932 (6 U.S.C. 597a) as section 2304 and transferring such section to appear after section 2303, as so redesignated by section 5144 of this subtitle.

SEC. 5146. CONFIDENTIALITY OF MEDICAL QUALITY ASSURANCE RECORDS.

Title XXIII of the Homeland Security Act of 2002, as added by this chapter, is amended by adding at the end the following:

''SEC. 2305. CONFIDENTIALITY OF MEDICAL QUALITY ASSURANCE RECORDS.

''(a) DEFINITIONS.—In this section:

''(1) HEALTH CARE PROVIDER.—The term 'health care provider' means an individual who—

''(A) is—

''(i) an employee of the Department;

''(ii) a detailee to the Department from another Federal agency;

''(iii) a personal services contractor of the Department; or

''(iv) hired under a contract for services;

''(B) performs health care services as part of duties of the individual in that capacity; and

''(C) has a current, valid, and unrestricted license or certification—

''(i) that is issued by a State, the District of Columbia, or a commonwealth, territory, or possession of the United States; and

''(ii) that is for the practice of medicine, osteopathic medicine, dentistry, nursing, emergency medical services, or another health profession.

''(2) MEDICAL QUALITY ASSURANCE PROGRAM.—The term 'medical quality assurance program' means any activity carried out by the Department to assess the quality of medical care, including activities conducted by individuals, committees, or other review bodies responsible for quality assurance, credentials, infection control, incident reporting, the delivery, advisement, and oversight of direct patient care and assessment (including treatment procedures, blood, drugs, and therapeutics), medical records, health resources management review, and identification and prevention of medical, mental health, or dental incidents and risks.

''(3) MEDICAL QUALITY ASSURANCE RECORD OF THE DEPARTMENT.—The term 'medical quality assurance record of the Department' means all information, including the proceedings, records (including patient records that the Department creates and maintains as part of a system of records), minutes, and reports that—

''(A) emanate from quality assurance program activities described in paragraph (2); and

''(B) are produced or compiled by the Department as part of a medical quality assurance program.

''(b) CONFIDENTIALITY OF RECORDS.—A medical quality assurance record of the Department that is created as part of a medical quality assurance program—

''(1) is confidential and privileged; and

''(2) except as provided in subsection (d), may not be disclosed to any person or entity.

''(c) PROHIBITION ON DISCLOSURE AND TESTIMONY.—Except as otherwise provided in this section—

''(1) no part of any medical quality assurance record of the Department may be subject to discovery or admitted into evidence in any judicial or administrative proceeding; and

''(2) an individual who reviews or creates a medical quality assurance record of the Department or who participates in any proceeding that reviews or creates a medical quality assurance record of the Department may not be permitted or required to testify in any judicial or administrative proceeding with respect to the record or with respect to any finding, recommendation, evaluation, opinion, or action taken by that individual in connection with the record.

''(d) AUTHORIZED DISCLOSURE AND TESTIMONY.—

''(1) IN GENERAL.—Subject to paragraph (2), a medical quality assurance record of the Department may be disclosed, and a person described in subsection (c)(2) may give testimony in connection with the record, only as follows:

''(A) To a Federal agency or private organization, if the medical quality assurance record of the Department or testimony is needed by the Federal agency or private organization to—

''(i) perform licensing or accreditation functions related to Department health care facilities, a facility affiliated with the Department, or any other location authorized by the Secretary for the performance of health care services; or

''(ii) perform monitoring, required by law, of Department health care facilities, a facility affiliated with the Department, or any other location authorized by the Secretary for the performance of health care services.

''(B) To an administrative or judicial proceeding concerning an adverse action related to the credentialing of or health care provided by a present or former health care provider by the Department.

''(C) To a governmental board or agency or to a professional health care society or organization, if the medical quality assurance record of the Department or testimony is

needed by the board, agency, society, or organization to perform licensing, credentialing, or the monitoring of professional standards with respect to any health care provider who is or was a health care provider for the Department.

''(D) To a hospital, medical center, or other institution that provides health care services, if the medical quality assurance record of the Department or testimony is needed by the institution to assess the professional qualifications of any health care provider who is or was a health care provider for the Department and who has applied for or been granted authority or employment to provide health care services in or on behalf of the institution.

''(E) To an employee, a detailee, or a contractor of the Department who has a need for the medical quality assurance record of the Department or testimony to perform official duties or duties within the scope of their contract.

''(F) To a criminal or civil law enforcement agency or instrumentality charged under applicable law with the protection of the public health or safety, if a qualified representative of the agency or instrumentality makes a written request that the medical quality assurance record of the Department or testimony be provided for a purpose authorized by law.

''(G) In an administrative or judicial proceeding commenced by a criminal or civil law enforcement agency or instrumentality described in subparagraph (F), but only with respect to the subject of the proceeding.

''(2) PERSONALLY IDENTIFIABLE INFORMATION.—

''(A) IN GENERAL.—With the exception of the subject of a quality assurance action, personally identifiable information of any person receiving health care services from the Department or of any other person associated with the Department for purposes of a medical quality assurance program that is disclosed in a medical quality assurance record of the Department shall be deleted from that record before any disclosure of the record is made outside the Department.

''(B) APPLICATION.—The requirement under subparagraph (A) shall not apply to the release of information that is permissible under section 552a of title 5, United States Code (commonly known as the 'Privacy Act of 1974').

''(e) DISCLOSURE FOR CERTAIN PURPOSES.—Nothing in this section shall be construed—

''(1) to authorize or require the withholding from any person or entity de-identified aggregate statistical information regarding the results of medical quality assurance programs, under de-identification standards developed by the Secretary in consultation with the Secretary of Health and Human Services, as appropriate, that is released in a manner in accordance with all other applicable legal requirements; or

''(2) to authorize the withholding of any medical quality assurance record of the Department from a committee of either House of Congress, any joint committee of Congress, or the Comptroller General of the United States if the record pertains to any matter within their respective jurisdictions.

''(f) PROHIBITION ON DISCLOSURE OF INFORMATION, RECORD, OR TESTIMONY.—A person or entity having possession of or access to a medical quality assurance record of the Department or testimony described in this section may not disclose the contents of the record or testimony in any manner or for any purpose except as provided in this section.

''(g) EXEMPTION FROM FREEDOM OF INFORMATION ACT.—A medical quality assurance record of the Department shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code (commonly known as the 'Freedom of Information Act').

''(h) LIMITATION ON CIVIL LIABILITY.—A person who participates in the review or creation of, or provides information to a person or body that reviews or creates, a medical quality assurance record of the Department shall not be civilly liable under this section for that participation or for providing that information if the participation or provision of information was—

''(1) provided in good faith based on prevailing professional standards at the time the medical quality assurance program activity took place; and

''(2) made in accordance with any other applicable legal requirement, including Federal privacy laws and regulations.

''(i) APPLICATION TO INFORMATION IN CERTAIN OTHER RECORDS.—Nothing in this section shall be construed as limiting access to the information in a record created and maintained outside a medical quality assurance program, including the medical record of a patient, on the grounds that the information was presented during meetings of a review body that are part of a medical quality assurance program.

''(j) PENALTY.—Any person who willfully discloses a medical quality assurance record of the Department other than as provided in this section, knowing that the record is a medical quality assurance record of the Department shall be fined not more than $3,000 in the case of a first offense and not more than $20,000 in the case of a subsequent offense.

''(k) RELATIONSHIP TO COAST GUARD.—The requirements of this section shall not apply to any medical quality assurance record of the Department that is created by or for the Coast Guard as part of a medical quality assurance program.

''(l) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to supersede the requirements of—

''(1) the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 1936) and its implementing regulations;

''(2) the Health Information Technology for Economic and Clinical Health Act(42 U.S.C. 17931 et seq.) and its implementing regulations; or

''(3) sections 921 through 926 of the Public Health Service Act (42 U.S.C. 299b–21 through 299b–26) and their implementing regulations.''.

SEC. 5147. TECHNICAL AND CONFORMING AMENDMENTS.

The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) in the table of contents in section 1(b) (Public Law 107–296; 116 Stat. 2135)—

(A) by striking the items relating to sections 528 and 529 and inserting the following:

''Sec. 528. Transfer of equipment during a public health emergency.

(B) by striking the items relating to sections 710, 711, 712, and 713 and inserting the following:

''Sec. 710. Employee engagement.
''Sec. 711. Annual employee award program.
''Sec. 712. Acquisition professional career program.

(C) by inserting after the item relating to section 1928 the following:

''Sec. 1929. Accountability.

(D) by striking the items relating to subtitle C of title XIX and sections 1931 and 1932; and

(E) by adding at the end the following:

''TITLE XXIII—OFFICE OF HEALTH SECURITY

''Sec. 2301. Office of Health Security.
''Sec. 2302. Workforce health and safety.
''Sec. 2303. Coordination of Department of Homeland Security efforts related to food, agriculture, and veterinary defense against terrorism.
''Sec. 2304. Medical countermeasures.
''Sec. 2305. Confidentiality of medical quality assurance records.

(2) by redesignating section 529 (6 U.S.C. 321r) as section 528;

(3) in section 704(e)(4) (6 U.S.C. 344(e)(4)), by striking ''section 711(a)'' and inserting ''section 710(a))'';

(4) by redesignating sections 711, 712, and 713 as sections 710, 711, and 712, respectively;

(5) in subsection (d)(3) of section 1923 (6 U.S.C. 592), as so redesignated by section 5142 of this Act—

(A) in the paragraph heading, by striking ''HAWAIIAN NATIVE-SERVING'' and inserting ''NATIVE HAWAIIAN-SERVING''; and

(B) by striking ''Hawaiian native-serving'' and inserting '' 'Native Hawaiian-serving''; and

(6) by striking the subtitle heading for subtitle C of title XIX.

Subtitle F—Satellite Cybersecurity Act

SEC. 5151. SHORT TITLE.

This subtitle may be cited as the ''Satellite Cybersecurity Act''.

SEC. 5152. DEFINITIONS.

In this subtitle:

(1) CLEARINGHOUSE.—The term ''clearinghouse'' means the commercial satellite system cybersecurity clearinghouse required to be developed and maintained under section 5154(b)(1).

(2) COMMERCIAL SATELLITE SYSTEM.—The term ''commercial satellite system''—

(A) means a system that—

(i) is owned or operated by a non-Federal entity based in the United States; and

(ii) is composed of not less than 1 earth satellite; and

(B) includes—

(i) any ground support infrastructure for each satellite in the system; and

(ii) any transmission link among and between any satellite in the system and any ground support infrastructure in the system.

(3) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' has the meaning given the term in subsection (e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e)).

(4) CYBERSECURITY RISK.—The term ''cybersecurity risk'' has the meaning given the term in section 2200 of the Homeland Security Act of 2002, as added by section 5191 of this division.

(5) CYBERSECURITY THREAT.—The term ''cybersecurity threat'' has the meaning given the term in section 2200 of the Homeland Security Act of 2002, as added by section 5191 of this division.

SEC. 5153. REPORT ON COMMERCIAL SATELLITE CYBERSECURITY.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the actions the Federal Government has taken to support the cybersecurity of commercial satellite systems, including as part of any action to address the cybersecurity of critical infrastructure sectors.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall report to the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security and the Committee on Space, Science, and Technology of the House of Representatives on the study conducted under subsection (a), which shall include information on—

(1) efforts of the Federal Government to—

(A) address or improve the cybersecurity of commercial satellite systems; and

(B) support related efforts with international entities or the private sector;

(2) the resources made available to the public by Federal agencies to address cybersecurity risks and threats to commercial satellite systems, including resources made available through the clearinghouse;

(3) the extent to which commercial satellite systems and the cybersecurity threats to such systems are addressed in Federal and non-Federal critical infrastructure risk analyses and protection plans;

(4) the extent to which Federal agencies are reliant on satellite systems owned wholly or in part or controlled by foreign entities, and how Federal agencies mitigate associated cybersecurity risks;

(5) the extent to which Federal agencies coordinate or duplicate authorities and take other actions focused on the cybersecurity of commercial satellite systems; and

(6) as determined appropriate by the Comptroller General of the United States, recommendations for further Federal action to support the cybersecurity of commercial satellite systems, including recommendations on information that should be shared through the clearinghouse.

(c) CONSULTATION.—In carrying out subsections (a) and (b), the Comptroller General of the United States shall coordinate with appropriate Federal agencies and organizations, including—

(1) the Department of Homeland Security;

(2) the Department of Commerce;

(3) the Department of Defense;

(4) the Department of Transportation;

(5) the Federal Communications Commission;

(6) the National Aeronautics and Space Administration;

(7) the National Executive Committee for Space-Based Positioning, Navigation, and Timing; and

(8) the National Space Council.

(d) BRIEFING.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall provide a briefing to the appropriate congressional committees on the study conducted under subsection (a).

(e) CLASSIFICATION.—The report made under subsection (b) shall be unclassified but may include a classified annex.

SEC. 5154. RESPONSIBILITIES OF THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY.

(a) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term ''Director'' means the Director of the Cybersecurity and Infrastructure Security Agency.

(2) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

(b) ESTABLISHMENT OF COMMERCIAL SATELLITE SYSTEM CYBERSECURITY CLEARINGHOUSE.—

(1) IN GENERAL.—Subject to the availability of appropriations, not later than 180 days after the date of enactment of this Act, the Director shall develop and maintain a commercial satellite system cybersecurity clearinghouse.

(2) REQUIREMENTS.—The clearinghouse—

(A) shall be publicly available online;

(B) shall contain publicly available commercial satellite system cybersecurity resources, including the voluntary recommendations consolidated under subsection (c)(1);

(C) shall contain appropriate materials for reference by entities that develop, operate, or maintain commercial satellite systems;

(D) shall contain materials specifically aimed at assisting small business concerns with the secure development, operation, and maintenance of commercial satellite systems; and

(E) may contain controlled unclassified information distributed to commercial entities through a process determined appropriate by the Director.

(3) CONTENT MAINTENANCE.—The Director shall maintain current and relevant cybersecurity information on the clearinghouse.

(4) EXISTING PLATFORM OR WEBSITE.—To the extent practicable, the Director shall establish and maintain the clearinghouse using an online platform, a website, or a capability in existence as of the date of enactment of this Act.

(c) CONSOLIDATION OF COMMERCIAL SATELLITE SYSTEM CYBERSECURITY RECOMMENDATIONS.—

(1) IN GENERAL.—The Director shall consolidate voluntary cybersecurity recommendations designed to assist in the development, maintenance, and operation of commercial satellite systems.

(2) REQUIREMENTS.—The recommendations consolidated under paragraph (1) shall include materials appropriate for a public resource addressing the following:

(A) Risk-based, cybersecurity-informed engineering, including continuous monitoring and resiliency.

(B) Planning for retention or recovery of positive control of commercial satellite systems in the event of a cybersecurity incident.

(C) Protection against unauthorized access to vital commercial satellite system functions.

(D) Physical protection measures designed to reduce the vulnerabilities of a commercial satellite system's command, control, and telemetry receiver systems.

(E) Protection against jamming, eavesdropping, hijacking, computer network exploitation, spoofing, threats to optical satellite communications, and electromagnetic pulse.

(F) Security against threats throughout a commercial satellite system's mission lifetime.

(G) Management of supply chain risks that affect the cybersecurity of commercial satellite systems.

(H) Protection against vulnerabilities posed by ownership of commercial satellite systems or commercial satellite system companies by foreign entities.

(I) Protection against vulnerabilities posed by locating physical infrastructure, such as satellite ground control systems, in foreign countries.

(J) As appropriate, and as applicable pursuant to the maintenance requirement under subsection (b)(3), relevant findings and recommendations from the study conducted by the Comptroller General of the United States under section 5153(a).

(K) Any other recommendations to ensure the confidentiality, availability, and integrity of data residing on or in transit through commercial satellite systems.

(d) IMPLEMENTATION.—In implementing this section, the Director shall—

(1) to the extent practicable, carry out the implementation in partnership with the private sector;

(2) coordinate with—

(A) the National Space Council and the head of any other agency determined appropriate by the National Space Council; and

(B) the heads of appropriate Federal agencies with expertise and experience in satellite operations, including the entities described in section 5153(c) to enable the alignment of Federal efforts on commercial satellite system cybersecurity and, to the extent practicable, consistency in Federal recommendations relating to commercial satellite system cybersecurity; and

(3) consult with non-Federal entities developing commercial satellite systems or otherwise supporting the cybersecurity of commercial satellite systems, including private, consensus organizations that develop relevant standards.

(e) SUNSET AND REPORT.—

(1) IN GENERAL.—This section shall cease to have force or effect on the date that is 7 years after the date of the enactment of this Act.

(2) REPORT.—Not later than 6 years after the date of enactment of this Act, the Director shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security and the Committee on Space, Science, and Technology of the House of Representatives a report summarizing—

(A) any partnership with the private sector described in subsection (d)(1);

(B) any consultation with a non-Federal entity described in subsection (d)(3);

(C) the coordination carried out pursuant to subsection (d)(2);

(D) the establishment and maintenance of the clearinghouse pursuant to subsection (b);

(E) the recommendations consolidated pursuant to subsection (c)(1); and

(F) any feedback received by the Director on the clearinghouse from non-Federal entities.

SEC. 5155. STRATEGY.

Not later than 120 days after the date of the enactment of this Act, the National Space Council, in coordination with the Director of the Office of Space Commerce and the heads of other relevant agencies, shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Space, Science, and Technology and the Committee on Homeland Security of the House of Representatives a strategy for the activities of Federal agencies to address and improve the cybersecurity of commercial satellite systems, which shall include an identification of—

(1) proposed roles and responsibilities for relevant agencies; and

(2) as applicable, the extent to which cybersecurity threats to such systems are addressed in Federal and non-Federal critical infrastructure risk analyses and protection plans.

SEC. 5156. RULES OF CONSTRUCTION.

Nothing in this subtitle shall be construed to—

(1) designate commercial satellite systems or other space assets as a critical infrastructure sector; or

(2) infringe upon or alter the authorities of the agencies described in section 5153(c).

Subtitle G—Pray Safe Act

SEC. 5161. SHORT TITLE.

This subtitle may be cited as the ''Pray Safe Act''.

SEC. 5162. DEFINITIONS.

In this subtitle—

(1) the term ''Clearinghouse'' means the Federal Clearinghouse on Safety Best Practices for Faith-Based Organizations and Houses of Worship established under section 2220E of the Homeland Security Act of 2002, as added by section 5163 of this subtitle;

(2) the term ''Department'' means the Department of Homeland Security;

(3) the terms ''faith-based organization'' and ''house of worship'' have the meanings given such terms under section 2220E of the Homeland Security Act of 2002, as added by section 5163 of this subtitle; and

(4) the term ''Secretary'' means the Secretary of Homeland Security.

SEC. 5163. FEDERAL CLEARINGHOUSE ON SAFETY AND SECURITY BEST PRACTICES FOR FAITH-BASED ORGANIZATIONS AND HOUSES OF WORSHIP.

(a) IN GENERAL.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by adding at the end the following:

''SEC. 2220E. FEDERAL CLEARINGHOUSE ON SAFETY AND SECURITY BEST PRACTICES FOR FAITH-BASED ORGANIZATIONS AND HOUSES OF WORSHIP.

''(a) DEFINITIONS.—In this section—

''(1) the term 'Clearinghouse' means the Clearinghouse on Safety and Security Best Practices for Faith-Based Organizations and Houses of Worship established under subsection (b)(1);

''(2) the term 'faith-based organization' means a group, center, or nongovernmental organization with a religious, ideological, or spiritual motivation, character, affiliation, or purpose;

''(3) the term 'house of worship' means a place or building, including synagogues, mosques, temples, and churches, in which congregants practice their religious or spiritual beliefs; and

''(4) the term 'safety and security', for the purpose of the Clearinghouse, means prevention of, protection against, or recovery from threats, including manmade disasters, natural disasters, or violent attacks.

''(b) ESTABLISHMENT.—

''(1) IN GENERAL.—Not later than 270 days after the date of enactment of the Pray Safe Act, the Secretary, in consultation with the Attorney General, the Executive Director of the White House Office of Faith-Based and Neighborhood Partnerships, and the head of any other agency that the Secretary determines appropriate, shall establish a Federal Clearinghouse on Safety and Security Best Practices for Faith-Based Organizations and Houses of Worship within the Department.

''(2) PURPOSE.—The Clearinghouse shall be the primary resource of the Federal Government—

''(A) to educate and publish online best practices and recommendations for safety and security for faith-based organizations and houses of worship; and

''(B) to provide information relating to Federal grant programs available to faith-based organizations and houses of worship.

''(3) PERSONNEL.—

''(A) ASSIGNMENTS.—The Clearinghouse shall be assigned such personnel and resources as the Secretary considers appropriate to carry out this section.

''(B) DETAILEES.—The Secretary may coordinate detailees as required for the Clearinghouse.

''(C) DESIGNATED POINT OF CONTACT.—There shall be not less than 1 employee assigned or detailed to the Clearinghouse who shall be the designated point of contact to provide information and assistance to faith-based organizations and houses of worship, including assistance relating to the grant program established under section 5165 of the Pray Safe Act. The contact information of the designated point of contact shall be made available on the website of the Clearinghouse.

''(D) QUALIFICATION.—To the maximum extent possible, any personnel assigned or detailed to the Clearinghouse under this paragraph should be familiar with faith-based organizations and houses of worship and with physical and online security measures to identify and prevent safety and security risks.

''(c) CLEARINGHOUSE CONTENTS.—

''(1) EVIDENCE-BASED TIERS.—

''(A) IN GENERAL.—The Secretary, in consultation with the Attorney General, the Executive Director of the White House Office of Faith-Based and Neighborhood Partnerships, and the head of any other agency that the Secretary determines appropriate, shall develop tiers for determining evidence-based practices that demonstrate a significant effect on improving safety or security, or both, for faith-based organizations and houses of worship.

''(B) REQUIREMENTS.—The tiers required to be developed under subparagraph (A) shall—

''(i) prioritize—

''(I) strong evidence from not less than 1 well-designed and well-implemented experimental study; and

''(II) moderate evidence from not less than 1 well-designed and well-implemented quasi-experimental study; and

''(ii) consider promising evidence that demonstrates a rationale based on high-quality research findings or positive evaluations that such activity, strategy, or intervention is likely to improve security and promote safety for faith-based organizations and houses of worship.

''(2) CRITERIA FOR BEST PRACTICES AND RECOMMENDATIONS.—The best practices and recommendations of the Clearinghouse shall, at a minimum—

''(A) identify areas of concern for faith-based organizations and houses of worship, including event planning recommendations, checklists, facility hardening, tabletop exercise resources, and other resilience measures;

''(B) involve comprehensive safety measures, including threat prevention, preparedness, protection, mitigation, incident response, and recovery to improve the safety posture of faith-based organizations and houses of worship upon implementation;

''(C) involve comprehensive safety measures, including preparedness, protection, mitigation, incident response, and recovery to improve the resiliency of faith-based organizations and houses of worship from manmade and natural disasters;

''(D) include any evidence or research rationale supporting the determination of the Clearinghouse that the best practices or recommendations under subparagraph (B) have been shown to have a significant effect on improving the safety and security of individuals in faith-based organizations and houses of worship, including—

''(i) findings and data from previous Federal, State, local, Tribal, territorial, private sector, and nongovernmental organization research centers relating to safety, security, and targeted violence at faith-based organizations and houses of worship; and

''(ii) other supportive evidence or findings relied upon by the Clearinghouse in determining best practices and recommendations to improve the safety and security posture of a faith-based organization or house of worship upon implementation; and

''(E) include an overview of the available resources the Clearinghouse can provide for faith-based organizations and houses of worship.

''(3) ADDITIONAL INFORMATION.—The Clearinghouse shall maintain and make available a comprehensive index of all Federal grant programs for which faith-based organizations and houses of worship are eligible, which shall include the performance metrics for each grant management that the recipient will be required to provide.

''(4) PAST RECOMMENDATIONS.—To the greatest extent practicable, the Clearinghouse shall identify and present, as appropriate, best practices and recommendations issued by Federal, State, local, Tribal, territorial, private sector, and nongovernmental organizations relevant to the safety and security of faith-based organizations and houses of worship.

''(d) ASSISTANCE AND TRAINING.—The Secretary may produce and publish materials on the Clearinghouse to assist and train faith-based organizations, houses of worship, and law enforcement agencies on the implementation of the best practices and recommendations.

''(e) CONTINUOUS IMPROVEMENT.—

''(1) IN GENERAL.—The Secretary shall—

''(A) collect for the purpose of continuous improvement of the Clearinghouse—

''(i) Clearinghouse data analytics;

''(ii) user feedback on the implementation of resources, best practices, and recommendations identified by the Clearinghouse; and

''(iii) any evaluations conducted on implementation of the best practices and recommendations of the Clearinghouse; and

''(B) in coordination with the Faith-Based Security Advisory Council of the Department, the Department of Justice, the Executive Director of the White House Office of Faith-Based and Neighborhood Partnerships, and any other agency that the Secretary determines appropriate—

''(i) assess and identify Clearinghouse best practices and recommendations for which there are no resources available through Federal Government programs for implementation;

''(ii) provide feedback on the implementation of best practices and recommendations of the Clearinghouse; and

''(iii) propose additional recommendations for best practices for inclusion in the Clearinghouse; and

''(C) not less frequently than annually, examine and update the Clearinghouse in accordance with—

''(i) the information collected under subparagraph (A); and

''(ii) the recommendations proposed under subparagraph (B)(iii).

''(2) ANNUAL REPORT TO CONGRESS.—The Secretary shall submit to Congress, on an annual basis, a report on the updates made to the Clearinghouse during the preceding 1-year period under paragraph (1)(C), which shall include a description of any changes made to the Clearinghouse.''.

(b) TECHNICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended—

(1) by moving the item relating to section 2220D to appear after the item relating to section 2220C; and

(2) by inserting after the item relating to section 2220D the following:

''Sec. 2220E. Federal Clearinghouse on Safety Best Practices for Faith-Based Organizations and Houses of Worship.

SEC. 5164. NOTIFICATION OF CLEARINGHOUSE.

The Secretary shall provide written notification of the establishment of the Clearinghouse, with an overview of the resources required as described in section 2220E of the Homeland Security Act of 2002, as added by section 5163 of this subtitle, and section 5165 of this subtitle, to—

(1) every State homeland security advisor;

(2) every State department of homeland security;

(3) other Federal agencies with grant programs or initiatives that aid in the safety and security of faith-based organizations and houses of worship, as determined appropriate by the Secretary;

(4) every Federal Bureau of Investigation Joint Terrorism Task Force;

(5) every Homeland Security Fusion Center;

(6) every State or territorial Governor or other chief executive;

(7) the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate; and

(8) the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives.

SEC. 5165. GRANT PROGRAM OVERVIEW.

(a) DHS GRANTS AND RESOURCES.—The Secretary shall include a grants program overview on the website of the Clearinghouse that shall—

(1) be the primary location for all information regarding Department grant programs that are open to faith-based organizations and houses of worship;

(2) directly link to each grant application and any applicable user guides;

(3) identify all safety and security homeland security assistance programs managed by the Department that may be used to implement best practices and recommendation of the Clearinghouse;

(4) annually, and concurrent with the application period for any grant identified under paragraph (1), provide information related to the required elements of grant applications to aid smaller faith based organizations and houses of worship in earning access to Federal grants; and

(5) provide frequently asked questions and answers for the implementation of best practices and recommendations of the Clearinghouse and best practices for applying for a grant identified under paragraph (1).

(b) OTHER FEDERAL GRANTS AND RESOURCES.—Each Federal agency notified under section 5164(3) shall provide necessary information on any Federal grant programs or resources of the Federal agency that are available for faith-based organizations and houses of worship to the Secretary or the appropriate point of contact for the Clearinghouse.

(c) STATE GRANTS AND RESOURCES.—

(1) IN GENERAL.—Any State notified under paragraph (1), (2), or (6) of section 5164 may provide necessary information on any grant programs or resources of the State available for faith-based organizations and houses of worship to the Secretary or the appropriate point of contact for the Clearinghouse.

(2) IDENTIFICATION OF RESOURCES.—The Clearinghouse shall, to the extent practicable, identify, for each State—

(A) each agency responsible for safety for faith-based organizations and houses of worship in the State, or any State that does not have such an agency designated;

(B) any grant program that may be used for the purposes of implementing best practices and recommendations of the Clearinghouse; and

(C) any resources or programs, including community prevention or intervention efforts, that may be used to assist in targeted violence and terrorism prevention.

SEC. 5166. OTHER RESOURCES.

The Secretary shall, on the website of the Clearinghouse, include a separate section for other resources that shall provide a centralized list of all available points of contact to seek assistance in grant applications and in carrying out the best practices and recommendations of the Clearinghouse, including—

(1) a list of contact information to reach Department personnel to assist with grant-related questions;

(2) the applicable Cybersecurity and Infrastructure Security Agency contact information to connect houses of worship with Protective Security Advisors;

(3) contact information for all Department Fusion Centers, listed by State;

(4) information on the If you See Something Say Something Campaign of the Department; and

(5) any other appropriate contacts.

SEC. 5167. RULE OF CONSTRUCTION.

Nothing in this subtitle or the amendments made by this subtitle shall be construed to create, satisfy, or waive any requirement under Federal civil rights laws, including—

(1) title II of the Americans With Disabilities Act of 1990 (42 U.S.C. 12131 et seq.); or

(2) title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

SEC. 5168. EXEMPTION.

Chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'') shall not apply to any rulemaking or information collection required under this subtitle or under section 2220E of the Homeland Security Act of 2002, as added by section 5163 of this subtitle.

Subtitle H—Invent Here, Make Here for Homeland Security Act

SEC. 5171. SHORT TITLE.

This subtitle may be cited as the ''Invent Here, Make Here for Homeland Security Act''.

SEC. 5172. PREFERENCE FOR UNITED STATES INDUSTRY.

Section 308 of the Homeland Security Act of 2002 (6 U.S.C. 188) is amended by adding at the end the following:

''(d) PREFERENCE FOR UNITED STATES INDUSTRY.—

''(1) DEFINITIONS.—In this subsection:

''(A) COUNTRY OF CONCERN.—The term 'country of concern' means a country that—

''(i) is a covered nation, as that term is defined in section 4872(d) of title 10, United States Code; or

''(ii) the Secretary determines is engaged in conduct that is detrimental to the national security of the United States.

''(B) FUNDING AGREEMENT; NONPROFIT ORGANIZATION; SUBJECT INVENTION.—The terms 'funding agreement', 'nonprofit organization', and 'subject invention' have the meanings given those terms in section 201 of title 35, United States Code.

''(C) MANUFACTURED SUBSTANTIALLY IN THE UNITED STATES.—The term 'manufactured substantially in the United States' means manufactured substantially from all articles, materials, or supplies mined, produced, or manufactured in the United States.

''(D) RELEVANT CONGRESSIONAL COMMITTEES.—The term 'relevant congressional committees' means—

''(i) the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(ii) the Committee on Homeland Security of the House of Representatives.

''(2) PREFERENCE.—Subject to the other provisions of this subsection, no firm or nonprofit organization which receives title to any subject invention developed under a funding agreement entered into with the Department and no assignee of any such firm or nonprofit organization shall grant the exclusive right to use or sell any subject invention unless the products embodying the subject invention or produced through the use of the subject invention will be manufactured substantially in the United States.

''(3) WAIVERS.—

''(A) IN GENERAL.—Subject to subparagraph (B), in individual cases, the requirement for an agreement described in paragraph (2) may be waived by the Secretary upon a showing by the firm, nonprofit organization, or assignee that reasonable but unsuccessful efforts have been made to grant licenses on similar terms to potential licensees that would be likely to manufacture substantially in the United States or that under the circumstances domestic manufacture is not commercially feasible.

''(B) CONDITIONS ON WAIVERS GRANTED BY DEPARTMENT.—

''(i) BEFORE GRANT OF WAIVER.—Before granting a waiver under subparagraph (A), the Secretary shall—

''(I) consult with the relevant congressional committees regarding the decision of the Secretary to grant the waiver; and

''(II) comply with the procedures developed and implemented pursuant to section 70923(b)(2) of the Build America, Buy America Act (subtitle A of title IX of division G of Public Law 117–58).

''(ii) PROHIBITION ON GRANTING CERTAIN WAIVERS.—The Secretary may not grant a waiver under subparagraph (A) if, as a result of the waiver, products embodying the applicable subject invention, or produced through the use of the applicable subject invention, will be manufactured substantially in a country of concern.''.

Subtitle I—DHS Joint Task Forces Reauthorization

SEC. 5181. SHORT TITLE.

This subtitle may be cited as the ''DHS Joint Task Forces Reauthorization Act of 2022''.

SEC. 5182. SENSE OF THE SENATE.

It is the sense of the Senate that the Department of Homeland Security should consider using the authority under subsection (b) of section 708 of the Homeland Security Act of 2002 (6 U.S.C. 348(b)) to create a Joint Task Force described in such subsection to improve coordination and response to the number of encounters and amount of seizures of illicit narcotics along the southwest border.

SEC. 5183. AMENDING SECTION 708 OF THE HOMELAND SECURITY ACT OF 2002.

Section 708(b) of the Homeland Security Act of 2002 (6 U.S.C. 348(b)) is amended—

(1) by striking paragraph (8) and inserting the following:

''(8) JOINT TASK FORCE STAFF.—

''(A) IN GENERAL.—Each Joint Task Force shall have a staff, composed of officials from relevant components and offices of the Department, to assist the Director of that Joint Task Force in carrying out the mission and responsibilities of that Joint Task Force.

''(B) REPORT.—The Secretary shall include in the report submitted under paragraph (6)(F)—

''(i) the number of personnel permanently assigned to each Joint Task Force by each component and office; and

''(ii) the number of personnel assigned on a temporary basis to each Joint Task Force by each component and office.'';

(2) in paragraph (9)—

(A) in the heading, by inserting ''STRATEGY AND OF'' after ''ESTABLISHMENT OF'';

(B) by striking subparagraph (A) and inserting the following:

''(A) using leading practices in performance management and lessons learned by other law enforcement task forces and joint operations, establish a strategy for each Joint Task Force that contains—

''(i) the mission of each Joint Task Force and strategic goals and objectives to assist the Joint Task Force in accomplishing that mission; and

''(ii) outcome-based and other appropriate performance metrics to evaluate the effectiveness of each Joint Task Force and measure progress towards the goals and objectives described in clause (i), which include—

''(I) targets for current and future fiscal years; and

''(II) a description of the methodology used to establish those metrics and any limitations with respect to data or information used to assess performance;'';

(C) in subparagraph (B)—

(i) by striking ''enactment of this section'' and insert ''enactment of the DHS Joint Task Forces Reauthorization Act of 2022'';

(ii) by inserting ''strategy and'' after ''Senate the''; and

(iii) by striking the period at the end and inserting ''; and''; and

(D) by striking subparagraph (C) and inserting the following:

''(C) beginning not later than 1 year after the date of enactment of the DHS Joint Task Forces Reauthorization Act of 2022, submit annually to each committee specified in subparagraph (B) a report that—

''(i) contains the evaluation described in subparagraphs (A) and (B); and

''(ii) outlines the progress in implementing outcome-based and other performance metrics referred to in subparagraph (A)(ii).'';

(3) in paragraph (11)(A), by striking the period at the end and inserting the following: '', which shall include—

''(i) the justification, focus, and mission of the Joint Task Force; and

''(ii) a strategy for the conduct of the Joint Task Force, including goals and performance metrics for the Joint Task Force.'';

(4) in paragraph (12)—

(A) in subparagraph (A), by striking ''January 31, 2018, and January 31, 2021, the Inspector General of the Department'' and inserting ''1 year after the date of enactment of the DHS Joint Task Forces Reauthorization Act of 2022, the Comptroller General of the United States''; and

(B) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

''(i) an assessment of the structure of each Joint Task Force;

''(ii) an assessment of the effectiveness of oversight over each Joint Task Force;

''(iii) an assessment of the strategy of each Joint Task Force; and

''(iv) an assessment of staffing levels and resources of each Joint Task Force.''; and

(5) in paragraph (13), by striking ''2022'' and inserting ''2024''.

Subtitle J—Other Provisions

CHAPTER 1—CISA TECHNICAL CORRECTIONS AND IMPROVEMENTS

SEC. 5191. CISA TECHNICAL CORRECTIONS AND IMPROVEMENTS.

(a) TECHNICAL AMENDMENT RELATING TO DOTGOV ACT OF 2020.—

(1) AMENDMENT.—Section 904(b)(1) of the DOTGOV Act of 2020 (title IX of division U of Public Law 116–260) is amended, in the matter preceding subparagraph (A), by striking ''Homeland Security Act'' and inserting ''Homeland Security Act of 2002''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if enacted as part of the DOTGOV Act of 2020 (title IX of division U of Public Law 116–260).

(b) CONSOLIDATION OF DEFINITIONS.—

(1) IN GENERAL.—Title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by inserting before the subtitle A heading the following:

''SEC. 2200. DEFINITIONS.

''Except as otherwise specifically provided, in this title:

''(1) AGENCY.—The term 'Agency' means the Cybersecurity and Infrastructure Security Agency.

''(2) AGENCY INFORMATION.—The term 'agency information' means information collected or maintained by or on behalf of an agency.

''(3) AGENCY INFORMATION SYSTEM.—The term 'agency information system' means an information system used or operated by an agency or by another entity on behalf of an agency.

''(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(B) the Committee on Homeland Security of the House of Representatives.

''(5) CRITICAL INFRASTRUCTURE INFORMATION.—The term 'critical infrastructure information' means information not customarily in the public domain and related to the security of critical infrastructure or protected systems—

''(A) actual, potential, or threatened interference with, attack on, compromise of, or incapacitation of critical infrastructure or protected systems by either physical or computer-based attack or other similar conduct (including the misuse of or unauthorized access to all types of communications and data transmission systems) that violates Federal, State, or local law, harms interstate commerce of the United States, or threatens public health or safety;

''(B) the ability of any critical infrastructure or protected system to resist such interference, compromise, or incapacitation, including any planned or past assessment, projection, or estimate of the vulnerability of critical infrastructure or a protected system, including security testing, risk evaluation thereto, risk management planning, or risk audit; or

''(C) any planned or past operational problem or solution regarding critical infrastructure or protected systems, including repair, recovery, reconstruction, insurance, or continuity, to the extent it is related to such interference, compromise, or incapacitation.

''(6) CYBER THREAT INDICATOR.—The term 'cyber threat indicator' means information that is necessary to describe or identify—

''(A) malicious reconnaissance, including anomalous patterns of communications that appear to be transmitted for the purpose of gathering technical information related to a cybersecurity threat or security vulnerability;

''(B) a method of defeating a security control or exploitation of a security vulnerability;

''(C) a security vulnerability, including anomalous activity that appears to indicate the existence of a security vulnerability;

''(D) a method of causing a user with legitimate access to an information system or information that is stored on, processed by, or transiting an information system to unwittingly enable the defeat of a security control or exploitation of a security vulnerability;

''(E) malicious cyber command and control;

''(F) the actual or potential harm caused by an incident, including a description of the information exfiltrated as a result of a particular cybersecurity threat;

''(G) any other attribute of a cybersecurity threat, if disclosure of such attribute is not otherwise prohibited by law; or

''(H) any combination thereof.

''(7) CYBERSECURITY PURPOSE.—The term 'cybersecurity purpose' means the purpose of protecting an information system or information that is stored on, processed by, or transiting an information system from a cybersecurity threat or security vulnerability.

''(8) CYBERSECURITY RISK.—The term 'cybersecurity risk'—

''(A) means threats to and vulnerabilities of information or information systems and any related consequences caused by or resulting from unauthorized access, use, disclosure, degradation, disruption, modification, or destruction of such information or information systems, including such related consequences caused by an act of terrorism; and

''(B) does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement.

''(9) CYBERSECURITY THREAT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'cybersecurity threat' means an action, not protected by the First Amendment to the Constitution of the United States, on or through an information system that may result in an unauthorized effort to adversely impact the security, availability, confidentiality, or integrity of an information system or information that is stored on, processed by, or transiting an information system.

''(B) EXCLUSION.—The term 'cybersecurity threat' does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement.

''(10) DEFENSIVE MEASURE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'defensive measure' means an action, device, procedure, signature, technique, or other measure applied to an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

''(B) EXCLUSION.—The term 'defensive measure' does not include a measure that destroys, renders unusable, provides unauthorized access to, or substantially harms an information system or information stored on, processed by, or transiting such information system not owned by—

''(i) the entity operating the measure; or

''(ii) another entity or Federal entity that is authorized to provide consent and has provided consent to that private entity for operation of such measure.

''(11) DIRECTOR.—The term 'Director' means the Director of the Agency.

''(12) HOMELAND SECURITY ENTERPRISE.—The term 'Homeland Security Enterprise' means relevant governmental and nongovernmental entities involved in homeland security, including Federal, State, local, and Tribal government officials, private sector representatives, academics, and other policy experts.

''(13) INCIDENT.—The term 'incident' means an occurrence that actually or imminently jeopardizes, without lawful authority, the integrity, confidentiality, or availability of information on an information system, or actually or imminently jeopardizes, without lawful authority, an information system.

''(14) INFORMATION SHARING AND ANALYSIS ORGANIZATION.—The term 'Information Sharing and Analysis Organization' means any formal or informal entity or collaboration created or employed by public or private sector organizations, for purposes of—

''(A) gathering and analyzing critical infrastructure information, including information related to cybersecurity risks and incidents, in order to better understand security problems and interdependencies related to critical infrastructure, including cybersecurity risks and incidents, and protected systems, so as to ensure the availability, integrity, and reliability thereof;

''(B) communicating or disclosing critical infrastructure information, including cybersecurity risks and incidents, to help prevent, detect, mitigate, or recover from the effects of an interference, a compromise, or an incapacitation problem related to critical infrastructure, including cybersecurity risks and incidents, or protected systems; and

''(C) voluntarily disseminating critical infrastructure information, including cybersecurity risks and incidents, to its members, State, local, and Federal Governments, or any other entities that may be of assistance in carrying out the purposes specified in subparagraphs (A) and (B).

''(15) INFORMATION SYSTEM.—The term 'information system' has the meaning given the

term in section 3502 of title 44, United States Code.

''(16) INTELLIGENCE COMMUNITY.—The term 'intelligence community' has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

''(17) MONITOR.—The term 'monitor' means to acquire, identify, or scan, or to possess, information that is stored on, processed by, or transiting an information system.

''(18) NATIONAL CYBERSECURITY ASSET RESPONSE ACTIVITIES.—The term 'national cybersecurity asset response activities' means—

''(A) furnishing cybersecurity technical assistance to entities affected by cybersecurity risks to protect assets, mitigate vulnerabilities, and reduce impacts of cyber incidents;

''(B) identifying other entities that may be at risk of an incident and assessing risk to the same or similar vulnerabilities;

''(C) assessing potential cybersecurity risks to a sector or region, including potential cascading effects, and developing courses of action to mitigate such risks;

''(D) facilitating information sharing and operational coordination with threat response; and

''(E) providing guidance on how best to utilize Federal resources and capabilities in a timely, effective manner to speed recovery from cybersecurity risks.

''(19) NATIONAL SECURITY SYSTEM.—The term 'national security system' has the meaning given the term in section 11103 of title 40, United States Code.

''(20) SECTOR RISK MANAGEMENT AGENCY.—The term 'Sector Risk Management Agency' means a Federal department or agency, designated by law or Presidential directive, with responsibility for providing institutional knowledge and specialized expertise of a sector, as well as leading, facilitating, or supporting programs and associated activities of its designated critical infrastructure sector in the all hazards environment in coordination with the Department.

''(21) SECURITY CONTROL.—The term 'security control' means the management, operational, and technical controls used to protect against an unauthorized effort to adversely affect the confidentiality, integrity, and availability of an information system or its information.

''(22) SECURITY VULNERABILITY.—The term 'security vulnerability' means any attribute of hardware, software, process, or procedure that could enable or facilitate the defeat of a security control.

''(23) SHARING.—The term 'sharing' (including all conjugations thereof) means providing, receiving, and disseminating (including all conjugations of each such terms).''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(A) by amending section 2201 (6 U.S.C. 651) to read as follows:

''SEC. 2201. DEFINITION.

''In this subtitle, the term 'Cybersecurity Advisory Committee' means the advisory committee established under section 2219(a).'';

(B) in section 2202 (6 U.S.C. 652)—

(i) in subsection (a)(1), by striking ''(in this subtitle referred to as the Agency)'';

(ii) in subsection (b)(1), by striking ''in this subtitle referred to as the 'Director')''; and

(iii) in subsection (f)—

(I) in paragraph (1), by inserting ''Executive'' before ''Assistant Director''; and

(II) in paragraph (2), by inserting ''Executive'' before ''Assistant Director'';

(C) in section 2209 (6 U.S.C. 659)—

(i) by striking subsection (a);

(ii) by redesignating subsections (b) through subsection (o) as subsections (a) through (n), respectively;

(iii) in subsection (c)(1), as so redesignated—

(I) in subparagraph (A)(iii), as so redesignated, by striking '', as that term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))''; and

(II) in subparagraph (B)(ii), by striking ''information sharing and analysis organizations'' and inserting ''Information Sharing and Analysis Organizations'';

(iv) in subsection (d), as so redesignated—

(I) in the matter preceding paragraph (1), by striking ''subsection (c)'' and inserting ''subsection (b)''; and

(II) in paragraph (1)(E)(ii)(II), by striking ''information sharing and analysis organizations'' and inserting ''Information Sharing and Analysis Organizations'';

(v) in subsection (j), as so redesignated, by striking ''subsection (c)(8)'' and inserting ''subsection (b)(8)'';

(vi) by redesignating the first subsections (p) and (q) and second subsections (p) and (q) as subsections (o) and (p) and subsections (q) and (r), respectively; and

(vii) in subsection (o), as so redesignated—

(I) in paragraph (2)(A), by striking ''subsection (c)(12)'' and inserting ''subsection (b)(12)''; and

(II) in paragraph (3)(B)(i), by striking ''subsection (c)(12)'' and inserting ''subsection (b)(12)'';

(D) in section 2210 (6 U.S.C. 660)—

(i) by striking subsection (a);

(ii) by redesignating subsections (b) through (e) as subsections (a) through (d), respectively;

(iii) in subsection (b), as so redesignated—

(I) by striking ''information sharing and analysis organizations (as defined in section 2222(5))'' and inserting ''Information Sharing and Analysis Organizations''; and

(II) by striking ''(as defined in section 2209)''; and

(iv) in subsection (c), as so redesignated, by striking ''subsection (c)'' and inserting ''subsection (b)'';

(E) in section 2211 (6 U.S.C. 661), by striking subsection (h);

(F) in section 2212 (6 U.S.C. 662), by striking ''information sharing and analysis organizations (as defined in section 2222(5))'' and inserting ''Information Sharing and Analysis Organizations'';

(G) in section 2213 (6 U.S.C. 663)—

(i) by striking subsection (a);

(ii) by redesignating subsections (b) through (f) as subsections (a) through (e), respectively;

(iii) in subsection (b), as so redesignated, by striking ''subsection (b)'' each place it appears and inserting ''subsection (a)'';

(iv) in subsection (c), as so redesignated, in the matter preceding paragraph (1), by striking ''subsection (b)'' and inserting ''subsection (a)''; and

(v) in subsection (d), as so redesignated—

(I) in paragraph (1)—

(aa) in the matter preceding subparagraph (A), by striking ''subsection (c)(2)'' and inserting ''subsection (b)(2)'';

(bb) in subparagraph (A), by striking ''subsection (c)(1)'' and inserting ''subsection (b)(1)''; and

(cc) in subparagraph (B), by striking ''subsection (c)(2)'' and inserting ''subsection (b)(2)''; and

(II) in paragraph (2), by striking ''subsection (c)(2)'' and inserting ''subsection (b)(2)'';

(H) in section 2216 (6 U.S.C. 665b)—

(i) in subsection (d)(2), by striking ''information sharing and analysis organizations'' and inserting ''Information Sharing and Analysis Organizations''; and

(ii) by striking subsection (f) and inserting the following:

''(f) CYBER DEFENSE OPERATION DEFINED.—In this section, the term 'cyber defense operation' means the use of a defensive measure.'';

(I) in section 2218(c)(4)(A) (6 U.S.C. 665d(4)(A)), by striking ''information sharing and analysis organizations'' and inserting ''Information Sharing and Analysis Organizations'';

(J) in section 2220A (6 U.S.C. 665g)—

(i) in subsection (a)—

(I) by striking paragraphs (1), (2), (5), and (6); and

(II) by redesignating paragraphs (3), (4), (7), (8), (9), (10), (11), and (12) as paragraphs (1) through (8), respectively;

(ii) in subsection (e)(2)(B)(xiv)(II)(aa), by striking ''information sharing and analysis organization'' and inserting ''Information Sharing and Analysis Organization'';

(iii) in subsection (p), by striking ''appropriate committees of Congress'' and inserting ''appropriate congressional committees''; and

(iv) in subsection (q)(4), in the matter preceding clause (i), by striking ''appropriate committees of Congress'' and inserting ''appropriate congressional committees''

(K) in section 2220C(f) (6 U.S.C. 665i(f))—

(i) by striking paragraph (1);

(ii) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(iii) in paragraph (2), as so redesignated, by striking ''(enacted as division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113; 6 U.S.C. 1501(9))'' and inserting ''(6 U.S.C. 1501)''; and

(L) in section 2222 (6 U.S.C. 671)—

(i) by striking paragraphs (3), (5), and (8);

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

(iii) by redesignating paragraphs (6) and (7) as paragraphs (4) and (5), respectively.

(3) TABLE OF CONTENTS AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended—

(A) by inserting before the item relating to subtitle A of title XXII the following:

''Sec. 2200. Definitions.

(B) by striking the item relating to section 2201 and insert the following:

''Sec. 2201. Definition.

(4) CYBERSECURITY ACT OF 2015 DEFINITIONS.—Section 102 of the Cybersecurity Act of 2015 (6 U.S.C. 1501) is amended—

(A) by striking paragraphs (4) through (7) and inserting the following:

''(4) CYBERSECURITY PURPOSE.—The term 'cybersecurity purpose' has the meaning given the term in section 2200 of the Homeland Security Act of 2002.

''(5) CYBERSECURITY THREAT.—The term 'cybersecurity threat' has the meaning given the term in section 2200 of the Homeland Security Act of 2002.

''(6) CYBER THREAT INDICATOR.—The term 'cyber threat indicator' has the meaning given the term in section 2200 of the Homeland Security Act of 2002.

''(7) DEFENSIVE MEASURE.—The term 'defensive measure' has the meaning given the term in section 2200 of the Homeland Security Act of 2002.'';

(B) by striking paragraph (13) and inserting the following:

''(13) MONITOR.— The term 'monitor' has the meaning given the term in section 2200 of the Homeland Security Act of 2002.''; and

(C) by striking paragraphs (16) and (17) and inserting the following:

''(16) SECURITY CONTROL.—The term 'security control' has the meaning given the term in section 2200 of the Homeland Security Act of 2002.

''(17) SECURITY VULNERABILITY.—The term 'security vulnerability' has the meaning given the term in section 2200 of the Homeland Security Act of 2002.''.

(c) ADDITIONAL TECHNICAL AND CONFORMING AMENDMENTS.—

(1) FEDERAL CYBERSECURITY ENHANCEMENT ACT OF 2015.—The Federal Cybersecurity Enhancement Act of 2015 (6 U.S.C. 1521 et seq.) is amended—

(A) in section 222 (6 U.S.C. 1521)—

(i) in paragraph (2), by striking ''section 2210'' and inserting ''section 2200''; and

(ii) in paragraph (4), by striking ''section 2209'' and inserting ''section 2200'';

(B) in section 223(b) (6 U.S.C. 151 note), by striking ''section 2213(b)(1)'' each place it appears and inserting ''section 2213(a)(1)'';

(C) in section 226 (6 U.S.C. 1524)—

(i) in subsection (a)—

(I) in paragraph (1), by striking ''section 2213'' and inserting ''section 2200'';

(II) in paragraph (2), by striking ''section 102'' and inserting ''section 2200 of the Homeland Security Act of 2002'';

(III) in paragraph (4), by striking ''section 2210(b)(1)'' and inserting ''section 2210(a)(1)''; and

(IV) in paragraph (5), by striking ''section 2213(b)'' and inserting ''section 2213(a)''; and

(ii) in subsection (c)(1)(A)(vi), by striking ''section 2213(c)(5)'' and inserting ''section 2213(b)(5)''; and

(D) in section 227(b) (6 U.S.C. 1525(b)), by striking ''section 2213(d)(2)'' and inserting ''section 2213(c)(2)''.

(2) PUBLIC HEALTH SERVICE ACT.—Section 2811(b)(4)(D) of the Public Health Service Act (42 U.S.C. 300hh–10(b)(4)(D)) is amended by striking ''section 228(c) of the Homeland Security Act of 2002 (6 U.S.C. 149(c))'' and inserting ''section 2210(b) of the Homeland Security Act of 2002 (6 U.S.C. 660(b))''.

(3) WILLIAM M. (MAC) THORNBERRY NATIONAL DEFENSE AUTHORIZATION ACT OF FISCAL YEAR 2021.—Section 9002 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (6 U.S.C. 652a) is amended—

(A) in subsection (a)—

(i) by striking paragraph (5);

(ii) by redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively;

(iii) by amending paragraph (7) to read as follows:

''(7) SECTOR RISK MANAGEMENT AGENCY.—The term 'Sector Risk Management Agency' has the meaning given the term in section 2200 of the Homeland Security Act of 2002.'';

(B) in subsection (c)(3)(B), by striking ''section 2201(5)'' and inserting ''section 2200''; and

(C) in subsection (d), by striking ''section 2215 of the Homeland Security Act of 2002, as added by this section'' and inserting ''section 2218 of the Homeland Security Act of 2002 (6 U.S.C. 665d)''.

(4) NATIONAL SECURITY ACT OF 1947.—Section 113B(b)(4) of the National Security Act of 1947 (50 U.S.C. 3049a(b)(4)) is amended by striking section ''226 of the Homeland Security Act of 2002 (6 U.S.C. 147)'' and inserting ''section 2208 of the Homeland Security Act of 2002 (6 U.S.C. 658)''.

(5) IoT CYBERSECURITY IMPROVEMENT ACT OF 2020.—Section 5(b)(3) of the IoT Cybersecurity Improvement Act of 2020 (15 U.S.C. 278g–3c(b)(3)) is amended by striking ''section 2209(m) of the Homeland Security Act of 2002 (6 U.S.C. 659(m))'' and inserting ''section 2209(l) of the Homeland Security Act of 2002 (6 U.S.C. 659(l))''.F

(6) SMALL BUSINESS ACT.—Section 21(a)(8)(B) of the Small Business Act (15 U.S.C. 648(a)(8)(B)) is amended by striking ''section 2209(a)'' and inserting ''section 2200''.

(7) TITLE 46.—Section 70101(2) of title 46, United States Code, is amended by striking ''section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148)'' and inserting ''section 2200 of the Homeland Security Act of 2002''.

CHAPTER 2—POST-DISASTER MENTAL HEALTH RESPONSE ACT

SEC. 5192. POST-DISASTER MENTAL HEALTH RESPONSE.

(a) SHORT TITLE.—This section may be cited as the ''Post-Disaster Mental Health Response Act''.

(b) CRISIS COUNSELING ASSISTANCE AND TRAINING.—Section 502(a)(6) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5192(a)(6)) is amended by inserting ''and section 416'' after ''section 408''.

TITLE LII—GOVERNMENTAL AFFAIRS

Subtitle A—Intragovernmental Cybersecurity Information Sharing Act

SEC. 5201. REQUIREMENT FOR INFORMATION SHARING AGREEMENTS.

(a) SHORT TITLE.—This section may be cited as the ''Intragovernmental Cybersecurity and Counterintelligence Information Sharing Act''.

(b) CONGRESSIONAL LEADERSHIP DEFINED.—In this section, the term ''congressional leadership'' means—

(1) the Majority and Minority Leader of the Senate with respect to an agreement with the Sergeant at Arms and Doorkeeper of the Senate or the Secretary of the Senate; and

(2) the Speaker and Minority Leader of the House of Representatives with respect to an agreement with the Chief Administrative Officer of the House of Representatives or the Sergeant at Arms of the House of Representatives.

(c) REQUIREMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the President shall enter into 1 or more information sharing agreements to enhance collaboration between the executive branch and Congress on implementing cybersecurity measures and counterintelligence protections to improve the protection of legislative branch information technology and personnel with—

(A) the Sergeant at Arms and Doorkeeper of the Senate with respect to cybersecurity information sharing, in consultation with congressional leadership;

(B) the Secretary of the Senate with respect to counterintelligence information sharing, in consultation with congressional leadership;

(C) the Chief Administrative Officer of the House of Representatives with respect to cybersecurity information sharing, in consultation with congressional leadership; and

(D) the Sergeant at Arms of the House of Representatives with respect to counterintelligence information sharing, in consultation with congressional leadership.

(2) DELEGATION.—If the President delegates the duties under paragraph (1), the designee of the President shall coordinate with appropriate Executive agencies (as defined in section 105 of title 5, United States Code, including the Executive Office of the President) and appropriate officers in the executive branch in entering any agreement described in paragraph (1).

(d) ELEMENTS.—The parties to an information sharing agreement under subsection (c) shall jointly develop such elements of the agreement as the parties find appropriate, which may include—

(1) direct and timely sharing of technical indicators and contextual information on cyber threats and vulnerabilities, and the means for such sharing;

(2) direct and timely sharing of classified and unclassified reports on cyber threats and activities and targeting of Senators, Members of the House of Representatives, or congressional staff, consistent with the protection of sources and methods;

(3) seating of cybersecurity personnel of the Office of the Sergeant at Arms and Doorkeeper of the Senate or the Office of the Chief Administrative Officer of the House of Representatives at cybersecurity operations centers; and

(4) any other elements the parties find appropriate.

(e) BRIEFING TO CONGRESS.—Not later than 210 days after the date of enactment of this Act, and at least quarterly thereafter, the President shall brief the Committee on Homeland Security and Governmental Affairs and the Committee on Rules and Administration of the Senate, the Committee on Oversight and Reform and the Committee on House Administration of the House of Representatives, and congressional leadership on the status of the implementation of the agreements required under subsection (c).

Subtitle B—Improving Government for America's Taxpayers

SEC. 5211. GOVERNMENT ACCOUNTABILITY OFFICE UNIMPLEMENTED PRIORITY RECOMMENDATIONS.

The Comptroller General of the United States shall, as part of the Comptroller General's annual reporting to committees of Congress—

(1) consolidate Matters for Congressional Consideration from the Government Accountability Office in one report organized by policy topic that includes the amount of time such Matters have been unimplemented and submit such report to congressional leadership and the oversight committees of each House;

(2) with respect to the annual letters sent by the Comptroller General to individual agency heads and relevant congressional committees on the status of unimplemented priority recommendations, identify any additional congressional oversight actions that can help agencies implement such priority recommendations and address any underlying issues relating to such implementation;

(3) make publicly available the information described in paragraphs (1) and (2); and

(4) publish any known costs of unimplemented priority recommendations, if applicable.

Subtitle C—Advancing American AI Act

SEC. 5221. SHORT TITLE.

This subtitle may be cited as the ''Advancing American AI Act''.

SEC. 5222. PURPOSES.

The purposes of this subtitle are to—

(1) encourage agency artificial intelligence-related programs and initiatives that enhance the competitiveness of the United States and foster an approach to artificial intelligence that builds on the strengths of the United States in innovation and entrepreneurialism;

(2) enhance the ability of the Federal Government to translate research advances into artificial intelligence applications to modernize systems and assist agency leaders in fulfilling their missions;

(3) promote adoption of modernized business practices and advanced technologies across the Federal Government that align with the values of the United States, including the protection of privacy, civil rights, and civil liberties; and

(4) test and harness applied artificial intelligence to enhance mission effectiveness and business practice efficiency.

SEC. 5223. DEFINITIONS.

In this subtitle:

(1) AGENCY.—The term ''agency'' has the meaning given the term in section 3502 of title 44, United States Code.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Oversight and Reform of the House of Representatives.

(3) ARTIFICIAL INTELLIGENCE.—The term ''artificial intelligence'' has the meaning given the term in section 238(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note).

(4) ARTIFICIAL INTELLIGENCE SYSTEM.—The term ''artificial intelligence system''—

(A) means any data system, software, application, tool, or utility that operates in whole or in part using dynamic or static machine learning algorithms or other forms of artificial intelligence, whether—

(i) the data system, software, application, tool, or utility is established primarily for the purpose of researching, developing, or implementing artificial intelligence technology; or

(ii) artificial intelligence capability is integrated into another system or agency business process, operational activity, or technology system; and

(B) does not include any common commercial product within which artificial intelligence is embedded, such as a word processor or map navigation system.

(5) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(6) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

SEC. 5224. PRINCIPLES AND POLICIES FOR USE OF ARTIFICIAL INTELLIGENCE IN GOVERNMENT.

(a) GUIDANCE.—The Director shall, when developing the guidance required under section 104(a) of the AI in Government Act of 2020 (title I of division U of Public Law 116–260), consider—

(1) the considerations and recommended practices identified by the National Security Commission on Artificial Intelligence in the report entitled ''Key Considerations for the Responsible Development and Fielding of AI'', as updated in April 2021;

(2) the principles articulated in Executive Order 13960 (85 Fed. Reg. 78939; relating to promoting the use of trustworthy artificial intelligence in Government); and

(3) the input of—

(A) the Privacy and Civil Liberties Oversight Board;

(B) relevant interagency councils, such as the Federal Privacy Council, the Chief Information Officers Council, and the Chief Data Officers Council;

(C) other governmental and nongovernmental privacy, civil rights, and civil liberties experts; and

(D) any other individual or entity the Director determines to be appropriate.

(b) DEPARTMENT POLICIES AND PROCESSES FOR PROCUREMENT AND USE OF ARTIFICIAL INTELLIGENCE-ENABLED SYSTEMS.—Not later than 180 days after the date of enactment of this Act—

(1) the Secretary of Homeland Security, with the participation of the Chief Procurement Officer, the Chief Information Officer, the Chief Privacy Officer, and the Officer for Civil Rights and Civil Liberties of the Department and any other person determined to be relevant by the Secretary of Homeland Security, shall issue policies and procedures for the Department related to—

(A) the acquisition and use of artificial intelligence; and

(B) considerations for the risks and impacts related to artificial intelligence-enabled systems, including associated data of machine learning systems, to ensure that full consideration is given to—

(i) the privacy, civil rights, and civil liberties impacts of artificial intelligence-enabled systems; and

(ii) security against misuse, degradation, or rending inoperable of artificial intelligence-enabled systems; and

(2) the Chief Privacy Officer and the Officer for Civil Rights and Civil Liberties of the Department shall report to Congress on any additional staffing or funding resources that may be required to carry out the requirements of this subsection.

(c) INSPECTOR GENERAL.—Not later than 180 days after the date of enactment of this Act, the Inspector General of the Department shall identify any training and investments needed to enable employees of the Office of the Inspector General to continually advance their understanding of—

(1) artificial intelligence systems;

(2) best practices for governance, oversight, and audits of the use of artificial intelligence systems; and

(3) how the Office of the Inspector General is using artificial intelligence to enhance audit and investigative capabilities, including actions to—

(A) ensure the integrity of audit and investigative results; and

(B) guard against bias in the selection and conduct of audits and investigations.

(d) ARTIFICIAL INTELLIGENCE HYGIENE AND PROTECTION OF GOVERNMENT INFORMATION, PRIVACY, CIVIL RIGHTS, AND CIVIL LIBERTIES.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Director, in consultation with a working group consisting of members selected by the Director from appropriate interagency councils, shall develop an initial means by which to—

(A) ensure that contracts for the acquisition of an artificial intelligence system or service—

(i) align with the guidance issued to the head of each agency under section 104(a) of the AI in Government Act of 2020 (title I of division U of Public Law 116–260);

(ii) address protection of privacy, civil rights, and civil liberties;

(iii) address the ownership and security of data and other information created, used, processed, stored, maintained, disseminated, disclosed, or disposed of by a contractor or subcontractor on behalf of the Federal Government; and

(iv) include considerations for securing the training data, algorithms, and other components of any artificial intelligence system against misuse, unauthorized alteration, degradation, or rendering inoperable; and

(B) address any other issue or concern determined to be relevant by the Director to ensure appropriate use and protection of privacy and Government data and other information.

(2) CONSULTATION.—In developing the considerations under paragraph (1)(A)(iv), the Director shall consult with the Secretary of Homeland Security, the Secretary of Energy, the Director of the National Institute of Standards and Technology, and the Director of National Intelligence.

(3) REVIEW.—The Director—

(A) should continuously update the means developed under paragraph (1); and

(B) not later than 2 years after the date of enactment of this Act and not less frequently than every 2 years thereafter, shall update the means developed under paragraph (1).

(4) BRIEFING.—The Director shall brief the appropriate congressional committees—

(A) not later than 90 days after the date of enactment of this Act and thereafter on a quarterly basis until the Director first implements the means developed under paragraph (1); and

(B) annually thereafter on the implementation of this subsection.

(5) SUNSET.—This subsection shall cease to be effective on the date that is 5 years after the date of enactment of this Act.

SEC. 5225. AGENCY INVENTORIES AND ARTIFICIAL INTELLIGENCE USE CASES.

(a) INVENTORY.—Not later than 60 days after the date of enactment of this Act, and continuously thereafter for a period of 5 years, the Director, in consultation with the Chief Information Officers Council, the Chief Data Officers Council, and other interagency bodies as determined to be appropriate by the Director, shall require the head of each agency to—

(1) prepare and maintain an inventory of the artificial intelligence use cases of the agency, including current and planned uses;

(2) share agency inventories with other agencies, to the extent practicable and consistent with applicable law and policy, including those concerning protection of privacy and of sensitive law enforcement, national security, and other protected information; and

(3) make agency inventories available to the public, in a manner determined by the Director, and to the extent practicable and in accordance with applicable law and policy, including those concerning the protection of privacy and of sensitive law enforcement, national security, and other protected information.

(b) CENTRAL INVENTORY.—The Director is encouraged to designate a host entity and ensure the creation and maintenance of an online public directory to—

(1) make agency artificial intelligence use case information available to the public and those wishing to do business with the Federal Government; and

(2) identify common use cases across agencies.

(c) SHARING.—The sharing of agency inventories described in subsection (a)(2) may be coordinated through the Chief Information Officers Council, the Chief Data Officers Council, the Chief Financial Officers Council, the Chief Acquisition Officers Council, or other interagency bodies to improve interagency coordination and information sharing for common use cases.

(d) DEPARTMENT OF DEFENSE.—Nothing in this section shall apply to the Department of Defense.

SEC. 5226. RAPID PILOT, DEPLOYMENT AND SCALE OF APPLIED ARTIFICIAL INTELLIGENCE CAPABILITIES TO DEMONSTRATE MODERNIZATION ACTIVITIES RELATED TO USE CASES.

(a) IDENTIFICATION OF USE CASES.—Not later than 270 days after the date of enactment of this Act, the Director, in consultation with the Chief Information Officers Council, the Chief Data Officers Council, and other interagency bodies as determined to be appropriate by the Director, shall identify 4 new use cases for the application of artificial intelligence-enabled systems to support interagency or intra-agency modernization initiatives that require linking multiple siloed internal and external data sources, consistent with applicable laws and policies, including those relating to the protection of privacy and of sensitive law enforcement, national security, and other protected information.

(b) PILOT PROGRAM.—

(1) PURPOSES.—The purposes of the pilot program under this subsection include—

(A) to enable agencies to operate across organizational boundaries, coordinating between existing established programs and silos to improve delivery of the agency mission; and

(B) to demonstrate the circumstances under which artificial intelligence can be used to modernize or assist in modernizing legacy agency systems.

(2) DEPLOYMENT AND PILOT.—Not later than 1 year after the date of enactment of this Act, the Director, in coordination with the heads of relevant agencies and other officials as the Director determines to be appropriate, shall ensure the initiation of the piloting of the 4 new artificial intelligence use case applications identified under subsection (a), leveraging commercially available technologies and systems to demonstrate scalable artificial intelligence-enabled capabilities to support the use cases identified under subsection (a).

(3) RISK EVALUATION AND MITIGATION PLAN.—In carrying out paragraph (2), the Director shall require the heads of agencies to—

(A) evaluate risks in utilizing artificial intelligence systems; and

(B) develop a risk mitigation plan to address those risks, including consideration of—

(i) the artificial intelligence system not performing as expected;

(ii) the lack of sufficient or quality training data; and

(iii) the vulnerability of a utilized artificial intelligence system to unauthorized manipulation or misuse.

(4) PRIORITIZATION.—In carrying out paragraph (2), the Director shall prioritize modernization projects that—

(A) would benefit from commercially available privacy-preserving techniques, such as use of differential privacy, federated learning, and secure multiparty computing; and

(B) otherwise take into account considerations of civil rights and civil liberties.

(5) USE CASE MODERNIZATION APPLICATION AREAS.—Use case modernization application areas described in paragraph (2) shall include not less than 1 from each of the following categories:

(A) Applied artificial intelligence to drive agency productivity efficiencies in predictive supply chain and logistics, such as—

(i) predictive food demand and optimized supply;

(ii) predictive medical supplies and equipment demand and optimized supply; or

(iii) predictive logistics to accelerate disaster preparedness, response, and recovery.

(B) Applied artificial intelligence to accelerate agency investment return and address mission-oriented challenges, such as—

(i) applied artificial intelligence portfolio management for agencies;

(ii) workforce development and upskilling;

(iii) redundant and laborious analyses;

(iv) determining compliance with Government requirements, such as with grants management; or

(v) outcomes measurement to measure economic and social benefits.

(6) REQUIREMENTS.—Not later than 3 years after the date of enactment of this Act, the Director, in coordination with the heads of relevant agencies and other officials as the Director determines to be appropriate, shall establish an artificial intelligence capability within each of the 4 use case pilots under this subsection that—

(A) solves data access and usability issues with automated technology and eliminates or minimizes the need for manual data cleansing and harmonization efforts;

(B) continuously and automatically ingests data and updates domain models in near real-time to help identify new patterns and predict trends, to the extent possible, to help agency personnel to make better decisions and take faster actions;

(C) organizes data for meaningful data visualization and analysis so the Government has predictive transparency for situational awareness to improve use case outcomes;

(D) is rapidly configurable to support multiple applications and automatically adapts to dynamic conditions and evolving use case requirements, to the extent possible

(E) enables knowledge transfer and collaboration across agencies; and

(F) preserves intellectual property rights to the data and output for benefit of the Federal Government and agencies.

(c) BRIEFING.—Not earlier than 270 days but not later than 1 year after the date of enactment of this Act, and annually thereafter for 4 years, the Director shall brief the appropriate congressional committees on the activities carried out under this section and results of those activities.

(d) SUNSET.—The section shall cease to be effective on the date that is 5 years after the date of enactment of this Act.

SEC. 5227. ENABLING ENTREPRENEURS AND AGENCY MISSIONS.

(a) INNOVATIVE COMMERCIAL ITEMS.—Section 880 of the National Defense Authorization Act for Fiscal Year 2017 (41 U.S.C. 3301 note) is amended—

(1) in subsection (c), by striking $10,000,000'' and inserting ''$25,000,000'';

(2) by amending subsection (f) to read as follows:

''(f) DEFINITIONS.—In this section—

''(1) the term 'commercial product'—

''(A) has the meaning given the term 'commercial item' in section 2.101 of the Federal Acquisition Regulation; and

''(B) includes a commercial product or a commercial service, as defined in sections 103 and 103a, respectively, of title 41, United States Code; and

''(2) the term 'innovative' means—

''(A) any new technology, process, or method, including research and development; or

''(B) any new application of an existing technology, process, or method.''; and

(3) in subsection (g), by striking ''2022'' and insert ''2027''.

(b) DHS OTHER TRANSACTION AUTHORITY.—Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''September 30, 2017'' and inserting ''September 30, 2024''; and

(B) by amending paragraph (2) to read as follows:

''(2) PROTOTYPE PROJECTS.—The Secretary—

''(A) may, under the authority of paragraph (1), carry out prototype projects under section 4022 of title 10, United States Code; and

''(B) in applying the authorities of such section 4022, the Secretary shall perform the functions of the Secretary of Defense as prescribed in such section.'';

(2) in subsection (c)(1), by striking ''September 30, 2017'' and inserting ''September 30, 2024''; and

(3) in subsection (d), by striking ''section 845(e)'' and all that follows and inserting ''section 4022(e) of title 10, United States Code.''.

(c) COMMERCIAL OFF THE SHELF SUPPLY CHAIN RISK MANAGEMENT TOOLS.—The General Services Administration is encouraged to pilot commercial off the shelf supply chain risk management tools to improve the ability of the Federal Government to characterize, monitor, predict, and respond to specific supply chain threats and vulnerabilities that could inhibit future Federal acquisition operations.

SEC. 5228. INTELLIGENCE COMMUNITY EXCEPTION.

Nothing in this subtitle shall apply to any element of the intelligence community, as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

Subtitle D—Strategic EV Management

SEC. 5231. SHORT TITLE.

This subtitle may be cited as the ''Strategic EV Management Act of 2022''.

SEC. 5232. DEFINITIONS.

In this subtitle:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of General Services.

(2) AGENCY.—The term ''agency'' has the meaning given the term in section 551 of title 5, United States Code.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Oversight and Reform of the House of Representatives;

(C) the Committee on Environment and Public Works of the Senate; and

(D) the Committee on Energy and Commerce of the House of Representatives.

(4) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

SEC. 5233. STRATEGIC GUIDANCE.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator, in consultation with the Director, shall coordinate with the heads of agencies to develop a comprehensive, strategic plan for Federal electric vehicle fleet battery management.

(b) CONTENTS.—The strategic plan required under subsection (a) shall—

(1) maximize both cost and environmental efficiencies; and

(2) incorporate—

(A) guidelines for optimal charging practices that will maximize battery longevity and prevent premature degradation;

(B) guidelines for reusing and recycling the batteries of retired vehicles;

(C) guidelines for disposing electric vehicle batteries that cannot be reused or recycled; and

(D) any other considerations determined appropriate by the Administrator and Director.

(c) MODIFICATION.—The Administrator, in consultation with the Director, may periodically update the strategic plan required under subsection (a) as the Administrator and Director may determine necessary based on new information relating to electric vehicle batteries that becomes available.

(d) CONSULTATION.—In developing the strategic plan required under subsection (a) the Administrator, in consultation with the Director, may consult with appropriate entities, including—

(1) the Secretary of Energy;

(2) the Administrator of the Environmental Protection Agency;

(3) the Chair of the Council on Environmental Quality;

(4) scientists who are studying electric vehicle batteries and reuse and recycling solutions;

(5) laboratories, companies, colleges, universities, or start-ups engaged in battery use, reuse, and recycling research;

(6) industries interested in electric vehicle battery reuse and recycling;

(7) electric vehicle equipment manufacturers and recyclers; and

(8) any other relevant entities, as determined by the Administrator and Director.

(e) REPORT.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator and the Director shall submit to the appropriate congressional committees a report that describes the strategic plan required under subsection (a).

(2) BRIEFING.—Not later than 4 years after the date of enactment of this Act, the Administrator and the Director shall brief the appropriate congressional committees on the implementation of the strategic plan required under subsection (a) across agencies.

SEC. 5234. STUDY OF FEDERAL FLEET VEHICLES.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on how the costs and benefits of operating and maintaining electric vehicles in the Federal fleet compare to the costs and benefits of operating and maintaining internal combustion engine vehicles.

Subtitle E—Congressionally Mandated Reports

SEC. 5241. SHORT TITLE.

This subtitle may be cited as the ''Access to Congressionally Mandated Reports Act''.

SEC. 5242. DEFINITIONS.

In this subtitle:

(1) CONGRESSIONAL LEADERSHIP.—The term ''congressional leadership'' means the Speaker, majority leader, and minority leader of the House of Representatives and the majority leader and minority leader of the Senate.

(2) CONGRESSIONALLY MANDATED REPORT.—

(A) IN GENERAL.—The term ''congressionally mandated report'' means a report of a Federal agency that is required by statute to be submitted to either House of Congress or any committee of Congress or subcommittee thereof.

(B) EXCLUSIONS.—

(i) PATRIOTIC AND NATIONAL ORGANIZATIONS.—The term ''congressionally mandated report'' does not include a report required under part B of subtitle II of title 36, United States Code.

(ii) INSPECTORS GENERAL.—The term ''congressionally mandated report'' does not include a report by an office of an inspector general.

(iii) NATIONAL SECURITY EXCEPTION.—The term ''congressionally mandated report'' does not include a report that is required to be submitted to one or more of the following committees:

(I) The Select Committee on Intelligence, the Committee on Armed Services, the Committee on Appropriations, or the Committee on Foreign Relations of the Senate.

(II) The Permanent Select Committee on Intelligence, the Committee on Armed Services, the Committee on Appropriations, or the Committee on Foreign Affairs of the House of Representatives.

(3) DIRECTOR.—The term ''Director'' means the Director of the Government Publishing Office.

(4) FEDERAL AGENCY.—The term ''Federal agency'' has the meaning given the term ''federal agency'' under section 102 of title 40, United States Code, but does not include the Government Accountability Office or an element of the intelligence community.

(5) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(6) REPORTS ONLINE PORTAL.—The term ''reports online portal'' means the online portal established under section 5243(a).

SEC. 5243. ESTABLISHMENT OF ONLINE PORTAL FOR CONGRESSIONALLY MANDATED REPORTS.

(a) REQUIREMENT TO ESTABLISH ONLINE PORTAL.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Director shall establish and maintain an online portal accessible by the public that allows the public to obtain electronic copies of congressionally mandated reports in one place.

(2) EXISTING FUNCTIONALITY.—To the extent possible, the Director shall meet the requirements under paragraph (1) by using existing online portals and functionality under the authority of the Director in consultation with the Director of National Intelligence.

(3) CONSULTATION.—In carrying out this subtitle, the Director shall consult with congressional leadership, the Clerk of the House of Representatives, the Secretary of the Senate, and the Librarian of Congress regarding the requirements for and maintenance of congressionally mandated reports on the reports online portal.

(b) CONTENT AND FUNCTION.—The Director shall ensure that the reports online portal includes the following:

(1) Subject to subsection (c), with respect to each congressionally mandated report, each of the following:

(A) A citation to the statute requiring the report.

(B) An electronic copy of the report, including any transmittal letter associated with the report, that—

(i) is based on an underlying open data standard that is maintained by a standards organization;

(ii) allows the full text of the report to be searchable; and

(iii) is not encumbered by any restrictions that would impede the reuse or searchability of the report.

(C) The ability to retrieve a report, to the extent practicable, through searches based on each, and any combination, of the following:

(i) The title of the report.

(ii) The reporting Federal agency.

(iii) The date of publication.

(iv) Each congressional committee or subcommittee receiving the report, if applicable.

(v) The statute requiring the report.

(vi) Subject tags.

(vii) A unique alphanumeric identifier for the report that is consistent across report editions.

(viii) The serial number, Superintendent of Documents number, or other identification number for the report, if applicable.

(ix) Key words.

(x) Full text search.

(xi) Any other relevant information specified by the Director.

(D) The date on which the report was required to be submitted, and on which the report was submitted, to the reports online portal.

(E) To the extent practicable, a permanent means of accessing the report electronically.

(2) A means for bulk download of all congressionally mandated reports.

(3) A means for downloading individual reports as the result of a search.

(4) An electronic means for the head of each Federal agency to submit to the reports online portal each congressionally mandated report of the agency, as required by sections 5244 and 5246.

(5) In tabular form, a list of all congressionally mandated reports that can be searched, sorted, and downloaded by—

(A) reports submitted within the required time;

(B) reports submitted after the date on which such reports were required to be submitted; and

(C) to the extent practicable, reports not submitted.

(c) NONCOMPLIANCE BY FEDERAL AGENCIES.—

(1) REPORTS NOT SUBMITTED.—If a Federal agency does not submit a congressionally mandated report to the Director, the Director shall to the extent practicable—

(A) include on the reports online portal—

(i) the information required under clauses (i), (ii), (iv), and (v) of subsection (b)(1)(C); and

(ii) the date on which the report was required to be submitted; and

(B) include the congressionally mandated report on the list described in subsection (b)(5)(C).

(2) REPORTS NOT IN OPEN FORMAT.—If a Federal agency submits a congressionally mandated report that does not meet the criteria described in subsection (b)(1)(B), the Director shall still include the congressionally mandated report on the reports online portal.

(d) DEADLINE.—The Director shall ensure that information required to be published on the reports online portal under this subtitle with respect to a congressionally mandated report or information required under subsection (c) of this section is published—

(1) not later than 30 days after the information is received from the Federal agency involved; or

(2) in the case of information required under subsection (c), not later than 30 days after the deadline under this subtitle for the Federal agency involved to submit information with respect to the congressionally mandated report involved.

(e) EXCEPTION FOR CERTAIN REPORTS.—

(1) EXCEPTION DESCRIBED.—A congressionally mandated report which is required by statute to be submitted to a committee of Congress or a subcommittee thereof, including any transmittal letter associated with the report, shall not be submitted to or published on the reports online portal if the chair of a committee or subcommittee to which the report is submitted notifies the Director in writing that the report is to be withheld from submission and publication under this subtitle.

(2) NOTICE ON PORTAL.—If a report is withheld from submission to or publication on the reports online portal under paragraph (1), the Director shall post on the portal—

(A) a statement that the report is withheld at the request of a committee or subcommittee involved; and

(B) the written notification provided by the chair of the committee or subcommittee specified in paragraph (1).

(f) FREE ACCESS.—The Director may not charge a fee, require registration, or impose any other limitation in exchange for access to the reports online portal.

(g) UPGRADE CAPABILITY.—The reports online portal shall be enhanced and updated as necessary to carry out the purposes of this subtitle.

(h) SUBMISSION TO CONGRESS.—The submission of a congressionally mandated report to the reports online portal pursuant to this subtitle shall not be construed to satisfy any requirement to submit the congressionally mandated report to Congress, or a committee or subcommittee thereof.

SEC. 5244. FEDERAL AGENCY RESPONSIBILITIES.

(a) SUBMISSION OF ELECTRONIC COPIES OF REPORTS.—Not earlier than 30 days or later than 60 days after the date on which a congressionally mandated report is submitted to either House of Congress or to any committee of Congress or subcommittee thereof,

the head of the Federal agency submitting the congressionally mandated report shall submit to the Director the information required under subparagraphs (A) through (D) of section 5243(b)(1) with respect to the congressionally mandated report. Notwithstanding section 5246, nothing in this subtitle shall relieve a Federal agency of any other requirement to publish the congressionally mandated report on the online portal of the Federal agency or otherwise submit the congressionally mandated report to Congress or specific committees of Congress, or subcommittees thereof.

(b) GUIDANCE.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Director, shall issue guidance to agencies on the implementation of this subtitle.

(c) STRUCTURE OF SUBMITTED REPORT DATA.—The head of each Federal agency shall ensure that each congressionally mandated report submitted to the Director complies with the guidance on the implementation of this subtitle issued by the Director of the Office of Management and Budget under subsection (b).

(d) POINT OF CONTACT.—The head of each Federal agency shall designate a point of contact for congressionally mandated reports.

(e) REQUIREMENT FOR SUBMISSION.—The Director shall not publish any report through the reports online portal that is received from anyone other than the head of the applicable Federal agency, or an officer or employee of the Federal agency specifically designated by the head of the Federal agency.

SEC. 5245. CHANGING OR REMOVING REPORTS.

(a) LIMITATION ON AUTHORITY TO CHANGE OR REMOVE REPORTS.—Except as provided in subsection (b), the head of the Federal agency concerned may change or remove a congressionally mandated report submitted to be published on the reports online portal only if—

(1) the head of the Federal agency consults with each committee of Congress or subcommittee thereof to which the report is required to be submitted (or, in the case of a report which is not required to be submitted to a particular committee of Congress or subcommittee thereof, to each committee with jurisdiction over the agency, as determined by the head of the agency in consultation with the Speaker of the House of Representatives and the President pro tempore of the Senate) prior to changing or removing the report; and

(2) a joint resolution is enacted to authorize the change in or removal of the report.

(b) EXCEPTIONS.—Notwithstanding subsection (a), the head of the Federal agency concerned—

(1) may make technical changes to a report submitted to or published on the reports online portal;

(2) may remove a report from the reports online portal if the report was submitted to or published on the reports online portal in error; and

(3) may withhold information, records, or reports from publication on the reports online portal in accordance with section 5246.

SEC. 5246. WITHHOLDING OF INFORMATION.

(a) IN GENERAL.—Nothing in this subtitle shall be construed to—

(1) require the disclosure of information, records, or reports that are exempt from public disclosure under section 552 of title 5, United States Code, or that are required to be withheld under section 552a of title 5, United States Code; or

(2) impose any affirmative duty on the Director to review congressionally mandated reports submitted for publication to the reports online portal for the purpose of identifying and redacting such information or records.

(b) WITHHOLDING OF INFORMATION.—

(1) IN GENERAL.—Consistent with subsection (a)(1), the head of a Federal agency may withhold from the Director, and from publication on the reports online portal, any information, records, or reports that are exempt from public disclosure under section 552 of title 5, United States Code, or that are required to be withheld under section 552a of title 5, United States Code.

(2) NATIONAL SECURITY.—Nothing in this subtitle shall be construed to require the publication, on the reports online portal or otherwise, of any report containing information that is classified, the public release of which could have a harmful effect on national security, or that is otherwise prohibited.

(3) LAW ENFORCEMENT SENSITIVE.—Nothing in this subtitle shall be construed to require the publication on the reports online portal or otherwise of any congressionally mandated report—

(A) containing information that is law enforcement sensitive; or

(B) that describe information security policies, procedures, or activities of the executive branch.

(c) RESPONSIBILITY FOR WITHHOLDING OF INFORMATION.—In publishing congressionally mandated reports to the reports online portal in accordance with this subtitle, the head of each Federal agency shall be responsible for withholding information pursuant to the requirements of this section.

SEC. 5247. IMPLEMENTATION.

(a) REPORTS SUBMITTED TO CONGRESS.—

(1) IN GENERAL.—This subtitle shall apply with respect to any congressionally mandated report which—

(A) is required by statute to be submitted to the House of Representatives, or the Speaker thereof, or the Senate, or the President or President Pro Tempore thereof, at any time on or after the date of the enactment of this Act; or

(B) is included by the Clerk of the House of Representatives or the Secretary of the Senate (as the case may be) on the list of reports received by the House of Representatives or the Senate (as the case may be) at any time on or after the date of the enactment of this Act.

(2) TRANSITION RULE FOR PREVIOUSLY SUBMITTED REPORTS.—To the extent practicable, the Director shall ensure that any congressionally mandated report described in paragraph (1) which was required to be submitted to Congress by a statute enacted before the date of the enactment of this Act is published on the reports online portal under this subtitle.

(b) REPORTS SUBMITTED TO COMMITTEES.—In the case of congressionally mandated reports which are required by statute to be submitted to a committee of Congress or a subcommittee thereof, this subtitle shall apply with respect to—

(1) any such report which is first required to be submitted by a statute which is enacted on or after the date of the enactment of this Act; and

(2) to the maximum extent practical, any congressionally mandated report which was required to be submitted by a statute enacted before the date of enactment of this Act unless—

(A) the chair of the committee, or subcommittee thereof, to which the report was required to be submitted notifies the Director in writing that the report is to be withheld from publication; and

(B) the Director publishes the notification on the reports online portal.

(c) ACCESS FOR CONGRESSIONAL LEADERSHIP.—Notwithstanding any provision of this subtitle or any other provision of law, congressional leadership shall have access to any congressionally mandated report.

SEC. 5248. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this subtitle, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this subtitle, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

DIVISION J—WATER RESOURCES DEVELOPMENT ACT OF 2022

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Water Resources Development Act of 2022''.

SEC. 5002. DEFINITION OF SECRETARY.

In this division, the term ''Secretary'' means the Secretary of the Army.

TITLE LI—GENERAL PROVISIONS

SEC. 5101. SCOPE OF FEASIBILITY STUDIES.

(a) FLOOD AND COASTAL STORM RISK MANAGEMENT.—In carrying out a feasibility study for a project for flood or coastal storm risk management, the Secretary, at the request of the non-Federal interest for the study, shall formulate alternatives to maximize net benefits from the reduction of the comprehensive flood risk that is identified through a holistic evaluation of the isolated and compound effects of—

(1) a riverine discharge of any magnitude or frequency;

(2) inundation, wave attack, and erosion coinciding with a hurricane or coastal storm;

(3) a tide of any magnitude or frequency;

(4) a rainfall event of any magnitude or frequency;

(5) seasonal variation in water levels;

(6) groundwater emergence;

(7) sea level rise;

(8) subsidence; or

(9) any other driver of flood risk affecting the study area.

(b) WATER SUPPLY, WATER SUPPLY CONSERVATION, AND DROUGHT RISK REDUCTION.—In carrying out a feasibility study for any purpose, the Secretary, at the request of the non-Federal interest for the study, shall formulate alternatives—

(1) to maximize combined net benefits for the primary purpose of the study and for water supply, water supply conservation, and drought risk reduction; or

(2) to include 1 or more measures for the purpose of water supply, water supply conservation, or drought risk reduction.

(c) COST SHARING.—All costs to carry out a feasibility study in accordance with this section shall be shared in accordance with the cost share requirements otherwise applicable to the study.

SEC. 5102. SHORELINE AND RIVERBANK PROTECTION AND RESTORATION MISSION.

(a) DECLARATION OF POLICY.—Congress declares that—

(1) consistent with the civil works mission of the Corps of Engineers, it is the policy of the United States to protect and restore the shorelines, riverbanks, and streambanks of the United States from the damaging impacts of extreme weather events and other factors contributing to the vulnerability of coastal and riverine communities and ecosystems;

(2) the Chief of Engineers shall give priority consideration to the protection and restoration of shorelines, riverbanks, and streambanks from erosion and other damaging impacts of extreme weather events in

carrying out the civil works mission of the Corps of Engineers;

(3) to the maximum extent practicable, projects and measures for the protection and restoration of shorelines, riverbanks, and streambanks shall be formulated to increase the resilience of such shores and banks from the damaging impacts of extreme weather events and other factors contributing to the vulnerability of coastal and riverine communities and ecosystems using measures described in section 1184(a) of the Water Resources Development Act of 2016 (33 U.S.C. 2289a(a)); and

(4) to the maximum extent practicable, periodic nourishment shall be provided, in accordance with subsection (c) of the first section of the Act of August 13, 1946 (60 Stat. 1056, chapter 960; 33 U.S.C. 426e(c)), and subject to section 156 of the Water Resources Development Act of 1976 (42 U.S.C. 1962d–5f), for projects and measures carried out for the purpose of restoring and increasing the resilience of ecosystems to the same extent as periodic nourishment is provided for projects and measures carried out for the purpose of coastal storm risk management.

(b) SHORELINE AND RIVERINE PROTECTION AND RESTORATION.—

(1) IN GENERAL.—Section 212 of the Water Resources Development Act of 1999 (33 U.S.C. 2332) is amended—

(A) in the section heading, by striking ''**FLOOD MITIGATION AND RIVERINE RESTORATION PROGRAM**'' and inserting ''**SHORELINE AND RIVERINE PROTECTION AND RESTORATION**'';

(B) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—The Secretary may carry out projects—

''(1) to reduce flood and coastal storm hazards, including shoreline erosion and riverbank and streambank failures; or

''(2) to restore the natural functions and values of rivers and shorelines throughout the United States.'';

(C) in subsection (b)—

(i) by striking paragraph (1) and inserting the following:

''(1) AUTHORITY.—

''(A) STUDIES.—The Secretary may carry out studies to identify appropriate measures for—

''(i) the reduction of flood and coastal storm hazards, including shoreline erosion and riverbank and streambank failures; or

''(ii) the restoration of the natural functions and values of rivers and shorelines.

''(B) PROJECTS.—Subject to subsection (f)(2), the Secretary may design and implement projects described in subsection (a).'';

(ii) in paragraph (3), by striking ''flood damages'' and inserting ''flood and coastal storm damages, including the use of measures described in section 1184(a) of the Water Resources Development Act of 2016 (33 U.S.C. 2289a(a))''; and

(iii) in paragraph (4)—

(I) by inserting ''and coastal storm'' after ''flood'';

(II) by inserting '', shoreline,'' after ''riverine''; and

(III) by inserting ''and coastal barriers'' after ''floodplains'';

(D) in subsection (c)—

(i) by striking paragraph (1) and inserting the following:

''(1) STUDIES.—

''(A) IN GENERAL.—Subject to subparagraph (B), the non-Federal share of the cost of a study under this section shall be—

''(i) 50 percent; and

''(ii) 10 percent, in the case of a study benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)).

''(B) FEDERAL INTEREST DETERMINATION.—The first $100,000 of the costs of a study under this section shall be at full Federal expense.'';

(ii) in paragraph (2)—

(I) in the paragraph heading, by striking ''FLOOD CONTROL''; and

(II) by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—Design and construction of a nonstructural measure or project, a measure or project described in section 1184(a) of the Water Resources Development Act of 2016 (33 U.S.C. 2289a(a)), or for a measure or project for environmental restoration, shall be subject to cost sharing in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213), except that the non-Federal share of the cost to design and construct a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)) shall be 10 percent.''; and

(iii) in paragraph (3)—

(I) in the paragraph heading, by striking ''CONTROL'' and inserting ''AND COASTAL STORM RISK MANAGEMENT'';

(II) by striking ''control'' and inserting ''and coastal storm risk management''; and

(III) by striking ''section 103(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(a))'' and inserting ''section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213), except that the non-Federal share of the cost to design and construct a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)) shall be 10 percent'';

(E) in subsection (d)—

(i) by striking paragraph (2);

(ii) by striking the subsection designation and heading and all that follows through ''Notwithstanding'' in paragraph (1) in the matter preceding subparagraph (A) and inserting the following:

''(d) PROJECT JUSTIFICATION.—Notwithstanding'';

(iii) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively, and indenting appropriately; and

(iv) in paragraph (1) (as so redesignated)—

(I) by inserting ''or coastal storm'' after ''flood''; and

(II) by inserting '', including erosion or riverbank or streambank failures'' after ''damages'';

(F) in subsection (e)—

(i) by redesignating paragraphs (1) through (33) as subparagraphs (A) through (GG), respectively, and indenting appropriately;

(ii) in the matter preceding subparagraph (A) (as so redesignated), by striking ''In carrying out'' and inserting the following:

''(1) IN GENERAL.—In carrying out''; and

(iii) by adding at the end the following:

''(2) PRIORITY PROJECTS.—In carrying out this section after the date of enactment of the Water Resources Development Act of 2022, the Secretary shall prioritize projects for the following locations:

''(A) Delaware beaches and watersheds, Delaware.

''(B) Louisiana Coastal Area, Louisiana.

''(C) Great Lakes Shores and Watersheds.

''(D) Oregon Coastal Area, Oregon.

''(E) Upper Missouri River Basin.

''(F) Ohio River Tributaries and their watersheds, West Virginia.

''(G) Chesapeake Bay watershed and Maryland beaches, Maryland.'';

(G) by striking subsections (f), (g), and (i);

(H) by redesignating subsection (h) as subsection (f); and

(I) in subsection (f) (as so redesignated), by striking paragraph (2) and inserting the following:

''(2) PROJECTS REQUIRING SPECIFIC AUTHORIZATION.—The Secretary shall not carry out a project until Congress enacts a law authorizing the Secretary to carry out the project, if the Federal share of the cost to design and construct the project exceeds—

''(A) $26,000,000, in the case of a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260));

''(B) $23,000,000, in the case of a project other than a project benefitting an economically disadvantaged community (as so defined) that—

''(i) is for purposes of environmental restoration; or

''(ii) derives not less than 50 percent of the erosion, flood, or coastal storm risk reduction benefits from nonstructural measures or measures described in section 1184(a) of the Water Resources Development Act of 2016 (33 U.S.C. 2289a(a)); or

''(C) $18,500,000, for a project other than a project described in subparagraph (A) or (B).''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Water Resources Development Act of 1999 (113 Stat. 269) is amended by striking the item relating to section 212 and inserting the following:

''Sec. 212. Shoreline and riverine protection and restoration.

(c) EMERGENCY STREAMBANK AND SHORELINE PROTECTION.—Section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r) is amended by striking ''$5,000,000'' and inserting ''$10,000,000''.

SEC. 5103. INLAND WATERWAY PROJECTS.

(a) IN GENERAL.—Section 102(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''One-half of the costs'' and inserting ''75 percent of the costs''; and

(2) in the undesignated matter following paragraph (3), in the second sentence, by striking ''One-half of such costs'' and inserting ''25 percent of such costs''.

(b) APPLICATION.—The amendments made by subsection (a) shall apply to new and ongoing projects beginning on October 1, 2022.

(c) CONFORMING AMENDMENT.—Section 109 of the Water Resources Development Act of 2020 (33 U.S.C. 2212 note; Public Law 116–260) is amended by striking ''fiscal years 2021 through 2031'' and inserting ''fiscal years 2021 through 2022''.

SEC. 5104. PROTECTION AND RESTORATION OF OTHER FEDERAL LAND ALONG RIVERS AND COASTS.

(a) IN GENERAL.—The Secretary is authorized to use funds made available to the Secretary for water resources development purposes to construct, at full Federal expense, a measure benefitting Federal land under the administrative jurisdiction of another Federal agency, if the measure—

(1) is included in a report of the Chief of Engineers or other decision document for a water resources development project that is specifically authorized by Congress;

(2) is included in a detailed project report (as defined in section 105(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(d)); or

(3) utilizes dredged material from a water resources development project beneficially.

(b) APPLICABILITY.—This section shall apply to a measure for which construction is initiated after the date of enactment of this Act.

(c) EXCLUSION.—In this section, the term ''Federal land'' does not include a military installation.

(d) SAVINGS PROVISIONS.—Nothing in this section precludes—

(1) a Federal agency with administrative jurisdiction over Federal land from contributing funds for any portion of the cost of a measure described in subsection (a) that benefits that land; or

(2) the Secretary, at the request of the non-Federal interest for a study for a project for flood or coastal storm risk management, from using funds made available to the Secretary for water resources development investigations to formulate measures to reduce risk to a military installation, if the non-Federal interest shares in the cost to formulate those measures to the same extent that the non-Federal interest is required to share in the cost of the study.

(e) REPEAL.—

(1) IN GENERAL.—Section 1025 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2226) is repealed.

(2) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1193) is amended by striking the item relating to section 1025.

SEC. 5105. POLICY AND TECHNICAL STANDARDS.

Consistent with the 5-year administrative publication life cycle of the Department of the Army, the Secretary shall revise, rescind, or certify as current, as applicable, each publication for the civil works programs of the Corps of Engineers.

SEC. 5106. PLANNING ASSISTANCE TO STATES.

(a) IN GENERAL.—Section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''section 236 of title 10'' and inserting ''section 4141 of title 10''; and

(B) by adding at the end the following:

''(4) PRIORITIZATION.—To the maximum extent practicable, the Secretary shall prioritize the provision of assistance under this subsection to address both inland and coastal life safety risks.'';

(2) by redesignating subsections (b) through (f) as subsections (c) through (g), respectively;

(3) by inserting after subsection (a) the following:

''(b) OUTREACH.—

''(1) IN GENERAL.—The Secretary is authorized to carry out activities, at full Federal expense—

''(A) to inform and educate States and other non-Federal interests about the missions, programs, policies, and procedures of the Corps of Engineers; and

''(B) to engage with States and other non-Federal interests to identify specific opportunities to partner with the Corps of Engineers to address water resources development needs.

''(2) STAFF.—The Secretary shall designate staff in each district office of the Corps of Engineers to provide assistance under this subsection.''; and

(4) in subsection (d) (as so redesignated), by adding at the end the following:

''(3) OUTREACH.—There is authorized to be appropriated $30,000,000 for each fiscal year to carry out subsection (b).

''(4) PRIORITIZATION.—To the maximum extent practicable, the Secretary shall prioritize the provision of assistance under this section to economically disadvantaged communities (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)).''.

(b) CONFORMING AMENDMENT.—Section 3014(b)(3)(B) of the Water Resources Reform and Development Act of 2014 (42 U.S.C. 4131(b)(3)(B)) is amended by striking section ''22(b) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16(b))'' and inserting ''section 22(c) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16(c))''.

SEC. 5107. FLOODPLAIN MANAGEMENT SERVICES.

Section 206 of the Flood Control Act of 1960 (33 U.S.C. 709a) is amended—

(1) in subsection (a)—

(A) in the second sentence, by striking ''Surveys and guides'' and inserting the following:

''(2) SURVEYS AND GUIDES.—Surveys and guides'';

(B) in the first sentence—

(i) by inserting ''identification of areas subject to floods due to accumulated snags and other debris,'' after ''inundation by floods of various magnitudes and frequencies,''; and

(ii) by striking ''In recognition'' and inserting the following:

''(1) IN GENERAL.—In recognition''; and

(C) by adding at the end the following:

''(3) IDENTIFICATION OF ASSISTANCE.—

''(A) IN GENERAL.—To the maximum extent practicable, in providing assistance under this subsection, the Secretary shall identify and communicate to States and non-Federal interests specific opportunities to partner with the Corps of Engineers to address flood hazards.

''(B) COORDINATION.—The Secretary shall coordinate activities under this paragraph with activities described in subsection (b) of section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16).'';

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

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

''(d) INSTITUTIONS OF HIGHER EDUCATION.—Notwithstanding section 4141 of title 10, United States Code, in carrying out this section, the Secretary may work with an institution of higher education, as determined appropriate by the Secretary.''.

SEC. 5108. WORKFORCE PLANNING.

(a) DEFINITION OF HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—In this section, the term ''historically Black college or university'' has the meaning given the term ''part B institution'' in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(b) AUTHORIZATION.—The Secretary is authorized to carry out activities, at full Federal expense—

(1) to foster, enhance, and support science, technology, engineering, and math education and awareness; and

(2) to recruit individuals for careers at the Corps of Engineers.

(c) PARTNERING ENTITIES.—In carrying out activities under this section, the Secretary may enter into partnerships with—

(1) public and nonprofit elementary and secondary schools;

(2) community colleges;

(3) technical schools;

(4) colleges and universities, including historically Black colleges and universities; and

(5) other institutions of learning.

(d) PRIORITIZATION.—The Secretary shall, to the maximum extent practicable, prioritize the recruitment of individuals under this section that are located in economically disadvantaged communities (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2023 through 2027.

SEC. 5109. CREDIT IN LIEU OF REIMBURSEMENT.

(a) IN GENERAL.—Section 1022 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2225) is amended—

(1) in subsection (a)—

(A) by striking ''or'' before ''an authorized coastal navigation project'';

(B) by inserting ''or any other water resources development project for which the Secretary is authorized to reimburse the non-Federal interest for the Federal share of construction or operation and maintenance,'' before ''the Secretary''; and

(C) by striking ''of the project'' and inserting ''to construct, periodically nourish, or operate and maintain the project'';

(2) in each of subsections (b) and (c), by striking ''flood damage reduction and coastal navigation'' each place it appears and inserting ''water resources development''; and

(3) by adding at the end the following:

''(d) APPLICABILITY.—With respect to a project constructed under section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232), the Secretary shall exercise the authority under this section to apply credits and reimbursements related to the project in a manner consistent with the requirements of subsection (d) of that section.''.

(b) TREATMENT OF CREDIT BETWEEN PROJECTS.—Section 7007(d) of the Water Resources Development Act of 2007 (121 Stat. 1277; 128 Stat. 1226) is amended by inserting '', or may be applied to reduce the amounts required to be paid by the non-Federal interest under the terms of the deferred payment agreements entered into between the Secretary and the non-Federal interest for the projects authorized by section 7012(a)(1)'' before the period at the end.

SEC. 5110. COASTAL COST CALCULATIONS.

Section 152(a) of the Water Resources Development Act of 2020 (33 U.S.C. 2213a(a)) is amended by inserting ''or coastal storm risk management'' after ''flood risk management''.

SEC. 5111. ADVANCE PAYMENT IN LIEU OF REIMBURSEMENT FOR CERTAIN FEDERAL COSTS.

The Secretary is authorized to provide in advance to the non-Federal interest the Federal share of funds required for the acquisition of land, easements, and rights-of-way and the performance of relocations for a project or separable element—

(1) authorized to be constructed at full Federal expense;

(2) described in section 103(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(b)(2)); or

(3) described in, or modified by an amendment made by, section 5307(a) or 5309(a), if at any time the cost to acquire the land, easements, and rights-of-way required for the project is projected to exceed the non-Federal share of the cost of the project.

SEC. 5112. USE OF EMERGENCY FUNDS.

Section 5(a) of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)), is amended—

(1) in paragraph (1), in the first sentence, by inserting '', increase resilience, increase effectiveness in preventing damages from inundation, wave attack, or erosion,'' after ''address major deficiencies''; and

(2) by adding at the end the following:

''(6) WORK CARRIED OUT BY A NON-FEDERAL SPONSOR.—

''(A) GENERAL RULE.—The Secretary may authorize a non-Federal sponsor to plan, design, or construct repair or restoration work described in paragraph (1).

''(B) REQUIREMENTS.—

''(i) IN GENERAL.—To be eligible for a payment under subparagraph (C) for the Federal share of a planning, design, or construction activity for repair or restoration work described in paragraph (1), the non-Federal sponsor shall enter into a written agreement with the Secretary before carrying out the activity.

''(ii) COMPLIANCE WITH OTHER LAWS.—The non-Federal sponsor shall carry out all activities under this paragraph in compliance with all laws and regulations that would apply if the activities were carried out by the Secretary.

''(C) PAYMENT.—

''(i) IN GENERAL.—The Secretary is authorized to provide payment, in the form of an advance or a reimbursement, to the non-Federal sponsor for the Federal share of the cost of a planning design, or construction activity for the repair or restoration work described in paragraph (1).

''(ii) ADDITIONAL AMOUNTS.—If the Federal share of the cost of the activity under this paragraph exceeds the amount obligated by the Secretary under an agreement under subparagraph (B), the advance or reimbursement of such additional amounts shall be at the discretion of the Secretary.

''(D) ANNUAL LIMIT ON REIMBURSEMENTS NOT APPLICABLE.—Section 102 of the Energy and Water Development Appropriations Act, 2006 (33 U.S.C. 2221), shall not apply to an agreement under subparagraph (B).''.

SEC. 5113. RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Section 7 of the Water Resources Development Act of 1988 (33 U.S.C. 2313) is amended—

(1) in the section heading, by striking ''**COLLABORATIVE**'';

(2) in subsection (b), by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(3) by striking subsection (e);

(4) by redesignating subsections (b), (c), (d), and (f) as paragraphs (2), (3), (4), and (5), respectively, and indenting appropriately;

(5) in subsection (a), by striking ''of the Army Corps of Engineers, the Secretary is authorized to utilize Army'' and inserting the following: ''of the Corps of Engineers, the Secretary is authorized to engage in basic research, applied research, advanced research, and development projects, including such projects that are—

''(1) authorized by Congress; or

''(2) included in an Act making appropriations for the Corps of Engineers.

''(b) COLLABORATIVE RESEARCH AND DEVELOPMENT.—

''(1) IN GENERAL.—In carrying out subsection (a), the Secretary is authorized to utilize'';

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

(A) in paragraph (2)(B) (as so redesignated), by striking ''this section'' and inserting ''this subsection'';

(B) in paragraph (3) (as so redesignated), in the first sentence, by striking ''this section'' each place it appears and inserting ''this subsection'';

(C) in paragraph (4) (as so redesignated), by striking ''subsection (c)'' and inserting ''paragraph (3)''; and

(D) in paragraph (5) (as so redesignated), by striking ''this section'' and inserting ''this subsection;''; and

(7) by adding at the end the following:

''(c) OTHER TRANSACTIONS.—

''(1) AUTHORITY.—The Secretary may enter into transactions (other than contracts, cooperative agreements, and grants) in order to carry out this section.

''(2) EDUCATION AND TRAINING.—The Secretary shall—

''(A) ensure that management, technical, and contracting personnel of the Corps of Engineers involved in the award or administration of transactions under this section or other innovative forms of contracting are afforded opportunities for adequate education and training; and

''(B) establish minimum levels and requirements for continuous and experiential learning for such personnel, including levels and requirements for acquisition certification programs.

''(3) NOTIFICATION.—The Secretary shall provide to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives notice of a transaction under this subsection not less than 30 days before entering into the transaction.

''(4) REPORT.—Not later than 3 years and not later than 7 years after the date of enactment of the Water Resources Development Act of 2022, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the use of the authority under paragraph (1).

''(d) REPORT.—

''(1) IN GENERAL.—For fiscal year 2025, and annually thereafter, in conjunction with the annual budget submission of the President to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on projects carried out under subsection (a).

''(2) CONTENTS.—A report under paragraph (1) shall include—

''(A) a description of each ongoing and new project, including—

''(i) the estimated total cost;

''(ii) the amount of Federal expenditures;

''(iii) the amount of expenditures by a non-Federal entity as described in subsection (b)(1), if applicable;

''(iv) the estimated timeline for completion;

''(v) the requesting district of the Corps of Engineers, if applicable; and

''(vi) how the project is consistent with subsection (a); and

''(B) any additional information that the Secretary determines to be appropriate.

''(e) COST SHARING.—

''(1) IN GENERAL.—Except as provided in subsection (b)(3) and paragraph (2), a project carried out under this section shall be at full Federal expense.

''(2) TREATMENT.—Nothing in this subsection waives applicable cost-share requirements for a water resources development project or feasibility study (as defined in section 105(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(d))).

''(f) SAVINGS CLAUSE.—Nothing in this section limits the ability of the Secretary to carry out a project requested by a district of the Corps of Engineers in support of a water resources development project or feasibility study (as defined in section 105(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(d))).

''(g) RESEARCH AND DEVELOPMENT ACCOUNT.—

''(1) IN GENERAL.—There is established a Research and Development account of the Corps of Engineers for the purposes of carrying out this section.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Research and Development account established by paragraph (1) $85,000,000 for each of fiscal years 2023 through 2027.''.

(b) FORECASTING MODELS FOR THE GREAT LAKES.—

(1) AUTHORIZATION.—There is authorized to be appropriated to the Secretary $10,000,000 to complete and maintain a model suite to forecast water levels, account for water level variability, and account for the impacts of extreme weather events and other natural disasters in the Great Lakes.

(2) SAVINGS PROVISION.—Nothing in this subsection precludes the Secretary from using funds made available under the Great Lakes Restoration Initiative established by section 118(c)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)(7)) for activities described in paragraph (1) for the Great Lakes, if funds are not appropriated for such activities.

(c) MONITORING AND ASSESSMENT PROGRAM FOR SALINE LAKES IN THE GREAT BASIN.—

(1) IN GENERAL.—The Secretary is authorized to carry out a program (referred to in this subsection as the ''program'') to monitor and assess the hydrology of saline lake ecosystems in the Great Basin, including the Great Salt Lake, to inform and support Federal and non-Federal management and conservation activities to benefit those ecosystems.

(2) COORDINATION.—The Secretary shall coordinate implementation of the program with relevant—

(A) Federal and State agencies;

(B) Indian Tribes;

(C) local governments; and

(D) nonprofit organizations.

(3) CONTRACTS, GRANTS, AND COOPERATIVE AGREEMENTS.—The Secretary is authorized to enter into contracts, grant agreements, and cooperative agreements with institutions of higher education and with entities described in paragraph (2) to implement the program.

(4) UPDATE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress an update on the progress of the Secretary in carrying out the program.

(5) ADDITIONAL INFORMATION.—In carrying out the program, the Secretary may use available studies, information, literature, or data on the Great Basin region published by relevant Federal, State, or local entities.

(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $10,000,000.

(d) CLERICAL AMENDMENT.—The table of contents contained in section 1(b) of the Water Resources Development Act of 1988 (102 Stat. 4012) is amended by striking the item relating to section 7 and inserting the following:

''Sec. 7. Research and development.

SEC. 5114. TRIBAL AND ECONOMICALLY DISADVANTAGED COMMUNITIES ADVISORY COMMITTEE.

(a) DEFINITIONS.—In this section:

(1) COMMITTEE.—The term ''Committee'' means the Tribal and Economically Disadvantaged Communities Advisory Committee established under subsection (b).

(2) ECONOMICALLY DISADVANTAGED COMMUNITY.—The term ''economically disadvantaged community'' has the meaning given the term pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260).

(3) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(b) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a committee, to be known as the ''Tribal and Economically Disadvantaged Communities Advisory Committee'', to develop and make recommendations to the Secretary and the Chief of Engineers on activities and actions that should be undertaken by the Corps of Engineers to ensure more effective delivery of water resources development projects, programs, and other assistance to economically disadvantaged communities and Indian Tribes.

(c) MEMBERSHIP.—The Committee shall be composed of members, appointed by the Secretary, who have the requisite experiential or technical knowledge needed to address issues related to the water resources needs and challenges of economically disadvantaged communities and Indian Tribes, including—

(1) 5 individuals representing organizations with expertise in environmental policy, rural water resources, economically disadvantaged communities, Tribal rights, or civil rights; and

(2) 5 individuals, each representing a non-Federal interest for a Corps of Engineers project.

(d) DUTIES.—

(1) RECOMMENDATIONS.—The Committee shall provide advice and make recommendations to the Secretary and the Chief of Engineers to assist the Corps of Engineers in—

(A) efficiently and effectively delivering solutions to water resources development projects needs and challenges for economically disadvantaged communities and Indian Tribes;

(B) integrating consideration of economically disadvantaged communities and Indian Tribes, where applicable, in the development of water resources development projects and programs of the Corps of Engineers; and

(C) improving the capability and capacity of the workforce of the Corps of Engineers to assist economically disadvantaged communities and Indian Tribes.

(2) MEETINGS.—The Committee shall meet as appropriate to develop and make recommendations under paragraph (1).

(3) REPORT.—Recommendations provided under paragraph (1) shall be—

(A) included in a report submitted to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(B) be made publicly available, including on a publicly available website.

(e) INDEPENDENT JUDGMENT.—Any recommendation made by the Committee to the Secretary and the Chief of Engineers under subsection (d)(1) shall reflect the independent judgment of the Committee.

(f) ADMINISTRATION.—

(1) COMPENSATION.—Except as provided in paragraph (2), the members of the Committee shall serve without compensation.

(2) TRAVEL EXPENSES.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(3) TREATMENT.—The members of the Committee shall not be considered to be Federal employees, and the meetings and reports of the Committee shall not be considered a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(4) APPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

SEC. 5115. NON-FEDERAL INTEREST ADVISORY COMMITTEE.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a committee, to be known as the ''Non-Federal Interest Advisory Committee'' (referred to in this section as the ''Committee''), to develop and make recommendations to the Secretary and the Chief of Engineers on activities and actions that should be undertaken by the Corps of Engineers to ensure more effective and efficient delivery of water resources development projects, programs, and other assistance.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall be composed of the members described in paragraph (2), who shall—

(A) be appointed by the Secretary; and

(B) have the requisite experiential or technical knowledge needed to address issues related to water resources needs and challenges.

(2) REPRESENTATIVES.—The members of the Committee shall include the following:

(A) A representative of each of the following:

(i) A non-Federal interest for a project for navigation for an inland harbor.

(ii) A non-Federal interest for a project for navigation for a harbor.

(iii) A non-Federal interest for a project for flood risk management.

(iv) A non-Federal interest for a project for coastal storm risk management.

(v) A non-Federal interest for a project for aquatic ecosystem restoration.

(B) A representative of each of the following:

(i) A non-Federal stakeholder with respect to inland waterborne transportation.

(ii) A non-Federal stakeholder with respect to water supply.

(iii) A non-Federal stakeholder with respect to recreation.

(iv) A non-Federal stakeholder with respect to hydropower.

(v) A non-Federal stakeholder with respect to emergency preparedness, including coastal protection.

(C) A representative of each of the following:

(i) An organization with expertise in conservation.

(ii) An organization with expertise in environmental policy.

(iii) An organization with expertise in rural water resources.

(c) DUTIES.—

(1) RECOMMENDATIONS.—The Committee shall provide advice and make recommendations to the Secretary and the Chief of Engineers to assist the Corps of Engineers in—

(A) efficiently and effectively delivering water resources development projects;

(B) improving the capability and capacity of the workforce of the Corps of Engineers to deliver projects and other assistance;

(C) improving the capacity and effectiveness of Corps of Engineers consultation and liaison roles in communicating water resources needs and solutions, including regionally-specific recommendations; and

(D) strengthening partnerships with non-Federal interests to advance water resources solutions.

(2) MEETINGS.—The Committee shall meet as appropriate to develop and make recommendations under paragraph (1).

(3) REPORT.—Recommendations provided under paragraph (1) shall be—

(A) included in a report submitted to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(B) made publicly available, including on a publicly available website.

(d) INDEPENDENT JUDGMENT.—Any recommendation made by the Committee to the Secretary and the Chief of Engineers under subsection (c)(1) shall reflect the independent judgment of the Committee.

(e) ADMINISTRATION.—

(1) IN GENERAL.—The Committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(2) COMPENSATION.—Except as provided in paragraph (3), the members of the Committee shall serve without compensation.

(3) TRAVEL EXPENSES.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(4) TREATMENT.—The members of the Committee shall not be considered to be Federal employees and the meetings and reports of the Committee shall not be considered a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 5116. UNDERSERVED COMMUNITY HARBOR PROJECTS.

(a) DEFINITIONS.—In this section:

(1) PROJECT.—The term ''project'' means a single cycle of dredging of an underserved community harbor and the associated placement of dredged material at a beneficial use placement site or disposal site.

(2) UNDERSERVED COMMUNITY HARBOR.—The term ''underserved community harbor'' means an emerging harbor (as defined in section 210(f) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(f))) for which—

(A) no Federal funds have been obligated for maintenance dredging in the current fiscal year or in any of the 4 preceding fiscal years; and

(B) State and local investments in infrastructure have been made during the preceding 4 fiscal years.

(b) IN GENERAL.—The Secretary may carry out projects to dredge underserved community harbors for purposes of sustaining water-dependent commercial and recreational activities at such harbors.

(c) JUSTIFICATION.—The Secretary may carry out a project under this section if the Secretary determines that the cost of the project is reasonable in relation to the sum of—

(1) the local or regional economic benefits; and

(2)(A) the environmental benefits, including the benefits to the aquatic environment to be derived from the creation of wetland and control of shoreline erosion; or

(B) other social effects, including protection against loss of life and contributions to local or regional cultural heritage.

(d) COST SHARE.—The non-Federal share of the cost of a project carried out under this section shall be determined in accordance with—

(1) subsection (a), (b), (c), or (d), as applicable, of section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213), for any portion of the cost of the project allocated to flood or coastal storm risk management, ecosystem restoration, or recreation; and

(2) section 101(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(b)(1)), for the portion of the cost of the project other than a portion described in paragraph (1).

(e) CLARIFICATION.—The Secretary shall not require the non-Federal interest for a project carried out under this section to perform additional operation and maintenance activities at the beneficial use placement site or the disposal site for such project.

(f) FEDERAL PARTICIPATION LIMIT.—The Federal share of the cost of a project under this section shall not exceed $10,000,000.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2023 through 2026.

(2) SPECIAL RULE.—Not less than 35 percent of the amounts made available to carry out this section for each fiscal year shall be used for projects that include the beneficial use of dredged material.

(h) SAVINGS PROVISION.—Carrying out a project under this section shall not affect the eligibility of an underserved community harbor for Federal operation and maintenance funding otherwise authorized for the underserved community harbor.

SEC. 5117. CORPS OF ENGINEERS WESTERN WATER COOPERATIVE COMMITTEE.

(a) FINDINGS.—Congress finds that—

(1) a bipartisan coalition of 19 Western Senators wrote to the Office of Management and Budget on September 17, 2019, in opposition to the proposed rulemaking entitled ''Use of U.S. Army Corps of Engineers Reservoir Projects for Domestic, Municipal & Industrial Water Supply'' (81 Fed. Reg. 91556 (December 16, 2016)), describing the rule as counter to existing law and court precedent;

(2) on January 21, 2020, the proposed rulemaking described in paragraph (1) was withdrawn; and

(3) the Corps of Engineers should consult with Western States to ensure, to the maximum extent practicable, that operation of flood control projects in prior appropriation States is consistent with the principles of the first section of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 887, chapter 665; 33 U.S.C. 701–1) and section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b).

(b) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a Western Water Cooperative Committee (referred to in this section as the ''Cooperative Committee'').

(2) PURPOSE.—The purpose of the Cooperative Committee is to ensure that Corps of Engineers flood control projects in Western States are operated consistent with congressional directives by identifying opportunities to avoid or minimize conflicts between operation of Corps of Engineers projects and State water rights and water laws.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The Cooperative Committee shall be composed of—

(i) the Assistant Secretary of the Army for Civil Works (or a designee);

(ii) the Chief of Engineers (or a designee);

(iii) 1 representative from each of the States of Alaska, Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming, who may serve on the Western States Water Council, to be appointed by the Governor of each State;

(iv) 1 representative with legal experience from each of the States of Alaska, Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming, to be appointed by the Attorney General of each State; and

(v) 1 employee from each of the impacted regional offices of the Bureau of Indian Affairs.

(4) MEETINGS.—

(A) IN GENERAL.—The Cooperative Committee shall meet not less than once each year in a State represented on the Cooperative Committee.

(B) AVAILABLE TO PUBLIC.—Each meeting of the Cooperative Committee shall be open and accessible to the public.

(C) NOTIFICATION.—The Cooperative Committee shall publish in the Federal Register adequate advance notice of a meeting of the Cooperative Committee.

(5) DUTIES.—The Cooperative Committee shall develop and make recommendations to avoid or minimize conflicts between the operation of Corps of Engineers projects and State water rights and water laws, which may include recommendations for legislation or the promulgation of policy or regulations.

(6) STATUS UPDATES.—

(A) IN GENERAL.—On an annual basis, the Secretary shall provide to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written report that includes—

(i) a summary of the contents of meetings of the Cooperative Committee; and

(ii) a description of any recommendations made by the Cooperative Committee under paragraph (5), including actions taken by the Secretary in response to such recommendations.

(B) COMMENT.—

(i) IN GENERAL.—Not later than 45 days following the conclusion of a meeting of the Cooperative Committee, the Secretary shall provide to members of the Cooperative Committee an opportunity to comment on the contents of the meeting and any recommendations.

(ii) INCLUSION.—Comments provided under clause (i) shall be included in the report provided under subparagraph (A).

(7) COMPENSATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the members of the Cooperative Committee shall serve without compensation.

(B) TRAVEL EXPENSES.—The members of the Cooperative Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Cooperative Committee.

(8) MAINTENANCE OF RECORDS.—The Cooperative Committee shall maintain records pertaining to operating costs and records of the Cooperative Committee for a period of not less than 3 years.

SEC. 5118. UPDATES TO CERTAIN WATER CONTROL MANUALS.

On request of the Governor of State in which the Governor declared a statewide drought disaster in 2021, the Secretary is authorized to update water control manuals for waters in the State, with priority given to those waters that accommodate a water supply project.

SEC. 5119. SENSE OF CONGRESS ON OPERATIONS AND MAINTENANCE OF RECREATION SITES.

It is the sense of Congress that the Secretary, as part of the annual work plan, should distribute amounts provided for the operations and maintenance of recreation sites of the Corps of Engineers so that each site receives an amount that is not less than 80 percent of the recreation fees generated by such site in a given year.

SEC. 5120. RELOCATION ASSISTANCE.

In the case of a water resources development project using nonstructural measures for the elevation or modification of a dwelling that is the primary residence of an owner-occupant and that requires the owner-occupant to relocate temporarily from the dwelling during the period of construction, the Secretary may include in the value of the land, easements, and rights-of-way required for the project or measure the documented reasonable living expenses, excluding food and personal transportation, incurred by the owner-occupant during the period of relocation.

SEC. 5121. REPROGRAMMING LIMITS.

(a) OPERATIONS AND MAINTENANCE.—In reprogramming funds made available to the Secretary for operations and maintenance—

(1) the Secretary may not reprogram more than 25 percent of the base amount up to a limit of—

(A) $8,500,000 for a project, study, or activity with a base level over $1,000,000; and

(B) $250,000 for a project, study, or activity with a base level of $1,000,000 or less; and

(2) $250,000 may be reprogrammed for any continuing study or activity of the Secretary that did not receive an appropriation.

(b) INVESTIGATIONS.—In reprogramming funds made available to the Secretary for investigations—

(1) the Secretary may not reprogram more than $150,000 for a project, study, or activity with a base level over $100,000; and

(2) $150,000 may be reprogrammed for any continuing study or activity of the Secretary that did not receive an appropriation for existing obligations and concomitant administrative expenses.

SEC. 5122. LEASE DURATIONS.

The Secretary shall issue guidance on, in the case of a leasing decision pursuant to section 2667 of title 10, United States Code, or section 4 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 889, chapter 665; 16 U.S.C. 460d), instances in which a lease duration in excess of 25 years is appropriate.

SEC. 5123. SENSE OF CONGRESS RELATING TO POST-DISASTER REPAIRS.

It is the sense of Congress that in permitting and funding post-disaster repairs, the Secretary should, to the maximum extent practicable, repair assets—

(1) to project design levels; or

(2) if the original project design is outdated, to above project design levels.

SEC. 5124. PAYMENT OF PAY AND ALLOWANCES OF CERTAIN OFFICERS FROM APPROPRIATION FOR IMPROVEMENTS.

Section 36 of the Act of August 10, 1956 (70A Stat. 634, chapter 1041; 33 U.S.C. 583a), is amended—

(1) by striking ''Regular officers of the Corps of Engineers of the Army, and reserve officers of the Army who are assigned to the Corps of Engineers,'' and inserting the following:

''(a) IN GENERAL.—The personnel described in subsection (b)''; and

(2) by adding at the end the following:

''(b) PERSONNEL DESCRIBED.—The personnel referred to in subsection (a) are the following:

''(1) Regular officers of the Corps of Engineers of the Army.

''(2) The following members of the Army who are assigned to the Corps of Engineers:

''(A) Reserve component officers.

''(B) Warrant officers (whether regular or reserve component).

''(C) Enlisted members (whether regular or reserve component).''.

SEC. 5125. REFORESTATION.

The Secretary is encouraged to consider measures to restore swamps and other wetland forests in studies for water resources development projects for ecosystem restoration and flood and coastal storm risk management.

SEC. 5126. USE OF OTHER FEDERAL FUNDS.

Section 2007 of the Water Resources Development Act of 2007 (33 U.S.C. 2222) is amended—

(1) by striking ''water resources study or project'' and inserting ''water resources development study or project, including a study or project under a continuing authority program (as defined in section 7001(c)(1)(D) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d(c)(1)(D))),''; and

(2) by striking ''the Federal agency that provides the funds determines that the funds are authorized to be used to carry out the study or project'' and inserting ''the funds appropriated to the Federal agency are for a purpose that is similar or complementary to the purpose of the study or project''.

SEC. 5127. NATIONAL LOW-HEAD DAM INVENTORY.

The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended by adding at the end the following:

"SEC. 15. NATIONAL LOW-HEAD DAM INVENTORY.

''(a) DEFINITIONS.—In this section:

''(1) INVENTORY.—The term 'inventory' means the national low-head dam inventory developed under subsection (b)(1).

''(2) LOW-HEAD DAM.—The term 'low-head dam' means a river-wide dam that generally spans a stream channel, blocking the waterway and creating a backup of water behind the dam, with a drop off over the wall of not less than 6 inches and not more than 25 feet.

''(3) SECRETARY.—The term 'Secretary' means the Secretary of the Army.

''(b) NATIONAL LOW-HEAD DAM INVENTORY.—

''(1) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Secretary, in consultation with the heads of appropriate Federal and State agencies, shall—

''(A) develop an inventory of low-head dams in the United States that includes—

''(i) the location, ownership, description, current use, condition, height, and length of each low-head dam;

''(ii) any information on public safety conditions at each low-head dam;

''(iii) public safety information on the dangers of low-head dams;

''(iv) a directory of financial and technical assistance resources available to reduce safety hazards and fish passage barriers at low-head dams; and

''(v) any other relevant information concerning low-head dams; and

''(B) submit the inventory to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(2) DATA.—In carrying out this subsection, the Secretary shall—

''(A) coordinate with Federal and State agencies and other relevant entities; and

''(B) use data provided to the Secretary by those agencies.

''(3) UPDATES.—The Secretary, in consultation with appropriate Federal and State agencies, shall maintain and periodically publish updates to the inventory.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $30,000,000.

''(d) CLARIFICATION.—Nothing in this section provides authority to the Secretary to carry out an activity, with respect to a low-head dam, that is not explicitly authorized under this section.''.

SEC. 5128. TRANSFER OF EXCESS CREDIT.

Section 1020 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2223) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) STUDIES AND PROJECTS WITH MULTIPLE NON-FEDERAL INTERESTS.—A credit described in paragraph (1) for a study or project with multiple non-Federal interests may be applied to the required non-Federal cost share for a study or project of any of those non-Federal interests, subject to the condition that each non-Federal interest for the study or project for which the credit described in paragraph (1) is provided concurs in writing.'';

(2) in subsection (b), by adding at the end the following:

''(3) CONDITIONAL APPROVAL OF EXCESS CREDIT.—The Secretary may approve credit in excess of the non-Federal share for a study or project prior to the identification of each authorized study or project to which the excess credit will be applied, subject to the condition that the non-Federal interest agrees to submit for approval by the Secretary an amendment to the comprehensive plan prepared under paragraph (2) that identifies each authorized study or project in advance of execution of the feasibility cost sharing agreement or project partnership agreement for that authorized study or project.'';

(3) by striking subsection (d); and

(4) by redesignating subsection (e) as subsection (d).

SEC. 5129. NATIONAL LEVEE RESTORATION.

(a) DEFINITION OF REHABILITATION.—Section 9002(13) of the Water Resources Development Act of 2007 (33 U.S.C. 3301(13)) is amended—

(1) by inserting '', or improvement'' after ''removal''; and

(2) by inserting '', increase resiliency to extreme weather events,'' after ''flood risk''.

(b) LEVEE REHABILITATION ASSISTANCE PROGRAM.—Section 9005(h) of the Water Resources Development Act of 2007 (33 U.S.C. 3303a(h)) is amended—

(1) in paragraph (7), by striking ''$10,000,000'' and inserting ''$25,000,000''; and

(2) by adding at the end the following:

''(11) PRIORITIZATION.—To the maximum extent practicable, the Secretary shall prioritize the provision of assistance under this subsection to economically disadvantaged communities (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)).''.

SEC. 5130. INLAND WATERWAYS REGIONAL DREDGE PILOT PROGRAM.

Section 1111 of the America's Water Infrastructure Act of 2018 (33 U.S.C. 2326 note; Public Law 115–270) is amended by adding at the end the following:

''(e) INLAND WATERWAYS REGIONAL DREDGE PILOT PROGRAM.—

''(1) IN GENERAL.—The Secretary is authorized to establish a pilot program (referred to in this subsection as the 'pilot program') to conduct a multiyear dredging demonstration program to award contracts with a duration of up to 5 years for projects on inland waterways.

''(2) PURPOSES.—The purposes of the pilot program shall be—

''(A) to increase the reliability, availability, and efficiency of federally-owned and federally-operated inland waterways projects;

''(B) to decrease operational risks across the inland waterways system; and

''(C) to provide cost-savings by combining work across multiple projects across different accounts of the Corps of Engineers.

''(3) DEMONSTRATION.—

''(A) IN GENERAL.—The Secretary shall, to the maximum extent practicable, award contracts for projects on inland waterways that combine work across the Construction and Operation and Maintenance accounts of the Corps of Engineers.

''(B) PROJECTS.— In awarding contracts under subparagraph (A), the Secretary shall consider projects that—

''(i) improve navigation reliability on inland waterways that are accessible year-round;

''(ii) increase freight capacity on inland waterways; and

''(iii) have the potential to enhance the availability of containerized cargo on inland waterways.

''(4) SAVINGS CLAUSE.—Nothing in this subsection affects the responsibility of the Secretary with respect to the construction and operations and maintenance of projects on the inland waterways system.

''(5) REPORT TO CONGRESS.—Not later than 1 year after the date on which the first contract is awarded pursuant to the pilot program, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that evaluates, with respect to the pilot program and any contracts awarded under the pilot program—

''(A) cost effectiveness;

''(B) reliability and performance;

''(C) cost savings attributable to mobilization and demobilization of dredge equipment; and

''(D) response times to address navigational impediments.

''(6) SUNSET.—The authority of the Secretary to enter into contracts pursuant to the pilot program shall expire on the date that is 10 years after the date of enactment of this Act.''.

SEC. 5131. FUNDING TO PROCESS PERMITS.

Section 214(a)(2) of the Water Resources Development Act of 2000 (33 U.S.C. 2352(a)(2)) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(A) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(B) MULTI-USER MITIGATION BANK INSTRUMENT PROCESSING.—

''(i) IN GENERAL.—An activity carried out by the Secretary to expedite evaluation of a permit described in subparagraph (A) may include the evaluation of an instrument for a mitigation bank if—

''(I) the non-Federal public entity, public-utility company, natural gas company, or railroad carrier applying for the permit described in that subparagraph is the sponsor of the mitigation bank; and

''(II) expediting evaluation of the instrument is necessary to expedite evaluation of the permit described in that subparagraph.

''(ii) USE OF CREDITS.—The use of credits generated by the mitigation bank established using expedited processing under clause (i) shall be limited to current and future projects and activities of the entity, company, or carrier described in subclause (I) of that clause for a public purpose, except that in the case of a non-Federal public entity, not more than 25 percent of the credits may be sold to other public and private entities.''.

SEC. 5132. NON-FEDERAL PROJECT IMPLEMENTATION PILOT PROGRAM.

Section 1043(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113–121) is amended—

(1) in paragraph (3), by inserting ''or discrete segment'' after ''separable element'' each place it appears; and

(2) by adding at the end the following:

''(10) DEFINITION OF DISCRETE SEGMENT.—In this subsection, the term 'discrete segment' means a physical portion of a project or separable element that the non-Federal interest can operate and maintain, independently and without creating a hazard, in advance of final completion of the water resources development project, or separable element thereof.''.

SEC. 5133. COST SHARING FOR TERRITORIES AND INDIAN TRIBES.

Section 1156 of the Water Resources Development Act of 1986 (33 U.S.C. 2310) is amended by adding at the end the following:

''(c) APPLICATION TO STUDIES.—

''(1) INCLUSION.—For purposes of this section, the term 'study' includes watershed assessments.

''(2) APPLICATION.—The Secretary shall apply the waiver amount described in subsection (a) to reduce only the non-Federal share of study costs.''.

SEC. 5134. WATER SUPPLY CONSERVATION.

Section 1116 of the WIIN Act (130 Stat. 1639) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''during the 1-year period ending on the date of enactment of this Act'' and inserting ''for at least 2 years during the 10-year period preceding a request from a non-Federal interest for assistance under this section''; and

(2) in subsection (b)(4), by inserting '', including measures utilizing a natural feature or nature-based feature (as those terms are defined in section 1184(a)) to reduce drought risk'' after ''water supply''.

SEC. 5135. CRITERIA FOR FUNDING OPERATION AND MAINTENANCE OF SMALL, REMOTE, AND SUBSISTENCE HARBORS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop specific criteria for the annual evaluation and ranking of maintenance dredging requirements for small, remote, and subsistence harbors, taking into account the criteria provided in the joint explanatory statement of managers accompanying division D of the Consolidated Appropriations Act, 2021 (Public Law 116–260; 134 Stat. 1352).

(b) INCLUSION IN GUIDANCE.—The Secretary shall include the criteria developed under subsection (a) in the annual Civil Works Direct Program Development Policy Guidance of the Secretary.

(c) REPORT TO CONGRESS.—For fiscal year 2024, and biennially thereafter, in conjunction with the annual budget submission of the President under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives a report that identifies the ranking of projects in accordance with the criteria developed under subsection (a).

SEC. 5136. PROTECTION OF LIGHTHOUSES.

Section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r) is amended by inserting ''lighthouses, including those lighthouses with historical value,'' after ''schools,''.

SEC. 5137. EXPEDITING HYDROPOWER AT CORPS OF ENGINEERS FACILITIES.

Section 1008 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2321b) is amended—

(1) in subsection (b)(1), by inserting ''and to meet the requirements of subsection (b)'' after ''projects'';

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting after subsection (a) the following:

''(b) IMPLEMENTATION OF POLICY.—The Secretary shall—

''(1) ensure that the policy described in subsection (a) is implemented nationwide in an efficient, consistent, and coordinated manner; and

''(2) assess opportunities—

''(A) to increase the development of hydroelectric power at existing hydroelectric water resources development projects of the Corps of Engineers; and

''(B) to develop new hydroelectric power at nonpowered water resources development projects of the Corps of Engineers.''.

SEC. 5138. MATERIALS, SERVICES, AND FUNDS FOR REPAIR, RESTORATION, OR REHABILITATION OF CERTAIN PUBLIC RECREATION FACILITIES.

(a) DEFINITION OF ELIGIBLE PUBLIC RECREATION FACILITY.—In this section, the term ''eligible public recreation facility'' means a facility at a reservoir operated by the Corps of Engineers that—

(1) was constructed to enable public use of and access to the reservoir; and

(2) requires repair, restoration, or rehabilitation to function.

(b) AUTHORIZATION.—During a period of low water at an eligible public recreation facility, the Secretary is authorized—

(1) to accept and use materials, services, and funds from a non-Federal interest to repair, restore, or rehabilitate the facility; and

(2) to reimburse the non-Federal interest for the Federal share of the materials, services, or funds.

(c) REQUIREMENT.—The Secretary may not reimburse a non-Federal interest for the use of materials or services accepted under this section unless the materials or services—

(1) meet the specifications of the Secretary; and

(2) comply with all applicable laws and regulations that would apply if the materials and services were acquired by the Secretary, including subchapter IV of chapter 31 and chapter 37 of title 40, United States Code, section 8302 of title 41, United States Code, and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(d) AGREEMENT.—Before the acceptance of materials, services, or funds under this section, the Secretary and the non-Federal interest shall enter into an agreement that—

(1) specifies that the non-Federal interest shall hold and save the United States free from any and all damages that arise from use of materials or services of the non-Federal interest, except for damages due to the fault or negligence of the United States or its contractors;

(2) requires that the non-Federal interest shall certify that the materials or services comply with all applicable laws and regulations under subsection (c); and

(3) includes any other term or condition required by the Secretary.

SEC. 5139. DREDGED MATERIAL MANAGEMENT PLANS.

(a) IN GENERAL.—The Secretary shall prioritize implementation of section 125(c) of the Water Resources Development Act of 2020 (33 U.S.C. 2326h) at federally authorized harbors in the State of Ohio.

(b) REQUIREMENTS.—Each dredged material management plan prepared by the Secretary under section 125(c) of the Water Resources Development Act of 2020 (33 U.S.C. 2326h) for a federally authorized harbor in the State of Ohio shall—

(1) include, in the baseline conditions, a prohibition on use of funding for open-lake disposal of dredged material consistent with section 105 of the Energy and Water Development and Related Agencies Appropriations Act, 2022 (Public Law 117–103; 136 Stat. 217) ; and

(2) maximize beneficial use of dredged material under the base plan and under section 204(d) of the Water Resources Development Act of 1992 (33 U.S.C. 2326(d)).

(c) SAVINGS PROVISION.—This section does not—

(1) impose a prohibition on use of funding for open-lake disposal of dredged material; or

(2) require the development or implementation of a dredged material management plan in accordance with subsection (b) if use of funding for open-lake disposal is not otherwise prohibited by law.

SEC. 5140. LEASE DEVIATIONS.

The Secretary shall fully implement the requirements of section 153 of the Water Resources Development Act of 2020 (134 Stat. 2658).

SEC. 5141. COLUMBIA RIVER BASIN.

(a) STUDY OF FLOOD RISK MANAGEMENT ACTIVITIES.—

(1) IN GENERAL.—Using funds made available to carry out this section, the Secretary is authorized, at Federal expense, to carry out a study to determine the feasibility of a project for flood risk management and related purposes in the Columbia River basin and to report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate with recommendations thereon, including recommendations for a project to potentially reduce the reliance on Canada for flood risk management in the basin.

(2) COORDINATION.—The Secretary shall carry out the activities described in this subsection in coordination with other Federal and State agencies and Indian Tribes.

(b) FUNDS FOR COLUMBIA RIVER TREATY OBLIGATIONS.—

(1) IN GENERAL.—The Secretary is authorized to expend funds appropriated for the purpose of satisfying United States obligations under the Columbia River Treaty to compensate Canada for operating Canadian storage on behalf of the United States under such Treaty.

(2) NOTIFICATION.—If the U.S. entity calls upon Canada to operate Canadian reservoir storage for flood risk management on behalf of the United States, which operation may incur an obligation to compensate Canada under the Columbia River Treaty—

(A) the Secretary shall submit to the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives and the Committees on Environment and Public Works and Appropriations of the Senate, by not later than 30 days after the initiation of the call, a written notice of the action and a justification, including a description of the circumstances necessitating the call;

(B) upon a determination by the United States of the amount of compensation that shall be paid to Canada, the Secretary shall submit to the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives and the Committees on Environment and Public Works and Appropriations of the Senate a written notice specifying such amount and an explanation of how such amount was derived, which notification shall not delay or impede the flood risk management mission of the U.S. entity; and

(C) the Secretary shall make no payment to Canada for the call under the Columbia River Treaty until such time as funds appropriated for the purpose of compensating Canada under such Treaty are available.

(c) DEFINITIONS.—In this section:

(1) COLUMBIA RIVER BASIN.—The term ''Columbia River basin'' means the entire United States portion of the Columbia River watershed.

(2) COLUMBIA RIVER TREATY.—The term ''Columbia River Treaty'' means the Treaty relating to cooperative development of the water resources of the Columbia River Basin, signed at Washington January 17, 1961, and entered into force September 16, 1964.

(3) U.S. ENTITY.—The term ''U.S. entity'' means the entity designated by the United States under Article XIV of the Columbia River Treaty.

SEC. 5142. CONTINUATION OF CONSTRUCTION.

(a) IN GENERAL.—The Secretary shall not include the amount of Federal obligations incurred and non-Federal contributions provided for an authorized water resources development project during the period beginning on the date of enactment of this Act and ending on September 30, 2025, for purposes of determining if the cost of the project exceeds the maximum cost of the project under section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280).

(b) CONTINUATION OF CONSTRUCTION.—

(1) IN GENERAL.—The Secretary shall not, solely on the basis of section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280)—

(A) defer the initiation or continuation of construction of a water resources development project during the period described in subsection (a); or

(B) terminate a contract for design or construction of a water resources development project entered into during the period described in subsection (a) after expiration of that period.

(2) RESUMPTION OF CONSTRUCTION.—The Secretary shall resume construction of any water resources development project for which construction was deferred on the basis of section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) during the period beginning on October 1, 2021, and ending on the date of enactment of this Act.

(c) STATUTORY CONSTRUCTION.—Nothing in this section waives the obligation of the Secretary to submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a post-authorization change report recommending an increase in the authorized cost of a project if the project otherwise would exceed the maximum cost of the project under section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280).

TITLE LII—STUDIES AND REPORTS

SEC. 5201. AUTHORIZATION OF FEASIBILITY STUDIES.

(a) IN GENERAL.—The Secretary is authorized to investigate the feasibility of the following projects:

(1) Project for ecosystem restoration, Mill Creek Levee and Walla Walla River, Oregon.

(2) Project for flood risk management and ecosystem restoration, Tittabawassee River, Chippewa River, Pine River, and Tobacco River, Michigan.

(3) Project for flood risk management, Southeast Michigan.

(4) Project for flood risk management, McMicken Dam, Arizona.

(5) Project for flood risk management, Ellicott City and Howard County, Maryland.

(6) Project for flood risk management, Ten Mile River, North Attleboro, Massachusetts.

(7) Project for flood risk management and water supply, Fox-Wolf Basin, Wisconsin.

(8) Project for flood risk management and ecosystem restoration, Thatchbed Island, Essex, Connecticut.

(9) Project for flood and coastal storm risk management, Cape Fear River Basin, North Carolina.

(10) Project for flood risk management, Lower Clear Creek and Dickinson Bayou, Texas.

(11) Project for flood risk management and ecosystem restoration, the Resacas, Hidalgo and Cameron Counties, Texas.

(12) Project for flood risk management, including levee improvement, Papillion Creek, Nebraska.

(13) Project for flood risk management, Offutt Ditch Pump Station, Nebraska.

(14) Project for flood risk management, navigation, and ecosystem restoration, Mohawk River Basin, New York.

(15) Project for coastal storm risk management, Waikiki Beach, Hawaii.

(16) Project for ecosystem restoration and coastal storm risk management, Cumberland and Sea Islands, Georgia.

(17) Project for flood risk management, Wailupe Stream watershed, Hawaii.

(18) Project for flood and coastal storm risk management, Hawaii County, Hawaii.

(19) Project for coastal storm risk management, Maui County, Hawaii.

(20) Project for flood risk management, Sarpy County, Nebraska.

(21) Project for aquatic ecosystem restoration, including habitat for endangered salmon, Columbia River Basin.

(22) Project for ecosystem restoration, flood risk management, and recreation, Newport, Kentucky.

(23) Project for flood risk management and water supply, Jenkins, Kentucky.

(24) Project for flood risk management, including riverbank stabilization, Columbus, Kentucky.

(25) Project for flood and coastal storm risk management, navigation, and ecosystem restoration, South Shore, Long Island, New York.

(26) Project for flood risk management, coastal storm risk management, navigation, ecosystem restoration, and water supply, Blind Brook, New York.

(27) Project for navigation, Cumberland River, Kentucky.

(28) Project for ecosystem restoration and water supply, Great Salt Lake, Utah.

(b) PROJECT MODIFICATIONS.—The Secretary is authorized to investigate the feasibility of the following modifications to the following projects:

(1) Modifications to the project for navigation, South Haven Harbor, Michigan, for turning basin improvements.

(2) Modifications to the project for navigation, Rollinson Channel and channel from Hatteras Inlet to Hatteras, North Carolina, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1174), to incorporate the ocean bar.

(3) Modifications to the project for flood control, Saint Francis River Basin, Missouri and Arkansas, authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 172, chapter 188), to provide flood risk management for the tributaries and drainage of Straight Slough, Craighead, Poinsett, and Cross Counties, Arkansas.

(4) Modifications to the project for flood risk management, Cedar River, Cedar Rapids, Iowa, authorized by section 7002(2) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1366), consistent with the City of Cedar Rapids, Iowa, Cedar River Flood Control System Master Plan.

(5) Modifications to the project for navigation, Savannah Harbor, Georgia, without evaluation of additional deepening.

(6) Modifications to the project for navigation, Honolulu Harbor, Hawaii, for navigation improvements and coastal storm risk management.

(7) Modifications to the project for navigation, Port of Ogdensburg, New York, including deepening.

(8) Modifications to the Huntington Local Protection Project, Huntington, West Virginia.

SEC. 5202. SPECIAL RULES.

(a) The studies authorized by paragraphs (12) and (13) of section 5201(a) shall be considered a continuation of the study that resulted in the Chief's Report for the project for Papillion Creek and Tributaries Lakes, Nebraska, signed January 24, 2022.

(b) The study authorized by section 5201(a)(17) shall be considered a resumption and a continuation of the general reevaluation initiated on December 30, 2003.

(c) In carrying out the study authorized by section 5201(a)(21), the Secretary shall only formulate measures and alternatives to be consistent with the authorized purposes of existing Federal projects while also maintaining the benefits of such projects.

(d) In carrying out the study authorized by section 5201(a)(25), the Secretary shall study the South Shore of Long Island, New York, as a whole system, including inlets that are Federal channels.

(e) The studies authorized by section 5201(b) shall be considered new phase investigations afforded the same treatment as a general reevaluation.

SEC. 5203. EXPEDITED COMPLETION OF STUDIES.

(a) FEASIBILITY REPORTS.—The Secretary shall expedite the completion of a feasibility study for each of the following projects, and if the Secretary determines that the project is justified in a completed report, may proceed directly to preconstruction planning, engineering, and design of the project:

(1) Modifications to the project for flood risk management, North Adams, Massachusetts, authorized by section 5 of the Act of June 22, 1936 (commonly known as the ''Flood Control Act of 1936'') (49 Stat. 1572, chapter 688; 33 U.S.C. 701h), and section 3 of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 639, chapter 377), for flood risk management and ecosystem restoration.

(2) Project for coastal storm risk management, Charleston Peninsula, South Carolina.

(3) Project for flood and coastal storm risk management and ecosystem restoration, Boston North Shore, Revere, Saugus, Lynn, Maiden, and Everett, Massachusetts.

(4) Project for flood risk management, De Soto County, Mississippi.

(5) Project for coastal storm risk management, Chicago shoreline, Illinois.

(6) Project for flood risk management, Cave Buttes Dam, Arizona.

(7) Project for flood and coastal storm risk management, Chelsea, Massachusetts, authorized by a study resolution of the Committee on Public Works of the Senate dated September 12, 1969.

(8) Project for ecosystem restoration, Herring River Estuary, Barnstable County, Massachusetts, authorized by a study resolution of the Committee on Transportation and Infrastructure of the House of Representatives dated July 23, 1997.

(9) Project for coastal storm risk management, ecosystem restoration, and navigation, Nauset Barrier Beach and inlet system, Chatham, Massachusetts, authorized by a study resolution of the Committee on Public Works of the Senate dated September 12, 1969.

(10) Project for flood risk management, East Hartford Levee System, Connecticut.

(11) Project for flood risk management, Rahway, New Jersey, authorized by section 336 of the Water Resources Development Act of 2020 (134 Stat. 2712).

(12) Project for coastal storm risk management, Sea Bright to Manasquan, New Jersey.

(13) Project for coastal storm risk management, Raritan Bay and Sandy Hook Bay, New Jersey.

(14) Project for coastal storm risk management, St. Tammany Parish, Louisiana.

(15) Project for ecosystem restoration, Fox River, Illinois, authorized by section 519 of the Water Resources Development Act of 2000 (114 Stat. 2653).

(16) Project for ecosystem restoration, Chicago River, Illinois.

(17) Project for ecosystem restoration, Lake Okeechobee, Florida.

(18) Project for ecosystem restoration, Western Everglades, Florida.

(19) Modifications to the project for navigation, Hilo Harbor, Hawaii.

(20) Project for flood risk management, Kanawha River Basin, West Virginia, Virginia, North Carolina.

(21) Modifications to the project for navigation, Auke Bay, Alaska.

(b) POST-AUTHORIZATION CHANGE REPORTS.—The Secretary shall expedite completion of a post-authorization change report for the following projects:

(1) Project for ecosystem restoration, Tres Rios, Arizona, authorized by section 101(b)(4)

of the Water Resources Development Act of 2000 (114 Stat. 2577).

(2) Project for coastal storm risk management, Surf City and North Topsail Beach, North Carolina, authorized by section 7002(3) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1367).

(3) Anchorage F modifications to the project for navigation, Norfolk Harbor and Channels, Virginia, authorized by section 201 of the Water Resources Development Act of 1986 (100 Stat. 4090) and modified by section 1403(a) of the Water Resources Development Act of 2018 (132 Stat. 3840).

(4) Project for navigation, Port Everglades, Florida, authorized by section 1401(1) of the Water Resources Development Act of 2016 (130 Stat. 1709).

(c) WATERSHED AND RIVER BASIN ASSESSMENTS.—The Secretary shall expedite the completion of the following assessments under section 729 of the Water Resources Development Act of 1986 (33 U.S.C. 2267a):

(1) Great Lakes Coastal Resiliency Study, Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin.

(2) Ouachita-Black Rivers, Arkansas and Louisiana.

(3) Project for watershed assessment, Hawaii County, Hawaii.

(d) DISPOSITION STUDY.—The Secretary shall expedite the completion of the disposition study for the Los Angeles County Drainage Area under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a).

(e) ADDITIONAL DIRECTION.—The post-authorization change report for the project described in subsection (b)(3) shall be completed not later than December 31, 2023.

SEC. 5204. STUDIES FOR PERIODIC NOURISHMENT.

(a) IN GENERAL.—Section 156 of the Water Resources Development Act of 1976 (42 U.S.C. 1962d–5f)) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''15'' and inserting ''50''; and

(B) in paragraph (2), by striking ''15'';

(2) in subsection (e)—

(A) by striking ''10-year period'' and inserting ''16-year period''; and

(B) by striking ''6 years'' and inserting ''12 years''; and

(3) by adding at the end the following:

''(f) TREATMENT OF STUDIES.—A study carried out under subsection (b) shall be considered a new phase investigation afforded the same treatment as a general reevaluation.''.

(b) INDIAN RIVER INLET SAND BYPASS PLANT.—For purposes of the project for coastal storm risk management, Delaware Coast Protection, Delaware (commonly known as the ''Indian River Inlet Sand Bypass Plant''), authorized by section 869 of the Water Resources Development Act of 1986 (100 Stat. 4182), a study carried out under section 156(b) of the Water Resources Development Act of 1976 (42 U.S.C. 1962d–5f(b)) shall consider as an alternative for periodic nourishment continued reimbursement of the Federal share of the cost to the non-Federal interest for the project to operate and maintain a sand bypass plant.

SEC. 5205. NEPA REPORTING.

(a) DEFINITIONS.—In this section:

(1) CATEGORICAL EXCLUSION.—The term ''categorical exclusion'' has the meaning given the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

(2) ENVIRONMENTAL ASSESSMENT.—The term ''environmental assessment'' has the meaning given the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

(3) ENVIRONMENTAL IMPACT STATEMENT.—The term ''environmental impact statement'' means a detailed written statement required under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

(4) FINDING OF NO SIGNIFICANT IMPACT.—The term ''finding of no significant impact'' has the meaning given the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

(5) NEPA PROCESS.—

(A) IN GENERAL.—The term ''NEPA process'' has the meaning given the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

(B) PERIOD.—For purposes of subparagraph (A), the NEPA process—

(i) begins on the date on which the Secretary initiates a project study; and

(ii) ends on the date on which the Secretary issues, with respect to the project study—

(I) a record of decision, including, if necessary, a revised record of decision;

(II) a finding of no significant impact; or

(III) a categorical exclusion under title I of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.).

(6) PROJECT STUDY.—The term ''project study'' means a feasibility study for a project carried out pursuant to section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282) for which a categorical exclusion, an environmental assessment, or an environmental impact statement is required pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) REPORTS.—

(1) NEPA DATA.—

(A) IN GENERAL.—The Secretary shall carry out a process to track, and annually submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing, the information described in subparagraph (B).

(B) INFORMATION DESCRIBED.—The information referred to in subparagraph (A) is, with respect to the Corps of Engineers—

(i) the number of project studies for which a categorical exclusion was used during the reporting period;

(ii) the number of project studies for which the decision to use a categorical exclusion, to prepare an environmental assessment, or to prepare an environmental impact statement is pending on the date on which the report is submitted;

(iii) the number of project studies for which an environmental assessment was issued during the reporting period, broken down by whether a finding of no significant impact, if applicable, was based on mitigation;

(iv) the length of time the Corps of Engineers took to complete each environmental assessment described in clause (iii);

(v) the number of project studies pending on the date on which the report is submitted for which an environmental assessment is being drafted;

(vi) the number of project studies for which an environmental impact statement was issued during the reporting period;

(vii) the length of time the Corps of Engineers took to complete each environmental impact statement described in clause (vi); and

(viii) the number of project studies pending on the date on which the report is submitted for which an environmental impact statement is being drafted.

(2) PUBLIC ACCESS TO NEPA REPORTS.—The Secretary shall make publicly available each annual report required under paragraph (1).

SEC. 5206. GAO AUDIT OF PROJECTS OVER BUDGET OR BEHIND SCHEDULE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review of the factors and conditions for each ongoing water resources development project carried out by the Secretary for which—

(1) the current estimated total project cost of the project exceeds the original estimated total project cost of the project by not less than $50,000,000; or

(2) the current estimated completion date of the project exceeds the original estimated completion date of the project by not less than 5 years.

(b) REPORT.—The Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the review under subsection (a).

SEC. 5207. GAO STUDY ON PROJECT DISTRIBUTION.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct an analysis of the geographic distribution of annual and supplemental funding for water resources development projects carried out by the Secretary over the previous 10 fiscal years and the factors that have led to that distribution.

(b) REPORT.—The Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the analysis under subsection (a).

SEC. 5208. GAO AUDIT OF JOINT COSTS FOR OPERATIONS AND MAINTENANCE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review of the practices of the Corps of Engineers with respect to the determination of joint costs associated with operations and maintenance of reservoirs owned and operated by the Secretary.

(b) REPORT.—The Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the review under subsection (a) and any recommendations that result from the review.

SEC. 5209. GAO REVIEW OF CORPS OF ENGINEERS MITIGATION PRACTICES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall carry out a review of the water resources development project mitigation practices of the Corps of Engineers.

(b) CONTENT.—The review under subsection (a) shall include an evaluation of—

(1) the implementation by the Corps of Engineers of the final rule issued on April 10, 2008, entitled ''Compensatory Mitigation for Losses of Aquatic Resources'' (73 Fed. Reg. 19594), including, at a minimum—

(A) the extent to which the final rule is consistently implemented by the districts of the Corps of Engineers; and

(B) the performance of each of the mitigation mechanisms included in the final rule; and

(2) opportunities to utilize alternative methods to satisfy mitigation requirements of water resources development projects, including, at a minimum, performance-based contracts.

(c) REPORT.—The Comptroller General of the United States shall submit to the Committee on Environment and Public Works of

the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the review under subsection (a) and any recommendations that result from the review.

(d) DEFINITION OF PERFORMANCE-BASED CONTRACT.—In this section, the term ''performance-based contract'' means a procurement mechanism by which the Corps of Engineers contracts with a public or private non-Federal entity for a specific mitigation outcome requirement, with payment to the entity linked to delivery of verifiable and successful mitigation performance.

SEC. 5210. SABINE–NECHES WATERWAY NAVIGATION IMPROVEMENT PROJECT, TEXAS.

The Secretary shall expedite the review and coordination of the feasibility study for the project for navigation, Sabine–Neches Waterway, Texas, under section 203(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2231(b)).

SEC. 5211. GREAT LAKES RECREATIONAL BOATING.

Not later than 1 year after the date of enactment of this Act, the Secretary shall prepare, at full Federal expense, and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report updating the findings of the report on the economic benefits of recreational boating in the Great Lakes basin prepared under section 455(c) of the Water Resources Development Act of 1999 (42 U.S.C. 1962d–21(c)).

SEC. 5212. CENTRAL AND SOUTHERN FLORIDA.

(a) EVALUATION AND REPORT.—

(1) EVALUATION.—On request and at the expense of the St. Johns River Water Management District, the Secretary shall evaluate the effects of deauthorizing the southernmost 3.5-mile reach of the L–73 levee, Section 2, Osceola County, Florida, on the functioning of the project for flood control and other purposes, Upper St. Johns River Basin, Central and Southern Florida, authorized by section 203 of the Flood Control Act of 1948 (62 Stat. 1176).

(2) REPORT.—In carrying out the evaluation under paragraph (1), the Secretary shall—

(A) prepare a report that includes the results of the evaluation, including—

(i) the advisability of deauthorizing the levee described in that paragraph; and

(ii) any recommendations for conditions that should be placed on a deauthorization to protect the interests of the United States and the public; and

(B) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the report under subparagraph (A) as part of the annual report submitted to Congress pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d).

(b) COMPREHENSIVE CENTRAL AND SOUTHERN FLORIDA STUDY.—

(1) IN GENERAL.—The Secretary is authorized to carry out a feasibility study for resiliency and comprehensive improvements or modifications to existing water resources development projects in central and southern Florida, for the purposes of flood risk management, water supply, ecosystem restoration (including preventing saltwater intrusion), recreation, and related purposes.

(2) REQUIREMENTS.—In carrying out the feasibility study under paragraph (1), the Secretary—

(A) is authorized—

(i) to review the report of the Chief of Engineers for central and southern Florida (House Document 643, 80th Congress, 2d Session), and other related reports of the Secretary; and

(ii) to recommend cost-effective structural and nonstructural projects for implementation that provide a systemwide approach for the purposes described in that paragraph; and

(B) shall ensure the study and any projects recommended under subparagraph (A)(ii) will not interfere with the efforts undertaken to carry out the Comprehensive Everglades Restoration Plan pursuant to section 601 of the Water Resources Development Act of 2000 (114 Stat. 2680; 121 Stat. 1268; 132 Stat. 3786).

SEC. 5213. INVESTMENTS FOR RECREATION AREAS.

(a) FINDINGS.—Congress finds the following:

(1) The Corps of Engineers operates more recreation areas than any other Federal or State agency, apart from the Department of the Interior.

(2) Nationally, visitors to nearly 600 dams and lakes, managed by the Corps of Engineers, spend an estimated $12,000,000,000 per year and support 500,000 jobs.

(3) Lakes managed by the Corps of Engineers are economic drivers that support rural communities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Corps of Engineers should use all available authorities to promote and enhance development and recreational opportunities at lakes that are part of authorized civil works projects under the administrative jurisdiction of the Corps of Engineers.

(c) REPORT.—Not later than 180 days after the enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on investments needed to support recreational activities that are part of authorized water resources development projects under the administrative jurisdiction of the Corps of Engineers.

(d) REQUIREMENTS.—The report under subsection (c) shall include—

(1) a list of deferred maintenance projects, including maintenance projects relating to recreational facilities, sites, and associated access roads;

(2) a plan to fund the projects described in paragraph (1) over the 5-year period following the date of enactment of this Act;

(3) a description of efforts made by the Corps of Engineers to coordinate investments in recreational facilities, sites, and associated access roads with—

(A) State and local governments; or

(B) private entities; and

(4) an assessment of whether the modification of Federal contracting requirements could accelerate the availability of funds for the projects described in paragraph (1).

SEC. 5214. WESTERN INFRASTRUCTURE STUDY.

(a) DEFINITIONS OF NATURAL FEATURE AND NATURE-BASED FEATURE.—In this section, the terms ''natural feature'' and ''nature-based feature'' have the meanings given those terms in section 1184(a) of the WIIN Act (33 U.S.C. 2289a(a)).

(b) COMPREHENSIVE STUDY.—The Secretary shall conduct a comprehensive study (referred to in this section as the ''study'') to evaluate the effectiveness of carrying out additional measures, including measures that utilize natural features or nature-based features at or upstream of reservoirs for the purposes of—

(1) sustaining operations in response to changing hydrological and climatic conditions;

(2) mitigating the risk of drought or floods, including the loss of storage capacity due to sediment accumulation;

(3) increasing water supply; or

(4) aquatic ecosystem restoration.

(c) STUDY FOCUS.—In conducting the study, the Secretary shall include all reservoirs owned and operated by the Secretary and reservoirs for which the Secretary has flood control responsibilities under section 7 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 890, chapter 665; 33 U.S.C. 709), in the South Pacific Division of the Corps of Engineers.

(d) CONSULTATION AND USE OF EXISTING DATA.—

(1) CONSULTATION.—In conducting the study, the Secretary shall consult with applicable—

(A) Federal, State, and local agencies;

(B) Indian Tribes;

(C) non-Federal interests; and

(D) other stakeholders, as determined appropriate by the Secretary.

(2) USE OF EXISTING DATA AND PRIOR STUDIES.—To the maximum extent practicable and where appropriate, the Secretary may—

(A) use existing data provided to the Secretary by entities described in paragraph (1); and

(B) incorporate—

(i) relevant information from prior studies and projects carried out by the Secretary; and

(ii) the latest technical data and scientific approaches with respect to changing hydrological and climatic conditions.

(e) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

(1) the results of the study; and

(2) any recommendations on site-specific areas where additional study is recommended by the Secretary.

(f) SAVINGS PROVISION.—Nothing in this section provides authority to the Secretary to change the authorized purposes at any of the reservoirs described in subsection (c).

SEC. 5215. UPPER MISSISSIPPI RIVER AND ILLINOIS WATERWAY SYSTEM.

Section 8004(g) of the Water Resources Development Act of 2007 (33 U.S.C. 652 note; Public Law 110–114) is amended—

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

(2) by inserting after paragraph (1) the following:

''(2) REPORT ON WATER LEVEL MANAGEMENT.—Not later than 1 year after the date of completion of the comprehensive plan for Mississippi River water level management under section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an implementation report on opportunities identified in the comprehensive plan to expand the use of water level management on the Upper Mississippi River and Illinois Waterway System for the purpose of ecosystem restoration.''.

SEC. 5216. WEST VIRGINIA HYDROPOWER.

(a) IN GENERAL.—For water resources development projects described in subsection (b), the Secretary is authorized—

(1) to evaluate the feasibility of modifications to such projects for the purposes of adding Federal hydropower or energy storage development; and

(2) to grant approval for the use of such projects for non-Federal hydropower or energy storage development in accordance with

section 14 of the Act of March 3, 1899 (commonly known as the ''Rivers and Harbors Act of 1899'') (30 Stat. 1152, chapter 425; 33 U.S.C. 408).

(b) PROJECTS DESCRIBED.—The projects referred to in subsection (a) are the following:

(1) Sutton Dam, Braxton County, West Virginia, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1586, chapter 688).

(2) Hildebrand Lock and Dam, Monongahela County, West Virginia, authorized by section 101 of the River and Harbor Act of 1950 (64 Stat. 166, chapter 188).

(3) Bluestone Lake, Summers County, West Virginia, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1586, chapter 688).

(4) R.D. Bailey Dam, Wyoming County, West Virginia, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1188).

(5) Stonewall Jackson Dam, Lewis County, West Virginia, authorized by section 203 of the Flood Control Act of 1966 (80 Stat. 1421).

(6) East Lynn Dam, Wayne County, West Virginia, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1586, chapter 688).

(7) Burnsville Lake, Braxton County, West Virginia, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1586, chapter 688).

(c) DEMONSTRATION PROJECTS.—The authority for facility modifications under subsection (a) includes demonstration projects.

SEC. 5217. RECREATION AND ECONOMIC DEVELOPMENT AT CORPS FACILITIES IN APPALACHIA.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall prepare and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a plan to implement the recreational and economic development opportunities identified by the Secretary in the report prepared under section 206 of the Water Resources Development Act of 2020 (134 Stat. 2680) at Corps of Engineers facilities located within a distressed or at-risk county (as described in subsection (a)(1) of that section) in Appalachia.

(b) CONSIDERATIONS.—In preparing the plan under subsection (a), the Secretary shall consider options for Federal funding, partnerships, and outgrants to Federal, State, and local governments, nonprofit organizations, and commercial businesses.

SEC. 5218. AUTOMATED FEE MACHINES.

For the purpose of mitigating adverse impacts to public access to outdoor recreation, to the maximum extent practicable, the Secretary shall consider alternatives to the use of automated fee machines for the collection of fees for the use of developed recreation sites and facilities in West Virginia.

SEC. 5219. LAKE CHAMPLAIN CANAL, VERMONT AND NEW YORK.

Section 5146 of the Water Resources Development Act of 2007 (121 Stat. 1255) is amended by adding at the end the following:

''(c) CLARIFICATIONS.—

''(1) IN GENERAL.—At the request of the non-Federal interest for the study of the Lake Champlain Canal Aquatic Invasive Species Barrier carried out under section 542 of the Water Resources Development Act of 2000 (114 Stat. 2671; 121 Stat. 1150; 134 Stat. 2652), the Secretary shall scope the phase II portion of that study to satisfy the feasibility determination under subsection (a).

''(2) DISPERSAL BARRIER.—A dispersal barrier constructed, maintained, or operated under this section may include—

''(A) physical hydrologic separation;

''(B) nonstructural measures;

''(C) deployment of technologies;

''(D) buffer zones; or

''(E) any combination of the approaches described in subparagraphs (A) through (D).''.

SEC. 5220. REPORT ON CONCESSIONAIRE PRACTICES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on concessionaire lease practices by the Corps of Engineers.

(b) INCLUSIONS.—The report under subsection (a) shall include, at a minimum—

(1) an assessment of the reasonableness of the formula of the Corps of Engineers for calculating concessionaire rental rates, taking into account the operating margins for sales of food and fuel; and

(2) the process for assessing administrative fees to concessionaires across districts of the Corps of Engineers.

TITLE LIII—DEAUTHORIZATIONS, MODIFICATIONS, AND RELATED PROVISIONS

SEC. 5301. ADDITIONAL ASSISTANCE FOR CRITICAL PROJECTS.

(a) ATLANTA, GEORGIA.—Section 219(e)(5) of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat. 334) is amended by striking ''$25,000,000'' and inserting ''$75,000,000''.

(b) EASTERN SHORE AND SOUTHWEST VIRGINIA.—Section 219(f)(10)(A) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1255) is amended—

(1) by striking ''$20,000,000'' and inserting ''$52,000,000''; and

(2) by striking ''Accomac'' and inserting ''Accomack''.

(c) LAKES MARION AND MOULTRIE, SOUTH CAROLINA.—Section 219(f)(25) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 130 Stat. 1677; 134 Stat. 2719) is amended by striking ''$110,000,000'' and inserting ''$151,500,000''.

(d) LAKE COUNTY, ILLINOIS.—Section 219(f)(54) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 114 Stat. 2763A–221) is amended—

(1) in the paragraph heading, by striking ''COOK COUNTY'' and inserting ''COOK COUNTY AND LAKE COUNTY''; and

(2) by striking ''$35,000,000'' and inserting ''$100,000,000''.

(e) MADISON AND ST. CLAIR COUNTIES, ILLINOIS.—Section 219(f)(55) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 114 Stat. 2763A–221; 134 Stat. 2718) is amended by striking ''$45,000,000'' and inserting ''$100,000,000''.

(f) CALAVERAS COUNTY, CALIFORNIA.—Section 219(f)(86) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1259) is amended by striking ''$3,000,000'' and inserting ''$13,280,000''.

(g) LOS ANGELES COUNTY, CALIFORNIA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1259) is amended by striking paragraph (93) and inserting the following:

''(93) LOS ANGELES COUNTY, CALIFORNIA.—

''(A) IN GENERAL.—$38,000,000 for wastewater and water related infrastructure, Los Angeles County, California.

''(B) ELIGIBILITY.—The Water Replenishment District of Southern California may be eligible for assistance under this paragraph.''.

(h) MICHIGAN.—Section 219(f)(157) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1262) is amended—

(1) by striking ''$35,000,000 for'' and inserting the following:

''(A) IN GENERAL.—$85,000,000 for''; and

(2) by adding at the end the following:

''(B) ADDITIONAL PROJECTS.—Amounts made available under subparagraph (A) may be used for design and construction projects for water-related environmental infrastructure and resource protection and development projects in Michigan, including for projects for wastewater treatment and related facilities, water supply and related facilities, environmental restoration, and surface water resource protection and development.''.

(i) MYRTLE BEACH AND VICINITY, SOUTH CAROLINA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1267) is amended by striking paragraph (250) and inserting the following:

''(250) MYRTLE BEACH AND VICINITY, SOUTH CAROLINA.—$31,000,000 for environmental infrastructure, including ocean outfalls, Myrtle Beach and vicinity, South Carolina.''.

(j) NORTH MYRTLE BEACH AND VICINITY, SOUTH CAROLINA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1267) is amended by striking paragraph (251) and inserting the following:

''(251) NORTH MYRTLE BEACH AND VICINITY, SOUTH CAROLINA.—$74,000,000 for environmental infrastructure, including ocean outfalls, North Myrtle Beach and vicinity, South Carolina.''.

(k) HORRY COUNTY, SOUTH CAROLINA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) is amended by adding at the end the following:

''(274) HORRY COUNTY, SOUTH CAROLINA.—$19,000,000 for environmental infrastructure, including ocean outfalls, Horry County, South Carolina.''.

(l) LANE COUNTY, OREGON.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (k)) is amended by adding at the end the following:

''(275) LANE COUNTY, OREGON.—$20,000,000 for environmental infrastructure, Lane County, Oregon.''.

(m) PLACER COUNTY, CALIFORNIA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (l)) is amended by adding at the end the following:

''(276) PLACER COUNTY, CALIFORNIA.—$21,000,000 for environmental infrastructure, Placer County, California.''.

(n) ALAMEDA COUNTY, CALIFORNIA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (m)) is amended by adding at the end the following:

''(277) ALAMEDA COUNTY, CALIFORNIA.—$20,000,000 for environmental infrastructure, Alameda County, California.''.

(o) TEMECULA CITY, CALIFORNIA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (n)) is amended by adding at the end the following:

''(278) TEMECULA CITY, CALIFORNIA.—$18,000,000 for environmental infrastructure, Temecula City, California.''.

(p) YOLO COUNTY, CALIFORNIA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (o)) is amended by adding at the end the following:

''(279) YOLO COUNTY, CALIFORNIA.—$6,000,000 for environmental infrastructure, Yolo County, California.''.

(q) CLINTON, MISSISSIPPI.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (p)) is amended by adding at the end the following:

''(280) CLINTON, MISSISSIPPI.—$13,600,000 for environmental infrastructure, including stormwater management, drainage systems, and water quality enhancement, Clinton, Mississippi.''.

(r) OXFORD, MISSISSIPPI.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (q)) is amended by adding at the end the following:

''(281) OXFORD, MISSISSIPPI.—$10,000,000 for environmental infrastructure, including stormwater management, drainage systems, and water quality enhancement, Oxford, Mississippi.''.

(s) MADISON COUNTY, MISSISSIPPI.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (r)) is amended by adding at the end the following:

''(282) MADISON COUNTY, MISSISSIPPI.—$10,000,000 for environmental infrastructure, including stormwater management, drainage systems, and water quality enhancement, Madison County, Mississippi.''.

(t) RANKIN COUNTY, MISSISSIPPI.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (s)) is amended by adding at the end the following:

''(283) RANKIN COUNTY, MISSISSIPPI.—$10,000,000 for environmental infrastructure, including stormwater management, drainage systems, and water quality enhancement, Rankin County, Mississippi.''.

(u) MERIDIAN, MISSISSIPPI.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (t)) is amended by adding at the end the following:

''(284) MERIDIAN, MISSISSIPPI.—$10,000,000 for wastewater infrastructure, including stormwater management, drainage systems, and water quality enhancement, Meridian, Mississippi.''.

(v) DELAWARE.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (u)) is amended by adding at the end the following:

''(285) DELAWARE.—$50,000,000 for sewer, stormwater system improvements, storage treatment, environmental restoration, and related water infrastructure, Delaware.''.

(w) QUEENS, NEW YORK.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (v)) is amended by adding at the end the following:

''(286) QUEENS, NEW YORK.—$20,000,000 for the design and construction of stormwater management and improvements to combined sewer overflows to reduce the risk of flood impacts, Queens, New York.''.

(x) GEORGIA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (w)) is amended by adding at the end the following:

''(287) GEORGIA.—$75,000,000 for environmental infrastructure, Baldwin County, Bartow County, Floyd County, Haralson County, Jones County, Gilmer County, Towns County, Warren County, Lamar County, Lowndes County, Troup County, Madison County, Toombs County, Dade County, Bulloch County, Gordon County, Walker County, Dooly County, Butts County, Clarke County, Crisp County, Newton County, Bibb County, Baker County, Barrow County, Oglethorpe County, Peach County, Brooks County, Carroll County, Worth County, Jenkins County, Wheeler County, Calhoun County, Randolph County, Wilcox County, Stewart County, Telfair County, Clinch County, Hancock County, Ben Hill County, Jeff Davis County, Chattooga County, Lanier County, Brantley County, Charlton County, Tattnall County, Emanuel County, Mitchell County, Turner County, Bacon County, Terrell County, Macon County, Ware County, Bleckley County, Colquitt County, Washington County, Berrien County, Coffee County, Pulaski County, Cook County, Atkinson County, Candler County, Taliaferro County, Evans County, Johnson County, Irwin County, Dodge County, Jefferson County, Appling County, Taylor County, Wayne County, Clayton County, Decatur County, Schley County, Sumter County, Early County, Webster County, Clay County, Upson County, Long County, Twiggs County, Dougherty County, Quitman County, Meriwether County, Stephens County, Wilkinson County, Murray County, Wilkes County, Elbert County, McDuffie County, Heard County, Marion County, Talbot County, Laurens County, Montgomery County, Echols County, Pierce County, Richmond County, Chattahoochee County, Screven County, Habersham County, Lincoln County, Burke County, Liberty County, Tift County, Polk County, Glascock County, Grady County, Jasper County, Banks County, Franklin County, Whitfield County, Treutlen County, Crawford County, Hart County, Georgia.''.

(y) MARYLAND.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (x)) is amended by adding at the end the following:

''(288) MARYLAND.—$100,000,000 for water, wastewater, and other environmental infrastructure, Maryland.''.

(z) MILWAUKEE METROPOLITAN AREA, WISCONSIN.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (y)) is amended by adding at the end the following:

''(289) MILWAUKEE METROPOLITAN AREA, WISCONSIN.—$4,500,000 for water-related infrastructure, resource protection and development, stormwater management, and reduction of combined sewer overflows, Milwaukee metropolitan area, Wisconsin.''.

(aa) HAWAII.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (z)) is amended by adding at the end the following:

''(290) HAWAII.—$75,000,000 for water-related infrastructure, resource protection and development, wastewater treatment, water supply, urban storm water conveyance, environmental restoration, and surface water protection and development, Hawaii.''.

(bb) ALABAMA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (aa)) is amended by adding at the end the following:

''(291) ALABAMA.—$50,000,000 for water, wastewater, and other environmental infrastructure, Alabama.''.

(cc) MISSISSIPPI.—Section 592(g) of the Water Resources Development Act of 1999 (113 Stat. 380; 123 Stat. 2851) is amended by striking ''$200,000,000'' and inserting ''$300,000,000''.

(dd) CENTRAL NEW MEXICO.—Section 593(h) of the Water Resources Development Act of 1999 (113 Stat. 381; 119 Stat. 2255) is amended by striking ''$50,000,000'' and inserting ''$100,000,000''.

(ee) NORTH DAKOTA AND OHIO.—Section 594 of the Water Resources Development Act of 1999 (113 Stat. 381; 121 Stat. 1140; 121 Stat. 1944) is amended by adding at the end the following:

''(i) AUTHORIZATION OF ADDITIONAL APPROPRIATIONS.—In addition to amounts authorized under subsection (h), there is authorized to be appropriated to carry out this section $100,000,000, to be divided between the States referred to in subsection (a).''.

(ff) WESTERN RURAL WATER.—Section 595(i) of the Water Resources Development Act of 1999 (113 Stat. 383; 134 Stat. 2719) is amended—

(1) in paragraph (1), by striking ''$435,000,000'' and inserting ''$490,000,000''; and

(2) in paragraph (2), by striking ''$150,000,000'' and inserting ''$200,000,000''.

(gg) LAKE CHAMPLAIN WATERSHED, VERMONT AND NEW YORK.—Section 542 of the Water Resources Development Act of 2000 (114 Stat. 2671; 121 Stat. 1150) is amended—

(1) in subsection (b)(2)(C), by striking ''planning'' and inserting ''clean water infrastructure planning, design, and construction''; and

(2) in subsection (g), by striking ''$32,000,000'' and inserting ''$100,000,000''.

(hh) TEXAS.—Section 5138 of the Water Resources Development Act of 2007 (121 Stat. 1250) is amended—

(1) in subsection (b), by striking '', as identified by the Texas Water Development Board'';

(2) in subsection (e)(3), by inserting ''and construction'' after ''design work'';

(3) by redesignating subsection (g) as subsection (i); and

(4) by inserting after subsection (f) the following:

''(g) NONPROFIT ENTITIES.—In accordance with section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), for any project carried out under this section, a non-Federal interest may include a nonprofit entity with the consent of the affected local government.

''(h) CORPS OF ENGINEERS EXPENSES.—Not more than 10 percent of the amounts made available to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.''.

SEC. 5302. SOUTHERN WEST VIRGINIA.

(a) IN GENERAL.—Section 340 of the Water Resources Development Act of 1992 (106 Stat. 4856) is amended—

(1) in the section heading, by striking ''**ENVIRONMENTAL RESTORATION INFRASTRUCTURE AND RESOURCE PROTECTION DEVELOPMENT PILOT PROGRAM**''; and

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

''(f) DEFINITION OF SOUTHERN WEST VIRGINIA.—In this section, the term 'southern West Virginia' means the counties of Boone, Braxton, Cabell, Calhoun, Clay, Fayette, Gilmer, Greenbrier, Jackson, Kanawha, Lincoln, Logan, Mason, McDowell, Mercer, Mingo, Monroe, Nicholas, Pendleton, Pocahontas, Putnam, Raleigh, Roane, Summers, Wayne, Webster, Wirt, and Wyoming, West Virginia.''.

(b) CLERICAL AMENDMENT.—The table of contents contained in section 1(b) of the Water Resources Development Act of 1992 (106 Stat. 4799) is amended by striking the item relating to section 340 and inserting the following:

''Sec. 340. Southern West Virginia.''.

SEC. 5303. NORTHERN WEST VIRGINIA.

(a) IN GENERAL.—Section 571 of the Water Resources Development Act of 1999 (113 Stat. 371; 121 Stat. 1257; 134 Stat. 2719) is amended—

(1) in the section heading, by striking ''**CENTRAL**'' and inserting ''**NORTHERN**'';

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

''(a) DEFINITION OF NORTHERN WEST VIRGINIA.—In this section, the term 'northern West Virginia' means the counties of Barbour, Berkeley, Brooke, Doddridge, Grant, Hampshire, Hancock, Hardy, Harrison, Jefferson, Lewis, Marion, Marshall, Mineral, Morgan, Monongalia, Ohio, Pleasants, Preston, Randolph, Ritchie, Taylor, Tucker, Tyler, Upshur, Wetzel, and Wood, West Virginia.'';

(3) in subsection (b), by striking ''central'' and inserting ''northern''; and

(4) in subsection (c), by striking ''central'' and inserting ''northern''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Water Resources Development Act of 1999 (113 Stat. 269) is amended by striking the item relating to section 571 and inserting the following:

''Sec. 571. Northern West Virginia.

SEC. 5304. LOCAL COOPERATION AGREEMENTS, NORTHERN WEST VIRGINIA.

Section 219(f)(272) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) is amended—

(1) by striking ''$20,000,000 for water and wastewater'' and inserting the following:

''(A) IN GENERAL.—$20,000,000 for water and wastewater''; and

(2) by adding at the end the following:

''(B) LOCAL COOPERATION AGREEMENTS.—Notwithstanding subsection (a), at the request of a non-Federal interest for a project or a separable element of a project that receives assistance under this paragraph, the Secretary may adopt a model agreement developed in accordance with section 571(e) of the Water Resources Development Act of 1999 (113 Stat. 371).''.

SEC. 5305. SPECIAL RULE FOR CERTAIN BEACH NOURISHMENT PROJECTS.

(a) IN GENERAL.—In the case of a water resources development project described in subsection (b), the Secretary shall—

(1) fund, at full Federal expense, any incremental increase in cost to the project that results from a legal requirement to use a borrow source determined by the Secretary to be other than the least-cost option; and

(2) exclude the cost described in paragraph (1) from the cost-benefit analysis for the project.

(b) AUTHORIZED WATER RESOURCES DEVELOPMENT PROJECTS DESCRIBED.—An authorized water resources development project referred to in subsection (a) is any of the following:

(1) The Townsends Inlet to Cape May Inlet, New Jersey, coastal storm risk management project, authorized by section 101(a)(26) of the Water Resources Development Act of 1999 (113 Stat. 278).

(2) The Folly Beach, South Carolina, coastal storm risk management project, authorized by section 501(a) of the Water Resources Development Act of 1986 (100 Stat. 4136) and modified by section 108 of the Energy and Water Development Appropriations Act, 1992 (105 Stat. 520).

(3) The Carolina Beach and Vicinity, North Carolina, coastal storm risk management project, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1182) and modified by section 401(7) of the Water Resources Development Act of 2020 (134 Stat. 2741).

(4) The Wrightsville Beach, North Carolina, coastal storm risk management project, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1182) and modified by section 401(7) of the Water Resources Development Act of 2020 (134 Stat. 2741).

(5) A project for coastal storm risk management for any shore included in a project described in this subsection that is specifically authorized by Congress on or after the date of enactment of this Act.

(6) Emergency repair and restoration of any project described in this subsection under section 5 of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 650, chapter 377; 33 U.S.C. 701n).

(c) SAVINGS PROVISION.—Nothing in this section limits the eligibility for, or availability of, Federal expenditures or financial assistance for any water resources development project, including any beach nourishment or renourishment project, under any other provision of Federal law.

SEC. 5306. COASTAL COMMUNITY FLOOD CONTROL AND OTHER PURPOSES.

Section 103(k)(4) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(k)(4)) is amended—

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

(2) in the matter preceding clause (i) (as so redesignated), by striking ''Notwithstanding'' and inserting the following:

''(A) IN GENERAL.—Notwithstanding'';

(3) in subparagraph (A) (as so redesignated)—

(A) in clause (i) (as so redesignated)—

(i) by striking ''$200 million'' and inserting ''$200,000,000''; and

(ii) by striking ''and'' at the end;

(B) in clause (ii) (as so redesignated)—

(i) by inserting ''an amount equal to ⅔ of'' after ''repays''; and

(ii) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(iii) the non-Federal interest repays the balance of remaining principal by June 1, 2032.''; and

(4) by adding at the end the following:

''(B) REPAYMENT OPTIONS.—Repayment of a non-Federal contribution under subparagraph (A)(iii) may be satisfied through the provision by the non-Federal interest of fish and wildlife mitigation for one or more projects or separable elements, if the Secretary determines that—

''(i) the non-Federal interest has incurred costs for the provision of mitigation that—

''(I) equal or exceed the amount of the required repayment; and

''(II) are in excess of any required non-Federal contribution for the project or separable element for which the mitigation is provided; and

''(ii) the mitigation is integral to the project for which it is provided.''.

SEC. 5307. MODIFICATIONS.

(a) IN GENERAL.—The following modifications to studies and projects are authorized:

(1) MISSISSIPPI RIVER GULF OUTLET, LOUISIANA.—The Federal share of the cost of the project for ecosystem restoration, Mississippi River Gulf Outlet, Louisiana, authorized by section 7013(a)(4) of the Water Resources Development Act of 2007 (121 Stat. 1281), shall be 90 percent.

(2) GREAT LAKES AND MISSISSIPPI RIVER INTERBASIN PROJECT, BRANDON ROAD, WILL COUNTY, ILLINOIS.—Section 402(a)(1) of the Water Resources Development Act of 2020 (134 Stat. 2742) is amended by striking ''80 percent'' and inserting ''90 percent''.

(3) LOWER MISSISSIPPI RIVER COMPREHENSIVE MANAGEMENT STUDY.—Section 213 of the Water Resources Development Act of 2020 (134 Stat. 2687) is amended by adding at the end the following:

''(j) COST-SHARE.—The Federal share of the cost of the comprehensive study described in subsection (a), and any feasibility study described in subsection (e), shall be 90 percent.''.

(4) PORT OF NOME, ALASKA.—

(A) IN GENERAL.—The Secretary shall carry out the project for navigation, Port of Nome, Alaska, authorized by section 401(1) of the Water Resources Development Act of 2020 (134 Stat. 2733).

(B) COST-SHARE.—The Federal share of the cost of the project described in subparagraph (A) shall be 90 percent.

(5) CHICAGO SHORELINE PROTECTION.—The project for storm damage reduction and shore protection, Lake Michigan, Illinois, from Wilmette, Illinois, to the Illinois–Indiana State line, authorized by section 101(a)(12) of the Water Resources Development Act of 1996 (110 Stat. 3664), is modified to authorize the Secretary to provide 65 percent of the cost of the locally preferred plan, as described in the Report of the Chief of Engineers dated April 14, 1994, for the construction of the following segments of the project:

(A) Shoreline revetment at Morgan Shoal.

(B) Shoreline revetment at Promontory Point.

(6) LOWER MUD RIVER, MILTON, WEST VIRGINIA.—

(A) IN GENERAL.—Notwithstanding section 3170 of the Water Resources Development Act of 2007 (121 Stat. 1154), the Federal share of the cost of the project for flood control, Milton, West Virginia, authorized by section 580 of the Water Resources Development Act of 1996 (110 Stat. 3790), and modified by section 340 of the Water Resources Development Act of 2000 (114 Stat. 2612) and section 3170 of the Water Resources Development Act of 2007 (121 Stat. 1154), shall be 90 percent.

(B) LAND, EASEMENTS, AND RIGHTS-OF-WAY.—For the project described in subparagraph (A), the Secretary shall include in the cost of the project, and credit toward the non-Federal share of that cost, the value of land, easements, and rights-of-way provided by the non-Federal interest for the project, including the value of land, easements, and rights-of-way required for the project that are owned or held by the non-Federal interest or other non-Federal public body.

(C) ADDITIONAL ELIGIBILITY.—Unless otherwise directed in an Act making annual appropriations for the Corps of Engineers for a fiscal year in which the Secretary has determined an additional appropriation is required to continue or complete construction of the project described in subparagraph (A), the project shall be eligible for additional funding appropriated by that Act in the Construction account of the Corps of Engineers—

(i) without a new investment decision; and

(ii) on the same terms as a project that is not the project described in subparagraph (A).

(7) SOUTH SHORE STATEN ISLAND, NEW YORK.—The Federal share of any portion of the cost to design and construct the project for coastal storm risk management, South Shore Staten Island, New York, authorized by section 5401(3), that exceeds the estimated total project cost specified in the project partnership agreement for the project, signed by the Secretary on February 15, 2019, shall be 90 percent.

(b) AGREEMENTS.—

(1) STUDIES AND PROJECTS WITH MULTIPLE NON-FEDERAL INTERESTS.—At the request of the applicable non-Federal interests for the project described in section 402(a) of the Water Resources Development Act of 2020 (134 Stat. 2742) and for the studies described in subsection (j) of section 213 of that Act (134 Stat. 2687), the Secretary shall not require those non-Federal interests to be jointly and severally liable for all non-Federal obligations in the project partnership agreement for the project or in the feasibility cost share agreements for the studies.

(2) SOUTH SAN FRANCISCO BAY SHORELINE, CALIFORNIA.—

(A) IN GENERAL.—Except for funds required for a betterment or for a locally preferred plan, the Secretary shall not require the non-Federal interest for the project for flood risk management, ecosystem restoration, and recreation, South San Francisco Bay Shoreline, California, authorized by section 1401(6) of the Water Resources Development Act of 2016 (130 Stat. 1714), to contribute funds under an agreement entered into prior to the date of enactment of this Act in excess of the total cash contribution required from the non-Federal interest for the project under section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

(B) REQUIREMENT.—The Secretary shall not, at any time, defer, suspend, or terminate construction of the project described in subparagraph (A) solely on the basis of a determination by the Secretary that an additional appropriation is required to cover the Federal share of the cost to complete construction of the project, if Federal funds in an amount determined by the Secretary to be sufficient to continue construction of the project remain available in the allocation for the project under the Long-Term Disaster Recovery Investment Plan for amounts appropriated under the heading ''CONSTRUCTION'' under the heading ''CORPS OF ENGINEERS—CIVIL—DEPARTMENT OF THE ARMY'' in title IV of subdivision 1 of division B of the Bipartisan Budget Act of 2018 (Public Law 115–123; 132 Stat. 76).

SEC. 5308. PORT FOURCHON, LOUISIANA, DREDGED MATERIAL DISPOSAL PLAN.

The Secretary shall determine that the dredged material disposal plan recommended in the document entitled ''Port Fourchon Belle Pass Channel Deepening Project Section 203 Feasibility Study (January 2019, revised January 2020)'' is the least cost, environmentally acceptable dredged material disposal plan for the project for navigation, Port Fourchon Belle Passe Channel, Louisiana, authorized by section 403(a)(4) of the Water Resources Development Act of 2020 (134 Stat. 2743).

SEC. 5309. DELAWARE SHORE PROTECTION AND RESTORATION.

(a) DELAWARE BENEFICIAL USE OF DREDGED MATERIAL FOR THE DELAWARE RIVER, DELAWARE.—

(1) IN GENERAL.—The project for coastal storm risk management, Delaware Beneficial Use of Dredged Material for the Delaware River, Delaware, authorized by section 401(3) of the Water Resources Development Act of 2020 (134 Stat. 2736) (referred to in this subsection as the ''project''), is modified—

(A) to direct the Secretary to implement the project using alternative borrow sources to the Delaware River, Philadelphia to the Sea, project, Delaware, New Jersey, Pennsylvania, authorized by the Act of June 25, 1910 (chapter 382, 36 Stat. 637; 46 Stat. 921; 52 Stat. 803; 59 Stat. 14; 68 Stat. 1249; 72 Stat. 297); and

(B) until the Secretary implements the modification under subparagraph (A), to authorize the Secretary, at the request of a non-Federal interest, to carry out initial construction or periodic nourishments at any site included in the project under—

(i) section 1122 of the Water Resources Development Act of 2016 (33 U.S.C. 2326 note; Public Law 114–322); or

(ii) section 204(d) of the Water Resources Development Act of 1992 (33 U.S.C. 2326(d)).

(2) TREATMENT.—If the Secretary determines that a study is required to carry out paragraph (1)(A), the study shall be considered to be a continuation of the study that formulated the project.

(3) COST-SHARE.—The Federal share of the cost of the project, including the cost of any modifications carried out under subsection (a)(1), shall be 90 percent.

(b) INDIAN RIVER INLET SAND BYPASS PLANT, DELAWARE.—

(1) IN GENERAL.—The Indian River Inlet Sand Bypass Plant, Delaware, coastal storm risk management project (referred to in this subsection as the ''project''), authorized by section 869 of the Water Resources Development Act of 1986 (100 Stat. 4182), is modified to authorize the Secretary, at the request of a non-Federal interest, to provide periodic nourishment through dedicated dredging or other means to maintain or restore the functioning of the project when—

(A) the sand bypass plant is inoperative; or

(B) operation of the sand bypass plant is insufficient to maintain the functioning of the project.

(2) REQUIREMENTS.—A cycle of periodic nourishment provided pursuant to paragraph (1) shall be subject to the following requirements:

(A) COST-SHARE.—The non-Federal share of the cost of a cycle shall be the same percentage as the non-Federal share of the cost to operate the sand bypass plant.

(B) DECISION DOCUMENT.—If the Secretary determines that a decision document is required to support a request for funding for the Federal share of a cycle, the decision document may be prepared using funds made available to the Secretary for construction or for investigations.

(C) TREATMENT.—

(i) DECISION DOCUMENT.—A decision document prepared under subparagraph (B) shall not be subject to a new investment determination.

(ii) CYCLES.—A cycle shall be considered continuing construction.

(c) DELAWARE EMERGENCY SHORE RESTORATION.—

(1) IN GENERAL.—The Secretary is authorized to repair or restore any beach or any federally authorized hurricane or shore protective structure or project located in the State of Delaware pursuant to section 5(a) of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)), if—

(A) the structure, project, or beach is damaged by wind, wave, or water action associated with a storm of any magnitude; and

(B) the damage prevents the adequate functioning of the structure, project, or beach.

(2) BENEFIT-COST ANALYSIS.—The Secretary shall determine that the benefits attributable to the objectives set forth in section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) and section 904(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2281(a)) exceed the cost for work carried out under this subsection.

(3) SAVINGS PROVISION.—The authority provided by this subsection shall be in addition to any authority provided by section 5(a) of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)) to repair or restore a beach or federally authorized hurricane or shore protection structure or project located in the State of Delaware damaged or destroyed by wind, wave, or water action of other than an ordinary nature.

(d) INDIAN RIVER INLET AND BAY, DELAWARE.—In carrying out major maintenance of the project for navigation, Indian River Inlet and Bay, Delaware, authorized by the Act of August 26, 1937 (50 Stat. 846, chapter 832), and section 2 of the Act of March 2, 1945 (59 Stat. 14, chapter 19), the Secretary shall repair, restore, or relocate any non-Federal facility or other infrastructure, that has been damaged, in whole or in part, by the deterioration or failure of the project.

(e) REPROGRAMMING FOR COASTAL STORM RISK MANAGEMENT PROJECT AT INDIAN RIVER INLET.—

(1) IN GENERAL.—Notwithstanding any other provision of law, for each fiscal year, the Secretary may reprogram amounts made available for a coastal storm risk management project to use such amounts for the project for coastal storm risk management, Indian River Inlet Sand Bypass Plant, Delaware, authorized by section 869 of the Water Resources Development Act of 1986 (100 Stat. 4182).

(2) LIMITATIONS.—

(A) IN GENERAL.—The Secretary may carry out not more than 2 reprogramming actions under paragraph (1) for each fiscal year.

(B) AMOUNT.—For each fiscal year, the Secretary may reprogram—

(i) not more than $100,000 per reprogramming action; and

(ii) not more than $200,000 for each fiscal year.

SEC. 5310. GREAT LAKES ADVANCE MEASURES ASSISTANCE.

Section 5(a) of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)) (as amended by section 5112(2)), is amended by adding at the end the following:

''(7) SPECIAL RULE.—

''(A) IN GENERAL.—The Secretary shall not deny a request from the Governor of a State to provide advance measures assistance under this subsection to reduce the risk of damage from rising water levels in the Great Lakes solely on the basis that the damage is caused by erosion.

''(B) FEDERAL SHARE.—Assistance provided by the Secretary pursuant to a request under subparagraph (A) may be at full Federal expense if the assistance is to construct advanced measures to a temporary construction standard.''.

SEC. 5311. REHABILITATION OF EXISTING LEVEES.

Section 3017(e) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113–121) is amended—

(1) by striking ''this subsection'' and inserting ''this section''; and

(2) by striking ''10 years'' and inserting ''20 years''.

SEC. 5312. PILOT PROGRAM FOR CERTAIN COMMUNITIES.

(a) PILOT PROGRAMS ON THE FORMULATION OF CORPS OF ENGINEERS PROJECTS IN RURAL COMMUNITIES AND ECONOMICALLY DISADVANTAGED COMMUNITIES.—Section 118 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260) is amended—

(1) in subsection (b)(2)(C), by striking ''10''; and

(2) in subsection (c)—

(A) in paragraph (2), in the matter preceding subparagraph (A), by striking ''make a recommendation to Congress on up to 10 projects'' and inserting ''recommend projects to Congress''; and

(B) by adding at the end the following:

''(5) RECOMMENDATIONS.—In recommending projects under paragraph (2), the Secretary shall include such recommendations in the next annual report submitted to Congress under section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) after the date of enactment of the Water Resources Development Act of 2022.''.

(b) PILOT PROGRAM FOR CAPS IN SMALL OR DISADVANTAGED COMMUNITIES.—Section 165(a) of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260) is amended—

(1) in paragraph (2)(B), by striking ''a total of 10'';

(2) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(3) by inserting after paragraph (3) the following:

''(4) MAXIMUM FEDERAL AMOUNT.—For a project carried out under this subsection, the maximum Federal amount, if applicable, shall be increased by the commensurate amount of the non-Federal share that would otherwise be required for the project under the applicable continuing authority program.''.

SEC. 5313. REHABILITATION OF CORPS OF ENGINEERS CONSTRUCTED PUMP STATIONS.

Section 133 of the Water Resources Development Act of 2020 (33 U.S.C. 2327a) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) ELIGIBLE PUMP STATION.—The term 'eligible pump station' means a pump station that—

''(A) is a feature of a federally authorized flood or coastal storm risk management project; or

''(B) if inoperable, would impair drainage of water from areas interior to a federally authorized flood or coastal storm risk management project.'';

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

''(b) AUTHORIZATION.—The Secretary may carry out rehabilitation of an eligible pump station, if the Secretary determines that—

''(1) the pump station has a major deficiency; and

''(2) the rehabilitation is feasible.''; and

(3) by striking subsection (f) and inserting the following:

''(f) PRIORITIZATION.—To the maximum extent practicable, the Secretary shall prioritize the provision of assistance under this section to economically disadvantaged communities.''.

SEC. 5314. CHESAPEAKE BAY ENVIRONMENTAL RESTORATION AND PROTECTION PROGRAM.

Section 510(a)(2) of the Water Resources Development Act of 1996 (110 Stat. 3759; 128 Stat. 1317) is amended—

(1) in subparagraph (B), by inserting ''and streambanks'' after ''shorelines'';

(2) in subparagraph (E), by striking ''and'' at the end;

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

(4) by inserting after subparagraph (E) the following:

''(F) wastewater treatment and related facilities;

''(G) stormwater and drainage systems; and''.

SEC. 5315. EVALUATION OF HYDROLOGIC CHANGES IN SOURIS RIVER BASIN.

The Secretary is authorized to evaluate hydrologic changes affecting the agreement entitled ''Agreement Between the Government of Canada and the United States of America for Water Supply and Flood Control in The Souris River Basin'', signed in 1989.

SEC. 5316. MEMORANDUM OF UNDERSTANDING RELATING TO BALDHILL DAM, NORTH DAKOTA.

The Secretary may enter into a memorandum of understanding with the non-Federal interest for the Red River Valley Water Supply Project to accommodate flows for downstream users through Baldhill Dam, North Dakota.

SEC. 5317. UPPER MISSISSIPPI RIVER RESTORATION PROGRAM.

Section 1103(e)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)(3)) is amended by striking ''$40,000,000'' and inserting ''$75,000,000''.

SEC. 5318. HARMFUL ALGAL BLOOM DEMONSTRATION PROGRAM.

Section 128(c) of the Water Resources Development Act of 2020 (33 U.S.C. 610 note; Public Law 116–260) is amended by inserting ''the Upper Mississippi River and its tributaries,'' after ''New York,''.

SEC. 5319. COLLETON COUNTY, SOUTH CAROLINA.

Section 221(a)(4)(C)(i) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)(C)(i)) shall not apply to construction carried out by the non-Federal interest before the date of enactment of this Act for the project for hurricane and storm damage risk reduction, Colleton County, South Carolina, authorized by section 1401(3) of the Water Resources Development Act of 2016 (130 Stat. 1711).

SEC. 5320. ARKANSAS RIVER CORRIDOR, OKLAHOMA.

Section 3132 of the Water Resources Development Act of 2007 (121 Stat. 1141) is amended by striking subsection (b) and inserting the following:

''(b) AUTHORIZED COST.—The Secretary is authorized to carry out construction of a project under this section at a total cost of $128,400,000, with the cost shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

''(c) ADDITIONAL FEASIBILITY STUDIES AUTHORIZED.—

''(1) IN GENERAL.—The Secretary is authorized to carry out feasibility studies for purposes of recommending to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives additional projects under this section.

''(2) TREATMENT.—An additional feasibility study carried out under this subsection shall be considered a continuation of the feasibility study that formulated the project carried out under subsection (b).''.

SEC. 5321. ABANDONED AND INACTIVE NONCOAL MINE RESTORATION.

Section 560 of the Water Resources Development Act of 1999 (33 U.S.C. 2336) is amended—

(1) in subsection (c), by inserting ''or on land taken into trust by the Secretary of the Interior on behalf of, and for the benefit of, an Indian Tribe'' after ''land owned by the United States''; and

(2) in subsection (f), by striking ''$30,000,000'' and inserting ''$50,000,000''.

SEC. 5322. ASIAN CARP PREVENTION AND CONTROL PILOT PROGRAM.

Section 509(a)(2) of the Water Resources Development Act of 2020 (33 U.S.C. 610 note; Public Law 116–260) is amended—

(1) in subparagraph (A), by striking ''or Tennessee River Watershed'' and inserting '', Tennessee River Watershed, or Tombigbee River Watershed''; and

(2) in subparagraph (C)(i), by inserting '', of which not less than 1 shall be carried out on the Tennessee–Tombigbee Waterway'' before the period at the end.

SEC. 5323. FORMS OF ASSISTANCE.

Section 592(b) of the Water Resources Development Act of 1999 (113 Stat. 379) is amended by striking ''and surface water resource protection and development'' and inserting ''surface water resource protection and development, stormwater management, drainage systems, and water quality enhancement''.

SEC. 5324. DEBRIS REMOVAL, NEW YORK HARBOR, NEW YORK.

(a) IN GENERAL.—Beginning on the date of enactment of this Act, the project for New York Harbor collection and removal of drift, authorized by section 91 of the Water Resources Development Act of 1974 (88 Stat. 39), and deauthorized pursuant to section 6001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 579b) (as in effect on the day before the date of enactment of the WIIN Act (130 Stat. 1628)), is authorized to be carried out by the Secretary.

(b) FEASIBILITY STUDY.— The Secretary shall carry out, and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of, a feasibility study for the project described in subsection (a).

SEC. 5325. INVASIVE SPECIES MANAGEMENT.

Section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610) is amended—

(1) in subsection (b)(2)(A)(ii)—

(A) by striking ''$50,000,000'' and inserting ''$75,000,000''; and

(B) by striking ''2024'' and inserting ''2028''; and

(2) in subsection (g)(2)—

(A) in subparagraph (A)—

(i) by striking ''water quantity or water quality'' and inserting ''water quantity, water quality, or ecosystems''; and

(ii) by inserting ''the Lake Erie Basin, the Ohio River Basin,'' after ''the Upper Snake River Basin,''; and

(B) in subparagraph (B), by inserting '', hydrilla (*Hydrilla verticillata*),'' after ''*angustifolia*)''.

SEC. 5326. WOLF RIVER HARBOR, TENNESSEE.

Beginning on the date of enactment of this Act, the project for navigation, Wolf River Harbor, Tennessee, authorized by title II of the Act of June 16, 1933 (48 Stat. 200, chapter 90) (commonly known as the ''National Industrial Recovery Act''), and modified by section 203 of the Flood Control Act of 1958 (72 Stat. 308), is modified to reduce the authorized dimensions of the project, such that the remaining authorized dimensions are a 250-foot-wide, 9-foot-depth channel with a center line beginning at a point 35.139634, -90.062343 and extending approximately 8,500 feet to a point 35.160848, -90.050566.

SEC. 5327. MISSOURI RIVER MITIGATION, MISSOURI, KANSAS, IOWA, AND NEBRASKA.

The matter under the heading ''MISSOURI RIVER MITIGATION, MISSOURI, KANSAS, IOWA, AND NEBRASKA'' in section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4143; 121 Stat. 1155), as modified by section 334 of the Water Resources Development Act of 1999 (113 Stat. 306), is amended by adding at the end the following: ''When acquiring land to meet the requirements of fish and wildlife mitigation, the Secretary may consider incidental flood risk management benefits.''.

SEC. 5328. INVASIVE SPECIES MANAGEMENT PILOT PROGRAM.

Section 104(f)(4) of the River and Harbor Act of 1958 (33 U.S.C. 610(f)(4)) is amended by striking ''2024'' and inserting ''2026''.

SEC. 5329. NUECES COUNTY, TEXAS, CONVEYANCES.

(a) IN GENERAL.—On receipt of a written request of the Port of Corpus Christi, the Secretary shall—

(1) review the land owned and easements held by the United States for purposes of navigation in Nueces County, Texas; and

(2) convey to the Port of Corpus Christi or, in the case of an easement, release to the owner of the fee title to the land subject to such easement, without consideration, all such land and easements described in paragraph (1) that the Secretary determines are no longer required for project purposes.

(b) CONDITIONS.—

(1) QUITCLAIM DEED.—Any conveyance of land under this section shall be by quitclaim deed.

(2) TERMS AND CONDITIONS.—The Secretary may subject any conveyance or release of easement under this section to such terms and conditions as the Secretary determines necessary and advisable to protect the United States.

(c) ADMINISTRATIVE COSTS.—In accordance with section 2695 of title 10, United States Code, the Port of Corpus Christi shall be responsible for the costs incurred by the Secretary to convey land or release easements under this section.

(d) WAIVER OF REAL PROPERTY SCREENING REQUIREMENTS.—Section 2696 of title 10, United States Code, shall not apply to the conveyance of land or release of easements under this section.

SEC. 5330. MISSISSIPPI DELTA HEADWATERS, MISSISSIPPI.

As part of the authority of the Secretary to carry out the project for flood damage reduction, bank stabilization, and sediment

and erosion control, Yazoo Basin, Mississippi Delta Headwaters, Mississippi, authorized by the matter under the heading ''ENHANCEMENT OF WATER RESOURCE BENEFITS AND FOR EMERGENCY DISASTER WORK'' in title I of Public Law 98–8 (97 Stat. 22), the Secretary may carry out emergency maintenance activities, as the Secretary determines to be necessary, for features of the project completed before the date of enactment of this Act.

SEC. 5331. ECOSYSTEM RESTORATION, HUDSON–RARITAN ESTUARY, NEW YORK AND NEW JERSEY.

(a) IN GENERAL.—The Secretary may carry out additional feasibility studies for ecosystem restoration, Hudson–Raritan Estuary, New York and New Jersey, including an examination of measures and alternatives at Baisley Pond Park and the Richmond Terrace Wetlands.

(b) TREATMENT.—A feasibility study carried out under subsection (a) shall be considered a continuation of the study that formulated the project for ecosystem restoration, Hudson–Raritan Estuary, New York and New Jersey, authorized by section 401(5) of the Water Resources Development Act of 2020 (134 Stat. 2740).

SEC. 5332. TIMELY REIMBURSEMENT.

(a) DEFINITION OF COVERED PROJECT.—In this section, the term ''covered project'' means a project for navigation authorized by section 1401(1) of the WIIN Act (130 Stat. 1708).

(b) REIMBURSEMENT REQUIRED.—In the case of a covered project for which the non-Federal interest has advanced funds for construction of the project, the Secretary shall reimburse the non-Federal interest for advanced funds that exceed the non-Federal share of the cost of construction of the project as soon as practicable after the completion of each individual contract for the project.

SEC. 5333. NEW SAVANNAH BLUFF LOCK AND DAM, GEORGIA AND SOUTH CAROLINA.

Section 1319(c) of the WIIN Act (130 Stat. 1704) is amended by striking paragraph (2) and inserting the following:

''(2) COST-SHARE.—

''(A) IN GENERAL.—The costs of construction of a Project feature constructed pursuant to paragraph (1) shall be determined in accordance with section 101(a)(1)(B) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(1)(B)).

''(B) SAVINGS PROVISION.—Any increase in costs for the Project due to the construction of a Project feature described in subparagraph (A) shall not be included in the total project cost for purposes of section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280).''.

SEC. 5334. LAKE TAHOE BASIN RESTORATION, NEVADA AND CALIFORNIA.

(a) DEFINITION.—In this section, the term ''Lake Tahoe Basin'' means the entire watershed drainage of Lake Tahoe including that portion of the Truckee River 1,000 feet downstream from the United States Bureau of Reclamation dam in Tahoe City, California.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a program for providing environmental assistance to non-Federal interests in Lake Tahoe Basin.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of planning, design, and construction assistance for water-related environmental infrastructure and resource protection and development projects in Lake Tahoe Basin—

(1) urban stormwater conveyance, treatment and related facilities;

(2) watershed planning, science and research;

(3) environmental restoration; and

(4) surface water resource protection and development.

(d) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) LOCAL COOPERATION AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State and Regional officials, of appropriate environmental documentation, engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of project costs under each local cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of planning and design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project.

(C) LAND, EASEMENTS, RIGHTS-OF-WAY, AND RELOCATIONS.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations provided by the non-Federal interest toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(D) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section for the period beginning with fiscal year 2005, $50,000,000, to remain available until expended.

(h) REPEAL.—Section 108 of division C of the Consolidated Appropriations Act, 2005 (118 Stat. 2942), is repealed.

(i) TREATMENT.—The program authorized by this section shall be considered a continuation of the program authorized by section 108 of division C of the Consolidated Appropriations Act, 2005 (118 Stat. 2942) (as in effect on the day before the date of enactment of this Act).

SEC. 5335. ADDITIONAL ASSISTANCE FOR EASTERN SANTA CLARA BASIN, CALIFORNIA.

Section 111 of title I of division B of the Miscellaneous Appropriations Act, 2001 (as enacted by section 1(a)(4) of the Consolidated Appropriations Act, 2001 (114 Stat. 2763; 114 Stat. 2763A–224; 121 Stat. 1209)), is amended—

(1) in subsection (a), by inserting ''and volatile organic compounds'' after ''perchlorates''; and

(2) in subsection (b)(3), by inserting ''and volatile organic compounds'' after ''perchlorates''.

SEC. 5336. TRIBAL PARTNERSHIP PROGRAM.

Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (a), by striking ''(25 U.S.C. 450b)'' and inserting ''(25 U.S.C. 5304)'';

(2) in subsection (b)—

(A) in paragraph (2)(A)—

(i) by inserting ''or coastal storm'' after ''flood''; and

(ii) by inserting ''including erosion control,'' after ''reduction,'';

(B) in paragraph (3), by adding at the end the following:

''(C) FEDERAL INTEREST DETERMINATION.—The first $100,000 of the costs of a study under this section shall be at full Federal expense.'';

(C) in paragraph (4)—

(i) in subparagraph (A), by striking ''$18,500,000'' and inserting ''$26,000,000''; and

(ii) in subparagraph (B), by striking ''$18,500,000'' and inserting ''$26,000,000''; and

(D) by adding at the end the following:

''(5) PROJECT JUSTIFICATION.—Notwithstanding any other provision of law or requirement for economic justification established under section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) for a project (other than a project for ecosystem restoration), the Secretary may implement a project under this section if the Secretary determines that the project will—

''(A) significantly reduce potential flood or coastal storm damages, which may include or be limited to damages due to shoreline erosion or riverbank or streambank failures;

''(B) improve the quality of the environment;

''(C) reduce risks to life safety associated with the damages described in subparagraph (A); and

''(D) improve the long-term viability of the community.'';

(3) in subsection (d)(5)(B)—

(A) by striking ''non-Federal'' and inserting ''Federal''; and

(B) by striking ''50 percent'' and inserting ''100 percent''; and

(4) in subsection (e), by striking ''2024'' and inserting ''2033''.

SEC. 5337. SURPLUS WATER CONTRACTS AND WATER STORAGE AGREEMENTS.

Section 1046(c) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1254; 132 Stat. 3784; 134 Stat. 2715) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraph (4) as paragraph (3).

SEC. 5338. COPAN LAKE, OKLAHOMA.

(a) IN GENERAL.—The Secretary shall amend Contract DACW56-81-C-0114 between the United States and the Copan Public Works Authority (referred to in this section as the ''Authority''), entered into on June 22, 1981, for the utilization by the Authority of storage space for water supply in Copan Lake, Oklahoma (referred to in this section as the ''project'')—

(1) to release to the United States all rights of the Authority to utilize 4,750 acre-feet of future use water storage space; and

(2) to relieve the Authority from all financial obligations, to include the initial project investment costs and the accumulated interest on unpaid project investment costs, for the volume of water storage space described in paragraph (1).

(b) REQUIREMENT.—During the 2-year period beginning on the effective date of execution of the contract amendment under subsection (a), the Secretary shall—

(1) provide the City of Bartlesville, Oklahoma, with the right of first refusal to contract for the utilization of storage space for water supply for any portion of the storage space that was released by the Authority under subsection (a); and

(2) ensure that the City of Bartlesville, Oklahoma, shall not pay more than 110 percent of the initial project investment cost per acre-foot of storage for the acre-feet of storage space sought under an agreement under paragraph (1).

SEC. 5339. ENHANCED DEVELOPMENT PROGRAM.

The Secretary shall fully implement opportunities for enhanced development at Oklahoma Lakes under the authorities provided in section 3134 of the Water Resources Development Act of 2007 (121 Stat. 1142; 130 Stat. 1671) and section 164 of the Water Resources Development Act of 2020 (134 Stat. 2668).

SEC. 5340. ECOSYSTEM RESTORATION COORDINATION.

(a) IN GENERAL.—In carrying out the project for ecosystem restoration, South Fork of the South Branch of the Chicago River, Bubbly Creek, Illinois, authorized by section 401(5) of the Water Resources Development Act of 2020 (134 Stat. 2740), the Secretary shall coordinate to the maximum extent practicable with the Administrator of the Environmental Protection Agency, State environmental agencies, and regional coordinating bodies responsible for the remediation of toxics.

(b) SAVINGS PROVISION.—Nothing in this section extends liability to the Secretary for any remediation of toxics present at the project site referred to in subsection (a) prior to the date of authorization of that project.

SEC. 5341. ACEQUIAS IRRIGATION SYSTEMS.

Section 1113 of the Water Resources Development Act of 1986 (100 Stat. 4232) is amended—

(1) in subsection (b)—

(A) by striking ''(b) Subject to section 903(a) of this Act, the Secretary is authorized and directed to undertake'' and inserting the following:

''(b) AUTHORIZATION.—Subject to section 903(a), the Secretary shall carry out''; and

(B) by striking ''canals'' and all that follows through ''25 percent.'' and inserting the following: ''channels attendant to the operations of the community ditch and Acequia systems in New Mexico that—

''(1) are declared to be a political subdivision of the State; or

''(2) belong to a federally recognized Indian Tribe.'';

(2) by redesignating subsection (c) as subsection (e);

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

''(c) INCLUSIONS.—The measures described in subsection (b) shall, to the maximum extent practicable—

''(1) ensure greater resiliency of diversion structures, including to flow variations, prolonged drought conditions, invasive plant species, and threats from changing hydrological and climatic conditions; or

''(2) support research, development, and training for innovative management solutions, including those for controlling invasive aquatic plants that affect Acequias.

''(d) COSTS.—

''(1) TOTAL COST.—The measures described in subsection (b) shall be carried out at a total cost of $80,000,000.

''(2) COST SHARING.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the non-Federal share of the cost of carrying out the measures described in subsection (b) shall be 25 percent.

''(B) SPECIAL RULE.—In the case of a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)), the Federal share of the cost of carrying out the measures described in subsection (b) shall be 90 percent.''; and

(4) in subsection (e) (as so redesignated)—

(A) in the first sentence—

(i) by striking ''(e) The Secretary is further authorized and directed to'' and inserting the following:

''(e) PUBLIC ENTITY STATUS.—

''(1) IN GENERAL.—The Secretary shall''; and

(ii) by inserting ''or belong to a federally recognized Indian Tribe within the State of New Mexico'' after ''that State''; and

(B) in the second sentence, by striking ''This public entity status will allow the officials of these Acequia systems'' and inserting the following:

''(2) EFFECT.—The public entity status provided pursuant to paragraph (1) shall allow the officials of the Acequia systems described in that paragraph''.

SEC. 5342. ROGERS COUNTY, OKLAHOMA.

(a) CONVEYANCE.—The Secretary is authorized to convey to the City of Tulsa–Rogers County Port Authority (referred to in this section as the ''Port Authority''), for fair market value, all right, title, and interest of the United States in and to the Federal land described in subsection (b).

(b) FEDERAL LAND DESCRIBED.—

(1) IN GENERAL.—The Federal land to be conveyed under this section is the approximately 176 acres of Federal land located on the following 3 parcels in Rogers County, Oklahoma:

(A) Parcel 1 includes U.S. tract 119 (partial), U.S. tract 123, U.S. tract 120, U.S. tract 125, and U.S. tract 118 (partial).

(B) Parcel 2 includes U.S. tract 124 (partial) and U.S. tract 128 (partial).

(C) Parcel 3 includes U.S. tract 128 (partial).

(2) DETERMINATION REQUIRED.—

(A) IN GENERAL.—Subject to paragraph (1) and subparagraphs (B), (C), and (D), the Secretary shall determine the exact property description and acreage of the Federal land to be conveyed under this section.

(B) REQUIREMENT.—In making the determination under subparagraph (A), the Secretary shall reserve from conveyance such easements, rights-of-way, and other interests as the Secretary determines to be necessary and appropriate to ensure the continued operation of the McClellan-Kerr Arkansas River navigation project, including New Graham Lock and Dam 18 as a part of that project, as authorized under the comprehensive plan for the Arkansas River Basin by section 3 of the Act of June 28, 1938 (52 Stat. 1218, chapter 795), and section 10 of the Flood Control Act of 1946 (60 Stat. 647, chapter 596) and where applicable the provisions of the River and Harbor Act of 1946 (60 Stat. 634, chapter 595) and modified by section 108 of the Energy and Water Development Appropriation Act, 1988 (Public Law 100–202; 101 Stat. 1329–112), and section 136 of the Energy and Water Development Appropriations Act, 2004 (Public Law 108–137; 117 Stat. 1842).

(C) OBSTRUCTIONS TO NAVIGABLE CAPACITY.—A conveyance under this section shall not affect the jurisdiction of the Secretary under section 10 of the Act of March 3, 1899 (commonly known as the ''Rivers and Harbors Act of 1899'') (30 Stat. 1151, chapter 425; 33 U.S.C. 403) with respect to the Federal land conveyed.

(D) SURVEY REQUIRED.—The exact acreage and the legal description of any Federal land conveyed under this section shall be determined by a survey that is satisfactory to the Secretary.

(c) APPLICABILITY.—Section 2696 of title 10, United States Code, shall not apply to the conveyance under this section.

(d) COSTS.—The Port Authority shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance.

(e) HOLD HARMLESS.—

(1) IN GENERAL.—The Port Authority shall hold the United States harmless from any liability with respect to activities carried out on or after the date of the conveyance under this section on the Federal land conveyed.

(2) LIMITATION.—The United States shall remain responsible for any liability incurred with respect to activities carried out before the date of the conveyance under this section on the Federal land conveyed.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require that the conveyance under this section be subject to such additional terms and conditions as the Secretary considers necessary and appropriate to protect the interests of the United States.

SEC. 5343. WATER SUPPLY STORAGE REPAIR, REHABILITATION, AND REPLACEMENT COSTS.

Section 301(b) of the Water Supply Act of 1958 (43 U.S.C. 390b(b)) is amended, in the fourth proviso, by striking the second sentence and inserting the following: ''For Corps of Engineers projects, all annual operation and maintenance costs for municipal and industrial water supply storage under this section shall be reimbursed from State or local interests on an annual basis, and all repair, rehabilitation, and replacement costs shall be reimbursed from State or local interests (1) without interest, during construction of the repair, rehabilitation, or replacement, (2) with interest, in lump sum on the completion of the repair, rehabilitation, or replacement, or (3) at the request of the State or local interest, with interest, over a period of not more than 25 years beginning on the date of completion of the repair, rehabilitation, or replacement, with repayment contracts providing for recalculation of the interest rate at 5-year intervals. At the request of the State or local interest, the Secretary of the Army shall amend a repayment contract entered into under this section on or before the date of enactment of this sentence for the purpose of incorporating the terms and conditions described in paragraph (3) of the preceding sentence.''.

SEC. 5344. NON-FEDERAL PAYMENT FLEXIBILITY.

Section 103(l) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(l)) is amended—

(1) by striking the subsection designation and heading and all that follows through ''At the request of'' in the first sentence and inserting the following:

''(l) DELAY OF PAYMENT.—

''(1) INITIAL PAYMENT.—At the request of''; and

(2) by adding at the end the following:

''(2) INTEREST.—

''(A) IN GENERAL.—At the request of any non-Federal interest, the Secretary may waive the accrual of interest on any non-Federal cash contribution under this section or section 101 for a project for a period of not more than 1 year if the Secretary determines that—

''(i) the waiver will contribute to the ability of the non-Federal interest to make future contributions; and

''(ii) the non-Federal interest is in good standing under terms agreed to under subsection (k)(1).

''(B) LIMITATIONS.—The Secretary may grant not more than 1 waiver under subparagraph (A) for the same project.''.

SEC. 5345. NORTH PADRE ISLAND, CORPUS CHRISTI BAY, TEXAS.

The project for ecosystem restoration, North Padre Island, Corpus Christi Bay, Texas, constructed by the Secretary prior to the date of enactment of this Act under section 556 of the Water Resources Development Act of 1999 (113 Stat. 353), shall not be eligible for repair and restoration assistance under section 5(a) of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)).

SEC. 5346. WAIVER OF NON-FEDERAL SHARE OF DAMAGES RELATED TO CERTAIN CONTRACT CLAIMS.

In a case in which the Armed Services Board of Contract Appeals or a court of competent jurisdiction rendered a decision on a date that was at least 20 years before the date of enactment of this Act awarding damages to a contractor relating to the adjudication of claims arising from the construction of general navigation features of a project carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), notwithstanding the terms of the Project Partnership Agreement, the Secretary shall waive payment of the share of the non-Federal interest of such damages, including attorney's fees, if the Secretary—

(1) terminated construction of the project prior to completion of all features; and

(2) has not collected payment from the non-Federal interest before the date of enactment of this Act.

SEC. 5347. ALGIERS CANAL LEVEES, LOUISIANA.

In accordance with section 328 of the Water Resources Development Act of 1999 (113 Stat. 304; 121 Stat. 1129), the Secretary shall resume operation, maintenance, repair, rehabilitation, and replacement of the Algiers Canal Levees, Louisiana, at full Federal expense.

SEC. 5348. ISRAEL RIVER ICE CONTROL PROJECT, LANCASTER, NEW HAMPSHIRE.

Beginning on the date of enactment of this Act, the project for flood control, Israel River, Lancaster, New Hampshire, authorized by section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is no longer authorized.

SEC. 5349. CITY OF EL DORADO, KANSAS.

The Secretary shall amend Contract DACW56–72–C–0220, between the United States and the City of El Dorado, Kansas, entered into on June 30, 1972, for the utilization by the City of storage space for water supply in El Dorado Lake, Kansas, to change the method of calculation of the interest charges that began accruing on June 30, 1991, on the investment costs for the 72,087 acre-feet of future use storage space, from compounding interest annually to charging simple interest annually on the principal amount, until—

(1) the City desires to convert the future use storage space to present use; and

(2) the principal amount plus the accumulated interest becomes payable pursuant to the terms of the Contract.

SEC. 5350. UPPER MISSISSIPPI RIVER PROTECTION.

Section 2010 of the Water Resources Reform and Development Act of 2014 (128 Stat. 1270; 132 Stat. 3812) is amended by adding at the end the following:

''(f) LIMITATION.—The Secretary shall not recommend deauthorization of the Upper St. Anthony Falls Lock and Dam unless the Secretary identifies a willing and capable non-Federal public entity to assume ownership of the lock and dam.

''(g) MODIFICATION.—The Secretary is authorized to investigate the feasibility of modifying the Upper St. Anthony Falls Lock and Dam to add ecosystem restoration, including the prevention and control of invasive species, as an authorized purpose.''.

SEC. 5351. REGIONAL CORPS OF ENGINEERS OFFICE, CORPUS CHRISTI, TEXAS.

(a) IN GENERAL.—At such time as new facilities are available to the Corps of Engineers, and subject to this section, the Secretary shall convey to the Port of Corpus Christi Authority, by deed and without warranty, all right, title, and interest of the United States in and to the property described in subsection (c).

(b) CONSIDERATION.—Consideration for the conveyance under subsection (a) shall be determined by an appraisal, satisfactory to the Secretary, of the market value of the property conveyed.

(c) DESCRIPTION OF PROPERTY.—The property referred to in subsection (a) is the land known as ''Tract 100'' and ''Tract 101'', including improvements on that land, in Corpus Christi, Texas, and described as follows:

(1) TRACT 100.— The 1.89 acres, more or less, as conveyed by the Nueces County Navigation District No. 1 of Nueces County, Texas, to the United States by instrument dated October 16, 1928, and recorded at Volume 193, pages 1 and 2, in the Deed Records of Nueces County, Texas.

(2) TRACT 101.—The 0.53 acres as conveyed by the City of Corpus Christi, Nueces County, Texas, to the United States by instrument dated September 24, 1971, and recorded at Volume 318, pages 523 and 524, in the Deed Records of Nueces County, Texas.

(3) IMPROVEMENTS.—

(A) Main Building (RPUID AO–C–3516), constructed January 9, 1974.

(B) Garage, vehicle with 5 bays (RPUID AO–C–3517), constructed January 9, 1985.

(C) Bulkhead, Upper (RPUID AO–C–2658), constructed January 1, 1941.

(D) Bulkhead, Lower (RPUID AO–C–3520), constructed January 1, 1933.

(E) Bulkhead Fence (RPUID AO–C–3521), constructed January 9, 1985.

(F) Bulkhead Fence (RPUID AO–C–3522), constructed January 9, 1985.

(d) TERMS AND CONDITIONS.—

(1) IN GENERAL.—Before conveying the land described in subsection (c) to the Port of Corpus Christi Authority, the Secretary shall ensure that the conditions of buildings and facilities meet applicable requirements under Federal law, as determined by the Secretary.

(2) IMPROVEMENTS.—Improvements to conditions of buildings and facilities on the land described in subsection (c), if any, shall be incorporated into the consideration required under subsection (b).

(3) COSTS OF CONVEYANCE.—In addition to the fair market value for property rights conveyed, the Port of Corpus Christi Authority shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance under subsection (a).

SEC. 5352. PILOT PROGRAM FOR GOOD NEIGHBOR AUTHORITY ON CORPS OF ENGINEERS LAND.

(a) DEFINITIONS.—In this section:

(1) AUTHORIZED RESTORATION SERVICES.—The term ''authorized restoration services'' means similar and complementary forest, rangeland, and watershed restoration services carried out—

(A) on Federal land; and

(B) by the Secretary or Governor pursuant to a good neighbor agreement.

(2) FEDERAL LAND.—

(A) IN GENERAL.—The term ''Federal land'' means land within the State that is administered by the Corps of Engineers.

(B) EXCLUSIONS.—The term ''Federal land'' does not include—

(i) a component of the National Wilderness Preservation System;

(ii) Federal land on which the removal of vegetation is prohibited or restricted by an Act of Congress or a Presidential proclamation (including the applicable implementation plan); or

(iii) a wilderness study area.

(3) FOREST, RANGELAND, AND WATERSHED SERVICES.—

(A) IN GENERAL.—The term ''forest, rangeland, and watershed restoration services'' means—

(i) activities to treat insect-infected and disease-infected trees;

(ii) activities to reduce hazardous fuels; and

(iii) any other activities to restore or improve forest, rangeland, and watershed health, including fish and wildlife habitat.

(B) EXCLUSIONS.—The term ''forest, rangeland, and watershed restoration services'' does not include—

(i) construction, reconstruction, repair, or restoration of paved or permanent roads or parking areas, other than the reconstruction, repair, or restoration of a road that is necessary to carry out authorized restoration services pursuant to a good neighbor agreement; and

(ii) construction, alteration, repair or replacement of public buildings or public works.

(4) GOOD NEIGHBOR AGREEMENT.—The term ''good neighbor agreement'' means a cooperative agreement or contract (including a sole source contract) entered into between the Secretary and Governor under subsection (b)(1)(A) to carry out authorized restoration services under this section.

(5) GOVERNOR.—The term ''Governor'' means the Governor or any other appropriate executive official of the State.

(6) ROAD.—The term ''road'' has the meaning given the term in section 212.1 of title 36, Code of Federal Regulations (as in effect on February 7, 2014).

(7) STATE.—The term ''State'' means the State of Idaho.

(b) GOOD NEIGHBOR AGREEMENTS.—

(1) GOOD NEIGHBOR AGREEMENTS.—

(A) IN GENERAL.—The Secretary may carry out a pilot program to enter into good neighbor agreements with the Governor to carry out authorized restoration services in the State in accordance with this section.

(B) PUBLIC AVAILABILITY.—The Secretary shall make each good neighbor agreement available to the public.

(C) ADMINISTRATIVE COSTS.—The Governor shall provide, and the Secretary may accept and expend, funds to cover the costs of the Secretary to enter into and administer a good neighbor agreement.

(D) TERMINATION.—The pilot program under subparagraph (A) shall terminate on October 1, 2028.

(2) TIMBER SALES.—

(A) APPROVAL OF SILVICULTURE PRESCRIPTIONS AND MARKING GUIDES.—The Secretary shall provide or approve all silviculture prescriptions and marking guides to be applied on Federal land in all timber sale projects conducted under this section.

(B) TREATMENT OF REVENUE.—Except as provided in subparagraph (C), funds received from the sale of timber by the Governor under a good neighbor agreement shall be retained and used by the Governor to carry out authorized restoration services under the good neighbor agreement.

(C) EXCESS REVENUE.—

(i) IN GENERAL.—Any funds remaining after carrying out subparagraph (B) that are in excess of the amount provided by the Governor to the Secretary under paragraph (1)(C) shall be returned to the Secretary.

(ii) APPLICABILITY OF CERTAIN PROVISIONS.—Funds returned to the Secretary under clause (i) shall be subject to the first part of

section 5 of the Act of June 13, 1902 (commonly known as the ''Rivers and Harbors Appropriations Act of 1902'') (32 Stat. 373, chapter 1079; 33 U.S.C. 558).

(3) RETENTION OF NEPA RESPONSIBILITIES.—Any decision required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to any authorized restoration services to be provided under this section on Federal land shall not be delegated to the Governor.

SEC. 5353. SOUTHEAST DES MOINES, SOUTHWEST PLEASANT HILL, IOWA.

(a) PROJECT MODIFICATIONS.—The project for flood risk management and other purposes, Red Rock Dam and Lake, Des Moines River, Iowa (referred to in this section as the ''Red Rock Dam Project''), authorized by section 10 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 896, chapter 665), and the project for flood risk management, Des Moines Local Flood Protection, Des Moines River, Iowa (referred to in this section as ''Flood Protection Project''), authorized by section 10 of that Act (58 Stat. 896, chapter 665), shall be modified as follows, subject to a new or amended agreement between the Secretary and the non-Federal interest for the Flood Protection Project, the City of Des Moines, Iowa (referred to in this section as the ''City''), in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b):

(1) That portion of the Red Rock Dam Project consisting of the segment of levee from Station 15+88.8W to Station 77+43.7W shall be transferred to the Flood Protection Project.

(2) The relocated levee improvement constructed by the City, from Station 77+43.7W to approximately Station 20+00, shall be included in the Flood Protection Project.

(b) FEDERAL EASEMENT CONVEYANCES.—

(1) The Secretary is authorized to convey the following easements, acquired by the Federal Government for the Red Rock Dam Project, to the City to become part of the Flood Protection Project in accordance with subsection (a):

(A) Easements identified as Tracts 3215E-1, 3235E, and 3227E.

(B) Easements identified as Partial Tracts 3216E-2, 3216E-3, 3217E-1, and 3217E-2.

(2) On counter-execution of the new or amended agreement pursuant to the Federal easement conveyances under paragraph (1), the Secretary is authorized to convey the following easements, by quitclaim deed, without consideration, acquired by the Federal Government for the Red Rock Dam project, to the City or to the Des Moines Metropolitan Wastewater Reclamation Authority and no longer required for the Red Rock Dam Project or for the Des Moines Local Flood Protection Project:

(A) Easements identified as Tracts 3200E, 3202E-1, 3202E-2, 3202E-4, 3203E-2, 3215E-3, 3216E-1, and 3216E-5.

(B) Easements identified as Partial Tracts 3216E-2, 3216E-3, 3217E-1, and 3217E-2.

(3) All real property interests conveyed under this subsection shall be subject to the standard release of easement disposal process. All administrative fees associated with the transfer of the subject easements to the City or to the Des Moines Metropolitan Wastewater Reclamation Authority will be borne by the transferee.

SEC. 5354. MIDDLE RIO GRANDE FLOOD PROTECTION, BERNALILLO TO BELEN, NEW MEXICO.

In the case of the project for flood risk management, Middle Rio Grande, Bernalillo to Belen, New Mexico, authorized by section 401(2) of the Water Resources Development Act of 2020 (134 Stat. 2735), the non-Federal share of the cost of the project shall be the percentage described in section 103(a)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(a)(2)) (as in effect on the day before the date of enactment of the Water Resources Development Act of 1996 (110 Stat. 3658)).

SEC. 5355. COMPREHENSIVE EVERGLADES RESTORATION PLAN, FLORIDA.

(a) IN GENERAL.—Section 601(e)(5) of the Water Resources Development Act of 2000 (114 Stat. 2685; 132 Stat. 3786) is amended by striking subparagraph (E) and inserting the following:

''(E) PERIODIC MONITORING.—

''(i) IN GENERAL.—To ensure that the contributions of the non-Federal sponsor equal 50 percent proportionate share for projects in the Plan, during each period of 5 fiscal years, beginning on October 1, 2022, the Secretary shall, for each project—

''(I) monitor the non-Federal provision of cash, in-kind services, and land; and

''(II) manage, to the maximum extent practicable, the requirement of the non-Federal sponsor to provide cash, in-kind services, and land.

''(ii) OTHER MONITORING.—The Secretary shall conduct monitoring under clause (i) separately for the preconstruction engineering and design phase and the construction phase for each project in the Plan.

''(iii) CLARIFICATION.—Not later than 90 days after the end of each fiscal year, the Secretary shall provide to the non-Federal sponsor a financial accounting of non-Federal contributions under clause (i)(I) for such fiscal year.

''(iv) LIMITATION.—As applicable, and after including consideration of all expenditures and obligations incurred by the non-Federal sponsor for land and in-kind services for an authorized project for which a project partnership agreement has not been executed, the Secretary shall only require a cash contribution from the non-Federal sponsor to satisfy the cost share requirements of this subsection on the last day of each period of 5 fiscal years under clause (i).''.

(b) UPDATE.—The Secretary and the South Florida Water Management District shall revise the Master Agreement for the Comprehensive Everglades Restoration Plan, executed in 2009 pursuant to section 601 of the Water Resources Development Act of 2000 (114 Stat. 2680), to reflect the amendment made by subsection (a).

SEC. 5356. MAINTENANCE DREDGING PERMITS.

(a) IN GENERAL.—The Secretary shall, to the maximum extent practicable and appropriate, prioritize the reissuance of any regional general permit for maintenance dredging that expired prior to May 1, 2021.

(b) SAVINGS PROVISION.—Nothing in this section affects, preempts, or interferes with any obligation to comply with the provisions of any Federal or State environmental law, including—

(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(2) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(3) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 5357. PUGET SOUND NEARSHORE ECOSYSTEM RESTORATION, WASHINGTON.

In carrying out the project for ecosystem restoration, Puget Sound, Washington, authorized by section 1401(4) of the Water Resources Development Act of 2016 (130 Stat. 1713), the Secretary shall consider the removal and replacement of the Highway 101 causeway and bridges at the Duckabush River Estuary site to be a project feature the costs of which are shared as construction.

SEC. 5358. TRIBAL ASSISTANCE.

(a) CLARIFICATION OF EXISTING AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary, in consultation with the heads of relevant Federal agencies, the Confederated Tribes of the Warm Springs Indian Reservation of Oregon, the Confederated Tribes and Bands of the Yakama Nation, Nez Perce Tribe, and the Confederated Tribes of the Umatilla Indian Reservation, shall revise and carry out the village development plan for Dalles Dam, Columbia River, Washington and Oregon, as authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 179, chapter 188) to address adverse impacts to Indian villages, housing sites, and related structures as a result of the construction of Bonneville Dam, McNary Dam, and John Day Dam, Washington and Oregon.

(2) EXAMINATION.—Before carrying out the requirements of paragraph (1), the Secretary shall conduct an examination and assessment of the extent to which Indian villages, housing sites, and related structures were displaced or destroyed by the construction of the following projects:

(A) Bonneville Dam, Oregon, as authorized by the first section of the Act of August 30, 1935 (49 Stat. 1038, chapter 831) and the first section and section 2(a) of the Act of August 20, 1937 (50 Stat. 731, chapter 720; 16 U.S.C. 832, 832a(a)).

(B) McNary Dam, Washington and Oregon, as authorized by section 2 of the Act of March 2, 1945 (commonly known as the ''River and Harbor Act of 1945'') (59 Stat. 22, chapter 19).

(C) John Day Dam, Washington and Oregon, as authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 179, chapter 188).

(3) REQUIREMENTS.—The village development plan under paragraph (1) shall include, at a minimum—

(A) an evaluation of sites on both sides of the Columbia River;

(B) an assessment of suitable Federal land and land owned by the States of Washington and Oregon; and

(C) an estimated cost and tentative schedule for the construction of each housing development.

(4) LOCATION OF ASSISTANCE.—The Secretary may provide housing and related assistance under this subsection at 1 or more sites in the States of Washington and Oregon.

(b) PROVISION OF ASSISTANCE ON FEDERAL LAND.—The Secretary may construct housing or provide related assistance on land owned by the United States under the village development plan under subsection (a)(1).

(c) ACQUISITION AND DISPOSAL OF LAND.—

(1) IN GENERAL.—Subject to subsection (d), the Secretary may acquire land or interests in land for the purpose of providing housing and related assistance under the village development plan under subsection (a)(1).

(2) ADVANCE ACQUISITION.—Acquisition of land or interests in land under paragraph (1) may be carried out in advance of completion of all required documentation and clearances for the construction of housing or related improvements on the land or on the interests in land.

(3) DISPOSAL OF UNSUITABLE LAND.—If the Secretary determines that any land or interest in land acquired by the Secretary under this section in advance of completion of all required documentation for the construction of housing or related improvements is unsuitable for that housing or for those related improvements, the Secretary may—

(A) dispose of the land or interest in land by sale; and

(B) credit the proceeds to the appropriation, fund, or account used to purchase the land or interest in land.

(d) LIMITATION.—The Secretary shall only acquire land from willing landowners in carrying out this section.

(e) CONFORMING AMENDMENT.—Section 1178(c) of the Water Resources Development Act of 2016 (130 Stat. 1675; 132 Stat. 3781) is repealed.

SEC. 5359. RECREATIONAL OPPORTUNITIES AT CERTAIN PROJECTS.

(a) DEFINITIONS.—In this section:

(1) COVERED PROJECT.—The term ''covered project'' means any of the following projects of the Corps of Engineers:

(A) Ball Mountain Lake, Vermont.

(B) Townshend Lake, Vermont.

(2) RECREATION.—The term ''recreation'' includes downstream whitewater recreation that is dependent on operations, recreational fishing, and boating at a covered project.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary should—

(1) ensure that, to the extent compatible with other project purposes, each covered project is operated in such a manner as to protect and enhance recreation associated with the covered project; and

(2) manage land at each covered project to improve opportunities for recreation at the covered project.

(c) MODIFICATION OF WATER CONTROL PLANS.—The Secretary may modify, or undertake temporary deviations from, the water control plan for a covered project in order to enhance recreation, if the Secretary determines the modifications or deviations—

(1) will not adversely affect other authorized purposes of the covered project; and

(2) will not result in significant adverse impacts to the environment.

SEC. 5360. REHABILITATION OF CORPS OF ENGINEERS CONSTRUCTED DAMS.

Section 1177 of the Water Resources Development Act of 2016 (33 U.S.C. 467f–2 note; Public Law 114–322) is amended by adding at the end the following:

''(g) SPECIAL RULE.—Notwithstanding subsection (c), the non-Federal share of the cost to rehabilitate Waterbury Dam, Washington County, Vermont, under this section, including the cost of any required study, shall be the same share assigned to the non-Federal interest for the cost of initial construction of Waterbury Dam.''.

SEC. 5361. SOUTH FLORIDA ECOSYSTEM RESTORATION TASK FORCE.

Section 528(f)(1)(J) of the Water Resources Development Act of 1996 (110 Stat. 3771) is amended—

(1) by striking ''2 representatives'' and inserting ''3 representatives''; and

(2) by inserting ''at least 1 of which shall be a representative of the Florida Department of Environmental Protection and at least 1 of which shall be a representative of the Florida Fish and Wildlife Conservation Commission,'' after ''Florida,''.

SEC. 5362. NEW MADRID COUNTY HARBOR, MISSOURI.

Section 509(a) of the Water Resources Development Act of 1996 (110 Stat. 3759; 113 Stat. 339; 114 Stat. 2679) is amended by adding at the end the following:

''(18) Second harbor at New Madrid County Harbor, Missouri.''.

SEC. 5363. TRINITY RIVER AND TRIBUTARIES, TEXAS.

Section 1201(7) of the Water Resources Development Act of 2018 (132 Stat. 3802) is amended by inserting ''flood risk management, and ecosystem restoration,'' after ''navigation,''.

SEC. 5364. REND LAKE, CARLYLE LAKE, AND LAKE SHELBYVILLE, ILLINOIS.

(a) IN GENERAL.—Not later than 90 days after the date on which the Secretary receives a request from the Governor of Illinois to terminate a contract described in subsection (c), the Secretary shall amend the contract to release to the United States all rights of the State of Illinois to utilize water storage space in the reservoir project to which the contract applies.

(b) RELIEF OF CERTAIN OBLIGATIONS.—On execution of an amendment described in subsection (a), the State of Illinois shall be relieved of the obligation to pay the percentage of the annual operation and maintenance expense, the percentage of major replacement cost, and the percentage of major rehabilitation cost allocated to the water supply storage specified in the contract for the reservoir project to which the contract applies.

(c) CONTRACTS.—Subsection (a) applies to the following contracts between the United States and the State of Illinois:

(1) Contract DACW43–88–C–0088, entered into on September 23, 1988, for utilization of storage space for water supply in Rend Lake, Illinois.

(2) Contract DA–23–065–CIVENG–65–493, entered into on April 28, 1965, for utilization of storage space for water supply in Rend Lake, Illinois.

(3) Contract DACW43–83–C–0008, entered into on July 6, 1983, for utilization of storage space in Carlyle Lake, Illinois.

(4) Contract DACW43–83–C–0009, entered into on July 6, 1983, for utilization of storage space in Lake Shelbyville, Illinois.

SEC. 5365. FEDERAL ASSISTANCE.

Section 1328(c) of the America's Water Infrastructure Act of 2018 (132 Stat. 3826) is amended by striking ''4 years'' and inserting ''8 years''.

SEC. 5366. LAND TRANSFER AND TRUST LAND FOR CHOCTAW NATION OF OKLAHOMA.

(a) TRANSFER.—

(1) IN GENERAL.—Subject to paragraph (2) and for the consideration described in subsection (c), the Secretary shall transfer to the Secretary of the Interior the land described in subsection (b) to be held in trust for the benefit of the Choctaw Nation.

(2) CONDITIONS.—The land transfer under this subsection shall be subject to the following conditions:

(A) The transfer—

(i) shall not interfere with the operation by the Corps of Engineers of the Sardis Lake Project or any other authorized civil works project; and

(ii) shall be subject to such other terms and conditions as the Secretary determines to be necessary and appropriate to ensure the continued operation of the Sardis Lake Project or any other authorized civil works project.

(B) The Secretary shall retain the right to inundate with water the land transferred to the Choctaw Nation under this subsection as necessary to carry out an authorized purpose of the Sardis Lake Project or any other civil works project.

(C) No gaming activities may be conducted on the land transferred under this subsection.

(b) LAND DESCRIPTION.—

(1) IN GENERAL.—The land to be transferred pursuant to subsection (a) is the approximately 247 acres of land located in Sections 18 and 19 of T2N R18E, and Sections 5 and 8 of T2N R19E, Pushmataha County, Oklahoma, generally depicted as ''USACE'' on the map entitled ''Sardis Lake – Choctaw Nation Proposal'' and dated February 22, 2022.

(2) SURVEY.—The exact acreage and legal descriptions of the land to be transferred under subsection (a) shall be determined by a survey satisfactory to the Secretary and the Secretary of the Interior.

(c) CONSIDERATION.—The Choctaw Nation shall pay—

(1) to the Secretary an amount that is equal to the fair market value of the land transferred under subsection (a), as determined by the Secretary, which funds may be accepted and expended by the Secretary; and

(2) all costs and administrative expenses associated with the transfer of land under subsection (a), including the costs of—

(A) the survey under subsection (b)(2);

(B) compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) any coordination necessary with respect to requirements related to endangered species, cultural resources, clean water, and clean air.

SEC. 5367. LAKE BARKLEY, KENTUCKY, LAND CONVEYANCE.

(a) IN GENERAL.—The Secretary is authorized to convey to the Eddyville Riverport Authority (referred to in this section as the ''Authority''), for fair market value, all right, title, and interest of the United States in and to approximately 2.2 acres of land adjacent to the southwestern boundary of the port facilities of the Authority at the Barkley Dam and Lake Barkley, Kentucky, project, authorized by the River and Harbor Act of 1946 (60 Stat. 636, Public Law 79–525).

(b) CONDITIONS.—

(1) QUITCLAIM DEED.—Any conveyance of land under this section shall be by quitclaim deed.

(2) RESERVATION OF RIGHTS.—The Secretary shall reserve from a conveyance of land under this section such easements, rights-of-way, or other interests as the Secretary determines to be necessary and appropriate to the ensure the continued operation of the project described in subsection (a).

(3) TERMS AND CONDITIONS.—The Secretary may subject any conveyance under this section to such terms and conditions as the Secretary determines necessary and advisable to protect the United States.

(c) ADMINISTRATIVE COSTS.—The Authority shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with a conveyance under this section.

(d) WAIVER OF REAL PROPERTY SCREENING REQUIREMENTS.—Section 2696 of title 10, United States Code, shall not apply to the conveyance of land under this section.

TITLE LIV—WATER RESOURCES INFRASTRUCTURE

SEC. 5401. PROJECT AUTHORIZATIONS.

The following projects for water resources development and conservation and other purposes, as identified in the reports titled ''Report to Congress on Future Water Resources Development'' submitted to Congress pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed by Congress, are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports or decision documents designated in this section:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report or Decision Document	D. Estimated Costs
1. AK	Elim Subsistence Harbor	March 12, 2021	Federal: $74,905,000 Non-Federal: $1,896,000 Total: $76,801,000
2. CA	Port of Long Beach Deep Draft Navigation, Los Angeles	October 14, 2021; May 31, 2022	Federal: $73,533,500 Non-Federal: $74,995,500 Total: $148,529,000
3. WA	Tacoma Harbor Navigation Improvement	May 26, 2022	Federal: $120,701,000 Non-Federal: $174,627,000 Total: $295,328,000
4. NY, NJ	New Jersey Harbor Deepening Channel Improvement	June 3, 2022	Federal: $2,124,561,500 Non-Federal: $3,439,337,500 Total: $5,563,899,000

(2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Report or Decision Document	D. Estimated Costs
1. AL	Selma	October 7, 2021	Federal: $15,533,100 Non-Federal: $8,363,900 Total: $23,897,000
2. CA	Lower Cache Creek, Yolo County, Woodland, and Vicinity	June 21, 2021	Federal: $215,152,000 Non-Federal: $115,851,000 Total: $331,003,000
3. OR	Portland Metro Levee System	August 20, 2021	Federal: $77,111,100 Non-Federal: $41,521,300 Total: $118,632,400
4. NE	Papillion Creek and Tributaries Lakes	January 24, 2022	Federal: $91,491,400 Non-Federal: $52,156,300 Total: $143,647,700
5. AL	Valley Creek, Bessemer and Birmingham	October 29, 2021	Federal: $17,725,000 Non-Federal: $9,586,000 Total: $27,311,000
6. PR	Rio Guanajibo	May 24, 2022	Federal: $110,974,500 Non-Federal: $59,755,500 Total: $170,730,000

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report or Decision Document	D. Estimated Costs
1. CT	Fairfield and New Haven Counties	January 19, 2021	Federal: $92,937,000 Non-Federal: $50,043,000 Total: $142,980,000
2. PR	San Juan Metro	September 16, 2021	Federal: $245,418,000 Non-Federal: $131,333,000 Total: $376,751,000
3. FL	Florida Keys, Monroe County	September 24, 2021	Federal: $1,513,531,000 Non-Federal: $814,978,000 Total: $2,328,509,000

A. State	B. Name	C. Date of Report or Decision Document	D. Estimated Costs
4. FL	Okaloosa County	October 7, 2021	Initial Federal: $19,822,000 Initial Non-Federal: $11,535,000 Initial Total: $31,357,000 Renourishment Federal: $71,045,000 Renourishment Non-Federal: $73,787,000 Renourishment Total: $144,832,000
5. SC	Folly Beach	October 26, 2021	Initial Federal: $45,490,000 Initial Non-Federal: $5,054,000 Initial Total: $50,544,000 Renourishment Federal: $164,424,000 Renourishment Non-Federal: $26,767,000 Renourishment Total: $191,191,000
6. FL	Pinellas County	October 29, 2021	Initial Federal: $8,627,000 Initial Non-Federal: $5,332,000 Initial Total: $13,959,000 Renourishment Federal: $92,000,000 Renourishment Non-Federal: $101,690,000 Renourishment Total: $193,690,000
7. NY	South Shore of Staten Island, Fort Wadsworth to Oakwood Beach	October 27, 2016	Federal: $371,310,000 Non-Federal: $199,940,000 Total: $571,250,000
8. LA	Upper Barataria Basin	January 28, 2022	Federal: $1,005,001,000 Non-Federal: $541,155,000 Total: $1,546,156,000
9. LA	South Central Coast, St. Martin, St. Mary, and Iberia Parishes	June 23, 2022	Federal: $594,600,000 Non-Federal: $320,169,000 Total: $914,769,000

(4) HURRICANE AND STORM DAMAGE REDUCTION AND ECOSYSTEM RESTORATION.—

A. State	B. Name	C. Date of Report or Decision Document	D. Estimated Costs
1. TX	Coastal Texas Protection and Restoration Feasibility Study	September 16, 2021	Federal: $19,237,894,000 Non-Federal: $11,668,393,000 Total: $30,906,287,000

(5) ECOSYSTEM RESTORATION.—

A. State	B. Name	C. Date of Report or Decision Document	D. Estimated Costs
1. CA	Prado Basin Ecosystem Restoration, San Bernardino, Riverside and Orange Counties	April 22, 2021	Federal: $33,976,000 Non-Federal: $18,294,000 Total: $52,270,000
2. KY	Three Forks of Beargrass Creek	May 24, 2022	Federal: $72,138,000 Non-Federal: $48,998,000 Total: $121,135,000

(6) MODIFICATIONS AND OTHER PROJECTS.—

A. State	B. Name	C. Date of Report or Decision Document	D. Estimated Costs
1. LA	Lake Pontchartrain and Vicinity	December 16, 2021	Federal: $807,000,000 Non-Federal: $434,000,000 Total: $1,241,000,000
2. LA	West Bank and Vicinity	December 17, 2021	Federal: $431,000,000 Non-Federal: $232,000,000 Total: $663,000,000
3. GA	Brunswick Harbor, Glynn County	March 11, 2022	Federal: $10,774,500 Non-Federal: $3,594,500 Total: $14,369,000
4. DC	Washington, DC and Vicinity	July 22, 2021	Federal: $17,740,000 Non-Federal: $0 Total: $17,740,000
5. MI	Soo Locks, Sault Ste. Marie	June 6, 2022	Federal: $2,932,116,000 Non-Federal: $0 Total: $2,932,116,000
6. WA	Howard A. Hanson Dam Additional Water Storage	May 19, 2022	Federal: $815,207,000 Non-Federal: $39,979,000 Total: $855,185,000
7. MO	Critical Infrastructure Cyber Security – Mandatory Center of Expertise Lab and Office Facility	January 13, 2020	Federal: $5,956,404 Non-Federal: $0 Total: $5,956,404
8. FL	Central and Southern Florida, Indian River Lagoon	May 31, 2022	Federal: $2,500,686,000 Non-Federal: $2,500,686,000 Total: $5,001,372,000

SEC. 5402. STORM DAMAGE PREVENTION AND REDUCTION, COASTAL EROSION, AND ICE AND GLACIAL DAMAGE, ALASKA.

(a) IN GENERAL.—The Secretary shall establish a program to carry out structural and nonstructural projects for storm damage prevention and reduction, coastal erosion, and ice and glacial damage in the State of Alaska, including—

(1) relocation of affected communities; and

(2) construction of replacement facilities.

(b) COST SHARE.—The non-Federal interest shall share in the cost to study, design, and construct a project carried out under this section in accordance with sections 103 and 105 of the Water Resources Development Act of 1986 (33 U.S.C. 2213, 2215), except that, in the case of a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)), the non-Federal share shall be 10 percent.

(c) REPEAL.—Section 116 of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (123 Stat. 2851), is repealed.

(d) TREATMENT.—The program authorized by subsection (a) shall be considered a continuation of the program authorized by section 116 of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (123 Stat. 2851) (as in effect on the day before the date of enactment of this Act).

SEC. 5403. EXPEDITED COMPLETION OF PROJECTS.

The Secretary shall expedite completion of the following projects:

(1) Project for flood risk management, Cumberland, Maryland, restoration and rewatering of the Chesapeake and Ohio Canal, authorized by section 580 of the Water Resources Development Act of 1999 (113 Stat. 375).

(2) Project for flood risk management, Tulsa and West–Tulsa Levee System, Tulsa County, Oklahoma, authorized by section 401(2) of the Water Resources Development Act of 2020 (134 Stat. 2735).

(3) Project for flood risk management, Little Colorado River at Winslow, Navajo County, Arizona, authorized by section 401(2) of the Water Resources Development Act of 2020 (134 Stat. 2735).

(4) Project for flood risk management, Rio De Flag, Flagstaff, Arizona, authorized by section 101(b)(3) of the Water Resources Development Act of 2000 (114 Stat. 2576).

(5) Project for flood risk management, Rose and Palm Garden Washes, Arizona, authorized by section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(6) Project for ecosystem restoration, El Corazon, Arizona, authorized by section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

(7) Projects for ecosystem restoration, Chesapeake Bay Comprehensive Water Resources and Restoration Plan, Chesapeake Bay Environmental Restoration and Protection Program, authorized by section 510 of the Water Resources Development Act of 1996 (110 Stat. 3759).

(8) Projects authorized under section 219 of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat. 334; 121 Stat. 1258).

(9) Projects authorized under section 8004 of the Water Resources Development Act of 2007 (33 U.S.C. 652 note; Public Law 110–114).

(10) Projects authorized under section 519 of the Water Resources Development Act of 2000 (114 Stat. 2653).

(11) Project for flood risk management, Lower Santa Cruz River, Arizona, authorized by section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(12) Project for flood risk management, McCormick Wash, Arizona, authorized by section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(13) Project for navigation, including maintenance and channel deepening, McClellan–Kerr Arkansas River Navigation System.

(14) Project for dam safety modifications, Bluestone Dam, West Virginia.

(15) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Branford Harbor and Branford River, Branford, Connecticut, authorized by the first section of the Act of June 13, 1902 (32 Stat. 333, chapter 1079).

(16) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Guilford Harbor and Sluice Channel, Connecticut.

(17) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Milford Harbor, Connecticut.

(18) Assistance for ecosystem restoration, Lower Yellowstone Intake Diversion Dam, Montana, authorized by section 3109 of the Water Resources Development Act of 2007 (121 Stat. 1135).

(19) Project for mitigation of shore damage from navigation works, Camp Ellis Beach, Saco, Maine, pursuant to section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i).

(20) Project for ecosystem restoration, Lower Blackstone River, Rhode Island, pursuant to section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

(21) Project for navigation, Kentucky Lock Addition, Kentucky.

(22) Maintenance dredging of the Federal channel for the project for navigation, Columbia, Snake, and Clearwater Rivers, Oregon, Washington, and Idaho, authorized by section 2 of the Act of March 2, 1945 (59 Stat. 21, chapter 19), at the Port of Clarkston, Washington, and the Port of Lewiston, Idaho.

(23) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Portsmouth Back Channels and Sagamore Creek, Portsmouth, New Castle, and Rye, New Hampshire, authorized by section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577).

(24) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Portsmouth Harbor and Piscataqua River, Portsmouth, New Castle, and Newington, New Hampshire, and Kittery and Elliot, Maine, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1173).

SEC. 5404. SPECIAL RULES.

(a) The following conditions apply to the project described in section 5403(19):

(1) The project is authorized to be carried out under section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) at a Federal cost of $45,000,000.

(2) The project may include Federal participation in periodic nourishment.

(3) For purposes of subsection (b) of section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i), the Secretary shall determine that the navigation works to which the shore damages are attributable were constructed at full Federal expense.

(b) The following conditions apply to the project described in section 5403(20):

(1) The project is authorized to be carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) at a Federal cost of $15,000,000.

(2) If the Secretary includes in the project a measure on Federal land under the jurisdiction of another Federal agency, the Secretary may enter into an agreement with the Federal agency that provides for the Secretary—

(A) to construct the measure; and

(B) to operate and maintain the measure using funds provided to the Secretary by the non-Federal interest for the project.

(3) If the Secretary includes in the project a measure for fish passage at a dam licensed for hydropower, the Secretary shall include in the project costs all costs for the measure, except that those costs that are in excess of the costs to provide fish passage at the dam if hydropower improvements were not in place shall be a 100 percent non-Federal expense.

SEC. 5405. CHATTAHOOCHEE RIVER PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish a program to provide environmental assistance to non-Federal interests in the Chattahoochee River Basin.

(2) FORM.—The assistance under paragraph (1) shall be in the form of design and construction assistance for water-related resource protection and restoration projects affecting the Chattahoochee River Basin, based on the comprehensive plan under subsection (b), including projects for—

(A) sediment and erosion control;

(B) protection of eroding shorelines;

(C) ecosystem restoration, including restoration of submerged aquatic vegetation;

(D) protection of essential public works;

(E) beneficial uses of dredged material; and

(F) other related projects that may enhance the living resources of the Chattahoochee River Basin.

(b) COMPREHENSIVE PLAN.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary, in cooperation with State and local governmental officials and affected stakeholders, shall develop a comprehensive Chattahoochee River Basin restoration plan to guide the implementation of projects under subsection (a)(2).

(2) COORDINATION.—The restoration plan described in paragraph (1) shall, to the maximum extent practicable, consider and avoid duplication of any ongoing or planned actions of other Federal, State, and local agencies and nongovernmental organizations.

(3) PRIORITIZATION.—The restoration plan described in paragraph (1) shall give priority to projects eligible under subsection (a)(2) that will also improve water quality or quantity or use natural hydrological features and systems.

(c) AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into an agreement with a non-Federal interest for the design and construction of a project carried out pursuant to the comprehensive Chattahoochee River Basin restoration plan described in subsection (b).

(2) REQUIREMENTS.—Each agreement entered into under this subsection shall provide for—

(A) the development by the Secretary, in consultation with appropriate Federal, State, and local officials, of a resource protection and restoration plan, including appropriate engineering plans and specifications and an estimate of expected resource benefits; and

(B) the establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation and maintenance of the project by the non-Federal interest.

(d) COST SHARING.—

(1) FEDERAL SHARE.—Except as provided in paragraph (2)(B), the Federal share of the total project costs of each agreement entered into under this section shall be 75 percent.

(2) NON-FEDERAL SHARE.—

(A) VALUE OF LAND, EASEMENTS, RIGHTS-OF-WAY, AND RELOCATIONS.—In determining the non-Federal contribution toward carrying out an agreement entered into under this section, the Secretary shall provide credit to a non-Federal interest for the value of land, easements, rights-of-way, and relocations provided by the non-Federal interest, except that the amount of credit provided for a project under this paragraph may not exceed 25 percent of the total project costs.

(B) OPERATION AND MAINTENANCE COSTS.—The non-Federal share of the costs of operation and maintenance of activities carried out under an agreement under this section shall be 100 percent.

(e) COOPERATION.—In carrying out this section, the Secretary shall cooperate with—

(1) the heads of appropriate Federal agencies, including—

(A) the Administrator of the Environmental Protection Agency;

(B) the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration;

(C) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service; and

(D) the heads of such other Federal agencies as the Secretary determines to be appropriate; and

(2) agencies of a State or political subdivision of a State.

(f) PROTECTION OF RESOURCES.—A project established under this section shall be carried out using such measures as are necessary to protect environmental, historic, and cultural resources.

(g) PROJECT CAP.—The total cost of a project carried out under this section may not exceed $15,000,000.

(h) SAVINGS PROVISION.—Nothing in this section—

(1) establishes any express or implied reserved water right in the United States for any purpose;

(2) affects any water right in existence on the date of enactment of this Act;

(3) preempts or affects any State water law or interstate compact governing water; or

(4) affects any Federal or State law in existence on the date of enactment of this Act regarding water quality or water quantity.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $90,000,000.

SEC. 5406. LOWER MISSISSIPPI RIVER BASIN DEMONSTRATION PROGRAM.

(a) DEFINITION.—In this section, the term ''Lower Mississippi River Basin'' means the portion of the Mississippi River that begins at the confluence of the Ohio River and flows to the Gulf of Mexico, and its tributaries and distributaries.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish a program to provide assistance to non-Federal interests in the Lower Mississippi River Basin.

(2) FORM.—

(A) IN GENERAL.—The assistance under paragraph (1) shall be in the form of design and construction assistance for flood or coastal storm risk management or aquatic ecosystem restoration projects in the Lower Mississippi River Basin, based on the comprehensive plan under subsection (c).

(B) ASSISTANCE.—Projects under subparagraph (A) may include measures for—

(i) sediment control;

(ii) protection of eroding riverbanks and streambanks and shorelines;

(iii) channel modifications;

(iv) beneficial uses of dredged material; or

(v) other related projects that may enhance the living resources of the Lower Mississippi River Basin.

(c) COMPREHENSIVE PLAN.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary, in cooperation with State and local governmental officials and affected stakeholders, shall develop a comprehensive Lower Mississippi River Basin plan to guide the implementation of projects under subsection (b)(2).

(2) COORDINATION.—The plan described in paragraph (1) shall, to the maximum extent practicable, consider and avoid duplication of any ongoing or planned actions of other Federal, State, and local agencies and nongovernmental organizations.

(3) PRIORITIZATION.—To the maximum extent practicable, the plan described in paragraph (1) shall give priority to projects eligible under subsection (b)(2) that will also improve water quality, reduce hypoxia in the Lower Mississippi River or Gulf of Mexico, or use a combination of structural and nonstructural measures.

(d) AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into an agreement with a non-Federal interest for the design and construction of a project carried out pursuant to the comprehensive Lower Mississippi River Basin plan described in subsection (c).

(2) REQUIREMENTS.—Each agreement entered into under this subsection shall provide for the establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation and maintenance of the project by the non-Federal interest.

(e) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost to design and construct a project under each agreement entered into under this section shall be 75 percent.

(2) NON-FEDERAL SHARE.—

(A) VALUE OF LAND, EASEMENTS, RIGHTS-OF-WAY, AND RELOCATIONS.—In determining the non-Federal contribution toward carrying out an agreement entered into under this section, the Secretary shall provide credit to a non-Federal interest for the value of land, easements, rights-of-way, and relocations provided by the non-Federal interest, except that the amount of credit provided for a project under this paragraph may not exceed 25 percent of the cost to design and construct the project.

(B) OPERATION AND MAINTENANCE COSTS.—The non-Federal share of the costs of operation and maintenance of activities carried out under an agreement under this section shall be 100 percent.

(f) COOPERATION.—In carrying out this section, the Secretary shall cooperate with—

(1) the heads of appropriate Federal agencies, including—

(A) the Secretary of Agriculture;

(B) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service; and

(C) the heads of such other Federal agencies as the Secretary determines to be appropriate; and

(2) agencies of a State or political subdivision of a State.

(g) PROJECT CAP.—The total cost of a project carried out under this section may not exceed $15,000,000.

(h) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the results of the program under this section, including a recommendation on whether the program should be reauthorized.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $90,000,000.

SEC. 5407. FORECAST-INFORMED RESERVOIR OPERATIONS.

(a) IN GENERAL.—The Secretary is authorized to carry out a research study pilot program at 1 or more dams owned and operated by the Secretary in the North Atlantic Division of the Corps of Engineers to assess the viability of forecast-informed reservoir operations in the eastern United States.

(b) REPORT.—Not later than 1 year after completion of the research study pilot program under subsection (a), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the study pilot program.

SEC. 5408. MISSISSIPPI RIVER MAT SINKING UNIT.

The Secretary shall expedite the replacement of the Mississippi River mat sinking unit.

SEC. 5409. SENSE OF CONGRESS RELATING TO OKATIBBEE LAKE.

It is the sense of Congress that—

(1) there is significant shoreline sloughing and erosion at the Okatibbee Lake portion of the project for flood protection, Chunky Creek, Chickasawhay and Pascagoula Rivers, Mississippi, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1183), which has the potential to impact infrastructure, damage property, and put lives at risk; and

(2) addressing shoreline sloughing and erosion at a project of the Secretary, including at a location leased by non-Federal entities such as Okatibbee Lake, is an activity that is eligible to be carried out by the Secretary as part of the operation and maintenance of the project.

DIVISION K—COAST GUARD AUTHORIZATION ACT OF 2022

SEC. 5001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Coast Guard Authorization Act of 2022''.

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

DIVISION E—COAST GUARD AUTHORIZATION ACT OF 2022

Sec. 5001. Short title; table of contents.
Sec. 5002. Definition of Commandant.

TITLE LI—AUTHORIZATIONS

Sec. 5101. Authorization of appropriations.
Sec. 5102. Authorized levels of military strength and training.
Sec. 5103. Authorization for shoreside infrastructure and facilities.
Sec. 5104. Authorization for acquisition of vessels.
Sec. 5105. Authorization for the child care subsidy program.

TITLE LII—COAST GUARD

Subtitle A—Infrastructure and Assets

Sec. 5201. Report on shoreside infrastructure and facilities needs.
Sec. 5202. Fleet mix analysis and shore infrastructure investment plan.
Sec. 5203. Acquisition life-cycle cost estimates.
Sec. 5204. Report and briefing on resourcing strategy for Western Pacific region.
Sec. 5205. Study and report on national security and drug trafficking threats in the Florida Straits and Caribbean region, including Cuba.
Sec. 5206. Coast Guard Yard.
Sec. 5207. Authority to enter into transactions other than contracts and grants to procure cost-effective technology for mission needs.
Sec. 5208. Improvements to infrastructure and operations planning.
Sec. 5209. Aqua alert notification system pilot program.

Subtitle B—Great Lakes

Sec. 5211. Great Lakes winter commerce.
Sec. 5212. Database on icebreaking operations in the Great Lakes.
Sec. 5213. Great Lakes snowmobile acquisition plan.
Sec. 5214. Great Lakes barge inspection exemption.
Sec. 5215. Study on sufficiency of Coast Guard aviation assets to meet mission demands.

Subtitle C—Arctic

Sec. 5221. Establishment of the Arctic Security Cutter Program Office.
Sec. 5222. Arctic activities.
Sec. 5223. Study on Arctic operations and infrastructure.

Subtitle D—Maritime Cyber and Artificial Intelligence

Sec. 5231. Enhancing maritime cybersecurity.
Sec. 5232. Establishment of unmanned system program and autonomous control and computer vision technology project.
Sec. 5233. Artificial intelligence strategy.
Sec. 5234. Review of artificial intelligence applications and establishment of performance metrics.
Sec. 5235. Cyber data management.
Sec. 5236. Data management.
Sec. 5237. Study on cyber threats to the United States marine transportation system.

Subtitle E—Aviation

Sec. 5241. Space-available travel on Coast Guard aircraft: program authorization and eligible recipients.
Sec. 5242. Report on Coast Guard Air Station Barbers Point hangar.
Sec. 5243. Study on the operational availability of Coast Guard aircraft and strategy for Coast Guard Aviation.

Subtitle F—Workforce Readiness

Sec. 5251. Authorized strength.
Sec. 5252. Number and distribution of officers on active duty promotion list.
Sec. 5253. Continuation on active duty of officers with critical skills.
Sec. 5254. Career incentive pay for marine inspectors.
Sec. 5255. Expansion of the ability for selection board to recommend officers of particular merit for promotion.
Sec. 5256. Modification to education loan repayment program.
Sec. 5257. Retirement of Vice Commandant.
Sec. 5258. Report on resignation and retirement processing times and denial.
Sec. 5259. Physical disability evaluation system procedure review.
Sec. 5260. Expansion of authority for multirater assessments of certain personnel.
Sec. 5261. Promotion parity.
Sec. 5262. Partnership program to diversify the Coast Guard.
Sec. 5263. Expansion of Coast Guard Junior Reserve Officers' Training Corps.
Sec. 5264. Improving representation of women and racial and ethnic minorities among Coast Guard active-duty members.
Sec. 5265. Strategy to enhance diversity through recruitment and accession.
Sec. 5266. Support for Coast Guard Academy.
Sec. 5267. Training for congressional affairs personnel.
Sec. 5268. Strategy for retention of cuttermen.
Sec. 5269. Study on performance of Coast Guard Force Readiness Command.
Sec. 5270. Study on frequency of weapons training for Coast Guard personnel.

Subtitle G—Miscellaneous Provisions

Sec. 5281. Budgeting of Coast Guard relating to certain operations.
Sec. 5282. Coast Guard assistance to United States Secret Service.
Sec. 5283. Conveyance of Coast Guard vessels for public purposes.
Sec. 5284. Authorization relating to certain intelligence and counter intelligence activities of the Coast Guard.
Sec. 5285. Transfer and conveyance.
Sec. 5286. Transparency and oversight.
Sec. 5287. Study on safety inspection program for containers and facilities.
Sec. 5288. Study on maritime law enforcement workload requirements.
Sec. 5289. Feasibility study on construction of Coast Guard station at Port Mansfield.
Sec. 5290. Modification of prohibition on operation or procurement of foreign-made unmanned aircraft systems.

Sec. 5291. Operational data sharing capability.
Sec. 5292. Procurement of tethered aerostat radar system for Coast Guard Station South Padre Island.
Sec. 5293. Assessment of Iran sanctions relief on Coast Guard operations under the Joint Comprehensive Plan of Action.
Sec. 5294. Report on shipyards of Finland and Sweden.
Sec. 5295. Prohibition on construction contracts with entities associated with the Chinese Communist Party.
Sec. 5296. Review of drug interdiction equipment and standards; testing for fentanyl during interdiction operations.
Sec. 5297. Public availability of information on monthly migrant interdictions.

TITLE LIII—ENVIRONMENT

Sec. 5301. Definition of Secretary.

Subtitle A—Marine Mammals

Sec. 5311. Definitions.
Sec. 5312. Assistance to ports to reduce the impacts of vessel traffic and port operations on marine mammals.
Sec. 5313. Near real-time monitoring and mitigation program for large cetaceans.
Sec. 5314. Pilot program to establish a Cetacean Desk for Puget Sound region.
Sec. 5315. Monitoring ocean soundscapes.

Subtitle B—Oil Spills

Sec. 5321. Improving oil spill preparedness.
Sec. 5322. Western Alaska oil spill planning criteria.
Sec. 5323. Accident and incident notification relating to pipelines.
Sec. 5324. Coast Guard claims processing costs.
Sec. 5325. Calculation of interest on debt owed to the national pollution fund.
Sec. 5326. Per-incident limitation.
Sec. 5327. Access to the Oil Spill Liability Trust Fund.
Sec. 5328. Cost-reimbursable agreements.
Sec. 5329. Oil spill response review.
Sec. 5330. Review and report on limited indemnity provisions in standby oil spill response contracts.
Sec. 5331. Additional exceptions to regulations for towing vessels.

Subtitle C—Environmental Compliance

Sec. 5341. Review of anchorage regulations.
Sec. 5342. Study on impacts on shipping and commercial, Tribal, and recreational fisheries from the development of renewable energy on the West Coast.

Subtitle D—Environmental Issues

Sec. 5351. Modifications to the Sport Fish Restoration and Boating Trust Fund administration.
Sec. 5352. Improvements to Coast Guard communication with North Pacific maritime and fishing industry.
Sec. 5353. Fishing safety training grants program.
Sec. 5354. Load lines.
Sec. 5355. Actions by National Marine Fisheries Service to increase energy production.

Subtitle E—Illegal Fishing and Forced Labor Prevention

Sec. 5361. Definitions.

CHAPTER 1—COMBATING HUMAN TRAFFICKING THROUGH SEAFOOD IMPORT MONITORING

Sec. 5362. Enhancement of Seafood Import Monitoring Program Automated Commercial Environment Message Set.
Sec. 5363. Data sharing and aggregation.
Sec. 5364. Import audits.
Sec. 5365. Availability of fisheries information.
Sec. 5366. Report on Seafood Import Monitoring Program.
Sec. 5367. Authorization of appropriations.

CHAPTER 2—STRENGTHENING INTERNATIONAL FISHERIES MANAGEMENT TO COMBAT HUMAN TRAFFICKING

Sec. 5370. Denial of port privileges.
Sec. 5371. Identification and certification criteria.
Sec. 5372. Equivalent conservation measures.
Sec. 5373. Capacity building in foreign fisheries.
Sec. 5374. Training of United States Observers.
Sec. 5375. Regulations.
Sec. 5376. Use of Devices Broadcasting on AIS for Purposes of Marking Fishing Gear.

TITLE LIV—SUPPORT FOR COAST GUARD WORKFORCE

Subtitle A—Support for Coast Guard Members and Families

Sec. 5401. Coast Guard child care improvements.
Sec. 5402. Armed Forces access to Coast Guard child care facilities.
Sec. 5403. Cadet pregnancy policy improvements.
Sec. 5404. Combat-related special compensation.
Sec. 5405. Study on food security.

Subtitle B—Healthcare

Sec. 5421. Development of medical staffing standards for the Coast Guard.
Sec. 5422. Healthcare system review and strategic plan.
Sec. 5423. Data collection and access to care.
Sec. 5424. Behavioral health policy.
Sec. 5425. Members asserting post-traumatic stress disorder or traumatic brain injury.
Sec. 5426. Improvements to the Physical Disability Evaluation System and transition program.
Sec. 5427. Expansion of access to counseling.
Sec. 5428. Expansion of postgraduate opportunities for members of the Coast Guard in medical and related fields.
Sec. 5429. Study on Coast Guard telemedicine program.
Sec. 5430. Study on Coast Guard medical facilities needs.

Subtitle C—Housing

Sec. 5441. Strategy to improve quality of life at remote units.
Sec. 5442. Study on Coast Guard housing access, cost, and challenges.
Sec. 5443. Audit of certain military housing conditions of enlisted members of the Coast Guard in Key West, Florida.
Sec. 5444. Study on Coast Guard housing authorities and privatized housing.

Subtitle D—Other Matters

Sec. 5451. Report on availability of emergency supplies for Coast Guard personnel.

TITLE LV—MARITIME

Subtitle A—Vessel Safety

Sec. 5501. Abandoned Seafarers Fund amendments.
Sec. 5502. Receipts; international agreements for ice patrol services.
Sec. 5503. Passenger vessel security and safety requirements.
Sec. 5504. At-sea recovery operations pilot program.
Sec. 5505. Exoneration and limitation of liability for small passenger vessels.
Sec. 5506. Moratorium on towing vessel inspection user fees.
Sec. 5507. Certain historic passenger vessels.
Sec. 5508. Coast Guard digital registration.
Sec. 5509. Responses to safety recommendations.
Sec. 5510. Comptroller General of the United States study and report on the Coast Guard's oversight of third party organizations.
Sec. 5511. Articulated tug-barge manning.
Sec. 5512. Alternate safety compliance program exception for certain vessels.

Subtitle B—Other Matters

Sec. 5521. Definition of a stateless vessel.
Sec. 5522. Report on enforcement of coastwise laws.
Sec. 5523. Study on multi-level supply chain security strategy of the department of homeland security.
Sec. 5524. Study to modernize the merchant mariner licensing and documentation system.
Sec. 5525. Study and report on development and maintenance of mariner records database.
Sec. 5526. Assessment regarding application process for merchant mariner credentials.
Sec. 5527. Military to Mariners Act of 2022.
Sec. 5528. Floating dry docks.

TITLE LVI—SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION AND RESPONSE

Sec. 5601. Definitions.
Sec. 5602. Convicted sex offender as grounds for denial.
Sec. 5603. Accommodation; notices.
Sec. 5604. Protection against discrimination.
Sec. 5605. Alcohol at sea.
Sec. 5606. Sexual harassment or sexual assault as grounds for suspension and revocation.
Sec. 5607. Surveillance requirements.
Sec. 5608. Master key control.
Sec. 5609. Safety management systems.
Sec. 5610. Requirement to report sexual assault and harassment.
Sec. 5611. Access to care and sexual assault forensic examinations.
Sec. 5612. Reports to Congress.
Sec. 5613. Policy on requests for permanent changes of station or unit transfers by persons who report being the victim of sexual assault.
Sec. 5614. Sex offenses and personnel records.
Sec. 5615. Study on Coast Guard oversight and investigations.
Sec. 5616. Study on Special Victims' Counsel program.

TITLE LVII—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Subtitle A—National Oceanic and Atmospheric Administration Commissioned Officer Corps

Sec. 5701. Definitions.
Sec. 5702. Requirement for appointments.
Sec. 5703. Repeal of requirement to promote ensigns after 3 years of service.
Sec. 5704. Authority to provide awards and decorations.
Sec. 5705. Retirement and separation.
Sec. 5706. Improving professional mariner staffing.

Sec. 5707. Legal assistance.
Sec. 5708. Acquisition of aircraft for extreme weather reconnaissance.
Sec. 5709. Report on professional mariner staffing models.

Subtitle B—Other Matters

Sec. 5711. Conveyance of certain property of the National Oceanic and Atmospheric Administration in Juneau, Alaska.

TITLE LVIII—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS

Sec. 5801. Technical correction.
Sec. 5802. Reinstatement.
Sec. 5803. Terms and vacancies.

TITLE LIX—RULE OF CONSTRUCTION

Sec. 5901. Rule of construction.

SEC. 5002. DEFINITION OF COMMANDANT.

In this division, the term ''Commandant'' means the Commandant of the Coast Guard.

TITLE LI—AUTHORIZATIONS

SEC. 5101. AUTHORIZATION OF APPROPRIATIONS.

Section 4902 of title 14, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''fiscal years 2020 and 2021'' and inserting ''fiscal years 2022 and 2023'';

(2) in paragraph (1)—

(A) in subparagraph (A), by striking clauses (i) and (ii) and inserting the following:

''(i) $10,000,000,000 for fiscal year 2022; and

''(ii) $10,750,000,000 for fiscal year 2023.'';

(B) in subparagraph (B), by striking ''$17,035,000'' and inserting ''$23,456,000''; and

(C) in subparagraph (C), by striking '', (A)(ii) $17,376,000'' and inserting ''(A)(ii), $24,353,000'';

(3) in paragraph (2)—

(A) in subparagraph (A), by striking clauses (i) and (ii) and inserting the following:

''(i) $2,459,100,000 for fiscal year 2022; and

''(ii) $3,477,600,000 for fiscal year 2023.''; and

(B) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

''(i) $20,400,000 for fiscal year 2022; and

''(ii) $20,808,000 for fiscal year 2023.'';

(4) in paragraph (3), by striking subparagraphs (A) and (B) and inserting the following:

''(A) $7,476,000 for fiscal year 2022; and

''(B) $14,681,084 for fiscal year 2023.''; and

(5) in paragraph (4), by striking subparagraphs (A) and (B) and inserting the following:

''(A) $240,577,000 for fiscal year 2022; and

''(B) $252,887,000 for fiscal year 2023.''.

SEC. 5102. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.

Section 4904 of title 14, United States Code, is amended—

(1) in subsection (a), by striking ''fiscal years 2020 and 2021'' and inserting ''fiscal years 2022 and 2023''; and

(2) in subsection (b), in the matter preceding paragraph (1), by striking ''fiscal years 2020 and 2021'' and inserting ''fiscal years 2022 and 2023''.

SEC. 5103. AUTHORIZATION FOR SHORESIDE INFRASTRUCTURE AND FACILITIES.

(a) IN GENERAL.—In addition to the amounts authorized to be appropriated under section 4902(2)(A) of title 14, United States Code, as amended by section 5101 of this division, for the period of fiscal years 2023 through 2028—

(1) $3,000,000,000 is authorized to fund maintenance, new construction, and repairs needed for Coast Guard shoreside infrastructure;

(2) $160,000,000 is authorized to fund phase two of the recapitalization project at Coast Guard Training Center Cape May in Cape May, New Jersey, to improve recruitment and training of a diverse Coast Guard workforce; and

(3) $80,000,000 is authorized for the construction of additional new child care development centers not constructed using funds authorized by the Infrastructure Investment and Jobs Act (Public Law 117–58; 135 Stat. 429).

(b) COAST GUARD YARD RESILIENT INFRASTRUCTURE AND CONSTRUCTION IMPROVEMENT.—In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 5101 of this division—

(1) $400,000,000 is authorized for the period of fiscal years 2023 through 2028 for the Secretary of the department in which the Coast Guard is operating for the purposes of improvements to facilities of the Yard; and

(2) $236,000,000 is authorized for the acquisition of a new floating drydock, to remain available until expended.

SEC. 5104. AUTHORIZATION FOR ACQUISITION OF VESSELS.

In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 5101 of this division, for the period of fiscal years 2023 through 2028—

(1) $350,000,000 is authorized for the acquisition of a Great Lakes icebreaker that is at least as capable as Coast Guard cutter *Mackinaw* (WLBB–30);

(2) $172,500,000 is authorized for the program management, design, and acquisition of 12 Pacific Northwest heavy weather boats that are at least as capable as the Coast Guard 52-foot motor surfboat;

(3) $841,000,000 is authorized for the third Polar Security Cutter;

(4) $20,000,000 is authorized for initiation of activities to support acquisition of the Arctic Security Cutter class, including program planning and requirements development to include the establishment of an Arctic Security Cutter Program Office;

(5) $650,000,000 is authorized for the continued acquisition of Offshore Patrol Cutters; and

(6) $650,000,000 is authorized for a twelfth National Security Cutter.

SEC. 5105. AUTHORIZATION FOR THE CHILD CARE SUBSIDY PROGRAM.

In addition to the amounts authorized to be appropriated under section 4902(1)(A) of title 14, United States Code, $25,000,000 is authorized to the Commandant for each of fiscal years 2023 and 2024 for the child care subsidy program.

TITLE LII—COAST GUARD

Subtitle A—Infrastructure and Assets

SEC. 5201. REPORT ON SHORESIDE INFRASTRUCTURE AND FACILITIES NEEDS.

Not less frequently than annually, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(1) a detailed list of shoreside infrastructure needs for all Coast Guard facilities located within each Coast Guard District in the order of priority, including recapitalization, maintenance needs in excess of $25,000, dredging, and other shoreside infrastructure needs of the Coast Guard;

(2) the estimated cost of projects to fulfill such needs, to the extent available; and

(3) a general description of the state of planning for each such project.

SEC. 5202. FLEET MIX ANALYSIS AND SHORE INFRASTRUCTURE INVESTMENT PLAN.

(a) FLEET MIX ANALYSIS.—

(1) IN GENERAL.—The Commandant shall conduct an updated fleet mix analysis that provides for a fleet mix sufficient, as determined by the Commandant—

(A) to carry out—

(i) the missions of the Coast Guard; and

(ii) emerging mission requirements; and

(B) to address—

(i) national security threats; and

(ii) the global deployment of the Coast Guard to counter great power competitors.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to Congress a report on the results of the updated fleet mix analysis required by paragraph (1).

(b) SHORE INFRASTRUCTURE INVESTMENT PLAN.—

(1) IN GENERAL.—The Commandant shall develop an updated shore infrastructure investment plan that includes—

(A) the construction of additional facilities to accommodate the updated fleet mix described in subsection (a)(1);

(B) improvements necessary to ensure that existing facilities meet requirements and remain operational for the lifespan of such fleet mix, including necessary improvements to information technology infrastructure;

(C) a timeline for the construction and improvement of the facilities described in subparagraphs (A) and (B); and

(D) a cost estimate for construction and life-cycle support of such facilities, including for necessary personnel.

(2) REPORT.—Not later than 1 year after the date on which the report under subsection (a)(2) is submitted, the Commandant shall submit to Congress a report on the plan required by paragraph (1).

SEC. 5203. ACQUISITION LIFE-CYCLE COST ESTIMATES.

Section 1132(e) of title 14, United States Code, is amended by striking paragraphs (2) and (3) and inserting the following:

''(2) TYPES OF ESTIMATES.—For each Level 1 or Level 2 acquisition project or program, in addition to life-cycle cost estimates developed under paragraph (1), the Commandant shall require—

''(A) such life-cycle cost estimates to be updated before—

''(i) each milestone decision is concluded; and

''(ii) the project or program enters a new acquisition phase; and

''(B) an independent cost estimate or independent cost assessment, as appropriate, to be developed to validate such life-cycle cost estimates.''.

SEC. 5204. REPORT AND BRIEFING ON RESOURCING STRATEGY FOR WESTERN PACIFIC REGION.

(a) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Coast Guard Commander of the Pacific Area, the Commander of United States Indo-Pacific Command, and the Under Secretary of Commerce for Oceans and Atmosphere, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report outlining the Coast Guard's resourcing needs to achieve optimum operations in the Western Pacific region.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) An assessment of the risks and associated needs—

(i) to United States strategic maritime interests, in particular such interests in areas west of the International Date Line, including risks to bilateral maritime partners of the United States, posed by not fully staffing and equipping Coast Guard operations in the Western Pacific region;

(ii) to the Coast Guard mission and force posed by not fully staffing and equipping

Coast Guard operations in the Western Pacific region; and

(iii) to support the call of the President, as set forth in the Indo-Pacific Strategy, to expand Coast Guard presence and cooperation in Southeast Asia, South Asia, and the Pacific Islands, with a focus on advising, training, deployment, and capacity building.

(B) A description of the additional resources, including shoreside resources, required to fully implement the needs described in subparagraph (A), including the United States commitment to bilateral fisheries law enforcement in the Pacific Ocean.

(C) A description of the operational and personnel assets required and a dispersal plan for available and projected future Coast Guard cutters and aviation forces to conduct optimum operations in the Western Pacific region.

(D) An analysis with respect to whether a national security cutter or fast response cutter located at a United States military installation in a foreign country in the Western Pacific region would enhance United States national security, partner country capacity building, and prevention and effective response to illegal, unreported, and unregulated fishing.

(E) An assessment of the benefits and associated costs involved in—

(i) increasing staffing of Coast Guard personnel within the command elements of United States Indo-Pacific Command or subordinate commands; and

(ii) designating a Coast Guard patrol force under the direct authority of the Commander of the United States Indo-Pacific Command with associated forward-based assets and personnel.

(F) An identification of any additional authority necessary, including proposals for legislative change, to meet the needs identified in accordance with subparagraphs (A) through (E) and any other mission requirement in the Western Pacific region.

(3) FORM.—The report required under paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(b) BRIEFING.—Not later than 60 days after the date on which the Commandant submits the report under subsection (a), the Commandant, or a designated individual, shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the findings and conclusions of such report.

SEC. 5205. STUDY AND REPORT ON NATIONAL SECURITY AND DRUG TRAFFICKING THREATS IN THE FLORIDA STRAITS AND CARIBBEAN REGION, INCLUDING CUBA.

(a) IN GENERAL.—The Commandant shall conduct a study on national security, drug trafficking, and other relevant threats as the Commandant considers appropriate, in the Florida Straits and Caribbean region, including Cuba.

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

(1) An assessment of—

(A) new technology and evasive maneuvers used by transnational criminal organizations to evade detection and interdiction by Coast Guard law enforcement units and interagency partners; and

(B) capability gaps of the Coast Guard with respect to—

(i) the detection and interdiction of illicit drugs in the Florida Straits and Caribbean region, including Cuba; and

(ii) the detection of national security threats in such region.

(2) An identification of—

(A) the critical technological advancements required for the Coast Guard to meet current and anticipated threats in such region;

(B) the capabilities required to enhance information sharing and coordination between the Coast Guard and interagency partners, foreign governments, and related civilian entities; and

(C) any significant new or developing threat to the United States posed by illicit actors in such region.

(c) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study under subsection (a).

SEC. 5206. COAST GUARD YARD.

(a) IN GENERAL.—With respect to the Coast Guard Yard, the purposes of the authorization under section 5103(b) are—

(1) to improve resilience and capacity;

(2) to maintain and expand Coast Guard organic manufacturing capacity;

(3) to expand training and recruitment;

(4) to enhance safety;

(5) to improve environmental compliance; and

(6) to ensure that the Coast Guard Yard is prepared to meet the growing needs of the modern Coast Guard fleet.

(b) INCLUSIONS.—The Secretary of the department in which the Coast Guard is operating shall ensure that the Coast Guard Yard receives improvements that include the following:

(1) Facilities upgrades needed to improve resilience of the shipyard, its facilities, and associated infrastructure.

(2) Acquisition of a large-capacity drydock.

(3) Improvements to piers and wharves, drydocks, and capital equipment utilities.

(4) Environmental remediation.

(5) Construction of a new warehouse and paint facility.

(6) Acquisition of a new travel lift.

(7) Dredging necessary to facilitate access to the Coast Guard Yard.

(c) WORKFORCE DEVELOPMENT PLAN.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, a workforce development plan that—

(1) outlines the workforce needs of the Coast Guard Yard with respect to civilian employees and active duty members of the Coast Guard, including engineers, individuals engaged in trades, cyber specialists, and other personnel necessary to meet the evolving mission set of the Coast Guard Yard; and

(2) includes recommendations for Congress with respect to the authorities, training, funding, and civilian and active-duty recruitment, including the recruitment of women and underrepresented minorities, necessary to meet workforce needs of the Coast Guard Yard for the 10-year period beginning on the date of submission of the plan.

SEC. 5207. AUTHORITY TO ENTER INTO TRANSACTIONS OTHER THAN CONTRACTS AND GRANTS TO PROCURE COST-EFFECTIVE TECHNOLOGY FOR MISSION NEEDS.

(a) IN GENERAL.—Subchapter III of chapter 11 of title 14, United States Code, is amended by adding at the end the following:

"§ 1158. Authority to enter into transactions other than contracts and grants to procure cost-effective, advanced technology for mission-critical needs

"(a) IN GENERAL.—Subject to subsections (b) and (c), the Commandant may enter into transactions (other than contracts, cooperative agreements, and grants) to develop prototypes for, and to operate and procure, cost-effective technology for the purpose of meeting the mission needs of the Coast Guard.

"(b) PROCUREMENT AND ACQUISITION.—Procurement or acquisition of technologies under subsection (a) shall be—

"(1) carried out in accordance with this title and Coast Guard policies and guidance; and

"(2) consistent with the operational requirements of the Coast Guard.

"(c) LIMITATIONS.—

"(1) IN GENERAL.—The Commandant may not enter into a transaction under subsection (a) with respect to a technology that—

"(A) does not comply with the cybersecurity standards of the Coast Guard; or

"(B) is sourced from an entity domiciled in the People's Republic of China, unless the Commandant determines that the prototype, operation, or procurement of such a technology is for the purpose of—

"(i) counter-UAS operations, surrogate testing, or training; or

"(ii) intelligence, electronic warfare, and information warfare operations, testing, analysis, and training.

"(2) WAIVER.—The Commandant may waive the application under paragraph (1) on a case-by-case basis by certifying in writing to the Secretary of Homeland Security and the appropriate committees of Congress that the prototype, operation, or procurement of the applicable technology is in the national interests of the United States.

"(d) EDUCATION AND TRAINING.—The Commandant shall ensure that management, technical, and contracting personnel of the Coast Guard involved in the award or administration of transactions under this section, or other innovative forms of contracting, are provided opportunities for adequate education and training with respect to the authority under this section.

"(e) REPORT.—

"(1) IN GENERAL.—Not later than 5 years after the date of the enactment of this section, the Commandant shall submit to the appropriate committees of Congress a report that—

"(A) describes the use of the authority pursuant to this section; and

"(B) assesses the mission and operational benefits of such authority.

"(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term 'appropriate committees of Congress' means—

"(A) the Committee on Commerce, Science, and Transportation of the Senate; and

"(B) the Committee on Transportation and Infrastructure of the House of Representatives.

"(f) REGULATIONS.—The Commandant shall prescribe regulations as necessary to carry out this section.

"(g) DEFINITIONS OF UNMANNED AIRCRAFT, UNMANNED AIRCRAFT SYSTEM, AND COUNTER-UAS.—In this section, the terms 'unmanned aircraft', 'unmanned aircraft system', and 'counter-UAS' have the meanings given such terms in section 44801 of title 49, United States Code.".

(b) CLERICAL AMENDMENT.—The analysis for subchapter III of chapter 11 of title 14, United States Code, is amended by adding at the end the following:

"1158. Authority to enter into transactions other than contracts and grants to procure cost-effective technology for mission needs.

SEC. 5208. IMPROVEMENTS TO INFRASTRUCTURE AND OPERATIONS PLANNING.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act,

the Commandant shall incorporate the most recent oceanic and atmospheric data relating to the increasing rates of extreme weather, including flooding, into planning scenarios for Coast Guard infrastructure and mission deployments with respect to all Coast Guard Missions.

(b) COORDINATION WITH NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—In carrying out subsection (a), the Commandant shall—

(1) coordinate with the Under Secretary of Commerce for Oceans and Atmosphere to ensure the incorporation of the most recent environmental and climatic data; and

(2) request technical assistance and advice from the Under Secretary in planning scenarios, as appropriate.

(c) BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the manner in which the best-available science from the National Oceanic and Atmospheric Administration has been incorporated into at least 1 key mission area of the Coast Guard, and the lessons learned from so doing.

SEC. 5209. AQUA ALERT NOTIFICATION SYSTEM PILOT PROGRAM.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Commandant shall, subject to the availability of appropriations, establish a pilot program to improve the issuance of alerts to facilitate cooperation with the public to render aid to distressed individuals under section 521 of title 14, United States Code.

(b) PILOT PROGRAM CONTENTS.—The pilot program established under subsection (a) shall, to the maximum extent possible—

(1) include a voluntary opt-in program under which members of the public, as appropriate, and the entities described in subsection (c), may receive notifications on cellular devices regarding Coast Guard activities to render aid to distressed individuals under section 521 of title 14, United States Code;

(2) cover areas located within the area of responsibility of 3 different Coast Guard sectors in diverse geographic regions; and

(3) provide that the dissemination of an alert shall be limited to the geographic areas most likely to facilitate the rendering of aid to distressed individuals.

(c) CONSULTATION.—In developing the pilot program under subsection (a), the Commandant shall consult—

(1) the head of any relevant Federal agency;

(2) the government of any relevant State;

(3) any Tribal Government;

(4) the government of any relevant territory or possession of the United States; and

(5) any relevant political subdivision of an entity described in paragraph (2), (3), or (4).

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, and annually thereafter through 2026, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the implementation of this section.

(2) PUBLIC AVAILABILITY.—The Commandant shall make the report submitted under paragraph (1) available to the public.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Commandant to carry out this section $3,000,000 for each of fiscal years 2023 through 2026, to remain available until expended.

Subtitle B—Great Lakes

SEC. 5211. GREAT LAKES WINTER COMMERCE.

(a) IN GENERAL.—Subchapter IV of chapter 5 of title 14, United States Code, is amended by adding at the end the following:

"§ 564. Great Lakes icebreaking operations

''(a) GAO REPORT.—

''(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this section, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Coast Guard Great Lakes icebreaking program.

''(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

''(A) An evaluation of the economic impact of vessel delays or cancellations associated with ice coverage on the Great Lakes.

''(B) An evaluation of mission needs of the Coast Guard Great Lakes icebreaking program.

''(C) An evaluation of the impact that the proposed standards described in subsection (b) would have on—

''(i) Coast Guard operations in the Great Lakes;

''(ii) Northeast icebreaking missions; and

''(iii) inland waterway operations.

''(D) A fleet mix analysis for meeting such proposed standards.

''(E) A description of the resources necessary to support the fleet mix resulting from such fleet mix analysis, including for crew and operating costs.

''(F) Recommendations to the Commandant for improvements to the Great Lakes icebreaking program, including with respect to facilitating commerce and meeting all Coast Guard mission needs.

''(b) PROPOSED STANDARDS FOR ICEBREAKING OPERATIONS.—The proposed standards described in this subsection are the following:

''(1) Except as provided in paragraph (2), the Commandant shall keep ice-covered waterways in the Great Lakes open to navigation during not less than 90 percent of the hours that commercial vessels and ferries attempt to transit such ice-covered waterways.

''(2) In a year in which the Great Lakes are not open to navigation because of ice of a thickness that occurs on average only once every 10 years, the Commandant shall keep ice-covered waterways in the Great Lakes open to navigation during not less than 70 percent of the hours that commercial vessels and ferries attempt to transit such ice-covered waterways.

''(c) REPORT BY COMMANDANT.—Not later than 90 days after the date on which the Comptroller General submits the report under subsection (a), the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes the following:

''(1) A plan for Coast Guard implementation of any recommendation made by the Comptroller General under subparagraph (F) of subsection (a)(2) the Commandant considers appropriate.

''(2) With respect to any recommendation made under such subparagraph that the Commandant declines to implement, a justification for such decision.

''(3) A review of, and a proposed implementation plan for, the results of the fleet mix analysis under subparagraph (D) of that subsection.

''(4) Any proposed modifications to the standards for icebreaking operations in the Great Lakes.

''(d) DEFINITIONS.—In this section:

''(1) COMMERCIAL VESSEL.—The term 'commercial vessel' means any privately owned cargo vessel operating in the Great Lakes during the winter season of at least 500 tons, as measured under section 14502 of title 46, or an alternate tonnage measured under section 14302 of such title, as prescribed by the Secretary under section 14104 of such title.

''(2) GREAT LAKES.—The term 'Great Lakes' means the United States waters of Lake Superior, Lake Michigan, Lake Huron, Lake Erie, and Lake Ontario, their connecting waterways, and their adjacent harbors.

''(3) ICE-COVERED WATERWAY.—The term 'ice-covered waterway' means any portion of the Great Lakes in which commercial vessels or ferries operate that is 70 percent or greater covered by ice, but does not include any waters adjacent to piers or docks for which commercial icebreaking services are available and adequate for the ice conditions.

''(4) OPEN TO NAVIGATION.—The term 'open to navigation' means navigable to the extent necessary, in no particular order of priority—

''(A) to extricate vessels and individuals from danger;

''(B) to prevent damage due to flooding;

''(C) to meet the reasonable demands of commerce;

''(D) to minimize delays to passenger ferries; and

''(E) to conduct other Coast Guard missions as required.

''(5) REASONABLE DEMANDS OF COMMERCE.—The term 'reasonable demands of commerce' means the safe movement of commercial vessels and ferries transiting ice-covered waterways in the Great Lakes, regardless of type of cargo, at a speed consistent with the design capability of Coast Guard icebreakers operating in the Great Lakes and appropriate to the ice capability of the commercial vessel.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 5 of title 14, United States Code, is amended by adding at the end the following:

''564. Great Lakes icebreaking operations.

SEC. 5212. DATABASE ON ICEBREAKING OPERATIONS IN THE GREAT LAKES.

(a) IN GENERAL.—The Commandant shall establish and maintain a database for collecting, archiving, and disseminating data on icebreaking operations and commercial vessel and ferry transit in the Great Lakes during ice season.

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

(1) Attempts by commercial vessels and ferries to transit ice-covered waterways in the Great Lakes that are unsuccessful because of inadequate icebreaking.

(2) The period of time that each commercial vessel or ferry was unsuccessful at so transiting due to inadequate icebreaking.

(3) The amount of time elapsed before each such commercial vessel or ferry was successfully broken out of the ice and whether it was accomplished by the Coast Guard or by commercial icebreaking assets.

(4) Relevant communications of each such commercial vessel or ferry with the Coast Guard and with commercial icebreaking services during such period.

(5) A description of any mitigating circumstance, such as Coast Guard icebreaker diversions to higher priority missions, that may have contributed to the amount of time described in paragraph (3).

(c) VOLUNTARY REPORTING.—Any reporting by operators of commercial vessels or ferries under this section shall be voluntary.

(d) PUBLIC AVAILABILITY.—The Commandant shall make the database available to the public on a publicly accessible internet website of the Coast Guard.

(e) CONSULTATION WITH INDUSTRY.—With respect to the Great Lakes icebreaking operations of the Coast Guard and the development of the database required under subsection (a), the Commandant shall consult operators of commercial vessels and ferries.

(f) DEFINITIONS.—In this section:

(1) COMMERCIAL VESSEL.—The term ''commercial vessel'' means any privately owned cargo vessel operating in the Great Lakes during the winter season of at least 500 tons, as measured under section 14502 of title 46, United States Code, or an alternate tonnage measured under section 14302 of such title, as prescribed by the Secretary of the department in which the Coast Guard is operating under section 14104 of such title.

(2) GREAT LAKES.—The term ''Great Lakes'' means the United States waters of Lake Superior, Lake Michigan, Lake Huron, Lake Erie, and Lake Ontario, their connecting waterways, and their adjacent harbors.

(3) ICE-COVERED WATERWAY.—The term ''ice-covered waterway'' means any portion of the Great Lakes in which commercial vessels or ferries operate that is 70 percent or greater covered by ice, but does not include any waters adjacent to piers or docks for which commercial icebreaking services are available and adequate for the ice conditions.

(4) OPEN TO NAVIGATION.—The term ''open to navigation'' means navigable to the extent necessary, in no particular order of priority—

(A) to extricate vessels and individuals from danger;

(B) to prevent damage due to flooding;

(C) to meet the reasonable demands of commerce;

(D) to minimize delays to passenger ferries; and

(E) to conduct other Coast Guard missions as required.

(5) REASONABLE DEMANDS OF COMMERCE.—The term ''reasonable demands of commerce'' means the safe movement of commercial vessels and ferries transiting ice-covered waterways in the Great Lakes, regardless of type of cargo, at a speed consistent with the design capability of Coast Guard icebreakers operating in the Great Lakes and appropriate to the ice capability of the commercial vessel.

(g) PUBLIC REPORT.—Not later than July 1 after the first winter in which the Commandant is subject to the requirements of section 564 of title 14, United States Code, the Commandant shall publish on a publicly accessible internet website of the Coast Guard a report on the cost to the Coast Guard of meeting the requirements of that section.

SEC. 5213. GREAT LAKES SNOWMOBILE ACQUISITION PLAN.

(a) IN GENERAL.—The Commandant shall develop a plan to expand snowmobile procurement for Coast Guard units at which snowmobiles may improve ice rescue response times while maintaining the safety of Coast Guard personnel engaged in search and rescue. The plan must include consideration of input from Officers in Charge, Commanding Officers, and Commanders of impacted units.

(b) ELEMENTS.—The plan required by subsection (a) shall include—

(1) a consideration of input from officers in charge, commanding officers, and commanders of affected Coast Guard units;

(2) a detailed description of the estimated costs of procuring, maintaining, and training members of the Coast Guard at affected units to use snowmobiles; and

(3) an assessment of—

(A) the degree to which snowmobiles may improve ice rescue response times while maintaining the safety of Coast Guard personnel engaged in search and rescue;

(B) the operational capabilities of a snowmobile, as compared to an airboat, and a force laydown assessment with respect to the assets needed for effective operations at Coast Guard units conducting ice rescue activities; and

(C) the potential risks to members of the Coast Guard and members of the public posed by the use of snowmobiles by members of the Coast Guard for ice rescue activities.

(c) PUBLIC AVAILABILITY.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall finalize the plan required by subsection (a) and make the plan available on a publicly accessible internet website of the Coast Guard.

SEC. 5214. GREAT LAKES BARGE INSPECTION EXEMPTION.

Section 3302(m) of title 46, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting ''or a Great Lakes barge'' after ''seagoing barge''; and

(2) by striking ''section 3301(6) of this title'' and inserting ''paragraph (6) or (13) of section 3301 of this title''.

SEC. 5215. STUDY ON SUFFICIENCY OF COAST GUARD AVIATION ASSETS TO MEET MISSION DEMANDS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on—

(1) the force laydown of Coast Guard aviation assets; and

(2) any geographic gaps in coverage by Coast Guard assets in areas in which the Coast Guard has search and rescue responsibilities.

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

(1) The distance, time, and weather challenges that MH–65 and MH–60 units may face in reaching the outermost limits of the area of operation of Coast Guard District 9 and Coast Guard District 8 for which such units are responsible.

(2) An assessment of the advantages that Coast Guard fixed-wing assets, or an alternate rotary wing asset, would offer to the outermost limits of any area of operation for purposes of search and rescue, law enforcement, ice operations, and logistical missions.

(3) A comparison of advantages and disadvantages of the manner in which each of the Coast Guard fixed-wing aircraft would operate in the outermost limits of any area of operation.

(4) A specific assessment of the coverage gaps, including gaps in fixed-wing coverage, and potential solutions to address such gaps in the area of operation of Coast Guard District 9 and Coast Guard District 8, including the eastern region of such area of operation with regard to Coast Guard District 9 and the southern region of such area of operation with regard to Coast Guard District 8.

Subtitle C—Arctic

SEC. 5221. ESTABLISHMENT OF THE ARCTIC SECURITY CUTTER PROGRAM OFFICE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Commandant shall establish a program office for the acquisition of the Arctic Security Cutter to expedite the evaluation of requirements and initiate design of a vessel class critical to the national security of the United States.

(b) DESIGN PHASE.—Not later than 270 days after the date of the enactment of this Act, the Commandant shall initiate the design phase of the Arctic Security Cutter vessel class.

(c) QUARTERLY BRIEFINGS.—Not less frequently than quarterly until the date on which the contract for acquisition of the Arctic Security Cutter is awarded, the Commandant shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the status of requirements evaluations, design of the vessel, and schedule of the program.

SEC. 5222. ARCTIC ACTIVITIES.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Transportation and Infrastructure of the House of Representatives.

(2) ARCTIC.—The term ''Arctic'' has the meaning given such term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

(b) ARCTIC OPERATIONAL IMPLEMENTATION REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit a report to the appropriate committees of Congress that describes the ability and timeline to conduct a transit of the Northern Sea Route and periodic transits of the Northwest Passage.

SEC. 5223. STUDY ON ARCTIC OPERATIONS AND INFRASTRUCTURE.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on the Arctic operations and infrastructure of the Coast Guard.

(b) ELEMENTS.—The study required under subsection (a) shall assess the following:

(1) The extent of the collaboration between the Coast Guard and the Department of Defense to assess, manage, and mitigate security risks in the Arctic region.

(2) Actions taken by the Coast Guard to manage risks to Coast Guard operations, infrastructure, and workforce planning in the Arctic.

(3) The plans the Coast Guard has in place for managing and mitigating the risks to commercial maritime operations and the environment in the Arctic region.

(c) REPORT.—Not later than 1 year after commencing the study required under subsection (a), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

Subtitle D—Maritime Cyber and Artificial Intelligence

SEC. 5231. ENHANCING MARITIME CYBERSECURITY.

(a) DEFINITIONS.—In this section:

(1) CYBER INCIDENT.—The term ''cyber incident'' has the meaning given the term ''incident'' in section 2209(a) of the Homeland Security Act of 2002 (6 U.S.C. 659(a)).

(2) MARITIME OPERATORS.—The term ''maritime operators'' means the owners or operators of vessels engaged in commercial service, the owners or operators of port facilities, and port authorities.

(3) PORT FACILITIES.—The term ''port facilities'' has the meaning given the term ''facility'' in section 70101 of title 46.

(b) PUBLIC AVAILABILITY OF CYBERSECURITY TOOLS AND RESOURCES.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Commandant, in coordination with the Administrator of the Maritime Administration, the Director of the Cybersecurity and

Infrastructure Security Agency, and the Director of the National Institute of Standards and Technology, shall identify and make available to the public a list of tools and resources, including the resources of the Coast Guard and the Cybersecurity and Infrastructure Security Agency, designed to assist maritime operators in identifying, detecting, protecting against, mitigating, responding to, and recovering from cyber incidents.

(2) IDENTIFICATION.—In carrying out paragraph (1), the Commandant, the Administrator of the Maritime Administration, the Director of the Cybersecurity and Infrastructure Security Agency, and the Director of the National Institute of Standards and Technology shall identify tools and resources that—

(A) comply with the cybersecurity framework for improving critical infrastructure established by the National Institute of Standards and Technology; or

(B) use the guidelines on maritime cyber risk management issued by the International Maritime Organization on July 5, 2017 (or successor guidelines).

(3) CONSULTATION.—The Commandant, the Administrator of the Maritime Administration, the Director of the Cybersecurity and Infrastructure Security Agency, and the Director of the National Institute of Standards and Technology may consult with maritime operators, other Federal agencies, industry stakeholders, and cybersecurity experts to identify tools and resources for purposes of this section.

SEC. 5232. ESTABLISHMENT OF UNMANNED SYSTEM PROGRAM AND AUTONOMOUS CONTROL AND COMPUTER VISION TECHNOLOGY PROJECT.

(a) IN GENERAL.—Section 319 of title 14, United States Code, is amended to read as follows:

"§ 319. Unmanned system program and autonomous control and computer vision technology project

''(a) UNMANNED SYSTEM PROGRAM.—The Secretary shall establish, under the control of the Commandant, an unmanned system program for the use by the Coast Guard of land-based, cutter-based, and aircraft-based unmanned systems for the purpose of increasing effectiveness and efficiency of mission execution.

''(b) AUTONOMOUS CONTROL AND COMPUTER VISION TECHNOLOGY PROJECT.—

''(1) IN GENERAL.—The Commandant shall conduct a project to retrofit 2 or more existing Coast Guard small boats deployed at operational units with—

''(A) commercially available autonomous control and computer vision technology; and

''(B) such sensors and methods of communication as are necessary to control, and technology to assist in conducting, search and rescue, surveillance, and interdiction missions.

''(2) DATA COLLECTION.—As part of the project required by paragraph (1), the Commandant shall collect and evaluate field-collected operational data from the retrofit described in that paragraph so as to inform future requirements.

''(3) BRIEFING.—Not later than 180 days after the date on which the project required under paragraph (1) is completed, the Commandant shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the project that includes an evaluation of the data collected from the project.

''(c) UNMANNED SYSTEM DEFINED.—In this section, the term 'unmanned system' means—

''(1) an unmanned aircraft system (as defined in section 44801 of title 49, United States Code);

''(2) an unmanned marine surface system; and

''(3) an unmanned marine subsurface system.

''(d) COST ASSESSMENT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to Congress an estimate of the costs associated with implementing the amendments made by this section.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 14, United States Code, is amended by striking the item relating to section 319 and inserting the following:

''319. Unmanned system program and autonomous control and computer vision technology project.

SEC. 5233. ARTIFICIAL INTELLIGENCE STRATEGY.

(a) ESTABLISHMENT OF ACTIVITIES.—

(1) IN GENERAL.—The Commandant shall establish a set of activities to coordinate the efforts of the Coast Guard to develop and mature artificial intelligence technologies and transition such technologies into operational use where appropriate.

(2) EMPHASIS.—The set of activities established under paragraph (1) shall—

(A) apply artificial intelligence and machine-learning solutions to operational and mission-support problems; and

(B) coordinate activities involving artificial intelligence and artificial intelligence-enabled capabilities within the Coast Guard.

(b) DESIGNATED OFFICIAL.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall designate a senior official of the Coast Guard (referred to in this section as the ''designated official'') with the principal responsibility for the coordination of activities relating to the development and demonstration of artificial intelligence and machine learning for the Coast Guard.

(2) DUTIES.—

(A) STRATEGIC PLAN.—

(i) IN GENERAL.—The designated official shall develop a detailed strategic plan to develop, mature, adopt, and transition artificial intelligence technologies into operational use where appropriate.

(ii) ELEMENTS.—The plan required by clause (i) shall include the following:

(I) A strategic roadmap for the identification and coordination of the development and fielding of artificial intelligence technologies and key enabling capabilities.

(II) The continuous evaluation and adaptation of relevant artificial intelligence capabilities developed by the Coast Guard and by other organizations for military missions and business operations.

(iii) SUBMISSION TO COMMANDANT.—Not later than 2 years after the date of the enactment of this Act, the designated official shall submit to the Commandant the plan developed under clause (i).

(B) GOVERNANCE AND OVERSIGHT OF ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING POLICY.—The designated official shall regularly convene appropriate officials of the Coast Guard—

(i) to integrate the functional activities of the Coast Guard with respect to artificial intelligence and machine learning;

(ii) to ensure that there are efficient and effective artificial intelligence and machine-learning capabilities throughout the Coast Guard; and

(iii) to develop and continuously improve research, innovation, policy, joint processes, and procedures to facilitate the development, acquisition, integration, advancement, oversight, and sustainment of artificial intelligence and machine learning throughout the Coast Guard.

(c) ACCELERATION OF DEVELOPMENT AND FIELDING OF ARTIFICIAL INTELLIGENCE.—To the extent practicable, the Commandant shall—

(1) use the flexibility of regulations, personnel, acquisition, partnerships with industry and academia, or other relevant policies of the Coast Guard to accelerate the development and fielding of artificial intelligence capabilities;

(2) ensure engagement with defense and private industries, research universities, and unaffiliated, nonprofit research institutions;

(3) provide technical advice and support to entities in the Coast Guard to optimize the use of artificial intelligence and machine-learning technologies to meet Coast Guard missions;

(4) support the development of requirements for artificial intelligence capabilities that address the highest priority capability gaps of the Coast Guard and technical feasibility;

(5) develop and support capabilities for technical analysis and assessment of threat capabilities based on artificial intelligence;

(6) identify the workforce and capabilities needed to support the artificial intelligence capabilities and requirements of the Coast Guard;

(7) develop classification guidance for all artificial intelligence-related activities of the Coast Guard;

(8) work with appropriate officials to develop appropriate ethical, legal, and other policies for the Coast Guard governing the development and use of artificial intelligence-enabled systems and technologies in operational situations; and

(9) ensure—

(A) that artificial intelligence programs of the Coast Guard are consistent with this section; and

(B) appropriate coordination of artificial intelligence activities of the Coast Guard with interagency, industry, and international efforts relating to artificial intelligence, including relevant participation in standards-setting bodies.

(d) INTERIM STRATEGIC PLAN.—

(1) IN GENERAL.—The Commandant shall develop a strategic plan to develop, mature, adopt, and transition artificial intelligence technologies into operational use where appropriate, that is informed by the plan developed by the designated official under subsection (b)(2)(A).

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

(A) Each element described in clause (ii) of subsection (b)(2)(A).

(B) A consideration of the identification, adoption, and procurement of artificial intelligence technologies for use in operational and mission support activities.

(3) COORDINATION.—In developing the plan required by paragraph (1), the Commandant shall coordinate and engage with defense and private industries, research universities, and unaffiliated, nonprofit research institutions.

(4) SUBMISSION TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the plan developed under paragraph (1).

SEC. 5234. REVIEW OF ARTIFICIAL INTELLIGENCE APPLICATIONS AND ESTABLISHMENT OF PERFORMANCE METRICS.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Commandant shall—

(1) review the potential applications of artificial intelligence and digital technology to the platforms, processes, and operations of the Coast Guard;

(2) identify the resources necessary to improve the use of artificial intelligence and digital technology in such platforms, processes, and operations; and

(3) establish performance objectives and accompanying metrics for the incorporation of artificial intelligence and digital readiness into such platforms, processes, and operations.

(b) PERFORMANCE OBJECTIVES AND ACCOMPANYING METRICS.—

(1) SKILL GAPS.—In carrying out subsection (a), the Commandant shall—

(A) conduct a comprehensive review and assessment of—

(i) skill gaps in the fields of software development, software engineering, data science, and artificial intelligence;

(ii) the qualifications of civilian personnel needed for both management and specialist tracks in such fields; and

(iii) the qualifications of military personnel (officer and enlisted) needed for both management and specialist tracks in such fields; and

(B) establish recruiting, training, and talent management performance objectives and accompanying metrics for achieving and maintaining staffing levels needed to fill identified gaps and meet the needs of the Coast Guard for skilled personnel.

(2) AI MODERNIZATION ACTIVITIES.—In carrying out subsection (a), the Commandant shall—

(A) assess investment by the Coast Guard in artificial intelligence innovation, science and technology, and research and development;

(B) assess investment by the Coast Guard in test and evaluation of artificial intelligence capabilities;

(C) assess the integration of, and the resources necessary to better use artificial intelligence in wargames, exercises, and experimentation;

(D) assess the application of, and the resources necessary to better use, artificial intelligence in logistics and sustainment systems;

(E) assess the integration of, and the resources necessary to better use, artificial intelligence for administrative functions;

(F) establish performance objectives and accompanying metrics for artificial intelligence modernization activities of the Coast Guard; and

(G) identify the resources necessary to effectively use artificial intelligence to carry out the missions of the Coast Guard.

(c) REPORT TO CONGRESS.—Not later than 180 days after the completion of the review required by subsection (a)(1), the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report on—

(1) the findings of the Commandant with respect to such review and any action taken or proposed to be taken by the Commandant, and the resources necessary to address such findings;

(2) the performance objectives and accompanying metrics established under subsections (a)(3) and (b)(1)(B); and

(3) any recommendation with respect to proposals for legislative change necessary to successfully implement artificial intelligence applications within the Coast Guard.

SEC. 5235. CYBER DATA MANAGEMENT.

(a) IN GENERAL.—The Commandant and the Director of the Cybersecurity and Infrastructure Security Agency, shall—

(1) develop policies, processes, and operating procedures governing—

(A) access to and the ingestion, structure, storage, and analysis of information and data relevant to the Coast Guard Cyber Mission, including—

(i) intelligence data relevant to Coast Guard missions;

(ii) internet traffic, topology, and activity data relevant to such missions; and

(iii) cyber threat information relevant to such missions; and

(B) data management and analytic platforms relating to such missions; and

(2) evaluate data management platforms referred to in paragraph (1)(B) to ensure that such platforms operate consistently with the Coast Guard Data Strategy.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report that includes—

(1) an assessment of the progress on the activities required by subsection (a); and

(2) any recommendation with respect to funding or additional authorities necessary, including proposals for legislative change, to improve Coast Guard cyber data management.

SEC. 5236. DATA MANAGEMENT.

The Commandant shall develop data workflows and processes for the leveraging of mission-relevant data by the Coast Guard to enhance operational effectiveness and efficiency.

SEC. 5237. STUDY ON CYBER THREATS TO THE UNITED STATES MARINE TRANSPORTATION SYSTEM.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on cyber threats to the United States marine transportation system.

(b) ELEMENTS.—The study required by paragraph (1) shall assess the following:

(1) The extent to which the Coast Guard, in collaboration with other Federal agencies, sets standards for the cybersecurity of facilities and vessels regulated under parts 104, 105, or 106 of title 33 of the Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(2) The manner in which the Coast Guard ensures cybersecurity standards are followed by port, vessel, and facility owners and operators.

(3) The extent to which maritime sector-specific planning addresses cybersecurity, particularly for vessels and offshore platforms.

(4) The manner in which the Coast Guard, other Federal agencies, and vessel and offshore platform operators exchange information regarding cyber risks.

(5) The extent to which the Coast Guard is developing and deploying cybersecurity specialists in port and vessel systems and collaborating with the private sector to increase the expertise of the Coast Guard with respect to cybersecurity.

(6) The cyber resource and workforce needs of the Coast Guard necessary to meet future mission demands.

(c) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall submit a report on the findings of the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(d) DEFINITION OF FACILITY.—In this section the term ''facility'' has the meaning given the term in section 70101 of title 46, United States Code.

Subtitle E—Aviation

SEC. 5241. SPACE-AVAILABLE TRAVEL ON COAST GUARD AIRCRAFT: PROGRAM AUTHORIZATION AND ELIGIBLE RECIPIENTS.

(a) IN GENERAL.—Subchapter I of chapter 5 of title 14, United States Code, is amended by adding at the end the following:

''§ 509. Space-available travel on Coast Guard aircraft

''(a)(1) The Coast Guard may establish a program to provide transportation on Coast Guard aircraft on a space-available basis to the categories of eligible individuals described in subsection (c) (in this section referred to as the 'program').

''(2) Not later than 1 year after the date on which the program is established, the Commandant shall develop a policy for its operation.

''(b)(1) The Commandant shall operate the program in a budget-neutral manner.

''(2)(A) Except as provided in subparagraph (B), no additional funds may be used, or flight hours performed, for the purpose of providing transportation under the program.

''(B) The Commandant may make de minimis expenditures of resources required for the administrative aspects of the program.

''(3) Eligible individuals described in subsection (c) shall not be required to reimburse the Coast Guard for travel provided under this section.

''(c) Subject to subsection (d), the categories of eligible individuals described in this subsection are the following:

''(1) Members of the armed forces on active duty.

''(2) Members of the Selected Reserve who hold a valid Uniformed Services Identification and Privilege Card.

''(3) Retired members of a regular or reserve component of the armed forces, including retired members of reserve components who, but for being under the eligibility age applicable under section 12731 of title 10, would be eligible for retired pay under chapter 1223 of title 10.

''(4) Subject to subsection (f), veterans with a permanent service-connected disability rated as total.

''(5) Such categories of dependents of individuals described in paragraphs (1) through (3) as the Commandant shall specify in the policy under subsection (a)(2), under such conditions and circumstances as the Commandant shall specify in such policy.

''(6) Such other categories of individuals as the Commandant, in the discretion of the Commandant, considers appropriate.

''(d) In operating the program, the Commandant shall—

''(1) in the sole discretion of the Commandant, establish an order of priority for transportation for categories of eligible individuals that is based on considerations of military necessity, humanitarian concerns, and enhancement of morale;

''(2) give priority in consideration of transportation to the demands of members of the armed forces in the regular components and in the reserve components on active duty and to the need to provide such members, and their dependents, a means of respite from such demands; and

''(3) implement policies aimed at ensuring cost control (as required by subsection (b)) and the safety, security, and efficient processing of travelers, including limiting the benefit under the program to 1 or more categories of otherwise eligible individuals, as the Commandant considers necessary.

''(e)(1) Notwithstanding subsection (d)(1), in establishing space-available transportation priorities under the program, the

Commandant shall provide transportation for an individual described in paragraph (2), and a single dependent of the individual if needed to accompany the individual, at a priority level in the same category as the priority level for an unaccompanied dependent over the age of 18 years traveling on environmental and morale leave.

''(2) Subject to paragraph (3), paragraph (1) applies with respect to an individual described in subsection (c)(3) who—

''(A) resides in or is located in a Commonwealth or possession of the United States; and

''(B) is referred by a military or civilian primary care provider located in that Commonwealth or possession to a specialty care provider for services to be provided outside of that Commonwealth or possession.

''(3) If an individual described in subsection (c)(3) is a retired member of a reserve component who is ineligible for retired pay under chapter 1223 of title 10 by reason of being under the eligibility age applicable under section 12731 of title 10, paragraph (1) applies to the individual only if the individual is also enrolled in the TRICARE program for certain members of the Retired Reserve authorized under section 1076e of title 10.

''(4) The priority for space-available transportation required by this subsection applies with respect to—

''(A) the travel from the Commonwealth or possession of the United States to receive the specialty care services; and

''(B) the return travel.

''(5) In this subsection, the terms 'primary care provider' and 'specialty care provider' refer to a medical or dental professional who provides health care services under chapter 55 of title 10.

''(f)(1) Travel may not be provided under this section to a veteran eligible for travel pursuant to paragraph (4) of subsection (c) in priority over any member eligible for travel under paragraph (1) of that subsection or any dependent of such a member eligible for travel under this section.

''(2) Subsection (c)(4) may not be construed as—

''(A) affecting or in any way imposing on the Coast Guard, any armed force, or any commercial entity with which the Coast Guard or an armed force contracts, an obligation or expectation that the Coast Guard or such armed force will retrofit or alter, in any way, military aircraft or commercial aircraft, or related equipment or facilities, used or leased by the Coast Guard or such armed force to accommodate passengers provided travel under such authority on account of disability; or

''(B) preempting the authority of an aircraft commander to determine who boards the aircraft and any other matters in connection with safe operation of the aircraft.

''(g) The authority to provide transportation under the program is in addition to any other authority under law to provide transportation on Coast Guard aircraft on a space-available basis.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 5 of title 14, United States Code, is amended by adding at the end the following:

''509. Space-available travel on Coast Guard aircraft.

SEC. 5242. REPORT ON COAST GUARD AIR STATION BARBERS POINT HANGAR.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report on facilities requirements for constructing a hangar at Coast Guard Air Station Barbers Point at Oahu, Hawaii.

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

(1) A description of the $45,000,000 phase one design for the hangar at Coast Guard Air Station Barbers Point funded by the Consolidated Appropriations Act, 2021 (Public Law 116–260; 134 Stat. 1132).

(2) An evaluation of the full facilities requirements for such hangar to house, maintain, and operate the MH–65 and HC–130J, including—

(A) storage and provision of fuel; and

(B) maintenance and parts storage facilities.

(3) An evaluation of facilities growth requirements for possible future basing of the MH–60 with the C–130J at Coast Guard Air Station Barbers Point.

(4) A description of and cost estimate for each project phase for the construction of such hangar.

(5) A description of the plan for sheltering in the hangar during extreme weather events aircraft of the Coast Guard and partner agencies, such as the National Oceanic and Atmospheric Administration.

(6) A description of the risks posed to operations at Coast Guard Air Station Barbers Point if future project phases for the construction of such hangar are not funded.

SEC. 5243. STUDY ON THE OPERATIONAL AVAILABILITY OF COAST GUARD AIRCRAFT AND STRATEGY FOR COAST GUARD AVIATION.

(a) STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on the operational availability of Coast Guard aircraft.

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

(A) An assessment of —

(i) the extent to which the fixed-wing and rotary-wing aircraft of the Coast Guard have met annual operational availability targets in recent years;

(ii) the challenges the Coast Guard may face with respect to such aircraft meeting operational availability targets, and the effects of such challenges on the Coast Guard's ability to meet mission requirements; and

(iii) the status of Coast Guard efforts to upgrade or recapitalize its fleet of such aircraft to meet growth in future mission demands globally, such as in the Western Hemisphere, the Arctic region, and the Western Pacific region.

(B) Any recommendation with respect to the operational availability of Coast Guard aircraft.

(C) The resource and workforce requirements necessary for Coast Guard Aviation to meet current and future mission demands specific to each rotary-wing and fixed-wing airframe type in the current inventory of the Coast Guard.

(3) REPORT.—On completion of the study required by paragraph (1), the Comptroller General shall submit to the Commandant a report on the findings of the study.

(b) COAST GUARD AVIATION STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date on which the study under subsection (a) is completed, the Commandant shall develop a comprehensive strategy for Coast Guard Aviation that is informed by the relevant recommendations and findings of the study.

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

(A) With respect to aircraft of the Coast Guard—

(i) an analysis of—

(I) the current and future operations and future resource needs; and

(II) the manner in which such future needs are integrated with the Future Vertical Lift initiatives of the Department of Defense; and

(ii) an estimated timeline with respect to when such future needs will arise.

(B) The projected number of aviation assets, the locations at which such assets are to be stationed, the cost of operation and maintenance of such assets, and an assessment of the capabilities of such assets as compared to the missions they are expected to execute, at the completion of major procurement and modernization plans.

(C) A procurement plan, including an estimated timetable and the estimated appropriations necessary for all platforms, including unmanned aircraft.

(D) A training plan for pilots and aircrew that addresses—

(i) the use of simulators owned and operated by the Coast Guard, and simulators that are not owned or operated by the Coast Guard, including any such simulators based outside the United States; and

(ii) the costs associated with attending training courses.

(E) Current and future requirements for cutter and land-based deployment of aviation assets globally, including in the Arctic, the Eastern Pacific, the Western Pacific, the Caribbean, the Atlantic Basin, and any other area the Commandant considers appropriate.

(F) A description of the feasibility of deploying, and the resource requirements necessary to deploy, rotary-winged assets onboard all future Arctic cutter patrols.

(G) An evaluation of current and future facilities needs for Coast Guard aviation units.

(H) An evaluation of pilot and aircrew training and retention needs, including aviation career incentive pay, retention bonuses, and any other workforce tools the Commandant considers necessary.

(3) BRIEFING.—Not later than 180 days after the date on which the strategy required by paragraph (1) is completed, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the strategy.

Subtitle F—Workforce Readiness

SEC. 5251. AUTHORIZED STRENGTH.

Section 3702 of title 14, United States Code, is amended by adding at the end the following:

''(c) The Secretary may vary the authorized end strength of the Selected Reserve of the Coast Guard Reserve for a fiscal year by a number equal to not more than 3 percent of such end strength upon a determination by the Secretary that such a variation is in the national interest.

''(d) The Commandant may increase the authorized end strength of the Selected Reserve of the Coast Guard Reserve by a number equal to not more than 2 percent of such authorized end strength upon a determination by the Commandant that such an increase would enhance manning and readiness in essential units or in critical specialties or ratings.''.

SEC. 5252. NUMBER AND DISTRIBUTION OF OFFICERS ON ACTIVE DUTY PROMOTION LIST.

(a) MAXIMUM NUMBER OF OFFICERS.—Section 2103(a) of title 14, United States Code, is amended to read as follows:

''(a) MAXIMUM TOTAL NUMBER.—

''(1) IN GENERAL.—The total number of Coast Guard commissioned officers on the active duty promotion list, excluding warrant officers, shall not exceed 7,400.

''(2) TEMPORARY INCREASE.—Notwithstanding paragraph (1), the Commandant

may temporarily increase the total number of commissioned officers permitted under that paragraph by up to 4 percent for not more than 60 days after the date of the commissioning of a Coast Guard Academy class.

''(3) NOTIFICATION.—If the Commandant increases pursuant to paragraph (2) the total number of commissioned officers permitted under paragraph (1), the Commandant shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the number of officers on the active duty promotion list on the last day of the preceding 30-day period—

''(A) not later than 30 days after such increase; and

''(B) every 30 days thereafter until the total number of commissioned officers no longer exceeds the total number of commissioned officers permitted under paragraph (1).''.

(b) OFFICERS NOT ON ACTIVE DUTY PROMOTION LIST.—

(1) IN GENERAL.—Chapter 51 of title 14, United States Code, is amended by adding at the end the following:

''§ 5113. Officers not on active duty promotion list

''Not later than 60 days after the date on which the President submits to Congress a budget pursuant to section 1105(a) of title 31, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the number of Coast Guard officers who are serving at other Federal agencies on a reimbursable basis, and the number of Coast Guard officers who are serving at other Federal agencies on a non-reimbursable basis but are not on the active duty promotion list.''.

(2) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 14, United States Code, is amended by adding at the end the following:

''5113. Officers not on active duty promotion list.

SEC. 5253. CONTINUATION ON ACTIVE DUTY OF OFFICERS WITH CRITICAL SKILLS.

(a) IN GENERAL.—Subchapter II of chapter 21 of title 14, United States Code, is amended by adding at the end the following:

''§ 2166. Continuation on active duty of officers with critical skills

''(a) IN GENERAL.—The Commandant may authorize an officer in any grade above grade O–2 to remain on active duty after the date otherwise provided for the retirement of the officer in section 2154 of this title if the officer possesses a critical skill or specialty or is in a career field designated pursuant to subsection (b).

''(b) CRITICAL SKILL, SPECIALTY, OR CAREER FIELD.—The Commandant shall designate 1 or more critical skills, specialties, or career fields for purposes of subsection (a).

''(c) DURATION OF CONTINUATION.—An officer continued on active duty pursuant to this section shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 40 years of active service.

''(d) POLICY.—The Commandant shall carry out this section by prescribing policy that specifies the criteria to be used in designating any critical skill, specialty, or career field for purposes of subsection (b).''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 21 of title 14, United States Code, is amended by adding at the end the following:

''2166. Continuation on active duty of officers with critical skills.

SEC. 5254. CAREER INCENTIVE PAY FOR MARINE INSPECTORS.

(a) AUTHORITY TO PROVIDE ASSIGNMENT PAY OR SPECIAL DUTY PAY.—The Secretary of the department in which the Coast Guard is operating may provide assignment pay or special duty pay under section 352 of title 37, United States Code, to a member of the Coast Guard serving in a prevention position and assigned as a marine inspector or marine investigator pursuant to section 312 of title 14, United States Code.

(b) ANNUAL BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of the department in which the Coast Guard is operating shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on any uses of the authority under subsection (a) during the preceding year.

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

(A) The number of members of the Coast Guard serving as marine inspectors or marine investigators pursuant to section 312 of title 14, United States Code, who are receiving assignment pay or special duty pay under section 352 of title 37, United States Code.

(B) An assessment of the impact of the use of the authority under this section on the effectiveness and efficiency of the Coast Guard in administering the laws and regulations for the promotion of safety of life and property on and under the high seas and waters subject to the jurisdiction of the United States.

(C) An assessment of the effects of assignment pay and special duty pay on retention of marine inspectors and investigators.

(D) If the authority provided in subsection (a) is not exercised, a detailed justification for not exercising such authority, including an explanation of the efforts the Secretary of the department in which the Coast Guard is operating is taking to ensure that the Coast Guard workforce contains an adequate number of qualified marine inspectors.

(c) STUDY.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating, in coordination with the Director of the National Institute for Occupational Safety and Health, shall conduct a study on the health of marine inspectors and marine investigators who have served in such positions for a period of not less than least 10 years.

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

(A) An evaluation of—

(i) the daily vessel inspection duties of marine inspectors and marine investigators, including the examination of internal cargo tanks and voids and new construction activities;

(ii) major incidents to which marine inspectors and marine investigators have had to respond, and any other significant incident, such as a vessel casualty, that has resulted in the exposure of marine inspectors and marine investigators to hazardous chemicals or substances; and

(iii) the types of hazardous chemicals or substances to which marine inspectors and marine investigators have been exposed relative to the effects such chemicals or substances have had on marine inspectors and marine investigators.

(B) A review and analysis of the current Coast Guard health and safety monitoring systems, and recommendations for improving such systems, specifically with respect to the exposure of members of the Coast Guard to hazardous substances while carrying out inspections and investigation duties.

(C) Any other element the Secretary of the department in which the Coast Guard is operating considers appropriate.

(3) REPORT.—On completion of the study required by paragraph (1), the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study and recommendations for actions the Commandant should take to improve the health and exposure of marine inspectors and marine investigators.

(d) TERMINATION.—The authority provided by subsection (a) shall terminate on December 31, 2027, unless the study required by subsection (c) is completed and submitted as required by that subsection.

SEC. 5255. EXPANSION OF THE ABILITY FOR SELECTION BOARD TO RECOMMEND OFFICERS OF PARTICULAR MERIT FOR PROMOTION.

Section 2116(c)(1) of title 14, United States Code, is amended, in the second sentence, by inserting ''three times'' after ''may not exceed''.

SEC. 5256. MODIFICATION TO EDUCATION LOAN REPAYMENT PROGRAM.

(a) IN GENERAL.—Section 2772 of title 14, United States Code, is amended to read as follows:

''§ 2772. Education loan repayment program: members on active duty in specified military specialties

''(a)(1) Subject to the provisions of this section, the Secretary may repay—

''(A) any loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.);

''(B) any loan made under part D of such title (the William D. Ford Federal Direct Loan Program, 20 U.S.C. 1087a et seq.);

''(C) any loan made under part E of such title (20 U.S.C. 1087aa et seq.); or

''(D) any loan incurred for educational purposes made by a lender that is—

''(i) an agency or instrumentality of a State;

''(ii) a financial or credit institution (including an insurance company) that is subject to examination and supervision by an agency of the United States or any State;

''(iii) a pension fund approved by the Secretary for purposes of this section; or

''(iv) a nonprofit private entity designated by a State, regulated by such State, and approved by the Secretary for purposes of this section.

''(2) Repayment of any such loan shall be made on the basis of each complete year of service performed by the borrower.

''(3) The Secretary may repay loans described in paragraph (1) in the case of any person for service performed on active duty as a member in an officer program or military specialty specified by the Secretary.

''(b) The portion or amount of a loan that may be repaid under subsection (a) is 33⅓ percent or $1,500, whichever is greater, for each year of service.

''(c) If a portion of a loan is repaid under this section for any year, interest on the remainder of such loan shall accrue and be paid in the same manner as is otherwise required.

''(d) Nothing in this section shall be construed to authorize refunding any repayment of a loan.

''(e) A person who transfers from service making the person eligible for repayment of loans under this section (as described in subsection (a)(3)) to service making the person eligible for repayment of loans under section

16301 of title 10 (as described in subsection (a)(2) or (g) of that section) during a year shall be eligible to have repaid a portion of such loan determined by giving appropriate fractional credit for each portion of the year so served, in accordance with regulations of the Secretary concerned.

''(f) The Secretary shall prescribe a schedule for the allocation of funds made available to carry out the provisions of this section and section 16301 of title 10 during any year for which funds are not sufficient to pay the sum of the amounts eligible for repayment under subsection (a) and section 16301(a) of title 10.

''(g) Except a person described in subsection (e) who transfers to service making the person eligible for repayment of loans under section 16301 of title 10, a member of the Coast Guard who fails to complete the period of service required to qualify for loan repayment under this section shall be subject to the repayment provisions of section 303a(e) or 373 of title 37.

''(h) The Secretary may prescribe procedures for implementing this section, including standards for qualified loans and authorized payees and other terms and conditions for making loan repayments. Such regulations may include exceptions that would allow for the payment as a lump sum of any loan repayment due to a member under a written agreement that existed at the time of a member's death or disability.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter III of chapter 27 of title 14, United States Code, is amended by striking the item relating to section 2772 and inserting the following:

''2772. Education loan repayment program: members on active duty in specified military specialties.

SEC. 5257. RETIREMENT OF VICE COMMANDANT.

Section 303 of title 14, United States Code, is amended—

(1) by amending subsection (a)(2) to read as follows:

''(2) A Vice Commandant who is retired while serving as Vice Commandant, after serving not less than 2 years as Vice Commandant, shall be retired with the grade of admiral, except as provided in section 306(d).''; and

(2) in subsection (c), by striking ''or Vice Commandant'' and inserting ''or as an officer serving as Vice Commandant who has served less than 2 years as Vice Commandant''.

SEC. 5258. REPORT ON RESIGNATION AND RETIREMENT PROCESSING TIMES AND DENIAL.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, and annually thereafter, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, a report that evaluates resignation and retirement processing timelines.

(b) ELEMENTS.—The report required by subsection (a) shall include the following for the preceding calendar year—

(1) statistics on the number of resignations, retirements, and other separations that occurred;

(2) the processing time for each action described in paragraph (1);

(3) the percentage of requests for such actions that had a command endorsement;

(4) the percentage of requests for such actions that did not have a command endorsement; and

(5) for each denial of a request for a command endorsement and each failure to take action on such a request, a detailed description of the rationale for such denial or failure to take such action.

SEC. 5259. PHYSICAL DISABILITY EVALUATION SYSTEM PROCEDURE REVIEW.

(a) STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall complete a study on the Coast Guard Physical Disability Evaluation System and medical retirement procedures.

(2) ELEMENTS.—The study required by paragraph (1) shall review, and provide recommendations to address, the following:

(A) Coast Guard compliance with all applicable laws, regulations, and policies relating to the Physical Disability Evaluation System and the Medical Evaluation Board.

(B) Coast Guard compliance with timelines set forth in—

(i) the instruction of the Commandant entitled ''Physical Disability Evaluation System'' issued on May 19, 2006 (COMDTNST M1850.2D); and

(ii) the Physical Disability Evaluation System Transparency Initiative (ALCGPSC 030/20).

(C) An evaluation of Coast Guard processes in place to ensure the availability, consistency, and effectiveness of counsel appointed by the Coast Guard Office of the Judge Advocate General to represent members of the Coast Guard undergoing an evaluation under the Physical Disability Evaluation System.

(D) The extent to which the Coast Guard has and uses processes to ensure that such counsel may perform their functions in a manner that is impartial, including being able to perform their functions without undue pressure or interference by the command of the affected member of the Coast Guard, the Personnel Service Center, and the United States Coast Guard Office of the Judge Advocate General.

(E) The frequency with which members of the Coast Guard seek private counsel in lieu of counsel appointed by the Coast Guard Office of the Judge Advocate General, and the frequency of so doing at each member pay grade.

(F) The timeliness of determinations, guidance, and access to medical evaluations necessary for retirement or rating determinations and overall well-being of the affected member of the Coast Guard.

(G) The guidance, formal or otherwise, provided by the Personnel Service Center and the Coast Guard Office of the Judge Advocate General, other than the counsel directly representing affected members of the Coast Guard, in communication with medical personnel examining members.

(H) The guidance, formal or otherwise, provided by the medical professionals reviewing cases within the Physical Disability Evaluation System to affected members of the Coast Guard, and the extent to which such guidance is disclosed to the commanders, commanding officers, or other members of the Coast Guard in the chain of command of such affected members.

(I) The feasibility of establishing a program to allow members of the Coast Guard to select an expedited review to ensure completion of the Medical Evaluation Board report not later than 180 days after the date on which such review was initiated.

(b) REPORT.—The Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study conducted under subsection (a) and recommendations for improving the physical disability evaluation system process.

(c) UPDATED POLICY GUIDANCE.—

(1) IN GENERAL.—Not later than 180 days after the date on which the report under subsection (b) is submitted, the Commandant shall issue updated policy guidance in response to the findings and recommendations contained in the report.

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

(A) A requirement that a member of the Coast Guard, or the counsel of such a member, shall be informed of the contents of, and afforded the option to be present for, any communication between the member's command and the Personnel Service Center, or other Coast Guard entity, with respect to the duty status of the member.

(B) An exception to the requirement described in subparagraph (A) that such a member or the counsel of the member is not required to be informed of the contents of such a communication if it is demonstrated that there is a legitimate health and safety need for the member to be excluded from such communications, supported by a medical opinion that such exclusion is necessary for the health or safety of the member, command, or any other individual.

(C) An option to allow a member of the Coast Guard to initiate an evaluation by a Medical Evaluation Board if a Coast Guard healthcare provider, or other military healthcare provider, has raised a concern about the ability of the member to continue serving in the Coast Guard, in accordance with existing medical and physical disability policy.

(D) An updated policy to remove the command endorsement requirement for retirement or separation unless absolutely necessary for the benefit of the United States.

SEC. 5260. EXPANSION OF AUTHORITY FOR MULTIRATER ASSESSMENTS OF CERTAIN PERSONNEL.

(a) IN GENERAL.—Section 2182(a) of title 14, United States Code, is amended by striking paragraph (2) and inserting the following:

''(2) OFFICERS.—Each officer of the Coast Guard shall undergo a multirater assessment before promotion to—

''(A) the grade of O–4;

''(B) the grade of O–5; and

''(C) the grade of O–6.

''(3) ENLISTED MEMBERS.—Each enlisted member of the Coast Guard shall undergo a multirater assessment before advancement to—

''(A) the grade of E–7;

''(B) the grade of E–8;

''(C) the grade of E–9; and

''(D) the grade of E–10.

''(4) SELECTION.—A reviewee shall not be permitted to select the peers and subordinates who provide opinions for his or her multirater assessment.

''(5) POST-ASSESSMENT ELEMENTS.—

''(A) IN GENERAL.—Following an assessment of an individual pursuant to paragraphs (1) through (3), the individual shall be provided appropriate post-assessment counseling and leadership coaching.

''(B) AVAILABILITY OF RESULTS.—The supervisor of the individual assessed shall be provided with the results of the multirater assessment.''.

(b) COST ASSESSMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the appropriate committees of Congress an estimate of the costs associated with implementing the amendment made by this section.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

SEC. 5261. PROMOTION PARITY.

(a) INFORMATION TO BE FURNISHED.—Section 2115(a) of title 14, 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:

''(3) in the case of an eligible officer considered for promotion to a rank above lieutenant, any credible information of an adverse nature, including any substantiated adverse finding or conclusion from an officially documented investigation or inquiry and any information placed in the personnel service record of the officer under section 1745(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 1561 note), shall be furnished to the selection board in accordance with standards and procedures set out in the regulations prescribed by the Secretary.''.

(b) SPECIAL SELECTION REVIEW BOARDS.—

(1) IN GENERAL.—Subchapter I of chapter 21 of title 14, United States Code, is amended by inserting after section 2120 the following:

''§ 2120a. Special selection review boards

''(a) IN GENERAL.—(1) If the Secretary determines that a person recommended by a promotion board for promotion to a grade at or below the grade of rear admiral is the subject of credible information of an adverse nature, including any substantiated adverse finding or conclusion described in section 2115(a)(3) of this title that was not furnished to the promotion board during its consideration of the person for promotion as otherwise required by such section, the Secretary shall convene a special selection review board under this section to review the person and recommend whether the recommendation for promotion of the person should be sustained.

''(2) If a person and the recommendation for promotion of the person is subject to review under this section by a special selection review board convened under this section, the name of the person—

''(A) shall not be disseminated or publicly released on the list of officers recommended for promotion by the promotion board recommending the promotion of the person; and

''(B) shall not be forwarded to the President or the Senate, as applicable, or included on a promotion list under section 2121 of this title.

''(b) CONVENING.—(1) Any special selection review board convened under this section shall be convened in accordance with the provisions of section 2120(c) of this title.

''(2) Any special selection review board convened under this section may review such number of persons, and recommendations for promotion of such persons, as the Secretary shall specify in convening such special selection review board.

''(c) INFORMATION CONSIDERED.—(1) In reviewing a person and recommending whether the recommendation for promotion of the person should be sustained under this section, a special selection review board convened under this section shall be furnished and consider the following:

''(A) The record and information concerning the person furnished in accordance with section 2115 of this title to the promotion board that recommended the person for promotion.

''(B) Any credible information of an adverse nature on the person, including any substantiated adverse finding or conclusion from an officially documented investigation or inquiry described in section 2115(a)(3) of this title.

''(2) The furnishing of information to a special selection review board under paragraph (1)(B) shall be governed by the standards and procedures referred to in section 2115 of this title.

''(3)(A) Before information on a person described in paragraph (1)(B) is furnished to a special selection review board for purposes of this section, the Secretary shall ensure that—

''(i) such information is made available to the person; and

''(ii) subject to subparagraphs (C) and (D), the person is afforded a reasonable opportunity to submit comments on such information to the special selection review board before its review of the person and the recommendation for promotion of the person under this section.

''(B) If information on a person described in paragraph (1)(B) is not made available to the person as otherwise required by subparagraph (A)(i) due to the classification status of such information, the person shall, to the maximum extent practicable, be furnished a summary of such information appropriate to the person's authorization for access to classified information.

''(C)(i) An opportunity to submit comments on information is not required for a person under subparagraph (A)(ii) if—

''(I) such information was made available to the person in connection with the furnishing of such information under section 2115(a) of this title to the promotion board that recommended the promotion of the person subject to review under this section; and

''(II) the person submitted comments on such information to that promotion board.

''(ii) The comments on information of a person described in clause (i)(II) shall be furnished to the special selection review board.

''(D) A person may waive either or both of the following:

''(i) The right to submit comments to a special selection review board under subparagraph (A)(ii).

''(ii) The furnishing of comments to a special selection review board under subparagraph (C)(ii).

''(d) CONSIDERATION.—(1) In considering the record and information on a person under this section, the special selection review board shall compare such record and information with an appropriate sampling of the records of those officers who were recommended for promotion by the promotion board that recommended the person for promotion, and an appropriate sampling of the records of those officers who were considered by and not recommended for promotion by that promotion board.

''(2) Records and information shall be presented to a special selection review board for purposes of paragraph (1) in a manner that does not indicate or disclose the person or persons for whom the special selection review board was convened.

''(3) In considering whether the recommendation for promotion of a person should be sustained under this section, a special selection review board shall, to the greatest extent practicable, apply standards used by the promotion board that recommended the person for promotion.

''(4) The recommendation for promotion of a person may be sustained under this section only if the special selection review board determines that the person—

''(A) ranks on an order of merit created by the special selection review board as better qualified for promotion than the sample officer highest on the order of merit list who was considered by and not recommended for promotion by the promotion board concerned; and

''(B) is comparable in qualification for promotion to those sample officers who were recommended for promotion by that promotion board.

''(5) A recommendation for promotion of a person may be sustained under this section only by a vote of a majority of the members of the special selection review board.

''(6) If a special selection review board does not sustain a recommendation for promotion of a person under this section, the person shall be considered to have failed of selection for promotion.

''(e) REPORTS.—(1) Each special selection review board convened under this section shall submit to the Secretary a written report, signed by each member of the board, containing the name of each person whose recommendation for promotion it recommends for sustainment and certifying that the board has carefully considered the record and information of each person whose name was referred to it.

''(2) The provisions of section 2117(a) 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 the report and proceedings of a promotion board convened under section 2106 of this title.

''(f) APPOINTMENT OF PERSONS.—(1) 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 a person whose name was referred to it for review under this section, and the President approves the report, the person shall, as soon as practicable, be appointed to that grade in accordance with section 2121 of this title.

''(2) A person who is appointed to the next higher grade as described in paragraph (1) shall, upon that appointment, have the same date of rank, the same effective date for the pay and allowances of that grade, and the same position on the active-duty list as the person would have had pursuant to the original recommendation for promotion of the promotion board concerned.

''(g) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section.

''(h) PROMOTION BOARD DEFINED.—In this section, the term 'promotion board' means a selection board convened by the Secretary under section 2106 of this title.''.

(2) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 21 of title 14, United States Code, is amended by inserting after the item relating to section 2120 the following:

''2120a. Special selection review boards.

(c) AVAILABILITY OF INFORMATION.—Section 2118 of title 14, United States Code, is amended by adding at the end the following:

''(e) If the Secretary makes a recommendation under this section that the name of an officer be removed from a report of a selection board and the recommendation is accompanied by information that was not presented to that selection board, that information shall be made available to that officer. The officer shall then be afforded a reasonable opportunity to submit comments on that information to the officials making the recommendation and the officials reviewing the recommendation. If an eligible officer cannot be given access to such information because of its classification status, the officer shall, to the maximum extent practicable, be provided with an appropriate summary of the information.''.

(d) DELAY OF PROMOTION.—Section 2121(f) of title 14, United States Code, is amended to read as follows:

''(f)(1) The promotion of an officer may be delayed without prejudice if any of the following applies:

''(A) The officer is under investigation or proceedings of a court-martial or a board of officers are pending against the officer.

''(B) A criminal proceeding in a Federal or State court is pending against the officer.

''(C) The Secretary determines that credible information of an adverse nature, including a substantiated adverse finding or conclusion described in section 2115(a)(3), with respect to the officer will result in the convening of a special selection review board under section 2120a of this title to review the officer and recommend whether the recommendation for promotion of the officer should be sustained.

''(2)(A) Subject to subparagraph (B), a promotion may be delayed under this subsection until, as applicable—

''(i) the completion of the investigation or proceedings described in subparagraph (A);

''(ii) a final decision in the proceeding described in subparagraph (B) is issued; or

''(iii) the special selection review board convened under section 2120a of this title issues recommendations with respect to the officer.

''(B) Unless the Secretary determines that a further delay is necessary in the public interest, a promotion may not be delayed under this subsection for more than one year after the date the officer would otherwise have been promoted.

''(3) An officer whose promotion is delayed under this subsection and who is subsequently promoted shall be given the date of rank and position on the active duty promotion list in the grade to which promoted that he would have held had his promotion not been so delayed.''.

SEC. 5262. PARTNERSHIP PROGRAM TO DIVERSIFY THE COAST GUARD.

(a) ESTABLISHMENT.—The Commandant shall establish a program for the purpose of increasing the number of underrepresented minorities in the enlisted ranks of the Coast Guard.

(b) PARTNERSHIPS.—In carrying out the program established under subsection (a), the Commandant shall—

(1) seek to enter into 1 or more partnerships with eligible entities—

(A) to increase the visibility of Coast Guard careers;

(B) to promote curriculum development—

(i) to enable acceptance into the Coast Guard; and

(ii) to improve success on relevant exams, such as the Armed Services Vocational Aptitude Battery; and

(C) to provide mentoring for students entering and beginning Coast Guard careers; and

(2) enter into a partnership with an existing Junior Reserve Officers' Training Corps for the purpose of promoting Coast Guard careers.

(c) ELIGIBLE INSTITUTION DEFINED.—In this section, the term ''eligible institution'' means—

(1) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

(2) an institution that provides a level of educational attainment that is less than a bachelor's degree;

(3) a part B institution (as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061));

(4) a Tribal College or University (as defined in section 316(b) of that Act (20 U.S.C. 1059c(b)));

(5) a Hispanic-serving institution (as defined in section 502 of that Act (20 U.S.C. 1101a));

(6) an Alaska Native-serving institution or a Native Hawaiian-serving institution (as defined in section 317(b) of that Act (20 U.S.C. 1059d(b)));

(7) a Predominantly Black institution (as defined in section 371(c) of that Act (20 U.S.C. 1071q(c)));

(8) an Asian American and Native American Pacific Islander-serving institution (as defined in such section); and

(9) a Native American-serving nontribal institution (as defined in such section).

SEC. 5263. EXPANSION OF COAST GUARD JUNIOR RESERVE OFFICERS' TRAINING CORPS.

(a) IN GENERAL.—Section 320 of title 14, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d);

(2) in subsection (b), by striking ''subsection (c)'' and inserting ''subsection (d)''; and

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

''(c) SCOPE.—Beginning on December 31, 2025, the Secretary of the department in which the Coast Guard is operating shall maintain at all times a Junior Reserve Officers' Training Corps program with not fewer than 1 such program established in each Coast Guard district.''.

(b) COST ASSESSMENT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall provide to Congress an estimate of the costs associated with implementing the amendments made by this section.

SEC. 5264. IMPROVING REPRESENTATION OF WOMEN AND RACIAL AND ETHNIC MINORITIES AMONG COAST GUARD ACTIVE-DUTY MEMBERS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, in consultation with the Advisory Board on Women at the Coast Guard Academy established under section 1904 of title 14, United States Code, and the minority outreach team program established by section 1905 of such title, the Commandant shall—

(1) determine which recommendations in the RAND representation report may practicably be implemented to promote improved representation in the Coast Guard of—

(A) women; and

(B) racial and ethnic minorities; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the actions the Commandant has taken, or plans to take, to implement such recommendations.

(b) CURRICULUM AND TRAINING.—In the case of any action the Commandant plans to take to implement recommendations described in subsection (a)(1) that relate to modification or development of curriculum and training, such modified curriculum and training shall be provided at officer and accession points and at leadership courses managed by the Coast Guard Leadership Development Center.

(c) DEFINITION OF RAND REPRESENTATION REPORT.—In this section, the term ''RAND representation report'' means the report of the Homeland Security Operational Analysis Center of the RAND Corporation entitled ''Improving the Representation of Women and Racial/Ethnic Minorities Among U.S. Coast Guard Active-Duty Members'' issued on August 11, 2021.

SEC. 5265. STRATEGY TO ENHANCE DIVERSITY THROUGH RECRUITMENT AND ACCESSION.

(a) IN GENERAL.—The Commandant shall develop a 10-year strategy to enhance Coast Guard diversity through recruitment and accession—

(1) at educational institutions at the high school and higher education levels; and

(2) for the officer and enlisted ranks.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the strategy developed under subsection (a).

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

(A) A description of existing Coast Guard recruitment and accession programs at educational institutions at the high school and higher education levels.

(B) An explanation of the manner in which the strategy supports the Coast Guard's overall diversity and inclusion action plan.

(C) A description of the manner in which existing programs and partnerships will be modified or expanded to enhance diversity in recruiting and accession at the high school and higher education levels.

SEC. 5266. SUPPORT FOR COAST GUARD ACADEMY.

(a) IN GENERAL.—Subchapter II of chapter 9 of title 14, United States Code, is amended by adding at the end the following:

''§ 953. Support for Coast Guard Academy

''(a) AUTHORITY.—

''(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—(A) The Commandant may enter contract and cooperative agreements with 1 or more qualified organizations for the purpose of supporting the athletic programs of the Coast Guard Academy.

''(B) Notwithstanding section 3201(e) of title 10, the Commandant may enter into such contracts and cooperative agreements on a sole source basis pursuant to section 3204(a) of title 10.

''(C) Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the Coast Guard Academy.

''(2) FINANCIAL CONTROLS.—(A) Before entering into a contract or cooperative agreement under paragraph (1), the Commandant shall ensure that the contract or agreement includes appropriate financial controls to account for the resources of the Coast Guard Academy and the qualified organization concerned in accordance with accepted accounting principles.

''(B) Any such contract or cooperative agreement shall contain a provision that allows the Commandant to review, as the Commandant considers necessary, the financial accounts of the qualified organization to determine whether the operations of the qualified organization—

''(i) are consistent with the terms of the contract or cooperative agreement; and

''(ii) would compromise the integrity or appearance of integrity of any program of the Department of Homeland Security.

''(3) LEASES.—For the purpose of supporting the athletic programs of the Coast Guard Academy, the Commandant may, consistent with section 504(a)(13), rent or lease real property located at the Coast Guard Academy to a qualified organization, except that proceeds from such a lease shall be retained and expended in accordance with subsection (f).

''(b) SUPPORT SERVICES.—

''(1) AUTHORITY.—To the extent required by a contract or cooperative agreement under subsection (a), the Commandant may provide support services to a qualified organization while the qualified organization conducts its support activities at the Coast Guard Academy only if the Commandant determines that the provision of such services is essential for the support of the athletic programs of the Coast Guard Academy.

''(2) NO LIABILITY OF THE UNITED STATES.—Support services may only be provided without any liability of the United States to a qualified organization.

''(3) SUPPORT SERVICES DEFINED.—In this subsection, the term 'support services' includes utilities, office furnishings and equipment, communications services, records staging and archiving, audio and video support, and security systems, in conjunction with the leasing or licensing of property.

''(c) TRANSFERS FROM NONAPPROPRIATED FUND OPERATION.—(1) Except as provided in paragraph (2), the Commandant may, subject to the acceptance of the qualified organization concerned, transfer to the qualified organization all title to and ownership of the assets and liabilities of the Coast Guard nonappropriated fund instrumentality, the function of which includes providing support for the athletic programs of the Coast Guard Academy, including bank accounts and financial reserves in the accounts of such fund instrumentality, equipment, supplies, and other personal property.

''(2) The Commandant may not transfer under paragraph (1) any interest in real property.

''(d) ACCEPTANCE OF SUPPORT FROM QUALIFIED ORGANIZATION.—

''(1) IN GENERAL.—Notwithstanding section 1342 of title 31, the Commandant may accept from a qualified organization funds, supplies, and services for the support of the athletic programs of the Coast Guard Academy.

''(2) EMPLOYEES OF QUALIFIED ORGANIZATION.—For purposes of this section, employees or personnel of the qualified organization may not be considered to be employees of the United States.

''(3) FUNDS RECEIVED FROM NCAA.—The Commandant may accept funds from the National Collegiate Athletic Association to support the athletic programs of the Coast Guard Academy.

''(4) LIMITATION.—The Commandant shall ensure that contributions under this subsection and expenditure of funds pursuant to subsection (f)—

''(A) do not reflect unfavorably on the ability of the Coast Guard, any employee of the Coast Guard, or any member of the armed forces (as defined in section 101(a) of title 10) to carry out any responsibility or duty in a fair and objective manner; or

''(B) compromise the integrity or appearance of integrity of any program of the Coast Guard, or any individual involved in such a program.

''(e) TRADEMARKS AND SERVICE MARKS.—

''(1) LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.—An agreement under subsection (a) may, consistent with section 2260 of title 10 (other than subsection (d) of such section), authorize a qualified organization to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Coast Guard Academy, subject to the approval of the Commandant.

''(2) LIMITATIONS.—A licensing, marketing, or sponsorship agreement may not be entered into under paragraph (1) if—

''(A) such agreement would reflect unfavorably on the ability of the Coast Guard, any employee of the Coast Guard, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; or

''(B) the Commandant determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Coast Guard or any individual involved in such a program.

''(f) RETENTION AND USE OF FUNDS.—Funds received by the Commandant under this section may be retained for use to support the athletic programs of the Coast Guard Academy and shall remain available until expended.

''(g) SERVICE ON QUALIFIED ORGANIZATION BOARD OF DIRECTORS.—A qualified organization is a designated entity for which authorization under sections 1033(a) and 1589(a) of title 10, may be provided.

''(h) CONDITIONS.—The authority provided in this section with respect to a qualified organization is available only so long as the qualified organization continues—

''(1) to qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986 and operates in accordance with this section, the law of the State of Connecticut, and the constitution and bylaws of the qualified organization; and

''(2) to operate exclusively to support the athletic programs of the Coast Guard Academy.

''(i) QUALIFIED ORGANIZATION DEFINED.—In this section, the term 'qualified organization' means an organization—

''(1) described in subsection (c)(3) of section 501 of the Internal Revenue Code of 1986 and exempt from taxation under subsection (a) of that section; and

''(2) established by the Coast Guard Academy Alumni Association solely for the purpose of supporting Coast Guard athletics.

''§ 954. Mixed-funded athletic and recreational extracurricular programs: authority to manage appropriated funds in same manner as nonappropriated funds

''(a) AUTHORITY.—In the case of a Coast Guard Academy mixed-funded athletic or recreational extracurricular program, the Commandant may designate funds appropriated to the Coast Guard and available for that program to be treated as nonappropriated funds and expended for that program in accordance with laws applicable to the expenditure of nonappropriated funds. Appropriated funds so designated shall be considered to be nonappropriated funds for all purposes and shall remain available until expended.

''(b) COVERED PROGRAMS.—In this section, the term 'Coast Guard Academy mixed-funded athletic or recreational extracurricular program' means an athletic or recreational extracurricular program of the Coast Guard Academy to which each of the following applies:

''(1) The program is not considered a morale, welfare, or recreation program.

''(2) The program is supported through appropriated funds.

''(3) The program is supported by a nonappropriated fund instrumentality.

''(4) The program is not a private organization and is not operated by a private organization.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 9 of title 14, United States Code, is amended by adding at the end the following:

''953. Support for Coast Guard Academy.

''954. Mixed-funded athletic and recreational extracurricular programs: authority to manage appropriated funds in same manner as nonappropriated funds.

SEC. 5267. TRAINING FOR CONGRESSIONAL AFFAIRS PERSONNEL.

(a) IN GENERAL.—Section 315 of title 14, United States Code, is amended to read as follows:

''§ 315. Training for congressional affairs personnel

''(a) IN GENERAL.—The Commandant shall develop a training course, which shall be administered in person, on the workings of Congress for any member of the Coast Guard selected for a position as a fellow, liaison, counsel, administrative staff for the Coast Guard Office of Congressional and Governmental Affairs, or any Coast Guard district or area governmental affairs officer.

''(b) COURSE SUBJECT MATTER.—

''(1) IN GENERAL.—The training course required by this section shall provide an overview and introduction to Congress and the Federal legislative process, including—

''(A) the congressional budget process;

''(B) the congressional appropriations process;

''(C) the congressional authorization process;

''(D) the Senate advice and consent process for Presidential nominees;

''(E) the Senate advice and consent process for treaty ratification;

''(F) the roles of Members of Congress and congressional staff in the legislative process;

''(G) the concept and underlying purposes of congressional oversight within the governance framework of separation of powers;

''(H) the roles of Coast Guard fellows, liaisons, counsels, governmental affairs officers, the Coast Guard Office of Program Review, the Coast Guard Headquarters program offices, and any other entity the Commandant considers relevant; and

''(I) the roles and responsibilities of Coast Guard public affairs and external communications personnel with respect to Members of Congress and their staff necessary to enhance communication between Coast Guard units, sectors, and districts and Member offices and committees of jurisdiction so as to ensure visibility of Coast Guard activities.

''(2) DETAIL WITHIN COAST GUARD OFFICE OF BUDGET AND PROGRAMS.—

''(A) IN GENERAL.—At the written request of the receiving congressional office, the training course required by this section shall include a multi-day detail within the Coast Guard Office of Budget and Programs to ensure adequate exposure to Coast Guard policy, oversight, and requests from Congress.

''(B) NONCONSECUTIVE DETAIL PERMITTED.—A detail under this paragraph is not required to be consecutive with the balance of the training.

''(c) COMPLETION OF REQUIRED TRAINING.—A member of the Coast Guard selected for a position described in subsection (a) shall complete the training required by this section before the date on which such member reports for duty for such position.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 14, United States Code, is amended by striking the item relating to section 315 and inserting the following:

''315. Training for congressional affairs personnel.''.

SEC. 5268. STRATEGY FOR RETENTION OF CUTTERMEN.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commandant shall publish a strategy to improve incentives to attract and retain a diverse workforce serving on Coast Guard cutters.

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

(1) Policies to improve flexibility in the afloat career path, including a policy that enables members of the Coast Guard serving on Coast Guard cutters to transition between operations afloat and operations ashore assignments without detriment to their career progression.

(2) A review of current officer requirements for afloat positions at each pay grade, and an assessment as to whether such requirements are appropriate or present undue limitations.

(3) Strategies to improve crew comfort afloat, such as berthing modifications to accommodate all crewmembers.

(4) Actionable steps to improve access to high-speed internet capable of video conference for the purposes of medical, educational, and personal use by members of the Coast Guard serving on Coast Guard cutters.

(5) An assessment of the effectiveness of bonuses to attract members to serve at sea and retain talented members of the Coast Guard serving on Coast Guard cutters to serve as leaders in senior enlisted positions, department head positions, and command positions.

(6) Policies to ensure that high-performing members of the Coast Guard serving on Coast Guard cutters are competitive for special assignments, postgraduate education, senior service schools, and other career-enhancing positions.

SEC. 5269. STUDY ON PERFORMANCE OF COAST GUARD FORCE READINESS COMMAND.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on the performance of the Coast Guard Force Readiness Command.

(b) ELEMENTS.—The study required by subsection (a) shall include an assessment of the following:

(1) The actions the Force Readiness Command has taken to develop and implement training for the Coast Guard workforce.

(2) The extent to which the Force Readiness Command—

(A) has assessed performance, policy, and training compliance across Force Readiness Command headquarters and field units, and the results of any such assessment; and

(B) is modifying and expanding Coast Guard training to match the future demands of the Coast Guard with respect to growth in workforce numbers, modernization of assets and infrastructure, and increased global mission demands relating to the Arctic and Western Pacific regions and cyberspace.

(c) REPORT.—Not later than 1 year after the study required by subsection (a) commences, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

SEC. 5270. STUDY ON FREQUENCY OF WEAPONS TRAINING FOR COAST GUARD PERSONNEL.

(a) IN GENERAL.—The Commandant shall conduct a study to assess whether current weapons training required for Coast Guard law enforcement and other relevant personnel is sufficient.

(b) ELEMENTS.—The study required by subsection (a) shall—

(1) assess whether there is a need to improve weapons training for Coast Guard law enforcement and other relevant personnel; and

(2) identify—

(A) the frequency of such training most likely to ensure adequate weapons training, proficiency, and safety among such personnel;

(B) Coast Guard law enforcement and other applicable personnel who should be prioritized to receive such improved training; and

(C) any challenge posed by a transition to improving such training and offering such training more frequently, and the resources necessary to address such a challenge.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study conducted under subsection (a).

Subtitle G—Miscellaneous Provisions

SEC. 5281. BUDGETING OF COAST GUARD RELATING TO CERTAIN OPERATIONS.

(a) IN GENERAL.—Chapter 51 of title 14, United States Code, as amended by section 5252(b), is further amended by adding at the end the following:

"§ 5114. Expenses of performing and executing defense readiness missions and other activities unrelated to Coast Guard missions

''Not later than 1 year after the date of the enactment of this section, and every February 1 thereafter, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that adequately represents a calculation of the annual costs and expenditures of performing and executing all defense readiness mission activities, including—

''(1) all expenses related to the Coast Guard's coordination, training, and execution of defense readiness mission activities in the Coast Guard's capacity as an armed force (as such term is defined in section 101 of title 10) in support of Department of Defense national security operations and activities or for any other military department or Defense Agency (as such terms are defined in such section);

''(2) costs associated with Coast Guard detachments assigned in support of the Coast Guard's defense readiness mission; and

''(3) any other related expenses, costs, or matters the Commandant considers appropriate or otherwise of interest to Congress.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 14, United States Code, as amended by section 5252(b), is further amended by adding at the end the following:

''5114. Expenses of performing and executing defense readiness missions or other activities unrelated to Coast Guard missions.

SEC. 5282. COAST GUARD ASSISTANCE TO UNITED STATES SECRET SERVICE.

Section 6 of the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note) is amended—

(1) by striking ''Executive departments'' and inserting the following:

''(a) Except as provided in subsection (b), Executive departments'';

(2) by striking ''Director; except that the Department of Defense and the Coast Guard shall provide such assistance'' and inserting the following: ''Director.

''(b)(1) Subject to paragraph (2), the Department of Defense and the Coast Guard shall provide assistance described in subsection (a)''; and

(3) by adding at the end the following:

''(2)(A) For fiscal year 2022, and each fiscal year thereafter, the total cost of assistance described in subsection (a) provided by the Coast Guard on a nonreimbursable basis shall not exceed $15,000,000.

''(B) The Coast Guard may provide assistance described in subsection (a) during a fiscal year in addition to the amount specified in subparagraph (A) on a reimbursable basis.''.

SEC. 5283. CONVEYANCE OF COAST GUARD VESSELS FOR PUBLIC PURPOSES.

(a) TRANSFER.—Section 914 of the Coast Guard Authorization Act of 2010 (14 U.S.C. 501 note; Public Law 111–281) is—

(1) transferred to subchapter I of chapter 5 of title 14, United States Code;

(2) added at the end so as to follow section 509 of such title, as added by section 5241 of this Act;

(3) redesignated as section 510 of such title; and

(4) amended so that the enumerator, the section heading, typeface, and typestyle conform to those appearing in other sections of title 14, United States Code.

(b) CLERICAL AMENDMENTS.—

(1) COAST GUARD AUTHORIZATION ACT OF 2010.—The table of contents in section 1(b) of the Coast Guard Authorization Act of 2010 (Public Law 111–281) is amended by striking the item relating to section 914.

(2) TITLE 14.—The analysis for subchapter I of chapter 5 of title 14, United States Code, as amended by section 5241 of this Act, is amended by adding at the end the following:

''510. Conveyance of Coast Guard vessels for public purposes.

(c) CONVEYANCE OF COAST GUARD VESSELS FOR PUBLIC PURPOSES.—Section 510 of title 14, United States Code, as transferred and redesignated by subsection (a), is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—On request by the Commandant, the Administrator of the General Services Administration may transfer ownership of a Coast Guard vessel or aircraft to an eligible entity for educational, cultural, historical, charitable, recreational, or other public purposes if such transfer is authorized by law.''; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by inserting ''as if the request were being processed'' after ''vessels''; and

(ii) by inserting '', as in effect on the date of the enactment of the Coast Guard Authorization Act of 2022'' after ''Code of Federal Regulations'';

(B) in paragraph (2) by inserting '', as in effect on the date of the enactment of the Coast Guard Authorization Act of 2022'' after ''such title''; and

(C) in paragraph (3), by striking ''of the Coast Guard''.

SEC. 5284. AUTHORIZATION RELATING TO CERTAIN INTELLIGENCE AND COUNTER INTELLIGENCE ACTIVITIES OF THE COAST GUARD.

(a) AUTHORIZATION.—Consistent with the policies, procedures, and coordination required pursuant to section 811 of the Counterintelligence and Security Enhancements Act of 1994 (50 U.S.C. 3381) and section 902 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3382), the Commandant may expend amounts made available for the intelligence and counterintelligence activities of the Coast Guard to conduct such an activity without regard to any other provision of law or regulation relating to the expenditure of Government funds, if the object of the activity is of a confidential, extraordinary, or emergency nature.

(b) QUARTERLY REPORT.—At the beginning of each fiscal quarter, the Commandant shall submit to the appropriate committees of Congress a report that includes, for each individual expenditure during the preceding fiscal quarter under subsection (a), the following:

(1) A detailed description of the purpose of such expenditure.

(2) The amount of such expenditure.

(3) An identification of the approving authority for such expenditure.

(4) A justification as to why other authorities available to the Coast Guard could not be used for such expenditure.

(5) Any other matter the Commandant considers appropriate.

(c) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Commerce, Science, and Transportation and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Transportation and Infrastructure and the Permanent Select Committee on Intelligence of the House of Representatives.

(d) SUNSET.—This section shall cease to have effect on the date that is 3 years after the date of the enactment of this Act.

SEC. 5285. TRANSFER AND CONVEYANCE.

(a) IN GENERAL.—

(1) REQUIREMENT.—The Commandant shall, without consideration, transfer in accordance with subsection (b) and convey in accordance with subsection (c) a parcel of the real property described in paragraph (2), including any improvements thereon, to free the Coast Guard of liability for any unforeseen environmental or remediation of substances unknown that may exist on, or emanate from, such parcel.

(2) PROPERTY.—The property described in this paragraph is real property at Dauphin Island, Alabama, located at 100 Agassiz Street, and consisting of a total of approximately 35.63 acres. The exact acreage and legal description of the parcel of such property to be transferred or conveyed in accordance with subsection (b) or (c), respectively, shall be determined by a survey satisfactory to the Commandant.

(b) TO THE SECRETARY OF HEALTH AND HUMAN SERVICES.—The Commandant shall transfer, as described in subsection (a), to the Secretary of Health and Human Services (in this section referred to as the ''Secretary''), for use by the Food and Drug Administration, custody and control of a portion, consisting of approximately 4 acres, of the parcel of real property described in such subsection, to be identified by agreement between the Commandant and the Secretary.

(c) TO THE STATE OF ALABAMA.—The Commandant shall convey, as described in subsection (a), to the Marine Environmental Sciences Consortium, a unit of the government of the State of Alabama, located at Dauphin Island, Alabama, all rights, title, and interest of the United States in and to such portion of the parcel described in such subsection that is not transferred to the Secretary under subsection (b).

(d) PAYMENTS AND COSTS OF TRANSFER AND CONVEYANCE.—

(1) PAYMENTS.—

(A) IN GENERAL.—The Secretary shall pay costs to be incurred by the Coast Guard, or reimburse the Coast Guard for such costs incurred by the Coast Guard, to carry out the transfer and conveyance required by this section, including survey costs, appraisal costs, costs for environmental documentation related to the transfer and conveyance, and any other necessary administrative costs related to the transfer and conveyance.

(B) FUNDS.—Notwithstanding section 780 of division B of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94), any amounts that are made available to the Secretary under such section and not obligated on the date of enactment of this Act shall be available to the Secretary for the purpose described in subparagraph (A).

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received by the Commandant as reimbursement under paragraph (1) shall be credited to the Coast Guard Housing Fund established under section 2946 of title 14, United States Code, or the account that was used to pay the costs incurred by the Coast Guard in carrying out the transfer or conveyance under this section, as determined by the Commandant, and shall be made available until expended. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

SEC. 5286. TRANSPARENCY AND OVERSIGHT.

(a) NOTIFICATION.—

(1) IN GENERAL.—Subject to subsection (b), the Secretary of the department in which the Coast Guard is operating, or the designee of the Secretary, shall notify the appropriate committees of Congress and the Coast Guard Office of Congressional and Governmental Affairs not later than 3 full business days before—

(A) making or awarding a grant allocation or grant in excess of $1,000,000;

(B) making or awarding a contract, other transaction agreement, or task or delivery order on a Coast Guard multiple award contract, or issuing a letter of intent totaling more than $4,000,000;

(C) awarding a task or delivery order requiring an obligation of funds in an amount greater than $10,000,000 from multi-year Coast Guard funds;

(D) making a sole-source grant award; or

(E) announcing publicly the intention to make or award an item described in subparagraph (A), (B), (C), or (D), including a contract covered by the Federal Acquisition Regulation.

(2) ELEMENT.—A notification under this subsection shall include—

(A) the amount of the award;

(B) the fiscal year for which the funds for the award were appropriated;

(C) the type of contract;

(D) an identification of the entity awarded the contract, such as the name and location of the entity; and

(E) the account from which the funds are to be drawn.

(b) EXCEPTION.—If the Secretary of the department in which the Coast Guard is operating determines that compliance with subsection (a) would pose a substantial risk to human life, health, or safety, the Secretary—

(1) may make an award or issue a letter described in that subsection without the notification required under that subsection; and

(2) shall notify the appropriate committees of Congress not later than 5 full business days after such an award is made or letter issued.

(c) APPLICABILITY.—Subsection (a) shall not apply to funds that are not available for obligation.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

(2) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

SEC. 5287. STUDY ON SAFETY INSPECTION PROGRAM FOR CONTAINERS AND FACILITIES.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Commissioner of U.S. Customs and Border Protection, shall complete a study on the safety inspection program for containers (as defined in section 80501 of title 46, United States Code) and designated waterfront facilities receiving containers.

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

(1) An evaluation and review of such safety inspection program.

(2) A determination of—

(A) the number of container inspections conducted annually by the Coast Guard during the preceding 10-year period, as compared to the number of containers moved through United States ports annually during such period; and

(B) the number of qualified Coast Guard container and facility inspectors, and an assessment as to whether, during the preceding 10-year period, there have been a sufficient number of such inspectors to carry out the mission of the Coast Guard.

(3) An evaluation of the training programs available to such inspectors and the adequacy of such training programs during the preceding 10-year period.

(4) An assessment as to whether such training programs adequately prepare future leaders for leadership positions in the Coast Guard.

(5) An identification of areas of improvement for such program in the interest of commerce and national security, and the costs associated with such improvements.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report on the findings of the study required by subsection (a), including the personnel and resource requirements necessary for such program.

SEC. 5288. STUDY ON MARITIME LAW ENFORCEMENT WORKLOAD REQUIREMENTS.

(a) STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall commence a study that assesses the maritime law enforcement workload requirements of the Coast Guard.

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

(A) For each of the 10 years immediately preceding the date of the enactment of this Act, an analysis of—

(i) the total number of migrant interdictions, and Coast Guard sectors in which such interdictions occurred;

(ii) the total number of drug interdictions, the amount and type of drugs interdicted, and the Coast Guard sectors in which such interdictions occurred;

(iii) the physical assets used for drug interdictions, migrant interdictions, and other law enforcement purposes; and

(iv) the total number of Coast Guard personnel who carried out drug interdictions, migrant interdictions, and other law enforcement activities.

(B) An assessment of—

(i) migrant and drug interdictions and other law enforcement activities along the maritime boundaries of the United States, including the maritime boundaries of the northern and southern continental United States and Alaska;

(ii) Federal policies and procedures related to immigration and asylum, and the associated impact of such policies and procedures on the activities described in clause (i), including—

(I) public health exclusion policies, such as expulsion pursuant to sections 362 and 365 of the Public Health Service Act (42 U.S.C. 265 and 268); and

(II) administrative asylum processing policies, such as the remain in Mexico policy and the migrant protection protocols;

(iii) increases or decreases in physical terrestrial infrastructure in and around the international borders of the United States, and the associated impact of such increases or decreases on the activities described in clause (i); and

(iv) increases or decreases in physical Coast Guard assets in the areas described in clause (i), the proximity of such assets to such areas, and the associated impact of such increases or decreases on the activities described in clause (i).

(b) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on the Judiciary of the Senate and the Committee on Transportation and Infrastructure and the Committee on the Judiciary of the House

of Representatives a report on the findings of the study.

(c) BRIEFING.—Not later than 90 days after the date on which the report required by subsection (b) is submitted, the Commandant shall provide a briefing on the report to the Committee on Commerce, Science, and Transportation and the Committee on the Judiciary of the Senate and the Committee on Transportation and Infrastructure and the Committee on the Judiciary of the House of Representatives.

SEC. 5289. FEASIBILITY STUDY ON CONSTRUCTION OF COAST GUARD STATION AT PORT MANSFIELD.

(a) STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall commence a feasibility study on construction of a Coast Guard station at Port Mansfield, Texas.

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

(A) An assessment of the resources and workforce requirements necessary for a new Coast Guard station at Port Mansfield.

(B) An identification of the enhancements to the missions and capabilities of the Coast Guard that a new Coast Guard station at Port Mansfield would provide.

(C) An estimate of the life-cycle costs of such a facility, including the construction, maintenance costs, and staffing costs.

(D) A cost-benefit analysis of the enhancements and capabilities provided, as compared to the costs of construction, maintenance, and staffing.

(b) REPORT.—Not later than 180 days after commencing the study required by subsection (a), the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

SEC. 5290. MODIFICATION OF PROHIBITION ON OPERATION OR PROCUREMENT OF FOREIGN-MADE UNMANNED AIRCRAFT SYSTEMS.

Section 8414 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 14 U.S.C. 1156 note) is amended—

(1) by amending subsection (b) to read as follows:

''(b) EXEMPTION.—The Commandant is exempt from the restriction under subsection (a) if the operation or procurement is for the purposes of—

''(1) counter-UAS system surrogate testing and training; or

''(2) intelligence, electronic warfare, and information warfare operations, testing, analysis, and training.'';

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

''(c) WAIVER.—The Commandant may waive the restriction under subsection (a) on a case-by-case basis by certifying in writing not later than 15 days after exercising such waiver to the Department of Homeland Security, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives that the operation or procurement of a covered unmanned aircraft system is required in the national interest of the United States.'';

(3) in subsection (d)—

(A) by amending paragraph (1) to read as follows:

''(1) COVERED FOREIGN COUNTRY.—The term 'covered foreign country' means any of the following:

''(A) The People's Republic of China.

''(B) The Russian Federation.

''(C) The Islamic Republic of Iran.

''(D) The Democratic People's Republic of Korea.''; and

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(C) by inserting after paragraph (1) the following:

''(2) COVERED UNMANNED AIRCRAFT SYSTEM.—The term 'covered unmanned aircraft system' means—

''(A) an unmanned aircraft system described in paragraph (1) of subsection (a); and

''(B) a system described in paragraph (2) of that subsection.''; and

(D) in paragraph (4), as redesignated, by inserting '', and any related services and equipment'' after ''United States Code''; and

(4) by adding at the end the following:

''(e) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to the Commandant $2,700,000 to replace covered unmanned aircraft systems.

''(2) REPLACEMENT.—Not later than 90 days after the date of the enactment of this Act, the Commandant shall replace covered unmanned aircraft systems of the Coast Guard with unmanned aircraft systems manufactured in the United States or an allied country (as that term is defined in section 2350f(d)(1) of title 10, United States Code).''.

SEC. 5291. OPERATIONAL DATA SHARING CAPABILITY.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating (referred to in this section as the ''Secretary'') shall, consistent with the ongoing Integrated Multi-Domain Enterprise joint effort by the Department of Homeland Security and the Department of Defense, establish a secure, centralized capability to allow real-time, or near real-time, data and information sharing between U.S. Customs and Border Protection and the Coast Guard for purposes of maritime boundary domain awareness and enforcement activities along the maritime boundaries of the United States, including the maritime boundaries in the northern and southern continental United States and Alaska.

(b) PRIORITY.—In establishing the capability under subsection (a), the Secretary shall prioritize enforcement areas experiencing the highest levels of enforcement activity.

(c) REQUIREMENTS.—The capability established under subsection (a) shall be sufficient for the secure sharing of data, information, and surveillance necessary for operational missions, including data from governmental assets, irrespective of whether an asset belongs to the Coast Guard, U.S. Customs and Border Protection, or any other partner agency, located in and around mission operation areas.

(d) ELEMENTS.—The Commissioner of U.S. Customs and Border Protection and the Commandant shall jointly—

(1) assess and delineate the types and quality of data sharing needed to meet the respective operational missions of U.S. Customs and Border Protection and the Coast Guard, including video surveillance, seismic sensors, infrared detection, space-based remote sensing, and any other data or information necessary;

(2) develop appropriate requirements and processes for the credentialing of personnel of U.S. Customs and Border Protection and personnel of the Coast Guard to access and use the capability established under subsection (a); and

(3) establish a cost-sharing agreement for the long-term operation and maintenance of the capability and the assets that provide data to the capability.

(e) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report on the establishment of the capability under this section.

(f) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize the Coast Guard, U.S. Customs and Border Protection, or any other partner agency to acquire, share, or transfer personal information relating to an individual in violation of any Federal or State law or regulation.

SEC. 5292. PROCUREMENT OF TETHERED AEROSTAT RADAR SYSTEM FOR COAST GUARD STATION SOUTH PADRE ISLAND.

Subject to the availability of appropriations, the Secretary of the department in which the Coast Guard is operating shall procure not fewer than 1 tethered aerostat radar system, or similar technology, for use by the Coast Guard and other partner agencies, including U.S. Customs and Border Protection, at and around Coast Guard Station South Padre Island.

SEC. 5293. ASSESSMENT OF IRAN SANCTIONS RELIEF ON COAST GUARD OPERATIONS UNDER THE JOINT COMPREHENSIVE PLAN OF ACTION.

Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Director of the Defense Intelligence Agency and the Commander of United States Central Command, shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, in an unclassified setting with a classified component if necessary, on—

(1) the extent to which the Commandant assesses Iran would use sanctions relief received by Iran under the Joint Comprehensive Plan of Action to bolster Iran's support for Iranian forces or Iranian-linked groups across the Middle East in a manner that may impact Coast Guard personnel and operations in the Middle East; and

(2) the Coast Guard requirements for deterring and countering increased malign behavior from such groups with respect to activities under the jurisdiction of the Coast Guard.

SEC. 5294. REPORT ON SHIPYARDS OF FINLAND AND SWEDEN.

Not later than 2 years after the date of the enactment of this Act, the Commandant, in consultation with the Comptroller General of the United States, shall submit to Congress a report that analyzes the shipyards of Finland and Sweden to assess future opportunities for technical assistance related to engineering to aid the Coast Guard in fulfilling its future mission needs.

SEC. 5295. PROHIBITION ON CONSTRUCTION CONTRACTS WITH ENTITIES ASSOCIATED WITH THE CHINESE COMMUNIST PARTY.

(a) IN GENERAL.—The Commandant may not award any contract for new construction until the date on which the Commandant provides to Congress a certification that the other party has not, during the 10-year period preceding the planned date of award, directly or indirectly held an economic interest in an entity that is—

(1) owned or controlled by the People's Republic of China; and

(2) part of the defense industry of the Chinese Communist Party.

(b) INAPPLICABILITY TO TAIWAN.—Subsection (a) shall not apply with respect to an economic interest in an entity owned or controlled by Taiwan.

SEC. 5296. REVIEW OF DRUG INTERDICTION EQUIPMENT AND STANDARDS; TESTING FOR FENTANYL DURING INTERDICTION OPERATIONS.

(a) REVIEW.—

(1) IN GENERAL.—The Commandant, in consultation with the Administrator of the Drug Enforcement Administration and the Secretary of Health and Human Services, shall—

(A) conduct a review of—

(i) the equipment, testing kits, and rescue medications used to conduct Coast Guard drug interdiction operations; and

(ii) the safety and training standards, policies, and procedures with respect to such operations; and

(B) determine whether the Coast Guard is using the latest equipment and technology and up-to-date training and standards for recognizing, handling, testing, and securing illegal drugs, fentanyl and other synthetic opioids, and precursor chemicals during such operations.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the appropriate committees of Congress a report on the results of the review conducted under paragraph (1).

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

(b) REQUIREMENT.—If, as a result of the review required by subsection (a), the Commandant determines that the Coast Guard is not using the latest equipment and technology and up-to-date training and standards for recognizing, handling, testing, and securing illegal drugs, fentanyl and other synthetic opioids, and precursor chemicals during drug interdiction operations, the Commandant shall ensure that the Coast Guard acquires and uses such equipment and technology, carries out such training, and implements such standards.

(c) TESTING FOR FENTANYL.—The Commandant shall ensure that Coast Guard drug interdiction operations include the testing of substances encountered during such operations for fentanyl, as appropriate.

SEC. 5297. PUBLIC AVAILABILITY OF INFORMATION ON MONTHLY MIGRANT INTERDICTIONS.

Not later than the 15th day of each month, the Commandant shall make available to the public on an internet website of the Coast Guard the number of migrant interdictions carried out by the Coast Guard during the preceding month.

TITLE LIII—ENVIRONMENT

SEC. 5301. DEFINITION OF SECRETARY.

Except as otherwise specifically provided, in this title, the term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

Subtitle A—Marine Mammals

SEC. 5311. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Natural Resources of the House of Representatives.

(2) CORE FORAGING HABITATS.—The term ''core foraging habitats'' means areas—

(A) with biological and physical oceanographic features that aggregate Calanus finmarchicus; and

(B) where North Atlantic right whales foraging aggregations have been well documented.

(3) EXCLUSIVE ECONOMIC ZONE.—The term ''exclusive economic zone'' has the meaning given that term in section 107 of title 46, United States Code.

(4) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given that term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(5) LARGE CETACEAN.—The term ''large cetacean'' means all endangered or threatened species within—

(A) the suborder Mysticeti;

(B) the genera Physeter; or

(C) the genera Orcinus.

(6) NEAR REAL-TIME.—The term ''near real-time'', with respect to monitoring of whales, means that visual, acoustic, or other detections of whales are processed, transmitted, and reported as close to the time of detection as is technically feasible.

(7) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(8) PUGET SOUND REGION.—The term ''Puget Sound region'' means the Vessel Traffic Service Puget Sound area described in section 161.55 of title 33, Code of Federal Regulations (as of the date of the enactment of this Act).

(9) TRIBAL GOVERNMENT.—The term ''Tribal government'' means the recognized governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of the enactment of this Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

(10) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary of Commerce for Oceans and Atmosphere.

SEC. 5312. ASSISTANCE TO PORTS TO REDUCE THE IMPACTS OF VESSEL TRAFFIC AND PORT OPERATIONS ON MARINE MAMMALS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary, in consultation with the Director of the United States Fish and Wildlife Service, the Secretary, the Secretary of Defense, and the Administrator of the Maritime Administration, shall establish a grant program to provide assistance to eligible entities to develop and implement mitigation measures that will lead to a quantifiable reduction in threats to marine mammals from vessel traffic, including shipping activities and port operations.

(b) ELIGIBLE ENTITIES.—An entity is an eligible entity for purposes of assistance awarded under subsection (a) if the entity is—

(1) a port authority for a port;

(2) a State, regional, local, or Tribal government, or an Alaska Native or Native Hawaiian entity that has jurisdiction over a maritime port authority or a port;

(3) an academic institution, research institution, or nonprofit organization working in partnership with a port; or

(4) a consortium of entities described in paragraphs (1), (2), and (3).

(c) ELIGIBLE USES.—Assistance awarded under subsection (a) may be used to develop, assess, and carry out activities that reduce threats to marine mammals by—

(1) reducing underwater stressors related to marine traffic;

(2) reducing mortality and serious injury from vessel strikes and other physical disturbances;

(3) monitoring sound;

(4) reducing vessel interactions with marine mammals;

(5) conducting other types of monitoring that are consistent with reducing the threats to, and enhancing the habitats of, marine mammals; or

(6) supporting State agencies and Tribal governments in developing the capacity to receive assistance under this section through education, training, information sharing, and collaboration to participate in the grant program under this section.

(d) PRIORITY.—The Under Secretary shall prioritize assistance under subsection (a) for projects that—

(1) are based on the best available science with respect to methods to reduce threats to marine mammals;

(2) collect data on the reduction of such threats and the effects of such methods;

(3) assist ports that pose a higher relative threat to marine mammals listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(4) are in close proximity to areas in which threatened or endangered cetaceans are known to experience other stressors; or

(5) allow eligible entities to conduct risk assessments and to track progress toward threat reduction.

(e) OUTREACH.—The Under Secretary, in coordination with the Secretary, the Administrator of the Maritime Administration, and the Director of the United States Fish and Wildlife Service, as appropriate, shall conduct coordinated outreach to ports to provide information with respect to—

(1) how to apply for assistance under subsection (a);

(2) the benefits of such assistance; and

(3) facilitation of best practices and lessons, including the best practices and lessons learned from activities carried out using such assistance.

(f) REPORT REQUIRED.—Not less frequently than annually, the Under Secretary shall make available to the public on a publicly accessible internet website of the National Oceanic and Atmospheric Administration a report that includes the following information:

(1) The name and location of each entity to which assistance was awarded under subsection (a) during the year preceding submission of the report.

(2) The amount of each such award.

(3) A description of the activities carried out with each such award.

(4) An estimate of the likely impact of such activities on the reduction of threats to marine mammals.

(5) An estimate of the likely impact of such activities, including the cost of such activities, on port operations.

(g) FUNDING.—From funds otherwise appropriated to the Under Secretary, $10,000,000 is authorized to carry out this section for each of fiscal years 2023 through 2028.

(h) SAVINGS CLAUSE.—An activity may not be carried out under this section if the Secretary of Defense, in consultation with the Under Secretary, determines that the activity would negatively impact the defense readiness or the national security of the United States.

SEC. 5313. NEAR REAL-TIME MONITORING AND MITIGATION PROGRAM FOR LARGE CETACEANS.

(a) ESTABLISHMENT.—The Under Secretary, in coordination with the heads of other relevant Federal agencies, shall design and deploy a cost-effective, efficient, and results-oriented near real-time monitoring and mitigation program for endangered or threatened cetaceans (referred to in this section as the ''Program'').

(b) PURPOSE.—The purpose of the Program shall be to reduce the risk to large cetaceans

posed by vessel collisions, and to minimize other impacts on large cetaceans, through the use of near real-time location monitoring and location information.

(c) REQUIREMENTS.—The Program shall—

(1) prioritize species of large cetaceans for which impacts from vessel collisions are of particular concern;

(2) prioritize areas where such impacts are of particular concern;

(3) be capable of detecting and alerting ocean users and enforcement agencies of the probable location of large cetaceans on an actionable real-time basis, including through real-time data whenever possible;

(4) inform sector-specific mitigation protocols to effectively reduce takes (as defined in section 216.3 of title 50, Code of Federal Regulations, or successor regulations) of large cetaceans;

(5) integrate technology improvements; and

(6) be informed by technologies, monitoring methods, and mitigation protocols developed under the pilot project required by subsection (d).

(d) PILOT PROJECT.—

(1) ESTABLISHMENT.—In carrying out the Program, the Under Secretary shall first establish a pilot monitoring and mitigation project for North Atlantic right whales (referred to in this section as the ''pilot project'') for the purposes of informing the Program.

(2) REQUIREMENTS.—In designing and deploying the pilot project, the Under Secretary, in coordination with the heads of other relevant Federal agencies, shall, using the best available scientific information, identify and ensure coverage of—

(A) core foraging habitats; and

(B) important feeding, breeding, calving, rearing, or migratory habitats of North Atlantic right whales that co-occur with areas of high risk of mortality or serious injury of such whales from vessels, vessel strikes, or disturbance.

(3) COMPONENTS.—Not later than 3 years after the date of the enactment of this Act, the Under Secretary, in consultation with relevant Federal agencies and Tribal governments, and with input from affected stakeholders, shall design and deploy a near real-time monitoring system for North Atlantic right whales that—

(A) comprises the best available detection power, spatial coverage, and survey effort to detect and localize North Atlantic right whales within habitats described in paragraph (2);

(B) is capable of detecting North Atlantic right whales, including visually and acoustically;

(C) uses dynamic habitat suitability models to inform the likelihood of North Atlantic right whale occurrence in habitats described in paragraph (2) at any given time;

(D) coordinates with the Integrated Ocean Observing System of the National Oceanic and Atmospheric Administration and Regional Ocean Partnerships to leverage monitoring assets;

(E) integrates historical data;

(F) integrates new near real-time monitoring methods and technologies as such methods and technologies become available;

(G) accurately verifies and rapidly communicates detection data to appropriate ocean users;

(H) creates standards for contributing, and allows ocean users to contribute, data to the monitoring system using comparable near real-time monitoring methods and technologies;

(I) communicates the risks of injury to large cetaceans to ocean users in a manner that is most likely to result in informed decision making regarding the mitigation of those risks; and

(J) minimizes additional stressors to large cetaceans as a result of the information available to ocean users.

(4) REPORTS.—

(A) PRELIMINARY REPORT.—

(i) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives, and make available to the public, a preliminary report on the pilot project.

(ii) ELEMENTS.—The report required by clause (i) shall include the following:

(I) A description of the monitoring methods and technology in use or planned for deployment under the pilot project.

(II) An analysis of the efficacy of the methods and technology in use or planned for deployment for detecting North Atlantic right whales.

(III) An assessment of the manner in which the monitoring system designed and deployed under paragraph (3) is directly informing and improving the management, health, and survival of North Atlantic right whales.

(IV) A prioritized identification of technology or research gaps.

(V) A plan to communicate the risks of injury to large cetaceans to ocean users in a manner that is most likely to result in informed decision making regarding the mitigation of such risks.

(VI) Any other information on the potential benefits and efficacy of the pilot project the Under Secretary considers appropriate.

(B) FINAL REPORT.—

(i) IN GENERAL.—Not later than 6 years after the date of the enactment of this Act, the Under Secretary, in coordination with the heads of other relevant Federal agencies, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives, and make available to the public, a final report on the pilot project.

(ii) ELEMENTS.—The report required by clause (i) shall—

(I) address the elements under subparagraph (A)(ii); and

(II) include—

(aa) an assessment of the benefits and efficacy of the pilot project;

(bb) a strategic plan to expand the pilot project to provide near real-time monitoring and mitigation measures—

(AA) to additional large cetaceans of concern for which such measures would reduce risk of serious injury or death; and

(BB) in important feeding, breeding, calving, rearing, or migratory habitats of large cetaceans that co-occur with areas of high risk of mortality or serious injury from vessel strikes or disturbance;

(cc) a budget and description of funds necessary to carry out such strategic plan;

(dd) a prioritized plan for acquisition, deployment, and maintenance of monitoring technologies; and

(ee) the locations or species to which such plan would apply.

(e) MITIGATION PROTOCOLS.—The Under Secretary, in consultation with the Secretary, the Secretary of Defense, the Secretary of Transportation, and the Secretary of the Interior, and with input from affected stakeholders, shall develop and deploy mitigation protocols that make use of the monitoring system designed and deployed under subsection (d)(3) to direct sector-specific mitigation measures that avoid and significantly reduce risk of serious injury and mortality to North Atlantic right whales.

(f) ACCESS TO DATA.—The Under Secretary shall provide access to data generated by the monitoring system designed and deployed under subsection (d)(3) for purposes of scientific research and evaluation and public awareness and education, including through the Right Whale Sighting Advisory System of the National Oceanic and Atmospheric Administration and WhaleMap or other successor public internet website portals, subject to review for national security considerations.

(g) ADDITIONAL AUTHORITY.—The Under Secretary may enter into and perform such contracts, leases, grants, or cooperative agreements as may be necessary to carry out the purposes of this section on such terms as the Under Secretary considers appropriate, consistent with the Federal Acquisition Regulation.

(h) SAVINGS CLAUSE.—An activity may not be carried out under this section if the Secretary of Defense, in consultation with the Under Secretary, determines that the activity would negatively impact the defense readiness or the national security of the United States.

(i) FUNDING.—From funds otherwise appropriated to the Under Secretary, $5,000,000 for each of fiscal years 2023 through 2027 is authorized to support the development, deployment, application, and ongoing maintenance of the Program.

SEC. 5314. PILOT PROGRAM TO ESTABLISH A CETACEAN DESK FOR PUGET SOUND REGION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary, with the concurrence of the Under Secretary, shall establish a pilot program to establish a Cetacean Desk, which shall be—

(A) located and manned within the Puget Sound Vessel Traffic Service; and

(B) designed—

(i) to improve coordination with the maritime industry to reduce the risk of vessel impacts to large cetaceans, including impacts from vessel strikes, disturbances, and other sources; and

(ii) to monitor the presence and location of large cetaceans during the months during which such large cetaceans are present in Puget Sound, the Strait of Juan de Fuca, and the United States portion of the Salish Sea.

(2) DURATION AND STAFFING.—The pilot program required by paragraph (1)—

(A) shall—

(i) be for a duration of 4 years; and

(ii) require not more than 1 full-time equivalent position, who shall also contribute to other necessary Puget Sound Vessel Traffic Service duties and responsibilities as needed; and

(B) may be supported by other existing Federal employees, as appropriate.

(b) ENGAGEMENT WITH VESSEL OPERATORS.—

(1) IN GENERAL.—Under the pilot program required by subsection (a), the Secretary shall require personnel of the Cetacean Desk to engage with vessel operators in areas where large cetaceans have been seen or could reasonably be present to ensure compliance with applicable laws, regulations, and voluntary guidance, to reduce the impact of vessel traffic on large cetaceans.

(2) CONTENTS.—In engaging with vessel operators as required by paragraph (1), personnel of the Cetacean Desk shall communicate where and when sightings of large cetaceans have occurred.

(c) MEMORANDUM OF UNDERSTANDING.—The Secretary and the Under Secretary may enter into a memorandum of understanding to facilitate real-time sharing of data relating to large cetaceans between the Quiet

Sound program of the State of Washington, the National Oceanic and Atmospheric Administration, and the Puget Sound Vessel Traffic Service, and other relevant entities, as appropriate.

(d) DATA.—The Under Secretary shall leverage existing data collection methods, the Program required by section 313, and public data to ensure accurate and timely information on the sighting of large cetaceans.

(e) CONSULTATIONS.—

(1) IN GENERAL.—In carrying out the pilot program required by subsection (a), the Secretary shall consult with Tribal governments, the State of Washington, institutions of higher education, the maritime industry, ports in the Puget Sound region, and nongovernmental organizations.

(2) COORDINATION WITH CANADA.—When appropriate, the Secretary shall coordinate with the Government of Canada, consistent with policies and agreements relating to management of vessel traffic in Puget Sound.

(f) PUGET SOUND VESSEL TRAFFIC SERVICE LOCAL VARIANCE AND POLICY.—The Secretary, with the concurrence of the Under Secretary and in consultation with the Captain of the Port for the Puget Sound region—

(1) shall implement local variances, as authorized by subsection (c) of section 70001 of title 46, United States Code, to reduce the impact of vessel traffic on large cetaceans; and

(2) may enter into cooperative agreements, in accordance with subsection (d) of that section, with Federal, State, and local officials to reduce the likelihood of vessel interactions with protected large cetaceans, which may include—

(A) communicating marine mammal protection guidance to vessels;

(B) training on requirements imposed by local, State, Tribal, and Federal laws and regulations and guidelines concerning—

(i) vessel buffer zones;

(ii) vessel speed;

(iii) seasonal no-go zones for vessels;

(iv) protected areas, including areas designated as critical habitat, as applicable to marine operations; and

(v) any other activities to reduce the direct and indirect impact of vessel traffic on large cetaceans;

(C) training to understand, utilize, and communicate large cetacean location data; and

(D) training to understand and communicate basic large cetacean detection, identification, and behavior, including—

(i) cues of the presence of large cetaceans such as spouts, water disturbances, breaches, or presence of prey;

(ii) important feeding, breeding, calving, and rearing habitats that co-occur with areas of high risk of vessel strikes;

(iii) seasonal large cetacean migration routes that co-occur with areas of high risk of vessel strikes; and

(iv) areas designated as critical habitat for large cetaceans.

(g) REPORT REQUIRED.—Not later than 1 year after the date of the enactment of this Act, and every 2 years thereafter for the duration of the pilot program under this section, the Commandant, in coordination with the Under Secretary and the Administrator of the Maritime Administration, shall submit to the appropriate congressional committees a report that—

(1) evaluates the functionality, utility, reliability, responsiveness, and operational status of the Cetacean Desk established under the pilot program required by subsection (a), including a quantification of reductions in vessel strikes to large cetaceans as a result of the pilot program;

(2) assesses the efficacy of communication between the Cetacean Desk and the maritime industry and provides recommendations for improvements;

(3) evaluates the integration and interoperability of existing data collection methods, as well as public data, into the Cetacean Desk operations;

(4) assesses the efficacy of collaboration and stakeholder engagement with Tribal governments, the State of Washington, institutions of higher education, the maritime industry, ports in the Puget Sound region, and nongovernmental organizations; and

(5) evaluates the progress, performance, and implementation of guidance and training procedures for Puget Sound Vessel Traffic Service personnel.

SEC. 5315. MONITORING OCEAN SOUNDSCAPES.

(a) IN GENERAL.—The Under Secretary shall maintain and expand an ocean soundscape development program—

(1) to award grants to expand the deployment of Federal and non-Federal observing and data management systems capable of collecting measurements of underwater sound for purposes of monitoring and analyzing baselines and trends in the underwater soundscape to protect and manage marine life;

(2) to continue to develop and apply standardized forms of measurements to assess sounds produced by marine animals, physical processes, and anthropogenic activities; and

(3) after coordinating with the Secretary of Defense, to coordinate and make accessible to the public the datasets, modeling and analysis, and user-driven products and tools resulting from observations of underwater sound funded through grants awarded under paragraph (1).

(b) COORDINATION.—The program described in subsection (a) shall—

(1) include the Ocean Noise Reference Station Network of the National Oceanic and Atmospheric Administration and the National Park Service;

(2) use and coordinate with the Integrated Ocean Observing System; and

(3) coordinate with the Regional Ocean Partnerships and the Director of the United States Fish and Wildlife Service, as appropriate.

(c) PRIORITY.—In awarding grants under subsection (a), the Under Secretary shall consider the geographic diversity of the recipients of such grants.

(d) SAVINGS CLAUSE.—An activity may not be carried out under this section if the Secretary of Defense, in consultation with the Under Secretary, determines that the activity would negatively impact the defense readiness or the national security of the United States.

(e) FUNDING.—From funds otherwise appropriated to the Under Secretary, $1,500,000 is authorized for each of fiscal years 2023 through 2028 to carry out this section.

Subtitle B—Oil Spills

SEC. 5321. IMPROVING OIL SPILL PREPAREDNESS.

The Under Secretary of Commerce for Oceans and Atmosphere shall include in the Automated Data Inquiry for Oil Spills database (or a successor database) used by National Oceanic and Atmospheric Administration oil weathering models new data, including peer-reviewed data, on properties of crude and refined oils, including data on diluted bitumen, as such data becomes publicly available.

SEC. 5322. WESTERN ALASKA OIL SPILL PLANNING CRITERIA.

(a) ALASKA OIL SPILL PLANNING CRITERIA PROGRAM.—

(1) IN GENERAL.—Chapter 3 of title 14, United States Code, is amended by adding at the end the following:

"§ 323. Western Alaska Oil Spill Planning Criteria Program

''(a) ESTABLISHMENT.—There is established within the Coast Guard a Western Alaska Oil Spill Planning Criteria Program (referred to in this section as the 'Program') to develop and administer the Western Alaska oil spill planning criteria.

''(b) PROGRAM MANAGER.—

''(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this section, the Commandant shall select a permanent civilian career employee through a competitive search process for a term of not less than 5 years to serve as the Western Alaska Oil Spill Criteria Program Manager (referred to in this section as the 'Program Manager')—

''(A) the primary duty of whom shall be to administer the Program; and

''(B) who shall not be subject to frequent or routine reassignment.

''(2) CONFLICTS OF INTEREST.—The individual selected to serve as the Program Manager shall not have conflicts of interest relating to entities regulated by the Coast Guard.

''(3) DUTIES.—

''(A) DEVELOPMENT OF GUIDANCE.—The Program Manager shall develop guidance for—

''(i) approval, drills, and testing relating to the Western Alaska oil spill planning criteria; and

''(ii) gathering input concerning such planning criteria from Federal agencies, State, local, and Tribal governments, and relevant industry and nongovernmental entities.

''(B) ASSESSMENTS.—Not less frequently than once every 5 years, the Program Manager shall—

''(i) assess whether such existing planning criteria adequately meet the needs of vessels operating in the geographic area; and

''(ii) identify methods for advancing response capability so as to achieve, with respect to a vessel, compliance with national planning criteria.

''(C) ONSITE VERIFICATIONS.—The Program Manager shall address the relatively small number and limited nature of verifications of response capabilities for vessel response plans by increasing, within the Seventeenth Coast Guard District, the quantity and frequency of onsite verifications of the providers identified in vessel response plans.

''(c) TRAINING.—The Commandant shall enhance the knowledge and proficiency of Coast Guard personnel with respect to the Program by—

''(1) developing formalized training on the Program that, at a minimum—

''(A) provides in-depth analysis of—

''(i) the national planning criteria described in part 155 of title 33, Code of Federal Regulations (or successor regulations);

''(ii) alternative planning criteria;

''(iii) Western Alaska oil spill planning criteria;

''(iv) Captain of the Port and Federal On-Scene Coordinator authorities related to activation of a vessel response plan;

''(v) the responsibilities of vessel owners and operators in preparing a vessel response plan for submission; and

''(vi) responsibilities of the Area Committee, including risk analysis, response capability, and development of alternative planning criteria;

''(B) explains the approval processes of vessel response plans that involve alternative planning criteria or Western Alaska oil spill planning criteria; and

''(C) provides instruction on the processes involved in carrying out the actions described in paragraphs (9)(D) and (9)(F) of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)), including instruction on carrying out such actions—

''(i) in any geographic area in the United States; and

''(ii) specifically in the Seventeenth Coast Guard District; and

''(2) providing such training to all Coast Guard personnel involved in the Program.

''(d) DEFINITIONS.—In this section:

''(1) ALTERNATIVE PLANNING CRITERIA.—The term 'alternative planning criteria' means criteria submitted under section 155.1065 or 155.5067 of title 33, Code of Federal Regulations (or successor regulations), for vessel response plans.

''(2) TRIBAL.—The term 'Tribal' means of or pertaining to an Indian Tribe or a Tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

''(3) VESSEL RESPONSE PLAN.—The term 'vessel response plan' means a plan required to be submitted by the owner or operator of a tank vessel or a nontank vessel under regulations issued by the President under section 311(j)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(5)).

''(4) WESTERN ALASKA OIL SPILL PLANNING CRITERIA.—The term 'Western Alaska oil spill planning criteria' means the criteria required under paragraph (9) of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).''.

(2) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 14, United States Code, is amended by adding at the end the following:

''323. Western Alaska Oil Spill Planning Criteria Program.

(b) WESTERN ALASKA OIL SPILL PLANNING CRITERIA.—

(1) AMENDMENT.—Section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)) is amended by adding at the end the following:

''(9) ALTERNATIVE PLANNING CRITERIA PROGRAM.—

''(A) DEFINITIONS.—In this paragraph:

''(i) ALTERNATIVE PLANNING CRITERIA.—The term 'alternative planning criteria' means criteria submitted under section 155.1065 or 155.5067 of title 33, Code of Federal Regulations (or successor regulations), for vessel response plans.

''(ii) PRINCE WILLIAM SOUND CAPTAIN OF THE PORT ZONE.—The term 'Prince William Sound Captain of the Port Zone' means the area described in section 3.85–15(b) of title 33, Code of Federal Regulations (or successor regulations).

''(iii) SECRETARY.—The term 'Secretary' means the Secretary of the department in which the Coast Guard is operating.

''(iv) TRIBAL.—The term 'Tribal' means of or pertaining to an Indian Tribe or a Tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

''(v) VESSEL RESPONSE PLAN.—The term 'vessel response plan' means a plan required to be submitted by the owner or operator of a tank vessel or a nontank vessel under regulations issued by the President under paragraph (5).

''(vi) WESTERN ALASKA CAPTAIN OF THE PORT ZONE.—The term 'Western Alaska Captain of the Port Zone' means the area described in section 3.85–15(a) of title 33, Code of Federal Regulations (as in effect on the date of enactment of this paragraph).

''(B) REQUIREMENT.—Except as provided in subparagraph (I), for any part of the area of responsibility of the Western Alaska Captain of the Port Zone or the Prince William Sound Captain of the Port Zone in which the Secretary has determined that the national planning criteria established pursuant to this subsection are inappropriate for a vessel operating in that area, a response plan required under paragraph (5) with respect to a discharge of oil for such a vessel shall comply with the planning criteria established under subparagraph (D)(i).

''(C) RELATION TO NATIONAL PLANNING CRITERIA.—The planning criteria established under subparagraph (D)(i) shall, with respect to a discharge of oil from a vessel described in subparagraph (B), apply in lieu of any alternative planning criteria accepted for vessels operating in that area prior to the date on which the planning criteria under subparagraph (D)(i) are established.

''(D) ESTABLISHMENT OF PLANNING CRITERIA.—The President, acting through the Commandant in consultation with the Western Alaska Oil Spill Criteria Program Manager established under section 323 of title 14, United States Code—

''(i) shall establish—

''(I) Alaska oil spill planning criteria for a worst case discharge of oil, and a substantial threat of such a discharge, within any part of the area of responsibility of the Western Alaska Captain of the Port Zone or Prince William Sound Captain of the Port Zone in which the Secretary has determined that the national planning criteria established pursuant to this subsection are inappropriate for a vessel operating in that area; and

''(II) standardized submission, review, approval, and compliance verification processes for the planning criteria established under clause (i), including the quantity and frequency of drills and on-site verifications of vessel response plans accepted pursuant to those planning criteria; and

''(ii) may, as required to develop standards that adequately reflect the needs and capabilities of various locations within the Western Alaska Captain of the Port Zone, develop subregions in which the Alaska oil spill planning criteria referred to in clause (i)(I) may differ from such criteria for other subregions in the Western Alaska Captain of the Port Zone, provided that any such criteria for a subregion is not less stringent than the criteria required for a worst case discharge of oil, and a substantial threat of such a discharge, within any part of the applicable subregion.

''(E) INCLUSIONS.—

''(i) IN GENERAL.—The Western Alaska oil spill planning criteria established under subparagraph (D)(i) shall include planning criteria for the following:

''(I) Mechanical oil spill response resources that are required to be located within that area.

''(II) Response times for mobilization of oil spill response resources and arrival on the scene of a worst case discharge of oil, or substantial threat of such a discharge, occurring within that area.

''(III) Pre-identified vessels for oil spill response that are capable of operating in the ocean environment.

''(IV) Ensuring the availability of at least 1 oil spill removal organization that is classified by the Coast Guard and that—

''(aa) is capable of responding in all operating environments in that area;

''(bb) controls oil spill response resources of dedicated and nondedicated resources within that area, through ownership, contracts, agreements, or other means approved by the President, sufficient—

''(AA) to mobilize and sustain a response to a worst case discharge of oil; and

''(BB) to contain, recover, and temporarily store discharged oil;

''(cc) has pre-positioned oil spill response resources in strategic locations throughout that area in a manner that ensures the ability to support response personnel, marine operations, air cargo, or other related logistics infrastructure;

''(dd) has temporary storage capability using both dedicated and non-dedicated assets located within that area;

''(ee) has non-mechanical oil spill response resources, to be available under contracts, agreements, or other means approved by the President, capable of responding to a discharge of persistent oil and a discharge of nonpersistent oil, whether the discharged oil was carried by a vessel as fuel or cargo; and

''(ff) considers availability of wildlife response resources for primary, secondary, and tertiary responses to support carcass collection, sampling, deterrence, rescue, and rehabilitation of birds, sea turtles, marine mammals, fishery resources, and other wildlife.

''(V) With respect to tank barges carrying nonpersistent oil in bulk as cargo, oil spill response resources that are required to be carried on board.

''(VI) Specifying a minimum length of time that approval of a response plan under this paragraph is valid.

''(VII) Managing wildlife protection and rehabilitation, including identified wildlife protection and rehabilitation resources in that area.

''(ii) ADDITIONAL CONSIDERATIONS.—The Commandant may consider criteria regarding—

''(I) vessel routing measures consistent with international routing measure deviation protocols; and

''(II) maintenance of real-time continuous vessel tracking, monitoring, and engagement protocols with the ability to detect and address vessel operation anomalies.

''(F) REQUIREMENT FOR APPROVAL.—The President may approve a response plan for a vessel under this paragraph only if the owner or operator of the vessel demonstrates the availability of the oil spill response resources required to be included in the response plan under the planning criteria established under subparagraph (D)(i).

''(G) PERIODIC AUDITS.—The Secretary shall conduct periodic audits to ensure compliance of vessel response plans and oil spill removal organizations within the Western Alaska Captain of the Port Zone and the Prince William Sound Captain of the Port Zone with the planning criteria under subparagraph (D)(i).

''(H) REVIEW OF DETERMINATION.—Not less frequently than once every 5 years, the Secretary shall review each determination of the Secretary under subparagraph (B) that the national planning criteria are inappropriate for a vessel operating in the area of responsibility of the Western Alaska Captain of the Port Zone and the Prince William Sound Captain of the Port Zone.

''(I) VESSELS IN COOK INLET.—Unless otherwise authorized by the Secretary, a vessel may only operate in Cook Inlet, Alaska, under a vessel response plan that meets the requirements of the national planning criteria established pursuant to paragraph (5).

''(J) SAVINGS PROVISIONS.—Nothing in this paragraph affects—

''(i) the requirements under this subsection applicable to vessel response plans for vessels operating within the area of responsibility of the Western Alaska Captain of the Port Zone, within Cook Inlet, Alaska;

''(ii) the requirements under this subsection applicable to vessel response plans for vessels operating within the area of responsibility of the Prince William Sound Captain of the Port Zone under section 5005 of the Oil Pollution Act of 1990 (33 U.S.C. 2735); or

''(iii) the authority of a Federal On-Scene Coordinator to use any available resources when responding to an oil spill.''.

(2) ESTABLISHMENT OF ALASKA OIL SPILL PLANNING CRITERIA.—

(A) DEADLINE.—Not later than 2 years after the date of the enactment of this Act, the President shall establish the planning criteria required to be established under paragraph (9)(D)(i) of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

(B) CONSULTATION.—In establishing the planning criteria described in subparagraph (B), the President shall consult with the Federal, State, local, and Tribal agencies and the owners and operators that would be subject to those planning criteria, and with oil spill removal organizations, Alaska Native organizations, and environmental nongovernmental organizations located within the State of Alaska.

(C) CONGRESSIONAL REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit to Congress a report describing the status of implementation of paragraph (9) of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

SEC. 5323. ACCIDENT AND INCIDENT NOTIFICATION RELATING TO PIPELINES.

(a) REPEAL.—Subsection (c) of section 9 of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (49 U.S.C. 60117 note; Public Law 112–90) is repealed.

(b) APPLICATION.—Section 9 of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (49 U.S.C. 60117 note; Public Law 112–90) shall be applied and administered as if the subsection repealed by subsection (a) had never been enacted.

SEC. 5324. COAST GUARD CLAIMS PROCESSING COSTS.

Section 1012(a)(4) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(4)) is amended by striking ''damages;'' and inserting ''damages, including, in the case of a spill of national significance that results in extraordinary Coast Guard claims processing activities, the administrative and personnel costs of the Coast Guard to process those claims (including the costs of commercial claims processing, expert services, training, and technical services), subject to the condition that the Coast Guard shall submit to Congress a report describing the spill of national significance not later than 30 days after the date on which the Coast Guard determines it necessary to process those claims;''.

SEC. 5325. CALCULATION OF INTEREST ON DEBT OWED TO THE NATIONAL POLLUTION FUND.

Section 1005(b)(4) of the Oil Pollution Act of 1990 (33 U.S.C. 2705(b)(4)) is amended—

(1) by striking ''The interest paid'' and inserting the following:

''(A) IN GENERAL.—The interest paid for claims, other than Federal Government cost recovery claims,''; and

(2) by adding at the end the following:

''(B) FEDERAL COST RECOVERY CLAIMS.—The interest paid for Federal Government cost recovery claims under this section shall be calculated in accordance with section 3717 of title 31, United States Code.''.

SEC. 5326. PER-INCIDENT LIMITATION.

Subparagraph (A) of section 9509(c)(2) of the Internal Revenue Code of 1986 is amended—

(1) in clause (i), by striking ''$1,000,000,000'' and inserting ''$1,500,000,000'';

(2) in clause (ii), by striking ''$500,000,000'' and inserting ''$750,000,000''; and

(3) in the heading, by striking ''$1,000,000,000'' and inserting ''$1,500,000,000''.

SEC. 5327. ACCESS TO THE OIL SPILL LIABILITY TRUST FUND.

Section 6002 of the Oil Pollution Act of 1990 (33 U.S.C. 2752) is amended by striking subsection (b) and inserting the following:

''(b) EXCEPTIONS.—

''(1) IN GENERAL.—Subsection (a) shall not apply to—

''(A) section 1006(f), 1012(a)(4), or 5006; or

''(B) an amount, which may not exceed $50,000,000 in any fiscal year, made available by the President from the Fund—

''(i) to carry out section 311(c) of the Federal Water Pollution Control Act (33 U.S.C. 1321(c)); and

''(ii) to initiate the assessment of natural resources damages required under section 1006.

''(2) FUND ADVANCES.—

''(A) IN GENERAL.—To the extent that the amount described in subparagraph (B) of paragraph (1) is not adequate to carry out the activities described in that subparagraph, the Coast Guard may obtain 1 or more advances from the Fund as may be necessary, up to a maximum of $100,000,000 for each advance, with the total amount of advances not to exceed the amounts available under section 9509(c)(2) of the Internal Revenue Code of 1986.

''(B) NOTIFICATION TO CONGRESS.—Not later than 30 days after the date on which the Coast Guard obtains an advance under subparagraph (A), the Coast Guard shall notify Congress of—

''(i) the amount advanced; and

''(ii) the facts and circumstances that necessitated the advance.

''(C) REPAYMENT.—Amounts advanced under this paragraph shall be repaid to the Fund when, and to the extent that, removal costs are recovered by the Coast Guard from responsible parties for the discharge or substantial threat of discharge.

''(3) AVAILABILITY.—Amounts to which this subsection applies shall remain available until expended.''.

SEC. 5328. COST-REIMBURSABLE AGREEMENTS.

Section 1012 of the Oil Pollution Act of 1990 (33 U.S.C. 2712) is amended—

(1) in subsection (a)(1)(B), by striking ''by a Governor or designated State official'' and inserting ''by a State, a political subdivision of a State, or an Indian tribe, pursuant to a cost-reimbursable agreement'';

(2) by striking subsections (d) and (e) and inserting the following:

''(d) COST-REIMBURSABLE AGREEMENT.—

''(1) IN GENERAL.—In carrying out section 311(c) of the Federal Water Pollution Control Act (33 U.S.C. 1321(c)), the President may enter into cost-reimbursable agreements with a State, a political subdivision of a State, or an Indian tribe to obligate the Fund for the payment of removal costs consistent with the National Contingency Plan.

''(2) INAPPLICABILITY.—Neither section 1535 of title 31, United States Code, nor chapter 63 of that title shall apply to a cost-reimbursable agreement entered into under this subsection.''; and

(3) by redesignating subsections (f), (h), (i), (j), (k), and (l) as subsections (e), (f), (g), (h), (i), and (j), respectively.

SEC. 5329. OIL SPILL RESPONSE REVIEW.

(a) IN GENERAL.—Subject to the availability of appropriations, the Commandant shall develop and carry out a program—

(1) to increase collection and improve the quality of incident data on oil spill location and response capability by periodically evaluating the data, documentation, and analysis of—

(A) Coast Guard-approved vessel response plans, including vessel response plan audits and assessments;

(B) oil spill response drills conducted under section 311(j)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(7)) that occur within the Marine Transportation System; and

(C) responses to oil spill incidents that require mobilization of contracted response resources;

(2) to update, not less frequently than annually, information contained in the Coast Guard Response Resource Inventory and other Coast Guard tools used to document the availability and status of oil spill response equipment, so as to ensure that such information remains current; and

(3) subject to section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act''), to make data collected under paragraph (1) available to the public.

(b) POLICY.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall issue a policy—

(1) to establish processes to maintain the program under subsection (a) and support Coast Guard oil spill prevention and response activities, including by incorporating oil spill incident data from after-action oil spill reports and data ascertained from vessel response plan exercises and audits into—

(A) review and approval process standards and metrics;

(B) Alternative Planning Criteria (APC) review processes;

(C) Area Contingency Plan (ACP) development;

(D) risk assessments developed under section 70001 of title 46, United States Code, including lessons learned from reportable marine casualties;

(E) mitigating the impact of military personnel rotations in Coast Guard field units on knowledge and awareness of vessel response plan requirements, including knowledge relating to the evaluation of proposed alternatives to national planning requirements; and

(F) evaluating the consequences of reporting inaccurate data in vessel response plans submitted to the Commandant pursuant to part 300 of title 40, Code of Federal Regulations, and submitted for storage in the Marine Information for Safety and Law Enforcement database pursuant to section 300.300 of that title (or any successor regulation);

(2) to standardize and develop tools, training, and other relevant guidance that may be shared with vessel owners and operators to assist with accurately calculating and measuring the performance and viability of proposed alternatives to national planning criteria requirements and Area Contingency Plans under the jurisdiction of the Coast Guard;

(3) to improve training of Coast Guard personnel to ensure continuity of planning activities under this section, including by identifying ways in which civilian staffing may improve the continuity of operations; and

(4) to increase Federal Government engagement with State, local, and Tribal governments and stakeholders so as to strengthen coordination and efficiency of oil spill responses.

(c) PERIODIC UPDATES.—Not less frequently than every 5 years, the Commandant shall update the processes established under subsection (b)(1) to incorporate relevant analyses of—

(1) incident data on oil spill location and response quality;

(2) oil spill risk assessments;

(3) oil spill response effectiveness and the effects of such response on the environment;

(4) oil spill response drills conducted under section 311(j)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(7));

(5) marine casualties reported to the Coast Guard; and

(6) near miss incidents documented by a Vessel Traffic Service Center (as such terms are defined in section 70001(m) of title 46, United States Code).

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and

annually thereafter for 5 years, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the status of ongoing and planned efforts to improve the effectiveness and oversight of the vessel response program.

(2) PUBLIC AVAILABILITY.—The Commandant shall publish the report required by subparagraph (A) on a publicly accessible internet website of the Coast Guard.

SEC. 5330. REVIEW AND REPORT ON LIMITED INDEMNITY PROVISIONS IN STANDBY OIL SPILL RESPONSE CONTRACTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the effects of removing limited indemnity provisions from Coast Guard oil spill response contracts entered into by the President (or a delegate) under section 311(c) of the Federal Water Pollution Control Act (33 U.S.C. 1321(c)).

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

(1) An assessment of the adequacy of contracts described in that subsection in meeting the needs of the United States to carry out oil spill cleanups under the National Contingency Plan (as defined in section 311(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)) during the period beginning in 2009 and ending in 2014 with respect to those contracts that included limited indemnity provisions for oil spill response organizations.

(2) A review of the costs incurred by the Coast Guard, the Oil Spill Liability Trust Fund established by section 9509(a) of the Internal Revenue Code of 1986, and the Federal Government to cover the indemnity provisions provided to oil spill response organizations during the period described in paragraph (1).

(3) An assessment of the adequacy of contracts described in that subsection in meeting the needs of the United States to carry out oil spill cleanups under the National Contingency Plan (as so defined) after limited indemnity provisions for oil spill response organizations were removed from those contracts in 2014.

(4) An assessment of the impact that the removal of limited indemnity provisions described in paragraph (3) has had on the ability of oil spill response organizations to enter into contracts described in that subsection.

(5) An assessment of the ability of the Oil Spill Liability Trust Fund established by section 9509(a) of the Internal Revenue Code of 1986, to cover limited indemnity provided to a contractor for liabilities and expenses incidental to the containment or removal of oil arising out of the performance of a contract that is substantially identical to the terms contained in subsections (d)(2) through (h) of section H.4 of the contract offered by the Coast Guard in the solicitation numbered DTCG89–98–A–68F953 and dated November 17, 1998.

SEC. 5331. ADDITIONAL EXCEPTIONS TO REGULATIONS FOR TOWING VESSELS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall review existing Coast Guard policies with respect to exceptions to the applicability of subchapter M of chapter I of title 46, Code of Federal Regulations (or successor regulations), for—

(1) an oil spill response vessel, or a vessel of opportunity, while such vessel is—

(A) towing boom for oil spill response; or

(B) participating in an oil response exercise; and

(2) a fishing vessel while that vessel is operating as a vessel of opportunity.

(b) POLICY.—Not later than 180 days after the conclusion of the review required by subsection (a), the Secretary shall revise or issue any necessary policy to clarify the applicability of subchapter M of chapter I of title 46, Code of Federal Regulations (or successor regulations) to the vessels described in subsection (a). Such a policy shall ensure safe and effective operation of such vessels.

(c) DEFINITIONS.—In this section:

(1) FISHING VESSEL; OIL SPILL RESPONSE VESSEL.—The terms ''fishing vessel'' and ''oil spill response vessel'' have the meanings given such terms in section 2101 of title 46, United States Code.

(2) VESSEL OF OPPORTUNITY.—The term ''vessel of opportunity'' means a vessel engaged in spill response activities that is normally and substantially involved in activities other than spill response and not a vessel carrying oil as a primary cargo.

Subtitle C—Environmental Compliance

SEC. 5341. REVIEW OF ANCHORAGE REGULATIONS.

(a) REGULATORY REVIEW.—Not later than 1 year after the date of enactment of this Act, the Secretary shall complete a review of existing anchorage regulations or other rules, which review shall include—

(1) identifying any such regulations or rules that may need modification or repeal in the interest of marine safety, security, environmental, and economic concerns, taking into account undersea pipelines, cables, or other infrastructure; and

(2) completing a cost-benefit analysis for any modification or repeal identified under paragraph (1).

(b) BRIEFING.—Upon completion of the review under subsection (a), but not later than 2 years after the date of enactment of this Act, the Secretary shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that summarizes the review.

SEC. 5342. STUDY ON IMPACTS ON SHIPPING AND COMMERCIAL, TRIBAL, AND RECREATIONAL FISHERIES FROM THE DEVELOPMENT OF RENEWABLE ENERGY ON THE WEST COAST.

(a) DEFINITIONS.—In this section:

(1) COVERED WATERS.—The term ''covered waters'' means Federal or State waters off of the Canadian border and out to the furthest extent of the exclusive economic zone along the west coast of the United States.

(2) EXCLUSIVE ECONOMIC ZONE.—The term ''exclusive economic zone'' has the meaning given that term in section 107 of title 46, United States Code.

(b) STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary, the Secretary of the Interior, and the Under Secretary of Commerce for Oceans and Atmosphere, shall enter into an agreement with the National Academies of Science, Engineering, and Medicine under which the National Academy of Sciences shall carry out a study to—

(1) identify, document, and analyze—

(A) historic and current, as of the date of the study, Tribal, commercial, and recreational fishing grounds, as well as areas where fish stocks are likely to shift in the future, in all covered waters;

(B) usual and accustomed fishing areas in all covered waters;

(C) historic, current, and potential future shipping lanes, based on projected growth in shipping traffic in all covered waters; and

(D) key types of data needed to properly site renewable energy sites on the West Coast with regard to assessing and mitigating conflicts;

(2) analyze—

(A) methods used to manage fishing, shipping, and other maritime activities; and

(B) how those activities could be impacted by the placement of renewable energy infrastructure and the associated construction, maintenance, and operation of such infrastructure; and

(3) review the current decision-making process for offshore wind in covered waters and outline a comprehensive approach to include all impacted coastal communities, particularly Tribal governments and fisheries communities, in the decision-making process for offshore wind in covered waters.

(c) SUBMISSION.—Not later than 1 year after commencing the study under subsection (b), the Secretary shall—

(1) submit the study to the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources of the Senate and the Committee on Transportation and Infrastructure, the Committee on Natural Resources, and the Committee on Energy and Commerce of the House of Representatives, including the review and outline provided under subsection (b)(3); and

(2) make the study publicly available.

Subtitle D—Environmental Issues

SEC. 5351. MODIFICATIONS TO THE SPORT FISH RESTORATION AND BOATING TRUST FUND ADMINISTRATION.

(a) DINGELL-JOHNSON SPORT FISH RESTORATION ACT AMENDMENTS.—

(1) AVAILABLE AMOUNTS.—Clause (i) of section 4(b)(1)(B) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(b)(1)(B)) is amended to read as follows:

''(i) for the fiscal year that includes November 15, 2021, the product obtained by multiplying—

''(I) $12,786,434; and

''(II) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor; and''.

(2) AUTHORIZED EXPENSES.—Section 9(a) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777h(a)) is amended—

(A) in paragraph (7), by striking ''full-time''; and

(B) in paragraph (9), by striking ''on a full-time basis''.

(b) PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT AMENDMENTS.—

(1) AVAILABLE AMOUNTS.—Clause (i) of section 4(a)(1)(B) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(a)(1)(B)) is amended to read as follows:

''(i) for the fiscal year that includes November 15, 2021, the product obtained by multiplying—

''(I) $12,786,434; and

''(II) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor; and''.

(2) AUTHORIZED EXPENSES.—Section 9(a) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h(a)) is amended—

(A) in paragraph (7), by striking ''full-time''; and

(B) in paragraph (9), by striking ''on a full-time basis''.

SEC. 5352. IMPROVEMENTS TO COAST GUARD COMMUNICATION WITH NORTH PACIFIC MARITIME AND FISHING INDUSTRY.

(a) RESCUE 21 SYSTEM IN ALASKA.—

(1) UPGRADES.—The Commandant shall ensure the timely upgrade of the Rescue 21 system in Alaska so as to achieve, not later

than August 30, 2023, 98 percent operational availability of remote fixed facility sites.

(2) PLAN TO REDUCE OUTAGES.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall develop an operations and maintenance plan for the Rescue 21 system in Alaska that anticipates maintenance needs so as to reduce Rescue 21 system outages to the maximum extent practicable.

(B) PUBLIC AVAILABILITY.—The plan required by subparagraph (A) shall be made available to the public on a publicly accessible internet website.

(3) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(A) contains a plan for the Coast Guard to notify mariners of radio outages for towers owned and operated by the Seventeenth Coast Guard District;

(B) addresses in such plan how the Seventeenth Coast Guard will—

(i) disseminate updates regarding outages on social media not less frequently than every 48 hours;

(ii) provide updates on a publicly accessible website not less frequently than every 48 hours;

(iii) develop methods for notifying mariners in areas in which cellular connectivity does not exist; and

(iv) develop and advertise a web-based communications update hub on AM/FM radio for mariners; and

(C) identifies technology gaps necessary to implement the plan and provides a budgetary assessment necessary to implement the plan.

(4) CONTINGENCY PLAN.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant, in collaboration with relevant Federal and State entities (including the North Pacific Fishery Management Council, the National Oceanic and Atmospheric Administration Weather Service, the National Oceanic and Atmospheric Administration Fisheries Service, agencies of the State of Alaska, local radio stations, and stakeholders), shall establish a contingency plan to ensure that notifications of an outage of the Rescue 21 system in Alaska are broadly disseminated in advance of such outage.

(B) ELEMENTS.—The plan required by subparagraph (A) shall require the Coast Guard—

(i) to disseminate updates regarding outages on social media not less frequently than every 48 hours during an outage;

(ii) to provide updates on a publicly accessible website not less frequently than every 48 hours during an outage;

(iii) to notify mariners in areas in which cellular connectivity does not exist;

(iv) to develop and advertise a web-based communications update hub on AM/FM radio for mariners; and

(v) to identify technology gaps that need to be addressed in order to implement the plan, and to provide a budgetary assessment necessary to implement the plan.

(b) IMPROVEMENTS TO COMMUNICATION WITH THE FISHING INDUSTRY AND RELATED STAKEHOLDERS.—

(1) IN GENERAL.—The Commandant, in coordination with the National Commercial Fishing Safety Advisory Committee established by section 15102 of title 46, United States Code, shall develop a publicly accessible internet website that contains all Coast Guard-related information relating to the fishing industry, including safety information, inspection and enforcement requirements, hazards, training, regulations (including proposed regulations), Rescue 21 system outages and similar outages, and any information regarding fishing-related activities under the jurisdiction of the Coast Guard.

(2) AUTOMATIC COMMUNICATIONS.—The Commandant shall provide methods for regular and automatic email communications with stakeholders who elect, through the internet website developed under paragraph (1), to receive such communications.

(c) ADVANCE NOTIFICATION OF MILITARY OR OTHER EXERCISES.—In consultation with the Secretary of Defense, the Secretary of State, and commercial fishing industry participants, the Commandant shall develop and publish on a publicly available internet website a plan for notifying United States mariners and the operators of United States fishing vessels in advance of—

(1) military exercises in the exclusive economic zone of the United States (as defined in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802)); or

(2) other military activities that will impact recreational or commercial activities.

SEC. 5353. FISHING SAFETY TRAINING GRANTS PROGRAM.

Section 4502(i)(4) of title 46, United States Code, is amended by striking ''2018 through 2021'' and inserting ''2023 through 2025''.

SEC. 5354. LOAD LINES.

(a) DEFINITION OF COVERED FISHING VESSEL.—In this section, the term ''covered fishing vessel'' means a vessel that operates exclusively in one, or both, of the Thirteenth and Seventeenth Coast Guard Districts and that—

(1) was constructed, under construction, or under contract to be constructed as a fish tender vessel before January 1, 1980;

(2) was converted for use as a fish tender vessel before January 1, 2022, and—

(A) the vessel has a current stability letter issued in accordance with regulations prescribed under chapter 51 of title 46, United States Code; and

(B) the hull and internal structure of the vessel has been verified as suitable for intended service as examined by a marine surveyor of an organization accepted by the Secretary 2 times in the 5 years preceding the date of the determination under this subsection, with no interval of more than 3 years between such examinations; or

(3) operates part-time as a fish tender vessel for a period of less than 180 days.

(b) APPLICATION TO CERTAIN VESSELS.—During the period beginning on the date of enactment of this Act and ending on the date that is 3 years after the date on which the report required under subsection (c) is submitted, the load line requirements of chapter 51 of title 46, United States Code, shall not apply to covered fishing vessels.

(c) GAO REPORT.—

(1) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

(A) a report on the safety and seaworthiness of vessels referenced in section 5102(b)(5) of title 46, United States Code; and

(B) recommendations for exempting certain vessels from the load line requirements under chapter 51 of title 46 of such Code.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) An assessment of stability requirements of vessels referenced in section 5102(b)(5) of title 46, United States Code.

(B) An analysis of vessel casualties, mishaps, or other safety information relevant to load line requirements when a vessel is operating part-time as a fish tender vessel.

(C) An assessment of any other safety information as the Comptroller General determines appropriate.

(D) A list of all vessels that, as of the date of the report—

(i) are covered under section 5102(b)(5) of title 46, United States Code;

(ii) are acting as part-time fish tender vessels; and

(iii) are subject to any captain of the port zone subject to the oversight of the Commandant.

(3) CONSULTATION.—In preparing the report required under paragraph (1), the Comptroller General shall consider consultation with, at a minimum, the maritime industry, including—

(A) relevant Federal, State, and Tribal maritime associations and groups; and

(B) relevant federally funded research institutions, nongovernmental organizations, and academia.

(d) APPLICABILITY.—Nothing in this section shall limit any authority available, as of the date of enactment of this Act, to the captain of a port with respect to safety measures or any other authority as necessary for the safety of covered fishing vessels.

SEC. 5355. ACTIONS BY NATIONAL MARINE FISHERIES SERVICE TO INCREASE ENERGY PRODUCTION.

(a) IN GENERAL.—The National Marine Fisheries Service shall, immediately upon the enactment of this Act, take action to address the outstanding backlog of letters of authorization for the Gulf of Mexico.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the National Marine Fisheries Service should—

(1) take immediate action to issue a rule that allows the Service to approve outstanding and future applications for letters of authorization consistent with the Service's permitting activities; and

(2) on or after the effective date of the rule, prioritize the consideration of applications in a manner that is consistent with applicable Federal law.

Subtitle E—Illegal Fishing and Forced Labor Prevention

SEC. 5361. DEFINITIONS.

In this subtitle:

(1) FORCED LABOR.—The term ''forced labor'' means any labor or service provided for or obtained by any means described in section 1589(a) of title 18, United States Code.

(2) HUMAN TRAFFICKING.—The term ''human trafficking'' has the meaning given the term ''severe forms of trafficking in persons'' in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

(3) ILLEGAL, UNREPORTED, OR UNREGULATED FISHING.—The term ''illegal, unreported, or unregulated fishing'' has the meaning given such term in the implementing regulations or any subsequent regulations issued pursuant to section 609(e) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(e)).

(4) OPPRESSIVE CHILD LABOR.—The term ''oppressive child labor'' has the meaning given such term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).

(5) SEAFOOD.—The term ''seafood'' means all marine animal and plant life meant for consumption as food other than marine mammals and birds, including fish, shellfish, shellfish products, and processed fish.

(6) SEAFOOD IMPORT MONITORING PROGRAM.—The term ''Seafood Import Monitoring Program'' means the Seafood Traceability Program established in subpart Q of part 300

of title 50, Code of Federal Regulations (or any successor regulation).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration.

CHAPTER 1—COMBATING HUMAN TRAFFICKING THROUGH SEAFOOD IMPORT MONITORING

SEC. 5362. ENHANCEMENT OF SEAFOOD IMPORT MONITORING PROGRAM AUTOMATED COMMERCIAL ENVIRONMENT MESSAGE SET.

The Secretary, in coordination with the Commissioner of U.S. Customs and Border Protection, shall, not later than 6 months after the date of enactment of this Act, develop a strategy to improve the quality and verifiability of already collected Seafood Import Monitoring Program Message Set data elements in the Automated Commercial Environment system. Such strategy shall prioritize the use of enumerated data types, such as checkboxes, dropdown menus, or radio buttons, and any additional elements the Administrator of the National Oceanic and Atmospheric Administration finds appropriate.

SEC. 5363. DATA SHARING AND AGGREGATION.

(a) INTERAGENCY WORKING GROUP ON ILLEGAL, UNREPORTED, OR UNREGULATED FISHING.—Section 3551(c) of the Maritime SAFE Act (16 U.S.C. 8031(c)) is amended—

(1) by redesignating paragraphs (4) through (13) as paragraphs (5) through (14), respectively; and

(2) by inserting after paragraph (3) the following:

''(4) maximizing the utility of the import data collected by the members of the Working Group by harmonizing data standards and entry fields;''.

(b) PROHIBITION ON AGGREGATED CATCH DATA FOR CERTAIN SPECIES.—Beginning not later than 1 year after the date of enactment of this Act, for the purposes of compliance with respect to Northern red snapper under the Seafood Import Monitoring Program, the Secretary may not allow an aggregated harvest report of such species, regardless of vessel size.

SEC. 5364. IMPORT AUDITS.

(a) AUDIT PROCEDURES.—The Secretary shall, not later than 1 year after the date of enactment of this Act, implement procedures to audit information and supporting records of sufficient numbers of imports of seafood and seafood products subject to the Seafood Import Monitoring Program to support statistically robust conclusions that the samples audited are representative of all seafood imports covered by the Seafood Import Monitoring Program with respect to a given year.

(b) EXPANSION OF MARINE FORENSICS LABORATORY.—The Secretary shall, not later than 1 year after the date of enactment of this Act, begin the process of expanding the National Oceanic and Atmospheric Administration's Marine Forensics Laboratory, including by establishing sufficient capacity for the development and deployment of rapid, and follow-up, analysis of field-based tests focused on identifying Seafood Import Monitoring Program species, and prioritizing such species at high risk of illegal, unreported, or unregulated fishing and seafood fraud.

(c) ANNUAL REVISION.—In developing the procedures required in subsection (a), the Secretary shall use predictive analytics to inform whether to revise such procedures to prioritize for audit those imports originating from nations—

(1) identified pursuant to section 609(a) or 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(a) or 1826k(a)) that have not yet received a subsequent positive certification pursuant to section 609(d) or 610(c) of such Act, respectively;

(2) identified by an appropriate regional fishery management organization as being the flag state or landing location of vessels identified by other nations or regional fisheries management organizations as engaging in illegal, unreported, or unregulated fishing;

(3) identified as having human trafficking or forced labor in any part of the seafood supply chain, including on vessels flagged in such nation, and including feed for cultured production, in the most recent Trafficking in Persons Report issued by the Department of State in accordance with the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.);

(4) identified as producing goods that contain seafood using forced labor or oppressive child labor in the most recent List of Goods Produced by Child Labor or Forced Labor in accordance with the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.); and

(5) identified as at risk for human trafficking, including forced labor, in their seafood catching and processing industries by the report required under section 3563 of the Maritime SAFE Act (Public Law 116–92).

SEC. 5365. AVAILABILITY OF FISHERIES INFORMATION.

Section 402(b)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881a(b)(1)) is amended—

(1) in subparagraph (G), by striking ''or'' after the semicolon;

(2) in subparagraph (H), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(I) to Federal agencies, to the extent necessary and appropriate, to administer Federal programs established to combat illegal, unreported, or unregulated fishing (as defined in section 5361 of the Coast Guard Authorization Act of 2022) or forced labor (as defined in section 5361 of the Coast Guard Authorization Act of 2022), which shall not include an authorization for such agencies to release data to the public unless such release is related to enforcement.''.

SEC. 5366. REPORT ON SEAFOOD IMPORT MONITORING PROGRAM.

(a) REPORT TO CONGRESS AND PUBLIC AVAILABILITY OF REPORTS.—The Secretary shall, not later than 120 days after the end of each fiscal year, submit to the Committee on Commerce, Science, and Transportation and the Committee on Finance of the Senate and the Committee on Natural Resources and the Committee on Financial Services of the House of Representatives a report that summarizes the National Marine Fisheries Service's efforts to prevent the importation of seafood harvested through illegal, unreported, or unregulated fishing, particularly with respect to seafood harvested, produced, processed, or manufactured by forced labor. Each such report shall be made publicly available on the website of the National Oceanic and Atmospheric Administration.

(b) CONTENTS.—Each report submitted under subsection (a) shall include—

(1) the volume and value of seafood species subject to the Seafood Import Monitoring Program, reported by 10-digit Harmonized Tariff Schedule of the United States codes, imported during the previous fiscal year;

(2) the enforcement activities and priorities of the National Marine Fisheries Service with respect to implementing the requirements under the Seafood Import Monitoring Program;

(3) the percentage of import shipments subject to the Seafood Import Monitoring Program selected for inspection or the information or records supporting entry selected for audit, as described in section 300.324(d) of title 50, Code of Federal Regulations;

(4) the number and types of instances of noncompliance with the requirements of the Seafood Import Monitoring Program;

(5) the number and types of instances of violations of State or Federal law discovered through the Seafood Import Monitoring Program;

(6) the seafood species with respect to which violations described in paragraphs (4) and (5) were most prevalent;

(7) the location of catch or harvest with respect to which violations described in paragraphs (4) and (5) were most prevalent;

(8) the additional tools, such as high performance computing and associated costs, that the Secretary needs to improve the efficacy of the Seafood Import Monitoring Program; and

(9) such other information as the Secretary considers appropriate with respect to monitoring and enforcing compliance with the Seafood Import Monitoring Program.

SEC. 5367. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Commissioner of U.S. Customs and Border Protection to carry out enforcement actions pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) $20,000,000 for each of fiscal years 2023 through 2027.

CHAPTER 2—STRENGTHENING INTERNATIONAL FISHERIES MANAGEMENT TO COMBAT HUMAN TRAFFICKING

SEC. 5370. DENIAL OF PORT PRIVILEGES.

Section 101(a)(2) of the High Seas Driftnet Fisheries Enforcement Act (16 U.S.C. 1826a(a)(2)) is amended to read as follows:

''(2) DENIAL OF PORT PRIVILEGES.—The Secretary of Homeland Security shall—

''(A) withhold or revoke the clearance required by section 60105 of title 46, United States Code, for any large-scale driftnet fishing vessel of a nation that receives a negative certification under section 609(d) or 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(d) or 1826k(c)), or fishing vessels of a nation that has been listed pursuant to section 609(b) or section 610(a) of such Act (16 U.S.C. 1826j(b) or 1826k(a)) in 2 or more consecutive reports for the same type of fisheries activity, as described under section 607 of such Act (16 U.S.C. 1826h), until a positive certification has been received;

''(B) withhold or revoke the clearance required by section 60105 of title 46, United States Code, for fishing vessels of a nation that has been listed pursuant to section 609(a) or 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(a) or 1826k(a)) in 2 or more consecutive reports as described under section 607 of such Act (16 U.S.C. 1826h); and

''(C) deny entry of that vessel to any place in the United States and to the navigable waters of the United States, except for the purposes of inspecting such vessel, conducting an investigation, or taking other appropriate enforcement action.''.

SEC. 5371. IDENTIFICATION AND CERTIFICATION CRITERIA.

(a) DENIAL OF PORT PRIVILEGES.—Section 609(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(a)) is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) FOR ACTIONS OF A NATION.—The Secretary shall identify, and list in such report, a nation engaging in or endorsing illegal, unreported, or unregulated fishing. In determining which nations to list in such report, the Secretary shall consider the following:

''(A) Any nation that is violating, or has violated at any point during the 3 years preceding the date of the determination, conservation and management measures, including catch and other data reporting obligations and requirements, required under an international fishery management agreement to which the United States is a party.

''(B) Any nation that is failing, or has failed in the 3-year period preceding the date of the determination, to effectively address or regulate illegal, unreported, or unregulated fishing within its fleets in any areas where its vessels are fishing.

''(C) Any nation that fails to discharge duties incumbent upon it to which legally obligated as a flag, port, or coastal state to take action to prevent, deter, and eliminate illegal, unreported, or unregulated fishing.

''(D) Any nation that has been identified as producing for export to the United States seafood-related goods through forced labor or oppressive child labor (as those terms are defined in section 5361 of the Coast Guard Authorization Act of 2022) in the most recent List of Goods Produced by Child Labor or Forced Labor in accordance with the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.).''; and

(2) by adding at the end the following:

''(4) TIMING.—The Secretary shall make an identification under paragraph (1) or (2) at any time that the Secretary has sufficient information to make such identification.''.

(b) ILLEGAL, UNREPORTED, OR UNREGULATED CERTIFICATION DETERMINATION.—Section 609 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j) is amended in subsection (d), by striking paragraph (3) and inserting the following:

''(3) EFFECT OF CERTIFICATION DETERMINATION.—

''(A) EFFECT OF NEGATIVE CERTIFICATION.—The provisions of subsection (a), and paragraphs (3) and (4) of subsection (b), of section 101 of the High Seas Driftnet Fisheries Enforcement Act (16 U.S.C. 1826a(a) and (b)(3) and (4)) shall apply to any nation that, after being identified and notified under subsection (b), has failed to take the appropriate corrective actions for which the Secretary has issued a negative certification under this subsection.

''(B) EFFECT OF POSITIVE CERTIFICATION.—The provisions of subsection (a), and paragraphs (3) and (4) of subsection (b), of section 101 of the High Seas Driftnet Fisheries Enforcement Act (16 U.S.C. 1826a(a) and (b)(3) and (4)) shall not apply to any nation identified under subsection (a) for which the Secretary has issued a positive certification under this subsection.''.

SEC. 5372. EQUIVALENT CONSERVATION MEASURES.

(a) IDENTIFICATION.—Section 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(a)) is amended to read as follows:

''(a) IDENTIFICATION.—

''(1) IN GENERAL.—The Secretary shall identify and list in the report under section 607—

''(A) a nation if—

''(i) any fishing vessel of that nation is engaged, or has been engaged during the 3 years preceding the date of the determination, in fishing activities or practices on the high seas or within the exclusive economic zone of any nation, that have resulted in bycatch of a protected living marine resource; and

''(ii) the vessel's flag state has not adopted, implemented, and enforced a regulatory program governing such fishing designed to end or reduce such bycatch that is comparable in effectiveness to the regulatory program of the United States, taking into account differing conditions; and

''(B) a nation if—

''(i) any fishing vessel of that nation is engaged, or has engaged during the 3 years preceding the date of the determination, in fishing activities on the high seas or within the exclusive economic zone of another nation that target or incidentally catch sharks; and

''(ii) the vessel's flag state has not adopted, implemented, and enforced a regulatory program to provide for the conservation of sharks, including measures to prohibit removal of any of the fins of a shark, including the tail, before landing the shark in port, that is comparable to that of the United States.

''(2) TIMING.—The Secretary shall make an identification under paragraph (1) at any time that the Secretary has sufficient information to make such identification.''.

(b) CONSULTATION AND NEGOTIATION.—Section 610(b) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(b)) is amended to read as follows:

''(b) CONSULTATION AND NEGOTIATION.—The Secretary of State, acting in consultation with the Secretary, shall—

''(1) notify, as soon as practicable, the President and nations that are engaged in, or that have any fishing vessels engaged in, fishing activities or practices described in subsection (a), about the provisions of this Act;

''(2) initiate discussions as soon as practicable with all foreign nations that are engaged in, or a fishing vessel of which has engaged in, fishing activities described in subsection (a), for the purpose of entering into bilateral and multilateral treaties with such nations to protect such species and to address any underlying failings or gaps that may have contributed to identification under this Act; and

''(3) initiate the amendment of any existing international treaty for the protection and conservation of such species to which the United States is a party in order to make such treaty consistent with the purposes and policies of this section.''.

(c) CONSERVATION CERTIFICATION PROCEDURE.—Section 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(c)) is amended—

(1) in paragraph (2), by inserting ''the public and'' after ''comment by''; and

(2) in paragraph (5), by striking ''(except to the extent that such provisions apply to sport fishing equipment or fish or fish products not caught by the vessels engaged in illegal, unreported, or unregulated fishing)''.

(d) DEFINITION OF PROTECTED LIVING MARINE RESOURCE.—Section 610(e) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(e)) is amended by striking paragraph (1) and inserting the following:

''(1) except as provided in paragraph (2), means nontarget fish, sea turtles, or marine mammals that are protected under United States law or international agreement, including—

''(A) the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.);

''(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

''(C) the Shark Finning Prohibition Act (16 U.S.C. 1822 note); and

''(D) the Convention on International Trade in Endangered Species of Wild Fauna and Flora, done at Washington March 3, 1973 (27 UST 1087; TIAS 8249); but''.

SEC. 5373. CAPACITY BUILDING IN FOREIGN FISHERIES.

(a) IN GENERAL.—The Secretary of Commerce, in consultation with the heads of other Federal agencies, as appropriate, shall develop and carry out with partner governments and civil society—

(1) multi-year coastal and marine resource related international cooperation agreements and projects; and

(2) multi-year capacity-building projects for implementing measures to address illegal, unreported, or unregulated fishing, fraud, forced labor, bycatch, and other conservation measures.

(b) CAPACITY BUILDING.—Section 3543(d) of the Maritime SAFE Act (16 U.S.C. 8013(d)) is amended—

(1) in the matter preceding paragraph (1), by striking ''as appropriate,''; and

(2) in paragraph (3), by striking ''as appropriate'' and inserting ''for all priority regions identified by the Working Group''.

(c) REPORTS.—Section 3553 of the Maritime SAFE Act (16 U.S.C. 8033) is amended—

(1) in paragraph (7), by striking ''and'' after the semicolon;

(2) in paragraph (8), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(9) the status of work with global enforcement partners.''.

SEC. 5374. TRAINING OF UNITED STATES OBSERVERS.

Section 403(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881b(b)) is amended—

(1) in paragraph (3), by striking ''and'' after the semicolon;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following:

''(4) ensure that each observer has received training to identify indicators of forced labor (as defined in section 5361 of the Coast Guard Authorization Act of 2022) and human trafficking (as defined in section 5361 of the Coast Guard Authorization Act of 2022) and refer this information to appropriate authorities; and''.

SEC. 5375. REGULATIONS.

Not later than 1 year after the date of enactment of this Act, the Secretary shall promulgate such regulations as may be necessary to carry out this title.

SEC. 5376. USE OF DEVICES BROADCASTING ON AIS FOR PURPOSES OF MARKING FISHING GEAR.

The Secretary of the department in which the Coast Guard is operating shall, within the Eleventh Coast Guard District, Thirteenth Coast Guard District, Fourteenth Coast Guard District, and Seventeenth Coast Guard District, suspend enforcement of individuals using automatic identification systems devices to mark fishing equipment during the period beginning on the date of enactment of this Act and ending on the earlier of—

(1) the date that is 2 years after such date of enactment; and

(2) the date the Federal Communications Commission promulgates a final rule to authorize a device used to mark fishing equipment to operate in radio frequencies assigned for Automatic Identification System stations.

TITLE LIV—SUPPORT FOR COAST GUARD WORKFORCE

Subtitle A—Support for Coast Guard Members and Families

SEC. 5401. COAST GUARD CHILD CARE IMPROVEMENTS.

(a) FAMILY DISCOUNT FOR CHILD DEVELOPMENT SERVICES.—Section 2922(b)(2) of title 14, United States Code, is amended by adding at the end the following:

''(D) In the case of an active duty member with two or more children attending a Coast Guard child development center, the Commandant may modify the fees to be charged for attendance for the second and any subsequent child of such member by an amount

that is 15 percent less than the amount of the fee otherwise chargeable for the attendance of the first such child enrolled at the center, or another fee as the Commandant determines appropriate, consistent with multiple children.''.

(b) CHILD DEVELOPMENT CENTER STANDARDS AND INSPECTIONS.—Section 2923(a) of title 14, United States Code, is amended to read as follows:

''(a) STANDARDS.—The Commandant shall require each Coast Guard child development center to meet standards of operation—

''(1) that the Commandant considers appropriate to ensure the health, safety, and welfare of the children and employees at the center; and

''(2) necessary for accreditation by an appropriate national early childhood programs accrediting entity.''.

(c) CHILD CARE SUBSIDY PROGRAM.—

(1) AUTHORIZATION.—

(A) IN GENERAL.—Subchapter II of chapter 29 of title 14, United States Code, is amended by adding at the end the following:

''§ 2927. Child care subsidy program

''(a) AUTHORITY.—The Commandant may operate a child care subsidy program to provide financial assistance to eligible providers that provide child care services or youth program services to members of the Coast Guard, members of the Coast Guard with dependents who are participating in the child care subsidy program, and any other individual the Commandant considers appropriate, if—

''(1) providing such financial assistance—

''(A) is in the best interests of the Coast Guard; and

''(B) enables supplementation or expansion of the provision of Coast Guard child care services, while not supplanting or replacing Coast Guard child care services; and

''(2) the Commandant ensures, to the extent practicable, that the eligible provider is able to comply, and does comply, with the regulations, policies, and standards applicable to Coast Guard child care services.

''(b) ELIGIBLE PROVIDERS.—A provider of child care services or youth program services is eligible for financial assistance under this section if the provider—

''(1) is licensed to provide such services under applicable State and local law;

''(2) is registered in an au pair program of the Department of State;

''(3) is a family home daycare; or

''(4) is a provider of family child care services that—

''(A) otherwise provides federally funded or federally sponsored child development services;

''(B) provides such services in a child development center owned and operated by a private, not-for-profit organization;

''(C) provides a before-school or after-school child care program in a public school facility;

''(D) conducts an otherwise federally funded or federally sponsored school-age child care or youth services program;

''(E) conducts a school-age child care or youth services program operated by a not-for-profit organization;

''(F) provides in-home child care, such as a nanny or an au pair; or

''(G) is a provider of another category of child care services or youth program services the Commandant considers appropriate for meeting the needs of members or civilian employees of the Coast Guard.

''(c) AUTHORIZATION.—There are authorized to be appropriated such sums as necessary to carry out this section.

''(d) DIRECT PAYMENT.—

''(1) IN GENERAL.—In carrying out a child care subsidy program under subsection (a), subject to paragraph (3), the Commandant shall provide financial assistance under the program to an eligible member or individual the Commandant considers appropriate by direct payment to such eligible member or individual through monthly pay, direct deposit, or other direct form of payment.

''(2) POLICY.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall establish a policy to provide direct payment as described in paragraph (1).

''(3) ELIGIBLE PROVIDER FUNDING CONTINUATION.—With the approval of an eligible member or an individual the Commandant considers appropriate, which shall include the written consent of such member or individual, the Commandant may continue to provide financial assistance under the child care subsidy program directly to an eligible provider on behalf of such member or individual.

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to affect any preexisting reimbursement arrangement between the Coast Guard and a qualified provider.''.

(B) CLERICAL AMENDMENT.—The analysis for chapter 29 of title 14, United States Code, is amended by inserting after the item relating to section 2926 the following:

''2927. Child care subsidy program.

(2) EXPANSION OF CHILD CARE SUBSIDY PROGRAM.—

(A) IN GENERAL.—The Commandant shall—

(i) evaluate potential eligible uses for the child care subsidy program established under section 2927 of title 14, United States Code (referred to in this paragraph as the ''program''); and

(ii) expand the eligible uses of funds for the program to accommodate the child care needs of members of the Coast Guard (including such members with nonstandard work hours or surge or other deployment cycles), including by providing funds directly to such members instead of care providers.

(B) CONSIDERATIONS.—In evaluating potential eligible uses under subparagraph (A), the Commandant shall consider au pairs, nanny services, nanny shares, in-home child care services, care services such as supplemental care for children with disabilities, and any other child care delivery method the Commandant considers appropriate.

(C) REQUIREMENTS.—In establishing expanded eligible uses of funds for the program, the Commandant shall ensure that such uses—

(i) are in the best interests of the Coast Guard;

(ii) provide flexibility for eligible members and individuals the Commandant considers appropriate, including such members and individuals with nonstandard work hours; and

(iii) ensure a safe environment for dependents of such members and individuals.

(D) PUBLICATION.—Not later than 18 months after the date of the enactment of this Act, the Commandant shall publish an updated Commandant Instruction Manual (referred to in this paragraph as the ''manual'') that describes the expanded eligible uses of the program.

(E) REPORT.—

(i) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report outlining the expansion of the program.

(ii) ELEMENTS.—The report required by clause (i) shall include the following:

(I) An analysis of the considerations described in subparagraph (B).

(II) A description of the analysis used to identify eligible uses that were evaluated and incorporated into the manual under subparagraph (D).

(III) A full analysis and justification with respect to the forms of care that were ultimately not included in the manual.

(IV) Any recommendation with respect to funding or additional authorities necessary, including proposals for legislative change, to meet the current and anticipated future child care subsidy demands of the Coast Guard.

SEC. 5402. ARMED FORCES ACCESS TO COAST GUARD CHILD CARE FACILITIES.

Section 2922(a) of title 14, United States Code, is amended to read as follows:

''(a)(1) The Commandant may make child development services available, in such priority as the Commandant considers to be appropriate and consistent with readiness and resources and in the best interests of dependents of members and civilian employees of the Coast Guard, for—

''(A) members and civilian employees of the Coast Guard;

''(B) surviving dependents of members of the Coast Guard who have died on active duty, if such dependents were beneficiaries of a Coast Guard child development service at the time of the death of such members;

''(C) members of the armed forces (as defined in section 101 of title 10, United States Code); and

''(D) Federal civilian employees.

''(2) Child development service benefits provided under the authority of this section shall be in addition to benefits provided under other laws.''.

SEC. 5403. CADET PREGNANCY POLICY IMPROVEMENTS.

(a) REGULATIONS REQUIRED.—Not later than 18 months after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating, in consultation with the Secretary of Defense, shall prescribe regulations that—

(1) preserve parental guardianship rights of cadets who become pregnant or father a child while attending the Coast Guard Academy; and

(2) maintain military and academic requirements for graduation and commissioning.

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the development of the regulations required by subsection (a).

SEC. 5404. COMBAT-RELATED SPECIAL COMPENSATION.

(a) REPORT AND BRIEFING.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter until the date that is 5 years after the date on which the initial report is submitted under this subsection, the Commandant shall submit a report and provide an in-person briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the implementation of section 221 of the Coast Guard Authorization Act of 2015 (Public Law 114–120; 10 U.S.C. 1413a note).

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

(1) A description of methods to educate members and retirees on the combat-related special compensation program.

(2) Statistics regarding enrollment in such program for members of the Coast Guard and Coast Guard retirees.

(3) A summary of each of the following:

(A) Activities carried out relating to the education of members of the Coast Guard participating in the Transition Assistance Program with respect to the combat-related special compensation program.

(B) Activities carried out relating to the education of members of the Coast Guard who are engaged in missions in which they are susceptible to injuries that may result in qualification for combat-related special compensation, including flight school, the National Motor Lifeboat School, deployable specialized forces, and other training programs as the Commandant considers appropriate.

(C) Activities carried out relating to training physicians and physician assistants employed by the Coast Guard, or otherwise stationed in Coast Guard clinics, sickbays, or other locations at which medical care is provided to members of the Coast Guard, for the purpose of ensuring, during medical examinations, appropriate counseling and documentation of symptoms, injuries, and the associated incident that resulted in such injuries.

(D) Activities relating to the notification of heath service officers with respect to the combat-related special compensation program.

(4) The written guidance provided to members of the Coast Guard regarding necessary recordkeeping to ensure eligibility for benefits under such program.

(5) Any other matter relating to combat-related special compensation the Commandant considers appropriate.

(c) DISABILITY DUE TO CHEMICAL OR HAZARDOUS MATERIAL EXPOSURE.—Section 221(a)(2) of the Coast Guard Reauthorization Act of 2015 (Public Law 114–120; 10 U.S.C. 1413a note) is amended, in the matter preceding subparagraph (A)—

(1) by striking ''and hazardous'' and inserting ''hazardous''; and

(2) by inserting '', or a duty in which chemical or other hazardous material exposure has occurred (such as during marine inspections or pollution response activities)'' after ''surfman)''.

SEC. 5405. STUDY ON FOOD SECURITY.

(a) STUDY.—

(1) IN GENERAL.—The Commandant shall conduct a study on food insecurity among members of the Coast Guard.

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

(A) An analysis of the impact of food deserts on members of the Coast Guard and their dependents who live in areas with high costs of living, including areas with high-density populations and rural areas.

(B) A comparison of—

(i) the current method used by the Commandant to determine which areas are considered to be high cost-of-living areas;

(ii) local-level indicators used by the Bureau of Labor Statistics to determine cost of living that indicate buying power and consumer spending in specific geographic areas; and

(iii) indicators of cost of living used by the Department of Agriculture in market basket analyses, and other measures of the local or regional cost of food.

(C) An assessment of the accuracy of the method and indicators described in subparagraph (B) in quantifying high cost of living in low-data and remote areas.

(D) An assessment of the manner in which data accuracy and availability affect the accuracy of cost-of-living allowance calculations and other benefits, as the Commandant considers appropriate.

(E) Recommendations—

(i) to improve access to high-quality, affordable food within a reasonable distance of Coast Guard units located in areas identified as food deserts;

(ii) to reduce transit costs for members of the Coast Guard and their dependents who are required to travel to access high-quality, affordable food; and

(iii) for improving the accuracy of the calculations referred to in subparagraph (D).

(F) The estimated costs of implementing each recommendation made under subparagraph (E).

(b) PLAN.—

(1) IN GENERAL.—The Commandant shall develop a detailed plan to implement the recommendations of the study conducted under subsection (a).

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the plan required by paragraph (1), including the cost of implementation, proposals for legislative change, and any other result of the study the Commandant considers appropriate.

(c) FOOD DESERT DEFINED.—In this section, the term ''food desert'' means an area, as determined by the Commandant, in which it is difficult, even with a vehicle or an otherwise-available mode of transportation, to obtain affordable, high-quality fresh food in the immediate area in which members of the Coast Guard serve and reside.

Subtitle B—Healthcare

SEC. 5421. DEVELOPMENT OF MEDICAL STAFFING STANDARDS FOR THE COAST GUARD.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant, in consultation with the Defense Health Agency and any healthcare expert the Commandant considers appropriate, shall develop medical staffing standards for the Coast Guard consistent with the recommendations of the Comptroller General of the United States set forth in the report entitled ''Coast Guard Health Care: Improvements Needed for Determining Staffing Needs and Monitoring Access to Care'' published in February 2022.

(b) INCLUSIONS.—The standards required by subsection (a) shall address and take into consideration the following:

(1) Current and future operations of healthcare personnel in support of Department of Homeland Security missions, including surge deployments for incident response.

(2) Staffing standards for specialized providers, such as flight surgeons, dentists, behavioral health specialists, and physical therapists.

(3) Staffing levels of medical, dental, and behavioral health providers for the Coast Guard who are—

(A) members of the Coast Guard;

(B) assigned to the Coast Guard from the Public Health Service;

(C) Federal civilian employees; or

(D) contractors hired by the Coast Guard to fill vacancies.

(4) Staffing levels at medical facilities for Coast Guard units in remote locations.

(5) Any discrepancy between medical staffing standards of the Department of Defense and medical staffing standards of the Coast Guard.

(c) REVIEW.—Not later than 90 days after the staffing standards required by subsection (a) are completed, the Commandant shall submit the standards to the Comptroller General, who shall review the standards and provide recommendations to the Commandant.

(d) REPORT TO CONGRESS.—Not later than 180 days after developing such standards, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(e) MODIFICATION, IMPLEMENTATION, AND PERIODIC UPDATES.—The Commandant shall—

(1) modify such standards as necessary based on the recommendations provided under subsection (c);

(2) implement the standards;

(3) review and update the standards not less frequently than every 4 years.

SEC. 5422. HEALTHCARE SYSTEM REVIEW AND STRATEGIC PLAN.

(a) IN GENERAL.—Not later than 270 days after the completion of the studies conducted by the Comptroller General of the United States under sections 8259 and 8260 of the William M. (Mac) Thornberry National Defense Authorization Act of Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4679), the Commandant shall—

(1) conduct a comprehensive review of the Coast Guard healthcare system; and

(2) develop a strategic plan for improvements to, and modernization of, such system to ensure access to high-quality, timely healthcare for members of the Coast Guard, their dependents, and applicable Coast Guard retirees.

(b) PLAN.—

(1) IN GENERAL.—The strategic plan developed under subsection (a) shall seek—

(A) to maximize the medical readiness of members of the Coast Guard;

(B) to optimize delivery of healthcare benefits;

(C) to ensure high-quality training of Coast Guard medical personnel; and

(D) to prepare for the future needs of the Coast Guard.

(2) ELEMENTS.—The plan shall address, at a minimum, the following:

(A) Improving access to healthcare for members of the Coast Guard, their dependents, and applicable Coast Guard retirees.

(B) Quality of care.

(C) The experience and satisfaction of members of the Coast Guard and their dependents with the Coast Guard healthcare system.

(D) The readiness of members of the Coast Guard and Coast Guard medical personnel.

(c) REVIEW COMMITTEE.—

(1) ESTABLISHMENT.—The Commandant shall establish a review committee to conduct a comprehensive analysis of the Coast Guard healthcare system (referred to in this section as the ''Review Committee'').

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Review Committee shall be composed of members selected by the Commandant, including—

(i) 1 or more members of the uniformed services (as defined in section 101 of title 10, United States Code) or Federal employees with expertise in—

(I) the medical, dental, pharmacy, or behavioral health fields; or

(II) any other field the Commandant considers appropriate;

(ii) a representative of the Defense Health Agency; and

(iii) a medical representative from each Coast Guard district.

(3) CHAIRPERSON.—The chairperson of the Review Committee shall be the Director of the Health, Safety, and Work Life Directorate of the Coast Guard.

(4) STAFF.—The Review Committee shall be staffed by employees of the Coast Guard.

(5) REPORT TO COMMANDANT.—Not later than 1 year after the Review Committee is established, the Review Committee shall submit to the Commandant a report that—

(A) takes into consideration the medical staffing standards developed under section 5421, assesses the recommended medical staffing standards set forth in the Comptroller General study required by section 8260 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4679), and compares such standards to the medical staffing standards of the Department of Defense and the private sector;

(B) addresses improvements needed to ensure continuity of care for members of the Coast Guard, including by evaluating the feasibility of having a dedicated primary care manager for each such member while the member is stationed at a duty station;

(C) evaluates the effects of increased surge deployments of medical personnel on staffing needs at Coast Guard clinics;

(D) identifies ways to improve access to care for members of the Coast Guard and their dependents who are stationed in remote areas, including methods to expand access to providers in the available network;

(E) identifies ways the Coast Guard may better use Department of Defense Military Health System resources for members of the Coast Guard, their dependents, and applicable Coast Guard retirees;

(F) identifies barriers to participation in the Coast Guard healthcare system and ways the Coast Guard may better use patient feedback to improve quality of care at Coast Guard-owned facilities, military treatment facilities, and specialist referrals;

(G) includes recommendations to improve the Coast Guard healthcare system; and

(H) any other matter the Commandant or the Review Committee considers appropriate.

(6) TERMINATION.—The Review Committee shall terminate on the date that is 30 days after the date on which the Review Committee submits the report required by paragraph (5).

(7) INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Review Committee.

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

(1) the strategic plan for the Coast Guard medical system required by subsection (a);

(2) the report of the Review Committee submitted to the Commandant under subsection (c)(5); and

(3) a description of the manner in which the Commandant plans to implement the recommendations of the Review Committee.

SEC. 5423. DATA COLLECTION AND ACCESS TO CARE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant, in consultation with the Defense Health Agency and any healthcare expert the Commandant considers appropriate, shall develop a policy to require the collection of data regarding access by members of the Coast Guard and their dependents to medical, dental, and behavioral health care as recommended by the Comptroller General of the United States in the report entitled ''Coast Guard Health Care: Improvements Needed for Determining Staffing Needs and Monitoring Access to Care'' published in February 2022.

(b) ELEMENTS.—The policy required by subsection (a) shall address the following:

(1) Methods to collect data on access to care for—

(A) routine annual physical health assessments;

(B) flight physicals for aviators and prospective aviators;

(C) sick call;

(D) injuries;

(E) dental health; and

(F) behavioral health conditions.

(2) Collection of data on access to care for referrals.

(3) Collection of data on access to care for members of the Coast Guard stationed at remote units, aboard Coast Guard cutters, and on deployments.

(4) Use of the electronic health record system to improve data collection on access to care.

(5) Use of data for addressing the standards of care, including time between requests for appointments and actual appointments, including appointments made with referral services.

(c) REVIEW BY COMPTROLLER GENERAL.—

(1) SUBMISSION.—Not later than 15 days after the policy is developed under subsection (a), the Commandant shall submit the policy to the Comptroller General of the United States.

(2) REVIEW.—Not later than 180 days after receiving the policy, the Comptroller General shall review the policy and provide recommendations to the Commandant.

(3) MODIFICATION.—Not later than 60 days after receiving the recommendations of the Comptroller General, the Commandant shall modify the policy as necessary based on such recommendations.

(d) PUBLICATION AND REPORT TO CONGRESS.—Not later than 90 days after the policy is modified under subsection (c)(3), the Commandant shall—

(1) publish the policy on a publicly accessible internet website of the Coast Guard; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the policy and the manner in which the Commandant plans to address access-to-care deficiencies.

(e) PERIODIC UPDATES.—Not less frequently than every 5 years, the Commandant shall review and update the policy.

SEC. 5424. BEHAVIORAL HEALTH POLICY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) members of the Coast Guard—

(A) are exposed to high-risk and often stressful duties; and

(B) should be encouraged to seek appropriate medical treatment and professional guidance; and

(2) after treatment for behavioral health conditions, many members of the Coast Guard should be allowed to resume service in the Coast Guard if they—

(A) are able to do so without persistent duty modifications; and

(B) do not pose a risk to themselves or other members of the Coast Guard.

(b) INTERIM BEHAVIORAL HEALTH POLICY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall establish an interim behavioral health policy for members of the Coast Guard that is in parity with section 5.28 (relating to behavioral health) of Department of Defense Instruction 6130.03, volume 2, ''Medical Standards for Military Service: Retention''.

(2) TERMINATION.—The interim policy established under paragraph (1) shall remain in effect until the date on which the Commandant issues a permanent behavioral health policy for members of the Coast Guard.

(c) PERMANENT POLICY.—In developing a permanent policy with respect to retention and behavioral health, the Commandant shall ensure that, to the extent practicable, the policy of the Coast Guard is in parity with section 5.28 (relating to behavioral health) of Department of Defense Instruction 6130.03, volume 2, ''Medical Standards for Military Service: Retention''.

SEC. 5425. MEMBERS ASSERTING POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY.

(a) IN GENERAL.—Subchapter I of chapter 25 of title 14, United States Code, is amended by adding at the end the following:

''§ 2515. Members asserting post-traumatic stress disorder or traumatic brain injury

''(a) MEDICAL EXAMINATION REQUIRED.—(1) The Secretary shall ensure that a member of the Coast Guard who has performed Coast Guard operations or has been sexually assaulted during the preceding 2-year period, and who is diagnosed by an appropriate licensed or certified healthcare professional as experiencing post-traumatic stress disorder or traumatic brain injury or who otherwise alleges, based on the service of the member or based on such sexual assault, the influence of such a condition, receives a medical examination to evaluate a diagnosis of post-traumatic stress disorder or traumatic brain injury.

''(2) A member described in paragraph (1) shall not be administratively separated under conditions other than honorable, including an administrative separation in lieu of court-martial, until the results of the medical examination have been reviewed by appropriate authorities responsible for evaluating, reviewing, and approving the separation case, as determined by the Secretary.

''(3)(A) In a case involving post-traumatic stress disorder, the medical examination shall be—

''(i) performed by—

''(I) a board-certified or board-eligible psychiatrist; or

''(II) a licensed doctorate-level psychologist; or

''(ii) performed under the close supervision of—

''(I) a board-certified or board-eligible psychiatrist; or

''(II) a licensed doctorate-level psychologist, a doctorate-level mental health provider, a psychiatry resident, or a clinical or counseling psychologist who has completed a 1-year internship or residency.

''(B) In a case involving traumatic brain injury, the medical examination shall be performed by a physiatrist, psychiatrist, neurosurgeon, or neurologist.

''(b) PURPOSE OF MEDICAL EXAMINATION.—The medical examination required by subsection (a) shall assess whether the effects of mental or neurocognitive disorders, including post-traumatic stress disorder and traumatic brain injury, constitute matters in extenuation that relate to the basis for administrative separation under conditions other than honorable or the overall characterization of the service of the member as other than honorable.

''(c) INAPPLICABILITY TO PROCEEDINGS UNDER UNIFORM CODE OF MILITARY JUSTICE.—The medical examination and procedures required by this section do not apply to courts-martial or other proceedings conducted pursuant to the Uniform Code of Military Justice.

''(d) COAST GUARD OPERATIONS DEFINED.—In this section, the term 'Coast Guard operations' has the meaning given that term in section 888(a) of the Homeland Security Act of 2002 (6 U.S.C. 468(a)).''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 25 of title 14, United States Code, is amended by adding at the end the following:

''2515. Members asserting post-traumatic stress disorder or traumatic brain injury.

SEC. 5426. IMPROVEMENTS TO THE PHYSICAL DISABILITY EVALUATION SYSTEM AND TRANSITION PROGRAM.

(a) TEMPORARY POLICY.—Not later than 60 days after the date of the enactment of this Act, the Commandant shall develop a temporary policy that—

(1) improves timeliness, communication, and outcomes for members of the Coast Guard undergoing the Physical Disability Evaluation System, or a related formal or informal process;

(2) affords maximum career transition benefits to members of the Coast Guard determined by a Medical Evaluation Board to be unfit for retention in the Coast Guard; and

(3) maximizes the potential separation and career transition benefits for members of the Coast Guard undergoing the Physical Disability Evaluation System, or a related formal or informal process.

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

(1) A requirement that any member of the Coast Guard who is undergoing the Physical Disability Evaluation System, or a related formal or informal process, shall be placed in a duty status that allows the member the opportunity to attend necessary medical appointments and other activities relating to the Physical Disability Evaluation System, including completion of any application of the Department of Veterans Affairs and career transition planning.

(2) In the case of a Medical Evaluation Board report that is not completed within 120 days after the date on which an evaluation by the Medical Evaluation Board was initiated, the option for such a member to enter permissive duty status.

(3) A requirement that the date of initiation of an evaluation by a Medical Evaluation Board shall include the date on which any verbal or written affirmation is made to the member, command, or medical staff that the evaluation by the Medical Evaluation Board has been initiated.

(4) An option for such member to seek an internship under the SkillBridge program established under section 1143(e) of title 10, United States Code, and outside employment aimed at improving the transition of the member to civilian life, only if such an internship or employment does not interfere with necessary medical appointments required for the member's physical disability evaluation.

(5) A requirement that not less than 21 days notice shall be provided to such a member for any such medical appointment, to the maximum extent practicable, to ensure that the appointment timeline is in the best interests of the immediate health of the member.

(6) A requirement that the Coast Guard shall provide such a member with a written separation date upon the completion of a Medical Evaluation Board report that finds the member unfit to continue active duty.

(7) To provide certainty to such a member with respect to a separation date, a policy that ensures—

(A) that accountability measures are in place with respect to Coast Guard delays throughout the Physical Disability Evaluation System, including—

(i) placement of the member in an excess leave status after 270 days have elapsed since the date of initiation of an evaluation by a Medical Evaluation Board by any competent authority; and

(ii) a calculation of the costs to retain the member on active duty, including the pay, allowances, and other associated benefits of the member, for the period beginning on the date that is 90 days after the date of initiation of an evaluation by a Medical Evaluation Board by any competent authority and ending on the date on which the member is separated from the Coast Guard; and

(B) the availability of administrative solutions to any such delay.

(8) With respect to a member of the Coast Guard on temporary limited duty status, an option to remain in the member's current billet, to the maximum extent practicable, or to be transferred to a different active-duty billet, so as to minimize any negative impact on the member's career trajectory.

(9) A requirement that each respective command shall report to the Coast Guard Personnel Service Center any delay of more than 21 days between each stage of the Physical Disability Evaluation System for any such member, including between stages of the processes, the Medical Evaluation Board, the Informal Physical Evaluation Board, and the Formal Physical Evaluation Board.

(10) A requirement that, not later than 7 days after receipt of a report of a delay described in paragraph (9), the Personnel Service Center shall take corrective action, which shall ensure that the Coast Guard exercises maximum discretion to continue the Physical Disability Evaluation System of such a member in a timely manner, unless such delay is caused by the member.

(11) A requirement that—

(A) a member of the Coast Guard shall be allowed to make a request for a reasonable delay in the Physical Disability Evaluation System to obtain additional input and consultation from a medical or legal professional; and

(B) any such request for delay shall be approved by the Commandant based on a showing of good cause by the member.

(c) REPORT ON TEMPORARY POLICY.—Not later than 60 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a copy of the policy developed under subsection (a).

(d) PERMANENT POLICY.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall publish a Commandant Instruction making the policy developed under subsection (a) a permanent policy of the Coast Guard.

(e) BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on, and a copy of, the permanent policy.

(f) ANNUAL REPORT ON COSTS.—

(1) IN GENERAL.—Not less frequently than annually, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that, for the preceding fiscal year—

(A) details the total aggregate service-wide costs described in subsection (b)(7)(A)(ii) for members of the Coast Guard whose Physical Disability Evaluation System process has exceeded 90 days; and

(B) includes for each such member—

(i) an accounting of such costs; and

(ii) the number of days that elapsed between the initiation and completion of the Physical Disability Evaluation System process.

(2) PERSONALLY IDENTIFIABLE INFORMATION.—A report under paragraph (1) shall not include the personally identifiable information of any member of the Coast Guard.

SEC. 5427. EXPANSION OF ACCESS TO COUNSELING.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall hire, train, and deploy not fewer than an additional 5 behavioral health specialists.

(b) REQUIREMENT.—Through the hiring process required by subsection (a), the Commandant shall ensure that at least 35 percent of behavioral health specialists employed by the Coast Guard have experience in behavioral healthcare for the purpose of supporting members of the Coast Guard with needs for perinatal mental health care and counseling services for miscarriage, child loss, and postpartum depression.

(c) ACCESSIBILITY.—The support provided by the behavioral health specialists described in subsection (a)—

(1) may include care delivered via telemedicine; and

(2) shall be made widely available to members of the Coast Guard.

(d) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated under section 4902(1)(A) of title 14, United States Code, as amended by section 5101 of this Act, $2,000,000 shall be made available to the Commandant for each of fiscal years 2023 and 2024 to carry out this section.

SEC. 5428. EXPANSION OF POSTGRADUATE OPPORTUNITIES FOR MEMBERS OF THE COAST GUARD IN MEDICAL AND RELATED FIELDS.

(a) IN GENERAL.—The Commandant shall expand opportunities for members of the Coast Guard to secure postgraduate degrees in medical and related professional disciplines for the purpose of supporting Coast Guard clinics and operations.

(b) MILITARY TRAINING STUDENT LOADS.—Section 4904(b)(3) of title 14, United States Code, is amended by striking ''350'' and inserting ''385''.

SEC. 5429. STUDY ON COAST GUARD TELEMEDICINE PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on the Coast Guard telemedicine program.

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

(1) An assessment of—

(A) the current capabilities and limitations of the Coast Guard telemedicine program;

(B) the degree of integration of such program with existing electronic health records;

(C) the capability and accessibility of such program, as compared to the capability and accessibility of the telemedicine programs of the Department of Defense and commercial medical providers;

(D) the manner in which the Coast Guard telemedicine program may be expanded to provide better clinical and behavioral medical services to members of the Coast Guard, including such members stationed at remote units or onboard Coast Guard cutters at sea; and

(E) the costs savings associated with the provision of—

(i) care through telemedicine; and

(ii) preventative care.

(2) An identification of barriers to full use or expansion of such program.

(3) A description of the resources necessary to expand such program to its full capability.

(c) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall

submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

SEC. 5430. STUDY ON COAST GUARD MEDICAL FACILITIES NEEDS.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on Coast Guard medical facilities needs.

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

(1) A current list of Coast Guard medical facilities, including clinics, sickbays, and shipboard facilities.

(2) A summary of capital needs for Coast Guard medical facilities, including construction and repair.

(3) A summary of equipment upgrade backlogs of Coast Guard medical facilities.

(4) An assessment of improvements to Coast Guard medical facilities, including improvements to IT infrastructure, required to enable the Coast Guard to fully use telemedicine and implement other modernization initiatives.

(5) An evaluation of the process used by the Coast Guard to identify, monitor, and construct Coast Guard medical facilities.

(6) A description of the resources necessary to fully address all Coast Guard medical facilities needs.

(c) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

Subtitle C—Housing

SEC. 5441. STRATEGY TO IMPROVE QUALITY OF LIFE AT REMOTE UNITS.

(a) IN GENERAL.—Not more than 180 days after the date of the enactment of this Act, the Commandant shall develop a strategy to improve the quality of life for members of the Coast Guard and their dependents who are stationed in remote units.

(b) ELEMENTS.—The strategy required by subsection (a) shall address the following:

(1) Methods to improve the availability or affordability of housing options for members of the Coast Guard and their dependents through—

(A) Coast Guard-owned housing;

(B) Coast Guard-facilitated housing; or

(C) basic allowance for housing adjustments to rates that are more competitive for members of the Coast Guard seeking privately owned or privately rented housing.

(2) Methods to improve access by members of the Coast Guard and their dependents to—

(A) medical, dental, and pediatric care; and

(B) behavioral health care that is covered under the TRICARE program (as defined in section 1072 of title 10, United States Code).

(3) Methods to increase access to child care services, including recommendations for increasing child care capacity and opportunities for care within the Coast Guard and in the private sector.

(4) Methods to improve non-Coast Guard network internet access at remote units—

(A) to improve communications between families and members of the Coast Guard on active duty; and

(B) for other purposes such as education and training.

(5) Methods to support spouses and dependents who face challenges specific to remote locations.

(6) Any other matter the Commandant considers appropriate.

(c) BRIEFING.—Not later than 180 days after the strategy required by subsection (a) is completed, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the strategy.

(d) REMOTE UNIT DEFINED.—In this section, the term ''remote unit'' means a unit located in an area in which members of the Coast Guard and their dependents are eligible for TRICARE Prime Remote.

SEC. 5442. STUDY ON COAST GUARD HOUSING ACCESS, COST, AND CHALLENGES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on housing access, cost, and associated challenges facing members of the Coast Guard.

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

(1) An assessment of—

(A) the extent to which—

(i) the Commandant has evaluated the sufficiency, availability, and affordability of housing options for members of the Coast Guard and their dependents; and

(ii) the Coast Guard owns and leases housing for members of the Coast Guard and their dependents;

(B) the methods used by the Commandant to manage housing data, and the manner in which the Commandant uses such data—

(i) to inform Coast Guard housing policy; and

(ii) to guide investments in Coast Guard-owned housing capacity and other investments in housing, such as long-term leases and other options; and

(C) the process used by the Commandant to gather and provide information used to calculate housing allowances for members of the Coast Guard and their dependents, including whether the Commandant has established best practices to manage low-data areas.

(2) An assessment as to whether it is advantageous for the Coast Guard to continue to use the Department of Defense basic allowance for housing system.

(3) Recommendations for actions the Commandant should take to improve the availability and affordability of housing for members of the Coast Guard and their dependents who are stationed in—

(A) remote units located in areas in which members of the Coast Guard and their dependents are eligible for TRICARE Prime Remote; or

(B) units located in areas with a high number of vacation rental properties.

(c) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

(d) STRATEGY.—Not later than 180 days after the submission of the report required by subsection (c), the Commandant shall publish a Coast Guard housing strategy that addresses the findings set forth in the report, which shall, at a minimum—

(1) address housing inventory shortages and affordability; and

(2) include a Coast Guard-owned housing infrastructure investment prioritization plan.

SEC. 5443. AUDIT OF CERTAIN MILITARY HOUSING CONDITIONS OF ENLISTED MEMBERS OF THE COAST GUARD IN KEY WEST, FLORIDA.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Commandant, in coordination with the Secretary of the Navy, shall commence the conduct of an audit to assess—

(1) the conditions of housing units of enlisted members of the Coast Guard located at Naval Air Station Key West Sigsbee Park Annex;

(2) the percentage of those units that are considered unsafe or unhealthy housing units for enlisted members of the Coast Guard and their families;

(3) the process used by enlisted members of the Coast Guard and their families to report housing concerns;

(4) the extent to which enlisted members of the Coast Guard and their families who experience unsafe or unhealthy housing units incur relocation, per diem, or similar expenses as a direct result of displacement that are not covered by a landlord, insurance, or claims process and the feasibility of providing reimbursement for uncovered expenses; and

(5) what is needed to provide appropriate and safe living quarters for enlisted members of the Coast Guard and their families in Key West, Florida.

(b) REPORT.—Not later than 90 days after the commencement of the audit under subsection (a), the Commandant shall submit to the appropriate committees of Congress a report on the results of the audit.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives.

(2) PRIVATIZED MILITARY HOUSING.—The term ''privatized military housing'' means military housing provided under subchapter IV of chapter 169 of title 10, United States Code.

(3) UNSAFE OR UNHEALTHY HOUSING UNIT.—The term ''unsafe or unhealthy housing unit'' means a unit of privatized military housing in which is present, at levels exceeding national standards or guidelines, at least one of the following hazards:

(A) Physiological hazards, including the following:

(i) Dampness or microbial growth.

(ii) Lead-based paint.

(iii) Asbestos or manmade fibers.

(iv) Ionizing radiation.

(v) Biocides.

(vi) Carbon monoxide.

(vii) Volatile organic compounds.

(viii) Infectious agents.

(ix) Fine particulate matter.

(B) Psychological hazards, including the following:

(i) Ease of access by unlawful intruders.

(ii) Lighting issues.

(iii) Poor ventilation.

(iv) Safety hazards.

(v) Other hazards similar to the hazards specified in clauses (i) through (iv).

SEC. 5444. STUDY ON COAST GUARD HOUSING AUTHORITIES AND PRIVATIZED HOUSING.

(a) STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study—

(A) to evaluate the authorities of the Coast Guard relating to construction, operation, and maintenance of housing provided to members of the Coast Guard and their dependents; and

(B) to assess other options to meet Coast Guard housing needs in rural and urban housing markets, including public-private partnerships, long-term lease agreements,

privately owned housing, and any other housing option the Comptroller General identifies.

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

(A) A review of authorities, regulations, and policies available to the Secretary of the department in which the Coast Guard is operating (referred to in this section as the ''Secretary'') with respect to construction, maintenance, and operation of housing for members of the Coast Guard and their dependents, including unaccompanied member housing, that considers—

(i) housing that is owned and operated by the Coast Guard;

(ii) long-term leasing or extended-rental housing;

(iii) public-private partnerships or other privatized housing options for which the Secretary may enter into 1 or more contracts with a private entity to build, maintain, and operate privatized housing for members of the Coast Guard and their dependents;

(iv) on-installation and off-installation housing options, and the availability of, and authorities relating to, such options; and

(v) housing availability near Coast Guard units, readiness needs, and safety.

(B) A review of the housing-related authorities, regulations, and policies available to the Secretary of Defense, and an identification of the differences between such authorities afforded to the Secretary of Defense and the housing-related authorities, regulations, and policies afforded to the Secretary.

(C) A description of lessons learned or recommendations for the Coast Guard based on the use by the Department of Defense of privatized housing, including the recommendations set forth in the report of the Government Accountability Office entitled ''Privatized Military Housing: Update on DOD's Efforts to Address Oversight Challenges'' (GAO–22–105866), issued in March 2022.

(D) An assessment of the extent to which the Secretary has used the authorities provided in subchapter IV of chapter 169 of title 10, United States Code.

(E) An analysis of immediate and long-term costs associated with housing owned and operated by the Coast Guard, as compared to opportunities for long-term leases, private housing, and other public-private partnerships in urban and remote locations.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study conducted under subsection (a).

(c) BRIEFING.—Not later than 180 days after the date on which the report required by subsection (b) is submitted, the Commandant or the Secretary shall provide a briefing to the appropriate committees of Congress on—

(1) the actions the Commandant has, or has not, taken with respect to the results of the study;

(2) a plan for addressing areas identified in the report that present opportunities for improving the housing options available to members of the Coast Guard and their dependents; and

(3) the need for, or potential manner of use of, any authorities the Coast Guard does not have with respect to housing, as compared to the Department of Defense.

(d) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

Subtitle D—Other Matters

SEC. 5451. REPORT ON AVAILABILITY OF EMERGENCY SUPPLIES FOR COAST GUARD PERSONNEL.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the availability of appropriate emergency supplies at Coast Guard units.

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

(1) An assessment of the extent to which—

(A) the Commandant ensures that Coast Guard units assess risks and plan accordingly to obtain and maintain appropriate emergency supplies; and

(B) Coast Guard units have emergency food and water supplies available according to local emergency preparedness needs.

(2) A description of any challenge the Commandant faces in planning for and maintaining adequate emergency supplies for Coast Guard personnel.

(c) PUBLICATION.—Not later than 90 days after the date of submission of the report required by subsection (a), the Commandant shall publish a strategy and recommendations in response to the report that includes—

(1) a plan for improving emergency preparedness and emergency supplies for Coast Guard units; and

(2) a process for periodic review and engagement with Coast Guard units to ensure emerging emergency response supply needs are achieved and maintained.

TITLE LV—MARITIME

Subtitle A—Vessel Safety

SEC. 5501. ABANDONED SEAFARERS FUND AMENDMENTS.

Section 11113(c) of title 46, United States Code, is amended—

(1) in the matter preceding subparagraph (A) of paragraph (1), by inserting ''plus a surcharge of 25 percent of such total amount'' after ''seafarer''; and

(2) by striking paragraph (4).

SEC. 5502. RECEIPTS; INTERNATIONAL AGREEMENTS FOR ICE PATROL SERVICES.

Section 80301(c) of title 46, United States Code, is amended by striking the period at the end and inserting ''and shall be available until expended for the purpose of the Coast Guard international ice patrol program.''.

SEC. 5503. PASSENGER VESSEL SECURITY AND SAFETY REQUIREMENTS.

Notwithstanding any other provision of law, requirements authorized under sections 3509 of title 46, United States Code, shall not apply to any passenger vessel, as defined in section 2101 of such title, that—

(1) carries in excess of 250 passengers; and

(2) is, or was, in operation in the internal waters of the United States on voyages inside the Boundary Line, as defined in section 103 of such title, on or before July 27, 2030.

SEC. 5504. AT-SEA RECOVERY OPERATIONS PILOT PROGRAM.

(a) IN GENERAL.—The Secretary shall conduct a pilot program to evaluate the potential use of remotely controlled or autonomous operation and monitoring of certain vessels for the purposes of—

(1) better understanding the complexities of such at-sea operations and potential risks to navigation safety, vessel security, maritime workers, the public, and the environment;

(2) gathering observational and performance data from monitoring the use of remotely-controlled or autonomous vessels; and

(3) assessing and evaluating regulatory requirements necessary to guide the development of future occurrences of such operations and monitoring activities.

(b) DURATION AND EFFECTIVE DATE.—The duration of the pilot program established under this section shall be not more than 5 years beginning on the date on which the pilot program is established, which shall be not later than 180 days after the date of enactment of this Act.

(c) AUTHORIZED ACTIVITIES.—The activities authorized under this section include—

(1) remote over-the-horizon monitoring operations related to the active at-sea recovery of spaceflight components on an unmanned vessel or platform;

(2) procedures for the unaccompanied operation and monitoring of an unmanned spaceflight recovery vessel or platform; and

(3) unmanned vessel transits and testing operations without a physical tow line related to space launch and recovery operations, except within 12 nautical miles of a port.

(d) INTERIM AUTHORITY.—In recognition of potential risks to navigation safety, vessel security, maritime workers, the public, and the environment, and the unique circumstances requiring the use of remotely operated or autonomous vessels, the Secretary, in the pilot program established under subsection (a), may—

(1) allow remotely controlled or autonomous vessel operations to proceed consistent to the extent practicable under titles 33 and 46 of the United States Code, including navigation and manning laws and regulations;

(2) modify or waive applicable regulations and guidance as the Secretary considers appropriate to—

(A) allow remote and autonomous vessel at-sea operations and activities to occur while ensuring navigation safety; and

(B) ensure the reliable, safe, and secure operation of remotely-controlled or autonomous vessels; and

(3) require each remotely operated or autonomous vessel to be at all times under the supervision of 1 or more individuals—

(A) holding a merchant mariner credential which is suitable to the satisfaction of the Coast Guard; and

(B) who shall practice due regard for the safety of navigation of the autonomous vessel, to include collision avoidance.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to authorize the Secretary to—

(1) permit foreign vessels to participate in the pilot program established under subsection (a);

(2) waive or modify applicable laws and regulations under titles 33 and 46 of the United States Code, except to the extent authorized under subsection (d)(2); or

(3) waive or modify any regulations arising under international conventions.

(f) SAVINGS PROVISION.—Nothing in this section may be construed to authorize the employment in the coastwise trade of a vessel or platform that does not meet the requirements of sections 12112, 55102, 55103, and 55111 of title 46, United States Code.

(g) BRIEFINGS.—The Secretary or the designee of the Secretary shall brief the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the program established under subsection (a) on a quarterly basis.

(h) REPORT.—Not later than 180 days after the expiration of the pilot program established under subsection (a), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of

Representatives a final report regarding an assessment of the execution of the pilot program and implications for maintaining navigation safety, the safety of maritime workers, and the preservation of the environment.

(i) GAO REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the state of autonomous and remote technologies in the operation of shipboard equipment and the safe and secure navigation of vessels in Federal waters of the United States.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) An assessment of commercially available autonomous and remote technologies in the operation of shipboard equipment and the safe and secure navigation of vessels during the 10 years immediately preceding the date of the report.

(B) An analysis of the safety, physical security, cybersecurity, and collision avoidance risks and benefits associated with autonomous and remote technologies in the operation of shipboard equipment and the safe and secure navigation of vessels, including environmental considerations.

(C) An assessment of the impact of such autonomous and remote technologies, and all associated technologies, on labor, including—

(i) roles for credentialed and noncredentialed workers regarding such autonomous, remote, and associated technologies; and

(ii) training and workforce development needs associated with such technologies.

(D) An assessment and evaluation of regulatory requirements necessary to guide the development of future autonomous, remote, and associated technologies in the operation of shipboard equipment and safe and secure navigation of vessels.

(E) An assessment of the extent to which such technologies are being used in other countries and how such countries have regulated such technologies.

(F) Recommendations regarding authorization, infrastructure, and other requirements necessary for the implementation of such technologies in the United States.

(3) CONSULTATION.—The report required under paragraph (1) shall include, at a minimum, consultation with the maritime industry including—

(A) vessel operators, including commercial carriers, entities engaged in exploring for, developing, or producing resources, including non-mineral energy resources in its offshore areas, and supporting entities in the maritime industry;

(B) shipboard personnel impacted by any change to autonomous vessel operations, in order to assess the various benefits and risks associated with the implementation of autonomous, remote, and associated technologies in the operation of shipboard equipment and safe and secure navigation of vessels and the impact such technologies would have on maritime jobs and maritime manpower; and

(C) relevant federally funded research institutions, non-governmental organizations, and academia.

(j) DEFINITIONS.—In this section:

(1) MERCHANT MARINER CREDENTIAL.—The term ''merchant mariner credential'' means a merchant mariner license, certificate, or document that the Secretary is authorized to issue pursuant to title 46, United States Code.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

SEC. 5505. EXONERATION AND LIMITATION OF LIABILITY FOR SMALL PASSENGER VESSELS.

(a) RESTRUCTURING.—Chapter 305 of title 46, United States Code, is amended—

(1) by inserting before section 30501 the following:

''Subchapter I—General Provisions'';

(2) by inserting before section 30503 the following:

''Subchapter II—Exoneration and Limitation of Liability'';

and

(3) by redesignating sections 30503 through 30512 as sections 30521 through 30530, respectively.

(b) DEFINITIONS.—Section 30501 of title 46, United States Code, is amended to read as follows:

''§ 30501. Definitions

''In this chapter:

''(1) COVERED SMALL PASSENGER VESSEL.—The term 'covered small passenger vessel'—

''(A) means a small passenger vessel, as defined in section 2101, that is—

''(i) not a wing-in-ground craft; and

''(ii) carrying—

''(I) not more than 49 passengers on an overnight domestic voyage; and

''(II) not more than 150 passengers on any voyage that is not an overnight domestic voyage; and

''(B) includes any wooden vessel constructed prior to March 11, 1996, carrying at least 1 passenger for hire.

''(2) OWNER.—The term 'owner' includes a charterer that mans, supplies, and navigates a vessel at the charterer's own expense or by the charterer's own procurement.''.

(c) APPLICABILITY.—Section 30502 of title 46, United States Code, is amended—

(1) by striking ''Except as otherwise provided'' and inserting the following: ''(a) IN GENERAL.—Except as to covered small passenger vessels and as otherwise provided'';

(2) by striking ''section 30503'' and inserting ''section 30521''; and

(3) by adding at the end the following:

''(b) APPLICATION.—Notwithstanding subsection (a), the requirements of section 30526 of this title shall apply to covered small passenger vessels.''.

(d) PROVISIONS REQUIRING NOTICE OF CLAIM OR LIMITING TIME FOR BRINGING ACTION.—Section 30526 of title 46, United States Code, as redesignated by subsection (a), is amended—

(1) in subsection (a), by inserting ''and covered small passenger vessels'' after ''seagoing vessels''; and

(2) in subsection (b)—

(A) in paragraph (1), by striking ''6 months'' and inserting ''2 years''; and

(B) in paragraph (2), by striking ''one year'' and inserting ''2 years''.

(e) CHAPTER ANALYSIS.—The analysis for chapter 305 of title 46, United States Code, is amended—

(1) by inserting before the item relating to section 30501 the following:

''SUBCHAPTER I—GENERAL PROVISIONS

(2) by inserting after the item relating to section 30502 the following:

''SUBCHAPTER II—EXONERATION AND LIMITATION OF LIABILITY

(3) by striking the item relating to section 30501 and inserting the following:

''30501. Definitions.

and

(4) by redesignating the items relating to sections 30503 through 30512 as items relating to sections 30521 through 30530, respectively.

(f) CONFORMING AMENDMENTS.—Title 46, United States Code, is further amended—

(1) in section 14305(a)(5), by striking ''section 30506'' and inserting ''section 30524'';

(2) in section 30523(a), as redesignated by subsection (a), by striking ''section 30506'' and inserting ''section 30524'';

(3) in section 30524(b), as redesignated by subsection (a), by striking ''section 30505'' and inserting ''section 30523''; and

(4) in section 30525, as redesignated by subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''sections 30505 and 30506'' and inserting ''sections 30523 and 30524'';

(B) in paragraph (1), by striking ''section 30505'' and inserting ''section 30523''; and

(C) in paragraph (2), by striking ''section 30506(b)'' and inserting ''section 30524(b)''.

SEC. 5506. MORATORIUM ON TOWING VESSEL INSPECTION USER FEES.

Notwithstanding section 9701 of title 31, United States Code, and section 2110 of title 46 of such Code, the Secretary of the department in which the Coast Guard is operating may not charge an inspection fee for a towing vessel that has a certificate of inspection issued under subchapter M of chapter I of title 46, Code of Federal Regulations (or any successor regulation), and that uses the Towing Safety Management System option for compliance with such subchapter, until—

(1) the completion of the review required under section 815 of the Frank LoBiondo Coast Guard Authorization Act of 2018 (14 U.S.C. 946 note; Public Law 115–282); and

(2) the promulgation of regulations to establish specific inspection fees for such vessels.

SEC. 5507. CERTAIN HISTORIC PASSENGER VESSELS.

(a) REPORT ON COVERED HISTORIC VESSELS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report evaluating the practicability of the application of section 3306(n)(3)(A)(v) of title 46, United States Code, to covered historic vessels.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) An assessment of the compliance, as of the date on which the report is submitted in accordance with paragraph (1), of covered historic vessels with section 3306(n)(3)(A)(v) of title 46, United States Code.

(B) An assessment of the safety record of covered historic vessels.

(C) An assessment of the risk, if any, that modifying the requirements under section 3306(n)(3)(A)(v) of title 46, United States Code, would have on the safety of passengers and crew of covered historic vessels.

(D) An evaluation of the economic practicability of the compliance of covered historic vessels with such section 3306(n)(3)(A)(v) and whether that compliance would meaningfully improve safety of passengers and crew in a manner that is both feasible and economically practicable.

(E) Any recommendations to improve safety in addition to, or in lieu of, such section 3306(n)(3)(A)(v).

(F) Any other recommendations as the Comptroller General determines are appropriate with respect to the applicability of such section 3306(n)(3)(A)(v) to covered historic vessels.

(G) An assessment to determine if covered historic vessels could be provided an exemption to such section 3306(n)(3)(A)(v) and what changes to legislative or rulemaking requirements, including modifications to section

177.500(q) of title 46, Code of Federal Regulations (as in effect on the date of enactment of this Act), are necessary to provide the Commandant the authority to make such exemption or to otherwise provide for such exemption.

(b) CONSULTATION.—In completing the report required under subsection (a)(1), the Comptroller General may consult with—

(1) the National Transportation Safety Board;

(2) the Coast Guard; and

(3) the maritime industry, including relevant federally funded research institutions, nongovernmental organizations, and academia.

(c) EXTENSION FOR COVERED HISTORIC VESSELS.—The captain of a port may waive the requirements of section 3306(n)(3)(A)(v) of title 46, United States Code, with respect to covered historic vessels for not more than 2 years after the date of submission of the report required by subsection (a) to Congress in accordance with such subsection.

(d) SAVINGS CLAUSE.—Nothing in this section shall limit any authority available, as of the date of enactment of this Act, to the captain of a port with respect to safety measures or any other authority as necessary for the safety of covered historic vessels.

(e) NOTICE TO PASSENGERS.—A covered historic vessel that receives a waiver under subsection (c) shall, beginning on the date on which the requirements under section 3306(n)(3)(A)(v) of title 46, United States Code, take effect, provide a prominently displayed notice on its website, ticket counter, and each ticket for passengers that the vessel is exempt from meeting the Coast Guard safety compliance standards concerning egress as provided for under such section 3306(n)(3)(A)(v).

(f) DEFINITION OF COVERED HISTORIC VESSELS.—In this section, the term ''covered historic vessels'' means the following:

(1) American Eagle (Official Number 229913).

(2) Angelique (Official Number 623562).

(3) Heritage (Official Number 649561).

(4) J & E Riggin (Official Number 226422).

(5) Ladona (Official Number 222228).

(6) Lewis R. French (Official Number 015801).

(7) Mary Day (Official Number 288714).

(8) Stephen Taber (Official Number 115409).

(9) Victory Chimes (Official Number 136784).

(10) Grace Bailey (Official Number 085754).

(11) Mercantile (Official Number 214388).

(12) Mistress (Official Number 509004).

SEC. 5508. COAST GUARD DIGITAL REGISTRATION.

Section 12304(a) of title 46, United States Code, is amended—

(1) by striking ''shall be pocketsized,''; and

(2) by striking '', and may be valid'' and inserting ''and may be in hard copy or digital form. The certificate shall be valid''.

SEC. 5509. RESPONSES TO SAFETY RECOMMENDATIONS.

(a) IN GENERAL.—Chapter 7 of title 14, United States Code, is amended by adding at the end the following:

''§ 721. Responses to safety recommendations

''(a) IN GENERAL.—Not later than 90 days after the submission to the Commandant of a recommendation and supporting justification by the National Transportation Safety Board relating to transportation safety, the Commandant shall submit to the National Transportation Safety Board a written response to the recommendation, which shall include whether the Commandant—

''(1) concurs with the recommendation;

''(2) partially concurs with the recommendation; or

''(3) does not concur with the recommendation.

''(b) EXPLANATION OF CONCURRENCE.—A response under subsection (a) shall include—

''(1) with respect to a recommendation with which the Commandant concurs, an explanation of the actions the Commandant intends to take to implement such recommendation;

''(2) with respect to a recommendation with which the Commandant partially concurs, an explanation of the actions the Commandant intends to take to implement the portion of such recommendation with which the Commandant partially concurs; and

''(3) with respect to a recommendation with which the Commandant does not concur, the reasons the Commandant does not concur.

''(c) FAILURE TO RESPOND.—If the National Transportation Safety Board has not received the written response required under subsection (a) by the end of the time period described in that subsection, the National Transportation Safety Board shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that such response has not been received.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 7 of title 14, United States Code, is amended by adding at the end the following:

''721. Responses to safety recommendations.

SEC. 5510. COMPTROLLER GENERAL OF THE UNITED STATES STUDY AND REPORT ON THE COAST GUARD'S OVERSIGHT OF THIRD PARTY ORGANIZATIONS.

(a) IN GENERAL.—The Comptroller General of the United States shall initiate a review, not later than 1 year after the date of enactment of this Act, that assesses the Coast Guard's oversight of third party organizations.

(b) ELEMENTS.—The study required under subsection (a) shall analyze the following:

(1) Coast Guard utilization of third party organizations in its prevention mission, and the extent the Coast Guard plans to increase such use to enhance prevention mission performance, including resource utilization and specialized expertise.

(2) The extent the Coast Guard has assessed the potential risks and benefits of using third party organizations to support prevention mission activities.

(3) The extent the Coast Guard provides oversight of third party organizations authorized to support prevention mission activities.

(c) REPORT.—The Comptroller General shall submit the results from this study not later than 1 year after initiating the review to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 5511. ARTICULATED TUG-BARGE MANNING.

(a) IN GENERAL.—Notwithstanding the watch setting requirements set forth in section 8104 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating shall authorize an Officer in Charge, Marine Inspection to issue an amended certificate of inspection that does not require engine room watch setting to inspected towing vessels certificated prior to July 19, 2022, forming part of an articulated tug-barge unit, provided that such vessels are equipped with engineering control and monitoring systems of a type accepted for no engine room watch setting under a previously approved Minimum Safe Manning Document or certificate of inspection for articulated tug-barge units.

(b) DEFINITIONS.—In this section:

(1) CERTIFICATE OF INSPECTION.—The term ''certificate of inspection'' means a certificate of inspection under subchapter M of chapter I of title 46, Code of Federal Regulations.

(2) INSPECTED TOWING VESSEL.—The term ''inspected towing vessel'' means a vessel issued a Certificate of Inspection.

SEC. 5512. ALTERNATE SAFETY COMPLIANCE PROGRAM EXCEPTION FOR CERTAIN VESSELS.

Section 4503a of title 46, United States Code, is amended—

(1) by redesignating subsections (d) through (f) as subsections (e) through (g), respectively; and

(2) by inserting after subsection (c) the following:

''(d) Subsection (a) shall not apply to a vessel that—

''(1) is 79 feet or less in length as listed on the vessel's certificate of documentation or certificate of number; and

''(2)(A) successfully completes a dockside examination by the Secretary every 2 years in accordance with section 4502(f)(2) of this title; and

''(B) visibly displays a current decal demonstrating examination compliance in the pilothouse or equivalent space.''.

Subtitle B—Other Matters

SEC. 5521. DEFINITION OF A STATELESS VESSEL.

Section 70502(d)(1) of title 46, United States Code, is amended—

(1) in subparagraph (B), by striking ''and'' after the semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

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

''(D) a vessel aboard which no individual, on request of an officer of the United States authorized to enforce applicable provisions of United States law, claims to be the master or is identified as the individual in charge and that has no other claim of nationality or registry under paragraph (1) or (2) of subsection (e).''.

SEC. 5522. REPORT ON ENFORCEMENT OF COASTWISE LAWS.

Not later than 1 year after the date of enactment of this Act, the Commandant shall submit to Congress a report describing any changes to the enforcement of chapters 121 and 551 of title 46, United States Code, as a result of the amendments to section 4(a)(1) of the Outer Continental Shelf Lands Act (43 U.S.C. 1333(a)(1)) made by section 9503 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

SEC. 5523. STUDY ON MULTI-LEVEL SUPPLY CHAIN SECURITY STRATEGY OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study that assesses the efforts of the Department of Homeland Security with respect to securing vessels and maritime cargo bound for the United States from national security related risks and threats.

(b) ELEMENTS.—The study required under subsection (a) shall assess the following:

(1) Programs that comprise the maritime strategy of the Department of Homeland Security for securing vessels and maritime cargo bound for the United States, and the extent that such programs cover the critical components of the global supply chain.

(2) The extent to which the components of the Department of Homeland Security responsible for maritime security issues have implemented leading practices in collaboration.

(3) The extent to which the Department of Homeland Security has assessed the effectiveness of its maritime security strategy.

(4) The effectiveness of the maritime security strategy of the Department of Homeland Security.

(c) REPORT.—Not later than 1 year after initiating the study under subsection (a), the Comptroller General of the United States shall submit the results from the study to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives.

SEC. 5524. STUDY TO MODERNIZE THE MERCHANT MARINER LICENSING AND DOCUMENTATION SYSTEM.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate, and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, a report on the financial, human, and information technology infrastructure resources needed to establish an electronic merchant mariner licensing and documentation system.

(b) LEGISLATIVE AND REGULATORY SUGGESTIONS.—The report described in subsection (a) shall include recommendations for such legislative or administrative actions as the Commandant determines necessary to establish the electronic merchant mariner licensing and documentation system described in subsection (a) as soon as possible.

(c) GAO REPORT.—

(1) IN GENERAL.—By not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States, in consultation with the Commandant, shall prepare and submit a report to Congress that evaluates the current processes, as of the date of enactment of this Act, of the National Maritime Center for processing and approving merchant mariner credentials.

(2) CONTENTS OF EVALUATION.—The evaluation conducted under paragraph (1) shall include—

(A) an analysis of the effectiveness of the current merchant mariner credentialing process, as of the date of enactment of this Act;

(B) an analysis of the backlogs relating to the merchant mariner credentialing process and the reasons for such backlogs; and

(C) recommendations for improving and expediting the merchant mariner credentialing process.

(3) DEFINITION OF MERCHANT MARINER CREDENTIAL.—In this subsection, the term ''merchant mariner credential'' means a merchant mariner license, certificate, or document that the Secretary of the department in which the Coast Guard is operating is authorized to issue pursuant to title 46, United States Code.

SEC. 5525. STUDY AND REPORT ON DEVELOPMENT AND MAINTENANCE OF MARINER RECORDS DATABASE.

(a) STUDY.—

(1) IN GENERAL.—The Secretary, in coordination with the Commandant and the Administrator of the Maritime Administration and the Commander of the United States Transportation Command, shall conduct a study on the potential benefits and feasibility of developing and maintaining a Coast Guard database that—

(A) contains records with respect to each credentialed mariner, including credential validity, drug and alcohol testing results, and information on any final adjudicated agency action involving a credentialed mariner or regarding any involvement in a marine casualty; and

(B) maintains such records in a manner such that data can be readily accessed by the Federal Government for the purpose of assessing workforce needs and for the purpose of the economic and national security of the United States.

(2) ELEMENTS.—The study required under paragraph (1) shall—

(A) include an assessment of the resources, including information technology, and authorities necessary to develop and maintain the database described in such paragraph; and

(B) specifically address the protection of the privacy interests of any individuals whose information may be contained within the database, which shall include limiting access to the database or having access to the database be monitored by, or accessed through, a member of the Coast Guard.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study under subsection (a), including findings, conclusions, and recommendations.

(c) DEFINITIONS.—In this section:

(1) CREDENTIALED MARINER.—The term ''credentialed mariner'' means an individual with a merchant mariner license, certificate, or document that the Secretary is authorized to issue pursuant to title 46, United States Code.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Department in which the Coast Guard is operating.

SEC. 5526. ASSESSMENT REGARDING APPLICATION PROCESS FOR MERCHANT MARINER CREDENTIALS.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall conduct an assessment to determine the resources, including personnel and computing resources, required to—

(1) reduce the amount of time necessary to process merchant mariner credentialing applications to not more than 2 weeks after the date of receipt; and

(2) develop and maintain an electronic merchant mariner credentialing application.

(b) BRIEFING REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives with the results of the assessment required under subsection (a).

(c) DEFINITION.—In this section, the term ''merchant mariner credentialing application'' means a credentialing application for a merchant mariner license, certificate, or document that the Secretary is authorized to issue pursuant to title 46, United States Code.

SEC. 5527. MILITARY TO MARINERS ACT OF 2022.

(a) SHORT TITLE.—This section may be cited as the ''Military to Mariners Act of 2022''.

(b) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress makes the following findings:

(A) The United States Uniformed Services are composed of the world's most highly trained and professional servicemembers.

(B) A robust Merchant Marine and ensuring United States mariners can compete in the global workforce are vital to economic and national security.

(C) Attracting additional trained and credentialed mariners, particularly from active duty servicemembers and military veterans, will support United States national security requirements and provide meaningful, well-paying jobs to United States veterans.

(D) There is a need to ensure that the Federal Government has a robust, state of the art, and efficient merchant mariner credentialing system to support economic and national security.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) veterans and members of the Uniformed Services who pursue credentialing to join the United States Merchant Marine should receive vigorous support; and

(B) it is incumbent upon the regulatory bodies of the United States to streamline regulations to facilitate transition of veterans and members of the Uniformed Services into the United States Merchant Marine to maintain a strong maritime presence in the United States and worldwide.

(c) MODIFICATION OF SEA SERVICE REQUIREMENTS FOR MERCHANT MARINER CREDENTIALS FOR VETERANS AND MEMBERS OF THE UNIFORMED SERVICES.—

(1) DEFINITIONS.—In this subsection:

(A) MERCHANT MARINER CREDENTIAL.—The term ''merchant mariner credential'' has the meaning given the term in section 7510 of title 46, United States Code.

(B) SECRETARY.—The term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

(C) UNIFORMED SERVICES.—The term ''Uniformed Services'' has the meaning given the term ''uniformed services'' in section 2101 of title 5, United States Code.

(2) REVIEW AND REGULATIONS.—Notwithstanding any other provision of law, not later than 2 years after the date of enactment of this Act, the Secretary shall—

(A) review and examine—

(i) the requirements and procedures for veterans and members of the Uniformed Services to receive a merchant mariner credential;

(ii) the classifications of sea service acquired through training and service as a member of the Uniformed Services and level of equivalence to sea service on merchant vessels;

(iii) the amount of sea service, including percent of the total time onboard for purposes of equivalent underway service, that will be accepted as required experience for all endorsements for applicants for a merchant mariner credential who are veterans or members of the Uniformed Services;

(B) provide the availability for a fully internet-based application process for a merchant mariner credential, to the maximum extent practicable; and

(C) issue new regulations to—

(i) reduce paperwork, delay, and other burdens for applicants for a merchant mariner credential who are veterans and members of the Uniformed Services, and, if determined to be appropriate, increase the acceptable percentages of time equivalent to sea service for such applicants; and

(ii) reduce burdens and create a means of alternative compliance to demonstrate instructor competency for Standards of Training, Certification and Watchkeeping for Seafarers courses.

(3) CONSULTATION.—In carrying out paragraph (2), the Secretary shall consult with the National Merchant Marine Personnel Advisory Committee taking into account the present and future needs of the United States Merchant Marine labor workforce.

(4) REPORT.—Not later than 180 days after the date of enactment of this Act, the Committee on the Marine Transportation System

shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Armed Services of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Armed Services of the House of Representatives, a report that contains an update on the activities carried out to implement—

(A) the July 2020 report by the Committee on the Marine Transportation System to the White House Office of Trade and Manufacturing Policy on the implementation of Executive Order 13860 (84 Fed. Reg. 8407; relating to supporting the transition of active duty servicemembers and military veterans into the Merchant Marine); and

(B) section 3511 of the National Defense Authorization Act of 2020 (Public Law 116–92; 133 Stat. 1978).

(d) ASSESSMENT OF SKILLBRIDGE FOR EMPLOYMENT AS A MERCHANT MARINER.—The Secretary of the department in which the Coast Guard is operating, in collaboration with the Secretary of Defense, shall assess the use of the SkillBridge program of the Department of Defense as a means for transitioning active duty sea service personnel toward employment as a merchant mariner.

SEC. 5528. FLOATING DRY DOCKS.

Section 55122(a) of title 46, United States Code, is amended—

(1) in paragraph (1)(C)—

(A) by striking ''(C)'' and inserting ''(C)(i)'';

(B) by striking ''2015; and'' and inserting ''2015; or''; and

(C) by adding at the end the following:

''(ii) had a letter of intent for purchase by such shipyard or affiliate signed prior to such date of enactment; and''; and

(2) in paragraph (2), by inserting ''or occurs between Honolulu, Hawaii, and Pearl Harbor, Hawaii'' before the period at the end.

TITLE LVI—SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION AND RESPONSE

SEC. 5601. DEFINITIONS.

(a) IN GENERAL.—Section 2101 of title 46, United States Code, is amended—

(1) by redesignating paragraphs (45) through (54) as paragraphs (47) through (56), respectively; and

(2) by inserting after paragraph (44) the following:

''(45) 'sexual assault' means any form of abuse or contact as defined in chapter 109A of title 18, or a substantially similar offense under a State, local, or Tribal law.

''(46) 'sexual harassment' means any of the following:

''(A) Conduct towards an individual (which may have been by the individual's supervisor, a supervisor in another area, a coworker, or another credentialed mariner) that—

''(i) involves unwelcome sexual advances, requests for sexual favors, or deliberate or repeated offensive comments or gestures of a sexual nature, when—

''(I) submission to such conduct is made either explicitly or implicitly a term or condition of employment, pay, career, benefits, or entitlements of the individual;

''(II) any submission to, or rejection of, such conduct by the individual is used as a basis for decisions affecting the individual's job, pay, career, benefits, or entitlements; or

''(III) such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creates an intimidating, hostile, or offensive working environment; and

''(ii) is so severe or pervasive that a reasonable person would perceive, and the individual does perceive, the environment as hostile or offensive.

''(B) Any use or condonation by any person in a supervisory or command position of any form of sexual behavior to control, influence, or affect the career, pay, or job of an individual who is a subordinate to the person.

''(C) Any intentional or repeated unwelcome verbal comment or gesture of a sexual nature towards or about an individual by the individual's supervisor, a supervisor in another area, a coworker, or another credentialed mariner.''.

(b) REPORT.—The Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing any changes the Commandant may propose to the definitions added by the amendments in subsection (a).

(c) CONFORMING AMENDMENTS.—

(1) Section 2113(3) of title 46, United States Code, is amended by striking ''section 2101(51)(A)'' and inserting ''section 2101(53)(A)''.

(2) Section 4105 of title 46, United States Code, is amended—

(A) in subsections (b)(1) and (c), by striking ''section 2101(51)'' each place it appears and inserting ''section 2101(53)''; and

(B) in subsection (d), by striking ''section 2101(51)(A)'' and inserting ''section 2101(53)(A)''.

(3) Section 1131(a)(1)(E) of title 49, United States Code, is amended by striking ''section 2101(46)'' and inserting ''116''.

SEC. 5602. CONVICTED SEX OFFENDER AS GROUNDS FOR DENIAL.

(a) IN GENERAL.—Chapter 75 of title 46, United States Code, is amended by adding at the end the following:

''§ 7511. Convicted sex offender as grounds for denial

''(a) SEXUAL ABUSE.—A license, certificate of registry, or merchant mariner's document authorized to be issued under this part shall be denied to an individual who has been convicted of a sexual offense prohibited under—

''(1) chapter 109A of title 18, except for subsection (b) of section 2244 of title 18; or

''(2) a substantially similar offense under a State, local, or Tribal law.

''(b) ABUSIVE SEXUAL CONTACT.—A license, certificate of registry, or merchant mariner's document authorized to be issued under this part may be denied to an individual who within 5 years before applying for the license, certificate, or document, has been convicted of a sexual offense prohibited under subsection (b) of section 2244 of title 18, or a substantially similar offense under a State, local, or Tribal law.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 75 of title 46, United States Code, is amended by adding at the end the following:

''7511. Convicted sex offender as grounds for denial.''.

SEC. 5603. ACCOMMODATION; NOTICES.

Section 11101 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(5) each crew berthing area shall be equipped with information regarding—

''(A) vessel owner or company policies prohibiting sexual assault, sexual harassment, retaliation, and drug and alcohol use; and

''(B) procedures and resources to report allegations of sexual assault and sexual harassment, including information—

''(i) on the contact information, website address, and mobile application of the Coast Guard Investigative Services and the Coast Guard National Command Center, in order to report allegations of sexual assault or sexual harassment;

''(ii) on vessel owner or company procedures to report violations of company policy and access resources;

''(iii) on resources provided by outside organizations such as sexual assault hotlines and counseling;

''(iv) on the retention period for surveillance video recording after an incident of sexual harassment or sexual assault is reported; and

''(v) on additional items specified in regulations issued by, and at the discretion of, the Secretary.''; and

(2) in subsection (d), by adding at the end the following: ''In each washing place in a visible location, there shall be information regarding procedures and resources to report alleged sexual assault and sexual harassment upon the vessel, and vessel owner or company policies prohibiting sexual assault and sexual harassment, retaliation, and drug and alcohol use.''.

SEC. 5604. PROTECTION AGAINST DISCRIMINATION.

Section 2114(a) of title 46, United States Code, is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (B) through (G) as subparagraphs (C) through (H), respectively; and

(B) by inserting after subparagraph (A) the following:

''(B) the seaman in good faith has reported or is about to report to the vessel owner, Coast Guard, or other appropriate Federal agency or department sexual harassment or sexual assault against the seaman or knowledge of sexual harassment or sexual assault against another seaman;''; and

(2) in paragraphs (2) and (3), by striking ''paragraph (1)(B)'' each place it appears and inserting ''paragraph (1)(C)''.

SEC. 5605. ALCOHOL AT SEA.

(a) IN GENERAL.—The Commandant shall seek to enter into an agreement with the National Academy of Sciences not later than 1 year after the date of the enactment of this Act under which the National Academy of Sciences shall prepare an assessment to determine safe levels of alcohol consumption and possession by crew members aboard vessels of the United States engaged in commercial service, except when such possession is associated with the commercial sale to individuals aboard the vessel who are not crew members.

(b) ASSESSMENT.—The assessment under this section shall—

(1) take into account the safety and security of every individual on the vessel;

(2) take into account reported incidences of sexual harassment or sexual assault, as defined in section 2101 of title 46, United States Code; and

(3) provide any appropriate recommendations for any changes to laws, including regulations, or employer policies.

(c) SUBMISSION.—Upon completion of the assessment under this section, the National Academy of Sciences shall submit the assessment to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, the Commandant, and the Secretary of the department in which the Coast Guard is operating.

(d) REGULATIONS.—The Commandant—

(1) shall review the findings and recommendations of the assessment under this section by not later than 180 days after receiving the assessment under subsection (c); and

(2) taking into account the safety and security of every individual on vessels of the

United States engaged in commercial service, may issue regulations relating to alcohol consumption on such vessels.

(e) REPORT REQUIRED.—If, by the date that is 2 years after the receipt of the assessment under subsection (c), the Commandant does not issue regulations under subsection (d), the Commandant shall provide a report by such date to the appropriate committees of Congress—

(1) regarding the rationale for not issuing such regulations; and

(2) providing other recommendations as necessary to ensure safety at sea.

SEC. 5606. SEXUAL HARASSMENT OR SEXUAL ASSAULT AS GROUNDS FOR SUSPENSION AND REVOCATION.

(a) IN GENERAL.—Chapter 77 of title 46, United States Code, is amended by inserting after section 7704 the following:

"§ 7704a. Sexual harassment or sexual assault as grounds for suspension and revocation

''(a) SEXUAL HARASSMENT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner's document issued under this part, within 10 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual harassment, then the license, certificate of registry, or merchant mariner's document shall be suspended or revoked.

''(b) SEXUAL ASSAULT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner's document issued under this part, within 20 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual assault, then the license, certificate of registry, or merchant mariner's document shall be revoked.

''(c) SUBSTANTIATED CLAIM.—

''(1) IN GENERAL.—In this section, the term 'substantiated claim' means—

''(A) a legal proceeding or agency action in any administrative proceeding that determines the individual committed sexual harassment or sexual assault in violation of any Federal, State, local, or Tribal law or regulation and for which all appeals have been exhausted, as applicable; or

''(B) a determination after an investigation by the Coast Guard that it is more likely than not that the individual committed sexual harassment or sexual assault as defined in section 2101, if the determination affords appropriate due process rights to the subject of the investigation.

''(2) ADDITIONAL REVIEW.—A license, certificate of registry, or merchant mariner's document shall not be suspended or revoked under subsection (a) or (b), unless the substantiated claim is reviewed and affirmed, in accordance with the applicable definition in section 2101, by an administrative law judge at the same suspension or revocation hearing under this chapter described in subsection (a) or (b), as applicable.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 77 of title 46, United States Code, is amended by inserting after the item relating to section 7704 the following:

''7704a. Sexual harassment or sexual assault as grounds for suspension or revocation.

SEC. 5607. SURVEILLANCE REQUIREMENTS.

(a) IN GENERAL.—Part B of subtitle II of title 46, United States Code, is amended by adding at the end the following:

"CHAPTER 49—OCEANGOING NONPASSENGER COMMERCIAL VESSELS

"§ 4901. Surveillance requirements

''(a) APPLICABILITY.—

''(1) IN GENERAL.—The requirements in this section shall apply to vessels engaged in commercial service that do not carry passengers and are any of the following:

''(A) A documented vessel with overnight accommodations for at least 10 persons on board that—

''(i) is on a voyage of at least 600 miles and crosses seaward of the boundary line; or

''(ii) is at least 24 meters (79 feet) in overall length and required to have a load line under chapter 51.

''(B) A documented vessel on an international voyage that is of—

''(i) at least 500 gross tons as measured under section 14502; or

''(ii) an alternate tonnage measured under section 14302 as prescribed by the Secretary under section 14104.

''(C) A vessel with overnight accommodations for at least 10 persons on board that are operating for no less than 72 hours on waters superjacent to the outer Continental Shelf (as defined in section 2(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1331(a)).

''(2) EXCEPTION.—Notwithstanding paragraph (1), the requirements in this section shall not apply to any fishing vessel, fish processing vessel, or fish tender vessel.

''(b) REQUIREMENT FOR MAINTENANCE OF VIDEO SURVEILLANCE SYSTEM.—Each vessel to which this section applies shall maintain a video surveillance system in accordance with this section.

''(c) PLACEMENT OF VIDEO AND AUDIO SURVEILLANCE EQUIPMENT.—

''(1) IN GENERAL.—The owner of a vessel to which this section applies shall install video and audio surveillance equipment aboard the vessel not later than 2 years after the date of enactment of the Coast Guard Authorization Act of 2022, or during the next scheduled drydock, whichever is later.

''(2) LOCATIONS.—Video and audio surveillance equipment shall be placed in passageways onto which doors from staterooms open. Such equipment shall be placed in a manner ensuring the visibility of every door in each such passageway.

''(d) NOTICE OF VIDEO AND AUDIO SURVEILLANCE.—The owner of a vessel to which this section applies shall provide clear and conspicuous signs on board the vessel notifying the crew of the presence of video and audio surveillance equipment.

''(e) LIMITED ACCESS TO VIDEO AND AUDIO RECORDS.—The owner of a vessel to which this section applies shall ensure that access to records of video and audio surveillance is limited to the purposes described in this section and not used as part of a labor action against a crew member or employment dispute unless used in a criminal or civil action.

''(f) RETENTION REQUIREMENTS.—The owner of a vessel to which this section applies shall retain all records of audio and video surveillance for not less than 4 years after the footage is obtained. Any video and audio surveillance found to be associated with an alleged incident of sexual harassment or sexual assault shall be retained by such owner for not less than 10 years from the date of the alleged incident.

''(g) PERSONNEL TRAINING.—A vessel owner, managing operator, or employer of a seafarer (in this subsection referred to as the 'company') shall provide training for all individuals employed by the company for the purpose of responding to incidents of sexual assault or sexual harassment, including—

''(1) such training to ensure the individuals—

''(A) retain audio and visual records and other evidence objectively; and

''(B) act impartially without influence from the company or others; and

''(2) training on applicable Federal, State, Tribal, and local laws and regulations regarding sexual assault and sexual harassment investigations and reporting requirements.

''(h) DEFINITION OF OWNER.—In this section, the term 'owner' means the owner, charterer, managing operator, master, or other individual in charge of a vessel.''.

(b) CLERICAL AMENDMENT.—The analysis of subtitle II at the beginning of title 46, United States Code, is amended by adding after the item relating to chapter 47 the following:

''CHAPTER 49—OCEANGOING NONPASSENGER COMMERCIAL VESSELS''.

SEC. 5608. MASTER KEY CONTROL.

(a) IN GENERAL.—Chapter 31 of title 46, United States Code, is amended by adding at the end the following:

"§ 3106. Master key control system

''(a) IN GENERAL.—The owner of a vessel subject to inspection under section 3301 shall—

''(1) ensure that such vessel is equipped with a vessel master key control system, manual or electronic, which provides controlled access to all copies of the vessel's master key of which access shall only be available to the individuals described in paragraph (2);

''(2)(A) establish a list of all crew members, identified by position, allowed to access and use the master key; and

''(B) maintain such list upon the vessel within owner records and include such list in the vessel safety management system under section 3203(a)(6);

''(3) record in a log book, which may be electronic and shall be included in the safety management system under section 3203(a)(6), information on all access and use of the vessel's master key, including—

''(A) dates and times of access;

''(B) the room or location accessed; and

''(C) the name and rank of the crew member that used the master key; and

''(4) make the list under paragraph (2) and the log book under paragraph (3) available upon request to any agent of the Federal Bureau of Investigation, any member of the Coast Guard, and any law enforcement officer performing official duties in the course and scope of an investigation.

''(b) PROHIBITED USE.—A crew member not included on the list described in subsection (a)(2) shall not have access to or use the master key unless in an emergency and shall immediately notify the master and owner of the vessel following access to or use of such key.

''(c) PENALTY.—Any crew member who violates subsection (b) shall be liable to the United States Government for a civil penalty of not more than $1,000, and may be subject to suspension or revocation under section 7703.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 31 of title 46, United States Code, is amended by adding at the end the following:

''3106. Master key control system.''.

SEC. 5609. SAFETY MANAGEMENT SYSTEMS.

Section 3203 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (5) and (6) as paragraphs (7) and (8), respectively; and

(B) by inserting after paragraph (4) the following:

''(5) with respect to sexual harassment and sexual assault, procedures and annual training requirements for all responsible persons and vessels to which this chapter applies on—

''(A) prevention;

''(B) bystander intervention;

''(C) reporting;

''(D) response; and

''(E) investigation;

''(6) the list required under section 3106(a)(2) and the log book required under section 3106(a)(3);'';

(2) by redesignating subsections (b) and (c) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (a) the following:

''(b) PROCEDURES AND TRAINING REQUIREMENTS.—In prescribing regulations for the procedures and training requirements described in subsection (a)(5), such procedures and requirements shall be consistent with the requirements to report sexual harassment or sexual assault under section 10104.

''(c) AUDITS.—

''(1) IN GENERAL.—Upon discovery of a failure of a responsible person or vessel to comply with a requirement under section 10104 during an audit of a safety management system or from other sources of information acquired by the Coast Guard (including an audit or systematic review under section 10104(g)), the Secretary shall audit the safety management system of a vessel under this section to determine if there is a failure to comply with any other requirement under section 10104.

''(2) CERTIFICATES.—

''(A) SUSPENSION.—During an audit of a safety management system of a vessel required under paragraph (1), the Secretary may suspend the Safety Management Certificate issued for the vessel under section 3205 and issue a separate Safety Management Certificate for the vessel to be in effect for a 3-month period beginning on the date of the issuance of such separate certificate.

''(B) REVOCATION.—At the conclusion of an audit of a safety management system required under paragraph (1), the Secretary shall revoke the Safety Management Certificate issued for the vessel under section 3205 if the Secretary determines—

''(i) that the holder of the Safety Management Certificate knowingly, or repeatedly, failed to comply with section 10104; or

''(ii) other failure of the safety management system resulted in the failure to comply with such section.

''(3) DOCUMENTS OF COMPLIANCE.—

''(A) IN GENERAL.—Following an audit of the safety management system of a vessel required under paragraph (1), the Secretary may audit the safety management system of the responsible person for the vessel.

''(B) SUSPENSION.—During an audit under subparagraph (A), the Secretary may suspend the Document of Compliance issued to the responsible person under section 3205 and issue a separate Document of Compliance to such person to be in effect for a 3-month period beginning on the date of the issuance of such separate document.

''(C) REVOCATION.—At the conclusion of an assessment or an audit of a safety management system under subparagraph (A), the Secretary shall revoke the Document of Compliance issued to the responsible person if the Secretary determines—

''(i) that the holder of the Document of Compliance knowingly, or repeatedly, failed to comply with section 10104; or

''(ii) that other failure of the safety management system resulted in the failure to comply with such section.''.

SEC. 5610. REQUIREMENT TO REPORT SEXUAL ASSAULT AND HARASSMENT.

Section 10104 of title 46, United States Code, is amended by striking subsections (a) and (b) and inserting the following:

''(a) MANDATORY REPORTING BY VESSEL OWNER, MASTER, MANAGING OPERATOR, OR EMPLOYER.—

''(1) IN GENERAL.—A vessel owner, master, or managing operator of a documented vessel or the employer of a seafarer on that vessel shall report to the Commandant in accordance with subsection (b) any complaint or incident of sexual harassment or sexual assault involving a crew member in violation of employer policy or law of which such vessel owner, master, managing operator, or employer of the seafarer is made aware. Such reporting shall include results of any investigation into the incident, if applicable, and any action taken against the offending crew member.

''(2) PENALTY.—A vessel owner, master, or managing operator of a documented vessel or the employer of a seafarer on that vessel who knowingly fails to report in compliance with paragraph (1) is liable to the United States Government for a civil penalty of not more than $50,000.

''(b) REPORTING PROCEDURES.—

''(1) TIMING OF REPORTS BY VESSEL OWNERS, MASTERS, MANAGING OPERATORS, OR EMPLOYERS.—A report required under subsection (a) shall be made immediately after the vessel owner, master, managing operator, or employer of the seafarer gains knowledge of a sexual assault or sexual harassment incident by the fastest telecommunications channel available. Such report shall be made to the Commandant and the appropriate officer or agency of the government of the country in whose waters the incident occurs.

''(2) CONTENTS.—A report required under subsection (a) shall include, to the best of the knowledge of the individual making the report—

''(A) the name, official position or role in relation to the vessel, and contact information of the individual making the report;

''(B) the name and official number of the documented vessel;

''(C) the time and date of the incident;

''(D) the geographic position or location of the vessel when the incident occurred; and

''(E) a brief description of the alleged sexual harassment or sexual assault being reported.

''(3) RECEIVING REPORTS AND COLLECTION OF INFORMATION.—

''(A) RECEIVING REPORTS.—With respect to reports submitted under this subsection to the Coast Guard, the Commandant—

''(i) may establish additional reporting procedures, including procedures for receiving reports through—

''(I) a telephone number that is continuously manned at all times; and

''(II) an email address that is continuously monitored; and

''(ii) shall use procedures that include preserving evidence in such reports and providing emergency service referrals.

''(B) COLLECTION OF INFORMATION.—After receiving a report under this subsection, the Commandant shall collect information related to the identity of each alleged victim, alleged perpetrator, and witness identified in the report through a means designed to protect, to the extent practicable, the personal identifiable information of such individuals.

''(c) SUBPOENA AUTHORITY.—

''(1) IN GENERAL.—The Commandant may compel the testimony of witnesses and the production of any evidence by subpoena to determine compliance with this section.

''(2) JURISDICTIONAL LIMITS.—The jurisdictional limits of a subpoena issued under this section are the same as, and are enforceable in the same manner as, subpoenas issued under chapter 63 of this title.

''(d) COMPANY AFTER-ACTION SUMMARY.—A vessel owner, master, managing operator, or employer of a seafarer that makes a report under subsection (a) shall—

''(1) submit to the Commandant a document with detailed information to describe the actions taken by the vessel owner, master, managing operator, or employer of a seafarer after it became aware of the sexual assault or sexual harassment incident; and

''(2) make such submission not later than 10 days after the vessel owner, master, managing operator, or employer of a seafarer made the report under subsection (a).

''(e) INVESTIGATORY AUDIT.—The Commandant shall periodically perform an audit or other systematic review of the submissions made under this section to determine if there were any failures to comply with the requirements of this section.

''(f) CIVIL PENALTY.—A vessel owner, master, managing operator, or employer of a seafarer that fails to comply with subsection (e) is liable to the United States Government for a civil penalty of $50,000 for each day a failure continues.

''(g) APPLICABILITY; REGULATIONS.—

''(1) EFFECTIVE DATE.—The requirements of this section take effect on the date of enactment of the Coast Guard Authorization Act of 2022.

''(2) REGULATIONS.—The Commandant may issue regulations to implement the requirements of this section.

''(3) REPORTS.—Any report required to be made to the Commandant under this section shall be made to the Coast Guard National Command Center, until regulations establishing other reporting procedures are issued.''.

SEC. 5611. ACCESS TO CARE AND SEXUAL ASSAULT FORENSIC EXAMINATIONS.

(a) IN GENERAL.—Subchapter IV of chapter 5 of title 14, United States Code, as amended by section 5211, is further amended by adding at the end the following:

''§ 565. Access to care and sexual assault forensic examinations

''(a) IN GENERAL.—Before embarking on any prescheduled voyage, a Coast Guard vessel shall have in place a written operating procedure that ensures that an embarked victim of sexual assault shall have access to a sexual assault forensic examination—

''(1) as soon as possible after the victim requests an examination; and

''(2) that is treated with the same level of urgency as emergency medical care.

''(b) REQUIREMENTS.—The written operating procedure required by subsection (a), shall, at a minimum, account for—

''(1) the health, safety, and privacy of a victim of sexual assault;

''(2) the proximity of ashore or afloat medical facilities, including coordination as necessary with the Department of Defense, including other military departments (as defined in section 101 of title 10, United States Code);

''(3) the availability of aeromedical evacuation;

''(4) the operational capabilities of the vessel concerned;

''(5) the qualifications of medical personnel onboard;

''(6) coordination with law enforcement and the preservation of evidence;

''(7) the means of accessing a sexual assault forensic examination and medical care with a restricted report of sexual assault;

''(8) the availability of nonprescription pregnancy prophylactics; and

''(9) other unique military considerations.''.

(b) STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall seek to enter into an agreement with the National Academy of Sciences under which the National Academy of Sciences shall conduct a study to assess the feasibility of the development of a self-administered sexual assault forensic examination for use by victims of sexual assault onboard a vessel at sea.

(2) ELEMENTS.—The study under paragraph (1) shall—

(A) take into account—

(i) the safety and security of the alleged victim of sexual assault;

(ii) the ability to properly identify, document, and preserve any evidence relevant to the allegation of sexual assault; and

(iii) the applicable criminal procedural laws relating to authenticity, relevance, preservation of evidence, chain of custody, and any other matter relating to evidentiary admissibility; and

(B) provide any appropriate recommendation for changes to existing laws, regulations, or employer policies.

(3) REPORT.—Upon completion of the study under paragraph (1), the National Academy of Sciences shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Secretary of the department in which the Coast Guard is operating a report on the findings of the study.

(c) CLERICAL AMENDMENT.—The analysis for subchapter IV of chapter 5 of title 14, United States Code, as amended by section 5211, is further amended by adding at the end the following:

''565. Access to care and sexual assault forensic examinations.

SEC. 5612. REPORTS TO CONGRESS.

(a) IN GENERAL.—Chapter 101 of title 46, United States Code, is amended by adding at the end the following:

''§ 10105. Reports to Congress

''Not later than 1 year after the date of enactment of the Coast Guard Authorization Act of 2022, and on an annual basis thereafter, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report to include—

''(1) the number of reports received under section 10104;

''(2) the number of penalties issued under such section;

''(3) the number of open investigations under such section, completed investigations under such section, and the outcomes of such open or completed investigations;

''(4) the number of assessments or audits conducted under section 3203 and the outcome of those assessments or audits;

''(5) a statistical analysis of compliance with the safety management system criteria under section 3203;

''(6) the number of credentials denied or revoked due to sexual harassment, sexual assault, or related offenses; and

''(7) recommendations to support efforts of the Coast Guard to improve investigations and oversight of sexual harassment and sexual assault in the maritime sector, including funding requirements and legislative change proposals necessary to ensure compliance with title LVI of the Coast Guard Authorization Act of 2022 and the amendments made by such title.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 101 of title 46, United States Code, is amended by adding at the end the following:

''10105. Reports to Congress.

SEC. 5613. POLICY ON REQUESTS FOR PERMANENT CHANGES OF STATION OR UNIT TRANSFERS BY PERSONS WHO REPORT BEING THE VICTIM OF SEXUAL ASSAULT.

Not later than 30 days after the date of the enactment of this Act, the Commandant, in consultation with the Director of the Health, Safety, and Work Life Directorate, shall issue an interim update to Coast Guard policy guidance to allow a member of the Coast Guard who has reported being the victim of a sexual assault or any other offense covered by section 920, 920c, or 930 of title 10, United States Code (article 120, 120c, or 130 of the Uniform Code of Military Justice) to request an immediate change of station or a unit transfer. The final policy shall be updated not later than 1 year after the date of the enactment of this Act.

SEC. 5614. SEX OFFENSES AND PERSONNEL RECORDS.

Not later than 180 days after the date of the enactment of this Act, the Commandant shall issue final regulations or policy guidance required to fully implement section 1745 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 1561 note).

SEC. 5615. STUDY ON COAST GUARD OVERSIGHT AND INVESTIGATIONS.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study to assess the oversight over Coast Guard activities, including investigations, personnel management, whistleblower protection, and other activities carried out by the Department of Homeland Security Office of Inspector General.

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

(1) An analysis of the ability of the Department of Homeland Security Office of Inspector General to ensure timely, thorough, complete, and appropriate oversight over the Coast Guard, including oversight over both civilian and military activities.

(2) An assessment of—

(A) the best practices with respect to such oversight; and

(B) the ability of the Department of Homeland Security Office of Inspector General and the Commandant to identify and achieve such best practices.

(3) An analysis of the methods, standards, and processes employed by the Department of Defense Office of Inspector General and the inspectors generals of the armed forces (as defined in section 101 of title 10, United States Code), other than the Coast Guard, to conduct oversight and investigation activities.

(4) An analysis of the methods, standards, and processes of the Department of Homeland Security Office of Inspector General with respect to oversight over the civilian and military activities of the Coast Guard, as compared to the methods, standards, and processes described in paragraph (3).

(5) An assessment of the extent to which the Coast Guard Investigative Service completes investigations or other disciplinary measures after referral of complaints from the Department of Homeland Security Office of Inspector General.

(6) A description of the staffing, expertise, training, and other resources of the Department of Homeland Security Office of Inspector General, and an assessment as to whether such staffing, expertise, training, and other resources meet the requirements necessary for meaningful, timely, and effective oversight over the activities of the Coast Guard.

(c) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study, including recommendations with respect to oversight over Coast Guard activities.

(d) OTHER REVIEWS.—The study required by subsection (a) may rely upon recently completed or ongoing reviews by the Comptroller General or other entities, as applicable.

SEC. 5616. STUDY ON SPECIAL VICTIMS' COUNSEL PROGRAM.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall enter into an agreement with a federally funded research and development center for the conduct of a study on—

(1) the Special Victims' Counsel program of the Coast Guard;

(2) Coast Guard investigations of sexual assault offenses for cases in which the subject of the investigation is no longer under jeopardy for the alleged misconduct for reasons including the death of the accused, a lapse in the statute of limitations for the alleged offense, and a fully adjudicated criminal trial of the alleged offense in which all appeals have been exhausted; and

(3) legal support and representation provided to members of the Coast Guard who are victims of sexual assault, including in instances in which the accused is a member of the Army, Navy, Air Force, Marine Corps, or Space Force.

(b) ELEMENTS.—The study required by subsection (a) shall assess the following:

(1) The Special Victims' Counsel program of the Coast Guard, including training, effectiveness, capacity to handle the number of cases referred, and experience with cases involving members of the Coast Guard and members of another armed force (as defined in section 101 of title 10, United States Code).

(2) The experience of Special Victims' Counsels in representing members of the Coast Guard during a court-martial.

(3) Policies concerning the availability and detailing of Special Victims' Counsels for sexual assault allegations, in particular such allegations in which the accused is a member of another armed force (as defined in section 101 of title 10, United States Code), and the impact that the cross-service relationship had on—

(A) the competence and sufficiency of services provided to the alleged victim; and

(B) the interaction between—

(i) the investigating agency and the Special Victims' Counsels; and

(ii) the prosecuting entity and the Special Victims' Counsels.

(4) Training provided to, or made available for, Special Victims' Counsels and paralegals with respect to Department of Defense processes for conducting sexual assault investigations and Special Victims' Counsel representation of sexual assault victims.

(5) The ability of Special Victims' Counsels to operate independently without undue influence from third parties, including the command of the accused, the command of the victim, the Judge Advocate General of the Coast Guard, and the Deputy Judge Advocate General of the Coast Guard.

(6) The skill level and experience of Special Victims' Counsels, as compared to special victims' counsels available to members of the Army, Navy, Air Force, Marine Corps, and Space Force.

(7) Policies regarding access to an alternate Special Victims' Counsel, if requested by the member of the Coast Guard concerned, and potential improvements for such policies.

(c) REPORT.—Not later than 180 days after entering into an agreement under subsection (a), the federally funded research and development center shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(1) the findings of the study required by that subsection;

(2) recommendations to improve the coordination, training, and experience of Special Victims' Counsels of the Coast Guard so as to improve outcomes for members of the

Coast Guard who have reported sexual assault; and

(3) any other recommendation the federally funded research and development center considers appropriate.

TITLE LVII—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Subtitle A—National Oceanic and Atmospheric Administration Commissioned Officer Corps

SEC. 5701. DEFINITIONS.

Section 212(b) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3002(b)) is amended by adding at the end the following:

''(8) UNDER SECRETARY.—The term 'Under Secretary' means the Under Secretary of Commerce for Oceans and Atmosphere.''.

SEC. 5702. REQUIREMENT FOR APPOINTMENTS.

Section 221(c) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3021(c)) is amended by striking ''may not be given'' and inserting the following: ''may—

''(1) be given only to an individual who is a citizen of the United States; and

''(2) not be given''.

SEC. 5703. REPEAL OF REQUIREMENT TO PROMOTE ENSIGNS AFTER 3 YEARS OF SERVICE.

(a) IN GENERAL.—Section 223 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3023) is amended to read as follows:

''SEC. 223. SEPARATION OF ENSIGNS FOUND NOT FULLY QUALIFIED.

''If an officer in the permanent grade of ensign is at any time found not fully qualified, the officer's commission shall be revoked and the officer shall be separated from the commissioned service.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by striking the item relating to section 223 and inserting the following:

''Sec. 223. Separation of ensigns found not fully qualified.

SEC. 5704. AUTHORITY TO PROVIDE AWARDS AND DECORATIONS.

(a) IN GENERAL.—Subtitle A of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001 et seq.) is amended by adding at the end the following:

''SEC. 220. AWARDS AND DECORATIONS.

''The Under Secretary may provide ribbons, medals, badges, trophies, and similar devices to members of the commissioned officer corps of the Administration and to members of other uniformed services for service and achievement in support of the missions of the Administration.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 219 the following:

''Sec. 220. Awards and decorations.

SEC. 5705. RETIREMENT AND SEPARATION.

(a) INVOLUNTARY RETIREMENT OR SEPARATION.—Section 241(a)(1) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3041(a)(1)) is amended to read as follows:

''(1) an officer in the permanent grade of captain or commander may—

''(A) except as provided by subparagraph (B), be transferred to the retired list; or

''(B) if the officer is not qualified for retirement, be separated from service; and''.

(b) RETIREMENT FOR AGE.—Section 243(a) of that Act (33 U.S.C. 3043(a)) is amended by striking ''be retired'' and inserting ''be retired or separated (as specified in section 1251(e) of title 10, United States Code)''.

(c) RETIREMENT OR SEPARATION BASED ON YEARS OF CREDITABLE SERVICE.—Section 261(a) of that Act (33 U.S.C. 3071(a)) is amended—

(1) by redesignating paragraphs (17) through (26) as paragraphs (18) through (27), respectively; and

(2) by inserting after paragraph (16) the following:

''(17) Section 1251(e), relating to retirement or separation based on years of creditable service.''.

SEC. 5706. IMPROVING PROFESSIONAL MARINER STAFFING.

(a) IN GENERAL.—Subtitle E of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3071 et seq.) is amended by adding at the end the following:

''SEC. 269B. SHORE LEAVE FOR PROFESSIONAL MARINERS.

''(a) IN GENERAL.—The Under Secretary may prescribe regulations relating to shore leave for professional mariners without regard to the requirements of section 6305 of title 5, United States Code.

''(b) REQUIREMENTS.—The regulations prescribed under subsection (a) shall—

''(1) require that a professional mariner serving aboard an ocean-going vessel be granted a leave of absence of four days per pay period; and

''(2) provide that a professional mariner serving in a temporary promotion position aboard a vessel may be paid the difference between the mariner's temporary and permanent rates of pay for leave accrued while serving in the temporary promotion position.

''(c) PROFESSIONAL MARINER DEFINED.—In this section, the term 'professional mariner' means an individual employed on a vessel of the Administration who has the necessary expertise to serve in the engineering, deck, steward, electronic technician, or survey department.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 269A the following:

''Sec. 269B. Shore leave for professional mariners.

SEC. 5707. LEGAL ASSISTANCE.

Section 1044(a)(3) of title 10, United States Code, is amended by inserting ''or the commissioned officer corps of the National Oceanic and Atmospheric Administration'' after ''Public Health Service''.

SEC. 5708. ACQUISITION OF AIRCRAFT FOR EXTREME WEATHER RECONNAISSANCE.

(a) INCREASED FLEET CAPACITY.—

(1) IN GENERAL.—The Under Secretary of Commerce for Oceans and Atmosphere shall acquire adequate aircraft platforms with the necessary observation and modification requirements—

(A) to meet agency-wide air reconnaissance and research mission requirements, particularly with respect to hurricanes and tropical cyclones, and also for atmospheric chemistry, climate, air quality for public health, full-season fire weather research and operations, full-season atmospheric river air reconnaissance observations, and other mission areas; and

(B) to ensure data and information collected by the aircraft are made available to all users for research and operations purposes.

(2) CONTRACTS.—In carrying out paragraph (1), the Under Secretary shall negotiate and enter into 1 or more contracts or other agreements, to the extent practicable and necessary, with 1 or more governmental, commercial, or nongovernmental entities.

(3) DERIVATION OF FUNDS.—For each of fiscal years 2023 through 2026, amounts to support the implementation of paragraphs (1) and (2) shall be derived—

(A) from amounts appropriated to the Office of Marine and Aviation Operations of the National Oceanic and Atmospheric Administration and available for the purpose of atmospheric river reconnaissance; and

(B) if amounts described in subparagraph (A) are insufficient to support the implementation of paragraphs (1) and (2), from amounts appropriated to that Office and available for purposes other than atmospheric river reconnaissance.

(b) ACQUISITION OF AIRCRAFT TO REPLACE THE WP–3D AIRCRAFT.—

(1) IN GENERAL.—Not later than September 30, 2023, the Under Secretary shall enter into a contract for the acquisition of 6 aircraft to replace the WP–3D aircraft that provides for—

(A) the first newly acquired aircraft to be fully operational before the retirement of the last WP–3D aircraft operated by the National Oceanic and Atmospheric Administration; and

(B) the second newly acquired aircraft to be fully operational not later than 1 year after the first such aircraft is required to be fully operational under subparagraph (A).

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Under Secretary $1,800,000,000, without fiscal year limitation, for the acquisition of the aircraft under paragraph (1).

SEC. 5709. REPORT ON PROFESSIONAL MARINER STAFFING MODELS.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the committees specified in subsection (c) a report on staffing issues relating to professional mariners within the Office of Marine and Aviation Operations of the National Oceanic and Atmospheric Administration.

(b) ELEMENTS.—The report required by subsection (a) shall include consideration of—

(1) the challenges the Office of Marine and Aviation Operations faces in recruiting and retaining qualified professional mariners;

(2) workforce planning efforts to address those challenges; and

(3) other models or approaches that exist, or are under consideration, to provide incentives for the retention of qualified professional mariners.

(c) COMMITTEES SPECIFIED.—The committees specified in this subsection are—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure and the Committee on Natural Resources of the House of Representatives.

(d) PROFESSIONAL MARINER DEFINED.—In this section, the term ''professional mariner'' means an individual employed on a vessel of the National Oceanic and Atmospheric Administration who has the necessary expertise to serve in the engineering, deck, steward, or survey department.

Subtitle B—Other Matters

SEC. 5711. CONVEYANCE OF CERTAIN PROPERTY OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION IN JUNEAU, ALASKA.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term ''City'' means the City and Borough of Juneau, Alaska.

(2) MASTER PLAN.—The term ''Master Plan'' means the Juneau Small Cruise Ship Infrastructure Master Plan released by the Docks and Harbors Board and Port of Juneau for the City and dated March 2021.

(3) PROPERTY.—The term ''Property'' means the parcel of real property consisting of approximately 2.4 acres, including tidelands, owned by the United States and under administrative custody and control of the National Oceanic and Atmospheric Administration and located at 250 Egan Drive, Juneau, Alaska, including any improvements thereon that are not authorized or required by another provision of law to be conveyed to a specific individual or entity.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere and the Administrator of the National Oceanic and Atmospheric Administration.

(b) CONVEYANCE AUTHORIZED.—

(1) IN GENERAL.—The Secretary may convey, at fair market value, all right, title, and interest of the United States in and to the Property, subject to subsection (c) and the requirements of this section.

(2) TERMINATION OF AUTHORITY.—The authority provided by paragraph (1) shall terminate on the date that is 3 years after the date of the enactment of this Act.

(c) RIGHT OF FIRST REFUSAL.—The City shall have the right of first refusal with respect to the purchase, at fair market value, of the Property.

(d) SURVEY.—The exact acreage and legal description of the Property shall be determined by a survey satisfactory to the Secretary.

(e) CONDITION; QUITCLAIM DEED.—If the Property is conveyed under this section, the Property shall be conveyed—

(1) in an ''as is, where is'' condition; and

(2) via a quitclaim deed.

(f) FAIR MARKET VALUE.—

(1) IN GENERAL.—The fair market value of the Property shall be—

(A) determined by an appraisal that—

(i) is conducted by an independent appraiser selected by the Secretary; and

(ii) meets the requirements of paragraph (2); and

(B) adjusted, at the Secretary's discretion, based on the factors described in paragraph (3).

(2) APPRAISAL REQUIREMENTS.—An appraisal conducted under paragraph (1)(A) shall be conducted in accordance with nationally recognized appraisal standards, including—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(B) the Uniform Standards of Professional Appraisal Practice.

(3) FACTORS.—The factors described in this paragraph are—

(A) matters of equity and fairness;

(B) actions taken by the City regarding the Property, if the City exercises its right of first refusal under subsection (c), including—

(i) comprehensive waterfront planning, site development, and other redevelopment activities supported by the City in proximity to the Property in furtherance of the Master Plan;

(ii) in-kind contributions made to facilitate and support use of the Property by governmental agencies; and

(iii) any maintenance expenses, capital improvement, or emergency expenditures made necessary to ensure public safety and access to and from the Property; and

(C) such other factors as the Secretary considers appropriate.

(g) COSTS OF CONVEYANCE.—If the City exercises its right of first refusal under subsection (c), all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance of the Property to the City under this section may be shared equitably by the Secretary and the City, as determined by the Secretary, including with the City providing in-kind contributions for any or all of such costs.

(h) PROCEEDS.—Notwithstanding section 3302 of title 31, United States Code, or any other provision of law, any proceeds from a conveyance of the Property under this section shall—

(1) be deposited in an account or accounts of the National Oceanic and Atmospheric Administration that exists as of the date of the enactment of this Act;

(2) used to cover costs associated with the conveyance, related relocation efforts, and other facility and infrastructure projects in Alaska; and

(3) remain available until expended, without further appropriation.

(i) MEMORANDUM OF AGREEMENT.—If the City exercises its right of first refusal under subsection (c), before finalizing a conveyance to the City under this section, the Secretary and the City shall enter into a memorandum of agreement to establish the terms under which the Secretary shall have future access to, and use of, the Property to accommodate the reasonable expectations of the Secretary for future operational and logistical needs in southeast Alaska.

(j) RESERVATION OR EASEMENT FOR ACCESS AND USE.—The conveyance authorized under this section shall be subject to a reservation providing, or an easement granting, the Secretary, at no cost to the United States, a right to access and use the Property that—

(1) is compatible with the Master Plan; and

(2) authorizes future operational access and use by other Federal, State, and local government agencies that have customarily used the Property.

(k) LIABILITY.—

(1) AFTER CONVEYANCE.—An individual or entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out on or after the date and time of the conveyance of the Property.

(2) BEFORE CONVEYANCE.—The United States shall remain responsible for any liability the United States incurred with respect to activities the United States carried out on the Property before the date and time of the conveyance of the Property.

(l) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a conveyance under this section as the Secretary considers appropriate and reasonable to protect the interests of the United States.

(m) ENVIRONMENTAL COMPLIANCE.—Nothing in this section may be construed to affect or limit the application of or obligation to comply with any applicable environmental law, including—

(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(2) section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(n) CONVEYANCE NOT A MAJOR FEDERAL ACTION.—A conveyance under this section shall not be considered a major Federal action for purposes of section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)).

TITLE LVIII—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS

SEC. 5801. TECHNICAL CORRECTION.

Section 319(b) of title 14, United States Code, is amended by striking ''section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note)'' and inserting ''section 44801 of title 49''.

SEC. 5802. REINSTATEMENT.

(a) REINSTATEMENT.—The text of section 12(a) of the Act of June 21, 1940 (33 U.S.C. 522(a)), popularly known as the ''Truman-Hobbs Act'', is—

(1) reinstated as it appeared on the day before the date of the enactment of section 8507(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4754); and

(2) redesignated as the sole text of section 12 of the Act of June 21, 1940 (33 U.S.C. 522).

(b) EFFECTIVE DATE.—The provision reinstated by subsection (a) shall be treated as if such section 8507(b) had never taken effect.

(c) CONFORMING AMENDMENT.—The provision reinstated under subsection (a) is amended by striking '', except to the extent provided in this section''.

SEC. 5803. TERMS AND VACANCIES.

Section 46101(b) of title 46, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking ''one year'' and inserting ''2 years''; and

(B) by striking ''2 terms'' and inserting ''3 terms''; and

(2) in paragraph (3)—

(A) by striking ''of the individual being succeeded'' and inserting ''to which such individual is appointed'';

(B) by striking ''2 terms'' and inserting ''3 terms''; and

(C) by striking ''the predecessor of that'' and inserting ''such''.

TITLE LIX—RULE OF CONSTRUCTION

SEC. 5901. RULE OF CONSTRUCTION.

Nothing in this divisions may be construed—

(1) to satisfy any requirement for government-to-government consultation with Tribal governments; or

(2) to affect or modify any treaty or other right of any Tribal government.

DIVISION L—OCEANS AND ATMOSPHERE

SEC. 5001. TABLE OF CONTENTS.

The table of contents for this division is as follows:

Sec. 5001. Table of contents.

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Sec. 5101. Short title.

Subtitle A—Reauthorization of Coral Reef Conservation Act of 2000

Sec. 5111. Reauthorization of Coral Reef Conservation Act of 2000.

Subtitle B—United States Coral Reef Task Force

Sec. 5121. Establishment.
Sec. 5122. Duties.
Sec. 5123. Membership.
Sec. 5124. Responsibilities of Federal agency members.
Sec. 5125. Working groups.
Sec. 5126. Definitions.

Subtitle C—Department of the Interior Coral Reef Authorities

Sec. 5131. Coral reef conservation and restoration assistance.

Subtitle D—Susan L. Williams National Coral Reef Management Fellowship

Sec. 5141. Short title.
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Sec. 5143. Establishment of fellowship program.
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TITLE LII—BOLSTERING LONG-TERM UNDERSTANDING AND EXPLORATION OF THE GREAT LAKES, OCEANS, BAYS, AND ESTUARIES

Sec. 5201. Short title.
Sec. 5202. Purpose.

Sec. 5203. Sense of Congress.
Sec. 5204. Definitions.
Sec. 5205. Workforce study.
Sec. 5206. Accelerating innovation at Cooperative Institutes.
Sec. 5207. Blue Economy valuation.
Sec. 5208. No additional funds authorized.
Sec. 5209. No additional funds authorized.

TITLE LIII—REGIONAL OCEAN PARTNERSHIPS

Sec. 5301. Short title.
Sec. 5302. Findings; sense of Congress; purposes.
Sec. 5303. Regional Ocean Partnerships.

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Sec. 5401. Short title.
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Sec. 5403. Definitions.
Sec. 5404. Ocean Policy Committee.
Sec. 5405. National Ocean Mapping, Exploration, and Characterization Council.
Sec. 5406. Modifications to the ocean exploration program of the National Oceanic and Atmospheric Administration.
Sec. 5407. Repeal.
Sec. 5408. Modifications to ocean and coastal mapping program of the National Oceanic and Atmospheric Administration.
Sec. 5409. Modifications to Hydrographic Services Improvement Act of 1998.

TITLE LV—MARINE MAMMAL RESEARCH AND RESPONSE

Sec. 5501. Short title.
Sec. 5502. Data collection and dissemination.
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Sec. 5504. Unusual mortality event activity funding.
Sec. 5505. Liability.
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Sec. 5507. Marine Mammal Rescue and Response Grant Program and Rapid Response Fund.
Sec. 5508. Health MAP.
Sec. 5509. Reports to Congress.
Sec. 5510. Authorization of appropriations.
Sec. 5511. Definitions.
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TITLE LVI—VOLCANIC ASH AND FUMES

Sec. 5601. Short title.
Sec. 5602. Modifications to National Volcano Early Warning and Monitoring System.

TITLE LVII—WILDFIRE AND FIRE WEATHER PREPAREDNESS

Sec. 5701. Short title.
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Sec. 5703. Establishment of fire weather services program.
Sec. 5704. National Oceanic and Atmospheric Administration data management.
Sec. 5705. Digital fire weather services and data management.
Sec. 5706. High-performance computing.
Sec. 5707. Government Accountability Office report on fire weather services program.
Sec. 5708. Fire weather testbed.
Sec. 5709. Fire weather surveys and assessments.
Sec. 5710. Incident Meteorologist Service.
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Sec. 5713. Government Accountability Office report on interagency wildfire forecasting, prevention, planning, and management bodies.
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Sec. 5716. Cooperation; coordination; support to non-Federal entities.
Sec. 5717. International coordination.
Sec. 5718. Submissions to Congress regarding the fire weather services program, incident meteorologist workforce needs, and National Weather Service workforce support.
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Sec. 5804. Plan and implementation of plan to make certain models and data available to the public.
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Sec. 5807. Protection of national security interests.
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TITLE LI—CORAL REEF CONSERVATION

SEC. 5101. SHORT TITLE.

This title may be cited as the ''Restoring Resilient Reefs Act of 2022''.

Subtitle A—Reauthorization of Coral Reef Conservation Act of 2000

SEC. 5111. REAUTHORIZATION OF CORAL REEF CONSERVATION ACT OF 2000.

(a) IN GENERAL.—The Coral Reef Conservation Act of 2000 (16 U.S.C. 6401 et seq.) is amended—

(1) by redesignating sections 209 and 210 as sections 217 and 218, respectively;

(2) by striking sections 202 through 208 and inserting the following:

''SEC. 202. PURPOSES.

''The purposes of this title are—

''(1) to conserve and restore the condition of United States coral reef ecosystems challenged by natural and human-accelerated changes, including increasing ocean temperatures, ocean acidification, coral bleaching, coral diseases, water quality degradation, invasive species, and illegal, unreported, and unregulated fishing;

''(2) to promote the science-based management and sustainable use of coral reef ecosystems to benefit local communities and the Nation, including through improved integration and cooperation among Federal and non-Federal stakeholders with coral reef equities;

''(3) to develop sound scientific information on the condition of coral reef ecosystems, continuing and emerging threats to such ecosystems, and the efficacy of innovative tools, technologies, and strategies to mitigate stressors and restore such ecosystems, including evaluation criteria to determine the effectiveness of management interventions, and accurate mapping for coral reef restoration;

''(4) to assist in the preservation of coral reefs by supporting science-based, consensus-driven, and community-based coral reef management by covered States and covered Native entities, including monitoring, conservation, and restoration projects that empower local communities, small businesses, and nongovernmental organizations;

''(5) to provide financial resources, technical assistance, and scientific expertise to supplement, complement, and strengthen community-based management programs and conservation and restoration projects of non-Federal reefs;

''(6) to establish a formal mechanism for collecting and allocating monetary donations from the private sector to be used for coral reef conservation and restoration projects;

''(7) to support the rapid and effective, science-based assessment and response to exigent circumstances that pose immediate and long-term threats to coral reefs, such as coral disease, invasive or nuisance species, coral bleaching, natural disasters, and industrial or mechanical disasters, such as vessel groundings, hazardous spills, or coastal construction accidents; and

''(8) to serve as a model for advancing similar international efforts to monitor, conserve, and restore coral reef ecosystems.

''SEC. 203. FEDERAL CORAL REEF MANAGEMENT AND RESTORATION ACTIVITIES.

''(a) IN GENERAL.—The Administrator, the Secretary of the Interior, or the Secretary of Commerce may conduct activities described in subsection (b) to conserve and restore coral reefs and coral reef ecosystems that are consistent with—

''(1) all applicable laws governing resource management in Federal and State waters, including this Act;

''(2) the national coral reef resilience strategy in effect under section 204; and

''(3) coral reef action plans in effect under section 205, as applicable.

''(b) ACTIVITIES DESCRIBED.—Activities described in this subsection are activities to conserve, research, monitor, assess, and restore coral reefs and coral reef ecosystems in waters managed under the jurisdiction of a Federal agency specified in subsection (c) or in coordination with a State in waters managed under the jurisdiction of such State, including—

''(1) developing, including through the collection of requisite in situ and remotely sensed data, high-quality and digitized maps reflecting—

''(A) current and historical live coral cover data;

''(B) coral reef habitat quality data;

''(C) priority areas for coral reef conservation to maintain biodiversity and ecosystem structure and function, including the reef matrix, that benefit coastal communities and living marine resources;

''(D) priority areas for coral reef restoration to enhance biodiversity and ecosystem structure and function, including the reef matrix, to benefit coastal communities and living marine resources; and

''(E) areas of concern that may require enhanced monitoring of coral health and cover;

''(2) enhancing compliance with Federal laws that prohibit or regulate—

''(A) the taking of coral products or species associated with coral reefs; or

''(B) the use and management of coral reef ecosystems;

''(3) long-term ecological monitoring of coral reef ecosystems;

''(4) implementing species-specific recovery plans for listed coral species consistent with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

''(5) restoring degraded coral reef ecosystems;

''(6) promoting ecologically sound navigation and anchorages, including through navigational aids and expansion of reef-safe anchorages and mooring buoy systems, to enhance recreational access while preventing or minimizing the likelihood of vessel impacts or other physical damage to coral reefs;

''(7) monitoring and responding to severe bleaching or mortality events, disease outbreaks, invasive species outbreaks, and significant maritime accidents, including chemical spill cleanup and the removal of grounded vessels;

''(8) conducting scientific research that contributes to the understanding, sustainable use, and long-term conservation of coral reefs;

''(9) enhancing public awareness, understanding, and appreciation of coral reefs and coral reef ecosystems; and

''(10) centrally archiving, managing, and distributing data sets and coral reef ecosystem assessments and publishing such information on publicly available internet websites, by means such as leveraging and partnering with existing data repositories, of—

''(A) the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and

''(B) the Task Force.

''(c) FEDERAL AGENCIES SPECIFIED.—A Federal agency specified in this subsection is one of the following:

''(1) The National Oceanic and Atmospheric Administration.

''(2) The National Park Service.

''(3) The United States Fish and Wildlife Service.

''(4) The Office of Insular Affairs.

''SEC. 204. NATIONAL CORAL REEF RESILIENCE STRATEGY.

''(a) IN GENERAL.—The Administrator shall—

''(1) not later than 2 years after the date of the enactment of the Restoring Resilient Reefs Act of 2022, develop a national coral reef resilience strategy; and

''(2) periodically thereafter, but not less frequently than once every 15 years (and not less frequently than once every 5 years, in the case of guidance on best practices under subsection (b)(4)), review and revise the strategy as appropriate.

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

''(1) A discussion addressing—

''(A) continuing and emerging threats to the resilience of United States coral reef ecosystems;

''(B) remaining gaps in coral reef ecosystem research, monitoring, and assessment;

''(C) the status of management cooperation and integration among Federal reef managers and covered reef managers;

''(D) the status of efforts to manage and disseminate critical information, and enhance interjurisdictional data sharing, related to research, reports, datasets, and maps;

''(E) areas of special focus, which may include—

''(i) improving natural coral recruitment;

''(ii) preventing avoidable losses of corals and their habitat;

''(iii) enhancing the resilience of coral populations;

''(iv) supporting a resilience-based management approach;

''(v) developing, coordinating, and implementing watershed management plans;

''(vi) building and sustaining watershed management capacity at the local level;

''(vii) providing data essential for coral reef fisheries management;

''(viii) building capacity for coral reef fisheries management;

''(ix) increasing understanding of coral reef ecosystem services;

''(x) educating the public on the importance of coral reefs, threats and solutions; and

''(xi) evaluating intervention efficacy;

''(F) the status of conservation efforts, including the use of marine protected areas to serve as replenishment zones developed consistent with local practices and traditions and in cooperation with, and with respect for the scientific, technical, and management expertise and responsibilities of, covered reef managers;

''(G) science-based adaptive management and restoration efforts; and

''(H) management of coral reef emergencies and disasters.

''(2) A statement of national goals and objectives designed to guide—

''(A) future Federal coral reef management and restoration activities authorized under section 203;

''(B) conservation and restoration priorities for grants awarded under section 213 and cooperative agreements under section 208; and

''(C) research priorities for the reef research coordination institutes designated under section 214.

''(3) A designation of priority areas for conservation, and priority areas for restoration, to support the review and approval of grants under section 213(e).

''(4) General templates for use by covered reef managers and Federal reef managers to guide the development of coral reef action plans under section 205, including guidance on the best science-based practices to respond to coral reef emergencies that can be included in coral reef action plans.

''(c) CONSULTATIONS.—In developing all elements of the strategy required by subsection (a), the Administrator shall—

''(1) consult with the Secretary of the Interior, the Task Force, covered States, and covered Native entities;

''(2) consult with the Secretary of Defense, as appropriate;

''(3) engage stakeholders, including covered States, coral reef stewardship partnerships, reef research coordination institutes and research centers designated under section 214, and recipients of grants under section 213; and

''(4) solicit public review and comment regarding scoping and the draft strategy.

''(d) SUBMISSION TO CONGRESS; PUBLICATION.—The Administrator shall—

''(1) submit the strategy required by subsection (a) and any revisions to the strategy to the appropriate congressional committees; and

''(2) publish the strategy and any such revisions on publicly available internet websites of—

''(A) the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and

''(B) the Task Force.

''SEC. 205. CORAL REEF ACTION PLANS.

''(a) PLANS PREPARED BY FEDERAL REEF MANAGERS.—

''(1) IN GENERAL.—Not later than 3 years after the date of the enactment of the Restoring Resilient Reefs Act of 2022, each Federal reef manager shall—

''(A) prepare a coral reef action plan to guide management and restoration activities to be undertaken within the responsibilities and jurisdiction of the manager; or

''(B) in the case of a reef under the jurisdiction of a Federal reef manager for which there is a management plan in effect as of such date of enactment, update that plan to comply with the requirements of this subsection.

''(2) ELEMENTS.—A plan prepared under paragraph (1) by a Federal reef manager shall include a discussion of the following:

''(A) Short- and mid-term coral reef conservation and restoration objectives within the jurisdiction of the manager.

''(B) A current adaptive management framework to inform research, monitoring, and assessment needs.

''(C) Tools, strategies, and partnerships necessary to identify, monitor, and address pollution and water quality impacts to coral reef ecosystems within the jurisdiction of the manager.

''(D) The status of efforts to improve coral reef ecosystem management cooperation and integration between Federal reef managers and covered reef managers, including the identification of existing research and monitoring activities that can be leveraged for coral reef status and trends assessments within the jurisdiction of the manager.

''(E) Estimated budgetary and resource considerations necessary to carry out the plan.

''(F) Contingencies for response to and recovery from emergencies and disasters.

''(G) In the case of an updated plan, annual records of significant management and restoration actions taken under the previous plan, cash and non-cash resources used to undertake the actions, and the source of such resources.

''(H) Documentation by the Federal reef manager that the plan is consistent with the national coral reef resilience strategy in effect under section 204.

''(I) A data management plan to ensure data, assessments, and accompanying information are appropriately preserved, curated, publicly accessible, and broadly reusable.

''(3) SUBMISSION TO TASK FORCE.—Each Federal reef manager shall submit a plan prepared under paragraph (1) to the Task Force.

''(4) APPLICATION OF ADMINISTRATIVE PROCEDURE ACT.—Each plan prepared under paragraph (1) shall be subject to the requirements of subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the 'Administrative Procedure Act').

''(b) PLANS PREPARED BY COVERED REEF MANAGERS.—

''(1) IN GENERAL.—A covered reef manager may elect to prepare, submit to the Task Force, and maintain a coral reef action plan to guide management and restoration activities to be undertaken within the responsibilities and jurisdiction of the manager.

''(2) EFFECTIVE PERIOD.—A plan prepared under this subsection shall remain in effect for 5 years, or until an updated plan is submitted to the Task Force, whichever occurs first.

''(3) ELEMENTS.—A plan prepared under paragraph (1) by a covered reef manager—

''(A) shall contain a discussion of—

''(i) short- and mid-term coral reef conservation and restoration objectives within the jurisdiction of the manager;

''(ii) estimated budgetary and resource considerations necessary to carry out the plan;

''(iii) in the case of an updated plan, annual records of significant management and restoration actions taken under the previous plan, cash and non-cash resources used to undertake the actions, and the source of such resources; and

''(iv) contingencies for response to and recovery from emergencies and disasters; and

''(B) may contain a discussion of—

''(i) the status of efforts to improve coral reef ecosystem management cooperation and integration between Federal reef managers and covered reef managers, including the identification of existing research and monitoring activities that can be leveraged for coral reef status and trends assessments within the jurisdiction of the manager;

''(ii) a current adaptive management framework to inform research, monitoring, and assessment needs;

''(iii) tools, strategies, and partnerships necessary to identify, monitor, and address pollution and water quality impacts to coral reef ecosystems within the jurisdiction of the manager; and

''(iv) a data management plan to ensure data, assessments, and accompanying information are appropriately preserved, curated, publicly accessible, and broadly reusable..

''(c) TECHNICAL ASSISTANCE.—The Administrator and the Task Force shall make all reasonable efforts to provide technical assistance upon request by a Federal reef manager or covered reef manager developing a coral reef action plan under this section.

''(d) PUBLICATION.—The Administrator shall publish each coral reef action plan prepared and submitted to the Task Force under this section on publicly available internet websites of—

''(1) the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and

''(2) the Task Force.

''SEC. 206. CORAL REEF STEWARDSHIP PARTNERSHIPS.

''(a) IN GENERAL.—To further the community-based stewardship of coral reefs, coral reef stewardship partnerships for Federal and non-Federal coral reefs may be established in accordance with this section.

''(b) STANDARDS AND PROCEDURES.—The Administrator shall develop and adopt—

''(1) standards for identifying individual coral reefs and ecologically significant units of coral reefs; and

''(2) processes for adjudicating multiple applicants for stewardship of the same coral reef or ecologically significant unit of a reef to ensure no geographic overlap in representation among stewardship partnerships authorized by this section.

''(c) MEMBERSHIP FOR FEDERAL CORAL REEFS.—A coral reef stewardship partnership that has identified, as the subject of its stewardship activities, a coral reef or ecologically significant unit of a coral reef that is fully or partially under the management jurisdiction of any Federal agency specified in section 203(c) shall, at a minimum, include the following:

''(1) That Federal agency, a representative of which shall serve as chairperson of the coral reef stewardship partnership.

''(2) A State or county's resource management agency.

''(3) A coral reef research center designated under section 214(b).

''(4) A nongovernmental organization.

''(5) Such other members as the partnership considers appropriate, such as interested stakeholder groups and covered Native entities.

''(d) MEMBERSHIP FOR NON-FEDERAL CORAL REEFS.—

''(1) IN GENERAL.—A coral reef stewardship partnership that has identified, as the subject of its stewardship activities, a coral reef or ecologically significant component of a coral reef that is not under the management jurisdiction of any Federal agency specified in section 203(c) shall, at a minimum, include the following:

''(A) A State or county's resource management agency or a covered Native entity, a representative of which shall serve as the chairperson of the coral reef stewardship partnership.

''(B) A coral reef research center designated under section 214(b).

''(C) A nongovernmental organization.

''(D) Such other members as the partnership considers appropriate, such as interested stakeholder groups.

''(2) ADDITIONAL MEMBERS.—

''(A) IN GENERAL.—Subject to subparagraph (B), a coral reef stewardship partnership described in paragraph (1) may also include representatives of one or more Federal agencies.

''(B) REQUESTS; APPROVAL.—A representative of a Federal agency described in subparagraph (A) may become a member of a coral reef stewardship partnership described in paragraph (1) if—

''(i) the representative submits a request to become a member to the chairperson of the partnership referred to in paragraph (1)(A); and

''(ii) the chairperson consents to the request.

''(e) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to coral reef stewardship partnerships under this section.

''SEC. 207. BLOCK GRANTS.

''(a) IN GENERAL.—The Administrator shall provide block grants of financial assistance to covered States to support management and restoration activities and further the implementation of coral reef action plans in effect under section 205 by covered States and non-Federal coral reef stewardship partnerships in accordance with this section. The Administrator shall review each covered State's application for block grant funding to ensure that applications are consistent with applicable action plans and the national coral reef resilience strategy in effect under section 204.

''(b) ELIGIBILITY FOR ADDITIONAL AMOUNTS.—

''(1) IN GENERAL.—A covered State shall qualify for and receive additional grant amounts beyond the base award specified in subsection (c)(1) if there is at least one coral reef action plan in effect within the jurisdiction of the covered State developed by that covered State or a non-Federal coral reef stewardship partnership.

''(2) WAIVER FOR CERTAIN FISCAL YEARS.—The Administrator may waive the requirement under paragraph (1) during fiscal years 2023 and 2024.

''(c) FUNDING FORMULA.—Subject to the availability of appropriations, the amount of each block grant awarded to a covered State under this section shall be the sum of—

''(1) a base award of $100,000; and

''(2) if the State is eligible under subsection (b)—

''(A) an amount that is equal to non-Federal expenditures of up to $3,000,000 on coral reef management and restoration activities within the jurisdiction of the State, as reported within the previous fiscal year; and

''(B) an additional amount, from any funds appropriated for block grants under this section that remain after distribution under subparagraph (A) and paragraph (1), based on the proportion of the State's share of total non-Federal expenditures on coral reef management and restoration activities, as reported within the previous fiscal year, in excess of $3,000,000, relative to other covered States.

''(d) EXCLUSIONS.—For the purposes of calculating block grant amounts under subsection (c), Federal funds provided to a covered State or non-Federal coral reef stewardship partnership shall not be considered as qualifying non-Federal expenditures, but non-Federal matching funds used to leverage Federal awards may be considered as qualifying non-Federal expenditures.

''(e) RESPONSIBILITIES OF THE ADMINISTRATOR.—The Administrator is responsible for—

''(1) providing guidance on qualifying non-Federal expenditures and the proper documentation of such expenditures;

''(2) issuing annual solicitations to covered States for awards under this section; and

''(3) determining the appropriate allocation of additional amounts among covered States in accordance with this section.

''(f) RESPONSIBILITIES OF COVERED STATES.—Each covered State is responsible for documenting non-Federal expenditures within the jurisdiction of the State and formally reporting those expenditures for review in response to annual solicitations by the Administrator under subsection (e).

''SEC. 208. COOPERATIVE AGREEMENTS.

''(a) IN GENERAL.—The Administrator shall seek to enter into cooperative agreements with covered States to fund coral reef conservation and restoration activities in waters managed under the jurisdiction of those covered States that are consistent with the national coral reef resilience strategy in effect under section 204 and any applicable action plans under section 205.

''(b) ALL ISLANDS COMMITTEE.—The Administrator may enter into a cooperative agreement with the All Islands Committee of the Task Force to provide support for its activities.

''(c) FUNDING.—Cooperative agreements under subsection (a) shall provide not less than $500,000 to each covered State and are not subject to any matching requirement.

''SEC. 209. CORAL REEF STEWARDSHIP FUND.

''(a) AGREEMENT.—The Administrator shall seek to enter into an agreement with the National Fish and Wildlife Foundation (in this section referred to as the 'Foundation'), authorizing the Foundation to receive, hold, and administer funds received under this section.

''(b) FUND.—

''(1) IN GENERAL.—The Foundation shall establish an account, which shall—

''(A) be known as the 'Coral Reef Stewardship Fund' (in this section referred to as the 'Fund'); and

''(B) serve as the successor to the account known before the date of the enactment of the Restoring Resilient Reefs Act of 2022 as the Coral Reef Conservation Fund and administered through a public-private partnership with the Foundation.

''(2) DEPOSITS.—The Foundation shall deposit funds received under this section into the Fund.

''(3) PURPOSES.—The Fund shall be available solely to support coral reef stewardship activities that—

''(A) further the purposes of this title; and

''(B) are consistent with—

''(i) the national coral reef resilience strategy in effect under section 204; and

''(ii) coral reef action plans in effect, if any, under section 205 covering a coral reef or ecologically significant component of a coral reef to be impacted by such activities, if applicable.

''(4) INVESTMENT OF AMOUNTS.—

''(A) INVESTMENT OF AMOUNTS.—The Foundation shall invest such portion of the Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

''(B) INTEREST AND PROCEEDS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

''(5) REVIEW OF PERFORMANCE.—The Administrator shall conduct a continuing review of all deposits into, and disbursements from, the Fund. Each review shall include a written assessment concerning the extent to which the Foundation has implemented the goals and requirements of—

''(A) this section; and

''(B) the national coral reef resilience strategy in effect under section 204.

''(c) AUTHORIZATION TO SOLICIT DONATIONS.—

''(1) IN GENERAL.—Pursuant to an agreement entered into under subsection (a), the

Foundation may accept, receive, solicit, hold, administer, and use any gift (including, notwithstanding section 1342 of title 31, United States Code, donations of services) to further the purposes of this title.

''(2) DEPOSITS IN FUND.—Notwithstanding section 3302 of title 31, United States Code, any funds received as a gift shall be deposited and maintained in the Fund.

''(d) ADMINISTRATION.—Under an agreement entered into pursuant to subsection (a), and subject to the availability of appropriations, the Administrator may transfer funds appropriated to carry out this title to the Foundation. Amounts received by the Foundation under this subsection may be used for matching, in whole or in part, contributions (whether in money, services, or property) made to the Foundation by private persons, State or local government agencies, or covered Native entities.

''SEC. 210. EMERGENCY ASSISTANCE.

''(a) IN GENERAL.—Notwithstanding any other provision of law, from funds appropriated pursuant to the authorization of appropriations under section 217, the Administrator may provide emergency assistance to any covered State or coral reef stewardship partnership to respond to immediate harm to coral reefs or coral reef ecosystems arising from any of the exigent circumstances described in subsection (b).

''(b) CORAL REEF EXIGENT CIRCUMSTANCES.—The Administrator shall develop a list of, and criteria for, circumstances that pose an exigent threat to coral reefs, including—

''(1) new and ongoing outbreaks of disease;

''(2) new and ongoing outbreaks of invasive or nuisance species;

''(3) new and ongoing coral bleaching events;

''(4) natural disasters;

''(5) industrial or mechanical incidents, such as vessel groundings, hazardous spills, or coastal construction accidents; and

''(6) other circumstances that pose an urgent threat to coral reefs.

''(c) ANNUAL REPORT ON EXIGENT CIRCUMSTANCES.—On February 1 of each year, the Administrator shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report that—

''(1) describes locations with exigent circumstances described in subsection (b) that were considered but declined for emergency assistance, and the rationale for the decision; and

''(2) with respect to each instance in which emergency assistance under this section was provided—

''(A) the location and a description of the exigent circumstances that prompted the emergency assistance, the entity that received the assistance, and the current and expected outcomes from the assistance;

''(B) a description of activities of the National Oceanic and Atmospheric Administration that were curtailed as a result of providing the emergency assistance;

''(C) in the case of an incident described in subsection (b)(5), a statement of whether legal action was commenced under subsection (c), and the rationale for the decision; and

''(D) an assessment of whether further action is needed to restore the affected coral reef, recommendations for such restoration, and a cost estimate to implement such recommendations.

''SEC. 211. CORAL REEF DISASTER FUND.

''(a) AGREEMENTS.—The Administrator shall seek to enter into an agreement with the National Fish and Wildlife Foundation (in this section referred to as the 'Foundation'), authorizing the Foundation to receive, hold, and administer funds received under this section.

''(b) FUND.—

''(1) IN GENERAL.—The Foundation shall establish an account, to be known as the 'Coral Reef Disaster Fund' (in this section referred to as the 'Fund').

''(2) DEPOSITS.—The Foundation shall deposit funds received under this section into the Fund.

''(3) PURPOSES.—The Fund shall be available solely to support the long-term recovery of coral reefs from exigent circumstances described in section 210—

''(A) in partnership with non-Federal stakeholders; and

''(B) in a manner that is consistent with—

''(i) the national coral reef resilience strategy in effect under section 204; and

''(ii) coral reef action plans in effect, if any, under section 205.

''(4) INVESTMENT OF AMOUNTS.—

''(A) INVESTMENT OF AMOUNTS.—The Foundation shall invest such portion of the Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

''(B) INTEREST AND PROCEEDS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

''(5) REVIEW OF PERFORMANCE.—The Administrator shall conduct continuing reviews of all deposits into, and disbursements from, the Fund. Each such review shall include a written assessment concerning the extent to which the Foundation has implemented the goals and requirements of this section.

''(c) AUTHORIZATION TO SOLICIT DONATIONS.—

''(1) IN GENERAL.—Pursuant to an agreement entered into under subsection (a), the Foundation may accept, receive, solicit, hold, administer, and use any gift (including, notwithstanding section 1342 of title 31, United States Code, donations of services) to further the purposes of this title.

''(2) DEPOSITS IN FUND.—Notwithstanding section 3302 of title 31, United States Code, any funds received as a gift shall be deposited and maintained in the Fund.

''(d) ADMINISTRATION.—Under an agreement entered into under subsection (a), and subject to the availability of appropriations, the Administrator may transfer funds appropriated to carry out this title to the Foundation. Amounts received by the Foundation under this subsection may be used for matching, in whole or in part, contributions (whether in money, services, or property) made to the Foundation by private persons, State or local government agencies, or covered Native entities.

''SEC. 212. VESSEL GROUNDING INVENTORY.

''The Administrator, in coordination with the Commandant of the Coast Guard, the Administrator of the Maritime Administration, and the heads of other Federal and State agencies as appropriate, shall establish and maintain an inventory of all vessel grounding incidents involving United States coral reefs, including a description of—

''(1) the location of each such incident;

''(2) vessel and ownership information relating to each such incident, if available;

''(3) the impacts of each such incident to coral reefs, coral reef ecosystems, and related natural resources;

''(4) the estimated cost of removal of the vessel, remediation, or restoration arising from each such incident;

''(5) any response actions taken by the owner of the vessel, the Administrator, the Commandant, or representatives of other Federal or State agencies;

''(6) the status of such response actions, including—

''(A) when the grounded vessel was removed, the costs of removal, and the how the removal was resourced;

''(B) a narrative and timeline of remediation or restoration activities undertaken by a Federal agency or agencies;

''(C) any emergency or disaster assistance provided under section 210 or 211;

''(D) any actions taken to prevent future grounding incidents; and

''(7) recommendations for additional navigational aids or other mechanisms for preventing future grounding incidents.

''SEC. 213. RUTH D. GATES CORAL REEF CONSERVATION GRANT PROGRAM.

''(a) IN GENERAL.—Subject to the availability of appropriations, the Administrator shall establish a program (to be known as the 'Ruth D. Gates Coral Reef Conservation Grant Program') to provide grants for projects for the conservation and restoration of coral reef ecosystems (in this section referred to as 'coral reef projects') pursuant to proposals approved by the Administrator in accordance with this section.

''(b) MATCHING REQUIREMENTS FOR GRANTS.—

''(1) IN GENERAL.—Except as provided in paragraph (3), Federal funds for any coral reef project for which a grant is provided under subsection (a) may not exceed 50 percent of the total cost of the project.

''(2) NON-FEDERAL SHARE.—The non-Federal share of the cost of a coral reef project may be provided by in-kind contributions and other noncash support.

''(3) WAIVER.—The Administrator may waive all or part of the matching requirement under paragraph (1) if the Administrator determines that no reasonable means are available through which an applicant can meet the matching requirement with respect to a coral reef project and the probable benefit of the project outweighs the public interest in the matching requirement.

''(c) ELIGIBILITY.—

''(1) IN GENERAL.—An entity described in paragraph (2) may submit to the Administrator a proposal for a coral reef project.

''(2) ENTITIES DESCRIBED.—An entity described in this paragraph is—

''(A) a covered reef manager or a covered Native entity—

''(i) with responsibility for coral reef management; or

''(ii) the activities of which directly or indirectly affect coral reefs or coral reef ecosystems;

''(B) a regional fishery management council established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.);

''(C) a coral reef stewardship partnership seeking to implement a coral reef action plan in effect under section 205;

''(D) a coral reef research center designated under section 214(b); or

''(E) another nongovernmental organization or research institution with demonstrated expertise in the conservation or restoration of coral reefs in practice or through significant contributions to the body of existing scientific research on coral reefs.

''(d) PROJECT PROPOSALS.—Each proposal for a grant under this section for a coral reef project shall include the following:

''(1) The name of the individual or entity responsible for conducting the project.

''(2) A description of the qualifications of the individual or entity.

''(3) A succinct statement of the purposes of the project.

''(4) An estimate of the funds and time required to complete the project.

''(5) Evidence of support for the project by appropriate representatives of States or other government jurisdictions in which the project will be conducted.

''(6) Information regarding the source and amount of matching funding available to the applicant.

''(7) A description of how the project meets one or more of the criteria under subsection (f)(2).

''(8) In the case of a proposal submitted by a coral reef stewardship partnership, a description of how the project aligns with the applicable coral reef action plan in effect under section 205.

''(9) Any other information the Administrator considers to be necessary for evaluating the eligibility of the project for a grant under this subsection.

''(e) PROJECT REVIEW AND APPROVAL.—

''(1) IN GENERAL.—The Administrator shall review each coral reef project proposal submitted under this section to determine if the project meets the criteria set forth in subsection (f).

''(2) PRIORITIZATION OF CONSERVATION PROJECTS.—The Administrator shall prioritize the awarding of funding for projects that meet the criteria for approval under subparagraphs (A) through (G) of subsection (f)(2) that are proposed to be conducted within priority areas identified for coral reef conservation by the Administrator under the national coral reef resilience strategy in effect under section 204.

''(3) PRIORITIZATION OF RESTORATION PROJECTS.—The Administrator shall prioritize the awarding of funding for projects that meet the criteria for approval under subparagraphs (E) through (L) of subsection (f)(2) that are proposed to be conducted within priority areas identified for coral reef restoration by the Administrator under the national coral reef resilience strategy in effect under section 204.

''(4) REVIEW; APPROVAL OR DISAPPROVAL.—Not later than 180 days after receiving a proposal for a coral reef project under this section, the Administrator shall—

''(A) request and consider written comments on the proposal from each Federal agency, State government, covered Native entity, or other government jurisdiction, including the relevant regional fishery management councils established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or any National Marine Sanctuary or Marine National Monument, with jurisdiction or management authority over coral reef ecosystems in the area where the project is to be conducted, including the extent to which the project is consistent with locally established priorities, unless such entities were directly involved in the development of the project proposal;

''(B) provide for the merit-based peer review of the proposal and require standardized documentation of that peer review;

''(C) after considering any written comments and recommendations based on the reviews under subparagraphs (A) and (B), approve or disapprove the proposal; and

''(D) provide written notification of that approval or disapproval, with summaries of all written comments, recommendations, and peer reviews, to the entity that submitted the proposal, and each of those States, covered Native entity, and other government jurisdictions that provided comments under subparagraph (A).

''(f) CRITERIA FOR APPROVAL.—The Administrator may not approve a proposal for a coral reef project under this section unless the project—

''(1) is consistent with—

''(A) the national coral reef resilience strategy in effect under section 204; and

''(B) any Federal or non-Federal coral reef action plans in effect under section 205 covering a coral reef or ecologically significant unit of a coral reef to be affected by the project; and

''(2) will enhance the conservation and restoration of coral reefs by—

''(A) addressing conflicts arising from the use of environments near coral reefs or from the use of corals, species associated with coral reefs, and coral products, including supporting consensus-driven, community-based planning and management initiatives for the protection of coral reef ecosystems;

''(B) improving compliance with laws that prohibit or regulate the taking of coral products or species associated with coral reefs or regulate the use and management of coral reef ecosystems;

''(C) designing and implementing networks of real-time water quality monitoring along coral reefs, including data collection related to turbidity, nutrient availability, harmful algal blooms, and plankton assemblages, with an emphasis on coral reefs impacted by agriculture and urban development;

''(D) promoting ecologically sound navigation and anchorages, including mooring buoy systems to promote enhanced recreational access, near coral reefs;

''(E) furthering the goals and objectives of coral reef action plans in effect under section 205;

''(F) mapping the location and distribution of coral reefs and potential coral reef habitat;

''(G) stimulating innovation to advance the ability of the United States to understand, research, or monitor coral reef ecosystems, or to develop management or adaptation options to conserve and restore coral reef ecosystems;

''(H) implementing research to ensure the population viability of listed coral species in United States waters as detailed in the population-based recovery criteria included in species-specific recovery plans consistent with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

''(I) developing and implementing cost-effective methods to restore degraded coral reef ecosystems or to create geographically appropriate coral reef ecosystems in suitable waters, including by improving habitat or promoting success of keystone species, with an emphasis on novel restoration strategies and techniques to advance coral reef recovery and growth near population centers threatened by rising sea levels and storm surge;

''(J) translating and applying coral genetics research to coral reef ecosystem restoration, including research related to traits that promote resilience to increasing ocean temperatures, ocean acidification, coral bleaching, coral diseases, and invasive species;

''(K) developing and maintaining in situ native coral propagation sites; or

''(L) developing and maintaining ex situ coral propagation nurseries and land-based coral gene banks to—

''(i) conserve or augment genetic diversity of native coral populations;

''(ii) support captive breeding of rare coral species; or

''(iii) enhance resilience of native coral populations to increasing ocean temperatures, ocean acidification, coral bleaching, and coral diseases through selective breeding, conditioning, or other approaches that target genes, gene expression, phenotypic traits, or phenotypic plasticity.

''(g) FUNDING REQUIREMENTS.—To the extent practicable based upon proposals for coral reef projects submitted to the Administrator, the Administrator shall ensure that funding for grants awarded under this section during a fiscal year is distributed as follows:

''(1) Not less than 40 percent of funds available shall be awarded for projects in the Pacific Ocean within the maritime areas and zones subject to the jurisdiction or control of the United States.

''(2) Not less than 40 percent of the funds available shall be awarded for projects in the Atlantic Ocean, the Gulf of Mexico, or the Caribbean Sea within the maritime areas and zones subject to the jurisdiction or control of the United States.

''(3) Not more than 67 percent of funds distributed in each region in accordance with paragraphs (1) and (2) shall be made exclusively available to projects that are—

''(A) submitted by a coral reef stewardship partnership; and

''(B) consistent with the coral reef action plan in effect under section 205 by such a partnership.

''(4) Of the funds distributed to support projects in accordance with paragraph (3), not less than 20 percent and not more than 33 percent shall be awarded for projects submitted by a Federal coral reef stewardship partnership.

''(h) TASK FORCE.—The Administrator may consult with the Secretary of the Interior and the Task Force to obtain guidance in establishing priorities and evaluating proposals for coral reef projects under this section.

''SEC. 214. NON-FEDERAL CORAL REEF RESEARCH.

''(a) REEF RESEARCH COORDINATION INSTITUTES.—

''(1) ESTABLISHMENT.—The Administrator shall designate 2 reef research coordination institutes for the purpose of advancing and sustaining essential capabilities in coral reef research, one each in the Atlantic and Pacific basins, to be known as the 'Atlantic Reef Research Coordination Institute' and the 'Pacific Reef Research Coordination Institute', respectively.

''(2) MEMBERSHIP.—Each institute designated under paragraph (1) shall be housed within a single coral reef research center designated by the Administrator under subsection (b) and may enter into contracts with other coral reef research centers designated under subsection (b) within the same basin to support the institute's capacity and reach.

''(3) FUNCTIONS.—The institutes designated under paragraph (1) shall—

''(A) conduct federally directed research to fill national and regional coral reef ecosystem research gaps and improve understanding of, and responses to, continuing and emerging threats to the resilience of United States coral reef ecosystems consistent with the national coral reef resilience strategy in effect under section 204;

''(B) support ecological research and monitoring to study the effects of conservation and restoration activities funded by this title on promoting more effective coral reef management and restoration; and

''(C) through agreements—

''(i) collaborate directly with governmental resource management agencies, coral reef stewardship partnerships, nonprofit organizations, and other coral reef research centers designated under subsection (b);

''(ii) assist in the development and implementation of—

''(I) the national coral reef resilience strategy under section 204; and

''(II) coral reef action plans under section 205;

''(iii) build capacity within non-Federal governmental resource management agencies to establish research priorities and

translate and apply research findings to management and restoration practices; and

''(iv) conduct public education and awareness programs for policymakers, resource managers, and the general public on—

''(I) coral reefs and coral reef ecosystems;

''(II) best practices for coral reef ecosystem management and restoration;

''(III) the value of coral reefs; and

''(IV) the threats to the sustainability of coral reef ecosystems.

''(b) CORAL REEF RESEARCH CENTERS.—

''(1) IN GENERAL.—The Administrator shall—

''(A) periodically solicit applications for designation of qualifying institutions in covered States as coral reef research centers; and

''(B) designate all qualifying institutions in covered States as coral reef research centers.

''(2) QUALIFYING INSTITUTIONS.—For purposes of paragraph (1), an institution is a qualifying institution if the Administrator determines that the institution—

''(A) is operated by an institution of higher education or nonprofit marine research organization;

''(B) has established management-driven national or regional coral reef research or restoration programs;

''(C) has demonstrated abilities to coordinate closely with appropriate Federal and State agencies, as well as other academic and nonprofit organizations; and

''(D) maintains significant local community engagement and outreach programs related to coral reef ecosystems.

''SEC. 215. REPORTS ON ADMINISTRATION.

''Not later than 3 years after the date of the enactment of the Restoring Resilient Reefs Act of 2022, and every 2 years thereafter, the Administrator shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the administration of this title during the 2-year period preceding submission of the report, including—

''(1) a description of all activities undertaken to implement the most recent national coral reef resilience strategy under section 204;

''(2) a statement of all funds obligated under the authorities of this title; and

''(3) a summary, disaggregated by State, of Federal and non-Federal contributions toward the costs of each project or activity funded, in full or in part, under the authorities of this title.

''SEC. 216. CORAL REEF PRIZE COMPETITIONS.

''(a) IN GENERAL.—The head of any Federal agency with a representative serving on the United States Coral Reef Task Force established by Executive Order 13089 (16 U.S.C. 6401 note; relating to coral reef protection), may, individually or in cooperation with one or more agencies, carry out a program to award prizes competitively under section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719).

''(b) PURPOSES.—Any program carried out under this section shall be for the purpose of stimulating innovation to advance the ability of the United States to understand, research, or monitor coral reef ecosystems, or to develop management or adaptation options to preserve, sustain, and restore coral reef ecosystems.

''(c) PRIORITY PROGRAMS.—Priority shall be given to establishing programs under this section that address communities, environments, or industries that are in distress as a result of the decline or degradation of coral reef ecosystems, including—

''(1) scientific research and monitoring that furthers the understanding of causes behind coral reef decline and degradation and the generally slow recovery following disturbances, including ocean acidification, temperature-related bleaching, disease, and their associated impacts on coral physiology;

''(2) the development of monitoring or management options for communities or industries that are experiencing significant financial hardship;

''(3) the development of adaptation options to alleviate economic harm and job loss caused by damage to coral reef ecosystems;

''(4) the development of measures to help vulnerable communities or industries, with an emphasis on rural communities and businesses; and

''(5) the development of adaptation and management options for impacted tourism industries.'';

(3) in section 217, as redesignated by paragraph (1)—

(A) in subsection (c), by striking ''section 204'' and inserting ''section 213'';

(B) in subsection (d), by striking ''under section 207'' and inserting ''authorized under this title''; and

(C) by adding at the end the following:

''(e) BLOCK GRANTS.—There is authorized to be appropriated to the Administrator $10,000,000 for each of fiscal years 2023 through 2027 to carry out section 207.

''(f) COOPERATIVE AGREEMENTS.—There is authorized to be appropriated to the Administrator $10,000,000 for each of fiscal years 2023 through 2027 to carry out section 208.

''(g) NON-FEDERAL CORAL REEF RESEARCH.—There is authorized to be appropriated to the Administrator $4,500,000 for each of fiscal years 2023 through 2027 for agreements with the reef research coordination institutes designated under section 214.''; and

(4) by amending section 218, as redesignated by paragraph (1), to read as follows:

''SEC. 218. DEFINITIONS.

''In this title:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the National Oceanic and Atmospheric Administration.

''(2) ALASKA NATIVE CORPORATION.—The term 'Alaska Native Corporation' has the meaning given the term 'Native Corporation' in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

''(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives.

''(4) CONSERVATION.—The term 'conservation' means the use of methods and procedures necessary to preserve or sustain native corals and associated species as diverse, viable, and self-perpetuating coral reef ecosystems with minimal impacts from invasive species, including—

''(A) all activities associated with resource management, such as monitoring, assessment, protection, restoration, sustainable use, management of habitat, and maintenance or augmentation of genetic diversity;

''(B) mapping;

''(C) scientific expertise and technical assistance in the development and implementation of management strategies for marine protected areas and marine resources consistent with the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.) and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.);

''(D) law enforcement;

''(E) conflict resolution initiatives;

''(F) community outreach and education; and

''(G) promotion of safe and ecologically sound navigation and anchoring.

''(5) CORAL.—The term 'coral' means species of the phylum Cnidaria, including—

''(A) all species of the orders Antipatharia (black corals), Scleractinia (stony corals), Alcyonacea (soft corals, organ pipe corals, gorgonians), and Helioporacea (blue coral), of the class Anthozoa; and

''(B) all species of the order Anthoathecata (fire corals and other hydrocorals) of the class Hydrozoa.

''(6) CORAL PRODUCTS.—The term 'coral products' means any living or dead specimens, parts, or derivatives, or any product containing specimens, parts, or derivatives, of any species referred to in paragraph (5).

''(7) CORAL REEF.—The term 'coral reef' means calcium carbonate structures in the form of a reef or shoal, composed in whole or in part by living coral, skeletal remains of coral, crustose coralline algae, and other associated sessile marine plants and animals.

''(8) CORAL REEF ECOSYSTEM.—The term 'coral reef ecosystem' means—

''(A) corals and other geographically and ecologically associated marine communities of other reef organisms (including reef plants and animals) associated with coral reef habitat; and

''(B) the biotic and abiotic factors and processes that control or affect coral calcification rates, tissue growth, reproduction, recruitment, abundance, coral-algal symbiosis, and biodiversity in such habitat.

''(9) COVERED NATIVE ENTITY.—The term 'covered Native entity' means a Native entity of a covered State with interests in a coral reef ecosystem.

''(10) COVERED REEF MANAGER.—The term 'covered reef manager' means—

''(A) a management unit of a covered State with jurisdiction over a coral reef ecosystem;

''(B) a covered State; or

''(C) a coral reef stewardship partnership under section 206(d).

''(11) COVERED STATE.—The term 'covered State' means Florida, Hawaii, and the territories of American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the United States Virgin Islands.

''(12) FEDERAL REEF MANAGER.—

''(A) IN GENERAL.—The term 'Federal reef manager' means—

''(i) a management unit of a Federal agency specified in subparagraph (B) with lead management jurisdiction over a coral reef ecosystem; or

''(ii) a coral reef stewardship partnership under section 206(c).

''(B) FEDERAL AGENCIES SPECIFIED.—A Federal agency specified in this subparagraph is one of the following:

''(i) The National Oceanic and Atmospheric Administration.

''(ii) The National Park Service.

''(iii) The United States Fish and Wildlife Service.

''(iv) The Office of Insular Affairs.

''(C) AGENCY JURISDICTION.—Nothing in this Act shall be construed to expand the management authority of a Federal agency specified in subparagraph (B) or a coral reef stewardship partnership under section 206(c) to coral reefs or coral reef ecosystems outside the boundaries of the jurisdiction of the agency or partnership.

''(13) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

''(14) INTERESTED STAKEHOLDER GROUPS.—The term 'interested stakeholder groups' includes community members such as businesses, commercial and recreational fishermen, other recreationalists, covered Native

entities, Federal, State, and local government units with related jurisdiction, institutions of higher education, and nongovernmental organizations.

''(15) NATIVE ENTITY.—The term 'Native entity' means any of the following:

''(A) An Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

''(B) An Alaska Native Corporation.

''(C) The Department of Hawaiian Home Lands.

''(D) The Office of Hawaiian Affairs.

''(E) A Native Hawaiian organization (as defined in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517)).

''(16) NONPROFIT ORGANIZATION.—The term 'nonprofit organization' means any corporation, trust, association, cooperative, or other organization, not including an institutions of higher education, that—

''(A) is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest;

''(B) is not organized primarily for profit; and

''(C) uses net proceeds to maintain, improve, or expand the operations of the organization.

''(17) RESTORATION.—The term 'restoration' means the use of methods and procedures necessary to enhance, rehabilitate, recreate, or create a functioning coral reef or coral reef ecosystem, in whole or in part, within suitable waters of the historical geographic range of such ecosystems, to provide ecological, economic, cultural, or coastal resiliency services associated with healthy coral reefs and benefit native populations of coral reef organisms.

''(18) RESILIENCE.—The term 'resilience' means the capacity for corals within their native range, coral reefs, or coral reef ecosystems to resist and recover from natural and human disturbances, and maintain structure and function to provide ecosystem services, as determined by clearly identifiable, measurable, and science-based standards.

''(19) SECRETARY.—The term 'Secretary' means the Secretary of Commerce.

''(20) STATE.—The term 'State' means—

''(A) any State of the United States that contains a coral reef ecosystem within its seaward boundaries;

''(B) American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, or the United States Virgin Islands; or

''(C) any other territory or possession of the United States or separate sovereign in free association with the United States that contains a coral reef ecosystem within its seaward boundaries.

''(21) STEWARDSHIP.—The term 'stewardship', with respect to a coral reef, includes conservation, restoration, and public outreach and education.

''(22) TASK FORCE.—The term 'Task Force' means the United States Coral Reef Task Force established under section 201 of the Restoring Resilient Reefs Act of 2022.''.

(b) CONFORMING AMENDMENT TO NATIONAL OCEANS AND COASTAL SECURITY ACT.—Section 905(a) of the National Oceans and Coastal Security Act (16 U.S.C. 7504(a)) is amended by striking ''and coastal infrastructure'' and inserting '', coastal infrastructure, and ecosystem services provided by natural systems such as coral reefs''.

Subtitle B—United States Coral Reef Task Force

SEC. 5121. ESTABLISHMENT.

There is established a task force to lead, coordinate, and strengthen Federal Government actions to better preserve, conserve, and restore coral reef ecosystems, to be known as the ''United States Coral Reef Task Force'' (in this subtitle referred to as the ''Task Force'').

SEC. 5122. DUTIES.

The duties of the Task Force shall be—

(1) to coordinate, in cooperation with covered States, covered Native entities, Federal reef managers, covered reef managers, coral reef research centers designated under section 214(b) of the Coral Reef Conservation Act of 2000 (as amended by section 5111), and other nongovernmental and academic partners as appropriate, activities regarding the mapping, monitoring, research, conservation, mitigation, and restoration of coral reefs and coral reef ecosystems;

(2) to monitor and advise regarding implementation of the policy and Federal agency responsibilities set forth in—

(A) Executive Order 13089 (63 Fed. Reg. 32701; relating to coral reef protection); and

(B) the national coral reef resilience strategy developed under section 204 of the Coral Reef Conservation Act of 2000, as amended by section 5111;

(3) to work, in coordination with the other members of the Task Force—

(A) to assess the United States role in international trade and protection of coral species;

(B) to encourage implementation of appropriate strategies and actions to promote conservation and sustainable use of coral reef resources worldwide; and

(C) to collaborate with international communities successful in managing coral reefs;

(4) to provide technical assistance for the development and implementation, as appropriate, of—

(A) the national coral reef resilience strategy under section 204 of the Coral Reef Conservation Act of 2000, as amended by section 5111; and

(B) coral reef action plans under section 205 of that Act; and

(5) to produce a report each year, for submission to the appropriate congressional committees and publication on a publicly available internet website of the Task Force, highlighting the status of the coral reef equities of a covered State on a rotating basis, including—

(A) a summary of recent coral reef management and restoration activities undertaken in that State; and

(B) updated estimates of the direct and indirect economic activity supported by, and other benefits associated with, those coral reef equities.

SEC. 5123. MEMBERSHIP.

(a) VOTING MEMBERSHIP.—The voting members of the Task Force shall be—

(1) the Under Secretary of Commerce for Oceans and Atmosphere and the Secretary of Interior, who shall be co-chairpersons of the Task Force;

(2) such representatives from other Federal agencies as the President, in consultation with the Under Secretary, determines appropriate; and

(3) the Governor, or a representative of the Governor, of each covered State.

(b) NONVOTING MEMBERS.—The Task Force shall have the following nonvoting members:

(1) A member of the South Atlantic Fishery Management Council who is designated by the Governor of Florida under section 302(b)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(b)(1)).

(2) A member of the Gulf of Mexico Fishery Management Council who is designated by the Governor of Florida under such section.

(3) A member of the Western Pacific Fishery Management Council who is designated under such section and selected as follows:

(A) For the period beginning on the date of the enactment of this Act and ending on December 31 of the calendar year during which such date of enactment occurs, the member shall be selected jointly by the governors of Hawaii, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

(B) For each calendar year thereafter, the governors of Hawaii, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands shall, on a rotating basis, take turns selecting the member.

(4) A member of the Caribbean Fishery Management Council who is designated under such section and selected as follows:

(A) For the period beginning on the date of the enactment of this Act and ending on December 31 of the calendar year during which such date of enactment occurs, the member shall be selected jointly by the governors of Puerto Rico and the United States Virgin Islands.

(B) For each calendar year thereafter, the governors of Puerto Rico and the United States Virgin Islands shall, on an alternating basis, take turns selecting the member.

(5) A member appointed by the President of the Federated States of Micronesia.

(6) A member appointed by the President of the Republic of the Marshall Islands.

(7) A member appointed by the President of the Republic of Palau.

SEC. 5124. RESPONSIBILITIES OF FEDERAL AGENCY MEMBERS.

(a) IN GENERAL.—A member of the Task Force described in section 5123(a) shall—

(1) identify the actions of the agency that member represents that may affect coral reef ecosystems;

(2) utilize the programs and authorities of that agency to protect and enhance the conditions of such ecosystems, including through the promotion of basic and applied scientific research;

(3) collaborate with the Task Force to appropriately reflect budgetary needs for coral reef conservation and restoration activities in all agency budget planning and justification documents and processes; and

(4) engage in any other coordinated efforts approved by the Task Force.

(b) CO-CHAIRPERSONS.—In addition to their responsibilities under subsection (a), the co-chairpersons of the Task Force shall administer performance of the functions of the Task Force and facilitate the coordination of the members of the Task Force described in section 5123(a).

SEC. 5125. WORKING GROUPS.

(a) IN GENERAL.—The co-chairpersons of the Task Force may establish working groups as necessary to meet the goals and carry out the duties of the Task Force.

(b) REQUESTS FROM MEMBERS.—The members of the Task Force may request that the co-chairpersons establish a working group under subsection (a).

(c) PARTICIPATION BY NONGOVERNMENTAL ORGANIZATIONS.—The co-chairpersons may allow nongovernmental organizations as appropriate, including academic institutions, conservation groups, and commercial and recreational fishing associations, to participate in a working group established under subsection (a).

(d) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to working groups established under this section.

SEC. 5126. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) CONSERVATION, CORAL, CORAL REEF, ETC.—The terms ''conservation'', ''coral'', ''coral reef'', ''coral reef ecosystem'', ''covered Native entity'', ''covered reef manager'', ''covered State'', ''Federal reef manager'', ''Native entity'', ''restoration'', ''resilience'', and ''State'' have the meanings given those terms in section 218 of the Coral Reef Conservation Act of 2000, as amended by section 5111.

Subtitle C—Department of the Interior Coral Reef Authorities

SEC. 5131. CORAL REEF CONSERVATION AND RESTORATION ASSISTANCE.

(a) IN GENERAL.—The Secretary of the Interior may provide scientific expertise and technical assistance, and subject to the availability of appropriations, financial assistance for the conservation and restoration of coral reefs consistent with all applicable laws governing resource management in Federal, State, and Tribal waters, including—

(1) the national coral reef resilience strategy in effect under section 204 of the Coral Reef Conservation Act of 2000, as amended by section 5111; and

(2) coral reef action plans in effect under section 205 of that Act, as applicable.

(b) CORAL REEF INITIATIVE.—The Secretary may establish a Coral Reef Initiative Program—

(1) to provide grant funding to support local management, conservation, and protection of coral reef ecosystems in—

(A) coastal areas of covered States; and

(B) Freely Associated States;

(2) to enhance resource availability of National Park Service and National Wildlife Refuge System management units to implement coral reef conservation and restoration activities;

(3) to complement the other conservation and assistance activities conducted under this Act or the Coral Reef Conservation Act of 2000, as amended by section 5111; and

(4) to provide other technical, scientific, and financial assistance and conduct conservation and restoration activities that advance the purposes of this title and the Coral Reef Conservation Act of 2000, as amended by section 5111.

(c) CONSULTATION WITH THE DEPARTMENT OF COMMERCE.—

(1) CORAL REEF CONSERVATION AND RESTORATION ACTIVITIES.—The Secretary of the Interior may consult with the Secretary of Commerce regarding the conduct of any activities to conserve and restore coral reefs and coral reef ecosystems in waters managed under the jurisdiction of the Federal agencies specified in paragraphs (2) and (3) of section 203(c) of the Coral Reef Conservation Act of 2000, as amended by section 5111.

(2) AWARD OF CORAL REEF MANAGEMENT FELLOWSHIP.—The Secretary of the Interior shall consult with the Secretary of Commerce to award the Susan L. Williams Coral Reef Management Fellowship under subtitle D.

(d) COOPERATIVE AGREEMENTS.—Subject to the availability of appropriations, the Secretary of the Interior may enter into cooperative agreements with covered reef managers to fund coral reef conservation and restoration activities in waters managed under the jurisdiction of such managers that—

(1) are consistent with the national coral reef resilience strategy in effect under section 204 of the Coral Reef Conservation Act of 2000, as amended by section 5111; and

(2) support and enhance the success of coral reef action plans in effect under section 205 of that Act.

(e) DEFINITIONS.—In this section:

(1) CONSERVATION, CORAL, CORAL REEF, ETC.—The terms ''conservation'', ''coral reef'', ''covered reef manager'', ''covered State'', ''restoration'', and ''State'' have the meanings given those terms in section 218 of the Coral Reef Conservation Act of 2000, as amended by section 5111.

(2) TRIBE; TRIBAL.—The terms ''Tribe'' and ''Tribal'' refer to Indian Tribes (as defined in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130)).

Subtitle D—Susan L. Williams National Coral Reef Management Fellowship

SEC. 5141. SHORT TITLE.

This subtitle may be cited as the ''Susan L. Williams National Coral Reef Management Fellowship Act of 2022''.

SEC. 5142. DEFINITIONS.

In this subtitle:

(1) ALASKA NATIVE CORPORATION.—The term ''Alaska Native Corporation'' has the meaning given the term ''Native Corporation'' in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

(2) FELLOW.—The term ''fellow'' means a National Coral Reef Management Fellow.

(3) FELLOWSHIP.—The term ''fellowship'' means the National Coral Reef Management Fellowship established in section 5143.

(4) COVERED NATIVE ENTITY.—The term ''covered Native entity'' means a Native entity of a covered State with interests in a coral reef ecosystem.

(5) COVERED STATE.—The term ''covered State'' means Florida, Hawaii, and the territories of American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the United States Virgin Islands.

(6) NATIVE ENTITY.—The term ''Native entity'' means any of the following:

(A) An Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

(B) An Alaska Native Corporation.

(C) The Department of Hawaiian Home Lands.

(D) The Office of Hawaiian Affairs.

(E) A Native Hawaiian organization (as defined in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517)).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

SEC. 5143. ESTABLISHMENT OF FELLOWSHIP PROGRAM.

(a) IN GENERAL.—There is established a National Coral Reef Management Fellowship Program.

(b) PURPOSES.—The purposes of the fellowship are—

(1) to encourage future leaders of the United States to develop additional coral reef management capacity in States and local communities with coral reefs;

(2) to provide management agencies of covered States or covered Native entities with highly qualified candidates whose education and work experience meet the specific needs of each covered State or covered Native entity; and

(3) to provide fellows with professional experience in management of coastal and coral reef resources.

SEC. 5144. FELLOWSHIP AWARDS.

(a) IN GENERAL.—The Secretary, in partnership with the Secretary of the Interior, shall award the fellowship in accordance with this section.

(b) TERM OF FELLOWSHIP.—A fellowship awarded under this section shall be for a term of not more than 24 months.

(c) QUALIFICATIONS.—The Secretary shall award the fellowship to individuals who have demonstrated—

(1) an intent to pursue a career in marine services and outstanding potential for such a career;

(2) leadership potential, actual leadership experience, or both;

(3) a college or graduate degree in biological science, a resource management college or graduate degree with experience that correlates with aptitude and interest for marine management, or both;

(4) proficient writing and speaking skills; and

(5) such other attributes as the Secretary considers appropriate.

SEC. 5145. MATCHING REQUIREMENT.

(a) IN GENERAL.—Except as provided in subsection (b), the non-Federal share of the costs of a fellowship under this section shall be 25 percent of such costs.

(b) WAIVER OF REQUIREMENTS.—The Secretary may waive the application of subsection (a) if the Secretary finds that such waiver is necessary to support a project that the Secretary has identified as a high priority.

TITLE LII—BOLSTERING LONG-TERM UNDERSTANDING AND EXPLORATION OF THE GREAT LAKES, OCEANS, BAYS, AND ESTUARIES

SEC. 5201. SHORT TITLE.

This title may be cited as the ''Bolstering Long-term Understanding and Exploration of the Great Lakes, Oceans, Bays, and Estuaries Act'' or the ''BLUE GLOBE Act''.

SEC. 5202. PURPOSE.

The purpose of this title is to promote and support—

(1) the monitoring, understanding, and exploration of the Great Lakes, oceans, bays, estuaries, and coasts; and

(2) the collection, analysis, synthesis, and sharing of data related to the Great Lakes, oceans, bays, estuaries, and coasts to facilitate science and operational decision making.

SEC. 5203. SENSE OF CONGRESS.

It is the sense of Congress that Federal agencies should optimize data collection, management, and dissemination, to the extent practicable, to maximize their impact for research, conservation, commercial, regulatory, national security, and educational benefits and to foster innovation, scientific discoveries, the development of commercial products, and the development of sound policy with respect to the Great Lakes, oceans, bays, estuaries, and coasts.

SEC. 5204. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Under Secretary of Commerce for Oceans and Atmosphere in the Under Secretary's capacity as Administrator of the National Oceanic and Atmospheric Administration.

(2) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

SEC. 5205. WORKFORCE STUDY.

(a) IN GENERAL.—Section 303(a) of the America COMPETES Reauthorization Act of 2010 (33 U.S.C. 893c(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''Secretary of Commerce'' and inserting ''Under Secretary of Commerce for Oceans and Atmosphere'';

(2) in paragraph (2), by inserting '', skillsets, or credentials'' after ''degrees'';

(3) in paragraph (3), by inserting ''or highly qualified technical professionals and tradespeople'' after ''atmospheric scientists'';

(4) in paragraph (4), by inserting '', skillsets, or credentials'' after ''degrees'';

(5) in paragraph (5)—

(A) by striking ''scientist''; and

(B) by striking ''; and'' and inserting '', observations, and monitoring;''

(6) in paragraph (6), by striking ''into Federal'' and all that follows and inserting '', technical professionals, and tradespeople into Federal career positions;''

(7) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(8) by inserting after paragraph (1) the following:

''(2) whether there is a shortage in the number of individuals with technical or trade-based skillsets or credentials suited to a career in oceanic and atmospheric data collection, processing, satellite production, or satellite operations;''; and

(9) by adding at the end the following:

''(8) workforce diversity and actions the Federal Government can take to increase diversity in the scientific workforce; and

''(9) actions the Federal Government can take to shorten the hiring backlog for such workforce.''.

(b) COORDINATION.—Section 303(b) of such Act (33 U.S.C. 893c(b)) is amended by striking ''Secretary of Commerce'' and inserting ''Under Secretary of Commerce for Oceans and Atmosphere''.

(c) REPORT.—Section 303(c) of such Act (33 U.S.C. 893c(c)) is amended—

(1) by striking ''the date of enactment of this Act'' and inserting ''the date of the enactment of the Bolstering Long-term Understanding and Exploration of the Great Lakes, Oceans, Bays, and Estuaries Act'';

(2) by striking ''Secretary of Commerce'' and inserting ''Under Secretary of Commerce for Oceans and Atmosphere''; and

(3) by striking ''to each committee'' and all that follows through ''section 302 of this Act'' and inserting ''to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources and the Committee on Science, Space, and Technology of the House of Representatives''.

(d) PROGRAM AND PLAN.—Section 303(d) of such Act (33 U.S.C. 893c(d)) is amended—

(1) by striking ''Administrator of the National Oceanic and Atmospheric Administration'' and inserting ''Under Secretary of Commerce for Oceans and Atmosphere''; and

(2) by striking ''academic partners'' and all that follows and inserting ''academic partners.''.

SEC. 5206. ACCELERATING INNOVATION AT COOPERATIVE INSTITUTES.

(a) FOCUS ON EMERGING TECHNOLOGIES.—The Administrator shall consider evaluating the goals of one or more Cooperative Institutes of the National Oceanic and Atmospheric Administration to include focusing on advancing or applying emerging technologies, which may include—

(1) applied uses and development of real-time and other advanced genetic technologies and applications, including such technologies and applications that derive genetic material directly from environmental samples without any obvious signs of biological source material;

(2) deployment of, and improvements to, the durability, maintenance, and other lifecycle concerns of advanced unmanned vehicles, regional small research vessels, and other research vessels that support and launch unmanned vehicles and sensors; and

(3) supercomputing and big data management, including data collected through model outputs, electronic monitoring, and remote sensing.

(b) COORDINATION WITH OTHER PROGRAMS.—If appropriate, the Cooperative Institutes shall work with the Interagency Ocean Observation Committee, the regional associations of the Integrated Ocean Observing System, and other ocean observing programs to coordinate technology needs and the transition of new technologies from research to operations.

SEC. 5207. BLUE ECONOMY VALUATION.

(a) MEASUREMENT OF BLUE ECONOMY INDUSTRIES.—The Administrator, in consultation with the heads of other relevant Federal agencies, shall establish a program to improve the collection, aggregation, and analysis of data to measure the value and impact of industries related to the Great Lakes, oceans, bays, estuaries, and coasts on the economy of the United States, including military uses, living resources, marine construction, marine transportation, offshore energy development and siting including for renewable energy, offshore mineral production, ship and boat building, tourism, recreation, subsistence, commercial, recreational, and charter fishing, seafood processing, and other fishery-related businesses, aquaculture such as kelp and shellfish, and other industries the Administrator considers appropriate (known as ''Blue Economy'' industries).

(b) COLLABORATION.—In carrying out subsection (a), the Administrator shall—

(1) work with the Director of the Bureau of Economic Analysis and the heads of other relevant Federal agencies to develop a Coastal and Ocean Economy Satellite Account that includes national, Tribal, and State-level statistics to measure the contribution of the Great Lakes, oceans, bays, estuaries, and coasts to the overall economy of the United States; and

(2) collaborate with national and international organizations and governments to promote consistency of methods, measurements, and definitions to ensure comparability of results between countries.

(c) REPORT.—Not less frequently than once every 2 years until the date that is 20 years after the date of the enactment of this Act, the Administrator, in consultation with the heads of other relevant Federal agencies, shall publish a report that—

(1) defines the Blue Economy, in coordination with Indian Tribes, academia, the private sector, nongovernmental organizations, and other relevant experts;

(2) makes recommendations for updating North American Industry Classification System (NAICS) reporting codes to reflect the Blue Economy; and

(3) provides a comprehensive estimate of the value and impact of the Blue Economy with respect to each State and territory of the United States, including—

(A) the value and impact of—

(i) economic activities that are dependent upon the resources of the Great Lakes, oceans, bays, estuaries, and coasts;

(ii) the population and demographic characteristics of the population along the coasts;

(iii) port and shoreline infrastructure;

(iv) the volume and value of cargo shipped by sea or across the Great Lakes;

(v) data collected from the Great Lakes, oceans, bays, estuaries, and coasts, including such data collected by businesses that purchase and commodify the data, including weather prediction and seasonal agricultural forecasting; and

(vi) military uses; and

(B) to the extent possible, the qualified value and impact of the natural capital of the Great Lakes, oceans, bays, estuaries, and coasts with respect to tourism, recreation, natural resources, and cultural heritage, including other indirect values.

SEC. 5208. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are to be authorized to carry out this title.

SEC. 5209. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out this title.

TITLE LIII—REGIONAL OCEAN PARTNERSHIPS

SEC. 5301. SHORT TITLE.

This title may be cited as the ''Regional Ocean Partnership Act''.

SEC. 5302. FINDINGS; SENSE OF CONGRESS; PURPOSES.

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

(1) The ocean and coastal waters and the Great Lakes of the United States are foundational to the economy, security, global competitiveness, and well-being of the United States and continuously serve the people of the United States and other countries as an important source of food, energy, economic productivity, recreation, beauty, and enjoyment.

(2) Over many years, the resource productivity and water quality of the ocean, coastal, and Great Lakes areas of the United States have been diminished by pollution, increasing population demands, economic development, and natural and man-made hazard events, both acute and chronic.

(3) The ocean, coastal, and Great Lakes areas of the United States are managed by State and Federal resource agencies and Indian Tribes and regulated on an interstate and regional scale by various overlapping Federal authorities, thereby creating a significant need for interstate coordination to enhance regional priorities, including the ecological and economic health of those areas.

(4) Indian Tribes have unique expertise and knowledge important for the stewardship of the ocean and coastal waters and the Great Lakes of the United States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should seek to support interstate coordination of shared regional priorities relating to the management, conservation, resilience, and restoration of ocean, coastal, and Great Lakes areas to maximize efficiencies through collaborative regional efforts by Regional Ocean Partnerships, in coordination with Federal and State agencies, Indian Tribes, and local authorities;

(2) such efforts would enhance existing and effective ocean, coastal, and Great Lakes management efforts of States and Indian Tribes based on shared regional priorities; and

(3) Regional Ocean Partnerships should coordinate with Indian Tribes.

(c) PURPOSES.—The purposes of this title are as follows:

(1) To complement and expand cooperative voluntary efforts intended to manage, conserve, and restore ocean, coastal, and Great Lakes areas spanning across multiple State and Indian Tribe jurisdictions.

(2) To expand Federal support for monitoring, data management, restoration, research, and conservation activities in ocean, coastal, and Great Lakes areas.

(3) To commit the United States to a comprehensive cooperative program to achieve improved water quality in, and improvements in the productivity of living resources of, oceans, coastal, and Great Lakes ecosystems.

(4) To authorize Regional Ocean Partnerships as intergovernmental coordinators for shared regional priorities among States and Indian Tribes relating to the collaborative management of the large marine ecosystems, thereby reducing duplication of efforts and maximizing opportunities to leverage support in the ocean and coastal regions.

(5) To empower States to take a lead role in managing oceans, coastal, and Great Lakes areas.

(6) To incorporate rights of Indian Tribes in the management of oceans, coasts, and

Great Lakes resources and provide resources to support Indian Tribe participation in and engagement with Regional Ocean Partnerships.

(7) To enable Regional Ocean Partnerships, or designated fiscal management entities of such partnerships, to receive Federal funding to conduct the scientific research, conservation and restoration activities, and priority coordination on shared regional priorities necessary to achieve the purposes described in paragraphs (1) through (6).

SEC. 5303. REGIONAL OCEAN PARTNERSHIPS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the National Oceanic and Atmospheric Administration.

(2) COASTAL STATE.—The term ''coastal state'' has the meaning given that term in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453).

(3) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(4) REGIONAL OCEAN PARTNERSHIP.—The term ''Regional Ocean Partnership'' means a Regional Ocean Partnership, a Regional Coastal Partnership, or a Regional Great Lakes Partnership.

(b) REGIONAL OCEAN PARTNERSHIPS.—

(1) IN GENERAL.—A coastal state may participate in a Regional Ocean Partnership with one or more—

(A) coastal states that share a common ocean or coastal area with the coastal state, without regard to whether the coastal states are contiguous; and

(B) States—

(i) with which the coastal state shares a common watershed; or

(ii) that would contribute to the priorities of the partnership.

(2) GREAT LAKES.—A partnership consisting of one or more coastal states bordering one or more of the Great Lakes may be known as a ''Regional Coastal Partnership'' or a ''Regional Great Lakes Partnership''.

(3) APPLICATION.—The Governor of a coastal state or the Governors of a group of coastal states may apply to the Secretary of Commerce, on behalf of a partnership, for the partnership to receive designation as a Regional Ocean Partnership if the partnership—

(A) meets the requirements under paragraph (4); and

(B) submits an application for such designation in such manner, in such form, and containing such information as the Secretary may require.

(4) REQUIREMENTS.—A partnership is eligible for designation as a Regional Ocean Partnership by the Secretary under paragraph (3) if the partnership—

(A) is established to coordinate the management of ocean, coastal, and Great Lakes resources among State governments and Indian Tribes;

(B) focuses on the environmental issues affecting the ocean, coastal, and Great Lakes areas of the members participating in the partnership;

(C) complements existing coastal and ocean management efforts of States and Indian Tribes on an interstate scale, focusing on shared regional priorities;

(D) does not have a regulatory function; and

(E) is not duplicative of an existing Regional Ocean Partnership designated under paragraph (5), as determined by the Secretary.

(5) DESIGNATION OF CERTAIN ENTITIES AS REGIONAL OCEAN PARTNERSHIPS.—Notwithstanding paragraph (3) or (4), the following entities are designated as Regional Ocean Partnerships:

(A) The Gulf of Mexico Alliance, comprised of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

(B) The Northeast Regional Ocean Council, comprised of the States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island.

(C) The Mid-Atlantic Regional Council on the Ocean, comprised of the States of New York, New Jersey, Delaware, Maryland, and Virginia.

(D) The West Coast Ocean Alliance, comprised of the States of California, Oregon, and Washington and the coastal Indian Tribes therein.

(c) GOVERNING BODIES OF REGIONAL OCEAN PARTNERSHIPS.—

(1) IN GENERAL.—A Regional Ocean Partnership designated under subsection (b) shall have a governing body.

(2) MEMBERSHIP.—A governing body described in paragraph (1)—

(A) shall be comprised, at a minimum, of voting members from each coastal state participating in the Regional Ocean Partnership, designated by the Governor of the coastal state; and

(B) may include such other members as the partnership considers appropriate.

(d) FUNCTIONS.—A Regional Ocean Partnership designated under subsection (b) may perform the following functions:

(1) Promote coordination of the actions of the agencies of coastal states participating in the partnership with the actions of the appropriate officials of Federal agencies, State governments, and Indian Tribes in developing strategies—

(A) to conserve living resources, increase valuable habitats, enhance coastal resilience and ocean management, promote ecological and economic health, and address such other issues related to the shared ocean, coastal, or Great Lakes areas as are determined to be a shared, regional priority by those states; and

(B) to manage regional data portals and develop associated data products for purposes that support the priorities of the partnership.

(2) In cooperation with appropriate Federal and State agencies, Indian Tribes, and local authorities, develop and implement specific action plans to carry out coordination goals.

(3) Coordinate and implement priority plans and projects, and facilitate science, research, modeling, monitoring, data collection, and other activities that support the goals of the partnership through the provision of grants and contracts under subsection (f).

(4) Engage, coordinate, and collaborate with relevant governmental entities and stakeholders to address ocean and coastal related matters that require interagency or intergovernmental solutions.

(5) Implement outreach programs for public information, education, and participation to foster stewardship of the resources of the ocean, coastal, and Great Lakes areas, as relevant.

(6) Develop and make available, through publications, technical assistance, and other appropriate means, information pertaining to cross-jurisdictional issues being addressed through the coordinated activities of the partnership.

(7) Serve as a liaison with, and provide information to, international counterparts, as appropriate on priority issues for the partnership.

(e) COORDINATION, CONSULTATION, AND ENGAGEMENT.—

(1) IN GENERAL.—A Regional Ocean Partnership designated under subsection (b) shall maintain mechanisms for coordination, consultation, and engagement with the following:

(A) The Federal Government.

(B) Indian Tribes.

(C) Nongovernmental entities, including academic organizations, nonprofit organizations, and private sector entities.

(D) Other federally mandated regional entities, including the Regional Fishery Management Councils, the regional associations of the National Integrated Coastal and Ocean Observation System, and relevant Marine Fisheries Commissions.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1)(B) may be construed as affecting any requirement to consult with Indian Tribes under Executive Order 13175 (25 U.S.C. 5301 note; relating to consultation and coordination with Indian tribal governments) or any other applicable law or policy.

(f) GRANTS AND CONTRACTS.—

(1) IN GENERAL.—A Regional Ocean Partnership designated under subsection (b) may, in coordination with existing Federal and State management programs, from amounts made available to the partnership by the Administrator or the head of another Federal agency, provide grants and enter into contracts for the purposes described in paragraph (2).

(2) PURPOSES.—The purposes described in this paragraph include any of the following:

(A) Monitoring the water quality and living resources of multi-State ocean and coastal ecosystems and coastal communities.

(B) Researching and addressing the effects of natural and human-induced environmental changes on—

(i) ocean and coastal ecosystems; and

(ii) coastal communities.

(C) Developing and executing cooperative strategies that—

(i) address regional data issues identified by the partnership; and

(ii) will result in more effective management of common ocean and coastal areas.

(g) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 5 years after the date of the enactment of this Act, the Administrator, in coordination with the Regional Ocean Partnerships designated under subsection (b), shall submit to Congress a report on the partnerships.

(2) REPORT REQUIREMENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of the overall status of the work of the Regional Ocean Partnerships designated under subsection (b).

(B) An assessment of the effectiveness of the partnerships in supporting regional priorities relating to the management of common ocean, coastal, and Great Lakes areas.

(C) An assessment of the effectiveness of the strategies that the partnerships are supporting or implementing and the extent to which the priority needs of the regions covered by the partnerships are being met through such strategies.

(D) An assessment of how the efforts of the partnerships support or enhance Federal and State efforts consistent with the purposes of this title.

(E) Such recommendations as the Administrator may have for improving—

(i) efforts of the partnerships to support the purposes of this title; and

(ii) collective strategies that support the purposes of this title in coordination with all relevant Federal and State entities and Indian Tribes.

(F) The distribution of funds from each partnership for each fiscal year covered by the report.

(h) AVAILABILITY OF FEDERAL FUNDS.—In addition to amounts made available to the Regional Ocean Partnerships designated under subsection (b) by the Administrator

under this section, the head of any other Federal agency may provide grants to, enter into contracts with, or otherwise provide funding to such partnerships.

(i) AUTHORITIES.—Nothing in this section establishes any new legal or regulatory authority of the National Oceanic and Atmospheric Administration or of the Regional Ocean Partnerships designated under subsection (b), other than—

(1) the authority of the Administrator to provide amounts to the partnerships; and

(2) the authority of the partnerships to provide grants and enter into contracts under subsection (f).

TITLE LIV—NATIONAL OCEAN EXPLORATION

SEC. 5401. SHORT TITLE.

This title may be cited as the ''National Ocean Exploration Act''.

SEC. 5402. FINDINGS.

Congress makes the following findings:

(1) The health and resilience of the ocean are vital to the security and economy of the United States and to the lives of the people of the United States.

(2) The United States depends on the ocean to regulate weather and climate, to sustain and protect the diversity of life, for maritime shipping, for national defense, and for food, energy, medicine, recreation, and other services essential to the people of the United States and all humankind.

(3) The prosperity, security, and well-being of the United States depend on successful understanding and stewardship of the ocean.

(4) Interdisciplinary cooperation and engagement among government agencies, research institutions, nongovernmental organizations, States, Indian Tribes, and the private sector are essential for successful stewardship of ocean and coastal environments, national economic growth, national security, and development of agile strategies that develop, promote, and use new technologies.

(5) Ocean exploration can help the people of the United States understand how to be effective stewards of the ocean and serve as catalysts and enablers for other sectors of the economy.

(6) Mapping, exploration, and characterization of the ocean provides basic, essential information to protect and restore the marine environment, stimulate economic activity, and provide security for the United States.

(7) A robust national ocean exploration program engaging multiple Federal agencies, Indian Tribes, the private sector, nongovernmental organizations, and academia is—

(A) essential to the interests of the United States and vital to its security and economy and the health and well-being of all people of the United States; and

(B) critical to reestablish the United States at the forefront of global ocean exploration and stewardship.

SEC. 5403. DEFINITIONS.

In this title:

(1) CHARACTERIZATION.—The term ''characterization'' refers to activities that provide comprehensive data and interpretations for a specific area of interest of the seafloor, sub-bottom, water column, or hydrologic features, such as water masses and currents, in direct support of specific research, environmental protection, resource management, policymaking, or applied mission objectives.

(2) EXPLORATION.—The term ''exploration'' refers to activities that provide—

(A) a multidisciplinary view of an unknown or poorly understood area of the seafloor, sub-bottom, or water column; and

(B) an initial assessment of the physical, chemical, geological, biological, archeological, or other characteristics of such an area.

(3) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(4) MAPPING.—The term ''mapping'' refers to activities that provide comprehensive data and information needed to understand seafloor characteristics, such as depth, topography, bottom type, sediment composition and distribution, underlying geologic structure, and benthic flora and fauna.

SEC. 5404. OCEAN POLICY COMMITTEE.

(a) SUBCOMMITTEES.—Section 8932(c) of title 10, United States Code, is amended to read as follows:

''(c) SUBCOMMITTEES.—(1) The Committee shall include—

''(A) a subcommittee to be known as the 'Ocean Science and Technology Subcommittee'; and

''(B) a subcommittee to be known as the 'Ocean Resource Management Subcommittee'.

''(2) In discharging its responsibilities in support of agreed-upon scientific needs, and to assist in the execution of the responsibilities described in subsection (b), the Committee may delegate responsibilities to the Ocean Science and Technology Subcommittee, the Ocean Resource Management Subcommittee, or another subcommittee of the Committee, as the Committee determines appropriate.''.

(b) INCREASED ACCESS TO GEOSPATIAL DATA FOR MORE EFFICIENT AND INFORMED DECISION MAKING.—

(1) ESTABLISHMENT OF DOCUMENT SYSTEM.—Section 8932(b) of title 10, United States Code, is amended—

(A) in paragraph (3), by striking ''and'' at the end;

(B) in paragraph (4)(F), by striking the period at the end and inserting ''; and''; and

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

''(5) for projects under the purview of the Committee, establish or designate one or more systems for ocean-related and ocean-mapping related documents prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), in accordance with subsection (h).''.

(2) ELEMENTS.—Section 8932 of such title is amended—

(A) by redesignating subsection (h) as subsection (i); and

(B) by inserting after subsection (g) the following new subsection (h):

''(h) ELEMENTS OF DOCUMENT SYSTEM.—The systems established or designated under subsection (b)(5) may include the following:

''(1) A publicly accessible, centralized digital archive of documents described in subsection (b)(5) that are finalized after the date of the enactment of the National Ocean Exploration Act, including—

''(A) environmental impact statements;

''(B) environmental assessments;

''(C) records of decision; and

''(D) other relevant documents as determined by the lead agency on a project.

''(2) Geospatially referenced data, if any, contained in the documents under paragraph (1).

''(3) A mechanism to retrieve information through geo-information tools that can map and integrate relevant geospatial information, such as—

''(A) Ocean Report Tools;

''(B) the Environmental Studies Program Information System;

''(C) Regional Ocean Partnerships; and

''(D) the Integrated Ocean Observing System.''.

SEC. 5405. NATIONAL OCEAN MAPPING, EXPLORATION, AND CHARACTERIZATION COUNCIL.

(a) ESTABLISHMENT.—The President shall establish a council, to be known as the ''National Ocean Mapping, Exploration, and Characterization Council'' (in this section referred to as the ''Council'').

(b) PURPOSE.—The Council shall—

(1) update national priorities for ocean mapping, exploration, and characterization; and

(2) coordinate and facilitate activities to advance those priorities.

(c) REPORTING.—The Council shall report to the Ocean Science and Technology Subcommittee of the Ocean Policy Committee established under section 8932(c) of title 10, United States Code.

(d) MEMBERSHIP.—The Council shall be composed of senior-level representatives from the appropriate Federal agencies.

(e) CO-CHAIRS.—The Council shall be co-chaired by—

(1) two senior-level representatives from the National Oceanic and Atmospheric Administration; and

(2) one senior-level representative from the Department of the Interior.

(f) DUTIES.—The Council shall—

(1) set national ocean mapping, exploration, and characterization priorities and strategies;

(2) cultivate and facilitate transparent and sustained partnerships among Federal and State agencies, Indian Tribes, private industry, academia, and nongovernmental organizations to conduct ocean mapping, exploration, and characterization activities and related technology development;

(3) coordinate improved processes for data compilation, management, access, synthesis, and visualization with respect to ocean mapping, exploration, and characterization, with a focus on building on existing ocean data management systems and with appropriate safeguards on the public accessibility of data to protect national security equities, as appropriate;

(4) encourage education, workforce training, and public engagement activities that—

(A) advance interdisciplinary principles that contribute to ocean mapping, exploration, research, and characterization;

(B) improve public engagement with and understanding of ocean science; and

(C) provide opportunities for underserved populations;

(5) coordinate activities as appropriate with domestic and international ocean mapping, exploration, and characterization initiatives or programs; and

(6) establish and monitor metrics to track progress in achieving the priorities set under paragraph (1).

(g) INTERAGENCY WORKING GROUP ON OCEAN EXPLORATION AND CHARACTERIZATION.—

(1) ESTABLISHMENT.—The President shall establish a new interagency working group to be known as the ''Interagency Working Group on Ocean Exploration and Characterization''.

(2) MEMBERSHIP.—The Interagency Working Group on Ocean Exploration and Characterization shall be comprised of senior representatives from Federal agencies with ocean exploration and characterization responsibilities.

(3) FUNCTIONS.—The Interagency Working Group on Ocean Exploration and Characterization shall support the Council and the Ocean Science and Technology Subcommittee of the Ocean Policy Committee established under section 8932(c) of title 10, United States Code, on ocean exploration and characterization activities and associated technology development across the Federal Government, State governments, Indian Tribes, private industry, nongovernmental organizations, and academia.

(h) OVERSIGHT.—The Council shall oversee—

(1) the Interagency Working Group on Ocean Exploration and Characterization established under subsection (g)(1); and

(2) the Interagency Working Group on Ocean and Coastal Mapping under section 12203 of the Ocean and Coastal Mapping Integration Act (33 U.S.C. 3502).

(i) PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Council shall develop or update and submit to the appropriate committees of Congress a plan for an integrated cross-sectoral ocean mapping, exploration, and characterization initiative.

(2) ELEMENTS.—The plan required by paragraph (1) shall—

(A) discuss the utility and benefits of ocean exploration and characterization;

(B) identify and describe national ocean mapping, exploration, and characterization priorities;

(C) identify and describe Federal and federally funded ocean mapping, exploration, and characterization programs;

(D) facilitate and incorporate non-Federal input into national ocean mapping, exploration, and characterization priorities;

(E) ensure effective coordination of ocean mapping, exploration, and characterization activities among programs described in subparagraph (C);

(F) identify opportunities for combining overlapping or complementary needs, activities, and resources of Federal agencies and non-Federal organizations relating to ocean mapping, exploration, and characterization while not reducing benefits from existing mapping, explorations, and characterization activities;

(G) promote new and existing partnerships among Federal and State agencies, Indian Tribes, private industry, academia, and nongovernmental organizations to conduct or support ocean mapping, exploration, and characterization activities and technology development needs, including through coordination under section 3 of the Commercial Engagement Through Ocean Technology Act of 2018 (33 U.S.C. 4102) and the National Oceanographic Partnership Program under section 8931 of title 10, United States Code;

(H) develop a transparent and sustained mechanism for non-Federal partnerships and stakeholder engagement in strategic planning and mission execution to be implemented not later than December 31, 2023;

(I) establish standardized collection and data management protocols, such as with respect to metadata, for ocean mapping, exploration, and characterization with appropriate safeguards on the public accessibility of data to protect national security equities;

(J) encourage the development, testing, demonstration, and adoption of innovative ocean mapping, exploration, and characterization technologies and applications;

(K) promote protocols for accepting data, equipment, approaches, or other resources that support national ocean mapping, exploration, and characterization priorities;

(L) identify best practices for the protection of marine life during mapping, exploration, and characterization activities;

(M) identify training, technology, and other resource requirements for enabling the National Oceanic and Atmospheric Administration and other appropriate Federal agencies to support a coordinated national ocean mapping, exploration, and characterization effort;

(N) identify and facilitate a centralized mechanism or office for coordinating data collection, compilation, processing, archiving, and dissemination activities relating to ocean mapping, exploration, and characterization that meets Federal mandates for data accuracy and accessibility;

(O) designate repositories responsible for archiving and managing ocean mapping, exploration, and characterization data;

(P) set forth a timetable and estimated costs for implementation and completion of the plan;

(Q) to the extent practicable, align ocean exploration and characterization efforts with existing programs and identify key gaps; and

(R) identify criteria for determining the optimal frequency of observations.

(j) BRIEFINGS.—Not later than 1 year after the date of the enactment of this Act, and not less frequently than once every 2 years thereafter, the Council shall brief the appropriate committees of Congress on—

(1) progress made toward meeting the national priorities described in subsection (i)(2)(B); and

(2) recommendations for meeting such priorities, such as additional authorities that may be needed to develop a mechanism for non-Federal partnerships and stakeholder engagement described in subsection (i)(2)(H).

(k) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate; and

(2) the Committee on Natural Resources, the Committee on Science, Space, and Technology, and the Committee on Armed Services of the House of Representatives.

SEC. 5406. MODIFICATIONS TO THE OCEAN EXPLORATION PROGRAM OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) PURPOSE.—Section 12001 of the Omnibus Public Land Management Act of 2009 (33 U.S.C. 3401) is amended by striking ''and the national undersea research program''.

(b) PROGRAM ESTABLISHED.—Section 12002 of such Act (33 U.S.C. 3402) is amended—

(1) in the first sentence, by striking ''and undersea''; and

(2) in the second sentence, by striking ''and undersea research and exploration'' and inserting ''research and ocean exploration and characterization efforts''.

(c) POWERS AND DUTIES OF THE ADMINISTRATOR.—

(1) IN GENERAL.—Section 12003(a) of such Act (33 U.S.C. 3403(a)) is amended—

(A) in the matter preceding paragraph (1), by inserting '', in coordination with the Ocean Policy Committee established under section 8932 of title 10, United States Code,'' after ''Administration'';

(B) in paragraph (1)—

(i) by striking ''voyages'' and inserting ''expeditions'';

(ii) by striking ''Federal agencies'' and all that follows through ''and survey'' and inserting ''Federal and State agencies, Tribal governments, private industry, academia, and nongovernmental organizations, to map, explore, and characterize''; and

(iii) by inserting ''characterize,'' after ''observe,'';

(C) in paragraph (2), by inserting ''of the exclusive economic zone'' after ''deep ocean regions'';

(D) in paragraph (3), by striking ''voyages'' and inserting ''expeditions'';

(E) in paragraph (4), by striking '', in consultation with the National Science Foundation,'';

(F) by amending paragraph (5) to read as follows:

''(5) support technological innovation of the United States marine science community by promoting the development and use of new and emerging technologies for research, communication, navigation, and data collection, such as sensors and autonomous vehicles;'';

(G) in paragraph (6)—

(i) by inserting '', in collaboration with the National Ocean Mapping, Exploration, and Characterization Council established under section 5405 of the National Ocean Exploration Act,'' after ''forum''; and

(ii) by striking the period at the end and inserting ''; and''; and

(H) by adding at the end the following:

''(7) provide guidance, in coordination with the National Ocean Mapping, Exploration, and Characterization Council, to Federal and State agencies, Tribal governments, private industry, academia (including secondary schools, community colleges, and universities), and nongovernmental organizations on data standards, protocols for accepting data, and coordination of data collection, compilation, processing, archiving, and dissemination for data relating to ocean exploration and characterization.''.

(2) DONATIONS.—Section 12003(b) of such Act (33 U.S.C. 3403(b)) is amended to read as follows:

''(b) DONATIONS.—For the purpose of mapping, exploring, and characterizing the oceans or increasing the knowledge of the oceans, the Administrator may—

''(1) accept monetary donations and donations of property, data, and equipment; and

''(2) pay all necessary expenses in connection with the conveyance or transfer of a gift, devise, or bequest.''.

(3) DEFINITION OF EXCLUSIVE ECONOMIC ZONE.—Section 12003 of such Act (33 U.S.C. 3403) is amended by adding at the end the following:

''(c) DEFINITION OF EXCLUSIVE ECONOMIC ZONE.—In this section, the term 'exclusive economic zone' means the zone established by Presidential Proclamation Number 5030, dated March 10, 1983 (16 U.S.C. 1453 note; relating to the exclusive economic zone of the United States of America).''.

(d) REPEAL OF OCEAN EXPLORATION AND UNDERSEA RESEARCH TECHNOLOGY AND INFRASTRUCTURE TASK FORCE.—Section 12004 of such Act (33 U.S.C. 3404) is repealed.

(e) EDUCATION, WORKFORCE TRAINING, AND OUTREACH.—

(1) IN GENERAL.—Such Act is further amended by inserting after section 12003 the following new section 12004:

''SEC. 12004. EDUCATION, WORKFORCE TRAINING, AND OUTREACH.

''(a) IN GENERAL.—The Administrator of the National Oceanic and Atmospheric Administration shall—

''(1) conduct education and outreach efforts in order to broadly disseminate information to the public on the discoveries made by the program under section 12002; and

''(2) to the extent possible, coordinate the efforts described in paragraph (1) with the outreach strategies of other domestic or international ocean mapping, exploration, and characterization initiatives.

''(b) EDUCATION AND OUTREACH EFFORTS.—Efforts described in subsection (a)(1) may include—

''(1) education of the general public, teachers, students, and ocean and coastal resource managers; and

''(2) workforce training, reskilling, and opportunities to encourage development of ocean related science, technology, engineering, and mathematics (STEM) technical training programs involving secondary schools, community colleges, and universities, including Historically Black Colleges or Universities (within the meaning of the term ''part B institution'' under section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061)), Tribal Colleges or Universities (as defined in section 316(b) of such Act (20 U.S.C. 1059c(b))), and other minority-serving institutions (as described in section 371(a) of such Act (20 U.S.C. 1067q(a))).

''(c) OUTREACH STRATEGY.—Not later than 180 days after the date of the enactment of

the National Ocean Exploration Act, the Administrator of the National Oceanic and Atmospheric Administration shall develop an outreach strategy to broadly disseminate information on the discoveries made by the program under section 12002.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by striking the item relating to section 12004 and inserting the following:

''Sec. 12004. Education, workforce training, and outreach.

(f) OCEAN EXPLORATION ADVISORY BOARD.—

(1) ESTABLISHMENT.—Section 12005(a)(1) of such Act (33 U.S.C. 3505(1)) is amended by inserting ''and the National Ocean Mapping, Exploration, and Characterization Council established under section 5405 of the National Ocean Exploration Act'' after ''advise the Administrator''.

(2) TECHNICAL AMENDMENT.—Section 12005(c) of such Act (33 U.S.C. 3505(c)) is amended by inserting ''this'' before ''part''.

(g) AUTHORIZATION OF APPROPRIATIONS.—Section 12006 of such Act (33 U.S.C. 3406) is amended by striking ''this part'' and all that follows and inserting ''this part $60,000,000 for each of fiscal years 2023 through 2028''.

(h) DEFINITIONS.—Such Act is further amended by inserting after section 12006 the following:

''SEC. 12007. DEFINITIONS.

''In this part:

''(1) CHARACTERIZATION.—The terms 'characterization', 'characterize', and 'characterizing' refer to activities that provide comprehensive data and interpretations for a specific area of interest of the seafloor, sub-bottom, water column, or hydrologic features, such as water masses and currents, in direct support of specific research, environmental protection, resource management, policymaking, or applied mission objectives.

''(2) EXPLORATION.—The term 'exploration', 'explore', and 'exploring' refer to activities that provide—

''(A) a multidisciplinary view of an unknown or poorly understood area of the seafloor, sub-bottom, or water column; and

''(B) an initial assessment of the physical, chemical, geological, biological, archaeological, or other characteristics of such an area.

''(3) MAPPING.—The terms 'map' and 'mapping' refer to activities that provide comprehensive data and information needed to understand seafloor characteristics, such as depth, topography, bottom type, sediment composition and distribution, underlying geologic structure, and benthic flora and fauna.''.

(i) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by inserting after the item relating to section 12006 the following:

''Sec. 12007. Definitions.

SEC. 5407. REPEAL.

(a) IN GENERAL.—The NOAA Undersea Research Program Act of 2009 (part II of subtitle A of title XII of Public Law 111–11; 33 U.S.C. 3421 et seq.) is repealed.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by striking the items relating to part II of subtitle A of title XII of such Act.

SEC. 5408. MODIFICATIONS TO OCEAN AND COASTAL MAPPING PROGRAM OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Section 12202(a) of the Ocean and Coastal Mapping Integration Act (33 U.S.C. 3501(a)) is amended—

(A) by striking ''establish a program to develop a coordinated and'' and inserting ''establish and maintain a program to coordinate'';

(B) by striking ''plan'' and inserting ''efforts''; and

(C) by striking ''that enhances'' and all that follows and inserting ''that—

''(1) enhances ecosystem approaches in decision-making for natural resource and habitat management restoration and conservation, emergency response, and coastal resilience and adaptation;

''(2) establishes research and mapping priorities;

''(3) supports the siting of research and other platforms; and

''(4) advances ocean and coastal science.''.

(2) MEMBERSHIP.—Section 12202 of such Act (33 U.S.C. 3501) is amended by striking subsection (b) and redesignating subsection (c) as subsection (b).

(3) PROGRAM PARAMETERS.—Subsection (b) of section 12202 of such Act (33 U.S.C. 3501), as redesignated by paragraph (2), is amended—

(A) in the matter preceding paragraph (1), by striking ''developing'' and inserting ''maintaining'';

(B) in paragraph (2), by inserting ''and for leveraging existing Federal geospatial services capacities and contract vehicles for efficiencies'' after ''coastal mapping'';

(C) in paragraph (7), by striking ''with coastal state and local government programs'' and inserting ''with mapping programs, in conjunction with Federal and State agencies, Tribal governments, private industry, academia, and nongovernmental organizations'';

(D) in paragraph (8), by striking ''of real-time tide data and the development'' and inserting ''of tide data and water-level data and the development and dissemination'';

(E) in paragraph (9), by striking ''; and'' and inserting a semicolon;

(F) in paragraph (10), by striking the period at the end and inserting ''; and''; and

(G) by adding at the end the following:

''(11) support—

''(A) the Ocean Science and Technology Subcommittee of the Ocean Policy Committee established under section 8932(c) of title 10, United States Code; and

''(B) the National Ocean Mapping, Exploration, and Characterization Council established under section 5405 of the National Ocean Exploration Act.''.

(b) INTERAGENCY WORKING GROUP ON OCEAN AND COASTAL MAPPING.—

(1) NAME CHANGE.—The Ocean and Coastal Mapping Integration Act (33 U.S.C. 3501 et seq.) is amended—

(A) in section 12202 (33 U.S.C. 3501)—

(i) in subsection (a), by striking ''Interagency Committee on Ocean and Coastal Mapping'' and inserting ''Interagency Working Group on Ocean and Coastal Mapping under section 12203''; and

(ii) in subsection (b), as redesignated by subsection (a)(2), by striking ''Committee'' and inserting ''Working Group'';

(B) in section 12203 (33 U.S.C. 3502)—

(i) in the section heading, by striking ''**COMMITTEE**'' and inserting ''**WORKING GROUP**'';

(ii) in subsection (b), in the first sentence, by striking ''committee'' and inserting ''Working Group'';

(iii) in subsection (e), by striking ''committee'' and inserting ''Working Group''; and

(iv) in subsection (f), by striking ''committee'' and inserting ''Working Group''; and

(C) in section 12208 (33 U.S.C. 3507), by amending paragraph (3) to read as follows:

''(3) WORKING GROUP.—The term 'Working Group' means the Interagency Working Group on Ocean and Coastal Mapping under section 12203.''.

(2) IN GENERAL.—Section 12203(a) of such Act (33 U.S.C. 3502(a)) is amended by striking ''within 30 days'' and all that follows and inserting ''not later than 30 days after the date of the enactment of the National Ocean Exploration Act, shall use the Interagency Working Group on Ocean and Coastal Mapping in existence as of the date of the enactment of such Act to implement section 12202.''.

(3) MEMBERSHIP.—Section 12203(b) of such Act (33 U.S.C. 3502(b)) is amended—

(A) in the first sentence, by striking ''senior'' both places it appears and inserting ''senior-level'';

(B) in the third sentence, by striking ''the Minerals Management Service'' and inserting ''the Bureau of Ocean Energy Management of the Department of the Interior, the Office of the Assistant Secretary, Fish and Wildlife and Parks of the Department of the Interior''; and

(C) by striking the second sentence.

(4) CO-CHAIRS.—Section 12203(c) of such Act (33 U.S.C. 3502(c)) is amended to read as follows:

''(c) CO-CHAIRS.—The Working Group shall be co-chaired by one representative from each of the following:

''(1) The National Oceanic and Atmospheric Administration.

''(2) The Department of the Interior.''.

(5) SUBORDINATE GROUPS.—Section 12203(d) of such Act (33 U.S.C. 3502(d)) is amended to read as follows:

''(d) SUBORDINATE GROUPS.—The co-chairs may establish such permanent or temporary subordinate groups as determined appropriate by the Working Group.''.

(6) MEETINGS.—Section 12203(e) of such Act (33 U.S.C. 3502(e)) is amended by striking ''each subcommittee and each working group'' and inserting ''each subordinate group''.

(7) COORDINATION.—Section 12203(f) of such Act (33 U.S.C. 3502(f)) is amended by striking paragraphs (1) through (5) and inserting the following:

''(1) other Federal efforts;

''(2) international mapping activities;

''(3) coastal states;

''(4) coastal Indian Tribes;

''(5) data acquisition and user groups through workshops, partnerships, and other appropriate mechanisms; and

''(6) representatives of nongovernmental entities.''.

(8) ADVISORY PANEL.—Section 12203 of such Act (33 U.S.C. 3502) is amended by striking subsection (g).

(9) FUNCTIONS.—Section 12203 of such Act (33 U.S.C. 3502), as amended by paragraph (8), is further amended by adding at the end the following:

''(g) SUPPORT FUNCTIONS.—The Working Group shall support the National Ocean Mapping, Exploration, and Characterization Council established under section 5405 of the National Ocean Exploration Act and the Ocean Science and Technology Subcommittee of the Ocean Policy Committee established under section 8932(c) of title 10, United States Code, on ocean mapping activities and associated technology development across the Federal Government, State governments, coastal Indian Tribes, private industry, nongovernmental organizations, and academia.''.

(10) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by

striking the item relating to section 12203 and inserting the following:

''Sec. 12203. Interagency working group on ocean and coastal mapping.

(c) BIENNIAL REPORTS.—Section 12204 of the Ocean and Coastal Mapping Integration Act (33 U.S.C. 3503) is amended—

(1) in the matter preceding paragraph (1), by striking ''No later'' and all that follows through ''House of Representatives'' and inserting ''Not later than 18 months after the date of the enactment of the National Ocean Exploration Act, and biennially thereafter until 2040, the co-chairs of the Working Group, in coordination with the National Ocean Mapping, Exploration, and Characterization Council established under section 5405 of such Act, shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources of the Senate, and the Committee on Natural Resources and the Committee on Science, Space, and Technology of the House of Representatives,'';

(2) in paragraph (1), by inserting '', including the data maintained by the National Centers for Environmental Information of the National Oceanic and Atmospheric Administration,'' after ''mapping data'';

(3) in paragraph (3), by inserting '', including a plan to map the coasts of the United States on a requirements-based cycle, with mapping agencies and partners coordinating on a unified approach that factors in recent related studies, meets multiple user requirements, and identifies gaps'' after ''accomplished'';

(4) by striking paragraph (10) and redesignating paragraphs (11), (12), and (13) as paragraphs (10), (11), and (12), respectively;

(5) in paragraph (10), as so redesignated, by striking ''with coastal state and local government programs'' and inserting ''with international, coastal state, and local government and nongovernmental mapping programs'';

(6) in paragraph (11), as redesignated by paragraph (4)—

(A) by striking ''increase'' and inserting ''streamline and expand'';

(B) by inserting ''for the purpose of fulfilling Federal mapping and charting responsibilities, plans, and strategies'' after ''entities''; and

(C) by striking ''; and'' and inserting a semicolon;

(7) in paragraph (12), as redesignated by paragraph (4), by striking the period at the end and inserting a semicolon; and

(8) by adding at the end the following:

''(13) a progress report on the development of new and innovative technologies and applications through research and development, including cooperative or other agreements with joint or cooperative research institutes and centers and other nongovernmental entities;

''(14) a description of best practices in data processing and distribution and leveraging opportunities among agencies represented on the Working Group and with coastal states, coastal Indian Tribes, and nongovernmental entities;

''(15) an identification of any training, technology, or other requirements for enabling Federal mapping programs, vessels, and aircraft to support a coordinated ocean and coastal mapping program; and

''(16) a timetable for implementation and completion of the plan described in paragraph (3), including recommendations for integrating new approaches into the program.''.

(d) NOAA JOINT OCEAN AND COASTAL MAPPING CENTERS.—

(1) CENTERS.—Section 12205(c) of such Act (33 U.S.C. 3504(c)) is amended—

(A) in the matter preceding paragraph (1), by striking ''3'' and inserting ''three''; and

(B) in paragraph (4), by inserting ''and uncrewed'' after ''sensing''.

(2) PLAN.—Section 12205 of such Act (33 U.S.C. 3504) is amended—

(A) in the section heading, by striking ''**PLAN**'' and inserting ''**NOAA JOINT OCEAN AND COASTAL MAPPING CENTERS**'';

(B) by striking subsections (a), (b), and (d); and

(C) in subsection (c), by striking ''(c) NOAA JOINT OCEAN AND COASTAL MAPPING CENTERS.—''.

(3) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by striking the item relating to section 12205 and inserting the following:

''Sec. 12205. NOAA joint ocean and coastal mapping centers.

(e) OCEAN AND COASTAL MAPPING FEDERAL FUNDING OPPORTUNITY.—The Ocean and Coastal Mapping Integration Act (33 U.S.C. 3501 et seq.) is amended—

(1) by redesignating sections 12206, 12207, and 12208 as sections 12208, 12209, and 12210, respectively; and

(2) by inserting after section 12205 the following:

''SEC. 12206. OCEAN AND COASTAL MAPPING FEDERAL FUNDING OPPORTUNITY.

''(a) IN GENERAL.—Not later than one year after the date of the enactment of the National Ocean Exploration Act, the Administrator shall develop an integrated ocean and coastal mapping Federal funding match opportunity, to be known as the 'Brennan Ocean Mapping Fund' in memory of Rear Admiral Richard T. Brennan, within the National Oceanic and Atmospheric Administration with Federal, State, Tribal, local, nonprofit, private industry, or academic partners in order to increase the coordinated acquisition, processing, stewardship, and archival of new ocean and coastal mapping data in United States waters.

''(b) RULES.—The Administrator shall develop administrative and procedural rules for the ocean and coastal mapping Federal funding match opportunity developed under subsection (a), to include—

''(1) specific and detailed criteria that must be addressed by an applicant, such as geographic overlap with pre-established priorities, number and type of project partners, benefit to the applicant, coordination with other funding opportunities, and benefit to the public;

''(2) determination of the appropriate funding match amounts and mechanisms to use, such as grants, agreements, or contracts; and

''(3) other funding award criteria as are necessary or appropriate to ensure that evaluations of proposals and decisions to award funding under this section are based on objective standards applied fairly and equitably to those proposals.

''(c) GEOSPATIAL SERVICES AND CONTRACT VEHICLES.—The ocean and coastal mapping Federal funding match opportunity developed under subsection (a) shall leverage Federal expertise and capacities for geospatial services and Federal geospatial contract vehicles using the private sector for acquisition efficiencies.

''SEC. 12207. AGREEMENTS AND FINANCIAL ASSISTANCE.

''(a) AGREEMENTS.—The head of a Federal agency that is represented on the Interagency Committee on Ocean and Coastal Mapping may enter into agreements with any other agency that is so represented to provide, on a reimbursable or nonreimbursable basis, facilities, equipment, services, personnel, and other support services to carry our the purposes of this subtitle.

''(b) FINANCIAL ASSISTANCE.—The Administrator may make financial assistance awards (grants of cooperative agreements) to any State or subdivision thereof or any public or private organization or individual to carry out the purposes of this subtitle.''.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 12209 of such Act, as redesignated by subsection (e)(1), is amended—

(1) in subsection (a), by striking ''this subtitle'' and all that follows and inserting ''this subtitle $45,000,000 for each of fiscal years 2023 through 2028.'';

(2) in subsection (b), by striking ''this subtitle'' and all that follows and inserting ''this subtitle $15,000,000 for each of fiscal years 2023 through 2028.'';

(3) by striking subsection (c); and

(4) by inserting after subsection (b) the following:

''(c) OCEAN AND COASTAL MAPPING FEDERAL FUNDING OPPORTUNITY.—Of amounts appropriated pursuant to subsection (a), $20,000,000 is authorized to carry out section 12206.''.

(g) DEFINITIONS.—

(1) OCEAN AND COASTAL MAPPING.—Paragraph (5) of section 12210 of such Act, as redesignated by subsection (e)(1), is amended by striking ''processing, and management'' and inserting ''processing, management, maintenance, interpretation, certification, and dissemination''.

(2) COASTAL INDIAN TRIBE.—Section 12210 of such Act, as redesignated by subsection (e)(1), is amended by adding at the end the following:

''(9) COASTAL INDIAN TRIBE.—The term 'coastal Indian Tribe' means an 'Indian tribe', as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304), the land of which is located in a coastal state.''.

(h) CLERICAL AMENDMENTS.—The table of contents in section 1(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by striking the items relating to sections 12206 through 12208 and inserting the following:

''Sec. 12206. Ocean and coastal mapping Federal funding opportunity.
''Sec. 12207. Cooperative agreements, contracts, and grants.
''Sec. 12208. Effect on other laws.
''Sec. 12209. Authorization of appropriations.
''Sec. 12210. Definitions.

SEC. 5409. MODIFICATIONS TO HYDROGRAPHIC SERVICES IMPROVEMENT ACT OF 1998.

(a) DEFINITIONS.—Section 302(4)(A) of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892(4)(A)) is amended by inserting ''hydrodynamic forecast and datum transformation models,'' after ''nautical information databases,''.

(b) FUNCTIONS OF THE ADMINISTRATOR.—Section 303(b) of such Act (33 U.S.C. 892a(b)) is amended—

(1) in the matter preceding paragraph (1), by inserting ''precision navigation,'' after ''promote''; and

(2) in paragraph (2)—

(A) by inserting ''and hydrodynamic forecast models'' after ''monitoring systems'';

(B) by inserting ''and provide foundational information and services required to support coastal resilience planning for coastal transportation and other infrastructure, coastal protection and restoration projects, and related activities'' after ''efficiency''; and

(C) by striking ''; and'' and inserting a semicolon.

(c) QUALITY ASSURANCE PROGRAM.—Section 304(a) of such Act (33 U.S.C. 892b(a)) is amended by striking ''product produced'' and inserting ''product or service produced or disseminated''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 306(a) of such Act (33 U.S.C. 892d(a)) is amended—

(1) in paragraph (1), by striking ''$70,814,000 for each of fiscal years 2019 through 2023'' and inserting ''$71,000,000 for each of fiscal years 2023 through 2028'';

(2) in paragraph (2), by striking ''$25,000,000 for each of fiscal years 2019 through 2023'' and inserting ''$34,000,000 for each of fiscal years 2023 through 2028'';

(3) in paragraph (3), by striking ''$29,932,000 for each of fiscal years 2019 through 2023'' and inserting ''$38,000,000 for each of fiscal years 2023 through 2028'';

(4) in paragraph (4), by striking ''$26,800,000 for each of fiscal years 2019 through 2023'' and inserting ''$45,000,000 for each of fiscal years 2023 through 2028''; and

(5) in paragraph (5), by striking ''$30,564,000 for each of fiscal years 2019 through 2023'' and inserting ''$35,000,000 for each of fiscal years 2023 through 2028''.

TITLE LV—MARINE MAMMAL RESEARCH AND RESPONSE

SEC. 5501. SHORT TITLE.

This title may be cited as the ''Marine Mammal Research and Response Act of 2022''.

SEC. 5502. DATA COLLECTION AND DISSEMINATION.

Section 402 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421a) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A), by inserting ''or entangled'' after ''stranded'';

(B) in paragraph (3)—

(i) by striking ''strandings,'' and inserting ''strandings and entanglements, including unusual mortality events,'';

(ii) by inserting ''stranding'' before ''region''; and

(iii) by striking ''marine mammals; and'' and inserting ''marine mammals and entangled marine mammals to allow comparison of the causes of illness and deaths in stranded marine mammals and entangled marine mammals with physical, chemical, and biological environmental parameters; and''; and

(C) in paragraph (4), by striking ''analyses, that would allow comparison of the causes of illness and deaths in stranded marine mammals with physical, chemical, and biological environmental parameters.'' and inserting ''analyses.''; and

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

''(c) INFORMATION REQUIRED TO BE SUBMITTED AND COLLECTED.—

''(1) IN GENERAL.—After each response to a stranding or entanglement event, the Secretary shall collect (including from any staff of the National Oceanic and Atmospheric Administration that respond directly to such an event), and shall require each stranding network participant who responds to that stranding or entanglement to submit to the Administrator of the National Oceanic and Atmospheric Administration or the Director of the United States Fish and Wildlife Service—

''(A) data on the stranding event, including NOAA Form 89–864 (OMB #0648–0178), NOAA Form 89–878 (OMB #0648–0178), similar successor forms, or similar information in an appropriate format required by the United States Fish and Wildlife Service for species under its management authority;

''(B) supplemental data to the data described in subparagraph (A), which may include, as available, relevant information about—

''(i) weather and tide conditions;

''(ii) offshore human, predator, or prey activity;

''(iii) morphometrics;

''(iv) behavior;

''(v) health assessments;

''(vi) life history samples; or

''(vii) stomach and intestinal contents; and

''(C) data and results from laboratory analysis of tissues, which may include, as appropriate and available—

''(i) histopathology;

''(ii) toxicology;

''(iii) microbiology

''(iv) virology; or

''(v) parasitology.

''(2) TIMELINE.—A stranding network participant shall submit—

''(A) the data described in paragraph (1)(A) not later than 30 days after the date of a response to a stranding or entanglement event;

''(B) the compiled data described in paragraph (1)(B) not later than 30 days after the date on which the data is available to the stranding network participant; and

''(C) the compiled data described in paragraph (1)(C) not later than 30 days after the date on which the laboratory analysis has been reported to the stranding network participant.

''(3) ONLINE DATA INPUT SYSTEM.—The Secretary, acting through the Under Secretary of Commerce for Oceans and Atmosphere, in consultation with the stranding network and the Office of Evaluation Sciences of the General Services Administration, shall establish an online system for the purposes of efficient and timely submission of data described in paragraph (1).

''(d) AVAILABILITY OF DATA.—

''(1) IN GENERAL.—The Secretary shall develop a program to make information, including any data and metadata collected under paragraphs (3) or (4) of subsection (b) or subsection (c), available to researchers, stranding network participants, and the public—

''(A) to improve real-time coordination of response to stranding and entanglement events across geographic areas and between stranding coordinators;

''(B) to identify and quickly disseminate information on potential public health risks;

''(C) to facilitate integrated interdisciplinary research;

''(D) to facilitate peer-reviewed publications;

''(E) to archive regional data into 1 national database for future analyses; and

''(F) for education and outreach activities.

''(2) ACCESS TO DATA.—The Secretary shall ensure that any data or metadata collected under subsection (c)—

''(A) by staff of the National Oceanic and Atmospheric Administration or the United States Fish and Wildlife Service that responded directly to a stranding or entanglement event is available to the public through the Health MAP and the Observation System not later than 30 days after that data or metadata is collected by, available to, or reported to the Secretary; and

''(B) by a stranding network participant that responded directly to a stranding or entanglement event is made available to the public through the Health MAP and the Observation System 2 years after the date on which that data is submitted to the Secretary under subsection (c).

''(3) EXCEPTIONS.—

''(A) WRITTEN RELEASE.—Notwithstanding paragraph (2)(B), the Secretary may make data described in paragraph (2)(B) publicly available earlier than 2 years after the date on which that data is submitted to the Secretary under subsection (c), if the stranding network participant has completed a written release stating that such data may be made publicly available.

''(B) LAW ENFORCEMENT.—Notwithstanding paragraph (2), the Secretary may withhold data for a longer period than the period of time described in paragraph (2) in the event of a law enforcement action or legal action that may be related to that data.

''(e) STANDARDS.—The Secretary, in consultation with the marine mammal stranding community, shall—

''(1) make publicly available guidance about uniform data and metadata standards to ensure that data collected in accordance with this section can be archived in a form that is readily accessible and understandable to the public through the Health MAP and the Observation System; and

''(2) periodically update such guidance.

''(f) MANAGEMENT POLICY.—In collaboration with the regional stranding networks, the Secretary shall develop, and periodically update, a data management and public outreach collaboration policy for stranding or entanglement events.

''(g) AUTHORSHIP AGREEMENTS AND ACKNOWLEDGMENT POLICY.—The Secretary, acting through the Under Secretary of Commerce for Oceans and Atmosphere, shall include authorship agreements or other acknowledgment considerations for use of data by the public, as determined by the Secretary.

''(h) SAVINGS CLAUSE.—The Secretary shall not require submission of research data that is not described in subsection (c).''.

SEC. 5503. STRANDING OR ENTANGLEMENT RESPONSE AGREEMENTS.

(a) IN GENERAL.—Section 403 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421b) is amended—

(1) in the section heading by inserting ''**OR ENTANGLEMENT**'' before ''**RESPONSE**'';

(2) in subsection (a), by striking the period at the end and inserting ''or entanglement.''; and

(3) in subsection (b)—

(A) in paragraph (1), by striking ''and'' after the semicolon;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) include a description of the data management and public outreach policy established under section 402(f).''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Marine Mammal Protection Act of 1972 (Public Law 92–522; 86 Stat. 1027) is amended by striking the item related to section 403 and inserting the following:

''Sec. 403. Stranding or entanglement response agreements.

SEC. 5504. UNUSUAL MORTALITY EVENT ACTIVITY FUNDING.

Section 405 the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421d) is amended—

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

''(b) USES.—Amounts in the Fund—

''(1) shall be available only for use by the Secretary, in consultation with the Secretary of the Interior, and dispersed among claimants based on budgets approved by the Secretary prior to expenditure—

''(A) to make advance, partial, or progress payments under contracts or other funding mechanisms for property, supplies, salaries, services, and travel costs incurred in acting in accordance with the contingency plan issued under section 404(b) or under the direction of an Onsite Coordinator for an unusual mortality event designated under section 404(a)(2)(B)(iii);

''(B) for reimbursing any stranding network participant for costs incurred in the collection, preparation, analysis, and transportation of marine mammal tissues and samples collected with respect to an unusual mortality event for the Tissue Bank; and

''(C) for the care and maintenance of a marine mammal seized under section 104(c)(2)(D); and

''(2) shall remain available until expended.''; and

(2) in subsection (c)—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(4) not more than $250,000 per year, as determined by the Secretary of Commerce, from sums collected as fines, penalties, or forfeitures of property by the Secretary of Commerce for violations of any provision of this Act; and

''(5) sums received from emergency declaration grants for marine mammal conservation.''.

SEC. 5505. LIABILITY.

Section 406(a) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421e(a)) is amended, in the matter preceding paragraph (1)—

(1) by inserting ''or entanglement'' after ''to a stranding''; and

(2) by striking ''government'' and inserting ''Government''.

SEC. 5506. NATIONAL MARINE MAMMAL TISSUE BANK AND TISSUE ANALYSIS.

Section 407 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421f) is amended—

(1) in subsection (c)(2)(A), by striking ''the health of marine mammals and'' and inserting ''marine mammal health and mortality and the health of''; and

(2) in subsection (d), in the matter preceding paragraph (1), by inserting ''public'' before ''access''.

SEC. 5507. MARINE MAMMAL RESCUE AND RESPONSE GRANT PROGRAM AND RAPID RESPONSE FUND.

(a) IN GENERAL.—Section 408 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421f–1) is amended—

(1) by striking the section heading and inserting ''**MARINE MAMMAL RESCUE AND RESPONSE GRANT PROGRAM AND RAPID RESPONSE FUND**'';

(2) by striking subsections (a) through (d) and subsections (f) through (h);

(3) by redesignating subsection (e) as subsection (f); and

(4) by inserting before subsection (f), as redesignated by paragraph (3), the following:

''(a) DEFINITIONS.—In this section:

''(1) EMERGENCY ASSISTANCE.—

''(A) IN GENERAL.—The term 'emergency assistance' means—

''(i) financial assistance provided to respond to, or that results from, a stranding event or entanglement event that—

''(I) causes an immediate increase in the cost of a response, recovery, or rehabilitation that is greater than the usual cost of a response, recovery, or rehabilitation;

''(II) is cyclical or endemic; or

''(III) involves a marine mammal that is out of the normal range for that marine mammal; or

''(ii) financial assistance provided to respond to, or that results from, a stranding event or an entanglement event that—

''(I) the applicable Secretary considers to be an emergency; or

''(II) with the concurrence of the applicable Secretary, a State, territorial, or Tribal government considers to be an emergency.

''(B) EXCLUSIONS.—The term 'emergency assistance' does not include financial assistance to respond to an unusual mortality event.

''(2) SECRETARY.—The term 'Secretary' has the meaning given that term in section 3(12)(A).

''(3) STRANDING REGION.—The term 'stranding region' means a geographic region designated by the applicable Secretary for purposes of administration of this title.

''(b) JOHN H. PRESCOTT MARINE MAMMAL RESCUE AND RESPONSE GRANT PROGRAM.—

''(1) IN GENERAL.—Subject to the availability of appropriations or other funding, the applicable Secretary shall carry out a grant program, to be known as the 'John H. Prescott Marine Mammal Rescue and Response Grant Program' (referred to in this section as the 'grant program'), to award grants to eligible stranding network participants or stranding network collaborators, as described in this subsection.

''(2) PURPOSES.—The purposes of the grant program are to provide for—

''(A) the recovery, care, or treatment of sick, injured, or entangled marine mammals;

''(B) responses to marine mammal stranding events that require emergency assistance;

''(C) the collection of data and samples from living or dead stranded marine mammals for scientific research or assessments regarding marine mammal health;

''(D) facility operating costs that are directly related to activities described in subparagraph (A), (B), or (C); and

''(E) development of stranding network capacity, including training for emergency response, where facilities do not exist or are sparse.

''(3) CONTRACT, GRANT, AND COOPERATIVE AGREEMENT AUTHORITY.—

''(A) IN GENERAL.—The applicable Secretary may enter into a contract, grant, or cooperative agreement with any eligible stranding network participant or stranding network collaborator, as the Secretary determines to be appropriate, for the purposes described in paragraph (2).

''(B) EMERGENCY AWARD FLEXIBILITY.—Following a request for emergency award flexibility and analysis of the merits of and necessity for such a request, the applicable Secretary may—

''(i) amend any contract, grant, or cooperative agreement entered into under this paragraph, including provisions concerning the period of performance; or

''(ii) waive the requirements under subsection (f) for grant applications submitted during the provision of emergency assistance.

''(4) EQUITABLE DISTRIBUTION OF FUNDS.—

''(A) IN GENERAL.—The Secretary shall ensure, to the extent practicable, that funds awarded under the grant program are distributed equitably among the stranding regions.

''(B) CONSIDERATIONS.—In determining priorities among the stranding regions under this paragraph, the Secretary may consider—

''(i) equitable distribution within the stranding regions, including the sub regions (including, but not limited to, the Gulf of Mexico);

''(ii) any episodic stranding, entanglement, or mortality events, except for unusual mortality events, that occurred in any stranding region in the preceding year;

''(iii) any data with respect to average annual stranding, entanglements, and mortality events per stranding region;

''(iv) the size of the marine mammal populations inhabiting a stranding region;

''(v) the importance of the region's marine mammal populations to the well-being of indigenous communities; and

''(vi) the conservation of protected, depleted, threatened, or endangered marine mammal species.

''(C) STRANDINGS.—For the purposes of this program, priority is to be given to applications focusing on marine mammal strandings.

''(5) APPLICATION.—To be eligible for a grant under the grant program, a stranding network participant shall—

''(A) submit an application in such form and manner as the applicable Secretary prescribes; and

''(B) be in compliance with the data reporting requirements under section 402(d) and any applicable reporting requirements of the United States Fish and Wildlife Service for species under its management jurisdiction.

''(6) GRANT CRITERIA.—The Secretary shall, in consultation with the Marine Mammal Commission, a representative from each of the stranding regions, and other individuals who represent public and private organizations that are actively involved in rescue, rehabilitation, release, scientific research, marine conservation, and forensic science with respect to stranded marine mammals under that Department's jurisdiction, develop criteria for awarding grants under their respective grant programs.

''(7) LIMITATIONS.—

''(A) MAXIMUM GRANT AMOUNT.—No grant made under the grant program for a single award may exceed $150,000 in any 12-month period.

''(B) UNEXPENDED FUNDS.—Any funds that have been awarded under the grant program but that are unexpended at the end of the 12-month period described in subparagraph (A) shall remain available until expended.

''(8) ADMINISTRATIVE COSTS AND EXPENSES.—The Secretary's administrative costs and expenses related to reviewing and awarding grants under the grant program, in any fiscal year may not exceed the greater of—

''(A) 6 percent of the amounts made available each fiscal year to carry out the grant program; or

''(B) $80,000.

''(9) TRANSPARENCY.—The Secretary shall make publicly available a list of grant proposals for the upcoming fiscal year, funded grants, and requests for grant flexibility under this subsection.

''(c) JOSEPH R. GERACI MARINE MAMMAL RESCUE AND RAPID RESPONSE FUND.—

''(1) IN GENERAL.—There is established in the Treasury of the United States an interest-bearing fund, to be known as the 'Joseph R. Geraci Marine Mammal Rescue and Rapid Response Fund' (referred to in this section as the 'Rapid Response Fund').

''(2) USE OF FUNDS.—Amounts in the Rapid Response Fund shall be available only for use by the Secretary to provide emergency assistance.

''(d) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—

''(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the grant program $7,000,000 for each of fiscal years 2023 through 2028, to remain available until expended, of which for each fiscal year—

''(i) $6,000,000 shall be made available to the Secretary of Commerce; and

''(ii) $1,000,000 shall be made available to the Secretary of the Interior.

''(B) DERIVATION OF FUNDS.—Funds to carry out the activities under this section shall be derived from amounts authorized to be appropriated pursuant to subparagraph (A) that are enacted after the date of enactment of the Marine Mammal Research and Response Act of 2022.

''(2) JOSEPH R. GERACI MARINE MAMMAL RESCUE AND RAPID RESPONSE FUND.—There is authorized to be appropriated to the Rapid Response Fund $500,000 for each of fiscal years 2023 through 2028.

''(e) ACCEPTANCE OF DONATIONS.—For the purposes of carrying out this section, the Secretary may solicit, accept, receive, hold, administer, and use gifts, devises, and bequests without any further approval or administrative action.''.

(b) TECHNICAL EDITS.—Section 408 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421f–1), as amended by subsection (a), is further amended in subsection (f), as redesignated by subsection (a)(3)—

(1) in paragraph (1)—

(A) by striking ''the costs of an activity conducted with a grant under this section shall be'' and inserting ''a project conducted with funds awarded under the grant program under this section shall be not less than''; and

(B) by striking ''such costs'' and inserting ''such project''; and

(2) in paragraph (2)—

(A) by striking ''an activity'' and inserting ''a project''; and

(B) by striking ''the activity'' and inserting ''the project''.

(c) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Marine Mammal Protection Act of 1972 (Public Law 92–522; 86 Stat. 1027) (as amended by section 5503(b)) is amended by striking the item related to section 408 and inserting the following:

''Sec. 408. Marine Mammal Rescue and Response Grant Program and Rapid Response Fund.

SEC. 5508. HEALTH MAP.

(a) IN GENERAL.—Title IV of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421 et seq.) is amended by inserting after section 408 the following:

''SEC. 408A. MARINE MAMMAL HEALTH MONITORING AND ANALYSIS PLATFORM (HEALTH MAP).

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Marine Mammal Research and Response Act of 2022, the Secretary, acting through the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Secretary of the Interior and the Marine Mammal Commission, shall—

''(1) establish a marine mammal health monitoring and analysis platform (referred to in this Act as the 'Health MAP');

''(2) incorporate the Health MAP into the Observation System; and

''(3) make the Health MAP—

''(A) publicly accessible through the web portal of the Observation System; and

''(B) interoperable with other national data systems or other data systems for management or research purposes, as practicable.

''(b) PURPOSES.—The purposes of the Health MAP are—

''(1) to promote—

''(A) interdisciplinary research among individuals with knowledge and experience in marine mammal science, marine mammal veterinary and husbandry practices, medical science, and oceanography, and with other marine scientists;

''(B) timely and sustained dissemination and availability of marine mammal health, stranding, entanglement, and mortality data;

''(C) identification of spatial and temporal patterns of marine mammal mortality, disease, and stranding;

''(D) evaluation of marine mammal health in terms of mortality, as well as sublethal marine mammal health impacts;

''(E) improved collaboration and forecasting of marine mammal and larger ecosystem health events;

''(F) rapid communication and dissemination of information regarding marine mammal strandings that may have implications for human health, such as those caused by harmful algal blooms; and

''(G) increased accessibility of data in a user friendly visual interface for public education and outreach; and

''(2) to contribute to an ocean health index that incorporates marine mammal health data.

''(c) REQUIREMENTS.—The Health MAP shall—

''(1) integrate in situ, remote, and other marine mammal health, stranding, and mortality data, including visualizations and metadata, collected by marine mammal stranding networks, Federal, State, local, and Tribal governments, private partners, and academia; and

''(2) be designed—

''(A) to enhance data and information availability, including data sharing among stranding network participants, scientists, and the public within and across stranding network regions;

''(B) to facilitate data and information access across scientific disciplines, scientists, and managers;

''(C) to facilitate public access to national and regional marine mammal health, stranding, entanglement, and mortality data, including visualizations and metadata, through the national and regional data portals of the Observation System; and

''(D) in collaboration with, and with input from, States and stranding network participants.

''(d) PROCEDURES AND GUIDELINES.—The Secretary shall establish and implement policies, protocols, and standards for—

''(1) reporting marine mammal health data collected by stranding networks consistent with subsections (c) and (d) of section 402;

''(2) promptly transmitting health data from the stranding networks and other appropriate data providers to the Health MAP;

''(3) disseminating and making publicly available data on marine mammal health, stranding, entanglement, and mortality data in a timely and sustained manner; and

''(4) integrating additional marine mammal health, stranding, or other relevant data as the Secretary determines appropriate.

''(e) CONSULTATION.—The Administrator of the National Oceanic and Atmospheric Administration shall maintain and update the Health MAP in consultation with the Secretary of the Interior and the Marine Mammal Commission.

''(f) CONTRIBUTIONS.—For purposes of carrying out this section, the Secretary may solicit, accept, receive, hold, administer, and use gifts, devises, and bequests without any further approval or administrative action.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Marine Mammal Protection Act of 1972 (Public Law 92–522; 86 Stat. 1027) (as amended by section 5507(b)) is amended by inserting after the item related to section 408 the following:

''Sec. 408A. Marine Mammal Health Monitoring and Analysis Platform (Health MAP).

SEC. 5509. REPORTS TO CONGRESS.

(a) IN GENERAL.—Title IV of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421 et seq.) (as amended by section 5508(a)) is amended by inserting after section 408A the following:

''SEC. 408B. REPORTS TO CONGRESS.

''(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term 'appropriate committees of Congress' means—

''(1) the Committee on Commerce, Science, and Transportation of the Senate;

''(2) the Committee on Environment and Public Works of the Senate;

''(3) the Committee on Natural Resources of the House of Representatives; and

''(4) the Committee on Science, Space, and Technology of the House of Representatives.

''(b) HEALTH MAP STATUS REPORT.—

''(1) IN GENERAL.—Not later than 2 year after the date of enactment of the Marine Mammal Research and Response Act of 2022, the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Marine Mammal Commission, the Secretary of the Interior, and the National Ocean Research Leadership Council, shall submit to the appropriate committees of Congress a report describing the status of the Health MAP.

''(2) REQUIREMENTS.—The report under paragraph (1) shall include—

''(A) a detailed evaluation of the data made publicly available through the Health MAP;

''(B) a detailed list of any gaps in data collected pursuant to the Health MAP, a description of the reasons for those gaps, and recommended actions to close those gaps;

''(C) an analysis of the effectiveness of using the website of the Observation System as the platform to collect, organize, visualize, archive, and disseminate marine mammal stranding and health data;

''(D) a list of publications, presentations, or other relevant work product resulting from, or produced in collaboration with, the Health MAP;

''(E) a description of emerging marine mammal health concerns and the applicability of those concerns to human health;

''(F) an analysis of the feasibility of the Observation System being used as an alert system during stranding events, entanglement events, and unusual mortality events for the stranding network, Observation System partners, Health MAP partners, Federal and State agencies, and local and Tribal governments;

''(G) an evaluation of the use of Health MAP data to predict broader ecosystem events and changes that may impact marine mammal or human health and specific examples of proven or potential uses of Observation System data for those purposes; and

''(H) recommendations for the Health MAP with respect to—

''(i) filling any identified data gaps;

''(ii) standards that could be used to improve data quality, accessibility, transmission, interoperability, and sharing;

''(iii) any other strategies that would contribute to the effectiveness and usefulness of the Health MAP; and

''(iv) the funding levels needed to maintain and improve the Health MAP.

''(c) DATA GAP ANALYSIS.—

''(1) IN GENERAL.—Not later than 5 years after the date on which the report required under subsection (b)(1) is submitted, and every 10 years thereafter, the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Marine Mammal Commission and the Director of the United States Fish and Wildlife Service, shall—

''(A) make publicly available a report on the data gap analysis described in paragraph (2); and

''(B) provide a briefing to the appropriate committees of Congress concerning that data gap analysis.

''(2) REQUIREMENTS.—The data gap analysis under paragraph (1) shall include—

''(A) an overview of existing participants within a marine mammal stranding network;

''(B) an identification of coverage needs and participant gaps within a network;

''(C) an identification of data and reporting gaps from members of a network; and

''(D) an analysis of how stranding and health data are shared and made available to scientists, academics, State, local, and Tribal governments, and the public.

''(d) MARINE MAMMAL RESPONSE CAPABILITIES IN THE ARCTIC.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Marine Mammal Research and Response Act of 2022, the Administrator of the National Oceanic

and Atmospheric Administration, the Director of the United States Fish and Wildlife Service, and the Director of the United States Geologic Survey, in consultation with the Marine Mammal Commission, shall—

''(A) make publicly available a report describing the response capabilities for sick and injured marine mammals in the Arctic regions of the United States; and

''(B) provide a briefing to the appropriate committees of Congress on that report.

''(2) ARCTIC.—The term 'Arctic' has the meaning given the term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

''(3) REQUIREMENTS.—The report under paragraph (1) shall include—

''(A) a description, developed in consultation with the Fish and Wildlife Service of the Department of the Interior, of all marine mammal stranding agreements in place for the Arctic region of the United States, including species covered, response capabilities, facilities and equipment, and data collection and analysis capabilities;

''(B) a list of State and local government agencies that have personnel trained to respond to marine mammal strandings in the Arctic region of the United States;

''(C) an assessment of potential response and data collection partners and sources of local information and knowledge, including Alaska Native people and villages;

''(D) an analysis of spatial and temporal trends in marine mammal strandings and unusual mortality events that are correlated with changing environmental conditions in the Arctic region of the United States;

''(E) a description of training and other resource needs to meet emerging response requirements in the Arctic region of the United States;

''(F) an analysis of oiled marine mammal response and rehabilitation capabilities in the Arctic region of the United States, including personnel, equipment, facilities, training, and husbandry capabilities, and an assessment of factors that affect response and rehabilitation success rates; and

''(G) recommendations to address future stranding response needs for marine mammals in the Arctic region of the United States.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Marine Mammal Protection Act of 1972 (Public Law 92–522; 86 Stat. 1027) (as amended by section 5508(b)) is amended by inserting after the item related to section 408A the following:

''Sec. 408B. Reports to Congress.

SEC. 5510. AUTHORIZATION OF APPROPRIATIONS.

Section 409 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421g) is amended—

(1) in paragraph (1), by striking ''1993 and 1994;'' and inserting ''2023 through 2028;'';

(2) in paragraph (2), by striking ''1993 and 1994;'' and inserting ''2023 through 2028;''; and

(3) in paragraph (3), by striking ''fiscal year 1993.'' and inserting ''for each of fiscal years 2023 through 2028.''.

SEC. 5511. DEFINITIONS.

Section 410 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421h) is amended—

(1) by redesignating paragraphs (1) through (6) as paragraphs (2), (5), (6), (7), (8), and (9), respectively;

(2) by inserting before paragraph (2) (as so redesignated) the following:

''(1) The term 'entangle' or 'entanglement' means an event in the wild in which a living or dead marine mammal has gear, rope, line, net, or other material wrapped around or attached to the marine mammal and is—

''(A) on lands under the jurisdiction of the United States, including beaches and shorelines; or

''(B) in waters under the jurisdiction of the United States, including any navigable waters.'';

(3) in paragraph (2) (as so redesignated) by striking ''The term'' and inserting ''Except as used in section 408, the term'';

(4) by inserting after paragraph (2) (as so redesignated) the following:

''(3) The term 'Health MAP' means the Marine Mammal Health Monitoring and Analysis Platform established under section 408A(a)(1).

''(4) The term 'Observation System' means the National Integrated Coastal and Ocean Observation System established under section 12304 of the Integrated Coastal and Ocean Observation System Act of 2009 (33 U.S.C. 3603).''.

SEC. 5512. STUDY ON MARINE MAMMAL MORTALITY.

(a) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the Undersecretary of Commerce for Oceans and Atmosphere shall, in consultation with the Secretary of the Interior and the Marine Mammal Commission, conduct a study evaluating the connections among marine heat waves, frequency and intensity of harmful algal blooms, prey availability, and habitat degradation, and the impacts of these conditions on marine mammal mortality.

(b) REPORT.—The Undersecretary of Commerce for Oceans and Atmosphere, in consultation with the Secretary of the Interior and the Marine Mammal Commission, shall prepare, post to a publicly available website, and brief the appropriate committees of Congress on, a report containing the results of the study described in subsection (a). The report shall identify priority research activities, opportunities for collaboration, and current gaps in effort and resource limitations related to advancing scientific understanding of how ocean heat waves, harmful algae blooms, availability of prey, and habitat degradation impact marine mammal mortality. The report shall include recommendations for policies needed to mitigate and respond to mortality events.

TITLE LVI—VOLCANIC ASH AND FUMES

SEC. 5601. SHORT TITLE.

This title may be cited as the ''Volcanic Ash and Fumes Act of 2022''.

SEC. 5602. MODIFICATIONS TO NATIONAL VOLCANO EARLY WARNING AND MONITORING SYSTEM.

(a) DEFINITIONS.—Subsection (a) of section 5001 of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (43 U.S.C. 31k) is amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following:

''(2) SECRETARY OF COMMERCE.—The term 'Secretary of Commerce' means the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere.''; and

(3) by adding at the end the following:

''(4) VOLCANIC ASH ADVISORY CENTER.—The term 'Volcanic Ash Advisory Center' means an entity designated by the International Civil Aviation Organization that is responsible for informing aviation interests about the presence of volcanic ash in the airspace.''.

(b) PURPOSES.—Subsection (b)(1)(B) of such section is amended—

(1) in clause (i), by striking ''and'' at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(iii) to strengthen the warning and monitoring systems of volcano observatories in the United States by integrating relevant capacities of the National Oceanic and Atmospheric Administration, including with the Volcanic Ash Advisory Centers located in Anchorage, Alaska, and Washington, DC, to observe and model emissions of gases, aerosols, and ash, atmospheric dynamics and chemistry, and ocean chemistry resulting from volcanic eruptions.''.

(c) SYSTEM COMPONENTS.—Subsection (b)(2) of such section is amended—

(1) in subparagraph (B)—

(A) by striking ''and'' before ''spectrometry''; and

(B) by inserting '', and unoccupied aerial vehicles'' after ''emissions''; and

(2) by adding at the end the following:

''(C) MEMORANDUM OF UNDERSTANDING.—The Secretary and the Secretary of Commerce shall develop and execute a memorandum of understanding to establish cooperative support for the activities of the System from the National Oceanic and Atmospheric Administration, including environmental observations, modeling, and temporary duty assignments of personnel to support emergency activities, as necessary or appropriate.''.

(d) MANAGEMENT.—Subsection (b)(3) of such section is amended—

(1) in subparagraph (A), by adding at the end the following:

''(iii) UPDATE.—

''(I) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COST ESTIMATES.—The Secretary of Commerce shall submit to the Secretary annual cost estimates for modernization activities and support of the System for the National Oceanic and Atmospheric Administration.

''(II) UPDATE OF MANAGEMENT PLAN.—The Secretary shall update the management plan submitted under clause (i) to include the cost estimates submitted under subclause (I).''; and

(2) by adding at the end the following:

''(E) COLLABORATION.—The Secretary of Commerce shall collaborate with the Secretary to implement activities carried out under this section related to the expertise of the National Oceanic and Atmospheric Administration, including observations and modeling of emissions of gases, aerosols, and ash, atmospheric dynamics and chemistry, and ocean chemistry resulting from volcanic eruptions.''.

(e) FUNDING.—Subsection (c) of such section is amended—

(1) in paragraph (1)—

(A) in the paragraph heading, by inserting '', UNITED STATES GEOLOGICAL SURVEY'' after ''APPROPRIATIONS''; and

(B) by inserting ''to the United States Geological Survey'' after ''appropriated'';.

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

(3) by inserting after paragraph (1) the following:

''(2) AUTHORIZATION OF APPROPRIATIONS, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—There is authorized to be appropriated to the National Oceanic and Atmospheric Administration to carry out this section such sums as may be necessary for the period of fiscal years 2023 through 2024.''; and

(4) in paragraph (3), as redesignated by paragraph (2)—

(A) by striking ''United States Geological Survey''; and

(B) by inserting ''of the United States Geological Survey and the National Oceanic and Atmospheric Administration'' after ''programs''.

(f) IMPLEMENTATION PLAN.—

(1) DEVELOPMENT OF PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of the Interior, shall develop a plan to implement the

amendments made by this Act during the 5-year period beginning on the date on which the plan is developed.

(2) ELEMENTS.—The plan developed under paragraph (1) shall include an estimate of the cost and schedule required for the implementation described in such paragraph.

(3) PUBLIC AVAILABILITY.—Upon completion of the plan developed under paragraph (1), the Secretary of Commerce shall make the plan publicly available.

TITLE LVII—WILDFIRE AND FIRE WEATHER PREPAREDNESS

SEC. 5701. SHORT TITLE.

This title may be cited as the ''Fire Ready Nation Act of 2022''.

SEC. 5702. DEFINITIONS.

In this title:

(1) ADMINISTRATION.—The term ''Administration'' means the National Oceanic and Atmospheric Administration.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Science, Space, and Technology of the House of Representatives.

(3) EARTH SYSTEM MODEL.—The term ''Earth system model'' means a mathematical model containing all relevant components of the Earth, namely the atmosphere, oceans, land, cryosphere, and biosphere.

(4) FIRE ENVIRONMENT.—The term ''fire environment'' means—

(A) the environmental conditions, such as soil moisture, vegetation, topography, snowpack, atmospheric temperature, moisture, and wind, that influence—

(i) fuel and fire behavior; and

(ii) smoke dispersion and transport; and

(B) the associated environmental impacts occurring during and after fire events.

(5) FIRE WEATHER.—The term ''fire weather'' means the weather conditions that influence the start, spread, character, or behavior of wildfire or fires at the wildland-urban interface and relevant meteorological and chemical phenomena, including air quality, smoke, and meteorological parameters such as relative humidity, air temperature, wind speed and direction, and atmospheric composition and chemistry, including emissions and mixing heights.

(6) IMPACT-BASED DECISION SUPPORT SERVICES.—The term ''impact-based decision support services'' means forecast advice and interpretative services the Administration provides to help core partners, such as emergency personnel and public safety officials, make decisions when weather, water, and climate impact the lives and livelihoods of the people of the United States.

(7) SEASONAL.—The term ''seasonal'' has the meaning given that term in section 2 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8501).

(8) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(9) SMOKE.—The term ''smoke'' means emissions, including the gases and particles released into the air as a result of combustion.

(10) STATE.—The term ''State'' means a State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the United State Virgin Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau.

(11) SUBSEASONAL.—The term ''subseasonal'' has the meaning given that term in section 2 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8501).

(12) TRIBAL GOVERNMENT.—The term ''Tribal government'' means the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of this Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

(13) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary of Commerce for Oceans and Atmosphere.

(14) WEATHER ENTERPRISE.—The term ''weather enterprise'' has the meaning given that term in section 2 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8501).

(15) WILDFIRE.—The term ''wildfire'' means any non-structure fire that occurs in vegetation or natural fuels, originating from an unplanned ignition.

(16) WILDLAND-URBAN INTERFACE.—The term ''wildland-urban interface'' means the area, zone, or region of transition between unoccupied or undeveloped land and human development where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels.

SEC. 5703. ESTABLISHMENT OF FIRE WEATHER SERVICES PROGRAM.

(a) IN GENERAL.—The Under Secretary shall establish and maintain a coordinated fire weather services program among the offices of the Administration in existence as of the date of the enactment of this Act and designated by the Under Secretary.

(b) PROGRAM FUNCTIONS.—The functions of the program established under subsection (a), consistent with the priorities described in section 101 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8511), shall be—

(1) to support readiness, responsiveness, understanding, and overall resilience of the United States to wildfires, fire weather, smoke, and other associated conditions, hazards, and impacts in built and natural environments and at the wildland-urban interface;

(2) to collaboratively develop and disseminate accurate, precise, effective, and timely risk communications, forecasts, watches, and warnings relating to wildfires, fire weather, smoke, and other associated conditions, hazards, and impacts, as applicable, with Federal land management agencies;

(3) to partner with and support the public, Federal, State, and Tribal governments, and academic and local partners through the development of capabilities, impact-based decision support services, and overall service delivery and utility;

(4) to conduct and support research and development of new and innovative models, technologies, techniques, products, systems, processes, and procedures to improve understanding of wildfires, fire weather, air quality, and the fire environment;

(5) to develop strong research-to-operations and operations-to-research transitions, in order to facilitate delivery of products, services, and tools to operational users and platforms; and

(6) to develop, in coordination with Federal land management agencies and the Armed Forces, as appropriate, impact-based decision support services that operationalize and integrate the functions described in paragraphs (1) through (5) in order to provide comprehensive impact-based decision support services that encompass the fire environment.

(c) PROGRAM PRIORITIES.—In developing and implementing the program established under subsection (a), the Under Secretary shall prioritize—

(1) development of a fire weather-enabled Earth system model and data assimilation systems that—

(A) are capable of prediction and forecasting across relevant spatial and temporal timescales;

(B) include variables associated with fire weather, air quality from smoke, and the fire environment;

(C) improve understanding of the connections between fire weather and modes of climate variability; and

(D) incorporate emerging techniques such as artificial intelligence, machine learning, and cloud computing;

(2) advancement of existing and new observational capabilities, including satellite-, airborne-, air-, and ground-based systems and technologies and social networking and other public information-gathering applications that—

(A) identify—

(i) high-risk pre-ignition conditions;

(ii) conditions that influence fire behavior and spread including those conditions that suppress active fire events; and

(iii) fire risk values;

(B) support real-time notification and monitoring of ignitions;

(C) support observations and data collection of fire weather and fire environment variables, including smoke, for development of the model and systems under paragraph (1); and

(D) support forecasts and advancing understanding and research of the impacts of wildfires on military activities, human health, ecosystems, climate, transportation, and economies; and

(3) development and implementation of advanced and user-oriented impact-based decision tools, science, and technologies that—

(A) ensure real-time and retrospective data, products, and services are findable, accessible, interoperable, usable, inform further research, and are analysis- and decision-ready;

(B) provide targeted information throughout the fire lifecycle including pre-ignition, detection, forecasting, post-fire, and monitoring phases; and

(C) support early assessment of post-fire hazards, such as air quality, debris flows, mudslides, and flooding.

(d) PROGRAM ACTIVITIES.—In developing and implementing the program established under subsection (a), the Under Secretary may—

(1) conduct relevant physical and social science research activities in support of the functions described in subsection (b) and the priorities described in subsection (c);

(2) conduct relevant activities, in coordination with Federal land management agencies and Federal science agencies, to assess fuel characteristics, including moisture, loading, and other parameters used to determine fire risk levels and outlooks;

(3) support and conduct research that assesses impacts to marine, riverine, and other relevant ecosystems, which may include forest and rangeland ecosystems, resulting from activities associated with mitigation of and response to wildfires;

(4) support and conduct attribution science research relating to wildfires, fire weather, fire risk, smoke, and associated conditions, risks, and impacts;

(5) develop smoke and air quality forecasts, forecast guidance, and prescribed burn weather forecasts, and conduct research on the impact of such forecasts on response behavior that minimizes health-related impacts from smoke exposure;

(6) use, in coordination with Federal land management agencies, wildland fire resource

intelligence to inform fire environment impact-based decision support products and services for safety;

(7) work with Federal agencies to provide data, tools, and services to support determinations by such agencies for the implementation of mitigation measures;

(8) provide training and support to ensure effective media utilization of impact-based decision support products and guidance to the public regarding actions needing to be taken;

(9) provide comprehensive training to ensure staff of the program established under subsection (a) is properly equipped to deliver the impact-based decision support products and services described in paragraphs (1) through (6); and

(10) acquire through contracted purchase private sector-produced observational data to fill identified gaps, as needed.

(e) COLLABORATION; AGREEMENTS.—

(1) COLLABORATION.—The Under Secretary shall, as the Under Secretary considers appropriate, collaborate and consult with partners in the weather and climate enterprises, academic institutions, States, Tribal governments, local partners, and Federal agencies, including land and fire management agencies, in the development and implementation of the program established under subsection (a).

(2) AGREEMENTS.—The Under Secretary may enter into agreements in support of the functions described in subsection (b), the priorities described in subsection (c), the activities described in subsection (d), and activities carried out under section 5708.

(f) PROGRAM ADMINISTRATION PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary shall submit to the appropriate committees of Congress a plan that details how the program established under subsection (a) will be administered and governed within the Administration.

(2) ELEMENTS.—The plan required by paragraph (1) should include a description of—

(A) how the functions described in subsection (b), the priorities described in subsection (c), and the activities described in subsection (d) will be distributed among the line offices of the Administration; and

(B) the mechanisms in place to ensure seamless coordination among those offices.

SEC. 5704. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION DATA MANAGEMENT.

Section 301 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8531) is amended—

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

(2) by inserting after subsection (e) the following:

''(f) DATA AVAILABILITY AND MANAGEMENT.—

''(1) IN GENERAL.—The Under Secretary shall—

''(A) make data and metadata generated or collected by the National Oceanic and Administration that the Under Secretary has the legal right to redistribute fully and openly available, in accordance with chapter 35 of title 44, United States Code, and the Foundations for Evidence-Based Policymaking Act of 2018 (Public Law 115–435; 132 Stat. 5529) and the amendments made by that Act, and preserve and curate such data and metadata, in accordance with chapter 31 of title 44, United States Code (commonly known as the 'Federal Records Act of 1950'), in order to maximize use of such data and metadata; and

''(B) manage and steward the access, archival, and retrieval activities for the data and metadata described in subparagraph (A) by—

''(i) using—

''(I) enterprise-wide infrastructure, emerging technologies, commercial partnerships, and the skilled workforce needed to provide appropriate data management from collection to broad access; and

''(II) associated information services; and

''(ii) pursuing the maximum interoperability of data and information by—

''(I) leveraging data, information, knowledge, and tools from across the Federal Government to support equitable access, cross-sectoral collaboration and innovation, and local planning and decision-making; and

''(II) developing standards and practices for the adoption and citation of digital object identifiers for datasets, models, and analytical tools.

''(2) COLLABORATION.—In carrying out this subsection, the Under Secretary shall collaborate with such Federal partners and stakeholders as the Under Secretary considers relevant—

''(A) to develop standards to pursue maximum interoperability of data, information, knowledge, and tools across the Federal Government, convert historical records into common digital formats, and improve access and usability of data by partners and stakeholders;

''(B) to identify and solicit relevant data from Federal and international partners and other relevant stakeholders, as the Under Secretary considers appropriate;

''(C) to develop standards and practices for the adoption and citation of digital object identifiers for datasets, models, and analytical tools; and

''(D) to ensure that, to the maximum extent possible, data access and distribution is compatible with national security equities.''.

SEC. 5705. DIGITAL FIRE WEATHER SERVICES AND DATA MANAGEMENT.

(a) IN GENERAL.—

(1) DIGITAL PRESENCE.—The Under Secretary shall develop and maintain a comprehensive, centralized, and publicly accessible digital presence designed to promote findability, accessibility, interoperability, usability, and utility of the services, tools, data, and information produced by the program established under section 5703(a).

(2) DIGITAL PLATFORM AND TOOLS.—In carrying out paragraph (1), the Under Secretary shall seek to ensure the digital platform and tools of the Administration integrate geospatial data, decision support tools, training, and best practices to provide real-time fire weather forecasts and address fire-related issues and needs.

(b) INTERNET-BASED TOOLS.—In carrying out subsections (a) and (b), the Under Secretary shall develop and implement internet-based tools, such as webpages and smartphone and other mobile applications, to increase utility and access to services and products for the benefit of users.

SEC. 5706. HIGH-PERFORMANCE COMPUTING.

(a) IN GENERAL.—The Under Secretary shall seek to acquire sufficient high-performance computing resources and capacity for research, operations, and data storage in support of the program established under section 5703(a).

(b) CONSIDERATIONS.—In acquiring high-performance computing capacity under subsection (a), the Under Secretary shall consider requirements needed for—

(1) conducting research and development;

(2) the transition of research and testbed developments into operations;

(3) capabilities existing in other Federal agencies and the commercial sector; and

(4) skilled workforce development.

SEC. 5707. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON FIRE WEATHER SERVICES PROGRAM.

(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the program established under section 5703(a).

(b) ELEMENTS.—The report required by subsection (a) shall—

(1) evaluate the performance of the program by establishing initial baseline capabilities and tracking progress made toward fully operationalizing the functions described in section 5703(b); and

(2) include such other recommendations as the Comptroller General determines are appropriate to improve the program.

SEC. 5708. FIRE WEATHER TESTBED.

(a) ESTABLISHMENT OF FIRE WEATHER TESTBED.—The Under Secretary shall establish a fire weather testbed that enables engagement across the Federal Government, State and local governments, academia, private and federally funded research laboratories, the private sector, and end-users in order to evaluate the accuracy and usability of technology, models, fire weather products and services, and other research to accelerate the implementation, transition to operations, and use of new capabilities by the Administration, Federal and land management agencies, and other relevant stakeholders.

(b) UNCREWED AIRCRAFT SYSTEMS.—

(1) IN GENERAL.—The Under Secretary shall—

(A) research and assess the role and potential of uncrewed aircraft systems to improve data collection in support of modeling, observations, predictions, forecasts, and impact-based decision support services;

(B) transition uncrewed aircraft systems technologies from research to operations as the Under Secretary considers appropriate; and

(C) coordinate with other Federal agencies that may be developing uncrewed aircraft systems and related technologies to meet the challenges of wildland fire management.

(2) PILOT REQUIRED.—In carrying out paragraph (1), not later than 1 year after the date of the enactment of this Act, the Under Secretary shall conduct pilots of uncrewed aircraft systems for fire weather and fire environment observations, including—

(A) testing of uncrewed systems in approximations of real-world scenarios;

(B) assessment of the utility of meteorological data collected from fire response and assessment aircraft;

(C) input of the collected data into appropriate models to predict fire behavior, including coupled atmosphere and fire models; and

(D) collection of best management practices for deployment of uncrewed systems and other remote data technology, including for communication and coordination between the stakeholders described in subsection (a).

(3) PROHIBITION.—

(A) IN GENERAL.—Except as provided under subparagraphs (B) and (C), the Under Secretary may not procure any covered uncrewed aircraft system that is manufactured or assembled by a covered foreign entity, which includes associated elements (consisting of communication links and the components that control the uncrewed aircraft) that are required for the operator to operate safely and efficiently in the national airspace system. The Federal Acquisition Security Council, in coordination with the Secretary of Transportation, shall develop and update a list of associated elements.

(B) EXEMPTION.—The Under Secretary, in consultation with the Secretary of Homeland Security, is exempt from the prohibition under subparagraph (A) if the operation or procurement is necessary for the sole purpose of marine or atmospheric science or management.

(C) WAIVER.—The Under Secretary may waive the prohibition under subparagraph (A) on a case-by-case basis—

(i) with the approval of the Secretary of Homeland Security or the Secretary of Defense; and

(ii) upon notification to Congress.

(D) DEFINITIONS.—In this paragraph:

(i) COVERED FOREIGN ENTITY.—The term ''covered foreign entity'' means an entity included on a list developed and maintained by the Federal Acquisition Security Council. The list shall include entities in the following categories:

(I) An entity included on the Consolidated Screening List.

(II) Any entity that is subject to extrajudicial direction from a foreign government, as determined by the Secretary of Homeland Security.

(III) Any entity the Secretary of Homeland Security, in coordination with the Director of National Intelligence and the Secretary of Defense, determines poses a national security risk.

(IV) Any entity domiciled in the People's Republic of China or subject to influence or control by the Government of the People's Republic of China or the Communist Party of the People's Republic of China, as determined by the Secretary of Homeland Security.

(V) Any subsidiary or affiliate of an entity described in subclauses (I) through (IV).

(ii) COVERED UNCREWED AIRCRAFT SYSTEM.—The term ''covered uncrewed aircraft system'' has the meaning given the term ''unmanned aircraft system'' in section 44801 of title 49, United States Code.

(4) SAVINGS CLAUSE.—

(A) IN GENERAL.—In carrying out activities under this subsection, the Under Secretary shall ensure that any testing or deployment of uncrewed aircraft systems follow procedures, restrictions, and protocols established by the heads of the Federal agencies with statutory or regulatory jurisdiction over any airspace in which wildfire response activities are conducted during an active wildfire event.

(B) CONSULTATION AND COORDINATION.—The Under Secretary shall consult and coordinate with relevant Federal land management agencies, Federal science agencies, and the Federal Aviation Administration to develop processes for the appropriate deployment of the systems described in subparagraph (A).

(c) ADDITIONAL PILOT PROJECTS.—The Under Secretary shall establish additional pilot projects relating to the fire weather testbed that may include the following elements:

(1) Advanced satellite detection products.

(2) Procurement and use of commercial data.

SEC. 5709. FIRE WEATHER SURVEYS AND ASSESSMENTS.

(a) ANNUAL POST-FIRE-WEATHER SEASON SURVEY AND ASSESSMENT.—

(1) IN GENERAL.—During the second winter following the enactment of this Act, and each year thereafter, the Under Secretary shall conduct a post-fire-weather season survey and assessment.

(2) ELEMENTS.—After conducting a post-fire-weather season survey and assessment under paragraph (1), the Under Secretary shall—

(A) investigate any gaps in data collected during the assessment;

(B) identify and implement strategies and procedures to improve program services and information dissemination;

(C) update systems, processes, strategies, and procedures to enhance the efficiency and reliability of data obtained from the assessment;

(D) evaluate the accuracy and efficacy of physical fire weather forecasting information for each incident included in the survey and assessment; and

(E) assess and refine performance measures, as needed.

(b) SURVEYS AND ASSESSMENTS FOLLOWING INDIVIDUAL WILDFIRE EVENTS.—The Under Secretary may conduct surveys and assessments following individual wildfire events as the Under Secretary determines necessary.

(c) GOAL.—In carrying out activities under this section, the Under Secretary shall seek to increase the number of post-wildfire community impact studies, including by surveying individual and collective responses and incorporating other applicable topics of social science research.

(d) ANNUAL BRIEFING.—Not less frequently than once each year, the Under Secretary shall provide a briefing to the appropriate committees of Congress that provides—

(1) an overview of the fire season; and

(2) an outlook for the fire season for the coming year.

(e) COORDINATION.—In conducting any survey or assessment under this section, the Under Secretary shall coordinate with Federal, State, and local partners, Tribal governments, private entities, and such institutions of higher education as the Under Secretary considers relevant in order to—

(1) improve operations and collaboration; and

(2) optimize data collection, sharing, integration, assimilation, and dissemination.

(f) DATA AVAILABILITY.—The Under Secretary shall make the data and findings obtained from each assessment conducted under this section available to the public in an accessible digital format as soon as practicable after conducting the assessment.

(g) SERVICE IMPROVEMENTS.—The Under Secretary shall make best efforts to incorporate the results and recommendations of each assessment conducted under this section into the research and development plan and operations of the Administration.

SEC. 5710. INCIDENT METEOROLOGIST SERVICE.

(a) ESTABLISHMENT.—The Under Secretary shall establish and maintain an Incident Meteorologist Service within the National Weather Service (in this section referred to as the ''Service'').

(b) INCLUSION OF EXISTING INCIDENT METEOROLOGISTS.—The Service shall include—

(1) the incident meteorologists of the Administration as of the date of the enactment of this Act; and

(2) such incident meteorologists of the Administration as may be appointed after such date.

(c) FUNCTIONS.—The Service shall provide—

(1) on-site impact-based decision support services to Federal, State, Tribal government, and local government emergency response agencies preceding, during, and following wildland fires or other events that threaten life or property, including high-impact and extreme weather events; and

(2) support to Federal, State, Tribal government, and local government decision makers, partners, and stakeholders for seasonal planning.

(d) DEPLOYMENT.—The Service shall be deployed—

(1) as determined by the Under Secretary; or

(2) at the request of the head of another Federal agency and with the approval of the Under Secretary.

(e) STAFFING AND RESOURCES.—In establishing and maintaining the Service, the Under Secretary shall identify, acquire, and maintain adequate levels of staffing and resources to meet user needs.

(f) SYMBOL.—

(1) IN GENERAL.—The Under Secretary may—

(A) create, adopt, and publish in the Federal Register a symbol for the Service; and

(B) restrict the use of such symbol as appropriate.

(2) USE OF SYMBOL.—The Under Secretary may authorize the use of a symbol adopted under this subsection by any individual or entity as the Under Secretary considers appropriate.

(3) CONTRACT AUTHORITY.—The Under Secretary may award contracts for the creation of symbols under this subsection.

(4) OFFENSE.—It shall be unlawful for any person—

(A) to represent themselves as an official of the Service absent the designation or approval of the Under Secretary;

(B) to manufacture, reproduce, or otherwise use any symbol adopted by the Under Secretary under this subsection, including to sell any item bearing such a symbol, unless authorized by the Under Secretary; or

(C) to violate any regulation promulgated by the Secretary under this subsection.

(g) SUPPORT FOR INCIDENT METEOROLOGISTS.—The Under Secretary shall provide resources, access to real-time fire weather forecasts, training, administrative and logistical support, and access to professional counseling or other forms of support as the Under Secretary considers appropriate for the betterment of the emotional and mental health and well-being of incident meteorologists and other employees of the Administration involved with response to high-impact and extreme fire weather events.

SEC. 5711. AUTOMATED SURFACE OBSERVING SYSTEM.

(a) JOINT ASSESSMENT AND PLAN.—

(1) IN GENERAL.—The Under Secretary, in collaboration with the Administrator of the Federal Aviation Administration and the Secretary of Defense, shall—

(A) conduct an assessment of resources, personnel, procedures, and activities necessary to maximize the functionality and utility of the automated surface observing system of the United States that identifies—

(i) key system upgrades needed to improve observation quality and utility for weather forecasting, aviation safety, and other users;

(ii) improvements needed in observations within the planetary boundary layer, including mixing height;

(iii) improvements needed in public accessibility of observational data;

(iv) improvements needed to reduce latency in reporting of observational data;

(v) relevant data to be collected for the production of forecasts or forecast guidance relating to atmospheric composition, including particulate and air quality data, and aviation safety;

(vi) areas of concern regarding operational continuity and reliability of the system, which may include needs for on-night staff, particularly in remote and rural areas and areas where system failure would have the greatest negative impact to the community;

(vii) stewardship, data handling, data distribution, and product generation needs arising from upgrading and changing the automated surface observation systems;

(viii) possible solutions for areas of concern identified under clause (vi), including with respect to the potential use of backup systems, power and communication system reliability, staffing needs and personnel location, and the acquisition of critical component backups and proper storage location to ensure rapid system repair necessary to ensure system operational continuity; and

(ix) research, development, and transition to operations needed to develop advanced data collection, quality control, and distribution so that the data are provided to

models, users, and decision support systems in a timely manner; and

(B) develop and implement a plan that addresses the findings of the assessment conducted under subparagraph (A), including by seeking and allocating resources necessary to ensure that system upgrades are standardized across the Administration, the Federal Aviation Administration, and the Department of Defense to the extent practicable.

(2) STANDARDIZATION.—Any system standardization implemented under paragraph (1)(B) shall not impede activities to upgrade or improve individual units of the system.

(3) REMOTE AUTOMATIC WEATHER STATION COORDINATION.—The Under Secretary, in collaboration with relevant Federal agencies and the National Interagency Fire Center, shall assess and develop cooperative agreements to improve coordination, interoperability standards, operations, and placement of remote automatic weather stations for the purpose of improving utility and coverage of remote automatic weather stations, automated surface observation systems, smoke monitoring platforms, and other similar stations and systems for weather and climate operations.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Under Secretary, in collaboration with the Administrator of the Federal Aviation Administration and the Secretary of Defense, shall submit to the appropriate committees of Congress a report that—

(A) details the findings of the assessment required by subparagraph (A) of subsection (a)(1); and

(B) the plan required by subparagraph (B) of such subsection.

(2) ELEMENTS.—The report required by paragraph (1) shall include a detailed assessment of appropriations required—

(A) to address the findings of the assessment required by subparagraph (A) of subsection (a)(1); and

(B) to implement the plan required by subparagraph (B) of such subsection.

(c) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than 4 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—

(1) evaluates the functionality, utility, reliability, and operational status of the automated surface observing system across the Administration, the Federal Aviation Administration, and the Department of Defense;

(2) evaluates the progress, performance, and implementation of the plan required by subsection (a)(1)(B);

(3) assesses the efficacy of cross-agency collaboration and stakeholder engagement in carrying out the plan and provides recommendations to improve such activities;

(4) evaluates the operational continuity and reliability of the system, particularly in remote and rural areas and areas where system failure would have the greatest negative impact to the community, and provides recommendations to improve such continuity and reliability;

(5) assesses Federal coordination regarding the remote automatic weather station network, air resource advisors, and other Federal observing assets used for weather and climate modeling and response activities, and provides recommendations for improvements; and

(6) includes such other recommendations as the Comptroller General determines are appropriate to improve the system.

SEC. 5712. EMERGENCY RESPONSE ACTIVITIES.

(a) DEFINITIONS.—In this section:

(1) BASIC PAY.—The term ''basic pay'' includes any applicable locality-based comparability payment under section 5304 of title 5, United States Code, any applicable special rate supplement under section 5305 of such title, or any equivalent payment under a similar provision of law.

(2) COVERED EMPLOYEE.—The term ''covered employee'' means an employee of the Department of Agriculture, the Department of the Interior, or the Department of Commerce.

(3) COVERED SERVICES.—The term ''covered services'' means services that are performed by a covered employee while serving—

(A) as a wildland firefighter or a fire management response official, including a regional fire director, a deputy regional fire director, and a fire management officer;

(B) as an incident meteorologist accompanying a wildland firefighter crew; or

(C) on an incident management team, at the National Interagency Fire Center, at a Geographic Area Coordinating Center, or at an operations center.

(4) PREMIUM PAY.—The term ''premium pay'' means premium pay paid under a provision of law described in the matter preceding paragraph (1) of section 5547(a) of title 5, United States Code.

(5) RELEVANT COMMITTEES.—The term ''relevant committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Commerce, Science, and Transportation of the Senate;

(C) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(D) the Committee on Appropriations of the Senate;

(E) the Committee on Energy and Natural Resources of the Senate;

(F) the Committee on Oversight and Reform of the House of Representatives;

(G) the Committee on Natural Resources of the House of Representatives;

(H) the Committee on Science, Space, and Technology of the House of Representatives;

(I) the Committee on Agriculture of the House of Representative; and

(J) the Committee on Appropriations of the House of Representatives.

(6) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of Agriculture, with respect to an employee of the Department of Agriculture;

(B) the Secretary of the Interior, with respect to an employee of the Department of the Interior; and

(C) the Secretary of Commerce, with respect to an employee of the Department of Commerce.

(b) WAIVER.—

(1) IN GENERAL.—Any premium pay received by a covered employee for covered services shall be disregarded in calculating the aggregate of the basic pay and premium pay for the covered employee for purposes of applying the limitation on premium pay under section 5547(a) of title 5, United States Code.

(2) CALCULATION OF AGGREGATE PAY.—Any pay that is disregarded under paragraph (1) shall be disregarded in calculating the aggregate pay of the applicable covered employee for purposes of applying the limitation under section 5307 of title 5, United States Code, during calendar year 2023.

(3) LIMITATION.—A covered employee may not be paid premium pay under this subsection if, or to the extent that, the aggregate of the basic pay and premium pay (including premium pay for covered services) of the covered employee for a calendar year would exceed the rate of basic pay payable for a position at level II of the Executive Schedule under section 5313 of title 5, United States Code, as in effect at the end of that calendar year.

(4) TREATMENT OF ADDITIONAL PREMIUM PAY.—If the application of this subsection results in the payment of additional premium pay to a covered employee of a type that is normally creditable as basic pay for retirement or any other purpose, that additional premium pay shall not be—

(A) considered to be basic pay of the covered employee for any purpose; or

(B) used in computing a lump-sum payment to the covered employee for accumulated and accrued annual leave under section 5551 or 5552 of title 5, United States Code.

(5) EFFECTIVE PERIOD.—This subsection shall be in effect during calendar year 2023 and apply to premium pay payable during that year.

(c) AMENDMENT.—Section 5542(a)(5) of title 5, United States Code, is amended by inserting '', the Department of Commerce,'' after ''Interior''.

(d) PLAN TO ADDRESS NEEDS.—

(1) DEVELOPMENT AND IMPLEMENTATION.—Not later than March 30, 2023, the Secretaries referred to in subsection (a)(6), in consultation with the Director of the Office of Management and Budget and the Director of the Office of Personnel Management, shall jointly develop and implement a plan that addresses the needs of the Department of Agriculture, the Department of the Interior, and the Department of Commerce, as applicable, to hire, appoint, promote, or train additional covered employees who carry out covered services such that sufficient covered employees are available throughout each fiscal year, beginning in fiscal year 2024, without the need for waivers of premium pay limitations.

(2) SUBMITTAL.—Not later than 30 days before the date on which the Secretaries implement the plan developed under paragraph (1), the Secretaries shall submit the plan to the relevant committees.

(3) LIMITATION.—The plan developed under paragraph (1) shall not be contingent on any Secretary receiving amounts appropriated for fiscal years beginning in fiscal year 2024 in amounts greater than amounts appropriated for fiscal year 2023.

(e) POLICIES AND PROCEDURES FOR HEALTH, SAFETY, AND WELL-BEING.—The Secretary concerned shall maintain polices and procedures to promote the health, safety, and well-being of covered employees.

SEC. 5713. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON INTERAGENCY WILDFIRE FORECASTING, PREVENTION, PLANNING, AND MANAGEMENT BODIES.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—

(1) identifies all Federal interagency bodies established for the purpose of wildfire forecasting, prevention, planning, and management (such as wildfire councils, commissions, and workgroups), including—

(A) the Wildland Fire Leadership Council;

(B) the National Interagency Fire Center;

(C) the Wildland Fire Management Policy Committee;

(D) the Wildland Fire Mitigation and Management Commission;

(E) the Joint Science Fire Program;

(F) the National Interagency Coordination Center;

(G) the National Predictive Services Oversight Group;

(H) the Interagency Council for Advancing Meteorological Services;

(I) the National Wildfire Coordinating Group;

(J) the National Multi-Agency Coordinating Group; and

(K) the Mitigation Framework Leadership Group;

(2) evaluates the roles, functionality, and utility of such interagency bodies;

(3) evaluates the progress, performance, and implementation of such interagency bodies;

(4) assesses efficacy and identifies potential overlap and duplication of such interagency bodies in carrying out interagency collaboration with respect to wildfire prevention, planning, and management; and

(5) includes such other recommendations as the Comptroller General determines are appropriate to streamline and improve wildfire forecasting, prevention, planning, and management, including recommendations regarding the interagency bodies for which the addition of the Administration is necessary to improve wildfire forecasting, prevention, planning, and management.

SEC. 5714. AMENDMENTS TO INFRASTRUCTURE INVESTMENT AND JOBS ACT RELATING TO WILDFIRE MITIGATION.

The Infrastructure Investment and Jobs Act (Public Law 117–58; 135 Stat. 429) is amended—

(1) in section 70202—

(A) in paragraph (1)—

(i) in subparagraph (J), by striking ''; and'' and inserting a semicolon;

(ii) in subparagraph (K), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(L) the Committee on Commerce, Science, and Transportation of the Senate; and

''(M) the Committee on Science, Space, and Technology of the House of Representatives.''; and

(B) in paragraph (6)—

(i) in subparagraph (B), by striking ''; and'' and inserting a semicolon;

(ii) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(D) The Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere.''; and

(2) in section 70203(b)(1)(B)—

(A) in the matter preceding clause (i), by striking ''9'' and inserting ''not fewer than 10'';

(B) in clause (i)—

(i) in subclause (IV), by striking ''; and'' and inserting a semicolon;

(ii) in subclause (V), by adding ''and'' at the end; and

(iii) by adding at the end the following:

''(VI) the National Oceanic and Atmospheric Administration.'';

(C) in clause (iv), by striking ''; and'' and inserting a semicolon; and

(D) by adding at the end the following:

''(vi) if the Secretaries determine it to be appropriate, 1 or more representatives from the relevant line offices of the National Oceanic and Atmospheric Administration; and''.

SEC. 5715. WILDFIRE TECHNOLOGY MODERNIZATION AMENDMENTS.

Section 1114 of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (43 U.S.C. 1748b–1) is amended—

(1) in subsection (c)(3), by inserting ''the National Oceanic and Atmospheric Administration,'' after ''Federal Aviation Administration,'';

(2) in subsection (e)(2)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

(B) by inserting after subparagraph (A) the following:

''(B) CONSULTATION.—

''(i) IN GENERAL.—In carrying out subparagraph (A), the Secretaries shall consult with the Under Secretary of Commerce for Oceans and Atmosphere regarding any development of impact-based decision support services that relate to wildfire-related activities of the National Oceanic and Atmospheric Administration.

''(ii) DEFINITION OF IMPACT-BASED DECISION SUPPORT SERVICES.—In this subparagraph, the term 'impact-based decision support services' means forecast advice and interpretative services the National Oceanic and Atmospheric Administration provides to help core partners, such as emergency personnel and public safety officials, make decisions when weather, water, and climate impact the lives and livelihoods of the people of the United States.''; and

(3) in subsection (f)—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the right;

(B) by striking ''The Secretaries'' and inserting the following:

''(1) IN GENERAL.—The Secretaries''; and

(C) by adding at the end the following:

''(2) COLLABORATION.—In carrying out paragraph (1), the Secretaries shall collaborate with the Under Secretary of Commerce for Oceans and Atmosphere to improve coordination, utility of systems and assets, and interoperability of data for smoke prediction, forecasting, and modeling.''.

SEC. 5716. COOPERATION; COORDINATION; SUPPORT TO NON-FEDERAL ENTITIES.

(a) COOPERATION.—Each Federal agency shall cooperate and coordinate with the Under Secretary, as appropriate, in carrying out this title and the amendments made by this title.

(b) COORDINATION.—

(1) IN GENERAL.—In meeting the requirements under this title and the amendments made by this title, the Under Secretary shall coordinate, and as appropriate, establish agreements with Federal and external partners to fully use and leverage existing assets, systems, networks, technologies, and sources of data.

(2) INCLUSIONS.—Coordination carried out under paragraph (1) shall include coordination with—

(A) the National Interagency Fire Center, including the Predictive Services Program that provides impact-based decision support services to the wildland fire community at the Geographic Area Coordination Center and the National Interagency Coordination Center;

(B) the National Wildfire Coordinating Group; and

(C) relevant interagency bodies identified in the report required by section 5713.

(3) CONSULTATION.—In carrying out this subsection, the Under Secretary shall consult with Federal partners.

(c) COORDINATION WITH NON-FEDERAL ENTITIES.—Not later than 540 days after the date of the enactment of this Act, the Under Secretary shall develop and submit to the appropriate committees of Congress a process for annual coordination with Tribal, State, and local governments to assist the development of improved fire weather products and services.

(d) SUPPORT TO NON-FEDERAL ENTITIES.—In carrying out the activities under this title and the amendments made by this title, the Under Secretary may provide support to non-Federal entities by making funds and resources available through—

(1) competitive grants;

(2) contracts under the mobility program under subchapter VI of chapter 33 of title 5, United States Code (commonly referred to as the ''Intergovernmental Personnel Act Mobility Program'');

(3) cooperative agreements; and

(4) colocation agreements as described in section 502 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Amendments Act of 2020 (33 U.S.C. 851 note prec.).

SEC. 5717. INTERNATIONAL COORDINATION.

(a) IN GENERAL.—The Under Secretary, in coordination with the Secretary of State, may develop collaborative relationships with foreign partners and counterparts to address transboundary issues pertaining to wildfires, fire weather, smoke, air quality, and associated conditions and hazards or other relevant meteorological phenomena, as appropriate, to facilitate full and open exchange of data and information.

(b) COORDINATION.—In carrying out activities under this section, the Under Secretary shall coordinate with other Federal agencies as the Under Secretary considers relevant.

SEC. 5718. SUBMISSIONS TO CONGRESS REGARDING THE FIRE WEATHER SERVICES PROGRAM, INCIDENT METEOROLOGIST WORKFORCE NEEDS, AND NATIONAL WEATHER SERVICE WORKFORCE SUPPORT.

(a) REPORT TO CONGRESS.—Not later than 540 days after the date of the enactment of this Act, the Under Secretary shall submit to the appropriate committees of Congress—

(1) the plan described in subsection (b);

(2) the assessment described in subsection (c); and

(3) the assessment described in subsection (d).

(b) FIRE WEATHER SERVICES PROGRAM PLAN.—

(1) ELEMENTS.—The plan submitted under subsection (a)(1) shall detail—

(A) the observational data, modeling requirements, ongoing computational needs, research, development, and technology transfer activities, data management, skilled-personnel requirements, engagement with relevant Federal emergency and land management agencies and partners, and corresponding resources and timelines necessary to achieve the functions described in subsection (b) of section 5703 and the priorities described in subsection (c) of such section; and

(B) plans and needs for all other activities and requirements under this title and the amendments made by this title.

(2) SUBMITTAL OF ANNUAL BUDGET FOR PLAN.—Following completion of the plan submitted under subsection (a)(1), the Under Secretary shall, not less frequently than once each year concurrent with the submission of the budget by the President to Congress under section 1105 of title 31, United States Code, submit to Congress a proposed budget corresponding with the elements detailed in the plan.

(c) INCIDENT METEOROLOGIST WORKFORCE NEEDS ASSESSMENT.—

(1) IN GENERAL.—The Under Secretary shall conduct a workforce needs assessment on the current and future demand for additional incident meteorologists for wildfires and other high-impact fire weather events.

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

(A) A description of staffing levels as of the date on which the assessment is submitted under subsection (a)(2) and projected future staffing levels.

(B) An assessment of the state of the infrastructure of the National Weather Service as of the date on which the assessment is submitted and future needs of such infrastructure in order to meet current and future demands, including with respect to information technology support and logistical and administrative operations.

(3) CONSIDERATIONS.—In conducting the assessment required by paragraph (1), the Under Secretary shall consider factors including projected climate conditions, infrastructure, relevant hazard meteorological response system equipment, user needs, and feedback from relevant stakeholders.

(d) SUPPORT SERVICES ASSESSMENT.—

(1) IN GENERAL.—The Under Secretary shall conduct a workforce support services assessment with respect to employees of the National Weather Service engaged in emergency response.

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

(A) An assessment of need for further support of employees of the National Weather Service engaged in emergency response through services provided by the Public Health Service.

(B) A detailed assessment of appropriations required to secure the level of support services needed as identified in the assessment described in subparagraph (A).

(3) ADDITIONAL SUPPORT SERVICES.—Following the completion of the assessment required by paragraph (1), the Under Secretary shall seek to acquire additional support services to meet the needs identified in the assessment.

SEC. 5719. GOVERNMENT ACCOUNTABILITY OFFICE REPORT; FIRE SCIENCE AND TECHNOLOGY WORKING GROUP; STRATEGIC PLAN.

(a) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that identifies—

(1) the authorities, roles, and science and support services relating to Federal agencies engaged in or providing wildland fire prediction, detection, forecasting, modeling, resilience, response, management, and assessments; and

(2) recommended areas in and mechanisms by which the agencies listed under paragraph (1) could support and improve—

(A) coordination between Federal agencies, State and local governments, Tribal governments, and other relevant stakeholders, including through examination of possible public-private partnerships;

(B) research and development, including interdisciplinary research, related to fire environments, wildland fires, associated smoke, and the impacts of such environments, fires, and smoke, in furtherance of a coordinated interagency effort to address wildland fire risk reduction;

(C) data management and stewardship, the development and coordination of data systems and computational tools, and the creation of a centralized, integrated data collaboration environment for agency data, including historical data, relating to weather, fire environments, wildland fires, associated smoke, and the impacts of such environments, fires, and smoke, and the assessment of wildland fire risk mitigation measures;

(D) interoperability, usability, and accessibility of the scientific data, data systems, and computational and information tools of the agencies listed under paragraph (1);

(E) coordinated public safety communications relating to fire weather events, fire hazards, and wildland fire and smoke risk reduction strategies; and

(F) secure and accurate real-time data, alerts, and advisories to wildland firefighters and other decision support tools for wildland fire incident command posts.

(b) FIRE SCIENCE AND TECHNOLOGY WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the Executive Director of the Interagency Committee for Advancing Weather Services established under section 402 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8542) (in this section referred to as the ''Interagency Committee'') shall establish a working group, to be known as the ''Fire Science and Technology Working Group'' (in this section referred to as the ''Working Group'').

(2) CHAIR.—The Working Group shall be chaired by the Under Secretary, or designee.

(3) GENERAL DUTIES.—

(A) IN GENERAL.—The Working Group shall seek to build efficiencies among the agencies listed under subsection (a)(1) and coordinate the planning and management of science, research, technology, and operations related to science and support services for wildland fire prediction, detection, forecasting, modeling, resilience, response, management, and assessments.

(B) INPUT.—The Working Group shall solicit input from non-Federal stakeholders.

(c) STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than 540 days after the date of the enactment of this Act, the Interagency Committee shall prepare and submit to the committees specified in paragraph (3) a strategic plan for interagency coordination, research, and development that will improve the assessment of fire environments and the understanding and prediction of wildland fires, associated smoke, and the impacts of such fires and smoke, including—

(A) at the wildland-urban interface;

(B) on communities, buildings, and other infrastructure;

(C) on ecosystem services and watersheds;

(D) social and economic impacts;

(E) by developing and encouraging the adoption of science-based and cost-effective measures—

(i) to enhance community resilience to wildland fires;

(ii) to address and mitigate the impacts of wildland fire and associated smoke; and

(iii) to restore natural fire regimes in fire-dependent ecosystems;

(F) by improving the understanding and mitigation of the effects of weather and long-term drought on wildland fire risk, frequency, and severity;

(G) through integrations of social and behavioral sciences in public safety fire communication;

(H) by improving the forecasting and understanding of prescribed fires and the impacts of such fires, and how those impacts may differ from impacts of wildland fires that originate from an unplanned ignition; and

(I) consideration and adoption of any recommendations included in the report required by subsection (a) pursuant to paragraph (2) of such subsection.

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

(A) A description of the priorities and needs of vulnerable populations.

(B) A description of high-performance computing, visualization, and dissemination needs.

(C) A timeline and guidance for implementation of—

(i) an interagency data sharing system for data relevant to performing fire assessments and modeling fire risk and fire behavior;

(ii) a system for ensuring that the fire prediction models of relevant agencies can be interconnected; and

(iii) to the maximum extent practicable, any recommendations included in the report required by subsection (a).

(D) A plan for incorporating and coordinating research and operational observations, including from infrared technologies, microwave, radars, satellites, mobile weather stations, and uncrewed aerial systems.

(E) A flexible framework to communicate clear and simple fire event information to the public.

(F) Integration of social, behavioral, risk, and communication research to improve the fire operational environment and societal information reception and response.

(3) COMMITTEES SPECIFIED.—The committees specified in this paragraph are—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Energy and Natural Resources of the Senate;

(C) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(D) the Committee on Agriculture of the House of Representatives;

(E) the Committee on Natural Resources of the House of Representatives; and

(F) the Committee on Science, Space, and Technology of the House of Representatives.

SEC. 5720. FIRE WEATHER RATING SYSTEM.

(a) IN GENERAL.—The Under Secretary shall, in collaboration with the Chief of the United States Forest Service, the Director of the United States Geological Survey, the Director of the National Park Service, the Administrator of the Federal Emergency Management Agency, and such stakeholders as the Under Secretary considers appropriate—

(1) evaluate the system used as of the date of the enactment of this Act to rate the risk of wildfire; and

(2) determine whether updates to that system are required to ensure that the ratings accurately reflect the severity of fire risk.

(b) UPDATE REQUIRED.—If the Under Secretary determines under subsection (a) that updates to the system described in paragraph (1) of such subsection are necessary, the Under Secretary shall update that system.

SEC. 5721. AVOIDANCE OF DUPLICATION.

(a) IN GENERAL.—The Under Secretary shall ensure, to the greatest extent practicable, that activities carried out under this title and the amendments made by this title are not duplicative of activities supported by other parts of the Administration or other relevant Federal agencies.

(b) COORDINATION.—In carrying out activities under this title and the amendments made by this title, the Under Secretary shall coordinate with the Administration and heads of other Federal research agencies—

(1) to ensure those activities enhance and complement, but do not constitute unnecessary duplication of, efforts; and

(2) to ensure the responsible stewardship of funds.

SEC. 5722. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—In addition to amounts appropriated under title VIII of division D of the Infrastructure Investment and Jobs Act (Public Law 117–58; 135 Stat. 1094), there are authorized to be appropriated to the Administration to carry out new policies and programs to address fire weather under this title and the amendments made by this title—

(1) $15,000,000 for fiscal year 2023;

(2) $111,360,000 for fiscal year 2024;

(3) $116,928,000 for fiscal year 2025;

(4) $122,774,400 for fiscal year 2026; and

(5) $128,913,120 for fiscal year 2027.

(b) PROHIBITION.—None of the amounts authorized to be appropriated by subsection (a) may be used to unnecessarily duplicate activities funded under title VIII of division D of the Infrastructure Investment and Jobs Act (Public Law 117–58; 135 Stat. 1094).

TITLE LVIII—LEARNING EXCELLENCE AND GOOD EXAMPLES FROM NEW DEVELOPERS

SEC. 5801. SHORT TITLE.

This title may be cited as the ''Learning Excellence and Good Examples from New Developers Act of 2022'' or the ''LEGEND Act of 2022''.

SEC. 5802. DEFINITIONS.

In this title:

(1) ADMINISTRATION.—The term ''Administration'' means the National Oceanic and Atmospheric Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Under Secretary of Commerce for Oceans and Atmosphere and Administrator of the National Oceanic and Atmospheric Administration.

(3) EARTH PREDICTION INNOVATION CENTER.—The term ''Earth Prediction Innovation Center'' means the community global weather research modeling system described in paragraph (5)(E) of section 102(b) of the Weather Research Forecasting and Innovation Act of 2017 (15 U.S.C. 8512(b)), as redesignated by section 5804(g).

(4) MODEL.—The term ''model'' means any vetted numerical model and associated data assimilation of the Earth's system or its components—

(A) developed, in whole or in part, by scientists and engineers employed by the Administration; or

(B) otherwise developed using Federal funds.

(5) OPERATIONAL MODEL.—The term ''operational model'' means any model that has an output used by the Administration for operational functions.

(6) SUITABLE MODEL.—The term ''suitable model'' means a model that meets the requirements described in paragraph (5)(E)(ii) of section 102(b) of the Weather Research Forecasting and Innovation Act of 2017 (15 U.S.C. 8512(b)), as redesignated by section 5804(g), as determined by the Administrator.

SEC. 5803. PURPOSES.

The purposes of this title are—

(1) to support innovation in modeling by allowing interested stakeholders to have easy and complete access to the models used by the Administration, as the Administrator determines appropriate; and

(2) to use vetted innovations arising from access described in paragraph (1) to improve modeling by the Administration.

SEC. 5804. PLAN AND IMPLEMENTATION OF PLAN TO MAKE CERTAIN MODELS AND DATA AVAILABLE TO THE PUBLIC.

(a) IN GENERAL.—The Administrator shall develop and implement a plan to make available to the public the following:

(1) Operational models developed by the Administration.

(2) Models that are not operational models, including experimental and developmental models, as the Administrator determines appropriate.

(3) Applicable information and documentation for models described in paragraphs (1) and (2).

(4) Subject to section 5807, all data owned by the Federal Government and data that the Administrator has the legal right to redistribute that are associated with models made available to the public pursuant to the plan and used in operational forecasting by the Administration, including—

(A) relevant metadata;

(B) data used for operational models used by the Administration as of the date of the enactment of this Act; and

(C) a description of intended model outputs.

(b) ACCOMMODATIONS.—In developing and implementing the plan under subsection (a), the Administrator may make such accommodations as the Administrator considers appropriate to ensure that the public release of any model, information, documentation, or data pursuant to the plan does not jeopardize—

(1) national security;

(2) intellectual property or redistribution rights, including under titles 17 and 35, United States Code;

(3) any trade secret or commercial or financial information subject to section 552(b)(4) of title 5, United States Code;

(4) any models or data that are otherwise restricted by contract or other written agreement; or

(5) the mission of the Administration to protect lives and property.

(c) PRIORITY.—In developing and implementing the plan under subsection (a), the Administrator shall prioritize making available to the public the models described in subsection (a)(1).

(d) PROTECTIONS FOR PRIVACY AND STATISTICAL INFORMATION.—In developing and implementing the plan under subsection (a), the Administrator shall ensure that all requirements incorporated into any models described in subsection (a)(1) ensure compliance with statistical laws and other relevant data protection requirements, including the protection of any personally identifiable information.

(e) EXCLUSION OF CERTAIN MODELS.—In developing and implementing the plan under subsection (a), the Administrator may exclude models that the Administrator determines will be retired or superseded in fewer than 5 years after the date of the enactment of this Act.

(f) PLATFORMS.—In carrying out subsections (a) and (b), the Administrator may use government servers, contracts or agreements with a private vendor, or any other platform consistent with the purpose of this title.

(g) SUPPORT PROGRAM.—The Administrator shall plan for and establish a program to support infrastructure, including telecommunications and technology infrastructure of the Administration and the platforms described in subsection (f), relevant to making operational models and data available to the public pursuant to the plan under subsection (a).

(h) TECHNICAL CORRECTION.—Section 102(b) of the Weather Research Forecasting and Innovation Act of 2017 (15 U.S.C. 8512(b)) is amended by redesignating the second paragraph (4) (as added by section 4(a) of the National Integrated Drought Information System Reauthorization Act of 2018 (Public Law 115–423; 132 Stat. 5456)) as paragraph (5).

SEC. 5805. REQUIREMENT TO REVIEW MODELS AND LEVERAGE INNOVATIONS.

The Administrator shall—

(1) consistent with the mission of the Earth Prediction Innovation Center, periodically review innovations and improvements made by persons outside the Administration to the operational models made available to the public pursuant to the plan under section 5804(a) in order to improve the accuracy and timeliness of forecasts of the Administration; and

(2) if the Administrator identifies an innovation for a suitable model, develop and implement a plan to use the innovation to improve the model.

SEC. 5806. REPORT ON IMPLEMENTATION.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Administrator shall submit to the appropriate congressional committees a report on the implementation of this title that includes a description of—

(1) the implementation of the plan required by section 5804;

(2) the process of the Administration under section 5805—

(A) for engaging with interested stakeholders to learn what innovations those stakeholders have found;

(B) for reviewing those innovations; and

(C) for operationalizing innovations to improve suitable models.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

(2) the Committee on Science, Space, and Technology and the Committee on Appropriations of the House of Representatives.

SEC. 5807. PROTECTION OF NATIONAL SECURITY INTERESTS.

(a) IN GENERAL.—Notwithstanding any other provision of this title, the Administrator, in consultation with the Secretary of Defense, as appropriate, may withhold any model or data if the Administrator determines doing so to be necessary to protect the national security interests of the United States.

(b) RULE OF CONSTRUCTION.—Nothing in this title shall be construed to supersede any other provision of law governing the protection of the national security interests of the United States.

SEC. 5808. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this title $2,000,000 for each of fiscal years 2023 through 2027.

(b) DERIVATION OF FUNDS.—Funds to carry out this section shall be derived from amounts authorized to be appropriated to the National Weather Service that are enacted after the date of the enactment of this Act.

Mr. REED. Mr. President, I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 6442 TO AMENDMENT NO. 5499, AS MODIFIED

Mr. REED. Mr. President, I have an amendment to the substitute, and I ask that it be reported by number.

The PRESIDING OFFICER (Mr. KING). The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED] proposes an amendment numbered 6442 to amendment No. 5499.

The amendment is as follows:

(Purpose: To add an effective date)

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

AMENDMENTS RECEIVED

Mr. REED. Mr. President, I submit amendments on behalf of other Senators.

The PRESIDING OFFICER. The amendments will be received.

(The amendments are printed in today's RECORD under ''Text of Amendments.'')

Mr. REED. Mr. President, I rise to discuss the fiscal year 2023 National Defense Authorization Act. In a few minutes, I will bring up this bill, which the Armed Services Committee passed by a broad bipartisan vote of 23 to 3 in June. I am glad we have the opportunity to consider the NDAA on the Senate floor. We are at a critical period in our Nation's security, and this bill will help ensure our military has the tools and capabilities it needs to combat threats around the globe and keep Americans safe.

First, I would like to acknowledge Ranking Member INHOFE, whose leadership on this committee and in this body has been invaluable. His commitment to our men and women in uniform is unwavering, and he was instrumental in helping produce this bipartisan legislation. In honor of his well-earned retirement, I am pleased that the committee voted to name this year's bill the James M. Inhofe National Defense Authorization Act.

As we discuss the NDAA, we must keep in mind that the United States is engaged in a long-term strategic competition with China and Russia. Beijing poses the primary potential threat to our national security, as the only country in the world with the economic and technological capacity to mount a sustained challenge to our interests. And, as we have seen with disturbing clarity, Putin has demonstrated his willingness to inflict violence and undermine global world order for his own benefit. The importance of U.S. support for the Ukrainian people cannot be overstated. They are fighting our fight, and we must aid them.

Elsewhere, states like Iran and North Korea continue to push the boundaries of military brinksmanship, and issues like terrorism, climate change, and pandemics remain persistent threats. The interconnected nature of these problems must drive how we resource and transform our tools of national power. The passage of the fiscal year 2023 National Defense Authorization Act will be a critical step toward meeting these complex challenges.

Turning to the specifics of this year's defense bill, the NDAA authorizes $817 billion for the Department of Defense and $29 billion for national security programs within the Department of Energy. The bill contains a number of important provisions that I would like to briefly highlight.

To begin, we have to ensure that the United States can outcompete, deter, and prevail against our near-peer rivals. This NDAA confronts China and Russia by fully investing in the Pacific Deterrence Initiative, the European Deterrence Initiative, and the Ukraine Security Assistance Initiative.

As part of this effort, the bill increases the defense topline authorization by $45 billion to address the effects of inflation and accelerate implementation of the national defense strategy. This topline boost will accelerate the production of certain munitions and increase procurement of aircraft, naval vessels, armored vehicles, long-range fires, and other resources needed by the services and combatant commands.

The committee has also included an authorization of $1 billion for the National Defense Stockpile to acquire strategic and critical minerals currently in shortfall. This will go a long way to help meet the defense, industrial, and essential civilian needs of the United States.

We also include additional support for our industrial base to produce the munitions needed to backfill our stocks, while also keeping supplies flowing to Ukraine and other European allies. Many Senators on both sides of the aisle have been actively engaged in this effort, but I especially want to recognize Senator SHAHEEN's leadership. She has been instrumental in pushing new authorities that can be helpful for the Department of Defense to address the current challenge we have and better posture us for our future. Senator SHAHEEN's work has been highly impactful in the direction we ultimately took, which is reflected in the amendment that Senator INHOFE and I have offered as part of the managers' package.

Relatedly, America's capacity for technological innovation has long given us the strongest economy and military on Earth, but this advantage is not a given. It must be nurtured and maintained. To that end, this year's NDAA authorizes significant funding increases for cutting-edge technologies like microelectronics, hypersonic weapons, and low-cost unmanned aircraft. Similarly, it increases funding to support U.S. Cyber Command's Hunt Forward Operations and artificial intelligence capabilities.

And, as we navigate threats of nuclear escalation from Russia and increasing capabilities from China, the NDAA enhances our deterrence by helping to marginalize the U.S. nuclear triad. It also makes progress in ensuring the safety, security, and reliability of our nuclear stockpile, delivery systems, and infrastructure; increasing capacity in theater and homeland missile defense; and strengthening nonproliferation programs.

Importantly, this year's NDAA provides a 4.6-percent pay raise for both servicemembers and their Department of Defense civilian workforce. It also authorizes additional funding to ease the impacts of inflation on the force and provides resources to support recruiting and retention needs.

When I introduce the fiscal year 2023 NDAA, it will be a substitute to the House-passed NDAA. This substitute will be modified with a package of amendments that have been cleared on both sides. There are 75 amendments, including 6 major authorization bills from other committees.

Again, I am pleased that we have brought this bill to the floor so the entire Senate has an opportunity to participate in the process.

I also want to take a moment to thank all the staff who accomplished this herculean task in a week. The staff of the Armed Services Committee worked tirelessly to ensure every possible amendment was cleared and included.

I particularly want to thank Kevin Davis of the Office of Legislative Counsel, who went above and beyond to draft this substitute.

The staff did a remarkable job, working tirelessly. They were led by Liz King and John Wason, and I salute both of them and all the members of the staff for their extraordinary efforts.

The topline defense number in this bill, together with the allocations set by Chairman LEAHY for defense and nondefense funding across the appropriations bills, provides a realistic balance for funding the military and the rest of the Federal Government. Once we have completed work on this important authorization bill, we need to complete the appropriations process.

Let me conclude by once again thanking Ranking Member INHOFE and my colleagues. I particularly want to recognize and thank the Presiding Officer, Senator KING of Maine, for his great work, and all for their thoughtful and bipartisan efforts to develop this important piece of legislation. I would also like to thank the staff, as I said before, for their tireless efforts on this bill throughout the year.

I look forward to a thoughtful debate on the issues that face our Department of Defense and national security.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

(At the request of Mr. REED, the following statement was ordered to be printed in the RECORD.)

NATIONAL DEFENSE AUTHORIZATION ACT

• Mr. INHOFE. Mr. President, the National Defense Authorization Act is the most important bill we pass every year—and especially the most important bill we pass for our troops. This year is no different.

Some may disagree with me, but let me point you to an old document not too many people read anymore, called the Constitution; it tells us what we are supposed to be doing here: defending America.

This is a responsibility I do not take lightly, and I know my colleagues share in my desire to get this bill passed. I am particularly eager to get this bill passed because, as you all know, it is my last NDAA to shepherd through the Senate, and there has been a lot of them at this point.

Specifically, I want to take a moment to recognize my good friend, JACK REED. We are both Army veterans and understand that the most important thing we do all year is the NDAA, where we work to get the troops what they need to do their jobs and make sure they are taken care of. I don't think there are two closer friends than JACK REED and myself here in the Senate, and I am proud to have worked on my last defense bill alongside him.

This bill is truly a bipartisan, comprehensive product. We have already agreed to more than 70 bipartisan amendments in the manager's package of amendments, and those numbers don't include the hundreds of provisions written by Members that are already in the bill.

It is easy to forget what brings us together around here, but the National Defense Authorization Act is a bill we must put aside our differences and pass every year. We are about to enter the 62nd year of passing the NDAA with far-reaching, bipartisan support.

Senator REED, the Armed Services Committee, and I, we worked hard to make this a bipartisan bill—in the base text, in the committee mark, and now with this manager's package of amendments authored by many Members of the Senate.

We are one step closer to getting this product to the finish line and making sure our military is provided for in the coming years.

I can't think of one thing we have come together to pass for over 60 years straight other than the NDAA. It truly is remarkable.

I thank my colleagues for their contributions, I look forward to our continued debate on this important bill—the most important bill we will do all year.●

ADDITIONAL STATEMENTS

100TH ANNIVERSARY OF THE REHOBOTH BEACH PATROL

● Mr. CARPER. Mr. President, I rise today in honor of the 100th anniversary of the Rehoboth Beach Patrol in Rehoboth Beach, DE. With over a century of excellence in safety, a strong history in lifeguard competition achievements, and a fully operational emergency medical unit, the Rehoboth Beach Patrol is a leading beach patrol in the Nation.

It takes a world class beach patrol to protect a world-class beach, and over the years, the beach patrol has expanded from its humble beginnings. The Rehoboth Beach Patrol was established in 1921 by Benjamin F. Shaw and the Red Cross with just two guards. In 1938, it expanded to 17 guards protecting eight beaches. Over the years, the beach patrol added additional guards to a total of 65 and lifesaving equipment, as Rehoboth Beach attracted more and more tourists far and wide to enjoy its beaches.

Perhaps most impressive is that over its more than 100-year history, the beach patrol has recorded only one drowning under its watch. The beach patrol prides itself on ensuring safety both in the water and on its beaches, something that a machine or camera cannot do. It is the skill of the lifeguards, their attention, and ability to manage the beach that keeps everyone safe and having fun.

When an organization like the Rehoboth Beach Patrol reaches a 100-year milestone, it has seen much more change than just the style of bathing suits, it has also seen a change in the demographics of its members. From just two men to a diverse group of lifeguards that are half women, the beach patrol is a reflection of the changes in the seaside town over the century.

I am honored to rise today to honor the many men and women of the Rehoboth Beach Patrol who have sacrificed their safety in order to protect others. They are true public servants who make Rehoboth Beach—and our great State—a wonderful and safe place for people of all ages to visit and enjoy. You are all a point of pride for our State, and I wish you many more years of service to Delaware.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2021, the Secretary of the Senate, on September 30, 2022, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bills, without amendment:

S. 958. An act to amend the Public Health Service Act to expand the allowable use criteria for new access points grants for community health centers.

S. 1198. An act to amend title 38, United States Code, to improve and expand the Solid Start program of the Department of Veterans Affairs, and for other purposes.

S. 2551. An act to require the Director of the Office of Management and Budget to establish or otherwise provide an artificial intelligence training program for the acquisition workforce, and for other purposes.

S. 2794. An act to amend title 38, United States Code, to increase automatic maximum coverage under the Servicemembers' Group Life Insurance program and the Veterans' Group Life Insurance program, and for other purposes.

S. 3470. An act to provide for the implementation of certain trafficking in contracting provisions, and for other purposes.

The message further announced that the House agreed to the following concurrent resolution, without amendment:

S. Con. Res. 45. Concurrent resolution providing for a correction in the enrollment of H.R. 6833.

The message also announced that the House agreed to the amendments of the Senate to the bill (H.R. 5641) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to increase the threshold for eligibility for assistance under sections 403, 406, 407, and 502 of such Act, and for other purposes.

The message further announced that the House agreed to the amendment of the Senate to the bill (H.R. 6833) making continuing appropriations for fiscal year 2023, and for other purposes.

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2021, the Secretary of the Senate, on September 29, 2022, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills:

S. 3969. An act to amend the Help America Vote Act of 2002 to explicitly authorize distribution of grant funds to the voting accessibility protection and advocacy system of the Commonwealth of the Northern Mariana Islands and the system serving the American Indian consortium, and for other purposes.

S. 4900. An act to reauthorize the SBIR and STTR programs and pilot programs, and for other purposes.

Under the authority of the order of the Senate of January 3, 2021, the enrolled bills were signed on September 30, 2022, during the adjournment of the Senate by the Vice President.

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2021, the Secretary of the Senate, on September 29, 2022, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills:

H.R. 91. An act to designate the facility of the United States Postal Service located at 810 South Pendleton Street in Easley, South Carolina, as the ''Private First Class Barrett Lyle Austin Post Office Building''.

H.R. 92. An act to designate the facility of the United States Postal Service located at 110 Johnson Street in Pickens, South Carolina, as the ''Specialist Four Charles Johnson Post Office''.

H.R. 468. An act to amend title 49, United States Code, to permit the use of incentive payments to expedite certain federally financed airport development projects.

H.R. 2142. An act to designate the facility of the United States Postal Service located at 170 Manhattan Avenue in Buffalo, New York, as the ''Indiana Hunt-Martin Post Office Building''.

H.R. 3508. An act to designate the facility of the United States Postal Service located at 39 West Main Street, in Honeoye Falls, New York, as the ''CW4 Christian J. Koch Memorial Post Office''.

H.R. 3539. An act to designate the facility of the United States Postal Service located at 223 West Chalan Santo Papa in Hagatna, Guam, as the ''Atanasio Taitano Perez Post Office''.

H.R. 4693. An act to advance targeted and evidence-based interventions for the prevention and treatment of global malnutrition and to improve the coordination of such programs, and for other purposes.

H.R. 5809. An act to designate the facility of the United States Postal Service located

at 1801 Town and Country Drive in Norco, California, as the ''Lance Corporal Kareem Nikoui Memorial Post Office Building''.

H.R. 7500. An act to authorize major medical facility projects for the Department of Veterans Affairs for fiscal year 2022, and for other purposes.

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

S. 169. An act to amend title 17, United States Code, to require the Register of Copyrights to waive fees for filing an application for registration of a copyright claim in certain circumstances, and for other purposes.

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

S. 516. An act to plan for and coordinate efforts to integrate advanced air mobility aircraft into the national airspace system, and for other purposes.

S. 1098. An act to amend the Higher Education Act of 1965 to authorize borrowers to separate joint consolidation loans.

S. 2490. An act to establish the Blackwell School National Historic Site in Marfa, Texas, and for other purposes.

S. 2771. An act to designate the community-based outpatient clinic of the Department of Veterans Affairs in San Angelo, Texas, as the ''Colonel Charles and JoAnne Powell Department of Veterans Affairs Clinic''.

S. 3157. An act to require the Secretary of Labor to conduct a study of the factors affecting employment opportunities for immigrants and refugees with professional credentials obtained in foreign countries.

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

Under the authority of the order of the Senate of January 3, 2021, the enrolled bills were signed on October 4, 2022, during the adjournment of the Senate by the Acting President pro tempore (Mr. VAN HOLLEN).

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2021, the Secretary of the Senate, on September 30, 2022, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

H.R. 6833. An act making continuing appropriations for fiscal year 2023, and for other purposes.

Under the authority of the order of the Senate of January 3, 2021, the enrolled bills were signed on September 30, 2022, during the adjournment of the Senate by the Vice President.

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2021, the Secretary of the Senate, on September 30, 2022, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. BEYER) had signed the following enrolled bills:

H.R. 4877. An act to amend the Small Business Act to require the Small Business and Agriculture Regulatory Enforcement Ombudsman to create a centralized website for compliance guides, and for other purposes.

H.R. 7698. An act to designate the outpatient clinic of the Department of Veterans Affairs in Ventura, California, as the ''Captain Rosemary Bryant Mariner Outpatient Clinic''.

S. 4791. An act to amend section 301 of title 44, United States Code, to establish a term for the appointment of the Director of the Government Publishing Office.

Under the authority of the order of the Senate of January 3, 2021, the enrolled bills were signed on October 4, 2022, during the adjournment of the Senate by the Acting President pro tempore (Mr. VAN HOLLEN).

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2021, the Secretary of the Senate, on October 4, 2022, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills:

H.R. 1766. An act to enhance cooperation between the Federal Trade Commission and State Attorneys General to combat unfair and deceptive practices, and for other purposes.

H.R. 5641. An act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to increase the threshold for eligibility for assistance under sections 403, 406, 407, and 502 of such Act, and for other purposes.

H.R. 8982. An act to amend the Harmonized Tariff Schedule of the United States to suspend temporarily rates of duty imports of certain infant formula base powder used in the manufacturing of infant formula in the United States, and for other purposes.

Under the authority of the order of the Senate of January 3, 2021, the enrolled bills were signed on October 4, 2022, during the adjournment of the Senate by the Acting President pro tempore (Mr. VAN HOLLEN).

MESSAGE FROM THE HOUSE

At 11:02 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1638. An act to direct the Secretary of Agriculture to transfer certain National Forest System land to the State of South Dakota, and for other purposes.

H.R. 3304. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide or assist in providing an additional vehicle adapted for operation by disabled individuals to certain eligible persons, and for other purposes.

H.R. 3843. An act to protect competition and promote antitrust enforcement by adjusting premerger filing fees to increase antitrust enforcement resources.

H.R. 4081. An act to require the disclosure of a camera or recording capability in certain internet-connected devices.

H.R. 4821. An act to hold accountable senior officials of the Government of the People's Republic of China who are responsible for or have directly carried out, at any time, persecution of Christians or other religious minorities in China, and for other purposes.

H.R. 6889. An act to amend the Federal Credit Union Act to modify the frequency of board of directors meetings, and for other purposes.

H.R. 6965. An act to promote travel and tourism in the United States, and for other purposes.

H.R. 6967. An act to implement merit-based reforms to the civil service hiring system that replace degree-based hiring with skills- and competency-based hiring, and for other purposes.

H.R. 7321. An act to amend title 49, United States Code, to require certain air carriers to provide reports with respect to maintenance, preventive maintenance, or alterations, and for other purposes.

H.R. 7780. An act to support the behavioral needs of students and youth, invest in the school-based behavioral health workforce, and ensure access to mental health and substance use disorder benefits.

H.R. 8163. An act to amend the Public Health Service Act with respect to trauma care.

H.R. 8446. An act to modify and extend the Global Food Security Act of 2016.

H.R. 8463. An act to modify the requirements under the Millennium Challenge Act of 2003 for candidate countries, and for other purposes.

H.R. 8466. An act to require the head of each agency to establish a plan relating to the safety of Federal employees and contractors physically present at certain worksites during a nationwide public health emergency declared for an infectious disease, and for other purposes.

H.R. 8510. An act to amend title 38, United States Code, to make certain improvements to the Office of Accountability and Whistleblower Protection of the Department of Veterans Affairs, and for other purposes.

H.R. 8681. An act to establish the John Lewis Civil Rights Fellowship to fund international internships and research placements for early- to mid-career professionals to study nonviolent movements to establish and protect civil rights around the world.

H.R. 8875. An act to amend title 38, United States Code, to expand eligibility of members of the National Guard for housing loans guaranteed by the Secretary of Veterans Affairs.

H.R. 8888. An act to amend title 38, United States Code, to establish in the Department of Veterans Affairs an Office of Food Security, and for other purposes.

H.R. 8956. An act to amend chapter 36 of title 44, United States Code, to improve the cybersecurity of the Federal government, and for other purposes.

H.R. 8987. An act to amend the Justice for United States Victims of State Sponsored Terrorism Act to authorize appropriations for catch-up payments from the United States Victims of State Sponsored Terrorism Fund.

The message further announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 3662. An act to temporarily increase the cost share authority for aqueous film forming foam input-based testing equipment, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker pro tempore (Mr. BEYER) has signed the following enrolled bills:

S. 958. An act to amend the Public Health Service Act to expand the allowable use criteria for new access points grants for community health centers.

S. 1198. An act to amend title 38, United States Code, to improve and expand the Solid Start program of the Department of Veterans Affairs, and for other purposes.

S. 2551. An act to require the Director of the Office of Management and Budget to establish or otherwise provide an artificial intelligence training program for the acquisition workforce, and for other purposes.

S. 2794. An act to amend title 38, United States Code, to increase automatic maximum coverage under the Servicemembers' Group Life Insurance program and the Veterans' Group Life Insurance program, and for other purposes.

S. 3470. An act to provide for the implementation of certain trafficking in contracting provisions, and for other purposes.

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

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3304. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide or assist in providing an additional vehicle adapted for operation by disabled individuals to certain eligible persons, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 4081. An act to require the disclosure of a camera or recording capability in certain internet-connected devices; to the Committee on Commerce, Science, and Transportation.

H.R. 4821. To hold accountable senior officials of the Government of the People's Republic of China who are responsible for or have directly carried out, at any time, persecution of Christians or other religious minorities in China, and for other purposes; to the Committee on Foreign Relations.

H.R. 6889. To amend the Federal Credit Union Act to modify the frequency of board of directors meetings, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6967. An act to implement merit-based reforms to the civil service hiring system that replace degree-based hiring with skills- and competency-based hiring, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 7321. An act to amend title 49, United States Code, to require certain air carriers to provide reports with respect to maintenance, preventive maintenance, or alterations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 7780. An act to support the behavioral needs of students and youth, invest in the school-based behavioral health workforce, and ensure access to mental health and substance use disorder benefits; to the Committee on Health, Education, Labor, and Pensions.

H.R. 8163. An act to amend the Public Health Service Act with respect to trauma care; to the Committee on Health, Education, Labor, and Pensions.

H.R. 8446. An act to modify and extend the Global Food Security Act of 2016; to the Committee on Foreign Relations.

H.R. 8463. An act to modify the requirements under the Millennium Challenge Act of 2003 for candidate countries, and for other purposes; to the Committee on Foreign Relations.

H.R. 8466. An act to require the head of each agency to establish a plan relating to the safety of Federal employees and contractors physically present at certain worksites during a nationwide public health emergency declared for an infectious disease, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 8510. An act to amend title 38, United States Code, to make certain improvements to the Office of Accountability and Whistleblower Protection of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 8681. An act to establish the John Lewis Civil Rights Fellowship to fund international internships and research placements for early- to mid-career professionals to study nonviolent movements to establish and protect civil rights around the world; to the Committee on Foreign Relations.

H.R. 8875. An act to amend title 38, United States Code, to expand eligibility of members of the National Guard for housing loans guaranteed by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

H.R. 8888. An act to amend title 38, United States Code, to establish in the Department of Veterans Affairs an Office of Food Security, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 8956. An act to amend chapter 36 of title 44, United States Code, to improve the cybersecurity of the Federal Government, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

MEASURES DISCHARGED

The following joint resolution was discharged from the Committee on Finance, by petition, pursuant to 50 U.S.C. 1622, and placed on the calendar:

S.J. Res. 63. A joint resolution relating to a national emergency declared by the President on March 13, 2020.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 2758. An act to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1638. An act to direct the Secretary of Agriculture to transfer certain National Forest System land to the State of South Dakota, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on September 30, 2022, she had presented to the President of the United States the following enrolled bills:

S.3969. An act to amend the Help America Vote Act of 2002 to explicitly authorize distribution of grant funds to the voting accessibility protection and advocacy system of the Commonwealth of the Northern Mariana Islands and the system serving the American Indian consortium, and for other purposes.

S.4900. An act to reauthorize the SBIR and STIR programs and pilot programs, and for other purposes.

The Secretary of the Senate reported that on today, October 11, 2022, she had presented to the President of the United States the following enrolled bill:

S. 1098. An act to amend the Higher Education Act of 1965 to authorize borrowers to separate joint consolidation loans.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KING (for himself and Ms. COLLINS):

S. 5067. A bill to provide that no Federal funds shall be appropriated, awarded, or granted to the Monterey Bay Aquarium; to the Committee on Commerce, Science, and Transportation.

By Mr. KING (for Mr. LUJÁN):

S. 5068. A bill to amend the Northwestern New Mexico Rural Water Projects Act to make improvements to that Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KING (for Mr. CASEY):

S. 5069. A bill to amend the Child Abuse Prevention and Treatment Act to require mandatory reporting of incidents of child abuse or neglect, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING (for Ms. COLLINS (for herself and Mr. KING)):

S. 5070. A bill to authorize the Secretary of Agriculture to provide grants to States to address contamination by perfluoroalkyl and polyfluoroalkyl substances on farms, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. REED (for Mr. SULLIVAN):

S. 5071. A bill to amend the Energy Policy and Conservation Act to require that the Strategic Petroleum Reserve only includes petroleum products produced in the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KING (for Mrs. SHAHEEN (for herself and Mr. YOUNG)):

S. 5072. A bill to amend the Higher Education Act of 1965 to provide for institutional ineligibility based on low cohort repayment rates and to require risk-sharing payments of institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING (for Mr. LUJÁN (for himself, Ms. COLLINS, and Mr. CARDIN)):

S. 5073. A bill to amend the Public Health Service Act to authorize a public education campaign across all relevant programs of the Health Resources and Services Administration to increase oral health literacy and awareness; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING (for Mr. BLUMENTHAL):

S. 5074. A bill to provide for a temporary 1-year halt to all proposed direct commercial sales and foreign military sales to the Kingdom of Saudi Arabia of weaponry and munitions; to the Committee on Foreign Relations.

By Mr. KING (for Mr. JOHNSON):

S. 5075. A bill to establish new ZIP codes for certain Wisconsin communities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. SCHUMER (for himself and Mr. MCCONNELL):

S. Res. 822. A resolution to authorize testimony and representation in United States v. Rhodes; considered and agreed to.

By Mr. SCHUMER (for himself and Mr. MCCONNELL):

S. Res. 823. A resolution to authorize testimony and representation in United States v. Groseclose; considered and agreed to.

By Mr. SCHUMER (for himself and Mr. MCCONNELL):

S. Res. 824. A resolution to authorize testimony and representation in United States v. Steele-Smith; considered and agreed to.

By Mr. KING (for Ms. HIRONO (for herself, Mr. BOOKER, Ms. CANTWELL, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. PADILLA, Mr. SCHATZ, Ms. SMITH, Ms. WARREN, and Mr. KAINE)):

S. Res. 825. A resolution recognizing the month of October 2022 as Filipino American History Month and celebrating the history and culture of Filipino Americans and their immense contributions to the United States; to the Committee on the Judiciary.

By Mr. KING (for Mr. HOEVEN (for himself, Mr. TESTER, Mr. BOOZMAN, Mr. WARNOCK, Mr. DAINES, and Ms. WARREN)):

S. Res. 826. A resolution designating October 26, 2022, as the ''Day of the Deployed''; to the Committee on the Judiciary.

By Mr. KING (for Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. DURBIN, Ms. MURKOWSKI, Mr. LEAHY, and Ms. ERNST)):

S. Res. 827. A resolution supporting the goals and ideals of National Domestic Violence Awareness Month; to the Committee on the Judiciary.

By Mr. REED (for Mr. LANKFORD):

S. Res. 828. A resolution recognizing the end of the COVID–19 pandemic for Federal employees, servicemembers, and contractors; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KING (for Mr. SULLIVAN):

S. Res. 829. A resolution commemorating the 75th anniversary of the Marine Corps Reserve Toys for Tots Program and celebrating the long history of the commitment of the Marine Corps Reserve and the Marine Corps Reserve Toys for Tots Foundation to serving the local communities of the United States; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 194

At the request of Mrs. SHAHEEN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 194, a bill to amend title 10, United States Code, to provide treatment for eating disorders for dependents of members of the uniformed services.

S. 2044

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2044, a bill to amend the Fair Labor Standards Act of 1938 to prohibit employment of children in tobacco-related agriculture by deeming such employment as oppressive child labor.

S. 2736

At the request of Mr. BURR, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2736, a bill to exclude vehicles to be used solely for competition from certain provisions of the Clean Air Act, and for other purposes.

S. 4203

At the request of Ms. COLLINS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 4203, a bill to extend the National Alzheimer's Project.

S. 4605

At the request of Ms. STABENOW, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 4605, a bill to amend title XVIII of the Social Security Act to ensure stability in payments to home health agencies under the Medicare program.

S. 4916

At the request of Mr. LEAHY, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 4916, a bill to reauthorize the Runaway and Homeless Youth Act, and for other purposes.

S. 4976

At the request of Mr. KING, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 4976, a bill to amend the Trademark Act of 1946 to provide that the licensing of a mark for use by a related company may not be construed as establishing an employment relationship between the owner of the mark, or an authorizing person, and either that related company or the employees of that related company, and for other purposes.

S. 5021

At the request of Mr. MORAN, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 5021, a bill to amend the Internal Revenue Code of 1986 to exclude certain broadband grants from gross income.

S. 5045

At the request of Mr. MENENDEZ, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 5045, a bill to amend the Justice for United States Victims of State Sponsored Terrorism Act to authorize appropriations for catch-up payments from the United States Victims of State Sponsored Terrorism Fund.

S. CON. RES. 46

At the request of Mr. CARPER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. Con. Res. 46, a concurrent resolution commemorating the 50th anniversary of the Federal Water Pollution Control Act Amendments of 1972, commonly known as the ''Clean Water Act''.

S. CON. RES. 47

At the request of Mrs. BLACKBURN, the names of the Senator from Tennessee (Mr. HAGERTY), the Senator from North Dakota (Mr. HOEVEN), the Senator from Indiana (Mr. YOUNG) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. Con. Res. 47, a concurrent resolution commending the bravery, courage, and resolve of the women and men of Iran demonstrating in more than 80 cities and risking their safety to speak out against the Iranian regime's human rights abuses.

S. RES. 754

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

S. RES. 803

At the request of Mr. COONS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 803, a resolution condemning the detention and death of Mahsa Amini and calling on the Government of Iran to end its systemic persecution of women.

S. RES. 814

At the request of Mr. COONS, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. Res. 814, a resolution designating the week beginning on October 9, 2022, as ''National Wildlife Refuge Week''.

AMENDMENT NO. 5585

At the request of Mr. CORNYN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of amendment No. 5585 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 5601

At the request of Mrs. FEINSTEIN, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of amendment No. 5601 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 5606

At the request of Mr. HAWLEY, the names of the Senator from Arkansas (Mr. COTTON), the Senator from Florida (Mr. RUBIO), the Senator from Texas (Mr. CRUZ), the Senator from Utah (Mr. LEE), the Senator from Kansas (Mr. MARSHALL) and the Senator from Montana (Mr. DAINES) were added as cosponsors of amendment No. 5606 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 5684

At the request of Mr. KAINE, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of amendment No. 5684 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 5852

At the request of Mrs. SHAHEEN, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of amendment No. 5852 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 5857

At the request of Mrs. SHAHEEN, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of amendment No. 5857 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 5886

At the request of Mrs. FEINSTEIN, the names of the Senator from Maryland (Mr. CARDIN), the Senator from New York (Mrs. GILLIBRAND) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 5886 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 6141

At the request of Mr. PADILLA, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 6141 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 6165

At the request of Mr. PADILLA, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of amendment No. 6165 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 6348

At the request of Mr. MENENDEZ, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 6348 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 6426

At the request of Ms. ERNST, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 6426 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

(At the request of Mr. REED, the following statement was ordered to be printed in the RECORD.)

• Ms. COLLINS. Mr. President, I rise today to introduce the Relief for Farmers Hit with PFAS Act. I thank my colleague Senator KING for joining me to introduce this important legislation for farmers across America.

The Relief for Farmers Hit with PFAS Act would provide vital assistance to farmers affected by PFAS contamination. PFAS are a class of manmade chemicals—sometimes referred to as ''forever chemicals''—that can bioaccumulate in bodies over time. They are traditionally found in nonstick pans, clothing, furniture, and firefighting foam and have been linked to cancer, thyroid disease, liver damage, decreased fertility, and hormone disruption. PFAS contamination is a growing problem, and additional resources are needed to support affected communities.

In Maine, PFAS contamination affecting many different sectors, including agriculture, has been discovered over the past several years. The presence of PFAS in wastewater sludge once spread as fertilizer has prevented some Maine farms from selling their products, thus leading to significant financial hardship for these family farmers. One such farmer is Fred Stone, a dairy farmer in Arundel, ME. In 2016, Fred discovered that the milk produced on his farm contained some of the highest levels ever reported for a PFAS contaminant at that time. More recently, a dairy farm in Fairfield, ME, found PFAS levels in its milk that were 153 times higher than the State's standard.

Dairy is not the only agricultural sector affected by these harmful forever chemicals. Adam Nordell and his wife Johanna Davis, from Unity, ME, learned last year that PFAS contaminated the soil and water in their organic vegetable farm, the result of sludge spread on their land in the 1990s. Tests earlier this year showed that Adam and Johanna had levels of PFAS in their blood that were even higher than chemical plant workers who manufactured PFAS for decades and handled them daily.

Currently, USDA provides limited support to dairy farmers who have been directed to remove their milk from the commercial market. The Dairy Indemnity Payment Program—DIPP—is the only USDA program that attempts to address this problem; however, it falls far short from meeting the growing needs of all farmers in the State of Maine. Fred Stone, the farmer who first learned of contamination in 2016, has still not been compensated adequately for the contaminated cows he depopulated. What is more, this program helps only dairy farmers, excluding the farmers of other agricultural products who have had their livelihoods disrupted by PFAS contamination. While community organizations and the State of Maine have stepped in to provide some aid, USDA should do more to assist all farmers affected by these chemicals. That is what our legislation aims to do.

Specifically, the funds authorized by the Relief for Farmers Hit with PFAS Act could be used for a variety of purposes at the State level, including more capacity for PFAS testing for soil or water sources; blood monitoring for individuals to make informed decisions about their health; equipment to ensure a farm remains profitable during or after known PFAS contamination; relocation of a commercial farm if the land is no longer viable; alternative cropping systems or remediation strategies; educational programs for farmers experiencing PFAS contamination; and research on soil and water remediation systems and the viability of those systems for farms.

In addition to making new resources available, our bill would create a task force at USDA charged with identifying other USDA programs to which PFAS contamination should be added as an eligible activity. This would help bring even more resources to farmers through existing programs. Additionally, the task force would provide technical assistance to states to help them coordinate their responses effectively.

USDA needs to step up and provide support to farmers who, at no fault of their own, are at risk of losing their livelihoods. This is not just a problem in Maine; PFAS contamination has been discovered on farms in New Mexico and Michigan, and this problem will only become more evident as testing becomes more readily available.

Thus far, the Federal Government's response has failed to keep pace with this growing problem. I have repeatedly urged USDA Secretary Vilsack to come to the aid of these affected farmers, and the Relief for Farmers Hit with PFAS Act would finally activate the Department to help where it is needed most.

I urge my colleagues to support this bill. As the members of the Senate Agriculture Committee begin work on the 2023 farm bill, I hope that we can work together to pass the Relief for Farmers Hit with PFAS Act into law.●

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 822—TO AUTHORIZE TESTIMONY AND REPRESENTATION IN UNITED STATES V. RHODES

Mr. SCHUMER (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 822

Whereas, in the case of *United States v. Rhodes*, Cr. No. 22-15, pending in the United States District Court for the District of Columbia, the prosecution has requested the production of testimony from Virginia Brown, formerly a Chamber Assistant of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current or former officers and employees of the Senate with respect to any subpoena, order, or request for evidence relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Virginia Brown, a former Chamber Assistant of the Senate, is authorized to provide relevant testimony in the case of *United States v. Rhodes*, except concerning matters for which a privilege should be asserted.

Sec. 2. The Senate Legal Counsel is authorized to represent Ms. Brown, and any current or former officer or employee of her office, in connection with the production of evidence authorized in section one of this resolution.

SENATE RESOLUTION 823—TO AUTHORIZE TESTIMONY AND REPRESENTATION IN UNITED STATES V. GROSECLOSE

Mr. SCHUMER (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 823

Whereas, in the case of *United States v. Groseclose*, Cr. No. 21-311, pending in the United States District Court for the District of Columbia, the prosecution has requested the production of testimony from Daniel Schwager, a former employee of the Office of the Secretary of the Senate, and from Nate Russell and Diego Torres, custodians of records in the Senate Recording Studio, a department of the Office of the Sergeant at Arms and Doorkeeper of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current and former officers and employees of the Senate with respect to any subpoena, order, or request for evidence relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Daniel Schwager, a former employee of the Office of the Secretary of the Senate, and Nate Russell and Diego Torres, custodians of records in the Senate Recording Studio, are authorized to provide relevant testimony in the case of *United States v. Groseclose*, except concerning matters for which a privilege should be asserted.

Sec. 2. The Senate Legal Counsel is authorized to represent Messrs. Schwager, Russell, and Torres, and any current or former officer or employee of their offices, in connection with the production of evidence authorized in section one of this resolution.

SENATE RESOLUTION 824—TO AUTHORIZE TESTIMONY AND REPRESENTATION IN UNITED STATES V. STEELE-SMITH

Mr. SCHUMER (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 824

Whereas, in the case of *United States v. Steele-Smith*, Cr. No. 21-77, pending in the United States District Court for the District of Columbia, the prosecution has requested the production of testimony from Daniel Schwager, a former employee of the Office of the Secretary of the Senate, and from Nate Russell and Diego Torres, custodians of records in the Senate Recording Studio, a department of the Office of the Sergeant at Arms and Doorkeeper of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current and former officers and employees of the Senate with respect to any subpoena, order, or request for evidence relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Daniel Schwager, a former employee of the Office of the Secretary of the Senate, and Nate Russell and Diego Torres, custodians of records in the Senate Recording Studio, are authorized to provide relevant testimony in the case of *United States v. Steele-Smith*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Messrs. Schwager, Russell, and Torres, and any current or former officer or employee of their offices, in connection with the production of evidence authorized in section one of this resolution.

SENATE RESOLUTION 825—RECOGNIZING THE MONTH OF OCTOBER 2022 AS FILIPINO AMERICAN HISTORY MONTH AND CELEBRATING THE HISTORY AND CULTURE OF FILIPINO AMERICANS AND THEIR IMMENSE CONTRIBUTIONS TO THE UNITED STATES

Mr. KING (for Ms. HIRONO (for herself, Mr. BOOKER, Ms. CANTWELL, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. PADILLA, Mr. SCHATZ, Ms. SMITH, Ms. WARREN, and Mr. KAINE)) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 825

Whereas the earliest documented Filipino presence in the continental United States was October 18, 1587, when the first ''Luzones Indios'' arrived in Morro Bay, California, on board the Nuestra Señora de Esperanza, a Manila-built galleon ship;

Whereas the Filipino American National Historical Society recognizes 1763 as the year in which the first permanent Filipino settlement in the United States was established in St. Malo, Louisiana;

Whereas the recognition of the first permanent Filipino settlement in the United States adds a new perspective to the history of the United States by bringing attention to the economic, cultural, social, and other notable contributions made by Filipino Americans to the development of the United States;

Whereas the Filipino American community is the third largest Asian American and Pacific Islander group in the United States, with a population of approximately 4,400,000;

Whereas, from 2000 to 2019, the Filipino American community grew 78 percent, and Filipinos are the largest Asian community in Alaska, Hawaii, Idaho, Montana, Nevada, New Mexico, North Dakota, South Dakota, and West Virginia;

Whereas, from the Civil War to the Iraq and Afghanistan conflicts, Filipinos and Filipino Americans have a longstanding history of serving in the Armed Forces of the United States;

Whereas more than 250,000 Filipinos fought under the United States flag during World War II to protect and defend the United States in the Pacific theater;

Whereas a guarantee to pay back the service of Filipinos through veterans benefits was reversed by the First Supplemental Surplus Appropriation Rescission Act, 1946 (Public Law 79–301; 60 Stat. 6) and the Second Supplemental Surplus Appropriation Rescission Act, 1946 (Public Law 79–391; 60 Stat. 221), which provided that the wartime service of members of the Commonwealth Army of the Philippines and the new Philippine

Scouts shall not be deemed to have been active service, and, therefore, those members did not qualify for certain benefits;

Whereas 26,000 Filipino World War II veterans were granted United States citizenship as a result of the Immigration Act of 1990 (Public Law 101–649; 104 Stat. 4978), which was signed into law by President George H.W. Bush on November 29, 1990;

Whereas, in 1991, the Filipino American National Historical Society made efforts to recognize October as Filipino American History Month for the first time;

Whereas, on February 17, 2009, President Barack Obama signed into law the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 115), which established the Filipino Veterans Equity Compensation Fund to compensate Filipino World War II veterans for their service to the United States;

Whereas, since June 8, 2016, the Filipino World War II Veterans Parole Program has allowed Filipino World War II veterans and certain family members to be reunited more expeditiously than the immigrant visa process allowed at that time;

Whereas, on December 14, 2016, President Barack Obama signed into law the Filipino Veterans of World War II Congressional Gold Medal Act of 2015 (Public Law 114–265; 130 Stat. 1376) to award Filipino veterans who fought alongside troops of the United States in World War II the highest civilian honor bestowed by Congress;

Whereas, on October 25, 2017, the Congressional Gold Medal was presented to Filipino World War II veterans in Emancipation Hall in the Capitol Building, a recognition for which the veterans had waited for more than 70 years;

Whereas Filipino Americans have received the Congressional Medal of Honor, the highest award for valor in action against an enemy force that may be bestowed on an individual serving in the Armed Forces, and continue to demonstrate a commendable sense of patriotism and honor in the Armed Forces;

Whereas the late Peter Aquino Aduja of Hawaii and the late Thelma Garcia Buchholdt of Alaska became the first Filipino American elected to public office and the first Filipina American elected to a legislature in the United States, respectively, inspiring their fellow Filipino Americans to pursue public service in politics and government;

Whereas Filipino American farmworkers and labor leaders, such as Philip Vera Cruz and Larry Itliong, played an integral role in the multiethnic United Farm Workers movement, alongside Cesar Chávez, Dolores Huerta, and other Latino workers;

Whereas, on April 25, 2012, President Barack Obama nominated Lorna G. Schofield to be a United States District Judge for the United States District Court for the Southern District of New York, and she was confirmed by the Senate on December 13, 2012, to be the first Filipina American in United States history to serve as an Article III Federal judge;

Whereas Filipino Americans play an integral role on the frontlines of the COVID–19 pandemic in the healthcare system of the United States as nurses, doctors, first responders, and other medical professionals;

Whereas Filipino Americans contribute greatly to music, dance, literature, education, business, journalism, sports, fashion, politics, government, science, technology, the fine arts, and other fields that enrich the United States;

Whereas, as mandated in the mission statement of the Filipino American National Historical Society, efforts should continue to promote the study of Filipino American history and culture because the roles of Filipino Americans and other people of color have largely been overlooked in the writing, teaching, and learning of the history of the United States;

Whereas it is imperative for Filipino American youth to have positive role models to instill—

(1) the significance of education, complemented by the richness of Filipino American ethnicity; and

(2) the value of the Filipino American legacy; and

Whereas it is essential to promote the understanding, education, and appreciation of the history and culture of Filipino Americans in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the celebration of Filipino American History Month in October 2022 as—

(A) a testament to the advancement of Filipino Americans;

(B) a time to reflect on and remember the many notable contributions that Filipino Americans have made to the United States; and

(C) a time to renew efforts toward the research and examination of history and culture so as to provide an opportunity for all people of the United States to learn more about Filipino Americans and to appreciate the historic contributions of Filipino Americans to the United States; and

(2) urges the people of the United States to observe Filipino American History Month with appropriate programs and activities.

SENATE RESOLUTION 826—DESIGNATING OCTOBER 26, 2022, AS THE ''DAY OF THE DEPLOYED''

Mr. KING (for Mr. HOEVEN (for himself, Mr. TESTER, Mr. BOOZMAN, Mr. WARNOCK, Mr. DAINES, and Ms. WARREN)) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 826

Whereas more than 2,100,000 individuals serve as members of the Armed Forces of the United States, including the reserve components of the Armed Forces;

Whereas several hundred thousand members of the Armed Forces served in more than 200 countries in every region of the world;

Whereas more than 2,000,000 members of the Armed Forces have deployed to the area of operations of the United States Central Command since the September 11, 2001, terrorist attacks;

Whereas, for nearly 20 years following the September 11, 2001, terrorist attacks, members of the Armed Forces deployed throughout Afghanistan, and their service and bravery helped protect the United States from further terrorist attacks;

Whereas the United States is kept strong and free by the loyal military personnel from the total force, which includes the regular components, the National Guard, and the Reserves, who protect the precious heritage of the United States through their declarations and actions;

Whereas the United States remains committed to providing the fullest possible accounting for personnel missing from past conflicts ranging from World War II through current day conflicts;

Whereas members of the Armed Forces serving at home and abroad have courageously answered the call to duty to defend the ideals of the United States and to preserve peace and freedom around the world;

Whereas in early 2022, members of the Armed Forces deployed on short-notice to Eastern Europe to support, reassure, and defend allies of the United States and members of the North Atlantic Treaty Organization;

Whereas the United States remains committed to easing the transition from deployment abroad to service at home for members of the Armed Forces and the families of the members;

Whereas members of the Armed Forces personify the virtues of patriotism, service, duty, courage, and sacrifice;

Whereas the families of members of the Armed Forces make important and significant sacrifices for the United States; and

Whereas the Senate has designated October 26 as the ''Day of the Deployed'' since 2011: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 26, 2022, as the ''Day of the Deployed'';

(2) honors the deployed members of the Armed Forces of the United States and the families of the members;

(3) calls on the people of the United States to reflect on the service of those members of the Armed Forces, wherever the members serve, past, present, and future; and

(4) encourages the people of the United States to observe the Day of the Deployed with appropriate ceremonies and activities.

SENATE RESOLUTION 827—SUPPORTING THE GOALS AND IDEALS OF NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

Mr. KING, (for Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. DURBIN, Ms. MURKOWSKI, Mr. LEAHY, and Ms. ERNST)) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 827

Whereas, according to the National Intimate Partner and Sexual Violence Survey—

(1) up to 12,000,000 individuals in the United States report experiencing intimate partner violence annually, including physical violence, rape, or stalking; and

(2) approximately 1 in 5 women in the United States and up to 1 in 7 men in the United States have experienced severe physical violence by an intimate partner at some point in their lifetimes;

Whereas, on average, 3 women in the United States are killed each day by a current or former intimate partner, according to the Bureau of Justice Statistics;

Whereas domestic violence can affect anyone, but women who are 18 to 34 years of age typically experience the highest rates of domestic violence;

Whereas survivors of domestic violence are strong, courageous, and resilient;

Whereas most female victims of intimate partner violence have been victimized by the same offender previously;

Whereas domestic violence is cited as a significant factor in homelessness among families;

Whereas millions of children are exposed to domestic violence each year;

Whereas a study has found that children who were exposed to domestic violence in their households were 15 times more likely to be physically or sexually assaulted in their lifetime than other children who were not exposed to domestic violence in their households;

Whereas victims of domestic violence experience immediate and long-term negative outcomes, including detrimental effects on mental and physical health;

Whereas research consistently shows that being abused by an intimate partner increases an individual's likelihood of substance use as well as associated harmful consequences;

Whereas victims of domestic violence may lose several days of paid work each year and may lose their jobs due to reasons stemming from domestic violence;

Whereas crisis hotlines serving domestic violence victims operate 24 hours per day, 365 days per year, and offer important crisis intervention services, support services, information, and referrals for victims;

Whereas staff and volunteers of domestic violence shelters and programs in the United States, in cooperation with 56 State and territorial coalitions against domestic violence, provide essential services to—

(1) thousands of adults and children each day; and

(2) 1,000,000 adults and children each year;

Whereas domestic violence programs and hotlines have seen a substantial increase in contacts since 2020, and continue to experience a surge in requests for services, with the National Domestic Violence Hotline averaging approximately 2,600 daily contacts in 2022, up from 800 to 1,200 average daily contacts before the COVID–19 pandemic;

Whereas nearly 85 percent of American Indian and Alaska Native women have experienced some form of intimate partner violence in their lifetime;

Whereas respondents to a survey of domestic violence programs reported that survivors of domestic violence often face financial challenges, with 8,000,000 days of paid work lost each year due to intimate partner violence;

Whereas medical professionals have reported that survivors of domestic violence are presenting with more severe injuries during the pandemic;

Whereas domestic violence programs have changed the way they provide services in response to the COVID–19 pandemic;

Whereas advocates for survivors of domestic violence and survivors face the same challenges with child care and facilitating online learning that others do;

Whereas, according to a 2021 survey conducted by the National Network to End Domestic Violence, 70,032 domestic violence victims were served by domestic violence shelters and programs around the United States in a single day;

Whereas some victims of domestic violence face additional challenges in accessing law enforcement and services due to conditions specific to the communities in which they live;

Whereas law enforcement officers in the United States put their lives at risk each day by responding to incidents of domestic violence, which can be among the most volatile and deadly calls;

Whereas Congress first demonstrated a significant commitment to supporting victims of domestic violence with the enactment of the landmark Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.);

Whereas Congress has remained committed to protecting survivors of all forms of domestic violence and sexual abuse by making Federal funding available to support the activities that are authorized under—

(1) the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.);

(2) the Violence Against Women Act of 1994 (34 U.S.C. 12291 et seq.); and

(3) the VOCA Fix to Sustain the Crime Victims Fund Act of 2021 (Public Law 117–27; 135 Stat. 301);

Whereas there is a need to continue to support programs and activities aimed at domestic violence intervention and domestic violence prevention in the United States;

Whereas domestic violence programs provide trauma-informed services to protect the safety, privacy, and confidentiality of survivors of domestic violence; and

Whereas individuals and organizations that are dedicated to preventing and ending domestic violence should be recognized: Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) supports the goals and ideals of ''National Domestic Violence Awareness Month'';

(B) commends domestic violence victim advocates, domestic violence victim service providers, crisis hotline staff, and first responders serving victims of domestic violence, for their compassionate support of survivors of domestic violence; and

(C) recognizes the strength and courage of survivors of domestic violence; and

(2) it is the sense of the Senate that Congress should—

(A) continue to raise awareness of—

(i) domestic violence in the United States; and

(ii) the corresponding devastating effects of domestic violence on survivors, families, and communities; and

(B) pledge continued support for programs designed to—

(i) assist survivors of domestic violence;

(ii) hold perpetrators of domestic violence accountable; and

(iii) bring an end to domestic violence.

SENATE RESOLUTION 828—RECOGNIZING THE END OF THE COVID–19 PANDEMIC FOR FEDERAL EMPLOYEES, SERVICEMEMBERS, AND CONTRACTORS

Mr. REED (for Mr. LANKFORD) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 828

Whereas, on September 18, 2022, President Biden said ''the pandemic is over'';

Whereas, since January 2021, in the United States, reported COVID–19 cases and hospitalizations have decreased by more than 75 percent and reported COVID–19-related deaths have decreased by almost 90 percent; and

Whereas, as of June 2022, 6,137 servicemembers had been discharged from service due to non-compliance with the COVID–19 vaccine requirement: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the President should remove all COVID–19 vaccine, testing, masking, and social distancing requirements on all Federal employees, servicemembers, and contractors;

(2) all members of the Armed Forces who chose not to receive the COVID–19 vaccine and were relieved or discharged because of that choice should be reinstated and allowed to perform the same duties that those individuals performed before being so relieved or discharged; and

(3) all Federal employees and contractors who chose not to receive the COVID–19 vaccine and were disciplined or restricted in their duties in any way because of that choice should be allowed to resume their typical duties without limitation.

SENATE RESOLUTION 829—COMMEMORATING THE 75TH ANNIVERSARY OF THE MARINE CORPS RESERVE TOYS FOR TOTS PROGRAM AND CELEBRATING THE LONG HISTORY OF THE COMMITMENT OF THE MARINE CORPS RESERVE AND THE MARINE CORPS RESERVE TOYS FOR TOTS FOUNDATION TO SERVING THE LOCAL COMMUNITIES OF THE UNITED STATES

Mr. KING (for Mr. SULLIVAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 829

Whereas, in 1947, the Marine Corps Reserve Toys for Tots Program was created by William ''Bill'' Hendricks, Major, United States Marine Corps Reserve, to assist the orphaned and less fortunate children following World War II;

Whereas, during the 1947 holiday season, Major Hendricks and his United States Marine Corps Reserve unit provided more than 5,000 toys to children in the Los Angeles local area;

Whereas, in 1948, the Commandant of the Marine Corps established the Marine Corps Reserve Toys for Tots Program as a nationwide effort;

Whereas, in 1991, to continue the administration of the Marine Corps Reserve Toys for Tots Program, the Marine Corps Reserve Toys for Tots Foundation was created as a nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986;

Whereas, in 1995, the Marine Corps Reserve Toys for Tots Program was assigned as an official mission of the Marine Corps Reserve and an official activity of the Marine Corps;

Whereas the mission of the Marine Corps Reserve Toys for Tots Program is to collect new, unwrapped toys during October, November, and December each year and distribute those toys as Christmas gifts to less fortunate children in the community in which the campaign is conducted, in order to contribute to the welfare of the local community, increase public awareness, and enhance the image of the Marine Corps;

Whereas the Marine Corps Reserve Toys for Tots Program has expanded to cover all 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and Guam, and includes 142 Marine Forces Reserve Unit campaigns and more than 800 campaigns run by civilian volunteers; and

Whereas the Marine Corps Reserve Toys for Tots Program has provided more than 604,000,000 toys and 1,800,000 books to more than 272,000,000 of the less fortunate children of the United States, the District of Columbia, and the territories of the United States, including more than 180,000 children who are part of the Toys for Tots Native American Program, while maintaining a 97:3 program to support ratio: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates and celebrates the 75th anniversary of the Marine Corps Reserve Toys for Tots Program;

(2) recognizes and thanks the Marine Corps Toys for Tots Foundation for tirelessly serving the underserved children throughout the United States, the District of Columbia, and the territories of the United States; and

(3) applauds the Marine Corps Reserve and the Marine Corps Reserve Toys for Tots Foundation for their past, present, and future efforts to bring Christmas joy to millions of children year after year.

AMENDMENTS SUBMITTED AND PROPOSED

SA 6442. Mr. REED proposed an amendment to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

SA 6443. Mr. REED (for Ms. CANTWELL (for herself and Mr. WICKER)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6444. Mr. REED (for Ms. CANTWELL (for herself and Mr. WICKER)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6445. Mr. REED (for Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6446. Mr. REED (for Mr. CORNYN (for himself and Mr. WHITEHOUSE)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6447. Mr. REED (for Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6448. Mr. REED (for Mr. CRAMER) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6449. Mr. REED (for Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6450. Mr. REED (for Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6451. Mr. REED (for Mr. SCOTT of Florida) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6452. Mr. REED (for Mr. SHELBY) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6453. Mr. REED (for Mr. GRAHAM (for himself and Mr. MENENDEZ)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6454. Mr. REED (for Mr. MANCHIN (for himself, Mr. BARRASSO, and Mr. RISCH)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6455. Mr. REED (for Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6456. Mr. REED (for Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6457. Mr. REED (for Mr. OSSOFF (for himself and Mr. SCOTT of South Carolina)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6458. Mr. REED (for Mr. VAN HOLLEN (for himself and Mr. TILLIS)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6459. Mr. REED (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6460. Mr. REED (for Mr. KELLY) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6461. Mr. REED (for Mrs. SHAHEEN (for herself, Mr. MORAN, and Ms. HASSAN)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6462. Mr. REED (for Mr. SCHUMER (for himself and Mr. CORNYN)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6463. Mr. REED (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6464. Mr. REED (for Mr. PETERS (for himself and Mr. PORTMAN)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6465. Mr. REED (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6466. Mr. REED (for Ms. CANTWELL (for herself and Mr. WICKER)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6467. Mr. REED (for Mr. CORNYN (for himself and Mr. KING)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6468. Mr. REED (for Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6469. Mr. REED (for Mr. CORNYN (for himself and Mr. KING)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6470. Mr. REED (for Mr. CORNYN (for himself and Mr. WHITEHOUSE)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6471. Mr. REED (for Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6472. Mr. REED (for Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6473. Mr. REED (for Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6474. Mr. REED (for Mr. GRASSLEY (for himself, Ms. KLOBUCHAR, Mr. LEE, Mr. LEAHY, and Mr. DURBIN)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6475. Mr. REED (for Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6476. Mr. REED (for Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 6442. Mr. REED proposed an amendment to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

SA 6443. Mr. REED (for Ms. CANTWELL (for herself and Mr. WICKER)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of

the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—COAST GUARD AUTHORIZATION ACT OF 2022

SEC. 5001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Coast Guard Authorization Act of 2022''.

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

DIVISION E—COAST GUARD AUTHORIZATION ACT OF 2022

Sec. 5001. Short title; table of contents.
Sec. 5002. Definition of Commandant.

TITLE LI—AUTHORIZATIONS

Sec. 5101. Authorization of appropriations.
Sec. 5102. Authorized levels of military strength and training.
Sec. 5103. Authorization for shoreside infrastructure and facilities.
Sec. 5104. Authorization for acquisition of vessels.
Sec. 5105. Authorization for the child care subsidy program.

TITLE LII—COAST GUARD

Subtitle A—Infrastructure and Assets

Sec. 5201. Report on shoreside infrastructure and facilities needs.
Sec. 5202. Fleet mix analysis and shore infrastructure investment plan.
Sec. 5203. Acquisition life-cycle cost estimates.
Sec. 5204. Report and briefing on resourcing strategy for Western Pacific region.
Sec. 5205. Study and report on national security and drug trafficking threats in the Florida Straits and Caribbean region, including Cuba.
Sec. 5206. Coast Guard Yard.
Sec. 5207. Authority to enter into transactions other than contracts and grants to procure cost-effective technology for mission needs.
Sec. 5208. Improvements to infrastructure and operations planning.
Sec. 5209. Aqua alert notification system pilot program.

Subtitle B—Great Lakes

Sec. 5211. Great Lakes winter commerce.
Sec. 5212. Database on icebreaking operations in the Great Lakes.
Sec. 5213. Great Lakes snowmobile acquisition plan.
Sec. 5214. Great Lakes barge inspection exemption.
Sec. 5215. Study on sufficiency of Coast Guard aviation assets to meet mission demands.

Subtitle C—Arctic

Sec. 5221. Establishment of the Arctic Security Cutter Program Office.
Sec. 5222. Arctic activities.
Sec. 5223. Study on Arctic operations and infrastructure.

Subtitle D—Maritime Cyber and Artificial Intelligence

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In this division, the term ''Commandant'' means the Commandant of the Coast Guard.

TITLE LI—AUTHORIZATIONS

SEC. 5101. AUTHORIZATION OF APPROPRIATIONS.

Section 4902 of title 14, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''fiscal years 2020 and 2021'' and inserting ''fiscal years 2022 and 2023'';

(2) in paragraph (1)—

(A) in subparagraph (A), by striking clauses (i) and (ii) and inserting the following:

''(i) $10,000,000,000 for fiscal year 2022; and

''(ii) $10,750,000,000 for fiscal year 2023.'';

(B) in subparagraph (B), by striking ''$17,035,000'' and inserting ''$23,456,000''; and

(C) in subparagraph (C), by striking '', (A)(ii) $17,376,000'' and inserting ''(A)(ii), $24,353,000'';

(3) in paragraph (2)—

(A) in subparagraph (A), by striking clauses (i) and (ii) and inserting the following:

''(i) $2,459,100,000 for fiscal year 2022; and

''(ii) $3,477,600,000 for fiscal year 2023.''; and

(B) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

''(i) $20,400,000 for fiscal year 2022; and

''(ii) $20,808,000 for fiscal year 2023.'';

(4) in paragraph (3), by striking subparagraphs (A) and (B) and inserting the following:

''(A) $7,476,000 for fiscal year 2022; and

''(B) $14,681,084 for fiscal year 2023.''; and

(5) in paragraph (4), by striking subparagraphs (A) and (B) and inserting the following:

''(A) $240,577,000 for fiscal year 2022; and

''(B) $252,887,000 for fiscal year 2023.''.

SEC. 5102. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.

Section 4904 of title 14, United States Code, is amended—

(1) in subsection (a), by striking ''fiscal years 2020 and 2021'' and inserting ''fiscal years 2022 and 2023''; and

(2) in subsection (b), in the matter preceding paragraph (1), by striking ''fiscal years 2020 and 2021'' and inserting ''fiscal years 2022 and 2023''.

SEC. 5103. AUTHORIZATION FOR SHORESIDE INFRASTRUCTURE AND FACILITIES.

(a) IN GENERAL.—In addition to the amounts authorized to be appropriated under section 4902(2)(A) of title 14, United States Code, as amended by section 5101 of this division, for the period of fiscal years 2023 through 2028—

(1) $3,000,000,000 is authorized to fund maintenance, new construction, and repairs needed for Coast Guard shoreside infrastructure;

(2) $160,000,000 is authorized to fund phase two of the recapitalization project at Coast Guard Training Center Cape May in Cape May, New Jersey, to improve recruitment

and training of a diverse Coast Guard workforce; and

(3) $80,000,000 is authorized for the construction of additional new child care development centers not constructed using funds authorized by the Infrastructure Investment and Jobs Act (Public Law 117–58; 135 Stat. 429).

(b) COAST GUARD YARD RESILIENT INFRASTRUCTURE AND CONSTRUCTION IMPROVEMENT.—In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 5101 of this division—

(1) $400,000,000 is authorized for the period of fiscal years 2023 through 2028 for the Secretary of the department in which the Coast Guard is operating for the purposes of improvements to facilities of the Yard; and

(2) $236,000,000 is authorized for the acquisition of a new floating drydock, to remain available until expended.

SEC. 5104. AUTHORIZATION FOR ACQUISITION OF VESSELS.

In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 5101 of this division, for the period of fiscal years 2023 through 2028—

(1) $350,000,000 is authorized for the acquisition of a Great Lakes icebreaker that is at least as capable as Coast Guard cutter *Mackinaw* (WLBB–30);

(2) $172,500,000 is authorized for the program management, design, and acquisition of 12 Pacific Northwest heavy weather boats that are at least as capable as the Coast Guard 52-foot motor surfboat;

(3) $841,000,000 is authorized for the third Polar Security Cutter;

(4) $20,000,000 is authorized for initiation of activities to support acquisition of the Arctic Security Cutter class, including program planning and requirements development to include the establishment of an Arctic Security Cutter Program Office;

(5) $650,000,000 is authorized for the continued acquisition of Offshore Patrol Cutters; and

(6) $650,000,000 is authorized for a twelfth National Security Cutter.

SEC. 5105. AUTHORIZATION FOR THE CHILD CARE SUBSIDY PROGRAM.

In addition to the amounts authorized to be appropriated under section 4902(1)(A) of title 14, United States Code, $25,000,000 is authorized to the Commandant for each of fiscal years 2023 and 2024 for the child care subsidy program.

TITLE LII—COAST GUARD

Subtitle A—Infrastructure and Assets

SEC. 5201. REPORT ON SHORESIDE INFRASTRUCTURE AND FACILITIES NEEDS.

Not less frequently than annually, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(1) a detailed list of shoreside infrastructure needs for all Coast Guard facilities located within each Coast Guard District in the order of priority, including recapitalization, maintenance needs in excess of $25,000, dredging, and other shoreside infrastructure needs of the Coast Guard;

(2) the estimated cost of projects to fulfill such needs, to the extent available; and

(3) a general description of the state of planning for each such project.

SEC. 5202. FLEET MIX ANALYSIS AND SHORE INFRASTRUCTURE INVESTMENT PLAN.

(a) FLEET MIX ANALYSIS.—

(1) IN GENERAL.—The Commandant shall conduct an updated fleet mix analysis that provides for a fleet mix sufficient, as determined by the Commandant—

(A) to carry out—

(i) the missions of the Coast Guard; and

(ii) emerging mission requirements; and

(B) to address—

(i) national security threats; and

(ii) the global deployment of the Coast Guard to counter great power competitors.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to Congress a report on the results of the updated fleet mix analysis required by paragraph (1).

(b) SHORE INFRASTRUCTURE INVESTMENT PLAN.—

(1) IN GENERAL.—The Commandant shall develop an updated shore infrastructure investment plan that includes—

(A) the construction of additional facilities to accommodate the updated fleet mix described in subsection (a)(1);

(B) improvements necessary to ensure that existing facilities meet requirements and remain operational for the lifespan of such fleet mix, including necessary improvements to information technology infrastructure;

(C) a timeline for the construction and improvement of the facilities described in subparagraphs (A) and (B); and

(D) a cost estimate for construction and life-cycle support of such facilities, including for necessary personnel.

(2) REPORT.—Not later than 1 year after the date on which the report under subsection (a)(2) is submitted, the Commandant shall submit to Congress a report on the plan required by paragraph (1).

SEC. 5203. ACQUISITION LIFE-CYCLE COST ESTIMATES.

Section 1132(e) of title 14, United States Code, is amended by striking paragraphs (2) and (3) and inserting the following:

''(2) TYPES OF ESTIMATES.—For each Level 1 or Level 2 acquisition project or program, in addition to life-cycle cost estimates developed under paragraph (1), the Commandant shall require—

''(A) such life-cycle cost estimates to be updated before—

''(i) each milestone decision is concluded; and

''(ii) the project or program enters a new acquisition phase; and

''(B) an independent cost estimate or independent cost assessment, as appropriate, to be developed to validate such life-cycle cost estimates.''.

SEC. 5204. REPORT AND BRIEFING ON RESOURCING STRATEGY FOR WESTERN PACIFIC REGION.

(a) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Coast Guard Commander of the Pacific Area, the Commander of United States Indo-Pacific Command, and the Under Secretary of Commerce for Oceans and Atmosphere, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report outlining the Coast Guard's resourcing needs to achieve optimum operations in the Western Pacific region.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) An assessment of the risks and associated needs—

(i) to United States strategic maritime interests, in particular such interests in areas west of the International Date Line, including risks to bilateral maritime partners of the United States, posed by not fully staffing and equipping Coast Guard operations in the Western Pacific region;

(ii) to the Coast Guard mission and force posed by not fully staffing and equipping Coast Guard operations in the Western Pacific region; and

(iii) to support the call of the President, as set forth in the Indo-Pacific Strategy, to expand Coast Guard presence and cooperation in Southeast Asia, South Asia, and the Pacific Islands, with a focus on advising, training, deployment, and capacity building.

(B) A description of the additional resources, including shoreside resources, required to fully implement the needs described in subparagraph (A), including the United States commitment to bilateral fisheries law enforcement in the Pacific Ocean.

(C) A description of the operational and personnel assets required and a dispersal plan for available and projected future Coast Guard cutters and aviation forces to conduct optimum operations in the Western Pacific region.

(D) An analysis with respect to whether a national security cutter or fast response cutter located at a United States military installation in a foreign country in the Western Pacific region would enhance United States national security, partner country capacity building, and prevention and effective response to illegal, unreported, and unregulated fishing.

(E) An assessment of the benefits and associated costs involved in—

(i) increasing staffing of Coast Guard personnel within the command elements of United States Indo-Pacific Command or subordinate commands; and

(ii) designating a Coast Guard patrol force under the direct authority of the Commander of the United States Indo-Pacific Command with associated forward-based assets and personnel.

(F) An identification of any additional authority necessary, including proposals for legislative change, to meet the needs identified in accordance with subparagraphs (A) through (E) and any other mission requirement in the Western Pacific region.

(3) FORM.—The report required under paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(b) BRIEFING.—Not later than 60 days after the date on which the Commandant submits the report under subsection (a), the Commandant, or a designated individual, shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the findings and conclusions of such report.

SEC. 5205. STUDY AND REPORT ON NATIONAL SECURITY AND DRUG TRAFFICKING THREATS IN THE FLORIDA STRAITS AND CARIBBEAN REGION, INCLUDING CUBA.

(a) IN GENERAL.—The Commandant shall conduct a study on national security, drug trafficking, and other relevant threats as the Commandant considers appropriate, in the Florida Straits and Caribbean region, including Cuba.

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

(1) An assessment of—

(A) new technology and evasive maneuvers used by transnational criminal organizations to evade detection and interdiction by Coast Guard law enforcement units and interagency partners; and

(B) capability gaps of the Coast Guard with respect to—

(i) the detection and interdiction of illicit drugs in the Florida Straits and Caribbean region, including Cuba; and

(ii) the detection of national security threats in such region.

(2) An identification of—

(A) the critical technological advancements required for the Coast Guard to meet

current and anticipated threats in such region;

(B) the capabilities required to enhance information sharing and coordination between the Coast Guard and interagency partners, foreign governments, and related civilian entities; and

(C) any significant new or developing threat to the United States posed by illicit actors in such region.

(c) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study under subsection (a).

SEC. 5206. COAST GUARD YARD.

(a) IN GENERAL.—With respect to the Coast Guard Yard, the purposes of the authorization under section 5103(b) are—

(1) to improve resilience and capacity;

(2) to maintain and expand Coast Guard organic manufacturing capacity;

(3) to expand training and recruitment;

(4) to enhance safety;

(5) to improve environmental compliance; and

(6) to ensure that the Coast Guard Yard is prepared to meet the growing needs of the modern Coast Guard fleet.

(b) INCLUSIONS.—The Secretary of the department in which the Coast Guard is operating shall ensure that the Coast Guard Yard receives improvements that include the following:

(1) Facilities upgrades needed to improve resilience of the shipyard, its facilities, and associated infrastructure.

(2) Acquisition of a large-capacity drydock.

(3) Improvements to piers and wharves, drydocks, and capital equipment utilities.

(4) Environmental remediation.

(5) Construction of a new warehouse and paint facility.

(6) Acquisition of a new travel lift.

(7) Dredging necessary to facilitate access to the Coast Guard Yard.

(c) WORKFORCE DEVELOPMENT PLAN.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, a workforce development plan that—

(1) outlines the workforce needs of the Coast Guard Yard with respect to civilian employees and active duty members of the Coast Guard, including engineers, individuals engaged in trades, cyber specialists, and other personnel necessary to meet the evolving mission set of the Coast Guard Yard; and

(2) includes recommendations for Congress with respect to the authorities, training, funding, and civilian and active-duty recruitment, including the recruitment of women and underrepresented minorities, necessary to meet workforce needs of the Coast Guard Yard for the 10-year period beginning on the date of submission of the plan.

SEC. 5207. AUTHORITY TO ENTER INTO TRANSACTIONS OTHER THAN CONTRACTS AND GRANTS TO PROCURE COST-EFFECTIVE TECHNOLOGY FOR MISSION NEEDS.

(a) IN GENERAL.—Subchapter III of chapter 11 of title 14, United States Code, is amended by adding at the end the following:

"§ 1158. Authority to enter into transactions other than contracts and grants to procure cost-effective, advanced technology for mission-critical needs

''(a) IN GENERAL.—Subject to subsections (b) and (c), the Commandant may enter into transactions (other than contracts, cooperative agreements, and grants) to develop prototypes for, and to operate and procure, cost-effective technology for the purpose of meeting the mission needs of the Coast Guard.

''(b) PROCUREMENT AND ACQUISITION.—Procurement or acquisition of technologies under subsection (a) shall be—

''(1) carried out in accordance with this title and Coast Guard policies and guidance; and

''(2) consistent with the operational requirements of the Coast Guard.

''(c) LIMITATIONS.—

''(1) IN GENERAL.—The Commandant may not enter into a transaction under subsection (a) with respect to a technology that—

''(A) does not comply with the cybersecurity standards of the Coast Guard; or

''(B) is sourced from an entity domiciled in the People's Republic of China, unless the Commandant determines that the prototype, operation, or procurement of such a technology is for the purpose of—

''(i) counter-UAS operations, surrogate testing, or training; or

''(ii) intelligence, electronic warfare, and information warfare operations, testing, analysis, and training.

''(2) WAIVER.—The Commandant may waive the application under paragraph (1) on a case-by-case basis by certifying in writing to the Secretary of Homeland Security and the appropriate committees of Congress that the prototype, operation, or procurement of the applicable technology is in the national interests of the United States.

''(d) EDUCATION AND TRAINING.—The Commandant shall ensure that management, technical, and contracting personnel of the Coast Guard involved in the award or administration of transactions under this section, or other innovative forms of contracting, are provided opportunities for adequate education and training with respect to the authority under this section.

''(e) REPORT.—

''(1) IN GENERAL.—Not later than 5 years after the date of the enactment of this section, the Commandant shall submit to the appropriate committees of Congress a report that—

''(A) describes the use of the authority pursuant to this section; and

''(B) assesses the mission and operational benefits of such authority.

''(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term 'appropriate committees of Congress' means—

''(A) the Committee on Commerce, Science, and Transportation of the Senate; and

''(B) the Committee on Transportation and Infrastructure of the House of Representatives.

''(f) REGULATIONS.—The Commandant shall prescribe regulations as necessary to carry out this section.

''(g) DEFINITIONS OF UNMANNED AIRCRAFT, UNMANNED AIRCRAFT SYSTEM, AND COUNTER-UAS.—In this section, the terms 'unmanned aircraft', 'unmanned aircraft system', and 'counter-UAS' have the meanings given such terms in section 44801 of title 49, United States Code.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter III of chapter 11 of title 14, United States Code, is amended by adding at the end the following:

''1158. Authority to enter into transactions other than contracts and grants to procure cost-effective technology for mission needs.''.

SEC. 5208. IMPROVEMENTS TO INFRASTRUCTURE AND OPERATIONS PLANNING.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall incorporate the most recent oceanic and atmospheric data relating to the increasing rates of extreme weather, including flooding, into planning scenarios for Coast Guard infrastructure and mission deployments with respect to all Coast Guard Missions.

(b) COORDINATION WITH NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—In carrying out subsection (a), the Commandant shall—

(1) coordinate with the Under Secretary of Commerce for Oceans and Atmosphere to ensure the incorporation of the most recent environmental and climatic data; and

(2) request technical assistance and advice from the Under Secretary in planning scenarios, as appropriate.

(c) BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the manner in which the best-available science from the National Oceanic and Atmospheric Administration has been incorporated into at least 1 key mission area of the Coast Guard, and the lessons learned from so doing.

SEC. 5209. AQUA ALERT NOTIFICATION SYSTEM PILOT PROGRAM.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Commandant shall, subject to the availability of appropriations, establish a pilot program to improve the issuance of alerts to facilitate cooperation with the public to render aid to distressed individuals under section 521 of title 14, United States Code.

(b) PILOT PROGRAM CONTENTS.—The pilot program established under subsection (a) shall, to the maximum extent possible—

(1) include a voluntary opt-in program under which members of the public, as appropriate, and the entities described in subsection (c), may receive notifications on cellular devices regarding Coast Guard activities to render aid to distressed individuals under section 521 of title 14, United States Code;

(2) cover areas located within the area of responsibility of 3 different Coast Guard sectors in diverse geographic regions; and

(3) provide that the dissemination of an alert shall be limited to the geographic areas most likely to facilitate the rendering of aid to distressed individuals.

(c) CONSULTATION.—In developing the pilot program under subsection (a), the Commandant shall consult—

(1) the head of any relevant Federal agency;

(2) the government of any relevant State;

(3) any Tribal Government;

(4) the government of any relevant territory or possession of the United States; and

(5) any relevant political subdivision of an entity described in paragraph (2), (3), or (4).

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, and annually thereafter through 2026, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the implementation of this section.

(2) PUBLIC AVAILABILITY.—The Commandant shall make the report submitted under paragraph (1) available to the public.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Commandant to carry out this section $3,000,000 for each of fiscal years 2023 through 2026, to remain available until expended.

Subtitle B—Great Lakes

SEC. 5211. GREAT LAKES WINTER COMMERCE.

(a) IN GENERAL.—Subchapter IV of chapter 5 of title 14, United States Code, is amended by adding at the end the following:

"§ 564. Great Lakes icebreaking operations

''(a) GAO REPORT.—

''(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this section, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Coast Guard Great Lakes icebreaking program.

''(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

''(A) An evaluation of the economic impact of vessel delays or cancellations associated with ice coverage on the Great Lakes.

''(B) An evaluation of mission needs of the Coast Guard Great Lakes icebreaking program.

''(C) An evaluation of the impact that the proposed standards described in subsection (b) would have on—

''(i) Coast Guard operations in the Great Lakes;

''(ii) Northeast icebreaking missions; and

''(iii) inland waterway operations.

''(D) A fleet mix analysis for meeting such proposed standards.

''(E) A description of the resources necessary to support the fleet mix resulting from such fleet mix analysis, including for crew and operating costs.

''(F) Recommendations to the Commandant for improvements to the Great Lakes icebreaking program, including with respect to facilitating commerce and meeting all Coast Guard mission needs.

''(b) PROPOSED STANDARDS FOR ICEBREAKING OPERATIONS.—The proposed standards described in this subsection are the following:

''(1) Except as provided in paragraph (2), the Commandant shall keep ice-covered waterways in the Great Lakes open to navigation during not less than 90 percent of the hours that commercial vessels and ferries attempt to transit such ice-covered waterways.

''(2) In a year in which the Great Lakes are not open to navigation because of ice of a thickness that occurs on average only once every 10 years, the Commandant shall keep ice-covered waterways in the Great Lakes open to navigation during not less than 70 percent of the hours that commercial vessels and ferries attempt to transit such ice-covered waterways.

''(c) REPORT BY COMMANDANT.—Not later than 90 days after the date on which the Comptroller General submits the report under subsection (a), the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes the following:

''(1) A plan for Coast Guard implementation of any recommendation made by the Comptroller General under subparagraph (F) of subsection (a)(2) the Commandant considers appropriate.

''(2) With respect to any recommendation made under such subparagraph that the Commandant declines to implement, a justification for such decision.

''(3) A review of, and a proposed implementation plan for, the results of the fleet mix analysis under subparagraph (D) of that subsection.

''(4) Any proposed modifications to the standards for icebreaking operations in the Great Lakes.

''(d) DEFINITIONS.—In this section:

''(1) COMMERCIAL VESSEL.—The term 'commercial vessel' means any privately owned cargo vessel operating in the Great Lakes during the winter season of at least 500 tons, as measured under section 14502 of title 46, or an alternate tonnage measured under section 14302 of such title, as prescribed by the Secretary under section 14104 of such title.

''(2) GREAT LAKES.—The term 'Great Lakes' means the United States waters of Lake Superior, Lake Michigan, Lake Huron, Lake Erie, and Lake Ontario, their connecting waterways, and their adjacent harbors.

''(3) ICE-COVERED WATERWAY.—The term 'ice-covered waterway' means any portion of the Great Lakes in which commercial vessels or ferries operate that is 70 percent or greater covered by ice, but does not include any waters adjacent to piers or docks for which commercial icebreaking services are available and adequate for the ice conditions.

''(4) OPEN TO NAVIGATION.—The term 'open to navigation' means navigable to the extent necessary, in no particular order of priority—

''(A) to extricate vessels and individuals from danger;

''(B) to prevent damage due to flooding;

''(C) to meet the reasonable demands of commerce;

''(D) to minimize delays to passenger ferries; and

''(E) to conduct other Coast Guard missions as required.

''(5) REASONABLE DEMANDS OF COMMERCE.—The term 'reasonable demands of commerce' means the safe movement of commercial vessels and ferries transiting ice-covered waterways in the Great Lakes, regardless of type of cargo, at a speed consistent with the design capability of Coast Guard icebreakers operating in the Great Lakes and appropriate to the ice capability of the commercial vessel.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 5 of title 14, United States Code, is amended by adding at the end the following:

''564. Great Lakes icebreaking operations.''.

SEC. 5212. DATABASE ON ICEBREAKING OPERATIONS IN THE GREAT LAKES.

(a) IN GENERAL.—The Commandant shall establish and maintain a database for collecting, archiving, and disseminating data on icebreaking operations and commercial vessel and ferry transit in the Great Lakes during ice season.

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

(1) Attempts by commercial vessels and ferries to transit ice-covered waterways in the Great Lakes that are unsuccessful because of inadequate icebreaking.

(2) The period of time that each commercial vessel or ferry was unsuccessful at so transiting due to inadequate icebreaking.

(3) The amount of time elapsed before each such commercial vessel or ferry was successfully broken out of the ice and whether it was accomplished by the Coast Guard or by commercial icebreaking assets.

(4) Relevant communications of each such commercial vessel or ferry with the Coast Guard and with commercial icebreaking services during such period.

(5) A description of any mitigating circumstance, such as Coast Guard icebreaker diversions to higher priority missions, that may have contributed to the amount of time described in paragraph (3).

(c) VOLUNTARY REPORTING.—Any reporting by operators of commercial vessels or ferries under this section shall be voluntary.

(d) PUBLIC AVAILABILITY.—The Commandant shall make the database available to the public on a publicly accessible internet website of the Coast Guard.

(e) CONSULTATION WITH INDUSTRY.—With respect to the Great Lakes icebreaking operations of the Coast Guard and the development of the database required under subsection (a), the Commandant shall consult operators of commercial vessels and ferries.

(f) DEFINITIONS.—In this section:

(1) COMMERCIAL VESSEL.—The term ''commercial vessel'' means any privately owned cargo vessel operating in the Great Lakes during the winter season of at least 500 tons, as measured under section 14502 of title 46, United States Code, or an alternate tonnage measured under section 14302 of such title, as prescribed by the Secretary of the department in which the Coast Guard is operating under section 14104 of such title.

(2) GREAT LAKES.—The term ''Great Lakes'' means the United States waters of Lake Superior, Lake Michigan, Lake Huron, Lake Erie, and Lake Ontario, their connecting waterways, and their adjacent harbors.

(3) ICE-COVERED WATERWAY.—The term ''ice-covered waterway'' means any portion of the Great Lakes in which commercial vessels or ferries operate that is 70 percent or greater covered by ice, but does not include any waters adjacent to piers or docks for which commercial icebreaking services are available and adequate for the ice conditions.

(4) OPEN TO NAVIGATION.—The term ''open to navigation'' means navigable to the extent necessary, in no particular order of priority—

(A) to extricate vessels and individuals from danger;

(B) to prevent damage due to flooding;

(C) to meet the reasonable demands of commerce;

(D) to minimize delays to passenger ferries; and

(E) to conduct other Coast Guard missions as required.

(5) REASONABLE DEMANDS OF COMMERCE.—The term ''reasonable demands of commerce'' means the safe movement of commercial vessels and ferries transiting ice-covered waterways in the Great Lakes, regardless of type of cargo, at a speed consistent with the design capability of Coast Guard icebreakers operating in the Great Lakes and appropriate to the ice capability of the commercial vessel.

(g) PUBLIC REPORT.—Not later than July 1 after the first winter in which the Commandant is subject to the requirements of section 564 of title 14, United States Code, the Commandant shall publish on a publicly accessible internet website of the Coast Guard a report on the cost to the Coast Guard of meeting the requirements of that section.

SEC. 5213. GREAT LAKES SNOWMOBILE ACQUISITION PLAN.

(a) IN GENERAL.—The Commandant shall develop a plan to expand snowmobile procurement for Coast Guard units at which snowmobiles may improve ice rescue response times while maintaining the safety of Coast Guard personnel engaged in search and rescue. The plan must include consideration of input from Officers in Charge, Commanding Officers, and Commanders of impacted units.

(b) ELEMENTS.—The plan required by subsection (a) shall include—

(1) a consideration of input from officers in charge, commanding officers, and commanders of affected Coast Guard units;

(2) a detailed description of the estimated costs of procuring, maintaining, and training members of the Coast Guard at affected units to use snowmobiles; and

(3) an assessment of—

(A) the degree to which snowmobiles may improve ice rescue response times while

maintaining the safety of Coast Guard personnel engaged in search and rescue;

(B) the operational capabilities of a snowmobile, as compared to an airboat, and a force laydown assessment with respect to the assets needed for effective operations at Coast Guard units conducting ice rescue activities; and

(C) the potential risks to members of the Coast Guard and members of the public posed by the use of snowmobiles by members of the Coast Guard for ice rescue activities.

(c) PUBLIC AVAILABILITY.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall finalize the plan required by subsection (a) and make the plan available on a publicly accessible internet website of the Coast Guard.

SEC. 5214. GREAT LAKES BARGE INSPECTION EXEMPTION.

Section 3302(m) of title 46, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting ''or a Great Lakes barge'' after ''seagoing barge''; and

(2) by striking ''section 3301(6) of this title'' and inserting ''paragraph (6) or (13) of section 3301 of this title''.

SEC. 5215. STUDY ON SUFFICIENCY OF COAST GUARD AVIATION ASSETS TO MEET MISSION DEMANDS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on—

(1) the force laydown of Coast Guard aviation assets; and

(2) any geographic gaps in coverage by Coast Guard assets in areas in which the Coast Guard has search and rescue responsibilities.

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

(1) The distance, time, and weather challenges that MH–65 and MH–60 units may face in reaching the outermost limits of the area of operation of Coast Guard District 9 and Coast Guard District 8 for which such units are responsible.

(2) An assessment of the advantages that Coast Guard fixed-wing assets, or an alternate rotary wing asset, would offer to the outermost limits of any area of operation for purposes of search and rescue, law enforcement, ice operations, and logistical missions.

(3) A comparison of advantages and disadvantages of the manner in which each of the Coast Guard fixed-wing aircraft would operate in the outermost limits of any area of operation.

(4) A specific assessment of the coverage gaps, including gaps in fixed-wing coverage, and potential solutions to address such gaps in the area of operation of Coast Guard District 9 and Coast Guard District 8, including the eastern region of such area of operation with regard to Coast Guard District 9 and the southern region of such area of operation with regard to Coast Guard District 8.

Subtitle C—Arctic

SEC. 5221. ESTABLISHMENT OF THE ARCTIC SECURITY CUTTER PROGRAM OFFICE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Commandant shall establish a program office for the acquisition of the Arctic Security Cutter to expedite the evaluation of requirements and initiate design of a vessel class critical to the national security of the United States.

(b) DESIGN PHASE.—Not later than 270 days after the date of the enactment of this Act, the Commandant shall initiate the design phase of the Arctic Security Cutter vessel class.

(c) QUARTERLY BRIEFINGS.—Not less frequently than quarterly until the date on which the contract for acquisition of the Arctic Security Cutter is awarded, the Commandant shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the status of requirements evaluations, design of the vessel, and schedule of the program.

SEC. 5222. ARCTIC ACTIVITIES.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Transportation and Infrastructure of the House of Representatives.

(2) ARCTIC.—The term ''Arctic'' has the meaning given such term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

(b) ARCTIC OPERATIONAL IMPLEMENTATION REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit a report to the appropriate committees of Congress that describes the ability and timeline to conduct a transit of the Northern Sea Route and periodic transits of the Northwest Passage.

SEC. 5223. STUDY ON ARCTIC OPERATIONS AND INFRASTRUCTURE.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on the Arctic operations and infrastructure of the Coast Guard.

(b) ELEMENTS.—The study required under subsection (a) shall assess the following:

(1) The extent of the collaboration between the Coast Guard and the Department of Defense to assess, manage, and mitigate security risks in the Arctic region.

(2) Actions taken by the Coast Guard to manage risks to Coast Guard operations, infrastructure, and workforce planning in the Arctic.

(3) The plans the Coast Guard has in place for managing and mitigating the risks to commercial maritime operations and the environment in the Arctic region.

(c) REPORT.—Not later than 1 year after commencing the study required under subsection (a), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

Subtitle D—Maritime Cyber and Artificial Intelligence

SEC. 5231. ENHANCING MARITIME CYBERSECURITY.

(a) DEFINITIONS.—In this section:

(1) CYBER INCIDENT.—The term ''cyber incident'' has the meaning given the term ''incident'' in section 2209(a) of the Homeland Security Act of 2002 (6 U.S.C. 659(a)).

(2) MARITIME OPERATORS.—The term ''maritime operators'' means the owners or operators of vessels engaged in commercial service, the owners or operators of port facilities, and port authorities.

(3) PORT FACILITIES.—The term ''port facilities'' has the meaning given the term ''facility'' in section 70101 of title 46.

(b) PUBLIC AVAILABILITY OF CYBERSECURITY TOOLS AND RESOURCES.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Commandant, in coordination with the Administrator of the Maritime Administration, the Director of the Cybersecurity and Infrastructure Security Agency, and the Director of the National Institute of Standards and Technology, shall identify and make available to the public a list of tools and resources, including the resources of the Coast Guard and the Cybersecurity and Infrastructure Security Agency, designed to assist maritime operators in identifying, detecting, protecting against, mitigating, responding to, and recovering from cyber incidents.

(2) IDENTIFICATION.—In carrying out paragraph (1), the Commandant, the Administrator of the Maritime Administration, the Director of the Cybersecurity and Infrastructure Security Agency, and the Director of the National Institute of Standards and Technology shall identify tools and resources that—

(A) comply with the cybersecurity framework for improving critical infrastructure established by the National Institute of Standards and Technology; or

(B) use the guidelines on maritime cyber risk management issued by the International Maritime Organization on July 5, 2017 (or successor guidelines).

(3) CONSULTATION.—The Commandant, the Administrator of the Maritime Administration, the Director of the Cybersecurity and Infrastructure Security Agency, and the Director of the National Institute of Standards and Technology may consult with maritime operators, other Federal agencies, industry stakeholders, and cybersecurity experts to identify tools and resources for purposes of this section.

SEC. 5232. ESTABLISHMENT OF UNMANNED SYSTEM PROGRAM AND AUTONOMOUS CONTROL AND COMPUTER VISION TECHNOLOGY PROJECT.

(a) IN GENERAL.—Section 319 of title 14, United States Code, is amended to read as follows:

''§ 319. Unmanned system program and autonomous control and computer vision technology project

''(a) UNMANNED SYSTEM PROGRAM.—The Secretary shall establish, under the control of the Commandant, an unmanned system program for the use by the Coast Guard of land-based, cutter-based, and aircraft-based unmanned systems for the purpose of increasing effectiveness and efficiency of mission execution.

''(b) AUTONOMOUS CONTROL AND COMPUTER VISION TECHNOLOGY PROJECT.—

''(1) IN GENERAL.—The Commandant shall conduct a project to retrofit 2 or more existing Coast Guard small boats deployed at operational units with—

''(A) commercially available autonomous control and computer vision technology; and

''(B) such sensors and methods of communication as are necessary to control, and technology to assist in conducting, search and rescue, surveillance, and interdiction missions.

''(2) DATA COLLECTION.—As part of the project required by paragraph (1), the Commandant shall collect and evaluate field-collected operational data from the retrofit described in that paragraph so as to inform future requirements.

''(3) BRIEFING.—Not later than 180 days after the date on which the project required under paragraph (1) is completed, the Commandant shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the project that includes an evaluation of the data collected from the project.

''(c) UNMANNED SYSTEM DEFINED.—In this section, the term 'unmanned system' means—

''(1) an unmanned aircraft system (as defined in section 44801 of title 49, United States Code);

''(2) an unmanned marine surface system; and

''(3) an unmanned marine subsurface system.

''(d) COST ASSESSMENT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to Congress an estimate of the costs associated with implementing the amendments made by this section.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 14, United States Code, is amended by striking the item relating to section 319 and inserting the following:

''319. Unmanned system program and autonomous control and computer vision technology project.''.

SEC. 5233. ARTIFICIAL INTELLIGENCE STRATEGY.

(a) ESTABLISHMENT OF ACTIVITIES.—

(1) IN GENERAL.—The Commandant shall establish a set of activities to coordinate the efforts of the Coast Guard to develop and mature artificial intelligence technologies and transition such technologies into operational use where appropriate.

(2) EMPHASIS.—The set of activities established under paragraph (1) shall—

(A) apply artificial intelligence and machine-learning solutions to operational and mission-support problems; and

(B) coordinate activities involving artificial intelligence and artificial intelligence-enabled capabilities within the Coast Guard.

(b) DESIGNATED OFFICIAL.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall designate a senior official of the Coast Guard (referred to in this section as the ''designated official'') with the principal responsibility for the coordination of activities relating to the development and demonstration of artificial intelligence and machine learning for the Coast Guard.

(2) DUTIES.—

(A) STRATEGIC PLAN.—

(i) IN GENERAL.—The designated official shall develop a detailed strategic plan to develop, mature, adopt, and transition artificial intelligence technologies into operational use where appropriate.

(ii) ELEMENTS.—The plan required by clause (i) shall include the following:

(I) A strategic roadmap for the identification and coordination of the development and fielding of artificial intelligence technologies and key enabling capabilities.

(II) The continuous evaluation and adaptation of relevant artificial intelligence capabilities developed by the Coast Guard and by other organizations for military missions and business operations.

(iii) SUBMISSION TO COMMANDANT.—Not later than 2 years after the date of the enactment of this Act, the designated official shall submit to the Commandant the plan developed under clause (i).

(B) GOVERNANCE AND OVERSIGHT OF ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING POLICY.—The designated official shall regularly convene appropriate officials of the Coast Guard—

(i) to integrate the functional activities of the Coast Guard with respect to artificial intelligence and machine learning;

(ii) to ensure that there are efficient and effective artificial intelligence and machine-learning capabilities throughout the Coast Guard; and

(iii) to develop and continuously improve research, innovation, policy, joint processes, and procedures to facilitate the development, acquisition, integration, advancement, oversight, and sustainment of artificial intelligence and machine learning throughout the Coast Guard.

(c) ACCELERATION OF DEVELOPMENT AND FIELDING OF ARTIFICIAL INTELLIGENCE.—To the extent practicable, the Commandant shall—

(1) use the flexibility of regulations, personnel, acquisition, partnerships with industry and academia, or other relevant policies of the Coast Guard to accelerate the development and fielding of artificial intelligence capabilities;

(2) ensure engagement with defense and private industries, research universities, and unaffiliated, nonprofit research institutions;

(3) provide technical advice and support to entities in the Coast Guard to optimize the use of artificial intelligence and machine-learning technologies to meet Coast Guard missions;

(4) support the development of requirements for artificial intelligence capabilities that address the highest priority capability gaps of the Coast Guard and technical feasibility;

(5) develop and support capabilities for technical analysis and assessment of threat capabilities based on artificial intelligence;

(6) identify the workforce and capabilities needed to support the artificial intelligence capabilities and requirements of the Coast Guard;

(7) develop classification guidance for all artificial intelligence-related activities of the Coast Guard;

(8) work with appropriate officials to develop appropriate ethical, legal, and other policies for the Coast Guard governing the development and use of artificial intelligence-enabled systems and technologies in operational situations; and

(9) ensure—

(A) that artificial intelligence programs of the Coast Guard are consistent with this section; and

(B) appropriate coordination of artificial intelligence activities of the Coast Guard with interagency, industry, and international efforts relating to artificial intelligence, including relevant participation in standards-setting bodies.

(d) INTERIM STRATEGIC PLAN.—

(1) IN GENERAL.—The Commandant shall develop a strategic plan to develop, mature, adopt, and transition artificial intelligence technologies into operational use where appropriate, that is informed by the plan developed by the designated official under subsection (b)(2)(A).

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

(A) Each element described in clause (ii) of subsection (b)(2)(A).

(B) A consideration of the identification, adoption, and procurement of artificial intelligence technologies for use in operational and mission support activities.

(3) COORDINATION.—In developing the plan required by paragraph (1), the Commandant shall coordinate and engage with defense and private industries, research universities, and unaffiliated, nonprofit research institutions.

(4) SUBMISSION TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the plan developed under paragraph (1).

SEC. 5234. REVIEW OF ARTIFICIAL INTELLIGENCE APPLICATIONS AND ESTABLISHMENT OF PERFORMANCE METRICS.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Commandant shall—

(1) review the potential applications of artificial intelligence and digital technology to the platforms, processes, and operations of the Coast Guard;

(2) identify the resources necessary to improve the use of artificial intelligence and digital technology in such platforms, processes, and operations; and

(3) establish performance objectives and accompanying metrics for the incorporation of artificial intelligence and digital readiness into such platforms, processes, and operations.

(b) PERFORMANCE OBJECTIVES AND ACCOMPANYING METRICS.—

(1) SKILL GAPS.—In carrying out subsection (a), the Commandant shall—

(A) conduct a comprehensive review and assessment of—

(i) skill gaps in the fields of software development, software engineering, data science, and artificial intelligence;

(ii) the qualifications of civilian personnel needed for both management and specialist tracks in such fields; and

(iii) the qualifications of military personnel (officer and enlisted) needed for both management and specialist tracks in such fields; and

(B) establish recruiting, training, and talent management performance objectives and accompanying metrics for achieving and maintaining staffing levels needed to fill identified gaps and meet the needs of the Coast Guard for skilled personnel.

(2) AI MODERNIZATION ACTIVITIES.—In carrying out subsection (a), the Commandant shall—

(A) assess investment by the Coast Guard in artificial intelligence innovation, science and technology, and research and development;

(B) assess investment by the Coast Guard in test and evaluation of artificial intelligence capabilities;

(C) assess the integration of, and the resources necessary to better use artificial intelligence in wargames, exercises, and experimentation;

(D) assess the application of, and the resources necessary to better use, artificial intelligence in logistics and sustainment systems;

(E) assess the integration of, and the resources necessary to better use, artificial intelligence for administrative functions;

(F) establish performance objectives and accompanying metrics for artificial intelligence modernization activities of the Coast Guard; and

(G) identify the resources necessary to effectively use artificial intelligence to carry out the missions of the Coast Guard.

(c) REPORT TO CONGRESS.—Not later than 180 days after the completion of the review required by subsection (a)(1), the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report on—

(1) the findings of the Commandant with respect to such review and any action taken or proposed to be taken by the Commandant, and the resources necessary to address such findings;

(2) the performance objectives and accompanying metrics established under subsections (a)(3) and (b)(1)(B); and

(3) any recommendation with respect to proposals for legislative change necessary to successfully implement artificial intelligence applications within the Coast Guard.

SEC. 5235. CYBER DATA MANAGEMENT.

(a) IN GENERAL.—The Commandant and the Director of the Cybersecurity and Infrastructure Security Agency, shall—

(1) develop policies, processes, and operating procedures governing—

(A) access to and the ingestion, structure, storage, and analysis of information and data relevant to the Coast Guard Cyber Mission, including—

(i) intelligence data relevant to Coast Guard missions;

(ii) internet traffic, topology, and activity data relevant to such missions; and

(iii) cyber threat information relevant to such missions; and

(B) data management and analytic platforms relating to such missions; and

(2) evaluate data management platforms referred to in paragraph (1)(B) to ensure that such platforms operate consistently with the Coast Guard Data Strategy.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report that includes—

(1) an assessment of the progress on the activities required by subsection (a); and

(2) any recommendation with respect to funding or additional authorities necessary, including proposals for legislative change, to improve Coast Guard cyber data management.

SEC. 5236. DATA MANAGEMENT.

The Commandant shall develop data workflows and processes for the leveraging of mission-relevant data by the Coast Guard to enhance operational effectiveness and efficiency.

SEC. 5237. STUDY ON CYBER THREATS TO THE UNITED STATES MARINE TRANSPORTATION SYSTEM.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on cyber threats to the United States marine transportation system.

(b) ELEMENTS.—The study required by paragraph (1) shall assess the following:

(1) The extent to which the Coast Guard, in collaboration with other Federal agencies, sets standards for the cybersecurity of facilities and vessels regulated under parts 104, 105, or 106 of title 33 of the Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(2) The manner in which the Coast Guard ensures cybersecurity standards are followed by port, vessel, and facility owners and operators.

(3) The extent to which maritime sector-specific planning addresses cybersecurity, particularly for vessels and offshore platforms.

(4) The manner in which the Coast Guard, other Federal agencies, and vessel and offshore platform operators exchange information regarding cyber risks.

(5) The extent to which the Coast Guard is developing and deploying cybersecurity specialists in port and vessel systems and collaborating with the private sector to increase the expertise of the Coast Guard with respect to cybersecurity.

(6) The cyber resource and workforce needs of the Coast Guard necessary to meet future mission demands.

(c) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall submit a report on the findings of the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(d) DEFINITION OF FACILITY.—In this section the term ''facility'' has the meaning given the term in section 70101 of title 46, United States Code.

Subtitle E—Aviation

SEC. 5241. SPACE-AVAILABLE TRAVEL ON COAST GUARD AIRCRAFT: PROGRAM AUTHORIZATION AND ELIGIBLE RECIPIENTS.

(a) IN GENERAL.—Subchapter I of chapter 5 of title 14, United States Code, is amended by adding at the end the following:

''§ 509. Space-available travel on Coast Guard aircraft

''(a)(1) The Coast Guard may establish a program to provide transportation on Coast Guard aircraft on a space-available basis to the categories of eligible individuals described in subsection (c) (in this section referred to as the 'program').

''(2) Not later than 1 year after the date on which the program is established, the Commandant shall develop a policy for its operation.

''(b)(1) The Commandant shall operate the program in a budget-neutral manner.

''(2)(A) Except as provided in subparagraph (B), no additional funds may be used, or flight hours performed, for the purpose of providing transportation under the program.

''(B) The Commandant may make de minimis expenditures of resources required for the administrative aspects of the program.

''(3) Eligible individuals described in subsection (c) shall not be required to reimburse the Coast Guard for travel provided under this section.

''(c) Subject to subsection (d), the categories of eligible individuals described in this subsection are the following:

''(1) Members of the armed forces on active duty.

''(2) Members of the Selected Reserve who hold a valid Uniformed Services Identification and Privilege Card.

''(3) Retired members of a regular or reserve component of the armed forces, including retired members of reserve components who, but for being under the eligibility age applicable under section 12731 of title 10, would be eligible for retired pay under chapter 1223 of title 10.

''(4) Subject to subsection (f), veterans with a permanent service-connected disability rated as total.

''(5) Such categories of dependents of individuals described in paragraphs (1) through (3) as the Commandant shall specify in the policy under subsection (a)(2), under such conditions and circumstances as the Commandant shall specify in such policy.

''(6) Such other categories of individuals as the Commandant, in the discretion of the Commandant, considers appropriate.

''(d) In operating the program, the Commandant shall—

''(1) in the sole discretion of the Commandant, establish an order of priority for transportation for categories of eligible individuals that is based on considerations of military necessity, humanitarian concerns, and enhancement of morale;

''(2) give priority in consideration of transportation to the demands of members of the armed forces in the regular components and in the reserve components on active duty and to the need to provide such members, and their dependents, a means of respite from such demands; and

''(3) implement policies aimed at ensuring cost control (as required by subsection (b)) and the safety, security, and efficient processing of travelers, including limiting the benefit under the program to 1 or more categories of otherwise eligible individuals, as the Commandant considers necessary.

''(e)(1) Notwithstanding subsection (d)(1), in establishing space-available transportation priorities under the program, the Commandant shall provide transportation for an individual described in paragraph (2), and a single dependent of the individual if needed to accompany the individual, at a priority level in the same category as the priority level for an unaccompanied dependent over the age of 18 years traveling on environmental and morale leave.

''(2) Subject to paragraph (3), paragraph (1) applies with respect to an individual described in subsection (c)(3) who—

''(A) resides in or is located in a Commonwealth or possession of the United States; and

''(B) is referred by a military or civilian primary care provider located in that Commonwealth or possession to a specialty care provider for services to be provided outside of that Commonwealth or possession.

''(3) If an individual described in subsection (c)(3) is a retired member of a reserve component who is ineligible for retired pay under chapter 1223 of title 10 by reason of being under the eligibility age applicable under section 12731 of title 10, paragraph (1) applies to the individual only if the individual is also enrolled in the TRICARE program for certain members of the Retired Reserve authorized under section 1076e of title 10.

''(4) The priority for space-available transportation required by this subsection applies with respect to—

''(A) the travel from the Commonwealth or possession of the United States to receive the specialty care services; and

''(B) the return travel.

''(5) In this subsection, the terms 'primary care provider' and 'specialty care provider' refer to a medical or dental professional who provides health care services under chapter 55 of title 10.

''(f)(1) Travel may not be provided under this section to a veteran eligible for travel pursuant to paragraph (4) of subsection (c) in priority over any member eligible for travel under paragraph (1) of that subsection or any dependent of such a member eligible for travel under this section.

''(2) Subsection (c)(4) may not be construed as—

''(A) affecting or in any way imposing on the Coast Guard, any armed force, or any commercial entity with which the Coast Guard or an armed force contracts, an obligation or expectation that the Coast Guard or such armed force will retrofit or alter, in any way, military aircraft or commercial aircraft, or related equipment or facilities, used or leased by the Coast Guard or such armed force to accommodate passengers provided travel under such authority on account of disability; or

''(B) preempting the authority of an aircraft commander to determine who boards the aircraft and any other matters in connection with safe operation of the aircraft.

''(g) The authority to provide transportation under the program is in addition to any other authority under law to provide transportation on Coast Guard aircraft on a space-available basis.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 5 of title 14, United States Code, is amended by adding at the end the following:

''509. Space-available travel on Coast Guard aircraft.''.

SEC. 5242. REPORT ON COAST GUARD AIR STATION BARBERS POINT HANGAR.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of

Representatives a report on facilities requirements for constructing a hangar at Coast Guard Air Station Barbers Point at Oahu, Hawaii.

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

(1) A description of the $45,000,000 phase one design for the hangar at Coast Guard Air Station Barbers Point funded by the Consolidated Appropriations Act, 2021 (Public Law 116–260; 134 Stat. 1132).

(2) An evaluation of the full facilities requirements for such hangar to house, maintain, and operate the MH–65 and HC–130J, including—

(A) storage and provision of fuel; and

(B) maintenance and parts storage facilities.

(3) An evaluation of facilities growth requirements for possible future basing of the MH–60 with the C–130J at Coast Guard Air Station Barbers Point.

(4) A description of and cost estimate for each project phase for the construction of such hangar.

(5) A description of the plan for sheltering in the hangar during extreme weather events aircraft of the Coast Guard and partner agencies, such as the National Oceanic and Atmospheric Administration.

(6) A description of the risks posed to operations at Coast Guard Air Station Barbers Point if future project phases for the construction of such hangar are not funded.

SEC. 5243. STUDY ON THE OPERATIONAL AVAILABILITY OF COAST GUARD AIRCRAFT AND STRATEGY FOR COAST GUARD AVIATION.

(a) STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on the operational availability of Coast Guard aircraft.

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

(A) An assessment of —

(i) the extent to which the fixed-wing and rotary-wing aircraft of the Coast Guard have met annual operational availability targets in recent years;

(ii) the challenges the Coast Guard may face with respect to such aircraft meeting operational availability targets, and the effects of such challenges on the Coast Guard's ability to meet mission requirements; and

(iii) the status of Coast Guard efforts to upgrade or recapitalize its fleet of such aircraft to meet growth in future mission demands globally, such as in the Western Hemisphere, the Arctic region, and the Western Pacific region.

(B) Any recommendation with respect to the operational availability of Coast Guard aircraft.

(C) The resource and workforce requirements necessary for Coast Guard Aviation to meet current and future mission demands specific to each rotary-wing and fixed-wing airframe type in the current inventory of the Coast Guard.

(3) REPORT.—On completion of the study required by paragraph (1), the Comptroller General shall submit to the Commandant a report on the findings of the study.

(b) COAST GUARD AVIATION STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date on which the study under subsection (a) is completed, the Commandant shall develop a comprehensive strategy for Coast Guard Aviation that is informed by the relevant recommendations and findings of the study.

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

(A) With respect to aircraft of the Coast Guard—

(i) an analysis of—

(I) the current and future operations and future resource needs; and

(II) the manner in which such future needs are integrated with the Future Vertical Lift initiatives of the Department of Defense; and

(ii) an estimated timeline with respect to when such future needs will arise.

(B) The projected number of aviation assets, the locations at which such assets are to be stationed, the cost of operation and maintenance of such assets, and an assessment of the capabilities of such assets as compared to the missions they are expected to execute, at the completion of major procurement and modernization plans.

(C) A procurement plan, including an estimated timetable and the estimated appropriations necessary for all platforms, including unmanned aircraft.

(D) A training plan for pilots and aircrew that addresses—

(i) the use of simulators owned and operated by the Coast Guard, and simulators that are not owned or operated by the Coast Guard, including any such simulators based outside the United States; and

(ii) the costs associated with attending training courses.

(E) Current and future requirements for cutter and land-based deployment of aviation assets globally, including in the Arctic, the Eastern Pacific, the Western Pacific, the Caribbean, the Atlantic Basin, and any other area the Commandant considers appropriate.

(F) A description of the feasibility of deploying, and the resource requirements necessary to deploy, rotary-winged assets onboard all future Arctic cutter patrols.

(G) An evaluation of current and future facilities needs for Coast Guard aviation units.

(H) An evaluation of pilot and aircrew training and retention needs, including aviation career incentive pay, retention bonuses, and any other workforce tools the Commandant considers necessary.

(3) BRIEFING.—Not later than 180 days after the date on which the strategy required by paragraph (1) is completed, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the strategy.

Subtitle F—Workforce Readiness

SEC. 5251. AUTHORIZED STRENGTH.

Section 3702 of title 14, United States Code, is amended by adding at the end the following:

''(c) The Secretary may vary the authorized end strength of the Selected Reserve of the Coast Guard Reserve for a fiscal year by a number equal to not more than 3 percent of such end strength upon a determination by the Secretary that such a variation is in the national interest.

''(d) The Commandant may increase the authorized end strength of the Selected Reserve of the Coast Guard Reserve by a number equal to not more than 2 percent of such authorized end strength upon a determination by the Commandant that such an increase would enhance manning and readiness in essential units or in critical specialties or ratings.''.

SEC. 5252. NUMBER AND DISTRIBUTION OF OFFICERS ON ACTIVE DUTY PROMOTION LIST.

(a) MAXIMUM NUMBER OF OFFICERS.—Section 2103(a) of title 14, United States Code, is amended to read as follows:

''(a) MAXIMUM TOTAL NUMBER.—

''(1) IN GENERAL.—The total number of Coast Guard commissioned officers on the active duty promotion list, excluding warrant officers, shall not exceed 7,400.

''(2) TEMPORARY INCREASE.—Notwithstanding paragraph (1), the Commandant may temporarily increase the total number of commissioned officers permitted under that paragraph by up to 4 percent for not more than 60 days after the date of the commissioning of a Coast Guard Academy class.

''(3) NOTIFICATION.—If the Commandant increases pursuant to paragraph (2) the total number of commissioned officers permitted under paragraph (1), the Commandant shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the number of officers on the active duty promotion list on the last day of the preceding 30-day period—

''(A) not later than 30 days after such increase; and

''(B) every 30 days thereafter until the total number of commissioned officers no longer exceeds the total number of commissioned officers permitted under paragraph (1).''.

(b) OFFICERS NOT ON ACTIVE DUTY PROMOTION LIST.—

(1) IN GENERAL.—Chapter 51 of title 14, United States Code, is amended by adding at the end the following:

''§ 5113. Officers not on active duty promotion list

''Not later than 60 days after the date on which the President submits to Congress a budget pursuant to section 1105(a) of title 31, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the number of Coast Guard officers who are serving at other Federal agencies on a reimbursable basis, and the number of Coast Guard officers who are serving at other Federal agencies on a non-reimbursable basis but are not on the active duty promotion list.''.

(2) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 14, United States Code, is amended by adding at the end the following:

''5113. Officers not on active duty promotion list.''.

SEC. 5253. CONTINUATION ON ACTIVE DUTY OF OFFICERS WITH CRITICAL SKILLS.

(a) IN GENERAL.—Subchapter II of chapter 21 of title 14, United States Code, is amended by adding at the end the following:

''§ 2166. Continuation on active duty of officers with critical skills

''(a) IN GENERAL.—The Commandant may authorize an officer in any grade above grade O–2 to remain on active duty after the date otherwise provided for the retirement of the officer in section 2154 of this title if the officer possesses a critical skill or specialty or is in a career field designated pursuant to subsection (b).

''(b) CRITICAL SKILL, SPECIALTY, OR CAREER FIELD.—The Commandant shall designate 1 or more critical skills, specialties, or career fields for purposes of subsection (a).

''(c) DURATION OF CONTINUATION.—An officer continued on active duty pursuant to this section shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 40 years of active service.

''(d) POLICY.—The Commandant shall carry out this section by prescribing policy that specifies the criteria to be used in designating any critical skill, specialty, or career field for purposes of subsection (b).''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 21 of title 14, United States Code, is amended by adding at the end the following:

''2166. Continuation on active duty of officers with critical skills.''.

SEC. 5254. CAREER INCENTIVE PAY FOR MARINE INSPECTORS.

(a) AUTHORITY TO PROVIDE ASSIGNMENT PAY OR SPECIAL DUTY PAY.—The Secretary of the department in which the Coast Guard is operating may provide assignment pay or special duty pay under section 352 of title 37, United States Code, to a member of the Coast Guard serving in a prevention position and assigned as a marine inspector or marine investigator pursuant to section 312 of title 14, United States Code.

(b) ANNUAL BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of the department in which the Coast Guard is operating shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on any uses of the authority under subsection (a) during the preceding year.

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

(A) The number of members of the Coast Guard serving as marine inspectors or marine investigators pursuant to section 312 of title 14, United States Code, who are receiving assignment pay or special duty pay under section 352 of title 37, United States Code.

(B) An assessment of the impact of the use of the authority under this section on the effectiveness and efficiency of the Coast Guard in administering the laws and regulations for the promotion of safety of life and property on and under the high seas and waters subject to the jurisdiction of the United States.

(C) An assessment of the effects of assignment pay and special duty pay on retention of marine inspectors and investigators.

(D) If the authority provided in subsection (a) is not exercised, a detailed justification for not exercising such authority, including an explanation of the efforts the Secretary of the department in which the Coast Guard is operating is taking to ensure that the Coast Guard workforce contains an adequate number of qualified marine inspectors.

(c) STUDY.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating, in coordination with the Director of the National Institute for Occupational Safety and Health, shall conduct a study on the health of marine inspectors and marine investigators who have served in such positions for a period of not less than least 10 years.

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

(A) An evaluation of—

(i) the daily vessel inspection duties of marine inspectors and marine investigators, including the examination of internal cargo tanks and voids and new construction activities;

(ii) major incidents to which marine inspectors and marine investigators have had to respond, and any other significant incident, such as a vessel casualty, that has resulted in the exposure of marine inspectors and marine investigators to hazardous chemicals or substances; and

(iii) the types of hazardous chemicals or substances to which marine inspectors and marine investigators have been exposed relative to the effects such chemicals or substances have had on marine inspectors and marine investigators.

(B) A review and analysis of the current Coast Guard health and safety monitoring systems, and recommendations for improving such systems, specifically with respect to the exposure of members of the Coast Guard to hazardous substances while carrying out inspections and investigation duties.

(C) Any other element the Secretary of the department in which the Coast Guard is operating considers appropriate.

(3) REPORT.—On completion of the study required by paragraph (1), the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study and recommendations for actions the Commandant should take to improve the health and exposure of marine inspectors and marine investigators.

(d) TERMINATION.—The authority provided by subsection (a) shall terminate on December 31, 2027, unless the study required by subsection (c) is completed and submitted as required by that subsection.

SEC. 5255. EXPANSION OF THE ABILITY FOR SELECTION BOARD TO RECOMMEND OFFICERS OF PARTICULAR MERIT FOR PROMOTION.

Section 2116(c)(1) of title 14, United States Code, is amended, in the second sentence, by inserting ''three times'' after ''may not exceed''.

SEC. 5256. MODIFICATION TO EDUCATION LOAN REPAYMENT PROGRAM.

(a) IN GENERAL.—Section 2772 of title 14, United States Code, is amended to read as follows:

''§ 2772. Education loan repayment program: members on active duty in specified military specialties

''(a)(1) Subject to the provisions of this section, the Secretary may repay—

''(A) any loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.);

''(B) any loan made under part D of such title (the William D. Ford Federal Direct Loan Program, 20 U.S.C. 1087a et seq.);

''(C) any loan made under part E of such title (20 U.S.C. 1087aa et seq.); or

''(D) any loan incurred for educational purposes made by a lender that is—

''(i) an agency or instrumentality of a State;

''(ii) a financial or credit institution (including an insurance company) that is subject to examination and supervision by an agency of the United States or any State;

''(iii) a pension fund approved by the Secretary for purposes of this section; or

''(iv) a nonprofit private entity designated by a State, regulated by such State, and approved by the Secretary for purposes of this section.

''(2) Repayment of any such loan shall be made on the basis of each complete year of service performed by the borrower.

''(3) The Secretary may repay loans described in paragraph (1) in the case of any person for service performed on active duty as a member in an officer program or military specialty specified by the Secretary.

''(b) The portion or amount of a loan that may be repaid under subsection (a) is 33⅓ percent or $1,500, whichever is greater, for each year of service.

''(c) If a portion of a loan is repaid under this section for any year, interest on the remainder of such loan shall accrue and be paid in the same manner as is otherwise required.

''(d) Nothing in this section shall be construed to authorize refunding any repayment of a loan.

''(e) A person who transfers from service making the person eligible for repayment of loans under this section (as described in subsection (a)(3)) to service making the person eligible for repayment of loans under section 16301 of title 10 (as described in subsection (a)(2) or (g) of that section) during a year shall be eligible to have repaid a portion of such loan determined by giving appropriate fractional credit for each portion of the year so served, in accordance with regulations of the Secretary concerned.

''(f) The Secretary shall prescribe a schedule for the allocation of funds made available to carry out the provisions of this section and section 16301 of title 10 during any year for which funds are not sufficient to pay the sum of the amounts eligible for repayment under subsection (a) and section 16301(a) of title 10.

''(g) Except a person described in subsection (e) who transfers to service making the person eligible for repayment of loans under section 16301 of title 10, a member of the Coast Guard who fails to complete the period of service required to qualify for loan repayment under this section shall be subject to the repayment provisions of section 303a(e) or 373 of title 37.

''(h) The Secretary may prescribe procedures for implementing this section, including standards for qualified loans and authorized payees and other terms and conditions for making loan repayments. Such regulations may include exceptions that would allow for the payment as a lump sum of any loan repayment due to a member under a written agreement that existed at the time of a member's death or disability.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter III of chapter 27 of title 14, United States Code, is amended by striking the item relating to section 2772 and inserting the following:

''2772. Education loan repayment program: members on active duty in specified military specialties.''.

SEC. 5257. RETIREMENT OF VICE COMMANDANT.

Section 303 of title 14, United States Code, is amended—

(1) by amending subsection (a)(2) to read as follows:

''(2) A Vice Commandant who is retired while serving as Vice Commandant, after serving not less than 2 years as Vice Commandant, shall be retired with the grade of admiral, except as provided in section 306(d).''; and

(2) in subsection (c), by striking ''or Vice Commandant'' and inserting ''or as an officer serving as Vice Commandant who has served less than 2 years as Vice Commandant''.

SEC. 5258. REPORT ON RESIGNATION AND RETIREMENT PROCESSING TIMES AND DENIAL.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, and annually thereafter, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, a report that evaluates resignation and retirement processing timelines.

(b) ELEMENTS.—The report required by subsection (a) shall include the following for the preceding calendar year—

(1) statistics on the number of resignations, retirements, and other separations that occurred;

(2) the processing time for each action described in paragraph (1);

(3) the percentage of requests for such actions that had a command endorsement;

(4) the percentage of requests for such actions that did not have a command endorsement; and

(5) for each denial of a request for a command endorsement and each failure to take action on such a request, a detailed description of the rationale for such denial or failure to take such action.

SEC. 5259. PHYSICAL DISABILITY EVALUATION SYSTEM PROCEDURE REVIEW.

(a) STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall complete a study on the Coast Guard Physical Disability Evaluation System and medical retirement procedures.

(2) ELEMENTS.—The study required by paragraph (1) shall review, and provide recommendations to address, the following:

(A) Coast Guard compliance with all applicable laws, regulations, and policies relating to the Physical Disability Evaluation System and the Medical Evaluation Board.

(B) Coast Guard compliance with timelines set forth in—

(i) the instruction of the Commandant entitled ''Physical Disability Evaluation System'' issued on May 19, 2006 (COMDTNST M1850.2D); and

(ii) the Physical Disability Evaluation System Transparency Initiative (ALCGPSC 030/20).

(C) An evaluation of Coast Guard processes in place to ensure the availability, consistency, and effectiveness of counsel appointed by the Coast Guard Office of the Judge Advocate General to represent members of the Coast Guard undergoing an evaluation under the Physical Disability Evaluation System.

(D) The extent to which the Coast Guard has and uses processes to ensure that such counsel may perform their functions in a manner that is impartial, including being able to perform their functions without undue pressure or interference by the command of the affected member of the Coast Guard, the Personnel Service Center, and the United States Coast Guard Office of the Judge Advocate General.

(E) The frequency with which members of the Coast Guard seek private counsel in lieu of counsel appointed by the Coast Guard Office of the Judge Advocate General, and the frequency of so doing at each member pay grade.

(F) The timeliness of determinations, guidance, and access to medical evaluations necessary for retirement or rating determinations and overall well-being of the affected member of the Coast Guard.

(G) The guidance, formal or otherwise, provided by the Personnel Service Center and the Coast Guard Office of the Judge Advocate General, other than the counsel directly representing affected members of the Coast Guard, in communication with medical personnel examining members.

(H) The guidance, formal or otherwise, provided by the medical professionals reviewing cases within the Physical Disability Evaluation System to affected members of the Coast Guard, and the extent to which such guidance is disclosed to the commanders, commanding officers, or other members of the Coast Guard in the chain of command of such affected members.

(I) The feasibility of establishing a program to allow members of the Coast Guard to select an expedited review to ensure completion of the Medical Evaluation Board report not later than 180 days after the date on which such review was initiated.

(b) REPORT.—The Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study conducted under subsection (a) and recommendations for improving the physical disability evaluation system process.

(c) UPDATED POLICY GUIDANCE.—

(1) IN GENERAL.—Not later than 180 days after the date on which the report under subsection (b) is submitted, the Commandant shall issue updated policy guidance in response to the findings and recommendations contained in the report.

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

(A) A requirement that a member of the Coast Guard, or the counsel of such a member, shall be informed of the contents of, and afforded the option to be present for, any communication between the member's command and the Personnel Service Center, or other Coast Guard entity, with respect to the duty status of the member.

(B) An exception to the requirement described in subparagraph (A) that such a member or the counsel of the member is not required to be informed of the contents of such a communication if it is demonstrated that there is a legitimate health and safety need for the member to be excluded from such communications, supported by a medical opinion that such exclusion is necessary for the health or safety of the member, command, or any other individual.

(C) An option to allow a member of the Coast Guard to initiate an evaluation by a Medical Evaluation Board if a Coast Guard healthcare provider, or other military healthcare provider, has raised a concern about the ability of the member to continue serving in the Coast Guard, in accordance with existing medical and physical disability policy.

(D) An updated policy to remove the command endorsement requirement for retirement or separation unless absolutely necessary for the benefit of the United States.

SEC. 5260. EXPANSION OF AUTHORITY FOR MULTIRATER ASSESSMENTS OF CERTAIN PERSONNEL.

(a) IN GENERAL.—Section 2182(a) of title 14, United States Code, is amended by striking paragraph (2) and inserting the following:

''(2) OFFICERS.—Each officer of the Coast Guard shall undergo a multirater assessment before promotion to—

''(A) the grade of O–4;

''(B) the grade of O–5; and

''(C) the grade of O–6.

''(3) ENLISTED MEMBERS.—Each enlisted member of the Coast Guard shall undergo a multirater assessment before advancement to—

''(A) the grade of E–7;

''(B) the grade of E–8;

''(C) the grade of E–9; and

''(D) the grade of E–10.

''(4) SELECTION.—A reviewee shall not be permitted to select the peers and subordinates who provide opinions for his or her multirater assessment.

''(5) POST-ASSESSMENT ELEMENTS.—

''(A) IN GENERAL.—Following an assessment of an individual pursuant to paragraphs (1) through (3), the individual shall be provided appropriate post-assessment counseling and leadership coaching.

''(B) AVAILABILITY OF RESULTS.—The supervisor of the individual assessed shall be provided with the results of the multirater assessment.''.

(b) COST ASSESSMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the appropriate committees of Congress an estimate of the costs associated with implementing the amendment made by this section.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

SEC. 5261. PROMOTION PARITY.

(a) INFORMATION TO BE FURNISHED.—Section 2115(a) of title 14, 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:

''(3) in the case of an eligible officer considered for promotion to a rank above lieutenant, any credible information of an adverse nature, including any substantiated adverse finding or conclusion from an officially documented investigation or inquiry and any information placed in the personnel service record of the officer under section 1745(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 1561 note), shall be furnished to the selection board in accordance with standards and procedures set out in the regulations prescribed by the Secretary.''.

(b) SPECIAL SELECTION REVIEW BOARDS.—

(1) IN GENERAL.—Subchapter I of chapter 21 of title 14, United States Code, is amended by inserting after section 2120 the following:

''§ 2120a. Special selection review boards

''(a) IN GENERAL.—(1) If the Secretary determines that a person recommended by a promotion board for promotion to a grade at or below the grade of rear admiral is the subject of credible information of an adverse nature, including any substantiated adverse finding or conclusion described in section 2115(a)(3) of this title that was not furnished to the promotion board during its consideration of the person for promotion as otherwise required by such section, the Secretary shall convene a special selection review board under this section to review the person and recommend whether the recommendation for promotion of the person should be sustained.

''(2) If a person and the recommendation for promotion of the person is subject to review under this section by a special selection review board convened under this section, the name of the person—

''(A) shall not be disseminated or publicly released on the list of officers recommended for promotion by the promotion board recommending the promotion of the person; and

''(B) shall not be forwarded to the President or the Senate, as applicable, or included on a promotion list under section 2121 of this title.

''(b) CONVENING.—(1) Any special selection review board convened under this section shall be convened in accordance with the provisions of section 2120(c) of this title.

''(2) Any special selection review board convened under this section may review such number of persons, and recommendations for promotion of such persons, as the Secretary shall specify in convening such special selection review board.

''(c) INFORMATION CONSIDERED.—(1) In reviewing a person and recommending whether the recommendation for promotion of the person should be sustained under this section, a special selection review board convened under this section shall be furnished and consider the following:

''(A) The record and information concerning the person furnished in accordance with section 2115 of this title to the promotion board that recommended the person for promotion.

''(B) Any credible information of an adverse nature on the person, including any substantiated adverse finding or conclusion from an officially documented investigation or inquiry described in section 2115(a)(3) of this title.

''(2) The furnishing of information to a special selection review board under paragraph

(1)(B) shall be governed by the standards and procedures referred to in section 2115 of this title.

''(3)(A) Before information on a person described in paragraph (1)(B) is furnished to a special selection review board for purposes of this section, the Secretary shall ensure that—

''(i) such information is made available to the person; and

''(ii) subject to subparagraphs (C) and (D), the person is afforded a reasonable opportunity to submit comments on such information to the special selection review board before its review of the person and the recommendation for promotion of the person under this section.

''(B) If information on a person described in paragraph (1)(B) is not made available to the person as otherwise required by subparagraph (A)(i) due to the classification status of such information, the person shall, to the maximum extent practicable, be furnished a summary of such information appropriate to the person's authorization for access to classified information.

''(C)(i) An opportunity to submit comments on information is not required for a person under subparagraph (A)(ii) if—

''(I) such information was made available to the person in connection with the furnishing of such information under section 2115(a) of this title to the promotion board that recommended the promotion of the person subject to review under this section; and

''(II) the person submitted comments on such information to that promotion board.

''(ii) The comments on information of a person described in clause (i)(II) shall be furnished to the special selection review board.

''(D) A person may waive either or both of the following:

''(i) The right to submit comments to a special selection review board under subparagraph (A)(ii).

''(ii) The furnishing of comments to a special selection review board under subparagraph (C)(ii).

''(d) CONSIDERATION.—(1) In considering the record and information on a person under this section, the special selection review board shall compare such record and information with an appropriate sampling of the records of those officers who were recommended for promotion by the promotion board that recommended the person for promotion, and an appropriate sampling of the records of those officers who were considered by and not recommended for promotion by that promotion board.

''(2) Records and information shall be presented to a special selection review board for purposes of paragraph (1) in a manner that does not indicate or disclose the person or persons for whom the special selection review board was convened.

''(3) In considering whether the recommendation for promotion of a person should be sustained under this section, a special selection review board shall, to the greatest extent practicable, apply standards used by the promotion board that recommended the person for promotion.

''(4) The recommendation for promotion of a person may be sustained under this section only if the special selection review board determines that the person—

''(A) ranks on an order of merit created by the special selection review board as better qualified for promotion than the sample officer highest on the order of merit list who was considered by and not recommended for promotion by the promotion board concerned; and

''(B) is comparable in qualification for promotion to those sample officers who were recommended for promotion by that promotion board.

''(5) A recommendation for promotion of a person may be sustained under this section only by a vote of a majority of the members of the special selection review board.

''(6) If a special selection review board does not sustain a recommendation for promotion of a person under this section, the person shall be considered to have failed of selection for promotion.

''(e) REPORTS.—(1) Each special selection review board convened under this section shall submit to the Secretary a written report, signed by each member of the board, containing the name of each person whose recommendation for promotion it recommends for sustainment and certifying that the board has carefully considered the record and information of each person whose name was referred to it.

''(2) The provisions of section 2117(a) 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 the report and proceedings of a promotion board convened under section 2106 of this title.

''(f) APPOINTMENT OF PERSONS.—(1) 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 a person whose name was referred to it for review under this section, and the President approves the report, the person shall, as soon as practicable, be appointed to that grade in accordance with section 2121 of this title.

''(2) A person who is appointed to the next higher grade as described in paragraph (1) shall, upon that appointment, have the same date of rank, the same effective date for the pay and allowances of that grade, and the same position on the active-duty list as the person would have had pursuant to the original recommendation for promotion of the promotion board concerned.

''(g) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section.

''(h) PROMOTION BOARD DEFINED.—In this section, the term 'promotion board' means a selection board convened by the Secretary under section 2106 of this title.''.

(2) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 21 of title 14, United States Code, is amended by inserting after the item relating to section 2120 the following:

''2120a. Special selection review boards.''.

(c) AVAILABILITY OF INFORMATION.—Section 2118 of title 14, United States Code, is amended by adding at the end the following:

''(e) If the Secretary makes a recommendation under this section that the name of an officer be removed from a report of a selection board and the recommendation is accompanied by information that was not presented to that selection board, that information shall be made available to that officer. The officer shall then be afforded a reasonable opportunity to submit comments on that information to the officials making the recommendation and the officials reviewing the recommendation. If an eligible officer cannot be given access to such information because of its classification status, the officer shall, to the maximum extent practicable, be provided with an appropriate summary of the information.''.

(d) DELAY OF PROMOTION.—Section 2121(f) of title 14, United States Code, is amended to read as follows:

''(f)(1) The promotion of an officer may be delayed without prejudice if any of the following applies:

''(A) The officer is under investigation or proceedings of a court-martial or a board of officers are pending against the officer.

''(B) A criminal proceeding in a Federal or State court is pending against the officer.

''(C) The Secretary determines that credible information of an adverse nature, including a substantiated adverse finding or conclusion described in section 2115(a)(3), with respect to the officer will result in the convening of a special selection review board under section 2120a of this title to review the officer and recommend whether the recommendation for promotion of the officer should be sustained.

''(2)(A) Subject to subparagraph (B), a promotion may be delayed under this subsection until, as applicable—

''(i) the completion of the investigation or proceedings described in subparagraph (A);

''(ii) a final decision in the proceeding described in subparagraph (B) is issued; or

''(iii) the special selection review board convened under section 2120a of this title issues recommendations with respect to the officer.

''(B) Unless the Secretary determines that a further delay is necessary in the public interest, a promotion may not be delayed under this subsection for more than one year after the date the officer would otherwise have been promoted.

''(3) An officer whose promotion is delayed under this subsection and who is subsequently promoted shall be given the date of rank and position on the active duty promotion list in the grade to which promoted that he would have held had his promotion not been so delayed.''.

SEC. 5262. PARTNERSHIP PROGRAM TO DIVERSIFY THE COAST GUARD.

(a) ESTABLISHMENT.—The Commandant shall establish a program for the purpose of increasing the number of underrepresented minorities in the enlisted ranks of the Coast Guard.

(b) PARTNERSHIPS.—In carrying out the program established under subsection (a), the Commandant shall—

(1) seek to enter into 1 or more partnerships with eligible entities—

(A) to increase the visibility of Coast Guard careers;

(B) to promote curriculum development—

(i) to enable acceptance into the Coast Guard; and

(ii) to improve success on relevant exams, such as the Armed Services Vocational Aptitude Battery; and

(C) to provide mentoring for students entering and beginning Coast Guard careers; and

(2) enter into a partnership with an existing Junior Reserve Officers' Training Corps for the purpose of promoting Coast Guard careers.

(c) ELIGIBLE INSTITUTION DEFINED.—In this section, the term ''eligible institution'' means—

(1) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

(2) an institution that provides a level of educational attainment that is less than a bachelor's degree;

(3) a part B institution (as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061));

(4) a Tribal College or University (as defined in section 316(b) of that Act (20 U.S.C. 1059c(b)));

(5) a Hispanic-serving institution (as defined in section 502 of that Act (20 U.S.C. 1101a));

(6) an Alaska Native-serving institution or a Native Hawaiian-serving institution (as defined in section 317(b) of that Act (20 U.S.C. 1059d(b)));

(7) a Predominantly Black institution (as defined in section 371(c) of that Act (20 U.S.C. 1071q(c)));

(8) an Asian American and Native American Pacific Islander-serving institution (as defined in such section); and

(9) a Native American-serving nontribal institution (as defined in such section).

SEC. 5263. EXPANSION OF COAST GUARD JUNIOR RESERVE OFFICERS' TRAINING CORPS.

(a) IN GENERAL.—Section 320 of title 14, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d);

(2) in subsection (b), by striking ''subsection (c)'' and inserting ''subsection (d)''; and

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

''(c) SCOPE.—Beginning on December 31, 2025, the Secretary of the department in which the Coast Guard is operating shall maintain at all times a Junior Reserve Officers' Training Corps program with not fewer than 1 such program established in each Coast Guard district.''.

(b) COST ASSESSMENT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall provide to Congress an estimate of the costs associated with implementing the amendments made by this section.

SEC. 5264. IMPROVING REPRESENTATION OF WOMEN AND RACIAL AND ETHNIC MINORITIES AMONG COAST GUARD ACTIVE-DUTY MEMBERS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, in consultation with the Advisory Board on Women at the Coast Guard Academy established under section 1904 of title 14, United States Code, and the minority outreach team program established by section 1905 of such title, the Commandant shall—

(1) determine which recommendations in the RAND representation report may practicably be implemented to promote improved representation in the Coast Guard of—

(A) women; and

(B) racial and ethnic minorities; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the actions the Commandant has taken, or plans to take, to implement such recommendations.

(b) CURRICULUM AND TRAINING.—In the case of any action the Commandant plans to take to implement recommendations described in subsection (a)(1) that relate to modification or development of curriculum and training, such modified curriculum and training shall be provided at officer and accession points and at leadership courses managed by the Coast Guard Leadership Development Center.

(c) DEFINITION OF RAND REPRESENTATION REPORT.—In this section, the term ''RAND representation report'' means the report of the Homeland Security Operational Analysis Center of the RAND Corporation entitled ''Improving the Representation of Women and Racial/Ethnic Minorities Among U.S. Coast Guard Active-Duty Members'' issued on August 11, 2021.

SEC. 5265. STRATEGY TO ENHANCE DIVERSITY THROUGH RECRUITMENT AND ACCESSION.

(a) IN GENERAL.—The Commandant shall develop a 10-year strategy to enhance Coast Guard diversity through recruitment and accession—

(1) at educational institutions at the high school and higher education levels; and

(2) for the officer and enlisted ranks.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the strategy developed under subsection (a).

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

(A) A description of existing Coast Guard recruitment and accession programs at educational institutions at the high school and higher education levels.

(B) An explanation of the manner in which the strategy supports the Coast Guard's overall diversity and inclusion action plan.

(C) A description of the manner in which existing programs and partnerships will be modified or expanded to enhance diversity in recruiting and accession at the high school and higher education levels.

SEC. 5266. SUPPORT FOR COAST GUARD ACADEMY.

(a) IN GENERAL.—Subchapter II of chapter 9 of title 14, United States Code, is amended by adding at the end the following:

''§ 953. Support for Coast Guard Academy

''(a) AUTHORITY.—

''(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—(A) The Commandant may enter contract and cooperative agreements with 1 or more qualified organizations for the purpose of supporting the athletic programs of the Coast Guard Academy.

''(B) Notwithstanding section 3201(e) of title 10, the Commandant may enter into such contracts and cooperative agreements on a sole source basis pursuant to section 3204(a) of title 10.

''(C) Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the Coast Guard Academy.

''(2) FINANCIAL CONTROLS.—(A) Before entering into a contract or cooperative agreement under paragraph (1), the Commandant shall ensure that the contract or agreement includes appropriate financial controls to account for the resources of the Coast Guard Academy and the qualified organization concerned in accordance with accepted accounting principles.

''(B) Any such contract or cooperative agreement shall contain a provision that allows the Commandant to review, as the Commandant considers necessary, the financial accounts of the qualified organization to determine whether the operations of the qualified organization—

''(i) are consistent with the terms of the contract or cooperative agreement; and

''(ii) would compromise the integrity or appearance of integrity of any program of the Department of Homeland Security.

''(3) LEASES.—For the purpose of supporting the athletic programs of the Coast Guard Academy, the Commandant may, consistent with section 504(a)(13), rent or lease real property located at the Coast Guard Academy to a qualified organization, except that proceeds from such a lease shall be retained and expended in accordance with subsection (f).

''(b) SUPPORT SERVICES.—

''(1) AUTHORITY.—To the extent required by a contract or cooperative agreement under subsection (a), the Commandant may provide support services to a qualified organization while the qualified organization conducts its support activities at the Coast Guard Academy only if the Commandant determines that the provision of such services is essential for the support of the athletic programs of the Coast Guard Academy.

''(2) NO LIABILITY OF THE UNITED STATES.—Support services may only be provided without any liability of the United States to a qualified organization.

''(3) SUPPORT SERVICES DEFINED.—In this subsection, the term 'support services' includes utilities, office furnishings and equipment, communications services, records staging and archiving, audio and video support, and security systems, in conjunction with the leasing or licensing of property.

''(c) TRANSFERS FROM NONAPPROPRIATED FUND OPERATION.—(1) Except as provided in paragraph (2), the Commandant may, subject to the acceptance of the qualified organization concerned, transfer to the qualified organization all title to and ownership of the assets and liabilities of the Coast Guard nonappropriated fund instrumentality, the function of which includes providing support for the athletic programs of the Coast Guard Academy, including bank accounts and financial reserves in the accounts of such fund instrumentality, equipment, supplies, and other personal property.

''(2) The Commandant may not transfer under paragraph (1) any interest in real property.

''(d) ACCEPTANCE OF SUPPORT FROM QUALIFIED ORGANIZATION.—

''(1) IN GENERAL.—Notwithstanding section 1342 of title 31, the Commandant may accept from a qualified organization funds, supplies, and services for the support of the athletic programs of the Coast Guard Academy.

''(2) EMPLOYEES OF QUALIFIED ORGANIZATION.—For purposes of this section, employees or personnel of the qualified organization may not be considered to be employees of the United States.

''(3) FUNDS RECEIVED FROM NCAA.—The Commandant may accept funds from the National Collegiate Athletic Association to support the athletic programs of the Coast Guard Academy.

''(4) LIMITATION.—The Commandant shall ensure that contributions under this subsection and expenditure of funds pursuant to subsection (f)—

''(A) do not reflect unfavorably on the ability of the Coast Guard, any employee of the Coast Guard, or any member of the armed forces (as defined in section 101(a) of title 10) to carry out any responsibility or duty in a fair and objective manner; or

''(B) compromise the integrity or appearance of integrity of any program of the Coast Guard, or any individual involved in such a program.

''(e) TRADEMARKS AND SERVICE MARKS.—

''(1) LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.—An agreement under subsection (a) may, consistent with section 2260 of title 10 (other than subsection (d) of such section), authorize a qualified organization to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Coast Guard Academy, subject to the approval of the Commandant.

''(2) LIMITATIONS.—A licensing, marketing, or sponsorship agreement may not be entered into under paragraph (1) if—

''(A) such agreement would reflect unfavorably on the ability of the Coast Guard, any employee of the Coast Guard, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; or

''(B) the Commandant determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Coast Guard or any individual involved in such a program.

''(f) RETENTION AND USE OF FUNDS.—Funds received by the Commandant under this section may be retained for use to support the athletic programs of the Coast Guard Academy and shall remain available until expended.

''(g) SERVICE ON QUALIFIED ORGANIZATION BOARD OF DIRECTORS.—A qualified organization is a designated entity for which authorization under sections 1033(a) and 1589(a) of title 10, may be provided.

''(h) CONDITIONS.—The authority provided in this section with respect to a qualified organization is available only so long as the qualified organization continues—

''(1) to qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986 and operates in accordance with this section, the law of the State of Connecticut, and the constitution and bylaws of the qualified organization; and

''(2) to operate exclusively to support the athletic programs of the Coast Guard Academy.

''(i) QUALIFIED ORGANIZATION DEFINED.—In this section, the term 'qualified organization' means an organization—

''(1) described in subsection (c)(3) of section 501 of the Internal Revenue Code of 1986 and exempt from taxation under subsection (a) of that section; and

''(2) established by the Coast Guard Academy Alumni Association solely for the purpose of supporting Coast Guard athletics.

''§ 954. Mixed-funded athletic and recreational extracurricular programs: authority to manage appropriated funds in same manner as nonappropriated funds

''(a) AUTHORITY.—In the case of a Coast Guard Academy mixed-funded athletic or recreational extracurricular program, the Commandant may designate funds appropriated to the Coast Guard and available for that program to be treated as nonappropriated funds and expended for that program in accordance with laws applicable to the expenditure of nonappropriated funds. Appropriated funds so designated shall be considered to be nonappropriated funds for all purposes and shall remain available until expended.

''(b) COVERED PROGRAMS.—In this section, the term 'Coast Guard Academy mixed-funded athletic or recreational extracurricular program' means an athletic or recreational extracurricular program of the Coast Guard Academy to which each of the following applies:

''(1) The program is not considered a morale, welfare, or recreation program.

''(2) The program is supported through appropriated funds.

''(3) The program is supported by a nonappropriated fund instrumentality.

''(4) The program is not a private organization and is not operated by a private organization.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 9 of title 14, United States Code, is amended by adding at the end the following:

''953. Support for Coast Guard Academy.
''954. Mixed-funded athletic and recreational extracurricular programs: authority to manage appropriated funds in same manner as nonappropriated funds.''.

SEC. 5267. TRAINING FOR CONGRESSIONAL AFFAIRS PERSONNEL.

(a) IN GENERAL.—Section 315 of title 14, United States Code, is amended to read as follows:

''§ 315. Training for congressional affairs personnel

''(a) IN GENERAL.—The Commandant shall develop a training course, which shall be administered in person, on the workings of Congress for any member of the Coast Guard selected for a position as a fellow, liaison, counsel, administrative staff for the Coast Guard Office of Congressional and Governmental Affairs, or any Coast Guard district or area governmental affairs officer.

''(b) COURSE SUBJECT MATTER.—

''(1) IN GENERAL.—The training course required by this section shall provide an overview and introduction to Congress and the Federal legislative process, including—

''(A) the congressional budget process;

''(B) the congressional appropriations process;

''(C) the congressional authorization process;

''(D) the Senate advice and consent process for Presidential nominees;

''(E) the Senate advice and consent process for treaty ratification;

''(F) the roles of Members of Congress and congressional staff in the legislative process;

''(G) the concept and underlying purposes of congressional oversight within the governance framework of separation of powers;

''(H) the roles of Coast Guard fellows, liaisons, counsels, governmental affairs officers, the Coast Guard Office of Program Review, the Coast Guard Headquarters program offices, and any other entity the Commandant considers relevant; and

''(I) the roles and responsibilities of Coast Guard public affairs and external communications personnel with respect to Members of Congress and their staff necessary to enhance communication between Coast Guard units, sectors, and districts and Member offices and committees of jurisdiction so as to ensure visibility of Coast Guard activities.

''(2) DETAIL WITHIN COAST GUARD OFFICE OF BUDGET AND PROGRAMS.—

''(A) IN GENERAL.—At the written request of the receiving congressional office, the training course required by this section shall include a multi-day detail within the Coast Guard Office of Budget and Programs to ensure adequate exposure to Coast Guard policy, oversight, and requests from Congress.

''(B) NONCONSECUTIVE DETAIL PERMITTED.—A detail under this paragraph is not required to be consecutive with the balance of the training.

''(c) COMPLETION OF REQUIRED TRAINING.—A member of the Coast Guard selected for a position described in subsection (a) shall complete the training required by this section before the date on which such member reports for duty for such position.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 14, United States Code, is amended by striking the item relating to section 315 and inserting the following:

''315. Training for congressional affairs personnel.''.

SEC. 5268. STRATEGY FOR RETENTION OF CUTTERMEN.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commandant shall publish a strategy to improve incentives to attract and retain a diverse workforce serving on Coast Guard cutters.

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

(1) Policies to improve flexibility in the afloat career path, including a policy that enables members of the Coast Guard serving on Coast Guard cutters to transition between operations afloat and operations ashore assignments without detriment to their career progression.

(2) A review of current officer requirements for afloat positions at each pay grade, and an assessment as to whether such requirements are appropriate or present undue limitations.

(3) Strategies to improve crew comfort afloat, such as berthing modifications to accommodate all crewmembers.

(4) Actionable steps to improve access to high-speed internet capable of video conference for the purposes of medical, educational, and personal use by members of the Coast Guard serving on Coast Guard cutters.

(5) An assessment of the effectiveness of bonuses to attract members to serve at sea and retain talented members of the Coast Guard serving on Coast Guard cutters to serve as leaders in senior enlisted positions, department head positions, and command positions.

(6) Policies to ensure that high-performing members of the Coast Guard serving on Coast Guard cutters are competitive for special assignments, postgraduate education, senior service schools, and other career-enhancing positions.

SEC. 5269. STUDY ON PERFORMANCE OF COAST GUARD FORCE READINESS COMMAND.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on the performance of the Coast Guard Force Readiness Command.

(b) ELEMENTS.—The study required by subsection (a) shall include an assessment of the following:

(1) The actions the Force Readiness Command has taken to develop and implement training for the Coast Guard workforce.

(2) The extent to which the Force Readiness Command—

(A) has assessed performance, policy, and training compliance across Force Readiness Command headquarters and field units, and the results of any such assessment; and

(B) is modifying and expanding Coast Guard training to match the future demands of the Coast Guard with respect to growth in workforce numbers, modernization of assets and infrastructure, and increased global mission demands relating to the Arctic and Western Pacific regions and cyberspace.

(c) REPORT.—Not later than 1 year after the study required by subsection (a) commences, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

SEC. 5270. STUDY ON FREQUENCY OF WEAPONS TRAINING FOR COAST GUARD PERSONNEL.

(a) IN GENERAL.—The Commandant shall conduct a study to assess whether current weapons training required for Coast Guard law enforcement and other relevant personnel is sufficient.

(b) ELEMENTS.—The study required by subsection (a) shall—

(1) assess whether there is a need to improve weapons training for Coast Guard law enforcement and other relevant personnel; and

(2) identify—

(A) the frequency of such training most likely to ensure adequate weapons training, proficiency, and safety among such personnel;

(B) Coast Guard law enforcement and other applicable personnel who should be prioritized to receive such improved training; and

(C) any challenge posed by a transition to improving such training and offering such training more frequently, and the resources necessary to address such a challenge.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study conducted under subsection (a).

Subtitle G—Miscellaneous Provisions

SEC. 5281. BUDGETING OF COAST GUARD RELATING TO CERTAIN OPERATIONS.

(a) IN GENERAL.—Chapter 51 of title 14, United States Code, as amended by section

5252(b), is further amended by adding at the end the following:

"§ 5114. Expenses of performing and executing defense readiness missions and other activities unrelated to Coast Guard missions

''Not later than 1 year after the date of the enactment of this section, and every February 1 thereafter, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that adequately represents a calculation of the annual costs and expenditures of performing and executing all defense readiness mission activities, including—

''(1) all expenses related to the Coast Guard's coordination, training, and execution of defense readiness mission activities in the Coast Guard's capacity as an armed force (as such term is defined in section 101 of title 10) in support of Department of Defense national security operations and activities or for any other military department or Defense Agency (as such terms are defined in such section);

''(2) costs associated with Coast Guard detachments assigned in support of the Coast Guard's defense readiness mission; and

''(3) any other related expenses, costs, or matters the Commandant considers appropriate or otherwise of interest to Congress.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 14, United States Code, as amended by section 5252(b), is further amended by adding at the end the following:

''5114. Expenses of performing and executing defense readiness missions or other activities unrelated to Coast Guard missions.''.

SEC. 5282. COAST GUARD ASSISTANCE TO UNITED STATES SECRET SERVICE.

Section 6 of the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note) is amended—

(1) by striking ''Executive departments'' and inserting the following:

''(a) Except as provided in subsection (b), Executive departments'';

(2) by striking ''Director; except that the Department of Defense and the Coast Guard shall provide such assistance'' and inserting the following: ''Director.

''(b)(1) Subject to paragraph (2), the Department of Defense and the Coast Guard shall provide assistance described in subsection (a)''; and

(3) by adding at the end the following:

''(2)(A) For fiscal year 2022, and each fiscal year thereafter, the total cost of assistance described in subsection (a) provided by the Coast Guard on a nonreimbursable basis shall not exceed $15,000,000.

''(B) The Coast Guard may provide assistance described in subsection (a) during a fiscal year in addition to the amount specified in subparagraph (A) on a reimbursable basis.''.

SEC. 5283. CONVEYANCE OF COAST GUARD VESSELS FOR PUBLIC PURPOSES.

(a) TRANSFER.—Section 914 of the Coast Guard Authorization Act of 2010 (14 U.S.C. 501 note; Public Law 111–281) is—

(1) transferred to subchapter I of chapter 5 of title 14, United States Code;

(2) added at the end so as to follow section 509 of such title, as added by section 5241 of this Act;

(3) redesignated as section 510 of such title; and

(4) amended so that the enumerator, the section heading, typeface, and typestyle conform to those appearing in other sections of title 14, United States Code.

(b) CLERICAL AMENDMENTS.—

(1) COAST GUARD AUTHORIZATION ACT OF 2010.—The table of contents in section 1(b) of the Coast Guard Authorization Act of 2010 (Public Law 111–281) is amended by striking the item relating to section 914.

(2) TITLE 14.—The analysis for subchapter I of chapter 5 of title 14, United States Code, as amended by section 5241 of this Act, is amended by adding at the end the following:

''510. Conveyance of Coast Guard vessels for public purposes.''.

(c) CONVEYANCE OF COAST GUARD VESSELS FOR PUBLIC PURPOSES.—Section 510 of title 14, United States Code, as transferred and redesignated by subsection (a), is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—On request by the Commandant, the Administrator of the General Services Administration may transfer ownership of a Coast Guard vessel or aircraft to an eligible entity for educational, cultural, historical, charitable, recreational, or other public purposes if such transfer is authorized by law.''; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by inserting ''as if the request were being processed'' after ''vessels''; and

(ii) by inserting '', as in effect on the date of the enactment of the Coast Guard Authorization Act of 2022'' after ''Code of Federal Regulations'';

(B) in paragraph (2) by inserting '', as in effect on the date of the enactment of the Coast Guard Authorization Act of 2022'' after ''such title''; and

(C) in paragraph (3), by striking ''of the Coast Guard''.

SEC. 5284. AUTHORIZATION RELATING TO CERTAIN INTELLIGENCE AND COUNTER INTELLIGENCE ACTIVITIES OF THE COAST GUARD.

(a) AUTHORIZATION.—Consistent with the policies, procedures, and coordination required pursuant to section 811 of the Counterintelligence and Security Enhancements Act of 1994 (50 U.S.C. 3381) and section 902 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3382), the Commandant may expend amounts made available for the intelligence and counterintelligence activities of the Coast Guard to conduct such an activity without regard to any other provision of law or regulation relating to the expenditure of Government funds, if the object of the activity is of a confidential, extraordinary, or emergency nature.

(b) QUARTERLY REPORT.—At the beginning of each fiscal quarter, the Commandant shall submit to the appropriate committees of Congress a report that includes, for each individual expenditure during the preceding fiscal quarter under subsection (a), the following:

(1) A detailed description of the purpose of such expenditure.

(2) The amount of such expenditure.

(3) An identification of the approving authority for such expenditure.

(4) A justification as to why other authorities available to the Coast Guard could not be used for such expenditure.

(5) Any other matter the Commandant considers appropriate.

(c) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Commerce, Science, and Transportation and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Transportation and Infrastructure and the Permanent Select Committee on Intelligence of the House of Representatives.

(d) SUNSET.—This section shall cease to have effect on the date that is 3 years after the date of the enactment of this Act.

SEC. 5285. TRANSFER AND CONVEYANCE.

(a) IN GENERAL.—

(1) REQUIREMENT.—The Commandant shall, without consideration, transfer in accordance with subsection (b) and convey in accordance with subsection (c) a parcel of the real property described in paragraph (2), including any improvements thereon, to free the Coast Guard of liability for any unforeseen environmental or remediation of substances unknown that may exist on, or emanate from, such parcel.

(2) PROPERTY.—The property described in this paragraph is real property at Dauphin Island, Alabama, located at 100 Agassiz Street, and consisting of a total of approximately 35.63 acres. The exact acreage and legal description of the parcel of such property to be transferred or conveyed in accordance with subsection (b) or (c), respectively, shall be determined by a survey satisfactory to the Commandant.

(b) TO THE SECRETARY OF HEALTH AND HUMAN SERVICES.—The Commandant shall transfer, as described in subsection (a), to the Secretary of Health and Human Services (in this section referred to as the ''Secretary''), for use by the Food and Drug Administration, custody and control of a portion, consisting of approximately 4 acres, of the parcel of real property described in such subsection, to be identified by agreement between the Commandant and the Secretary.

(c) TO THE STATE OF ALABAMA.—The Commandant shall convey, as described in subsection (a), to the Marine Environmental Sciences Consortium, a unit of the government of the State of Alabama, located at Dauphin Island, Alabama, all rights, title, and interest of the United States in and to such portion of the parcel described in such subsection that is not transferred to the Secretary under subsection (b).

(d) PAYMENTS AND COSTS OF TRANSFER AND CONVEYANCE.—

(1) PAYMENTS.—

(A) IN GENERAL.—The Secretary shall pay costs to be incurred by the Coast Guard, or reimburse the Coast Guard for such costs incurred by the Coast Guard, to carry out the transfer and conveyance required by this section, including survey costs, appraisal costs, costs for environmental documentation related to the transfer and conveyance, and any other necessary administrative costs related to the transfer and conveyance.

(B) FUNDS.—Notwithstanding section 780 of division B of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94), any amounts that are made available to the Secretary under such section and not obligated on the date of enactment of this Act shall be available to the Secretary for the purpose described in subparagraph (A).

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received by the Commandant as reimbursement under paragraph (1) shall be credited to the Coast Guard Housing Fund established under section 2946 of title 14, United States Code, or the account that was used to pay the costs incurred by the Coast Guard in carrying out the transfer or conveyance under this section, as determined by the Commandant, and shall be made available until expended. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

SEC. 5286. TRANSPARENCY AND OVERSIGHT.

(a) NOTIFICATION.—

(1) IN GENERAL.—Subject to subsection (b), the Secretary of the department in which the Coast Guard is operating, or the designee of the Secretary, shall notify the appropriate committees of Congress and the Coast Guard Office of Congressional and Governmental Affairs not later than 3 full business days before—

(A) making or awarding a grant allocation or grant in excess of $1,000,000;

(B) making or awarding a contract, other transaction agreement, or task or delivery order on a Coast Guard multiple award contract, or issuing a letter of intent totaling more than $4,000,000;

(C) awarding a task or delivery order requiring an obligation of funds in an amount greater than $10,000,000 from multi-year Coast Guard funds;

(D) making a sole-source grant award; or

(E) announcing publicly the intention to make or award an item described in subparagraph (A), (B), (C), or (D), including a contract covered by the Federal Acquisition Regulation.

(2) ELEMENT.—A notification under this subsection shall include—

(A) the amount of the award;

(B) the fiscal year for which the funds for the award were appropriated;

(C) the type of contract;

(D) an identification of the entity awarded the contract, such as the name and location of the entity; and

(E) the account from which the funds are to be drawn.

(b) EXCEPTION.—If the Secretary of the department in which the Coast Guard is operating determines that compliance with subsection (a) would pose a substantial risk to human life, health, or safety, the Secretary—

(1) may make an award or issue a letter described in that subsection without the notification required under that subsection; and

(2) shall notify the appropriate committees of Congress not later than 5 full business days after such an award is made or letter issued.

(c) APPLICABILITY.—Subsection (a) shall not apply to funds that are not available for obligation.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

(2) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

SEC. 5287. STUDY ON SAFETY INSPECTION PROGRAM FOR CONTAINERS AND FACILITIES.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Commissioner of U.S. Customs and Border Protection, shall complete a study on the safety inspection program for containers (as defined in section 80501 of title 46, United States Code) and designated waterfront facilities receiving containers.

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

(1) An evaluation and review of such safety inspection program.

(2) A determination of—

(A) the number of container inspections conducted annually by the Coast Guard during the preceding 10-year period, as compared to the number of containers moved through United States ports annually during such period; and

(B) the number of qualified Coast Guard container and facility inspectors, and an assessment as to whether, during the preceding 10-year period, there have been a sufficient number of such inspectors to carry out the mission of the Coast Guard.

(3) An evaluation of the training programs available to such inspectors and the adequacy of such training programs during the preceding 10-year period.

(4) An assessment as to whether such training programs adequately prepare future leaders for leadership positions in the Coast Guard.

(5) An identification of areas of improvement for such program in the interest of commerce and national security, and the costs associated with such improvements.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report on the findings of the study required by subsection (a), including the personnel and resource requirements necessary for such program.

SEC. 5288. STUDY ON MARITIME LAW ENFORCEMENT WORKLOAD REQUIREMENTS.

(a) STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall commence a study that assesses the maritime law enforcement workload requirements of the Coast Guard.

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

(A) For each of the 10 years immediately preceding the date of the enactment of this Act, an analysis of—

(i) the total number of migrant interdictions, and Coast Guard sectors in which such interdictions occurred;

(ii) the total number of drug interdictions, the amount and type of drugs interdicted, and the Coast Guard sectors in which such interdictions occurred;

(iii) the physical assets used for drug interdictions, migrant interdictions, and other law enforcement purposes; and

(iv) the total number of Coast Guard personnel who carried out drug interdictions, migrant interdictions, and other law enforcement activities.

(B) An assessment of—

(i) migrant and drug interdictions and other law enforcement activities along the maritime boundaries of the United States, including the maritime boundaries of the northern and southern continental United States and Alaska;

(ii) Federal policies and procedures related to immigration and asylum, and the associated impact of such policies and procedures on the activities described in clause (i), including—

(I) public health exclusion policies, such as expulsion pursuant to sections 362 and 365 of the Public Health Service Act (42 U.S.C. 265 and 268); and

(II) administrative asylum processing policies, such as the remain in Mexico policy and the migrant protection protocols;

(iii) increases or decreases in physical terrestrial infrastructure in and around the international borders of the United States, and the associated impact of such increases or decreases on the activities described in clause (i); and

(iv) increases or decreases in physical Coast Guard assets in the areas described in clause (i), the proximity of such assets to such areas, and the associated impact of such increases or decreases on the activities described in clause (i).

(b) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on the Judiciary of the Senate and the Committee on Transportation and Infrastructure and the Committee on the Judiciary of the House of Representatives a report on the findings of the study.

(c) BRIEFING.—Not later than 90 days after the date on which the report required by subsection (b) is submitted, the Commandant shall provide a briefing on the report to the Committee on Commerce, Science, and Transportation and the Committee on the Judiciary of the Senate and the Committee on Transportation and Infrastructure and the Committee on the Judiciary of the House of Representatives.

SEC. 5289. FEASIBILITY STUDY ON CONSTRUCTION OF COAST GUARD STATION AT PORT MANSFIELD.

(a) STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall commence a feasibility study on construction of a Coast Guard station at Port Mansfield, Texas.

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

(A) An assessment of the resources and workforce requirements necessary for a new Coast Guard station at Port Mansfield.

(B) An identification of the enhancements to the missions and capabilities of the Coast Guard that a new Coast Guard station at Port Mansfield would provide.

(C) An estimate of the life-cycle costs of such a facility, including the construction, maintenance costs, and staffing costs.

(D) A cost-benefit analysis of the enhancements and capabilities provided, as compared to the costs of construction, maintenance, and staffing.

(b) REPORT.—Not later than 180 days after commencing the study required by subsection (a), the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

SEC. 5290. MODIFICATION OF PROHIBITION ON OPERATION OR PROCUREMENT OF FOREIGN-MADE UNMANNED AIRCRAFT SYSTEMS.

Section 8414 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 14 U.S.C. 1156 note) is amended—

(1) by amending subsection (b) to read as follows:

''(b) EXEMPTION.—The Commandant is exempt from the restriction under subsection (a) if the operation or procurement is for the purposes of—

''(1) counter-UAS system surrogate testing and training; or

''(2) intelligence, electronic warfare, and information warfare operations, testing, analysis, and training.'';

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

''(c) WAIVER.—The Commandant may waive the restriction under subsection (a) on a case-by-case basis by certifying in writing not later than 15 days after exercising such waiver to the Department of Homeland Security, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives that the operation or procurement of a covered unmanned aircraft system is required in the national interest of the United States.'';

(3) in subsection (d)—

(A) by amending paragraph (1) to read as follows:

''(1) COVERED FOREIGN COUNTRY.—The term 'covered foreign country' means any of the following:

''(A) The People's Republic of China.

''(B) The Russian Federation.

''(C) The Islamic Republic of Iran.

''(D) The Democratic People's Republic of Korea.''; and

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(C) by inserting after paragraph (1) the following:

''(2) COVERED UNMANNED AIRCRAFT SYSTEM.—The term 'covered unmanned aircraft system' means—

''(A) an unmanned aircraft system described in paragraph (1) of subsection (a); and

''(B) a system described in paragraph (2) of that subsection.''; and

(D) in paragraph (4), as redesignated, by inserting '', and any related services and equipment'' after ''United States Code''; and

(4) by adding at the end the following:

''(e) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to the Commandant $2,700,000 to replace covered unmanned aircraft systems.

''(2) REPLACEMENT.—Not later than 90 days after the date of the enactment of this Act, the Commandant shall replace covered unmanned aircraft systems of the Coast Guard with unmanned aircraft systems manufactured in the United States or an allied country (as that term is defined in section 2350f(d)(1) of title 10, United States Code).''.

SEC. 5291. OPERATIONAL DATA SHARING CAPABILITY.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating (referred to in this section as the ''Secretary'') shall, consistent with the ongoing Integrated Multi-Domain Enterprise joint effort by the Department of Homeland Security and the Department of Defense, establish a secure, centralized capability to allow real-time, or near real-time, data and information sharing between U.S. Customs and Border Protection and the Coast Guard for purposes of maritime boundary domain awareness and enforcement activities along the maritime boundaries of the United States, including the maritime boundaries in the northern and southern continental United States and Alaska.

(b) PRIORITY.—In establishing the capability under subsection (a), the Secretary shall prioritize enforcement areas experiencing the highest levels of enforcement activity.

(c) REQUIREMENTS.—The capability established under subsection (a) shall be sufficient for the secure sharing of data, information, and surveillance necessary for operational missions, including data from governmental assets, irrespective of whether an asset belongs to the Coast Guard, U.S. Customs and Border Protection, or any other partner agency, located in and around mission operation areas.

(d) ELEMENTS.—The Commissioner of U.S. Customs and Border Protection and the Commandant shall jointly—

(1) assess and delineate the types and quality of data sharing needed to meet the respective operational missions of U.S. Customs and Border Protection and the Coast Guard, including video surveillance, seismic sensors, infrared detection, space-based remote sensing, and any other data or information necessary;

(2) develop appropriate requirements and processes for the credentialing of personnel of U.S. Customs and Border Protection and personnel of the Coast Guard to access and use the capability established under subsection (a); and

(3) establish a cost-sharing agreement for the long-term operation and maintenance of the capability and the assets that provide data to the capability.

(e) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report on the establishment of the capability under this section.

(f) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize the Coast Guard, U.S. Customs and Border Protection, or any other partner agency to acquire, share, or transfer personal information relating to an individual in violation of any Federal or State law or regulation.

SEC. 5292. PROCUREMENT OF TETHERED AEROSTAT RADAR SYSTEM FOR COAST GUARD STATION SOUTH PADRE ISLAND.

Subject to the availability of appropriations, the Secretary of the department in which the Coast Guard is operating shall procure not fewer than 1 tethered aerostat radar system, or similar technology, for use by the Coast Guard and other partner agencies, including U.S. Customs and Border Protection, at and around Coast Guard Station South Padre Island.

SEC. 5293. ASSESSMENT OF IRAN SANCTIONS RELIEF ON COAST GUARD OPERATIONS UNDER THE JOINT COMPREHENSIVE PLAN OF ACTION.

Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Director of the Defense Intelligence Agency and the Commander of United States Central Command, shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, in an unclassified setting with a classified component if necessary, on—

(1) the extent to which the Commandant assesses Iran would use sanctions relief received by Iran under the Joint Comprehensive Plan of Action to bolster Iran's support for Iranian forces or Iranian-linked groups across the Middle East in a manner that may impact Coast Guard personnel and operations in the Middle East; and

(2) the Coast Guard requirements for deterring and countering increased malign behavior from such groups with respect to activities under the jurisdiction of the Coast Guard.

SEC. 5294. REPORT ON SHIPYARDS OF FINLAND AND SWEDEN.

Not later than 2 years after the date of the enactment of this Act, the Commandant, in consultation with the Comptroller General of the United States, shall submit to Congress a report that analyzes the shipyards of Finland and Sweden to assess future opportunities for technical assistance related to engineering to aid the Coast Guard in fulfilling its future mission needs.

SEC. 5295. PROHIBITION ON CONSTRUCTION CONTRACTS WITH ENTITIES ASSOCIATED WITH THE CHINESE COMMUNIST PARTY.

(a) IN GENERAL.—The Commandant may not award any contract for new construction until the date on which the Commandant provides to Congress a certification that the other party has not, during the 10-year period preceding the planned date of award, directly or indirectly held an economic interest in an entity that is—

(1) owned or controlled by the People's Republic of China; and

(2) part of the defense industry of the Chinese Communist Party.

(b) INAPPLICABILITY TO TAIWAN.—Subsection (a) shall not apply with respect to an economic interest in an entity owned or controlled by Taiwan.

SEC. 5296. REVIEW OF DRUG INTERDICTION EQUIPMENT AND STANDARDS; TESTING FOR FENTANYL DURING INTERDICTION OPERATIONS.

(a) REVIEW.—

(1) IN GENERAL.—The Commandant, in consultation with the Administrator of the Drug Enforcement Administration and the Secretary of Health and Human Services, shall—

(A) conduct a review of—

(i) the equipment, testing kits, and rescue medications used to conduct Coast Guard drug interdiction operations; and

(ii) the safety and training standards, policies, and procedures with respect to such operations; and

(B) determine whether the Coast Guard is using the latest equipment and technology and up-to-date training and standards for recognizing, handling, testing, and securing illegal drugs, fentanyl and other synthetic opioids, and precursor chemicals during such operations.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the appropriate committees of Congress a report on the results of the review conducted under paragraph (1).

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

(b) REQUIREMENT.—If, as a result of the review required by subsection (a), the Commandant determines that the Coast Guard is not using the latest equipment and technology and up-to-date training and standards for recognizing, handling, testing, and securing illegal drugs, fentanyl and other synthetic opioids, and precursor chemicals during drug interdiction operations, the Commandant shall ensure that the Coast Guard acquires and uses such equipment and technology, carries out such training, and implements such standards.

(c) TESTING FOR FENTANYL.—The Commandant shall ensure that Coast Guard drug interdiction operations include the testing of substances encountered during such operations for fentanyl, as appropriate.

SEC. 5297. PUBLIC AVAILABILITY OF INFORMATION ON MONTHLY MIGRANT INTERDICTIONS.

Not later than the 15th day of each month, the Commandant shall make available to the public on an internet website of the Coast Guard the number of migrant interdictions carried out by the Coast Guard during the preceding month.

TITLE LIII—ENVIRONMENT

SEC. 5301. DEFINITION OF SECRETARY.

Except as otherwise specifically provided, in this title, the term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

Subtitle A—Marine Mammals

SEC. 5311. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Natural Resources of the House of Representatives.

(2) CORE FORAGING HABITATS.—The term ''core foraging habitats'' means areas—

(A) with biological and physical oceanographic features that aggregate Calanus finmarchicus; and

(B) where North Atlantic right whales foraging aggregations have been well documented.

(3) EXCLUSIVE ECONOMIC ZONE.—The term ''exclusive economic zone'' has the meaning given that term in section 107 of title 46, United States Code.

(4) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given that term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(5) LARGE CETACEAN.—The term ''large cetacean'' means all endangered or threatened species within—

(A) the suborder Mysticeti;

(B) the genera Physeter; or

(C) the genera Orcinus.

(6) NEAR REAL-TIME.—The term ''near real-time'', with respect to monitoring of whales, means that visual, acoustic, or other detections of whales are processed, transmitted, and reported as close to the time of detection as is technically feasible.

(7) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(8) PUGET SOUND REGION.—The term ''Puget Sound region'' means the Vessel Traffic Service Puget Sound area described in section 161.55 of title 33, Code of Federal Regulations (as of the date of the enactment of this Act).

(9) TRIBAL GOVERNMENT.—The term ''Tribal government'' means the recognized governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of the enactment of this Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

(10) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary of Commerce for Oceans and Atmosphere.

SEC. 5312. ASSISTANCE TO PORTS TO REDUCE THE IMPACTS OF VESSEL TRAFFIC AND PORT OPERATIONS ON MARINE MAMMALS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary, in consultation with the Director of the United States Fish and Wildlife Service, the Secretary, the Secretary of Defense, and the Administrator of the Maritime Administration, shall establish a grant program to provide assistance to eligible entities to develop and implement mitigation measures that will lead to a quantifiable reduction in threats to marine mammals from vessel traffic, including shipping activities and port operations.

(b) ELIGIBLE ENTITIES.—An entity is an eligible entity for purposes of assistance awarded under subsection (a) if the entity is—

(1) a port authority for a port;

(2) a State, regional, local, or Tribal government, or an Alaska Native or Native Hawaiian entity that has jurisdiction over a maritime port authority or a port;

(3) an academic institution, research institution, or nonprofit organization working in partnership with a port; or

(4) a consortium of entities described in paragraphs (1), (2), and (3).

(c) ELIGIBLE USES.—Assistance awarded under subsection (a) may be used to develop, assess, and carry out activities that reduce threats to marine mammals by—

(1) reducing underwater stressors related to marine traffic;

(2) reducing mortality and serious injury from vessel strikes and other physical disturbances;

(3) monitoring sound;

(4) reducing vessel interactions with marine mammals;

(5) conducting other types of monitoring that are consistent with reducing the threats to, and enhancing the habitats of, marine mammals; or

(6) supporting State agencies and Tribal governments in developing the capacity to receive assistance under this section through education, training, information sharing, and collaboration to participate in the grant program under this section.

(d) PRIORITY.—The Under Secretary shall prioritize assistance under subsection (a) for projects that—

(1) are based on the best available science with respect to methods to reduce threats to marine mammals;

(2) collect data on the reduction of such threats and the effects of such methods;

(3) assist ports that pose a higher relative threat to marine mammals listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(4) are in close proximity to areas in which threatened or endangered cetaceans are known to experience other stressors; or

(5) allow eligible entities to conduct risk assessments and to track progress toward threat reduction.

(e) OUTREACH.—The Under Secretary, in coordination with the Secretary, the Administrator of the Maritime Administration, and the Director of the United States Fish and Wildlife Service, as appropriate, shall conduct coordinated outreach to ports to provide information with respect to—

(1) how to apply for assistance under subsection (a);

(2) the benefits of such assistance; and

(3) facilitation of best practices and lessons, including the best practices and lessons learned from activities carried out using such assistance.

(f) REPORT REQUIRED.—Not less frequently than annually, the Under Secretary shall make available to the public on a publicly accessible internet website of the National Oceanic and Atmospheric Administration a report that includes the following information:

(1) The name and location of each entity to which assistance was awarded under subsection (a) during the year preceding submission of the report.

(2) The amount of each such award.

(3) A description of the activities carried out with each such award.

(4) An estimate of the likely impact of such activities on the reduction of threats to marine mammals.

(5) An estimate of the likely impact of such activities, including the cost of such activities, on port operations.

(g) FUNDING.—From funds otherwise appropriated to the Under Secretary, $10,000,000 is authorized to carry out this section for each of fiscal years 2023 through 2028.

(h) SAVINGS CLAUSE.—An activity may not be carried out under this section if the Secretary of Defense, in consultation with the Under Secretary, determines that the activity would negatively impact the defense readiness or the national security of the United States.

SEC. 5313. NEAR REAL-TIME MONITORING AND MITIGATION PROGRAM FOR LARGE CETACEANS.

(a) ESTABLISHMENT.—The Under Secretary, in coordination with the heads of other relevant Federal agencies, shall design and deploy a cost-effective, efficient, and results-oriented near real-time monitoring and mitigation program for endangered or threatened cetaceans (referred to in this section as the ''Program'').

(b) PURPOSE.—The purpose of the Program shall be to reduce the risk to large cetaceans posed by vessel collisions, and to minimize other impacts on large cetaceans, through the use of near real-time location monitoring and location information.

(c) REQUIREMENTS.—The Program shall—

(1) prioritize species of large cetaceans for which impacts from vessel collisions are of particular concern;

(2) prioritize areas where such impacts are of particular concern;

(3) be capable of detecting and alerting ocean users and enforcement agencies of the probable location of large cetaceans on an actionable real-time basis, including through real-time data whenever possible;

(4) inform sector-specific mitigation protocols to effectively reduce takes (as defined in section 216.3 of title 50, Code of Federal Regulations, or successor regulations) of large cetaceans;

(5) integrate technology improvements; and

(6) be informed by technologies, monitoring methods, and mitigation protocols developed under the pilot project required by subsection (d).

(d) PILOT PROJECT.—

(1) ESTABLISHMENT.—In carrying out the Program, the Under Secretary shall first establish a pilot monitoring and mitigation project for North Atlantic right whales (referred to in this section as the ''pilot project'') for the purposes of informing the Program.

(2) REQUIREMENTS.—In designing and deploying the pilot project, the Under Secretary, in coordination with the heads of other relevant Federal agencies, shall, using the best available scientific information, identify and ensure coverage of—

(A) core foraging habitats; and

(B) important feeding, breeding, calving, rearing, or migratory habitats of North Atlantic right whales that co-occur with areas of high risk of mortality or serious injury of such whales from vessels, vessel strikes, or disturbance.

(3) COMPONENTS.—Not later than 3 years after the date of the enactment of this Act, the Under Secretary, in consultation with relevant Federal agencies and Tribal governments, and with input from affected stakeholders, shall design and deploy a near real-time monitoring system for North Atlantic right whales that—

(A) comprises the best available detection power, spatial coverage, and survey effort to detect and localize North Atlantic right whales within habitats described in paragraph (2);

(B) is capable of detecting North Atlantic right whales, including visually and acoustically;

(C) uses dynamic habitat suitability models to inform the likelihood of North Atlantic right whale occurrence in habitats described in paragraph (2) at any given time;

(D) coordinates with the Integrated Ocean Observing System of the National Oceanic and Atmospheric Administration and Regional Ocean Partnerships to leverage monitoring assets;

(E) integrates historical data;

(F) integrates new near real-time monitoring methods and technologies as such methods and technologies become available;

(G) accurately verifies and rapidly communicates detection data to appropriate ocean users;

(H) creates standards for contributing, and allows ocean users to contribute, data to the monitoring system using comparable near real-time monitoring methods and technologies;

(I) communicates the risks of injury to large cetaceans to ocean users in a manner

that is most likely to result in informed decision making regarding the mitigation of those risks; and

(J) minimizes additional stressors to large cetaceans as a result of the information available to ocean users.

(4) REPORTS.—

(A) PRELIMINARY REPORT.—

(i) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives, and make available to the public, a preliminary report on the pilot project.

(ii) ELEMENTS.—The report required by clause (i) shall include the following:

(I) A description of the monitoring methods and technology in use or planned for deployment under the pilot project.

(II) An analysis of the efficacy of the methods and technology in use or planned for deployment for detecting North Atlantic right whales.

(III) An assessment of the manner in which the monitoring system designed and deployed under paragraph (3) is directly informing and improving the management, health, and survival of North Atlantic right whales.

(IV) A prioritized identification of technology or research gaps.

(V) A plan to communicate the risks of injury to large cetaceans to ocean users in a manner that is most likely to result in informed decision making regarding the mitigation of such risks.

(VI) Any other information on the potential benefits and efficacy of the pilot project the Under Secretary considers appropriate.

(B) FINAL REPORT.—

(i) IN GENERAL.—Not later than 6 years after the date of the enactment of this Act, the Under Secretary, in coordination with the heads of other relevant Federal agencies, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives, and make available to the public, a final report on the pilot project.

(ii) ELEMENTS.—The report required by clause (i) shall—

(I) address the elements under subparagraph (A)(ii); and

(II) include—

(aa) an assessment of the benefits and efficacy of the pilot project;

(bb) a strategic plan to expand the pilot project to provide near real-time monitoring and mitigation measures—

(AA) to additional large cetaceans of concern for which such measures would reduce risk of serious injury or death; and

(BB) in important feeding, breeding, calving, rearing, or migratory habitats of large cetaceans that co-occur with areas of high risk of mortality or serious injury from vessel strikes or disturbance;

(cc) a budget and description of funds necessary to carry out such strategic plan;

(dd) a prioritized plan for acquisition, deployment, and maintenance of monitoring technologies; and

(ee) the locations or species to which such plan would apply.

(e) MITIGATION PROTOCOLS.—The Under Secretary, in consultation with the Secretary, the Secretary of Defense, the Secretary of Transportation, and the Secretary of the Interior, and with input from affected stakeholders, shall develop and deploy mitigation protocols that make use of the monitoring system designed and deployed under subsection (d)(3) to direct sector-specific mitigation measures that avoid and significantly reduce risk of serious injury and mortality to North Atlantic right whales.

(f) ACCESS TO DATA.—The Under Secretary shall provide access to data generated by the monitoring system designed and deployed under subsection (d)(3) for purposes of scientific research and evaluation and public awareness and education, including through the Right Whale Sighting Advisory System of the National Oceanic and Atmospheric Administration and WhaleMap or other successor public internet website portals, subject to review for national security considerations.

(g) ADDITIONAL AUTHORITY.—The Under Secretary may enter into and perform such contracts, leases, grants, or cooperative agreements as may be necessary to carry out the purposes of this section on such terms as the Under Secretary considers appropriate, consistent with the Federal Acquisition Regulation.

(h) SAVINGS CLAUSE.—An activity may not be carried out under this section if the Secretary of Defense, in consultation with the Under Secretary, determines that the activity would negatively impact the defense readiness or the national security of the United States.

(i) FUNDING.—From funds otherwise appropriated to the Under Secretary, $5,000,000 for each of fiscal years 2023 through 2027 is authorized to support the development, deployment, application, and ongoing maintenance of the Program.

SEC. 5314. PILOT PROGRAM TO ESTABLISH A CETACEAN DESK FOR PUGET SOUND REGION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary, with the concurrence of the Under Secretary, shall establish a pilot program to establish a Cetacean Desk, which shall be—

(A) located and manned within the Puget Sound Vessel Traffic Service; and

(B) designed—

(i) to improve coordination with the maritime industry to reduce the risk of vessel impacts to large cetaceans, including impacts from vessel strikes, disturbances, and other sources; and

(ii) to monitor the presence and location of large cetaceans during the months during which such large cetaceans are present in Puget Sound, the Strait of Juan de Fuca, and the United States portion of the Salish Sea.

(2) DURATION AND STAFFING.—The pilot program required by paragraph (1)—

(A) shall—

(i) be for a duration of 4 years; and

(ii) require not more than 1 full-time equivalent position, who shall also contribute to other necessary Puget Sound Vessel Traffic Service duties and responsibilities as needed; and

(B) may be supported by other existing Federal employees, as appropriate.

(b) ENGAGEMENT WITH VESSEL OPERATORS.—

(1) IN GENERAL.—Under the pilot program required by subsection (a), the Secretary shall require personnel of the Cetacean Desk to engage with vessel operators in areas where large cetaceans have been seen or could reasonably be present to ensure compliance with applicable laws, regulations, and voluntary guidance, to reduce the impact of vessel traffic on large cetaceans.

(2) CONTENTS.—In engaging with vessel operators as required by paragraph (1), personnel of the Cetacean Desk shall communicate where and when sightings of large cetaceans have occurred.

(c) MEMORANDUM OF UNDERSTANDING.—The Secretary and the Under Secretary may enter into a memorandum of understanding to facilitate real-time sharing of data relating to large cetaceans between the Quiet Sound program of the State of Washington, the National Oceanic and Atmospheric Administration, and the Puget Sound Vessel Traffic Service, and other relevant entities, as appropriate.

(d) DATA.—The Under Secretary shall leverage existing data collection methods, the Program required by section 313, and public data to ensure accurate and timely information on the sighting of large cetaceans.

(e) CONSULTATIONS.—

(1) IN GENERAL.—In carrying out the pilot program required by subsection (a), the Secretary shall consult with Tribal governments, the State of Washington, institutions of higher education, the maritime industry, ports in the Puget Sound region, and nongovernmental organizations.

(2) COORDINATION WITH CANADA.—When appropriate, the Secretary shall coordinate with the Government of Canada, consistent with policies and agreements relating to management of vessel traffic in Puget Sound.

(f) PUGET SOUND VESSEL TRAFFIC SERVICE LOCAL VARIANCE AND POLICY.—The Secretary, with the concurrence of the Under Secretary and in consultation with the Captain of the Port for the Puget Sound region—

(1) shall implement local variances, as authorized by subsection (c) of section 70001 of title 46, United States Code, to reduce the impact of vessel traffic on large cetaceans; and

(2) may enter into cooperative agreements, in accordance with subsection (d) of that section, with Federal, State, and local officials to reduce the likelihood of vessel interactions with protected large cetaceans, which may include—

(A) communicating marine mammal protection guidance to vessels;

(B) training on requirements imposed by local, State, Tribal, and Federal laws and regulations and guidelines concerning—

(i) vessel buffer zones;

(ii) vessel speed;

(iii) seasonal no-go zones for vessels;

(iv) protected areas, including areas designated as critical habitat, as applicable to marine operations; and

(v) any other activities to reduce the direct and indirect impact of vessel traffic on large cetaceans;

(C) training to understand, utilize, and communicate large cetacean location data; and

(D) training to understand and communicate basic large cetacean detection, identification, and behavior, including—

(i) cues of the presence of large cetaceans such as spouts, water disturbances, breaches, or presence of prey;

(ii) important feeding, breeding, calving, and rearing habitats that co-occur with areas of high risk of vessel strikes;

(iii) seasonal large cetacean migration routes that co-occur with areas of high risk of vessel strikes; and

(iv) areas designated as critical habitat for large cetaceans.

(g) REPORT REQUIRED.—Not later than 1 year after the date of the enactment of this Act, and every 2 years thereafter for the duration of the pilot program under this section, the Commandant, in coordination with the Under Secretary and the Administrator of the Maritime Administration, shall submit to the appropriate congressional committees a report that—

(1) evaluates the functionality, utility, reliability, responsiveness, and operational status of the Cetacean Desk established under the pilot program required by subsection (a), including a quantification of reductions in vessel strikes to large cetaceans as a result of the pilot program;

(2) assesses the efficacy of communication between the Cetacean Desk and the maritime industry and provides recommendations for improvements;

(3) evaluates the integration and interoperability of existing data collection methods, as well as public data, into the Cetacean Desk operations;

(4) assesses the efficacy of collaboration and stakeholder engagement with Tribal governments, the State of Washington, institutions of higher education, the maritime industry, ports in the Puget Sound region, and nongovernmental organizations; and

(5) evaluates the progress, performance, and implementation of guidance and training procedures for Puget Sound Vessel Traffic Service personnel.

SEC. 5315. MONITORING OCEAN SOUNDSCAPES.

(a) IN GENERAL.—The Under Secretary shall maintain and expand an ocean soundscape development program—

(1) to award grants to expand the deployment of Federal and non-Federal observing and data management systems capable of collecting measurements of underwater sound for purposes of monitoring and analyzing baselines and trends in the underwater soundscape to protect and manage marine life;

(2) to continue to develop and apply standardized forms of measurements to assess sounds produced by marine animals, physical processes, and anthropogenic activities; and

(3) after coordinating with the Secretary of Defense, to coordinate and make accessible to the public the datasets, modeling and analysis, and user-driven products and tools resulting from observations of underwater sound funded through grants awarded under paragraph (1).

(b) COORDINATION.—The program described in subsection (a) shall—

(1) include the Ocean Noise Reference Station Network of the National Oceanic and Atmospheric Administration and the National Park Service;

(2) use and coordinate with the Integrated Ocean Observing System; and

(3) coordinate with the Regional Ocean Partnerships and the Director of the United States Fish and Wildlife Service, as appropriate.

(c) PRIORITY.—In awarding grants under subsection (a), the Under Secretary shall consider the geographic diversity of the recipients of such grants.

(d) SAVINGS CLAUSE.—An activity may not be carried out under this section if the Secretary of Defense, in consultation with the Under Secretary, determines that the activity would negatively impact the defense readiness or the national security of the United States.

(e) FUNDING.—From funds otherwise appropriated to the Under Secretary, $1,500,000 is authorized for each of fiscal years 2023 through 2028 to carry out this section.

Subtitle B—Oil Spills

SEC. 5321. IMPROVING OIL SPILL PREPAREDNESS.

The Under Secretary of Commerce for Oceans and Atmosphere shall include in the Automated Data Inquiry for Oil Spills database (or a successor database) used by National Oceanic and Atmospheric Administration oil weathering models new data, including peer-reviewed data, on properties of crude and refined oils, including data on diluted bitumen, as such data becomes publicly available.

SEC. 5322. WESTERN ALASKA OIL SPILL PLANNING CRITERIA.

(a) ALASKA OIL SPILL PLANNING CRITERIA PROGRAM.—

(1) IN GENERAL.—Chapter 3 of title 14, United States Code, is amended by adding at the end the following:

"§ 323. Western Alaska Oil Spill Planning Criteria Program

''(a) ESTABLISHMENT.—There is established within the Coast Guard a Western Alaska Oil Spill Planning Criteria Program (referred to in this section as the 'Program') to develop and administer the Western Alaska oil spill planning criteria.

''(b) PROGRAM MANAGER.—

''(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this section, the Commandant shall select a permanent civilian career employee through a competitive search process for a term of not less than 5 years to serve as the Western Alaska Oil Spill Criteria Program Manager (referred to in this section as the 'Program Manager')—

''(A) the primary duty of whom shall be to administer the Program; and

''(B) who shall not be subject to frequent or routine reassignment.

''(2) CONFLICTS OF INTEREST.—The individual selected to serve as the Program Manager shall not have conflicts of interest relating to entities regulated by the Coast Guard.

''(3) DUTIES.—

''(A) DEVELOPMENT OF GUIDANCE.—The Program Manager shall develop guidance for—

''(i) approval, drills, and testing relating to the Western Alaska oil spill planning criteria; and

''(ii) gathering input concerning such planning criteria from Federal agencies, State, local, and Tribal governments, and relevant industry and nongovernmental entities.

''(B) ASSESSMENTS.—Not less frequently than once every 5 years, the Program Manager shall—

''(i) assess whether such existing planning criteria adequately meet the needs of vessels operating in the geographic area; and

''(ii) identify methods for advancing response capability so as to achieve, with respect to a vessel, compliance with national planning criteria.

''(C) ONSITE VERIFICATIONS.—The Program Manager shall address the relatively small number and limited nature of verifications of response capabilities for vessel response plans by increasing, within the Seventeenth Coast Guard District, the quantity and frequency of onsite verifications of the providers identified in vessel response plans.

''(c) TRAINING.—The Commandant shall enhance the knowledge and proficiency of Coast Guard personnel with respect to the Program by—

''(1) developing formalized training on the Program that, at a minimum—

''(A) provides in-depth analysis of—

''(i) the national planning criteria described in part 155 of title 33, Code of Federal Regulations (or successor regulations);

''(ii) alternative planning criteria;

''(iii) Western Alaska oil spill planning criteria;

''(iv) Captain of the Port and Federal On-Scene Coordinator authorities related to activation of a vessel response plan;

''(v) the responsibilities of vessel owners and operators in preparing a vessel response plan for submission; and

''(vi) responsibilities of the Area Committee, including risk analysis, response capability, and development of alternative planning criteria;

''(B) explains the approval processes of vessel response plans that involve alternative planning criteria or Western Alaska oil spill planning criteria; and

''(C) provides instruction on the processes involved in carrying out the actions described in paragraphs (9)(D) and (9)(F) of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)), including instruction on carrying out such actions—

''(i) in any geographic area in the United States; and

''(ii) specifically in the Seventeenth Coast Guard District; and

''(2) providing such training to all Coast Guard personnel involved in the Program.

''(d) DEFINITIONS.—In this section:

''(1) ALTERNATIVE PLANNING CRITERIA.—The term 'alternative planning criteria' means criteria submitted under section 155.1065 or 155.5067 of title 33, Code of Federal Regulations (or successor regulations), for vessel response plans.

''(2) TRIBAL.—The term 'Tribal' means of or pertaining to an Indian Tribe or a Tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

''(3) VESSEL RESPONSE PLAN.—The term 'vessel response plan' means a plan required to be submitted by the owner or operator of a tank vessel or a nontank vessel under regulations issued by the President under section 311(j)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(5)).

''(4) WESTERN ALASKA OIL SPILL PLANNING CRITERIA.—The term 'Western Alaska oil spill planning criteria' means the criteria required under paragraph (9) of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).''.

(2) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 14, United States Code, is amended by adding at the end the following:

''323. Western Alaska Oil Spill Planning Criteria Program.''.

(b) WESTERN ALASKA OIL SPILL PLANNING CRITERIA.—

(1) AMENDMENT.—Section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)) is amended by adding at the end the following:

''(9) ALTERNATIVE PLANNING CRITERIA PROGRAM.—

''(A) DEFINITIONS.—In this paragraph:

''(i) ALTERNATIVE PLANNING CRITERIA.—The term 'alternative planning criteria' means criteria submitted under section 155.1065 or 155.5067 of title 33, Code of Federal Regulations (or successor regulations), for vessel response plans.

''(ii) PRINCE WILLIAM SOUND CAPTAIN OF THE PORT ZONE.—The term 'Prince William Sound Captain of the Port Zone' means the area described in section 3.85–15(b) of title 33, Code of Federal Regulations (or successor regulations).

''(iii) SECRETARY.—The term 'Secretary' means the Secretary of the department in which the Coast Guard is operating.

''(iv) TRIBAL.—The term 'Tribal' means of or pertaining to an Indian Tribe or a Tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

''(v) VESSEL RESPONSE PLAN.—The term 'vessel response plan' means a plan required to be submitted by the owner or operator of a tank vessel or a nontank vessel under regulations issued by the President under paragraph (5).

''(vi) WESTERN ALASKA CAPTAIN OF THE PORT ZONE.—The term 'Western Alaska Captain of the Port Zone' means the area described in section 3.85–15(a) of title 33, Code of Federal Regulations (as in effect on the date of enactment of this paragraph).

''(B) REQUIREMENT.—Except as provided in subparagraph (I), for any part of the area of responsibility of the Western Alaska Captain of the Port Zone or the Prince William Sound Captain of the Port Zone in which the Secretary has determined that the national planning criteria established pursuant to this subsection are inappropriate for a vessel

operating in that area, a response plan required under paragraph (5) with respect to a discharge of oil for such a vessel shall comply with the planning criteria established under subparagraph (D)(i).

''(C) RELATION TO NATIONAL PLANNING CRITERIA.—The planning criteria established under subparagraph (D)(i) shall, with respect to a discharge of oil from a vessel described in subparagraph (B), apply in lieu of any alternative planning criteria accepted for vessels operating in that area prior to the date on which the planning criteria under subparagraph (D)(i) are established.

''(D) ESTABLISHMENT OF PLANNING CRITERIA.—The President, acting through the Commandant in consultation with the Western Alaska Oil Spill Criteria Program Manager established under section 323 of title 14, United States Code—

''(i) shall establish—

''(I) Alaska oil spill planning criteria for a worst case discharge of oil, and a substantial threat of such a discharge, within any part of the area of responsibility of the Western Alaska Captain of the Port Zone or Prince William Sound Captain of the Port Zone in which the Secretary has determined that the national planning criteria established pursuant to this subsection are inappropriate for a vessel operating in that area; and

''(II) standardized submission, review, approval, and compliance verification processes for the planning criteria established under clause (i), including the quantity and frequency of drills and on-site verifications of vessel response plans accepted pursuant to those planning criteria; and

''(ii) may, as required to develop standards that adequately reflect the needs and capabilities of various locations within the Western Alaska Captain of the Port Zone, develop subregions in which the Alaska oil spill planning criteria referred to in clause (i)(I) may differ from such criteria for other subregions in the Western Alaska Captain of the Port Zone, provided that any such criteria for a subregion is not less stringent than the criteria required for a worst case discharge of oil, and a substantial threat of such a discharge, within any part of the applicable subregion.

''(E) INCLUSIONS.—

''(i) IN GENERAL.—The Western Alaska oil spill planning criteria established under subparagraph (D)(i) shall include planning criteria for the following:

''(I) Mechanical oil spill response resources that are required to be located within that area.

''(II) Response times for mobilization of oil spill response resources and arrival on the scene of a worst case discharge of oil, or substantial threat of such a discharge, occurring within that area.

''(III) Pre-identified vessels for oil spill response that are capable of operating in the ocean environment.

''(IV) Ensuring the availability of at least 1 oil spill removal organization that is classified by the Coast Guard and that—

''(aa) is capable of responding in all operating environments in that area;

''(bb) controls oil spill response resources of dedicated and nondedicated resources within that area, through ownership, contracts, agreements, or other means approved by the President, sufficient—

''(AA) to mobilize and sustain a response to a worst case discharge of oil; and

''(BB) to contain, recover, and temporarily store discharged oil;

''(cc) has pre-positioned oil spill response resources in strategic locations throughout that area in a manner that ensures the ability to support response personnel, marine operations, air cargo, or other related logistics infrastructure;

''(dd) has temporary storage capability using both dedicated and non-dedicated assets located within that area;

''(ee) has non-mechanical oil spill response resources, to be available under contracts, agreements, or other means approved by the President, capable of responding to a discharge of persistent oil and a discharge of nonpersistent oil, whether the discharged oil was carried by a vessel as fuel or cargo; and

''(ff) considers availability of wildlife response resources for primary, secondary, and tertiary responses to support carcass collection, sampling, deterrence, rescue, and rehabilitation of birds, sea turtles, marine mammals, fishery resources, and other wildlife.

''(V) With respect to tank barges carrying nonpersistent oil in bulk as cargo, oil spill response resources that are required to be carried on board.

''(VI) Specifying a minimum length of time that approval of a response plan under this paragraph is valid.

''(VII) Managing wildlife protection and rehabilitation, including identified wildlife protection and rehabilitation resources in that area.

''(ii) ADDITIONAL CONSIDERATIONS.—The Commandant may consider criteria regarding—

''(I) vessel routing measures consistent with international routing measure deviation protocols; and

''(II) maintenance of real-time continuous vessel tracking, monitoring, and engagement protocols with the ability to detect and address vessel operation anomalies.

''(F) REQUIREMENT FOR APPROVAL.—The President may approve a response plan for a vessel under this paragraph only if the owner or operator of the vessel demonstrates the availability of the oil spill response resources required to be included in the response plan under the planning criteria established under subparagraph (D)(i).

''(G) PERIODIC AUDITS.—The Secretary shall conduct periodic audits to ensure compliance of vessel response plans and oil spill removal organizations within the Western Alaska Captain of the Port Zone and the Prince William Sound Captain of the Port Zone with the planning criteria under subparagraph (D)(i).

''(H) REVIEW OF DETERMINATION.—Not less frequently than once every 5 years, the Secretary shall review each determination of the Secretary under subparagraph (B) that the national planning criteria are inappropriate for a vessel operating in the area of responsibility of the Western Alaska Captain of the Port Zone and the Prince William Sound Captain of the Port Zone.

''(I) VESSELS IN COOK INLET.—Unless otherwise authorized by the Secretary, a vessel may only operate in Cook Inlet, Alaska, under a vessel response plan that meets the requirements of the national planning criteria established pursuant to paragraph (5).

''(J) SAVINGS PROVISIONS.—Nothing in this paragraph affects—

''(i) the requirements under this subsection applicable to vessel response plans for vessels operating within the area of responsibility of the Western Alaska Captain of the Port Zone, within Cook Inlet, Alaska;

''(ii) the requirements under this subsection applicable to vessel response plans for vessels operating within the area of responsibility of the Prince William Sound Captain of the Port Zone under section 5005 of the Oil Pollution Act of 1990 (33 U.S.C. 2735); or

''(iii) the authority of a Federal On-Scene Coordinator to use any available resources when responding to an oil spill.''.

(2) ESTABLISHMENT OF ALASKA OIL SPILL PLANNING CRITERIA.—

(A) DEADLINE.—Not later than 2 years after the date of the enactment of this Act, the President shall establish the planning criteria required to be established under paragraph (9)(D)(i) of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

(B) CONSULTATION.—In establishing the planning criteria described in subparagraph (B), the President shall consult with the Federal, State, local, and Tribal agencies and the owners and operators that would be subject to those planning criteria, and with oil spill removal organizations, Alaska Native organizations, and environmental nongovernmental organizations located within the State of Alaska.

(C) CONGRESSIONAL REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit to Congress a report describing the status of implementation of paragraph (9) of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

SEC. 5323. ACCIDENT AND INCIDENT NOTIFICATION RELATING TO PIPELINES.

(a) REPEAL.—Subsection (c) of section 9 of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (49 U.S.C. 60117 note; Public Law 112–90) is repealed.

(b) APPLICATION.—Section 9 of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (49 U.S.C. 60117 note; Public Law 112–90) shall be applied and administered as if the subsection repealed by subsection (a) had never been enacted.

SEC. 5324. COAST GUARD CLAIMS PROCESSING COSTS.

Section 1012(a)(4) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(4)) is amended by striking ''damages;'' and inserting ''damages, including, in the case of a spill of national significance that results in extraordinary Coast Guard claims processing activities, the administrative and personnel costs of the Coast Guard to process those claims (including the costs of commercial claims processing, expert services, training, and technical services), subject to the condition that the Coast Guard shall submit to Congress a report describing the spill of national significance not later than 30 days after the date on which the Coast Guard determines it necessary to process those claims;''.

SEC. 5325. CALCULATION OF INTEREST ON DEBT OWED TO THE NATIONAL POLLUTION FUND.

Section 1005(b)(4) of the Oil Pollution Act of 1990 (33 U.S.C. 2705(b)(4)) is amended—

(1) by striking ''The interest paid'' and inserting the following:

''(A) IN GENERAL.—The interest paid for claims, other than Federal Government cost recovery claims,''; and

(2) by adding at the end the following:

''(B) FEDERAL COST RECOVERY CLAIMS.—The interest paid for Federal Government cost recovery claims under this section shall be calculated in accordance with section 3717 of title 31, United States Code.''.

SEC. 5326. PER-INCIDENT LIMITATION.

Subparagraph (A) of section 9509(c)(2) of the Internal Revenue Code of 1986 is amended—

(1) in clause (i), by striking ''$1,000,000,000'' and inserting ''$1,500,000,000'';

(2) in clause (ii), by striking ''$500,000,000'' and inserting ''$750,000,000''; and

(3) in the heading, by striking ''$1,000,000,000'' and inserting ''$1,500,000,000''.

SEC. 5327. ACCESS TO THE OIL SPILL LIABILITY TRUST FUND.

Section 6002 of the Oil Pollution Act of 1990 (33 U.S.C. 2752) is amended by striking subsection (b) and inserting the following:

''(b) EXCEPTIONS.—

''(1) IN GENERAL.—Subsection (a) shall not apply to—

''(A) section 1006(f), 1012(a)(4), or 5006; or

''(B) an amount, which may not exceed $50,000,000 in any fiscal year, made available by the President from the Fund—

''(i) to carry out section 311(c) of the Federal Water Pollution Control Act (33 U.S.C. 1321(c)); and

''(ii) to initiate the assessment of natural resources damages required under section 1006.

''(2) FUND ADVANCES.—

''(A) IN GENERAL.—To the extent that the amount described in subparagraph (B) of paragraph (1) is not adequate to carry out the activities described in that subparagraph, the Coast Guard may obtain 1 or more advances from the Fund as may be necessary, up to a maximum of $100,000,000 for each advance, with the total amount of advances not to exceed the amounts available under section 9509(c)(2) of the Internal Revenue Code of 1986.

''(B) NOTIFICATION TO CONGRESS.—Not later than 30 days after the date on which the Coast Guard obtains an advance under subparagraph (A), the Coast Guard shall notify Congress of—

''(i) the amount advanced; and

''(ii) the facts and circumstances that necessitated the advance.

''(C) REPAYMENT.—Amounts advanced under this paragraph shall be repaid to the Fund when, and to the extent that, removal costs are recovered by the Coast Guard from responsible parties for the discharge or substantial threat of discharge.

''(3) AVAILABILITY.—Amounts to which this subsection applies shall remain available until expended.''.

SEC. 5328. COST-REIMBURSABLE AGREEMENTS.

Section 1012 of the Oil Pollution Act of 1990 (33 U.S.C. 2712) is amended—

(1) in subsection (a)(1)(B), by striking ''by a Governor or designated State official'' and inserting ''by a State, a political subdivision of a State, or an Indian tribe, pursuant to a cost-reimbursable agreement'';

(2) by striking subsections (d) and (e) and inserting the following:

''(d) COST-REIMBURSABLE AGREEMENT.—

''(1) IN GENERAL.—In carrying out section 311(c) of the Federal Water Pollution Control Act (33 U.S.C. 1321(c)), the President may enter into cost-reimbursable agreements with a State, a political subdivision of a State, or an Indian tribe to obligate the Fund for the payment of removal costs consistent with the National Contingency Plan.

''(2) INAPPLICABILITY.—Neither section 1535 of title 31, United States Code, nor chapter 63 of that title shall apply to a cost-reimbursable agreement entered into under this subsection.''; and

(3) by redesignating subsections (f), (h), (i), (j), (k), and (l) as subsections (e), (f), (g), (h), (i), and (j), respectively.

SEC. 5329. OIL SPILL RESPONSE REVIEW.

(a) IN GENERAL.—Subject to the availability of appropriations, the Commandant shall develop and carry out a program—

(1) to increase collection and improve the quality of incident data on oil spill location and response capability by periodically evaluating the data, documentation, and analysis of—

(A) Coast Guard-approved vessel response plans, including vessel response plan audits and assessments;

(B) oil spill response drills conducted under section 311(j)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(7)) that occur within the Marine Transportation System; and

(C) responses to oil spill incidents that require mobilization of contracted response resources;

(2) to update, not less frequently than annually, information contained in the Coast Guard Response Resource Inventory and other Coast Guard tools used to document the availability and status of oil spill response equipment, so as to ensure that such information remains current; and

(3) subject to section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act''), to make data collected under paragraph (1) available to the public.

(b) POLICY.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall issue a policy—

(1) to establish processes to maintain the program under subsection (a) and support Coast Guard oil spill prevention and response activities, including by incorporating oil spill incident data from after-action oil spill reports and data ascertained from vessel response plan exercises and audits into—

(A) review and approval process standards and metrics;

(B) Alternative Planning Criteria (APC) review processes;

(C) Area Contingency Plan (ACP) development;

(D) risk assessments developed under section 70001 of title 46, United States Code, including lessons learned from reportable marine casualties;

(E) mitigating the impact of military personnel rotations in Coast Guard field units on knowledge and awareness of vessel response plan requirements, including knowledge relating to the evaluation of proposed alternatives to national planning requirements; and

(F) evaluating the consequences of reporting inaccurate data in vessel response plans submitted to the Commandant pursuant to part 300 of title 40, Code of Federal Regulations, and submitted for storage in the Marine Information for Safety and Law Enforcement database pursuant to section 300.300 of that title (or any successor regulation);

(2) to standardize and develop tools, training, and other relevant guidance that may be shared with vessel owners and operators to assist with accurately calculating and measuring the performance and viability of proposed alternatives to national planning criteria requirements and Area Contingency Plans under the jurisdiction of the Coast Guard;

(3) to improve training of Coast Guard personnel to ensure continuity of planning activities under this section, including by identifying ways in which civilian staffing may improve the continuity of operations; and

(4) to increase Federal Government engagement with State, local, and Tribal governments and stakeholders so as to strengthen coordination and efficiency of oil spill responses.

(c) PERIODIC UPDATES.—Not less frequently than every 5 years, the Commandant shall update the processes established under subsection (b)(1) to incorporate relevant analyses of—

(1) incident data on oil spill location and response quality;

(2) oil spill risk assessments;

(3) oil spill response effectiveness and the effects of such response on the environment;

(4) oil spill response drills conducted under section 311(j)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(7));

(5) marine casualties reported to the Coast Guard; and

(6) near miss incidents documented by a Vessel Traffic Service Center (as such terms are defined in section 70001(m) of title 46, United States Code).

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for 5 years, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the status of ongoing and planned efforts to improve the effectiveness and oversight of the vessel response program.

(2) PUBLIC AVAILABILITY.—The Commandant shall publish the report required by subparagraph (A) on a publicly accessible internet website of the Coast Guard.

SEC. 5330. REVIEW AND REPORT ON LIMITED INDEMNITY PROVISIONS IN STANDBY OIL SPILL RESPONSE CONTRACTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the effects of removing limited indemnity provisions from Coast Guard oil spill response contracts entered into by the President (or a delegate) under section 311(c) of the Federal Water Pollution Control Act (33 U.S.C. 1321(c)).

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

(1) An assessment of the adequacy of contracts described in that subsection in meeting the needs of the United States to carry out oil spill cleanups under the National Contingency Plan (as defined in section 311(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)) during the period beginning in 2009 and ending in 2014 with respect to those contracts that included limited indemnity provisions for oil spill response organizations.

(2) A review of the costs incurred by the Coast Guard, the Oil Spill Liability Trust Fund established by section 9509(a) of the Internal Revenue Code of 1986, and the Federal Government to cover the indemnity provisions provided to oil spill response organizations during the period described in paragraph (1).

(3) An assessment of the adequacy of contracts described in that subsection in meeting the needs of the United States to carry out oil spill cleanups under the National Contingency Plan (as so defined) after limited indemnity provisions for oil spill response organizations were removed from those contracts in 2014.

(4) An assessment of the impact that the removal of limited indemnity provisions described in paragraph (3) has had on the ability of oil spill response organizations to enter into contracts described in that subsection.

(5) An assessment of the ability of the Oil Spill Liability Trust Fund established by section 9509(a) of the Internal Revenue Code of 1986, to cover limited indemnity provided to a contractor for liabilities and expenses incidental to the containment or removal of oil arising out of the performance of a contract that is substantially identical to the terms contained in subsections (d)(2) through (h) of section H.4 of the contract offered by the Coast Guard in the solicitation numbered DTCG89–98–A–68F953 and dated November 17, 1998.

SEC. 5331. ADDITIONAL EXCEPTIONS TO REGULATIONS FOR TOWING VESSELS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall review existing Coast Guard policies with respect to exceptions to the applicability of subchapter M of chapter I of title 46, Code of Federal Regulations (or successor regulations), for—

(1) an oil spill response vessel, or a vessel of opportunity, while such vessel is—

(A) towing boom for oil spill response; or

(B) participating in an oil response exercise; and

(2) a fishing vessel while that vessel is operating as a vessel of opportunity.

(b) POLICY.—Not later than 180 days after the conclusion of the review required by subsection (a), the Secretary shall revise or issue any necessary policy to clarify the applicability of subchapter M of chapter I of title 46, Code of Federal Regulations (or successor regulations) to the vessels described in subsection (a). Such a policy shall ensure safe and effective operation of such vessels.

(c) DEFINITIONS.—In this section:

(1) FISHING VESSEL; OIL SPILL RESPONSE VESSEL.—The terms ''fishing vessel'' and ''oil spill response vessel'' have the meanings given such terms in section 2101 of title 46, United States Code.

(2) VESSEL OF OPPORTUNITY.—The term ''vessel of opportunity'' means a vessel engaged in spill response activities that is normally and substantially involved in activities other than spill response and not a vessel carrying oil as a primary cargo.

Subtitle C—Environmental Compliance

SEC. 5341. REVIEW OF ANCHORAGE REGULATIONS.

(a) REGULATORY REVIEW.—Not later than 1 year after the date of enactment of this Act, the Secretary shall complete a review of existing anchorage regulations or other rules, which review shall include—

(1) identifying any such regulations or rules that may need modification or repeal in the interest of marine safety, security, environmental, and economic concerns, taking into account undersea pipelines, cables, or other infrastructure; and

(2) completing a cost-benefit analysis for any modification or repeal identified under paragraph (1).

(b) BRIEFING.—Upon completion of the review under subsection (a), but not later than 2 years after the date of enactment of this Act, the Secretary shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that summarizes the review.

SEC. 5342. STUDY ON IMPACTS ON SHIPPING AND COMMERCIAL, TRIBAL, AND RECREATIONAL FISHERIES FROM THE DEVELOPMENT OF RENEWABLE ENERGY ON THE WEST COAST.

(a) DEFINITIONS.—In this section:

(1) COVERED WATERS.—The term ''covered waters'' means Federal or State waters off of the Canadian border and out to the furthest extent of the exclusive economic zone along the west coast of the United States.

(2) EXCLUSIVE ECONOMIC ZONE.—The term ''exclusive economic zone'' has the meaning given that term in section 107 of title 46, United States Code.

(b) STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary, the Secretary of the Interior, and the Under Secretary of Commerce for Oceans and Atmosphere, shall enter into an agreement with the National Academies of Science, Engineering, and Medicine under which the National Academy of Sciences shall carry out a study to—

(1) identify, document, and analyze—

(A) historic and current, as of the date of the study, Tribal, commercial, and recreational fishing grounds, as well as areas where fish stocks are likely to shift in the future, in all covered waters;

(B) usual and accustomed fishing areas in all covered waters;

(C) historic, current, and potential future shipping lanes, based on projected growth in shipping traffic in all covered waters; and

(D) key types of data needed to properly site renewable energy sites on the West Coast with regard to assessing and mitigating conflicts;

(2) analyze—

(A) methods used to manage fishing, shipping, and other maritime activities; and

(B) how those activities could be impacted by the placement of renewable energy infrastructure and the associated construction, maintenance, and operation of such infrastructure; and

(3) review the current decision-making process for offshore wind in covered waters and outline a comprehensive approach to include all impacted coastal communities, particularly Tribal governments and fisheries communities, in the decision-making process for offshore wind in covered waters.

(c) SUBMISSION.—Not later than 1 year after commencing the study under subsection (b), the Secretary shall—

(1) submit the study to the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources of the Senate and the Committee on Transportation and Infrastructure, the Committee on Natural Resources, and the Committee on Energy and Commerce of the House of Representatives, including the review and outline provided under subsection (b)(3); and

(2) make the study publicly available.

Subtitle D—Environmental Issues

SEC. 5351. MODIFICATIONS TO THE SPORT FISH RESTORATION AND BOATING TRUST FUND ADMINISTRATION.

(a) DINGELL-JOHNSON SPORT FISH RESTORATION ACT AMENDMENTS.—

(1) AVAILABLE AMOUNTS.—Clause (i) of section 4(b)(1)(B) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(b)(1)(B)) is amended to read as follows:

''(i) for the fiscal year that includes November 15, 2021, the product obtained by multiplying—

''(I) $12,786,434; and

''(II) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor; and''.

(2) AUTHORIZED EXPENSES.—Section 9(a) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777h(a)) is amended—

(A) in paragraph (7), by striking ''full-time''; and

(B) in paragraph (9), by striking ''on a full-time basis''.

(b) PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT AMENDMENTS.—

(1) AVAILABLE AMOUNTS.—Clause (i) of section 4(a)(1)(B) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(a)(1)(B)) is amended to read as follows:

''(i) for the fiscal year that includes November 15, 2021, the product obtained by multiplying—

''(I) $12,786,434; and

''(II) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor; and''.

(2) AUTHORIZED EXPENSES.—Section 9(a) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h(a)) is amended—

(A) in paragraph (7), by striking ''full-time''; and

(B) in paragraph (9), by striking ''on a full-time basis''.

SEC. 5352. IMPROVEMENTS TO COAST GUARD COMMUNICATION WITH NORTH PACIFIC MARITIME AND FISHING INDUSTRY.

(a) RESCUE 21 SYSTEM IN ALASKA.—

(1) UPGRADES.—The Commandant shall ensure the timely upgrade of the Rescue 21 system in Alaska so as to achieve, not later than August 30, 2023, 98 percent operational availability of remote fixed facility sites.

(2) PLAN TO REDUCE OUTAGES.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall develop an operations and maintenance plan for the Rescue 21 system in Alaska that anticipates maintenance needs so as to reduce Rescue 21 system outages to the maximum extent practicable.

(B) PUBLIC AVAILABILITY.—The plan required by subparagraph (A) shall be made available to the public on a publicly accessible internet website.

(3) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(A) contains a plan for the Coast Guard to notify mariners of radio outages for towers owned and operated by the Seventeenth Coast Guard District;

(B) addresses in such plan how the Seventeenth Coast Guard will—

(i) disseminate updates regarding outages on social media not less frequently than every 48 hours;

(ii) provide updates on a publicly accessible website not less frequently than every 48 hours;

(iii) develop methods for notifying mariners in areas in which cellular connectivity does not exist; and

(iv) develop and advertise a web-based communications update hub on AM/FM radio for mariners; and

(C) identifies technology gaps necessary to implement the plan and provides a budgetary assessment necessary to implement the plan.

(4) CONTINGENCY PLAN.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant, in collaboration with relevant Federal and State entities (including the North Pacific Fishery Management Council, the National Oceanic and Atmospheric Administration Weather Service, the National Oceanic and Atmospheric Administration Fisheries Service, agencies of the State of Alaska, local radio stations, and stakeholders), shall establish a contingency plan to ensure that notifications of an outage of the Rescue 21 system in Alaska are broadly disseminated in advance of such outage.

(B) ELEMENTS.—The plan required by subparagraph (A) shall require the Coast Guard—

(i) to disseminate updates regarding outages on social media not less frequently than every 48 hours during an outage;

(ii) to provide updates on a publicly accessible website not less frequently than every 48 hours during an outage;

(iii) to notify mariners in areas in which cellular connectivity does not exist;

(iv) to develop and advertise a web-based communications update hub on AM/FM radio for mariners; and

(v) to identify technology gaps that need to be addressed in order to implement the plan, and to provide a budgetary assessment necessary to implement the plan.

(b) IMPROVEMENTS TO COMMUNICATION WITH THE FISHING INDUSTRY AND RELATED STAKEHOLDERS.—

(1) IN GENERAL.—The Commandant, in coordination with the National Commercial Fishing Safety Advisory Committee established by section 15102 of title 46, United States Code, shall develop a publicly accessible internet website that contains all Coast Guard-related information relating to the

fishing industry, including safety information, inspection and enforcement requirements, hazards, training, regulations (including proposed regulations), Rescue 21 system outages and similar outages, and any information regarding fishing-related activities under the jurisdiction of the Coast Guard.

(2) AUTOMATIC COMMUNICATIONS.—The Commandant shall provide methods for regular and automatic email communications with stakeholders who elect, through the internet website developed under paragraph (1), to receive such communications.

(c) ADVANCE NOTIFICATION OF MILITARY OR OTHER EXERCISES.—In consultation with the Secretary of Defense, the Secretary of State, and commercial fishing industry participants, the Commandant shall develop and publish on a publicly available internet website a plan for notifying United States mariners and the operators of United States fishing vessels in advance of—

(1) military exercises in the exclusive economic zone of the United States (as defined in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802)); or

(2) other military activities that will impact recreational or commercial activities.

SEC. 5353. FISHING SAFETY TRAINING GRANTS PROGRAM.

Section 4502(i)(4) of title 46, United States Code, is amended by striking ''2018 through 2021'' and inserting ''2023 through 2025''.

SEC. 5354. LOAD LINES.

(a) DEFINITION OF COVERED FISHING VESSEL.—In this section, the term ''covered fishing vessel'' means a vessel that operates exclusively in one, or both, of the Thirteenth and Seventeenth Coast Guard Districts and that—

(1) was constructed, under construction, or under contract to be constructed as a fish tender vessel before January 1, 1980;

(2) was converted for use as a fish tender vessel before January 1, 2022, and—

(A) the vessel has a current stability letter issued in accordance with regulations prescribed under chapter 51 of title 46, United States Code; and

(B) the hull and internal structure of the vessel has been verified as suitable for intended service as examined by a marine surveyor of an organization accepted by the Secretary 2 times in the 5 years preceding the date of the determination under this subsection, with no interval of more than 3 years between such examinations; or

(3) operates part-time as a fish tender vessel for a period of less than 180 days.

(b) APPLICATION TO CERTAIN VESSELS.—During the period beginning on the date of enactment of this Act and ending on the date that is 3 years after the date on which the report required under subsection (c) is submitted, the load line requirements of chapter 51 of title 46, United States Code, shall not apply to covered fishing vessels.

(c) GAO REPORT.—

(1) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

(A) a report on the safety and seaworthiness of vessels referenced in section 5102(b)(5) of title 46, United States Code; and

(B) recommendations for exempting certain vessels from the load line requirements under chapter 51 of title 46 of such Code.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) An assessment of stability requirements of vessels referenced in section 5102(b)(5) of title 46, United States Code.

(B) An analysis of vessel casualties, mishaps, or other safety information relevant to load line requirements when a vessel is operating part-time as a fish tender vessel.

(C) An assessment of any other safety information as the Comptroller General determines appropriate.

(D) A list of all vessels that, as of the date of the report—

(i) are covered under section 5102(b)(5) of title 46, United States Code;

(ii) are acting as part-time fish tender vessels; and

(iii) are subject to any captain of the port zone subject to the oversight of the Commandant.

(3) CONSULTATION.—In preparing the report required under paragraph (1), the Comptroller General shall consider consultation with, at a minimum, the maritime industry, including—

(A) relevant Federal, State, and Tribal maritime associations and groups; and

(B) relevant federally funded research institutions, nongovernmental organizations, and academia.

(d) APPLICABILITY.—Nothing in this section shall limit any authority available, as of the date of enactment of this Act, to the captain of a port with respect to safety measures or any other authority as necessary for the safety of covered fishing vessels.

SEC. 5355. ACTIONS BY NATIONAL MARINE FISHERIES SERVICE TO INCREASE ENERGY PRODUCTION.

(a) IN GENERAL.—The National Marine Fisheries Service shall, immediately upon the enactment of this Act, take action to address the outstanding backlog of letters of authorization for the Gulf of Mexico.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the National Marine Fisheries Service should—

(1) take immediate action to issue a rule that allows the Service to approve outstanding and future applications for letters of authorization consistent with the Service's permitting activities; and

(2) on or after the effective date of the rule, prioritize the consideration of applications in a manner that is consistent with applicable Federal law.

Subtitle E—Illegal Fishing and Forced Labor Prevention

SEC. 5361. DEFINITIONS.

In this subtitle:

(1) FORCED LABOR.—The term ''forced labor'' means any labor or service provided for or obtained by any means described in section 1589(a) of title 18, United States Code.

(2) HUMAN TRAFFICKING.—The term ''human trafficking'' has the meaning given the term ''severe forms of trafficking in persons'' in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

(3) ILLEGAL, UNREPORTED, OR UNREGULATED FISHING.—The term ''illegal, unreported, or unregulated fishing'' has the meaning given such term in the implementing regulations or any subsequent regulations issued pursuant to section 609(e) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(e)).

(4) OPPRESSIVE CHILD LABOR.—The term ''oppressive child labor'' has the meaning given such term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).

(5) SEAFOOD.—The term ''seafood'' means all marine animal and plant life meant for consumption as food other than marine mammals and birds, including fish, shellfish, shellfish products, and processed fish.

(6) SEAFOOD IMPORT MONITORING PROGRAM.—The term ''Seafood Import Monitoring Program'' means the Seafood Traceability Program established in subpart Q of part 300 of title 50, Code of Federal Regulations (or any successor regulation).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration.

CHAPTER 1—COMBATING HUMAN TRAFFICKING THROUGH SEAFOOD IMPORT MONITORING

SEC. 5362. ENHANCEMENT OF SEAFOOD IMPORT MONITORING PROGRAM AUTOMATED COMMERCIAL ENVIRONMENT MESSAGE SET.

The Secretary, in coordination with the Commissioner of U.S. Customs and Border Protection, shall, not later than 6 months after the date of enactment of this Act, develop a strategy to improve the quality and verifiability of already collected Seafood Import Monitoring Program Message Set data elements in the Automated Commercial Environment system. Such strategy shall prioritize the use of enumerated data types, such as checkboxes, dropdown menus, or radio buttons, and any additional elements the Administrator of the National Oceanic and Atmospheric Administration finds appropriate.

SEC. 5363. DATA SHARING AND AGGREGATION.

(a) INTERAGENCY WORKING GROUP ON ILLEGAL, UNREPORTED, OR UNREGULATED FISHING.—Section 3551(c) of the Maritime SAFE Act (16 U.S.C. 8031(c)) is amended—

(1) by redesignating paragraphs (4) through (13) as paragraphs (5) through (14), respectively; and

(2) by inserting after paragraph (3) the following:

''(4) maximizing the utility of the import data collected by the members of the Working Group by harmonizing data standards and entry fields;''.

(b) PROHIBITION ON AGGREGATED CATCH DATA FOR CERTAIN SPECIES.—Beginning not later than 1 year after the date of enactment of this Act, for the purposes of compliance with respect to Northern red snapper under the Seafood Import Monitoring Program, the Secretary may not allow an aggregated harvest report of such species, regardless of vessel size.

SEC. 5364. IMPORT AUDITS.

(a) AUDIT PROCEDURES.—The Secretary shall, not later than 1 year after the date of enactment of this Act, implement procedures to audit information and supporting records of sufficient numbers of imports of seafood and seafood products subject to the Seafood Import Monitoring Program to support statistically robust conclusions that the samples audited are representative of all seafood imports covered by the Seafood Import Monitoring Program with respect to a given year.

(b) EXPANSION OF MARINE FORENSICS LABORATORY.—The Secretary shall, not later than 1 year after the date of enactment of this Act, begin the process of expanding the National Oceanic and Atmospheric Administration's Marine Forensics Laboratory, including by establishing sufficient capacity for the development and deployment of rapid, and follow-up, analysis of field-based tests focused on identifying Seafood Import Monitoring Program species, and prioritizing such species at high risk of illegal, unreported, or unregulated fishing and seafood fraud.

(c) ANNUAL REVISION.—In developing the procedures required in subsection (a), the Secretary shall use predictive analytics to inform whether to revise such procedures to prioritize for audit those imports originating from nations—

(1) identified pursuant to section 609(a) or 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(a) or

1826k(a)) that have not yet received a subsequent positive certification pursuant to section 609(d) or 610(c) of such Act, respectively;

(2) identified by an appropriate regional fishery management organization as being the flag state or landing location of vessels identified by other nations or regional fisheries management organizations as engaging in illegal, unreported, or unregulated fishing;

(3) identified as having human trafficking or forced labor in any part of the seafood supply chain, including on vessels flagged in such nation, and including feed for cultured production, in the most recent Trafficking in Persons Report issued by the Department of State in accordance with the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.);

(4) identified as producing goods that contain seafood using forced labor or oppressive child labor in the most recent List of Goods Produced by Child Labor or Forced Labor in accordance with the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.); and

(5) identified as at risk for human trafficking, including forced labor, in their seafood catching and processing industries by the report required under section 3563 of the Maritime SAFE Act (Public Law 116–92).

SEC. 5365. AVAILABILITY OF FISHERIES INFORMATION.

Section 402(b)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881a(b)(1)) is amended—

(1) in subparagraph (G), by striking ''or'' after the semicolon;

(2) in subparagraph (H), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(I) to Federal agencies, to the extent necessary and appropriate, to administer Federal programs established to combat illegal, unreported, or unregulated fishing (as defined in section 5361 of the Coast Guard Authorization Act of 2022) or forced labor (as defined in section 5361 of the Coast Guard Authorization Act of 2022), which shall not include an authorization for such agencies to release data to the public unless such release is related to enforcement.''.

SEC. 5366. REPORT ON SEAFOOD IMPORT MONITORING PROGRAM.

(a) REPORT TO CONGRESS AND PUBLIC AVAILABILITY OF REPORTS.—The Secretary shall, not later than 120 days after the end of each fiscal year, submit to the Committee on Commerce, Science, and Transportation and the Committee on Finance of the Senate and the Committee on Natural Resources and the Committee on Financial Services of the House of Representatives a report that summarizes the National Marine Fisheries Service's efforts to prevent the importation of seafood harvested through illegal, unreported, or unregulated fishing, particularly with respect to seafood harvested, produced, processed, or manufactured by forced labor. Each such report shall be made publicly available on the website of the National Oceanic and Atmospheric Administration.

(b) CONTENTS.—Each report submitted under subsection (a) shall include—

(1) the volume and value of seafood species subject to the Seafood Import Monitoring Program, reported by 10-digit Harmonized Tariff Schedule of the United States codes, imported during the previous fiscal year;

(2) the enforcement activities and priorities of the National Marine Fisheries Service with respect to implementing the requirements under the Seafood Import Monitoring Program;

(3) the percentage of import shipments subject to the Seafood Import Monitoring Program selected for inspection or the information or records supporting entry selected for audit, as described in section 300.324(d) of title 50, Code of Federal Regulations;

(4) the number and types of instances of noncompliance with the requirements of the Seafood Import Monitoring Program;

(5) the number and types of instances of violations of State or Federal law discovered through the Seafood Import Monitoring Program;

(6) the seafood species with respect to which violations described in paragraphs (4) and (5) were most prevalent;

(7) the location of catch or harvest with respect to which violations described in paragraphs (4) and (5) were most prevalent;

(8) the additional tools, such as high performance computing and associated costs, that the Secretary needs to improve the efficacy of the Seafood Import Monitoring Program; and

(9) such other information as the Secretary considers appropriate with respect to monitoring and enforcing compliance with the Seafood Import Monitoring Program.

SEC. 5367. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Commissioner of U.S. Customs and Border Protection to carry out enforcement actions pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) $20,000,000 for each of fiscal years 2023 through 2027.

CHAPTER 2—STRENGTHENING INTERNATIONAL FISHERIES MANAGEMENT TO COMBAT HUMAN TRAFFICKING

SEC. 5370. DENIAL OF PORT PRIVILEGES.

Section 101(a)(2) of the High Seas Driftnet Fisheries Enforcement Act (16 U.S.C. 1826a(a)(2)) is amended to read as follows:

''(2) DENIAL OF PORT PRIVILEGES.—The Secretary of Homeland Security shall—

''(A) withhold or revoke the clearance required by section 60105 of title 46, United States Code, for any large-scale driftnet fishing vessel of a nation that receives a negative certification under section 609(d) or 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(d) or 1826k(c)), or fishing vessels of a nation that has been listed pursuant to section 609(b) or section 610(a) of such Act (16 U.S.C. 1826j(b) or 1826k(a)) in 2 or more consecutive reports for the same type of fisheries activity, as described under section 607 of such Act (16 U.S.C. 1826h), until a positive certification has been received;

''(B) withhold or revoke the clearance required by section 60105 of title 46, United States Code, for fishing vessels of a nation that has been listed pursuant to section 609(a) or 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(a) or 1826k(a)) in 2 or more consecutive reports as described under section 607 of such Act (16 U.S.C. 1826h); and

''(C) deny entry of that vessel to any place in the United States and to the navigable waters of the United States, except for the purposes of inspecting such vessel, conducting an investigation, or taking other appropriate enforcement action.''.

SEC. 5371. IDENTIFICATION AND CERTIFICATION CRITERIA.

(a) DENIAL OF PORT PRIVILEGES.—Section 609(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(a)) is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) FOR ACTIONS OF A NATION.—The Secretary shall identify, and list in such report, a nation engaging in or endorsing illegal, unreported, or unregulated fishing. In determining which nations to list in such report, the Secretary shall consider the following:

''(A) Any nation that is violating, or has violated at any point during the 3 years preceding the date of the determination, conservation and management measures, including catch and other data reporting obligations and requirements, required under an international fishery management agreement to which the United States is a party.

''(B) Any nation that is failing, or has failed in the 3-year period preceding the date of the determination, to effectively address or regulate illegal, unreported, or unregulated fishing within its fleets in any areas where its vessels are fishing.

''(C) Any nation that fails to discharge duties incumbent upon it to which legally obligated as a flag, port, or coastal state to take action to prevent, deter, and eliminate illegal, unreported, or unregulated fishing.

''(D) Any nation that has been identified as producing for export to the United States seafood-related goods through forced labor or oppressive child labor (as those terms are defined in section 5361 of the Coast Guard Authorization Act of 2022) in the most recent List of Goods Produced by Child Labor or Forced Labor in accordance with the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.).''; and

(2) by adding at the end the following:

''(4) TIMING.—The Secretary shall make an identification under paragraph (1) or (2) at any time that the Secretary has sufficient information to make such identification.''.

(b) ILLEGAL, UNREPORTED, OR UNREGULATED CERTIFICATION DETERMINATION.—Section 609 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j) is amended in subsection (d), by striking paragraph (3) and inserting the following:

''(3) EFFECT OF CERTIFICATION DETERMINATION.—

''(A) EFFECT OF NEGATIVE CERTIFICATION.—The provisions of subsection (a), and paragraphs (3) and (4) of subsection (b), of section 101 of the High Seas Driftnet Fisheries Enforcement Act (16 U.S.C. 1826a(a) and (b)(3) and (4)) shall apply to any nation that, after being identified and notified under subsection (b), has failed to take the appropriate corrective actions for which the Secretary has issued a negative certification under this subsection.

''(B) EFFECT OF POSITIVE CERTIFICATION.—The provisions of subsection (a), and paragraphs (3) and (4) of subsection (b), of section 101 of the High Seas Driftnet Fisheries Enforcement Act (16 U.S.C. 1826a(a) and (b)(3) and (4)) shall not apply to any nation identified under subsection (a) for which the Secretary has issued a positive certification under this subsection.''.

SEC. 5372. EQUIVALENT CONSERVATION MEASURES.

(a) IDENTIFICATION.—Section 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(a)) is amended to read as follows:

''(a) IDENTIFICATION.—

''(1) IN GENERAL.—The Secretary shall identify and list in the report under section 607—

''(A) a nation if—

''(i) any fishing vessel of that nation is engaged, or has been engaged during the 3 years preceding the date of the determination, in fishing activities or practices on the high seas or within the exclusive economic zone of any nation, that have resulted in bycatch of a protected living marine resource; and

''(ii) the vessel's flag state has not adopted, implemented, and enforced a regulatory program governing such fishing designed to end or reduce such bycatch that is comparable in effectiveness to the regulatory program of the United States, taking into account differing conditions; and

''(B) a nation if—

''(i) any fishing vessel of that nation is engaged, or has engaged during the 3 years preceding the date of the determination, in fishing activities on the high seas or within the exclusive economic zone of another nation that target or incidentally catch sharks; and

''(ii) the vessel's flag state has not adopted, implemented, and enforced a regulatory program to provide for the conservation of sharks, including measures to prohibit removal of any of the fins of a shark, including the tail, before landing the shark in port, that is comparable to that of the United States.

''(2) TIMING.—The Secretary shall make an identification under paragraph (1) at any time that the Secretary has sufficient information to make such identification.''.

(b) CONSULTATION AND NEGOTIATION.—Section 610(b) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(b)) is amended to read as follows:

''(b) CONSULTATION AND NEGOTIATION.—The Secretary of State, acting in consultation with the Secretary, shall—

''(1) notify, as soon as practicable, the President and nations that are engaged in, or that have any fishing vessels engaged in, fishing activities or practices described in subsection (a), about the provisions of this Act;

''(2) initiate discussions as soon as practicable with all foreign nations that are engaged in, or a fishing vessel of which has engaged in, fishing activities described in subsection (a), for the purpose of entering into bilateral and multilateral treaties with such nations to protect such species and to address any underlying failings or gaps that may have contributed to identification under this Act; and

''(3) initiate the amendment of any existing international treaty for the protection and conservation of such species to which the United States is a party in order to make such treaty consistent with the purposes and policies of this section.''.

(c) CONSERVATION CERTIFICATION PROCEDURE.—Section 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(c)) is amended—

(1) in paragraph (2), by inserting ''the public and'' after ''comment by''; and

(2) in paragraph (5), by striking ''(except to the extent that such provisions apply to sport fishing equipment or fish or fish products not caught by the vessels engaged in illegal, unreported, or unregulated fishing)''.

(d) DEFINITION OF PROTECTED LIVING MARINE RESOURCE.—Section 610(e) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(e)) is amended by striking paragraph (1) and inserting the following:

''(1) except as provided in paragraph (2), means nontarget fish, sea turtles, or marine mammals that are protected under United States law or international agreement, including—

''(A) the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.);

''(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

''(C) the Shark Finning Prohibition Act (16 U.S.C. 1822 note); and

''(D) the Convention on International Trade in Endangered Species of Wild Fauna and Flora, done at Washington March 3, 1973 (27 UST 1087; TIAS 8249); but''.

SEC. 5373. CAPACITY BUILDING IN FOREIGN FISHERIES.

(a) IN GENERAL.—The Secretary of Commerce, in consultation with the heads of other Federal agencies, as appropriate, shall develop and carry out with partner governments and civil society—

(1) multi-year coastal and marine resource related international cooperation agreements and projects; and

(2) multi-year capacity-building projects for implementing measures to address illegal, unreported, or unregulated fishing, fraud, forced labor, bycatch, and other conservation measures.

(b) CAPACITY BUILDING.—Section 3543(d) of the Maritime SAFE Act (16 U.S.C. 8013(d)) is amended—

(1) in the matter preceding paragraph (1), by striking ''as appropriate,''; and

(2) in paragraph (3), by striking ''as appropriate'' and inserting ''for all priority regions identified by the Working Group''.

(c) REPORTS.—Section 3553 of the Maritime SAFE Act (16 U.S.C. 8033) is amended—

(1) in paragraph (7), by striking ''and'' after the semicolon;

(2) in paragraph (8), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(9) the status of work with global enforcement partners.''.

SEC. 5374. TRAINING OF UNITED STATES OBSERVERS.

Section 403(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881b(b)) is amended—

(1) in paragraph (3), by striking ''and'' after the semicolon;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following:

''(4) ensure that each observer has received training to identify indicators of forced labor (as defined in section 5361 of the Coast Guard Authorization Act of 2022) and human trafficking (as defined in section 5361 of the Coast Guard Authorization Act of 2022) and refer this information to appropriate authorities; and''.

SEC. 5375. REGULATIONS.

Not later than 1 year after the date of enactment of this Act, the Secretary shall promulgate such regulations as may be necessary to carry out this title.

SEC. 5376. USE OF DEVICES BROADCASTING ON AIS FOR PURPOSES OF MARKING FISHING GEAR.

The Secretary of the department in which the Coast Guard is operating shall, within the Eleventh Coast Guard District, Thirteenth Coast Guard District, Fourteenth Coast Guard District, and Seventeenth Coast Guard District, suspend enforcement of individuals using automatic identification systems devices to mark fishing equipment during the period beginning on the date of enactment of this Act and ending on the earlier of—

(1) the date that is 2 years after such date of enactment; and

(2) the date the Federal Communications Commission promulgates a final rule to authorize a device used to mark fishing equipment to operate in radio frequencies assigned for Automatic Identification System stations.

TITLE LIV—SUPPORT FOR COAST GUARD WORKFORCE

Subtitle A—Support for Coast Guard Members and Families

SEC. 5401. COAST GUARD CHILD CARE IMPROVEMENTS.

(a) FAMILY DISCOUNT FOR CHILD DEVELOPMENT SERVICES.—Section 2922(b)(2) of title 14, United States Code, is amended by adding at the end the following:

''(D) In the case of an active duty member with two or more children attending a Coast Guard child development center, the Commandant may modify the fees to be charged for attendance for the second and any subsequent child of such member by an amount that is 15 percent less than the amount of the fee otherwise chargeable for the attendance of the first such child enrolled at the center, or another fee as the Commandant determines appropriate, consistent with multiple children.''.

(b) CHILD DEVELOPMENT CENTER STANDARDS AND INSPECTIONS.—Section 2923(a) of title 14, United States Code, is amended to read as follows:

''(a) STANDARDS.—The Commandant shall require each Coast Guard child development center to meet standards of operation—

''(1) that the Commandant considers appropriate to ensure the health, safety, and welfare of the children and employees at the center; and

''(2) necessary for accreditation by an appropriate national early childhood programs accrediting entity.''.

(c) CHILD CARE SUBSIDY PROGRAM.—

(1) AUTHORIZATION.—

(A) IN GENERAL.—Subchapter II of chapter 29 of title 14, United States Code, is amended by adding at the end the following:

''§ 2927. Child care subsidy program

''(a) AUTHORITY.—The Commandant may operate a child care subsidy program to provide financial assistance to eligible providers that provide child care services or youth program services to members of the Coast Guard, members of the Coast Guard with dependents who are participating in the child care subsidy program, and any other individual the Commandant considers appropriate, if—

''(1) providing such financial assistance—

''(A) is in the best interests of the Coast Guard; and

''(B) enables supplementation or expansion of the provision of Coast Guard child care services, while not supplanting or replacing Coast Guard child care services; and

''(2) the Commandant ensures, to the extent practicable, that the eligible provider is able to comply, and does comply, with the regulations, policies, and standards applicable to Coast Guard child care services.

''(b) ELIGIBLE PROVIDERS.—A provider of child care services or youth program services is eligible for financial assistance under this section if the provider—

''(1) is licensed to provide such services under applicable State and local law;

''(2) is registered in an au pair program of the Department of State;

''(3) is a family home daycare; or

''(4) is a provider of family child care services that—

''(A) otherwise provides federally funded or federally sponsored child development services;

''(B) provides such services in a child development center owned and operated by a private, not-for-profit organization;

''(C) provides a before-school or after-school child care program in a public school facility;

''(D) conducts an otherwise federally funded or federally sponsored school-age child care or youth services program;

''(E) conducts a school-age child care or youth services program operated by a not-for-profit organization;

''(F) provides in-home child care, such as a nanny or an au pair; or

''(G) is a provider of another category of child care services or youth program services the Commandant considers appropriate for meeting the needs of members or civilian employees of the Coast Guard.

''(c) AUTHORIZATION.—There are authorized to be appropriated such sums as necessary to carry out this section.

''(d) DIRECT PAYMENT.—

''(1) IN GENERAL.—In carrying out a child care subsidy program under subsection (a),

subject to paragraph (3), the Commandant shall provide financial assistance under the program to an eligible member or individual the Commandant considers appropriate by direct payment to such eligible member or individual through monthly pay, direct deposit, or other direct form of payment.

''(2) POLICY.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall establish a policy to provide direct payment as described in paragraph (1).

''(3) ELIGIBLE PROVIDER FUNDING CONTINUATION.—With the approval of an eligible member or an individual the Commandant considers appropriate, which shall include the written consent of such member or individual, the Commandant may continue to provide financial assistance under the child care subsidy program directly to an eligible provider on behalf of such member or individual.

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to affect any preexisting reimbursement arrangement between the Coast Guard and a qualified provider.''.

(B) CLERICAL AMENDMENT.—The analysis for chapter 29 of title 14, United States Code, is amended by inserting after the item relating to section 2926 the following:

''2927. Child care subsidy program.''.

(2) EXPANSION OF CHILD CARE SUBSIDY PROGRAM.—

(A) IN GENERAL.—The Commandant shall—

(i) evaluate potential eligible uses for the child care subsidy program established under section 2927 of title 14, United States Code (referred to in this paragraph as the ''program''); and

(ii) expand the eligible uses of funds for the program to accommodate the child care needs of members of the Coast Guard (including such members with nonstandard work hours or surge or other deployment cycles), including by providing funds directly to such members instead of care providers.

(B) CONSIDERATIONS.—In evaluating potential eligible uses under subparagraph (A), the Commandant shall consider au pairs, nanny services, nanny shares, in-home child care services, care services such as supplemental care for children with disabilities, and any other child care delivery method the Commandant considers appropriate.

(C) REQUIREMENTS.—In establishing expanded eligible uses of funds for the program, the Commandant shall ensure that such uses—

(i) are in the best interests of the Coast Guard;

(ii) provide flexibility for eligible members and individuals the Commandant considers appropriate, including such members and individuals with nonstandard work hours; and

(iii) ensure a safe environment for dependents of such members and individuals.

(D) PUBLICATION.—Not later than 18 months after the date of the enactment of this Act, the Commandant shall publish an updated Commandant Instruction Manual (referred to in this paragraph as the ''manual'') that describes the expanded eligible uses of the program.

(E) REPORT.—

(i) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report outlining the expansion of the program.

(ii) ELEMENTS.—The report required by clause (i) shall include the following:

(I) An analysis of the considerations described in subparagraph (B).

(II) A description of the analysis used to identify eligible uses that were evaluated and incorporated into the manual under subparagraph (D).

(III) A full analysis and justification with respect to the forms of care that were ultimately not included in the manual.

(IV) Any recommendation with respect to funding or additional authorities necessary, including proposals for legislative change, to meet the current and anticipated future child care subsidy demands of the Coast Guard.

SEC. 5402. ARMED FORCES ACCESS TO COAST GUARD CHILD CARE FACILITIES.

Section 2922(a) of title 14, United States Code, is amended to read as follows:

''(a)(1) The Commandant may make child development services available, in such priority as the Commandant considers to be appropriate and consistent with readiness and resources and in the best interests of dependents of members and civilian employees of the Coast Guard, for—

''(A) members and civilian employees of the Coast Guard;

''(B) surviving dependents of members of the Coast Guard who have died on active duty, if such dependents were beneficiaries of a Coast Guard child development service at the time of the death of such members;

''(C) members of the armed forces (as defined in section 101 of title 10, United States Code); and

''(D) Federal civilian employees.

''(2) Child development service benefits provided under the authority of this section shall be in addition to benefits provided under other laws.''.

SEC. 5403. CADET PREGNANCY POLICY IMPROVEMENTS.

(a) REGULATIONS REQUIRED.—Not later than 18 months after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating, in consultation with the Secretary of Defense, shall prescribe regulations that—

(1) preserve parental guardianship rights of cadets who become pregnant or father a child while attending the Coast Guard Academy; and

(2) maintain military and academic requirements for graduation and commissioning.

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the development of the regulations required by subsection (a).

SEC. 5404. COMBAT-RELATED SPECIAL COMPENSATION.

(a) REPORT AND BRIEFING.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter until the date that is 5 years after the date on which the initial report is submitted under this subsection, the Commandant shall submit a report and provide an in-person briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the implementation of section 221 of the Coast Guard Authorization Act of 2015 (Public Law 114–120; 10 U.S.C. 1413a note).

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

(1) A description of methods to educate members and retirees on the combat-related special compensation program.

(2) Statistics regarding enrollment in such program for members of the Coast Guard and Coast Guard retirees.

(3) A summary of each of the following:

(A) Activities carried out relating to the education of members of the Coast Guard participating in the Transition Assistance Program with respect to the combat-related special compensation program.

(B) Activities carried out relating to the education of members of the Coast Guard who are engaged in missions in which they are susceptible to injuries that may result in qualification for combat-related special compensation, including flight school, the National Motor Lifeboat School, deployable specialized forces, and other training programs as the Commandant considers appropriate.

(C) Activities carried out relating to training physicians and physician assistants employed by the Coast Guard, or otherwise stationed in Coast Guard clinics, sickbays, or other locations at which medical care is provided to members of the Coast Guard, for the purpose of ensuring, during medical examinations, appropriate counseling and documentation of symptoms, injuries, and the associated incident that resulted in such injuries.

(D) Activities relating to the notification of heath service officers with respect to the combat-related special compensation program.

(4) The written guidance provided to members of the Coast Guard regarding necessary recordkeeping to ensure eligibility for benefits under such program.

(5) Any other matter relating to combat-related special compensation the Commandant considers appropriate.

(c) DISABILITY DUE TO CHEMICAL OR HAZARDOUS MATERIAL EXPOSURE.—Section 221(a)(2) of the Coast Guard Reauthorization Act of 2015 (Public Law 114–120; 10 U.S.C. 1413a note) is amended, in the matter preceding subparagraph (A)—

(1) by striking ''and hazardous'' and inserting ''hazardous''; and

(2) by inserting '', or a duty in which chemical or other hazardous material exposure has occurred (such as during marine inspections or pollution response activities)'' after ''surfman)''.

SEC. 5405. STUDY ON FOOD SECURITY.

(a) STUDY.—

(1) IN GENERAL.—The Commandant shall conduct a study on food insecurity among members of the Coast Guard.

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

(A) An analysis of the impact of food deserts on members of the Coast Guard and their dependents who live in areas with high costs of living, including areas with high-density populations and rural areas.

(B) A comparison of—

(i) the current method used by the Commandant to determine which areas are considered to be high cost-of-living areas;

(ii) local-level indicators used by the Bureau of Labor Statistics to determine cost of living that indicate buying power and consumer spending in specific geographic areas; and

(iii) indicators of cost of living used by the Department of Agriculture in market basket analyses, and other measures of the local or regional cost of food.

(C) An assessment of the accuracy of the method and indicators described in subparagraph (B) in quantifying high cost of living in low-data and remote areas.

(D) An assessment of the manner in which data accuracy and availability affect the accuracy of cost-of-living allowance calculations and other benefits, as the Commandant considers appropriate.

(E) Recommendations—

(i) to improve access to high-quality, affordable food within a reasonable distance of

Coast Guard units located in areas identified as food deserts;

(ii) to reduce transit costs for members of the Coast Guard and their dependents who are required to travel to access high-quality, affordable food; and

(iii) for improving the accuracy of the calculations referred to in subparagraph (D).

(F) The estimated costs of implementing each recommendation made under subparagraph (E).

(b) PLAN.—

(1) IN GENERAL.—The Commandant shall develop a detailed plan to implement the recommendations of the study conducted under subsection (a).

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the plan required by paragraph (1), including the cost of implementation, proposals for legislative change, and any other result of the study the Commandant considers appropriate.

(c) FOOD DESERT DEFINED.—In this section, the term ''food desert'' means an area, as determined by the Commandant, in which it is difficult, even with a vehicle or an otherwise-available mode of transportation, to obtain affordable, high-quality fresh food in the immediate area in which members of the Coast Guard serve and reside.

Subtitle B—Healthcare

SEC. 5421. DEVELOPMENT OF MEDICAL STAFFING STANDARDS FOR THE COAST GUARD.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant, in consultation with the Defense Health Agency and any healthcare expert the Commandant considers appropriate, shall develop medical staffing standards for the Coast Guard consistent with the recommendations of the Comptroller General of the United States set forth in the report entitled ''Coast Guard Health Care: Improvements Needed for Determining Staffing Needs and Monitoring Access to Care'' published in February 2022.

(b) INCLUSIONS.—The standards required by subsection (a) shall address and take into consideration the following:

(1) Current and future operations of healthcare personnel in support of Department of Homeland Security missions, including surge deployments for incident response.

(2) Staffing standards for specialized providers, such as flight surgeons, dentists, behavioral health specialists, and physical therapists.

(3) Staffing levels of medical, dental, and behavioral health providers for the Coast Guard who are—

(A) members of the Coast Guard;

(B) assigned to the Coast Guard from the Public Health Service;

(C) Federal civilian employees; or

(D) contractors hired by the Coast Guard to fill vacancies.

(4) Staffing levels at medical facilities for Coast Guard units in remote locations.

(5) Any discrepancy between medical staffing standards of the Department of Defense and medical staffing standards of the Coast Guard.

(c) REVIEW.—Not later than 90 days after the staffing standards required by subsection (a) are completed, the Commandant shall submit the standards to the Comptroller General, who shall review the standards and provide recommendations to the Commandant.

(d) REPORT TO CONGRESS.—Not later than 180 days after developing such standards, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(e) MODIFICATION, IMPLEMENTATION, AND PERIODIC UPDATES.—The Commandant shall—

(1) modify such standards as necessary based on the recommendations provided under subsection (c);

(2) implement the standards;

(3) review and update the standards not less frequently than every 4 years.

SEC. 5422. HEALTHCARE SYSTEM REVIEW AND STRATEGIC PLAN.

(a) IN GENERAL.—Not later than 270 days after the completion of the studies conducted by the Comptroller General of the United States under sections 8259 and 8260 of the William M. (Mac) Thornberry National Defense Authorization Act of Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4679), the Commandant shall—

(1) conduct a comprehensive review of the Coast Guard healthcare system; and

(2) develop a strategic plan for improvements to, and modernization of, such system to ensure access to high-quality, timely healthcare for members of the Coast Guard, their dependents, and applicable Coast Guard retirees.

(b) PLAN.—

(1) IN GENERAL.—The strategic plan developed under subsection (a) shall seek—

(A) to maximize the medical readiness of members of the Coast Guard;

(B) to optimize delivery of healthcare benefits;

(C) to ensure high-quality training of Coast Guard medical personnel; and

(D) to prepare for the future needs of the Coast Guard.

(2) ELEMENTS.—The plan shall address, at a minimum, the following:

(A) Improving access to healthcare for members of the Coast Guard, their dependents, and applicable Coast Guard retirees.

(B) Quality of care.

(C) The experience and satisfaction of members of the Coast Guard and their dependents with the Coast Guard healthcare system.

(D) The readiness of members of the Coast Guard and Coast Guard medical personnel.

(c) REVIEW COMMITTEE.—

(1) ESTABLISHMENT.—The Commandant shall establish a review committee to conduct a comprehensive analysis of the Coast Guard healthcare system (referred to in this section as the ''Review Committee'').

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Review Committee shall be composed of members selected by the Commandant, including—

(i) 1 or more members of the uniformed services (as defined in section 101 of title 10, United States Code) or Federal employees with expertise in—

(I) the medical, dental, pharmacy, or behavioral health fields; or

(II) any other field the Commandant considers appropriate;

(ii) a representative of the Defense Health Agency; and

(iii) a medical representative from each Coast Guard district.

(3) CHAIRPERSON.—The chairperson of the Review Committee shall be the Director of the Health, Safety, and Work Life Directorate of the Coast Guard.

(4) STAFF.—The Review Committee shall be staffed by employees of the Coast Guard.

(5) REPORT TO COMMANDANT.—Not later than 1 year after the Review Committee is established, the Review Committee shall submit to the Commandant a report that—

(A) takes into consideration the medical staffing standards developed under section 5421, assesses the recommended medical staffing standards set forth in the Comptroller General study required by section 8260 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4679), and compares such standards to the medical staffing standards of the Department of Defense and the private sector;

(B) addresses improvements needed to ensure continuity of care for members of the Coast Guard, including by evaluating the feasibility of having a dedicated primary care manager for each such member while the member is stationed at a duty station;

(C) evaluates the effects of increased surge deployments of medical personnel on staffing needs at Coast Guard clinics;

(D) identifies ways to improve access to care for members of the Coast Guard and their dependents who are stationed in remote areas, including methods to expand access to providers in the available network;

(E) identifies ways the Coast Guard may better use Department of Defense Military Health System resources for members of the Coast Guard, their dependents, and applicable Coast Guard retirees;

(F) identifies barriers to participation in the Coast Guard healthcare system and ways the Coast Guard may better use patient feedback to improve quality of care at Coast Guard-owned facilities, military treatment facilities, and specialist referrals;

(G) includes recommendations to improve the Coast Guard healthcare system; and

(H) any other matter the Commandant or the Review Committee considers appropriate.

(6) TERMINATION.—The Review Committee shall terminate on the date that is 30 days after the date on which the Review Committee submits the report required by paragraph (5).

(7) INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Review Committee.

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

(1) the strategic plan for the Coast Guard medical system required by subsection (a);

(2) the report of the Review Committee submitted to the Commandant under subsection (c)(5); and

(3) a description of the manner in which the Commandant plans to implement the recommendations of the Review Committee.

SEC. 5423. DATA COLLECTION AND ACCESS TO CARE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant, in consultation with the Defense Health Agency and any healthcare expert the Commandant considers appropriate, shall develop a policy to require the collection of data regarding access by members of the Coast Guard and their dependents to medical, dental, and behavioral health care as recommended by the Comptroller General of the United States in the report entitled ''Coast Guard Health Care: Improvements Needed for Determining Staffing Needs and Monitoring Access to Care'' published in February 2022.

(b) ELEMENTS.—The policy required by subsection (a) shall address the following:

(1) Methods to collect data on access to care for—

(A) routine annual physical health assessments;

(B) flight physicals for aviators and prospective aviators;

(C) sick call;

(D) injuries;

(E) dental health; and

(F) behavioral health conditions.

(2) Collection of data on access to care for referrals.

(3) Collection of data on access to care for members of the Coast Guard stationed at remote units, aboard Coast Guard cutters, and on deployments.

(4) Use of the electronic health record system to improve data collection on access to care.

(5) Use of data for addressing the standards of care, including time between requests for appointments and actual appointments, including appointments made with referral services.

(c) REVIEW BY COMPTROLLER GENERAL.—

(1) SUBMISSION.—Not later than 15 days after the policy is developed under subsection (a), the Commandant shall submit the policy to the Comptroller General of the United States.

(2) REVIEW.—Not later than 180 days after receiving the policy, the Comptroller General shall review the policy and provide recommendations to the Commandant.

(3) MODIFICATION.—Not later than 60 days after receiving the recommendations of the Comptroller General, the Commandant shall modify the policy as necessary based on such recommendations.

(d) PUBLICATION AND REPORT TO CONGRESS.—Not later than 90 days after the policy is modified under subsection (c)(3), the Commandant shall—

(1) publish the policy on a publicly accessible internet website of the Coast Guard; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the policy and the manner in which the Commandant plans to address access-to-care deficiencies.

(e) PERIODIC UPDATES.—Not less frequently than every 5 years, the Commandant shall review and update the policy.

SEC. 5424. BEHAVIORAL HEALTH POLICY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) members of the Coast Guard—

(A) are exposed to high-risk and often stressful duties; and

(B) should be encouraged to seek appropriate medical treatment and professional guidance; and

(2) after treatment for behavioral health conditions, many members of the Coast Guard should be allowed to resume service in the Coast Guard if they—

(A) are able to do so without persistent duty modifications; and

(B) do not pose a risk to themselves or other members of the Coast Guard.

(b) INTERIM BEHAVIORAL HEALTH POLICY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall establish an interim behavioral health policy for members of the Coast Guard that is in parity with section 5.28 (relating to behavioral health) of Department of Defense Instruction 6130.03, volume 2, ''Medical Standards for Military Service: Retention''.

(2) TERMINATION.—The interim policy established under paragraph (1) shall remain in effect until the date on which the Commandant issues a permanent behavioral health policy for members of the Coast Guard.

(c) PERMANENT POLICY.—In developing a permanent policy with respect to retention and behavioral health, the Commandant shall ensure that, to the extent practicable, the policy of the Coast Guard is in parity with section 5.28 (relating to behavioral health) of Department of Defense Instruction 6130.03, volume 2, ''Medical Standards for Military Service: Retention''.

SEC. 5425. MEMBERS ASSERTING POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY.

(a) IN GENERAL.—Subchapter I of chapter 25 of title 14, United States Code, is amended by adding at the end the following:

''§ 2515. Members asserting post-traumatic stress disorder or traumatic brain injury

''(a) MEDICAL EXAMINATION REQUIRED.—(1) The Secretary shall ensure that a member of the Coast Guard who has performed Coast Guard operations or has been sexually assaulted during the preceding 2-year period, and who is diagnosed by an appropriate licensed or certified healthcare professional as experiencing post-traumatic stress disorder or traumatic brain injury or who otherwise alleges, based on the service of the member or based on such sexual assault, the influence of such a condition, receives a medical examination to evaluate a diagnosis of post-traumatic stress disorder or traumatic brain injury.

''(2) A member described in paragraph (1) shall not be administratively separated under conditions other than honorable, including an administrative separation in lieu of court-martial, until the results of the medical examination have been reviewed by appropriate authorities responsible for evaluating, reviewing, and approving the separation case, as determined by the Secretary.

''(3)(A) In a case involving post-traumatic stress disorder, the medical examination shall be—

''(i) performed by—

''(I) a board-certified or board-eligible psychiatrist; or

''(II) a licensed doctorate-level psychologist; or

''(ii) performed under the close supervision of—

''(I) a board-certified or board-eligible psychiatrist; or

''(II) a licensed doctorate-level psychologist, a doctorate-level mental health provider, a psychiatry resident, or a clinical or counseling psychologist who has completed a 1-year internship or residency.

''(B) In a case involving traumatic brain injury, the medical examination shall be performed by a physiatrist, psychiatrist, neurosurgeon, or neurologist.

''(b) PURPOSE OF MEDICAL EXAMINATION.—The medical examination required by subsection (a) shall assess whether the effects of mental or neurocognitive disorders, including post-traumatic stress disorder and traumatic brain injury, constitute matters in extenuation that relate to the basis for administrative separation under conditions other than honorable or the overall characterization of the service of the member as other than honorable.

''(c) INAPPLICABILITY TO PROCEEDINGS UNDER UNIFORM CODE OF MILITARY JUSTICE.—The medical examination and procedures required by this section do not apply to courts-martial or other proceedings conducted pursuant to the Uniform Code of Military Justice.

''(d) COAST GUARD OPERATIONS DEFINED.—In this section, the term 'Coast Guard operations' has the meaning given that term in section 888(a) of the Homeland Security Act of 2002 (6 U.S.C. 468(a)).''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 25 of title 14, United States Code, is amended by adding at the end the following:

''2515. Members asserting post-traumatic stress disorder or traumatic brain injury.''.

SEC. 5426. IMPROVEMENTS TO THE PHYSICAL DISABILITY EVALUATION SYSTEM AND TRANSITION PROGRAM.

(a) TEMPORARY POLICY.—Not later than 60 days after the date of the enactment of this Act, the Commandant shall develop a temporary policy that—

(1) improves timeliness, communication, and outcomes for members of the Coast Guard undergoing the Physical Disability Evaluation System, or a related formal or informal process;

(2) affords maximum career transition benefits to members of the Coast Guard determined by a Medical Evaluation Board to be unfit for retention in the Coast Guard; and

(3) maximizes the potential separation and career transition benefits for members of the Coast Guard undergoing the Physical Disability Evaluation System, or a related formal or informal process.

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

(1) A requirement that any member of the Coast Guard who is undergoing the Physical Disability Evaluation System, or a related formal or informal process, shall be placed in a duty status that allows the member the opportunity to attend necessary medical appointments and other activities relating to the Physical Disability Evaluation System, including completion of any application of the Department of Veterans Affairs and career transition planning.

(2) In the case of a Medical Evaluation Board report that is not completed within 120 days after the date on which an evaluation by the Medical Evaluation Board was initiated, the option for such a member to enter permissive duty status.

(3) A requirement that the date of initiation of an evaluation by a Medical Evaluation Board shall include the date on which any verbal or written affirmation is made to the member, command, or medical staff that the evaluation by the Medical Evaluation Board has been initiated.

(4) An option for such member to seek an internship under the SkillBridge program established under section 1143(e) of title 10, United States Code, and outside employment aimed at improving the transition of the member to civilian life, only if such an internship or employment does not interfere with necessary medical appointments required for the member's physical disability evaluation.

(5) A requirement that not less than 21 days notice shall be provided to such a member for any such medical appointment, to the maximum extent practicable, to ensure that the appointment timeline is in the best interests of the immediate health of the member.

(6) A requirement that the Coast Guard shall provide such a member with a written separation date upon the completion of a Medical Evaluation Board report that finds the member unfit to continue active duty.

(7) To provide certainty to such a member with respect to a separation date, a policy that ensures—

(A) that accountability measures are in place with respect to Coast Guard delays throughout the Physical Disability Evaluation System, including—

(i) placement of the member in an excess leave status after 270 days have elapsed since the date of initiation of an evaluation by a Medical Evaluation Board by any competent authority; and

(ii) a calculation of the costs to retain the member on active duty, including the pay, allowances, and other associated benefits of the member, for the period beginning on the date that is 90 days after the date of initiation of an evaluation by a Medical Evaluation Board by any competent authority and ending on the date on which the member is separated from the Coast Guard; and

(B) the availability of administrative solutions to any such delay.

(8) With respect to a member of the Coast Guard on temporary limited duty status, an option to remain in the member's current billet, to the maximum extent practicable, or to be transferred to a different active-duty billet, so as to minimize any negative impact on the member's career trajectory.

(9) A requirement that each respective command shall report to the Coast Guard Personnel Service Center any delay of more than 21 days between each stage of the Physical Disability Evaluation System for any such member, including between stages of the processes, the Medical Evaluation Board, the Informal Physical Evaluation Board, and the Formal Physical Evaluation Board.

(10) A requirement that, not later than 7 days after receipt of a report of a delay described in paragraph (9), the Personnel Service Center shall take corrective action, which shall ensure that the Coast Guard exercises maximum discretion to continue the Physical Disability Evaluation System of such a member in a timely manner, unless such delay is caused by the member.

(11) A requirement that—

(A) a member of the Coast Guard shall be allowed to make a request for a reasonable delay in the Physical Disability Evaluation System to obtain additional input and consultation from a medical or legal professional; and

(B) any such request for delay shall be approved by the Commandant based on a showing of good cause by the member.

(c) REPORT ON TEMPORARY POLICY.—Not later than 60 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a copy of the policy developed under subsection (a).

(d) PERMANENT POLICY.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall publish a Commandant Instruction making the policy developed under subsection (a) a permanent policy of the Coast Guard.

(e) BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on, and a copy of, the permanent policy.

(f) ANNUAL REPORT ON COSTS.—

(1) IN GENERAL.—Not less frequently than annually, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that, for the preceding fiscal year—

(A) details the total aggregate service-wide costs described in subsection (b)(7)(A)(ii) for members of the Coast Guard whose Physical Disability Evaluation System process has exceeded 90 days; and

(B) includes for each such member—

(i) an accounting of such costs; and

(ii) the number of days that elapsed between the initiation and completion of the Physical Disability Evaluation System process.

(2) PERSONALLY IDENTIFIABLE INFORMATION.—A report under paragraph (1) shall not include the personally identifiable information of any member of the Coast Guard.

SEC. 5427. EXPANSION OF ACCESS TO COUNSELING.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall hire, train, and deploy not fewer than an additional 5 behavioral health specialists.

(b) REQUIREMENT.—Through the hiring process required by subsection (a), the Commandant shall ensure that at least 35 percent of behavioral health specialists employed by the Coast Guard have experience in behavioral healthcare for the purpose of supporting members of the Coast Guard with needs for perinatal mental health care and counseling services for miscarriage, child loss, and postpartum depression.

(c) ACCESSIBILITY.—The support provided by the behavioral health specialists described in subsection (a)—

(1) may include care delivered via telemedicine; and

(2) shall be made widely available to members of the Coast Guard.

(d) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated under section 4902(1)(A) of title 14, United States Code, as amended by section 5101 of this Act, $2,000,000 shall be made available to the Commandant for each of fiscal years 2023 and 2024 to carry out this section.

SEC. 5428. EXPANSION OF POSTGRADUATE OPPORTUNITIES FOR MEMBERS OF THE COAST GUARD IN MEDICAL AND RELATED FIELDS.

(a) IN GENERAL.—The Commandant shall expand opportunities for members of the Coast Guard to secure postgraduate degrees in medical and related professional disciplines for the purpose of supporting Coast Guard clinics and operations.

(b) MILITARY TRAINING STUDENT LOADS.—Section 4904(b)(3) of title 14, United States Code, is amended by striking ''350'' and inserting ''385''.

SEC. 5429. STUDY ON COAST GUARD TELEMEDICINE PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on the Coast Guard telemedicine program.

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

(1) An assessment of—

(A) the current capabilities and limitations of the Coast Guard telemedicine program;

(B) the degree of integration of such program with existing electronic health records;

(C) the capability and accessibility of such program, as compared to the capability and accessibility of the telemedicine programs of the Department of Defense and commercial medical providers;

(D) the manner in which the Coast Guard telemedicine program may be expanded to provide better clinical and behavioral medical services to members of the Coast Guard, including such members stationed at remote units or onboard Coast Guard cutters at sea; and

(E) the costs savings associated with the provision of—

(i) care through telemedicine; and

(ii) preventative care.

(2) An identification of barriers to full use or expansion of such program.

(3) A description of the resources necessary to expand such program to its full capability.

(c) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

SEC. 5430. STUDY ON COAST GUARD MEDICAL FACILITIES NEEDS.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on Coast Guard medical facilities needs.

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

(1) A current list of Coast Guard medical facilities, including clinics, sickbays, and shipboard facilities.

(2) A summary of capital needs for Coast Guard medical facilities, including construction and repair.

(3) A summary of equipment upgrade backlogs of Coast Guard medical facilities.

(4) An assessment of improvements to Coast Guard medical facilities, including improvements to IT infrastructure, required to enable the Coast Guard to fully use telemedicine and implement other modernization initiatives.

(5) An evaluation of the process used by the Coast Guard to identify, monitor, and construct Coast Guard medical facilities.

(6) A description of the resources necessary to fully address all Coast Guard medical facilities needs.

(c) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

Subtitle C—Housing

SEC. 5441. STRATEGY TO IMPROVE QUALITY OF LIFE AT REMOTE UNITS.

(a) IN GENERAL.—Not more than 180 days after the date of the enactment of this Act, the Commandant shall develop a strategy to improve the quality of life for members of the Coast Guard and their dependents who are stationed in remote units.

(b) ELEMENTS.—The strategy required by subsection (a) shall address the following:

(1) Methods to improve the availability or affordability of housing options for members of the Coast Guard and their dependents through—

(A) Coast Guard-owned housing;

(B) Coast Guard-facilitated housing; or

(C) basic allowance for housing adjustments to rates that are more competitive for members of the Coast Guard seeking privately owned or privately rented housing.

(2) Methods to improve access by members of the Coast Guard and their dependents to—

(A) medical, dental, and pediatric care; and

(B) behavioral health care that is covered under the TRICARE program (as defined in section 1072 of title 10, United States Code).

(3) Methods to increase access to child care services, including recommendations for increasing child care capacity and opportunities for care within the Coast Guard and in the private sector.

(4) Methods to improve non-Coast Guard network internet access at remote units—

(A) to improve communications between families and members of the Coast Guard on active duty; and

(B) for other purposes such as education and training.

(5) Methods to support spouses and dependents who face challenges specific to remote locations.

(6) Any other matter the Commandant considers appropriate.

(c) BRIEFING.—Not later than 180 days after the strategy required by subsection (a) is

completed, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the strategy.

(d) REMOTE UNIT DEFINED.—In this section, the term ''remote unit'' means a unit located in an area in which members of the Coast Guard and their dependents are eligible for TRICARE Prime Remote.

SEC. 5442. STUDY ON COAST GUARD HOUSING ACCESS, COST, AND CHALLENGES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on housing access, cost, and associated challenges facing members of the Coast Guard.

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

(1) An assessment of—

(A) the extent to which—

(i) the Commandant has evaluated the sufficiency, availability, and affordability of housing options for members of the Coast Guard and their dependents; and

(ii) the Coast Guard owns and leases housing for members of the Coast Guard and their dependents;

(B) the methods used by the Commandant to manage housing data, and the manner in which the Commandant uses such data—

(i) to inform Coast Guard housing policy; and

(ii) to guide investments in Coast Guard-owned housing capacity and other investments in housing, such as long-term leases and other options; and

(C) the process used by the Commandant to gather and provide information used to calculate housing allowances for members of the Coast Guard and their dependents, including whether the Commandant has established best practices to manage low-data areas.

(2) An assessment as to whether it is advantageous for the Coast Guard to continue to use the Department of Defense basic allowance for housing system.

(3) Recommendations for actions the Commandant should take to improve the availability and affordability of housing for members of the Coast Guard and their dependents who are stationed in—

(A) remote units located in areas in which members of the Coast Guard and their dependents are eligible for TRICARE Prime Remote; or

(B) units located in areas with a high number of vacation rental properties.

(c) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

(d) STRATEGY.—Not later than 180 days after the submission of the report required by subsection (c), the Commandant shall publish a Coast Guard housing strategy that addresses the findings set forth in the report, which shall, at a minimum—

(1) address housing inventory shortages and affordability; and

(2) include a Coast Guard-owned housing infrastructure investment prioritization plan.

SEC. 5443. AUDIT OF CERTAIN MILITARY HOUSING CONDITIONS OF ENLISTED MEMBERS OF THE COAST GUARD IN KEY WEST, FLORIDA.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Commandant, in coordination with the Secretary of the Navy, shall commence the conduct of an audit to assess—

(1) the conditions of housing units of enlisted members of the Coast Guard located at Naval Air Station Key West Sigsbee Park Annex;

(2) the percentage of those units that are considered unsafe or unhealthy housing units for enlisted members of the Coast Guard and their families;

(3) the process used by enlisted members of the Coast Guard and their families to report housing concerns;

(4) the extent to which enlisted members of the Coast Guard and their families who experience unsafe or unhealthy housing units incur relocation, per diem, or similar expenses as a direct result of displacement that are not covered by a landlord, insurance, or claims process and the feasibility of providing reimbursement for uncovered expenses; and

(5) what is needed to provide appropriate and safe living quarters for enlisted members of the Coast Guard and their families in Key West, Florida.

(b) REPORT.—Not later than 90 days after the commencement of the audit under subsection (a), the Commandant shall submit to the appropriate committees of Congress a report on the results of the audit.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives.

(2) PRIVATIZED MILITARY HOUSING.—The term ''privatized military housing'' means military housing provided under subchapter IV of chapter 169 of title 10, United States Code.

(3) UNSAFE OR UNHEALTHY HOUSING UNIT.—The term ''unsafe or unhealthy housing unit'' means a unit of privatized military housing in which is present, at levels exceeding national standards or guidelines, at least one of the following hazards:

(A) Physiological hazards, including the following:

(i) Dampness or microbial growth.

(ii) Lead-based paint.

(iii) Asbestos or manmade fibers.

(iv) Ionizing radiation.

(v) Biocides.

(vi) Carbon monoxide.

(vii) Volatile organic compounds.

(viii) Infectious agents.

(ix) Fine particulate matter.

(B) Psychological hazards, including the following:

(i) Ease of access by unlawful intruders.

(ii) Lighting issues.

(iii) Poor ventilation.

(iv) Safety hazards.

(v) Other hazards similar to the hazards specified in clauses (i) through (iv).

SEC. 5444. STUDY ON COAST GUARD HOUSING AUTHORITIES AND PRIVATIZED HOUSING.

(a) STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study—

(A) to evaluate the authorities of the Coast Guard relating to construction, operation, and maintenance of housing provided to members of the Coast Guard and their dependents; and

(B) to assess other options to meet Coast Guard housing needs in rural and urban housing markets, including public-private partnerships, long-term lease agreements, privately owned housing, and any other housing option the Comptroller General identifies.

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

(A) A review of authorities, regulations, and policies available to the Secretary of the department in which the Coast Guard is operating (referred to in this section as the ''Secretary'') with respect to construction, maintenance, and operation of housing for members of the Coast Guard and their dependents, including unaccompanied member housing, that considers—

(i) housing that is owned and operated by the Coast Guard;

(ii) long-term leasing or extended-rental housing;

(iii) public-private partnerships or other privatized housing options for which the Secretary may enter into 1 or more contracts with a private entity to build, maintain, and operate privatized housing for members of the Coast Guard and their dependents;

(iv) on-installation and off-installation housing options, and the availability of, and authorities relating to, such options; and

(v) housing availability near Coast Guard units, readiness needs, and safety.

(B) A review of the housing-related authorities, regulations, and policies available to the Secretary of Defense, and an identification of the differences between such authorities afforded to the Secretary of Defense and the housing-related authorities, regulations, and policies afforded to the Secretary.

(C) A description of lessons learned or recommendations for the Coast Guard based on the use by the Department of Defense of privatized housing, including the recommendations set forth in the report of the Government Accountability Office entitled ''Privatized Military Housing: Update on DOD's Efforts to Address Oversight Challenges'' (GAO–22–105866), issued in March 2022.

(D) An assessment of the extent to which the Secretary has used the authorities provided in subchapter IV of chapter 169 of title 10, United States Code.

(E) An analysis of immediate and long-term costs associated with housing owned and operated by the Coast Guard, as compared to opportunities for long-term leases, private housing, and other public-private partnerships in urban and remote locations.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study conducted under subsection (a).

(c) BRIEFING.—Not later than 180 days after the date on which the report required by subsection (b) is submitted, the Commandant or the Secretary shall provide a briefing to the appropriate committees of Congress on—

(1) the actions the Commandant has, or has not, taken with respect to the results of the study;

(2) a plan for addressing areas identified in the report that present opportunities for improving the housing options available to members of the Coast Guard and their dependents; and

(3) the need for, or potential manner of use of, any authorities the Coast Guard does not have with respect to housing, as compared to the Department of Defense.

(d) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

Subtitle D—Other Matters

SEC. 5451. REPORT ON AVAILABILITY OF EMERGENCY SUPPLIES FOR COAST GUARD PERSONNEL.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the availability of appropriate emergency supplies at Coast Guard units.

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

(1) An assessment of the extent to which—

(A) the Commandant ensures that Coast Guard units assess risks and plan accordingly to obtain and maintain appropriate emergency supplies; and

(B) Coast Guard units have emergency food and water supplies available according to local emergency preparedness needs.

(2) A description of any challenge the Commandant faces in planning for and maintaining adequate emergency supplies for Coast Guard personnel.

(c) PUBLICATION.—Not later than 90 days after the date of submission of the report required by subsection (a), the Commandant shall publish a strategy and recommendations in response to the report that includes—

(1) a plan for improving emergency preparedness and emergency supplies for Coast Guard units; and

(2) a process for periodic review and engagement with Coast Guard units to ensure emerging emergency response supply needs are achieved and maintained.

TITLE LV—MARITIME

Subtitle A—Vessel Safety

SEC. 5501. ABANDONED SEAFARERS FUND AMENDMENTS.

Section 11113(c) of title 46, United States Code, is amended—

(1) in the matter preceding subparagraph (A) of paragraph (1), by inserting ''plus a surcharge of 25 percent of such total amount'' after ''seafarer''; and

(2) by striking paragraph (4).

SEC. 5502. RECEIPTS; INTERNATIONAL AGREEMENTS FOR ICE PATROL SERVICES.

Section 80301(c) of title 46, United States Code, is amended by striking the period at the end and inserting ''and shall be available until expended for the purpose of the Coast Guard international ice patrol program.''.

SEC. 5503. PASSENGER VESSEL SECURITY AND SAFETY REQUIREMENTS.

Notwithstanding any other provision of law, requirements authorized under sections 3509 of title 46, United States Code, shall not apply to any passenger vessel, as defined in section 2101 of such title, that—

(1) carries in excess of 250 passengers; and

(2) is, or was, in operation in the internal waters of the United States on voyages inside the Boundary Line, as defined in section 103 of such title, on or before July 27, 2030.

SEC. 5504. AT-SEA RECOVERY OPERATIONS PILOT PROGRAM.

(a) IN GENERAL.—The Secretary shall conduct a pilot program to evaluate the potential use of remotely controlled or autonomous operation and monitoring of certain vessels for the purposes of—

(1) better understanding the complexities of such at-sea operations and potential risks to navigation safety, vessel security, maritime workers, the public, and the environment;

(2) gathering observational and performance data from monitoring the use of remotely-controlled or autonomous vessels; and

(3) assessing and evaluating regulatory requirements necessary to guide the development of future occurrences of such operations and monitoring activities.

(b) DURATION AND EFFECTIVE DATE.—The duration of the pilot program established under this section shall be not more than 5 years beginning on the date on which the pilot program is established, which shall be not later than 180 days after the date of enactment of this Act.

(c) AUTHORIZED ACTIVITIES.—The activities authorized under this section include—

(1) remote over-the-horizon monitoring operations related to the active at-sea recovery of spaceflight components on an unmanned vessel or platform;

(2) procedures for the unaccompanied operation and monitoring of an unmanned spaceflight recovery vessel or platform; and

(3) unmanned vessel transits and testing operations without a physical tow line related to space launch and recovery operations, except within 12 nautical miles of a port.

(d) INTERIM AUTHORITY.—In recognition of potential risks to navigation safety, vessel security, maritime workers, the public, and the environment, and the unique circumstances requiring the use of remotely operated or autonomous vessels, the Secretary, in the pilot program established under subsection (a), may—

(1) allow remotely controlled or autonomous vessel operations to proceed consistent to the extent practicable under titles 33 and 46 of the United States Code, including navigation and manning laws and regulations;

(2) modify or waive applicable regulations and guidance as the Secretary considers appropriate to—

(A) allow remote and autonomous vessel at-sea operations and activities to occur while ensuring navigation safety; and

(B) ensure the reliable, safe, and secure operation of remotely-controlled or autonomous vessels; and

(3) require each remotely operated or autonomous vessel to be at all times under the supervision of 1 or more individuals—

(A) holding a merchant mariner credential which is suitable to the satisfaction of the Coast Guard; and

(B) who shall practice due regard for the safety of navigation of the autonomous vessel, to include collision avoidance.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to authorize the Secretary to—

(1) permit foreign vessels to participate in the pilot program established under subsection (a);

(2) waive or modify applicable laws and regulations under titles 33 and 46 of the United States Code, except to the extent authorized under subsection (d)(2); or

(3) waive or modify any regulations arising under international conventions.

(f) SAVINGS PROVISION.—Nothing in this section may be construed to authorize the employment in the coastwise trade of a vessel or platform that does not meet the requirements of sections 12112, 55102, 55103, and 55111 of title 46, United States Code.

(g) BRIEFINGS.—The Secretary or the designee of the Secretary shall brief the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the program established under subsection (a) on a quarterly basis.

(h) REPORT.—Not later than 180 days after the expiration of the pilot program established under subsection (a), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a final report regarding an assessment of the execution of the pilot program and implications for maintaining navigation safety, the safety of maritime workers, and the preservation of the environment.

(i) GAO REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the state of autonomous and remote technologies in the operation of shipboard equipment and the safe and secure navigation of vessels in Federal waters of the United States.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) An assessment of commercially available autonomous and remote technologies in the operation of shipboard equipment and the safe and secure navigation of vessels during the 10 years immediately preceding the date of the report.

(B) An analysis of the safety, physical security, cybersecurity, and collision avoidance risks and benefits associated with autonomous and remote technologies in the operation of shipboard equipment and the safe and secure navigation of vessels, including environmental considerations.

(C) An assessment of the impact of such autonomous and remote technologies, and all associated technologies, on labor, including—

(i) roles for credentialed and noncredentialed workers regarding such autonomous, remote, and associated technologies; and

(ii) training and workforce development needs associated with such technologies.

(D) An assessment and evaluation of regulatory requirements necessary to guide the development of future autonomous, remote, and associated technologies in the operation of shipboard equipment and safe and secure navigation of vessels.

(E) An assessment of the extent to which such technologies are being used in other countries and how such countries have regulated such technologies.

(F) Recommendations regarding authorization, infrastructure, and other requirements necessary for the implementation of such technologies in the United States.

(3) CONSULTATION.—The report required under paragraph (1) shall include, at a minimum, consultation with the maritime industry including—

(A) vessel operators, including commercial carriers, entities engaged in exploring for, developing, or producing resources, including non-mineral energy resources in its offshore areas, and supporting entities in the maritime industry;

(B) shipboard personnel impacted by any change to autonomous vessel operations, in order to assess the various benefits and risks associated with the implementation of autonomous, remote, and associated technologies in the operation of shipboard equipment and safe and secure navigation of vessels and the impact such technologies would have on maritime jobs and maritime manpower; and

(C) relevant federally funded research institutions, non-governmental organizations, and academia.

(j) DEFINITIONS.—In this section:

(1) MERCHANT MARINER CREDENTIAL.—The term ''merchant mariner credential'' means a merchant mariner license, certificate, or document that the Secretary is authorized to issue pursuant to title 46, United States Code.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

SEC. 5505. EXONERATION AND LIMITATION OF LIABILITY FOR SMALL PASSENGER VESSELS.

(a) RESTRUCTURING.—Chapter 305 of title 46, United States Code, is amended—

(1) by inserting before section 30501 the following:

"Subchapter I—General Provisions";

(2) by inserting before section 30503 the following:

"Subchapter II—Exoneration and Limitation of Liability";

and

(3) by redesignating sections 30503 through 30512 as sections 30521 through 30530, respectively.

(b) DEFINITIONS.—Section 30501 of title 46, United States Code, is amended to read as follows:

"§ 30501. Definitions

''In this chapter:

''(1) COVERED SMALL PASSENGER VESSEL.—The term 'covered small passenger vessel'—

''(A) means a small passenger vessel, as defined in section 2101, that is—

''(i) not a wing-in-ground craft; and

''(ii) carrying—

''(I) not more than 49 passengers on an overnight domestic voyage; and

''(II) not more than 150 passengers on any voyage that is not an overnight domestic voyage; and

''(B) includes any wooden vessel constructed prior to March 11, 1996, carrying at least 1 passenger for hire.

''(2) OWNER.—The term 'owner' includes a charterer that mans, supplies, and navigates a vessel at the charterer's own expense or by the charterer's own procurement.''.

(c) APPLICABILITY.—Section 30502 of title 46, United States Code, is amended—

(1) by striking ''Except as otherwise provided'' and inserting the following: ''(a) IN GENERAL.—Except as to covered small passenger vessels and as otherwise provided'';

(2) by striking ''section 30503'' and inserting ''section 30521''; and

(3) by adding at the end the following:

''(b) APPLICATION.—Notwithstanding subsection (a), the requirements of section 30526 of this title shall apply to covered small passenger vessels.''.

(d) PROVISIONS REQUIRING NOTICE OF CLAIM OR LIMITING TIME FOR BRINGING ACTION.—Section 30526 of title 46, United States Code, as redesignated by subsection (a), is amended—

(1) in subsection (a), by inserting ''and covered small passenger vessels'' after ''seagoing vessels''; and

(2) in subsection (b)—

(A) in paragraph (1), by striking ''6 months'' and inserting ''2 years''; and

(B) in paragraph (2), by striking ''one year'' and inserting ''2 years''.

(e) CHAPTER ANALYSIS.—The analysis for chapter 305 of title 46, United States Code, is amended—

(1) by inserting before the item relating to section 30501 the following:

''SUBCHAPTER I—GENERAL PROVISIONS'';

(2) by inserting after the item relating to section 30502 the following:

''SUBCHAPTER II—EXONERATION AND LIMITATION OF LIABILITY'';

(3) by striking the item relating to section 30501 and inserting the following:

''30501. Definitions.'';

and

(4) by redesignating the items relating to sections 30503 through 30512 as items relating to sections 30521 through 30530, respectively.

(f) CONFORMING AMENDMENTS.—Title 46, United States Code, is further amended—

(1) in section 14305(a)(5), by striking ''section 30506'' and inserting ''section 30524'';

(2) in section 30523(a), as redesignated by subsection (a), by striking ''section 30506'' and inserting ''section 30524'';

(3) in section 30524(b), as redesignated by subsection (a), by striking ''section 30505'' and inserting ''section 30523''; and

(4) in section 30525, as redesignated by subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''sections 30505 and 30506'' and inserting ''sections 30523 and 30524'';

(B) in paragraph (1), by striking ''section 30505'' and inserting ''section 30523''; and

(C) in paragraph (2), by striking ''section 30506(b)'' and inserting ''section 30524(b)''.

SEC. 5506. MORATORIUM ON TOWING VESSEL INSPECTION USER FEES.

Notwithstanding section 9701 of title 31, United States Code, and section 2110 of title 46 of such Code, the Secretary of the department in which the Coast Guard is operating may not charge an inspection fee for a towing vessel that has a certificate of inspection issued under subchapter M of chapter I of title 46, Code of Federal Regulations (or any successor regulation), and that uses the Towing Safety Management System option for compliance with such subchapter, until—

(1) the completion of the review required under section 815 of the Frank LoBiondo Coast Guard Authorization Act of 2018 (14 U.S.C. 946 note; Public Law 115–282); and

(2) the promulgation of regulations to establish specific inspection fees for such vessels.

SEC. 5507. CERTAIN HISTORIC PASSENGER VESSELS.

(a) REPORT ON COVERED HISTORIC VESSELS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report evaluating the practicability of the application of section 3306(n)(3)(A)(v) of title 46, United States Code, to covered historic vessels.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) An assessment of the compliance, as of the date on which the report is submitted in accordance with paragraph (1), of covered historic vessels with section 3306(n)(3)(A)(v) of title 46, United States Code.

(B) An assessment of the safety record of covered historic vessels.

(C) An assessment of the risk, if any, that modifying the requirements under section 3306(n)(3)(A)(v) of title 46, United States Code, would have on the safety of passengers and crew of covered historic vessels.

(D) An evaluation of the economic practicability of the compliance of covered historic vessels with such section 3306(n)(3)(A)(v) and whether that compliance would meaningfully improve safety of passengers and crew in a manner that is both feasible and economically practicable.

(E) Any recommendations to improve safety in addition to, or in lieu of, such section 3306(n)(3)(A)(v).

(F) Any other recommendations as the Comptroller General determines are appropriate with respect to the applicability of such section 3306(n)(3)(A)(v) to covered historic vessels.

(G) An assessment to determine if covered historic vessels could be provided an exemption to such section 3306(n)(3)(A)(v) and what changes to legislative or rulemaking requirements, including modifications to section 177.500(q) of title 46, Code of Federal Regulations (as in effect on the date of enactment of this Act), are necessary to provide the Commandant the authority to make such exemption or to otherwise provide for such exemption.

(b) CONSULTATION.—In completing the report required under subsection (a)(1), the Comptroller General may consult with—

(1) the National Transportation Safety Board;

(2) the Coast Guard; and

(3) the maritime industry, including relevant federally funded research institutions, nongovernmental organizations, and academia.

(c) EXTENSION FOR COVERED HISTORIC VESSELS.—The captain of a port may waive the requirements of section 3306(n)(3)(A)(v) of title 46, United States Code, with respect to covered historic vessels for not more than 2 years after the date of submission of the report required by subsection (a) to Congress in accordance with such subsection.

(d) SAVINGS CLAUSE.—Nothing in this section shall limit any authority available, as of the date of enactment of this Act, to the captain of a port with respect to safety measures or any other authority as necessary for the safety of covered historic vessels.

(e) NOTICE TO PASSENGERS.—A covered historic vessel that receives a waiver under subsection (c) shall, beginning on the date on which the requirements under section 3306(n)(3)(A)(v) of title 46, United States Code, take effect, provide a prominently displayed notice on its website, ticket counter, and each ticket for passengers that the vessel is exempt from meeting the Coast Guard safety compliance standards concerning egress as provided for under such section 3306(n)(3)(A)(v).

(f) DEFINITION OF COVERED HISTORIC VESSELS.—In this section, the term ''covered historic vessels'' means the following:

(1) American Eagle (Official Number 229913).

(2) Angelique (Official Number 623562).

(3) Heritage (Official Number 649561).

(4) J & E Riggin (Official Number 226422).

(5) Ladona (Official Number 222228).

(6) Lewis R. French (Official Number 015801).

(7) Mary Day (Official Number 288714).

(8) Stephen Taber (Official Number 115409).

(9) Victory Chimes (Official Number 136784).

(10) Grace Bailey (Official Number 085754).

(11) Mercantile (Official Number 214388).

(12) Mistress (Official Number 509004).

SEC. 5508. COAST GUARD DIGITAL REGISTRATION.

Section 12304(a) of title 46, United States Code, is amended—

(1) by striking ''shall be pocketsized,''; and

(2) by striking '', and may be valid'' and inserting ''and may be in hard copy or digital form. The certificate shall be valid''.

SEC. 5509. RESPONSES TO SAFETY RECOMMENDATIONS.

(a) IN GENERAL.—Chapter 7 of title 14, United States Code, is amended by adding at the end the following:

"§ 721. Responses to safety recommendations

''(a) IN GENERAL.—Not later than 90 days after the submission to the Commandant of a recommendation and supporting justification by the National Transportation Safety Board relating to transportation safety, the Commandant shall submit to the National Transportation Safety Board a written response to the recommendation, which shall include whether the Commandant—

''(1) concurs with the recommendation;

''(2) partially concurs with the recommendation; or

''(3) does not concur with the recommendation.

''(b) EXPLANATION OF CONCURRENCE.—A response under subsection (a) shall include—

''(1) with respect to a recommendation with which the Commandant concurs, an explanation of the actions the Commandant intends to take to implement such recommendation;

''(2) with respect to a recommendation with which the Commandant partially concurs, an explanation of the actions the Commandant intends to take to implement the portion of such recommendation with which the Commandant partially concurs; and

''(3) with respect to a recommendation with which the Commandant does not concur, the reasons the Commandant does not concur.

''(c) FAILURE TO RESPOND.—If the National Transportation Safety Board has not received the written response required under subsection (a) by the end of the time period described in that subsection, the National Transportation Safety Board shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that such response has not been received.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 7 of title 14, United States Code, is amended by adding at the end the following:

''721. Responses to safety recommendations.''.

SEC. 5510. COMPTROLLER GENERAL OF THE UNITED STATES STUDY AND REPORT ON THE COAST GUARD'S OVERSIGHT OF THIRD PARTY ORGANIZATIONS.

(a) IN GENERAL.—The Comptroller General of the United States shall initiate a review, not later than 1 year after the date of enactment of this Act, that assesses the Coast Guard's oversight of third party organizations.

(b) ELEMENTS.—The study required under subsection (a) shall analyze the following:

(1) Coast Guard utilization of third party organizations in its prevention mission, and the extent the Coast Guard plans to increase such use to enhance prevention mission performance, including resource utilization and specialized expertise.

(2) The extent the Coast Guard has assessed the potential risks and benefits of using third party organizations to support prevention mission activities.

(3) The extent the Coast Guard provides oversight of third party organizations authorized to support prevention mission activities.

(c) REPORT.—The Comptroller General shall submit the results from this study not later than 1 year after initiating the review to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 5511. ARTICULATED TUG-BARGE MANNING.

(a) IN GENERAL.—Notwithstanding the watch setting requirements set forth in section 8104 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating shall authorize an Officer in Charge, Marine Inspection to issue an amended certificate of inspection that does not require engine room watch setting to inspected towing vessels certificated prior to July 19, 2022, forming part of an articulated tug-barge unit, provided that such vessels are equipped with engineering control and monitoring systems of a type accepted for no engine room watch setting under a previously approved Minimum Safe Manning Document or certificate of inspection for articulated tug-barge units.

(b) DEFINITIONS.—In this section:

(1) CERTIFICATE OF INSPECTION.—The term ''certificate of inspection'' means a certificate of inspection under subchapter M of chapter I of title 46, Code of Federal Regulations.

(2) INSPECTED TOWING VESSEL.—The term ''inspected towing vessel'' means a vessel issued a Certificate of Inspection.

SEC. 5512. ALTERNATE SAFETY COMPLIANCE PROGRAM EXCEPTION FOR CERTAIN VESSELS.

Section 4503a of title 46, United States Code, is amended—

(1) by redesignating subsections (d) through (f) as subsections (e) through (g), respectively; and

(2) by inserting after subsection (c) the following:

''(d) Subsection (a) shall not apply to a vessel that—

''(1) is 79 feet or less in length as listed on the vessel's certificate of documentation or certificate of number; and

''(2)(A) successfully completes a dockside examination by the Secretary every 2 years in accordance with section 4502(f)(2) of this title; and

''(B) visibly displays a current decal demonstrating examination compliance in the pilothouse or equivalent space.''.

Subtitle B—Other Matters

SEC. 5521. DEFINITION OF A STATELESS VESSEL.

Section 70502(d)(1) of title 46, United States Code, is amended—

(1) in subparagraph (B), by striking ''and'' after the semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

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

''(D) a vessel aboard which no individual, on request of an officer of the United States authorized to enforce applicable provisions of United States law, claims to be the master or is identified as the individual in charge and that has no other claim of nationality or registry under paragraph (1) or (2) of subsection (e).''.

SEC. 5522. REPORT ON ENFORCEMENT OF COASTWISE LAWS.

Not later than 1 year after the date of enactment of this Act, the Commandant shall submit to Congress a report describing any changes to the enforcement of chapters 121 and 551 of title 46, United States Code, as a result of the amendments to section 4(a)(1) of the Outer Continental Shelf Lands Act (43 U.S.C. 1333(a)(1)) made by section 9503 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

SEC. 5523. STUDY ON MULTI-LEVEL SUPPLY CHAIN SECURITY STRATEGY OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study that assesses the efforts of the Department of Homeland Security with respect to securing vessels and maritime cargo bound for the United States from national security related risks and threats.

(b) ELEMENTS.—The study required under subsection (a) shall assess the following:

(1) Programs that comprise the maritime strategy of the Department of Homeland Security for securing vessels and maritime cargo bound for the United States, and the extent that such programs cover the critical components of the global supply chain.

(2) The extent to which the components of the Department of Homeland Security responsible for maritime security issues have implemented leading practices in collaboration.

(3) The extent to which the Department of Homeland Security has assessed the effectiveness of its maritime security strategy.

(4) The effectiveness of the maritime security strategy of the Department of Homeland Security.

(c) REPORT.—Not later than 1 year after initiating the study under subsection (a), the Comptroller General of the United States shall submit the results from the study to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives.

SEC. 5524. STUDY TO MODERNIZE THE MERCHANT MARINER LICENSING AND DOCUMENTATION SYSTEM.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate, and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, a report on the financial, human, and information technology infrastructure resources needed to establish an electronic merchant mariner licensing and documentation system.

(b) LEGISLATIVE AND REGULATORY SUGGESTIONS.—The report described in subsection (a) shall include recommendations for such legislative or administrative actions as the Commandant determines necessary to establish the electronic merchant mariner licensing and documentation system described in subsection (a) as soon as possible.

(c) GAO REPORT.—

(1) IN GENERAL.—By not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States, in consultation with the Commandant, shall prepare and submit a report to Congress that evaluates the current processes, as of the date of enactment of this Act, of the National Maritime Center for processing and approving merchant mariner credentials.

(2) CONTENTS OF EVALUATION.—The evaluation conducted under paragraph (1) shall include—

(A) an analysis of the effectiveness of the current merchant mariner credentialing process, as of the date of enactment of this Act;

(B) an analysis of the backlogs relating to the merchant mariner credentialing process and the reasons for such backlogs; and

(C) recommendations for improving and expediting the merchant mariner credentialing process.

(3) DEFINITION OF MERCHANT MARINER CREDENTIAL.—In this subsection, the term ''merchant mariner credential'' means a merchant mariner license, certificate, or document that the Secretary of the department in which the Coast Guard is operating is authorized to issue pursuant to title 46, United States Code.

SEC. 5525. STUDY AND REPORT ON DEVELOPMENT AND MAINTENANCE OF MARINER RECORDS DATABASE.

(a) STUDY.—

(1) IN GENERAL.—The Secretary, in coordination with the Commandant and the Administrator of the Maritime Administration and the Commander of the United States Transportation Command, shall conduct a study on the potential benefits and feasibility of developing and maintaining a Coast Guard database that—

(A) contains records with respect to each credentialed mariner, including credential validity, drug and alcohol testing results, and information on any final adjudicated

agency action involving a credentialed mariner or regarding any involvement in a marine casualty; and

(B) maintains such records in a manner such that data can be readily accessed by the Federal Government for the purpose of assessing workforce needs and for the purpose of the economic and national security of the United States.

(2) ELEMENTS.—The study required under paragraph (1) shall—

(A) include an assessment of the resources, including information technology, and authorities necessary to develop and maintain the database described in such paragraph; and

(B) specifically address the protection of the privacy interests of any individuals whose information may be contained within the database, which shall include limiting access to the database or having access to the database be monitored by, or accessed through, a member of the Coast Guard.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study under subsection (a), including findings, conclusions, and recommendations.

(c) DEFINITIONS.—In this section:

(1) CREDENTIALED MARINER.—The term ''credentialed mariner'' means an individual with a merchant mariner license, certificate, or document that the Secretary is authorized to issue pursuant to title 46, United States Code.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Department in which the Coast Guard is operating.

SEC. 5526. ASSESSMENT REGARDING APPLICATION PROCESS FOR MERCHANT MARINER CREDENTIALS.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall conduct an assessment to determine the resources, including personnel and computing resources, required to—

(1) reduce the amount of time necessary to process merchant mariner credentialing applications to not more than 2 weeks after the date of receipt; and

(2) develop and maintain an electronic merchant mariner credentialing application.

(b) BRIEFING REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives with the results of the assessment required under subsection (a).

(c) DEFINITION.—In this section, the term ''merchant mariner credentialing application'' means a credentialing application for a merchant mariner license, certificate, or document that the Secretary is authorized to issue pursuant to title 46, United States Code.

SEC. 5527. MILITARY TO MARINERS ACT OF 2022.

(a) SHORT TITLE.—This section may be cited as the ''Military to Mariners Act of 2022''.

(b) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress makes the following findings:

(A) The United States Uniformed Services are composed of the world's most highly trained and professional servicemembers.

(B) A robust Merchant Marine and ensuring United States mariners can compete in the global workforce are vital to economic and national security.

(C) Attracting additional trained and credentialed mariners, particularly from active duty servicemembers and military veterans, will support United States national security requirements and provide meaningful, well-paying jobs to United States veterans.

(D) There is a need to ensure that the Federal Government has a robust, state of the art, and efficient merchant mariner credentialing system to support economic and national security.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) veterans and members of the Uniformed Services who pursue credentialing to join the United States Merchant Marine should receive vigorous support; and

(B) it is incumbent upon the regulatory bodies of the United States to streamline regulations to facilitate transition of veterans and members of the Uniformed Services into the United States Merchant Marine to maintain a strong maritime presence in the United States and worldwide.

(c) MODIFICATION OF SEA SERVICE REQUIREMENTS FOR MERCHANT MARINER CREDENTIALS FOR VETERANS AND MEMBERS OF THE UNIFORMED SERVICES.—

(1) DEFINITIONS.—In this subsection:

(A) MERCHANT MARINER CREDENTIAL.—The term ''merchant mariner credential'' has the meaning given the term in section 7510 of title 46, United States Code.

(B) SECRETARY.—The term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

(C) UNIFORMED SERVICES.—The term ''Uniformed Services'' has the meaning given the term ''uniformed services'' in section 2101 of title 5, United States Code.

(2) REVIEW AND REGULATIONS.—Notwithstanding any other provision of law, not later than 2 years after the date of enactment of this Act, the Secretary shall—

(A) review and examine—

(i) the requirements and procedures for veterans and members of the Uniformed Services to receive a merchant mariner credential;

(ii) the classifications of sea service acquired through training and service as a member of the Uniformed Services and level of equivalence to sea service on merchant vessels;

(iii) the amount of sea service, including percent of the total time onboard for purposes of equivalent underway service, that will be accepted as required experience for all endorsements for applicants for a merchant mariner credential who are veterans or members of the Uniformed Services;

(B) provide the availability for a fully internet-based application process for a merchant mariner credential, to the maximum extent practicable; and

(C) issue new regulations to—

(i) reduce paperwork, delay, and other burdens for applicants for a merchant mariner credential who are veterans and members of the Uniformed Services, and, if determined to be appropriate, increase the acceptable percentages of time equivalent to sea service for such applicants; and

(ii) reduce burdens and create a means of alternative compliance to demonstrate instructor competency for Standards of Training, Certification and Watchkeeping for Seafarers courses.

(3) CONSULTATION.—In carrying out paragraph (2), the Secretary shall consult with the National Merchant Marine Personnel Advisory Committee taking into account the present and future needs of the United States Merchant Marine labor workforce.

(4) REPORT.—Not later than 180 days after the date of enactment of this Act, the Committee on the Marine Transportation System shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Armed Services of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Armed Services of the House of Representatives, a report that contains an update on the activities carried out to implement—

(A) the July 2020 report by the Committee on the Marine Transportation System to the White House Office of Trade and Manufacturing Policy on the implementation of Executive Order 13860 (84 Fed. Reg. 8407; relating to supporting the transition of active duty servicemembers and military veterans into the Merchant Marine); and

(B) section 3511 of the National Defense Authorization Act of 2020 (Public Law 116–92; 133 Stat. 1978).

(d) ASSESSMENT OF SKILLBRIDGE FOR EMPLOYMENT AS A MERCHANT MARINER.—The Secretary of the department in which the Coast Guard is operating, in collaboration with the Secretary of Defense, shall assess the use of the SkillBridge program of the Department of Defense as a means for transitioning active duty sea service personnel toward employment as a merchant mariner.

SEC. 5528. FLOATING DRY DOCKS.

Section 55122(a) of title 46, United States Code, is amended—

(1) in paragraph (1)(C)—

(A) by striking ''(C)'' and inserting ''(C)(i)'';

(B) by striking ''2015; and'' and inserting ''2015; or''; and

(C) by adding at the end the following:

''(ii) had a letter of intent for purchase by such shipyard or affiliate signed prior to such date of enactment; and''; and

(2) in paragraph (2), by inserting ''or occurs between Honolulu, Hawaii, and Pearl Harbor, Hawaii'' before the period at the end.

TITLE LVI—SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION AND RESPONSE

SEC. 5601. DEFINITIONS.

(a) IN GENERAL.—Section 2101 of title 46, United States Code, is amended—

(1) by redesignating paragraphs (45) through (54) as paragraphs (47) through (56), respectively; and

(2) by inserting after paragraph (44) the following:

''(45) 'sexual assault' means any form of abuse or contact as defined in chapter 109A of title 18, or a substantially similar offense under a State, local, or Tribal law.

''(46) 'sexual harassment' means any of the following:

''(A) Conduct towards an individual (which may have been by the individual's supervisor, a supervisor in another area, a coworker, or another credentialed mariner) that—

''(i) involves unwelcome sexual advances, requests for sexual favors, or deliberate or repeated offensive comments or gestures of a sexual nature, when—

''(I) submission to such conduct is made either explicitly or implicitly a term or condition of employment, pay, career, benefits, or entitlements of the individual;

''(II) any submission to, or rejection of, such conduct by the individual is used as a basis for decisions affecting the individual's job, pay, career, benefits, or entitlements; or

''(III) such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creates an intimidating, hostile, or offensive working environment; and

''(ii) is so severe or pervasive that a reasonable person would perceive, and the individual does perceive, the environment as hostile or offensive.

''(B) Any use or condonation by any person in a supervisory or command position of any form of sexual behavior to control, influence, or affect the career, pay, or job of an individual who is a subordinate to the person.

''(C) Any intentional or repeated unwelcome verbal comment or gesture of a sexual nature towards or about an individual by the individual's supervisor, a supervisor in another area, a coworker, or another credentialed mariner.''.

(b) REPORT.—The Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing any changes the Commandant may propose to the definitions added by the amendments in subsection (a).

(c) CONFORMING AMENDMENTS.—

(1) Section 2113(3) of title 46, United States Code, is amended by striking ''section 2101(51)(A)'' and inserting ''section 2101(53)(A)''.

(2) Section 4105 of title 46, United States Code, is amended—

(A) in subsections (b)(1) and (c), by striking ''section 2101(51)'' each place it appears and inserting ''section 2101(53)''; and

(B) in subsection (d), by striking ''section 2101(51)(A)'' and inserting ''section 2101(53)(A)''.

(3) Section 1131(a)(1)(E) of title 49, United States Code, is amended by striking ''section 2101(46)'' and inserting ''116''.

SEC. 5602. CONVICTED SEX OFFENDER AS GROUNDS FOR DENIAL.

(a) IN GENERAL.—Chapter 75 of title 46, United States Code, is amended by adding at the end the following:

''§ 7511. Convicted sex offender as grounds for denial

''(a) SEXUAL ABUSE.—A license, certificate of registry, or merchant mariner's document authorized to be issued under this part shall be denied to an individual who has been convicted of a sexual offense prohibited under—

''(1) chapter 109A of title 18, except for subsection (b) of section 2244 of title 18; or

''(2) a substantially similar offense under a State, local, or Tribal law.

''(b) ABUSIVE SEXUAL CONTACT.—A license, certificate of registry, or merchant mariner's document authorized to be issued under this part may be denied to an individual who within 5 years before applying for the license, certificate, or document, has been convicted of a sexual offense prohibited under subsection (b) of section 2244 of title 18, or a substantially similar offense under a State, local, or Tribal law.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 75 of title 46, United States Code, is amended by adding at the end the following:

''7511. Convicted sex offender as grounds for denial.''.

SEC. 5603. ACCOMMODATION; NOTICES.

Section 11101 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(5) each crew berthing area shall be equipped with information regarding—

''(A) vessel owner or company policies prohibiting sexual assault, sexual harassment, retaliation, and drug and alcohol use; and

''(B) procedures and resources to report allegations of sexual assault and sexual harassment, including information—

''(i) on the contact information, website address, and mobile application of the Coast Guard Investigative Services and the Coast Guard National Command Center, in order to report allegations of sexual assault or sexual harassment;

''(ii) on vessel owner or company procedures to report violations of company policy and access resources;

''(iii) on resources provided by outside organizations such as sexual assault hotlines and counseling;

''(iv) on the retention period for surveillance video recording after an incident of sexual harassment or sexual assault is reported; and

''(v) on additional items specified in regulations issued by, and at the discretion of, the Secretary.''; and

(2) in subsection (d), by adding at the end the following: ''In each washing place in a visible location, there shall be information regarding procedures and resources to report alleged sexual assault and sexual harassment upon the vessel, and vessel owner or company policies prohibiting sexual assault and sexual harassment, retaliation, and drug and alcohol use.''.

SEC. 5604. PROTECTION AGAINST DISCRIMINATION.

Section 2114(a) of title 46, United States Code, is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (B) through (G) as subparagraphs (C) through (H), respectively; and

(B) by inserting after subparagraph (A) the following:

''(B) the seaman in good faith has reported or is about to report to the vessel owner, Coast Guard, or other appropriate Federal agency or department sexual harassment or sexual assault against the seaman or knowledge of sexual harassment or sexual assault against another seaman;''; and

(2) in paragraphs (2) and (3), by striking ''paragraph (1)(B)'' each place it appears and inserting ''paragraph (1)(C)''.

SEC. 5605. ALCOHOL AT SEA.

(a) IN GENERAL.—The Commandant shall seek to enter into an agreement with the National Academy of Sciences not later than 1 year after the date of the enactment of this Act under which the National Academy of Sciences shall prepare an assessment to determine safe levels of alcohol consumption and possession by crew members aboard vessels of the United States engaged in commercial service, except when such possession is associated with the commercial sale to individuals aboard the vessel who are not crew members.

(b) ASSESSMENT.—The assessment under this section shall—

(1) take into account the safety and security of every individual on the vessel;

(2) take into account reported incidences of sexual harassment or sexual assault, as defined in section 2101 of title 46, United States Code; and

(3) provide any appropriate recommendations for any changes to laws, including regulations, or employer policies.

(c) SUBMISSION.—Upon completion of the assessment under this section, the National Academy of Sciences shall submit the assessment to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, the Commandant, and the Secretary of the department in which the Coast Guard is operating.

(d) REGULATIONS.—The Commandant—

(1) shall review the findings and recommendations of the assessment under this section by not later than 180 days after receiving the assessment under subsection (c); and

(2) taking into account the safety and security of every individual on vessels of the United States engaged in commercial service, may issue regulations relating to alcohol consumption on such vessels.

(e) REPORT REQUIRED.—If, by the date that is 2 years after the receipt of the assessment under subsection (c), the Commandant does not issue regulations under subsection (d), the Commandant shall provide a report by such date to the appropriate committees of Congress—

(1) regarding the rationale for not issuing such regulations; and

(2) providing other recommendations as necessary to ensure safety at sea.

SEC. 5606. SEXUAL HARASSMENT OR SEXUAL ASSAULT AS GROUNDS FOR SUSPENSION AND REVOCATION.

(a) IN GENERAL.—Chapter 77 of title 46, United States Code, is amended by inserting after section 7704 the following:

''§ 7704a. Sexual harassment or sexual assault as grounds for suspension and revocation

''(a) SEXUAL HARASSMENT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner's document issued under this part, within 10 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual harassment, then the license, certificate of registry, or merchant mariner's document shall be suspended or revoked.

''(b) SEXUAL ASSAULT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner's document issued under this part, within 20 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual assault, then the license, certificate of registry, or merchant mariner's document shall be revoked.

''(c) SUBSTANTIATED CLAIM.—

''(1) IN GENERAL.—In this section, the term 'substantiated claim' means—

''(A) a legal proceeding or agency action in any administrative proceeding that determines the individual committed sexual harassment or sexual assault in violation of any Federal, State, local, or Tribal law or regulation and for which all appeals have been exhausted, as applicable; or

''(B) a determination after an investigation by the Coast Guard that it is more likely than not that the individual committed sexual harassment or sexual assault as defined in section 2101, if the determination affords appropriate due process rights to the subject of the investigation.

''(2) ADDITIONAL REVIEW.—A license, certificate of registry, or merchant mariner's document shall not be suspended or revoked under subsection (a) or (b), unless the substantiated claim is reviewed and affirmed, in accordance with the applicable definition in section 2101, by an administrative law judge at the same suspension or revocation hearing under this chapter described in subsection (a) or (b), as applicable.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 77 of title 46, United States Code, is amended by inserting after the item relating to section 7704 the following:

''7704a. Sexual harassment or sexual assault as grounds for suspension or revocation.''.

SEC. 5607. SURVEILLANCE REQUIREMENTS.

(a) IN GENERAL.—Part B of subtitle II of title 46, United States Code, is amended by adding at the end the following:

''CHAPTER 49—OCEANGOING NONPASSENGER COMMERCIAL VESSELS

''§ 4901. Surveillance requirements

''(a) APPLICABILITY.—

''(1) IN GENERAL.—The requirements in this section shall apply to vessels engaged in

commercial service that do not carry passengers and are any of the following:

''(A) A documented vessel with overnight accommodations for at least 10 persons on board that—

''(i) is on a voyage of at least 600 miles and crosses seaward of the boundary line; or

''(ii) is at least 24 meters (79 feet) in overall length and required to have a load line under chapter 51.

''(B) A documented vessel on an international voyage that is of—

''(i) at least 500 gross tons as measured under section 14502; or

''(ii) an alternate tonnage measured under section 14302 as prescribed by the Secretary under section 14104.

''(C) A vessel with overnight accommodations for at least 10 persons on board that are operating for no less than 72 hours on waters superjacent to the outer Continental Shelf (as defined in section 2(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1331(a)).

''(2) EXCEPTION.—Notwithstanding paragraph (1), the requirements in this section shall not apply to any fishing vessel, fish processing vessel, or fish tender vessel.

''(b) REQUIREMENT FOR MAINTENANCE OF VIDEO SURVEILLANCE SYSTEM.—Each vessel to which this section applies shall maintain a video surveillance system in accordance with this section.

''(c) PLACEMENT OF VIDEO AND AUDIO SURVEILLANCE EQUIPMENT.—

''(1) IN GENERAL.—The owner of a vessel to which this section applies shall install video and audio surveillance equipment aboard the vessel not later than 2 years after the date of enactment of the Coast Guard Authorization Act of 2022, or during the next scheduled drydock, whichever is later.

''(2) LOCATIONS.—Video and audio surveillance equipment shall be placed in passageways onto which doors from staterooms open. Such equipment shall be placed in a manner ensuring the visibility of every door in each such passageway.

''(d) NOTICE OF VIDEO AND AUDIO SURVEILLANCE.—The owner of a vessel to which this section applies shall provide clear and conspicuous signs on board the vessel notifying the crew of the presence of video and audio surveillance equipment.

''(e) LIMITED ACCESS TO VIDEO AND AUDIO RECORDS.—The owner of a vessel to which this section applies shall ensure that access to records of video and audio surveillance is limited to the purposes described in this section and not used as part of a labor action against a crew member or employment dispute unless used in a criminal or civil action.

''(f) RETENTION REQUIREMENTS.—The owner of a vessel to which this section applies shall retain all records of audio and video surveillance for not less than 4 years after the footage is obtained. Any video and audio surveillance found to be associated with an alleged incident of sexual harassment or sexual assault shall be retained by such owner for not less than 10 years from the date of the alleged incident.

''(g) PERSONNEL TRAINING.—A vessel owner, managing operator, or employer of a seafarer (in this subsection referred to as the 'company') shall provide training for all individuals employed by the company for the purpose of responding to incidents of sexual assault or sexual harassment, including—

''(1) such training to ensure the individuals—

''(A) retain audio and visual records and other evidence objectively; and

''(B) act impartially without influence from the company or others; and

''(2) training on applicable Federal, State, Tribal, and local laws and regulations regarding sexual assault and sexual harassment investigations and reporting requirements.

''(h) DEFINITION OF OWNER.—In this section, the term 'owner' means the owner, charterer, managing operator, master, or other individual in charge of a vessel.''.

(b) CLERICAL AMENDMENT.—The analysis of subtitle II at the beginning of title 46, United States Code, is amended by adding after the item relating to chapter 47 the following:

''CHAPTER 49—OCEANGOING NONPASSENGER COMMERCIAL VESSELS''.

SEC. 5608. MASTER KEY CONTROL.

(a) IN GENERAL.—Chapter 31 of title 46, United States Code, is amended by adding at the end the following:

''§ 3106. Master key control system

''(a) IN GENERAL.—The owner of a vessel subject to inspection under section 3301 shall—

''(1) ensure that such vessel is equipped with a vessel master key control system, manual or electronic, which provides controlled access to all copies of the vessel's master key of which access shall only be available to the individuals described in paragraph (2);

''(2)(A) establish a list of all crew members, identified by position, allowed to access and use the master key; and

''(B) maintain such list upon the vessel within owner records and include such list in the vessel safety management system under section 3203(a)(6);

''(3) record in a log book, which may be electronic and shall be included in the safety management system under section 3203(a)(6), information on all access and use of the vessel's master key, including—

''(A) dates and times of access;

''(B) the room or location accessed; and

''(C) the name and rank of the crew member that used the master key; and

''(4) make the list under paragraph (2) and the log book under paragraph (3) available upon request to any agent of the Federal Bureau of Investigation, any member of the Coast Guard, and any law enforcement officer performing official duties in the course and scope of an investigation.

''(b) PROHIBITED USE.—A crew member not included on the list described in subsection (a)(2) shall not have access to or use the master key unless in an emergency and shall immediately notify the master and owner of the vessel following access to or use of such key.

''(c) PENALTY.—Any crew member who violates subsection (b) shall be liable to the United States Government for a civil penalty of not more than $1,000, and may be subject to suspension or revocation under section 7703.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 31 of title 46, United States Code, is amended by adding at the end the following:

''3106. Master key control system.''.

SEC. 5609. SAFETY MANAGEMENT SYSTEMS.

Section 3203 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (5) and (6) as paragraphs (7) and (8), respectively; and

(B) by inserting after paragraph (4) the following:

''(5) with respect to sexual harassment and sexual assault, procedures and annual training requirements for all responsible persons and vessels to which this chapter applies on—

''(A) prevention;

''(B) bystander intervention;

''(C) reporting;

''(D) response; and

''(E) investigation;

''(6) the list required under section 3106(a)(2) and the log book required under section 3106(a)(3);'';

(2) by redesignating subsections (b) and (c) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (a) the following:

''(b) PROCEDURES AND TRAINING REQUIREMENTS.—In prescribing regulations for the procedures and training requirements described in subsection (a)(5), such procedures and requirements shall be consistent with the requirements to report sexual harassment or sexual assault under section 10104.

''(c) AUDITS.—

''(1) IN GENERAL.—Upon discovery of a failure of a responsible person or vessel to comply with a requirement under section 10104 during an audit of a safety management system or from other sources of information acquired by the Coast Guard (including an audit or systematic review under section 10104(g)), the Secretary shall audit the safety management system of a vessel under this section to determine if there is a failure to comply with any other requirement under section 10104.

''(2) CERTIFICATES.—

''(A) SUSPENSION.—During an audit of a safety management system of a vessel required under paragraph (1), the Secretary may suspend the Safety Management Certificate issued for the vessel under section 3205 and issue a separate Safety Management Certificate for the vessel to be in effect for a 3-month period beginning on the date of the issuance of such separate certificate.

''(B) REVOCATION.—At the conclusion of an audit of a safety management system required under paragraph (1), the Secretary shall revoke the Safety Management Certificate issued for the vessel under section 3205 if the Secretary determines—

''(i) that the holder of the Safety Management Certificate knowingly, or repeatedly, failed to comply with section 10104; or

''(ii) other failure of the safety management system resulted in the failure to comply with such section.

''(3) DOCUMENTS OF COMPLIANCE.—

''(A) IN GENERAL.—Following an audit of the safety management system of a vessel required under paragraph (1), the Secretary may audit the safety management system of the responsible person for the vessel.

''(B) SUSPENSION.—During an audit under subparagraph (A), the Secretary may suspend the Document of Compliance issued to the responsible person under section 3205 and issue a separate Document of Compliance to such person to be in effect for a 3-month period beginning on the date of the issuance of such separate document.

''(C) REVOCATION.—At the conclusion of an assessment or an audit of a safety management system under subparagraph (A), the Secretary shall revoke the Document of Compliance issued to the responsible person if the Secretary determines—

''(i) that the holder of the Document of Compliance knowingly, or repeatedly, failed to comply with section 10104; or

''(ii) that other failure of the safety management system resulted in the failure to comply with such section.''.

SEC. 5610. REQUIREMENT TO REPORT SEXUAL ASSAULT AND HARASSMENT.

Section 10104 of title 46, United States Code, is amended by striking subsections (a) and (b) and inserting the following:

''(a) MANDATORY REPORTING BY VESSEL OWNER, MASTER, MANAGING OPERATOR, OR EMPLOYER.—

''(1) IN GENERAL.—A vessel owner, master, or managing operator of a documented vessel or the employer of a seafarer on that vessel shall report to the Commandant in accordance with subsection (b) any complaint or incident of sexual harassment or sexual assault involving a crew member in violation

of employer policy or law of which such vessel owner, master, managing operator, or employer of the seafarer is made aware. Such reporting shall include results of any investigation into the incident, if applicable, and any action taken against the offending crew member.

''(2) PENALTY.—A vessel owner, master, or managing operator of a documented vessel or the employer of a seafarer on that vessel who knowingly fails to report in compliance with paragraph (1) is liable to the United States Government for a civil penalty of not more than $50,000.

''(b) REPORTING PROCEDURES.—

''(1) TIMING OF REPORTS BY VESSEL OWNERS, MASTERS, MANAGING OPERATORS, OR EMPLOYERS.—A report required under subsection (a) shall be made immediately after the vessel owner, master, managing operator, or employer of the seafarer gains knowledge of a sexual assault or sexual harassment incident by the fastest telecommunications channel available. Such report shall be made to the Commandant and the appropriate officer or agency of the government of the country in whose waters the incident occurs.

''(2) CONTENTS.—A report required under subsection (a) shall include, to the best of the knowledge of the individual making the report—

''(A) the name, official position or role in relation to the vessel, and contact information of the individual making the report;

''(B) the name and official number of the documented vessel;

''(C) the time and date of the incident;

''(D) the geographic position or location of the vessel when the incident occurred; and

''(E) a brief description of the alleged sexual harassment or sexual assault being reported.

''(3) RECEIVING REPORTS AND COLLECTION OF INFORMATION.—

''(A) RECEIVING REPORTS.—With respect to reports submitted under this subsection to the Coast Guard, the Commandant—

''(i) may establish additional reporting procedures, including procedures for receiving reports through—

''(I) a telephone number that is continuously manned at all times; and

''(II) an email address that is continuously monitored; and

''(ii) shall use procedures that include preserving evidence in such reports and providing emergency service referrals.

''(B) COLLECTION OF INFORMATION.—After receiving a report under this subsection, the Commandant shall collect information related to the identity of each alleged victim, alleged perpetrator, and witness identified in the report through a means designed to protect, to the extent practicable, the personal identifiable information of such individuals.

''(c) SUBPOENA AUTHORITY.—

''(1) IN GENERAL.—The Commandant may compel the testimony of witnesses and the production of any evidence by subpoena to determine compliance with this section.

''(2) JURISDICTIONAL LIMITS.—The jurisdictional limits of a subpoena issued under this section are the same as, and are enforceable in the same manner as, subpoenas issued under chapter 63 of this title.

''(d) COMPANY AFTER-ACTION SUMMARY.—A vessel owner, master, managing operator, or employer of a seafarer that makes a report under subsection (a) shall—

''(1) submit to the Commandant a document with detailed information to describe the actions taken by the vessel owner, master, managing operator, or employer of a seafarer after it became aware of the sexual assault or sexual harassment incident; and

''(2) make such submission not later than 10 days after the vessel owner, master, managing operator, or employer of a seafarer made the report under subsection (a).

''(e) INVESTIGATORY AUDIT.—The Commandant shall periodically perform an audit or other systematic review of the submissions made under this section to determine if there were any failures to comply with the requirements of this section.

''(f) CIVIL PENALTY.—A vessel owner, master, managing operator, or employer of a seafarer that fails to comply with subsection (e) is liable to the United States Government for a civil penalty of $50,000 for each day a failure continues.

''(g) APPLICABILITY; REGULATIONS.—

''(1) EFFECTIVE DATE.—The requirements of this section take effect on the date of enactment of the Coast Guard Authorization Act of 2022.

''(2) REGULATIONS.—The Commandant may issue regulations to implement the requirements of this section.

''(3) REPORTS.—Any report required to be made to the Commandant under this section shall be made to the Coast Guard National Command Center, until regulations establishing other reporting procedures are issued.''.

SEC. 5611. ACCESS TO CARE AND SEXUAL ASSAULT FORENSIC EXAMINATIONS.

(a) IN GENERAL.—Subchapter IV of chapter 5 of title 14, United States Code, as amended by section 5211, is further amended by adding at the end the following:

''§ 565. Access to care and sexual assault forensic examinations

''(a) IN GENERAL.—Before embarking on any prescheduled voyage, a Coast Guard vessel shall have in place a written operating procedure that ensures that an embarked victim of sexual assault shall have access to a sexual assault forensic examination—

''(1) as soon as possible after the victim requests an examination; and

''(2) that is treated with the same level of urgency as emergency medical care.

''(b) REQUIREMENTS.—The written operating procedure required by subsection (a), shall, at a minimum, account for—

''(1) the health, safety, and privacy of a victim of sexual assault;

''(2) the proximity of ashore or afloat medical facilities, including coordination as necessary with the Department of Defense, including other military departments (as defined in section 101 of title 10, United States Code);

''(3) the availability of aeromedical evacuation;

''(4) the operational capabilities of the vessel concerned;

''(5) the qualifications of medical personnel onboard;

''(6) coordination with law enforcement and the preservation of evidence;

''(7) the means of accessing a sexual assault forensic examination and medical care with a restricted report of sexual assault;

''(8) the availability of nonprescription pregnancy prophylactics; and

''(9) other unique military considerations.''.

(b) STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall seek to enter into an agreement with the National Academy of Sciences under which the National Academy of Sciences shall conduct a study to assess the feasibility of the development of a self-administered sexual assault forensic examination for use by victims of sexual assault onboard a vessel at sea.

(2) ELEMENTS.—The study under paragraph (1) shall—

(A) take into account—

(i) the safety and security of the alleged victim of sexual assault;

(ii) the ability to properly identify, document, and preserve any evidence relevant to the allegation of sexual assault; and

(iii) the applicable criminal procedural laws relating to authenticity, relevance, preservation of evidence, chain of custody, and any other matter relating to evidentiary admissibility; and

(B) provide any appropriate recommendation for changes to existing laws, regulations, or employer policies.

(3) REPORT.—Upon completion of the study under paragraph (1), the National Academy of Sciences shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Secretary of the department in which the Coast Guard is operating a report on the findings of the study.

(c) CLERICAL AMENDMENT.—The analysis for subchapter IV of chapter 5 of title 14, United States Code, as amended by section 5211, is further amended by adding at the end the following:

''565. Access to care and sexual assault forensic examinations.''.

SEC. 5612. REPORTS TO CONGRESS.

(a) IN GENERAL.—Chapter 101 of title 46, United States Code, is amended by adding at the end the following:

''§ 10105. Reports to Congress

''Not later than 1 year after the date of enactment of the Coast Guard Authorization Act of 2022, and on an annual basis thereafter, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report to include—

''(1) the number of reports received under section 10104;

''(2) the number of penalties issued under such section;

''(3) the number of open investigations under such section, completed investigations under such section, and the outcomes of such open or completed investigations;

''(4) the number of assessments or audits conducted under section 3203 and the outcome of those assessments or audits;

''(5) a statistical analysis of compliance with the safety management system criteria under section 3203;

''(6) the number of credentials denied or revoked due to sexual harassment, sexual assault, or related offenses; and

''(7) recommendations to support efforts of the Coast Guard to improve investigations and oversight of sexual harassment and sexual assault in the maritime sector, including funding requirements and legislative change proposals necessary to ensure compliance with title LVI of the Coast Guard Authorization Act of 2022 and the amendments made by such title.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 101 of title 46, United States Code, is amended by adding at the end the following:

''10105. Reports to Congress.''.

SEC. 5613. POLICY ON REQUESTS FOR PERMANENT CHANGES OF STATION OR UNIT TRANSFERS BY PERSONS WHO REPORT BEING THE VICTIM OF SEXUAL ASSAULT.

Not later than 30 days after the date of the enactment of this Act, the Commandant, in consultation with the Director of the Health, Safety, and Work Life Directorate, shall issue an interim update to Coast Guard policy guidance to allow a member of the Coast Guard who has reported being the victim of a sexual assault or any other offense covered

by section 920, 920c, or 930 of title 10, United States Code (article 120, 120c, or 130 of the Uniform Code of Military Justice) to request an immediate change of station or a unit transfer. The final policy shall be updated not later than 1 year after the date of the enactment of this Act.

SEC. 5614. SEX OFFENSES AND PERSONNEL RECORDS.

Not later than 180 days after the date of the enactment of this Act, the Commandant shall issue final regulations or policy guidance required to fully implement section 1745 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 1561 note).

SEC. 5615. STUDY ON COAST GUARD OVERSIGHT AND INVESTIGATIONS.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study to assess the oversight over Coast Guard activities, including investigations, personnel management, whistleblower protection, and other activities carried out by the Department of Homeland Security Office of Inspector General.

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

(1) An analysis of the ability of the Department of Homeland Security Office of Inspector General to ensure timely, thorough, complete, and appropriate oversight over the Coast Guard, including oversight over both civilian and military activities.

(2) An assessment of—

(A) the best practices with respect to such oversight; and

(B) the ability of the Department of Homeland Security Office of Inspector General and the Commandant to identify and achieve such best practices.

(3) An analysis of the methods, standards, and processes employed by the Department of Defense Office of Inspector General and the inspectors generals of the armed forces (as defined in section 101 of title 10, United States Code), other than the Coast Guard, to conduct oversight and investigation activities.

(4) An analysis of the methods, standards, and processes of the Department of Homeland Security Office of Inspector General with respect to oversight over the civilian and military activities of the Coast Guard, as compared to the methods, standards, and processes described in paragraph (3).

(5) An assessment of the extent to which the Coast Guard Investigative Service completes investigations or other disciplinary measures after referral of complaints from the Department of Homeland Security Office of Inspector General.

(6) A description of the staffing, expertise, training, and other resources of the Department of Homeland Security Office of Inspector General, and an assessment as to whether such staffing, expertise, training, and other resources meet the requirements necessary for meaningful, timely, and effective oversight over the activities of the Coast Guard.

(c) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study, including recommendations with respect to oversight over Coast Guard activities.

(d) OTHER REVIEWS.—The study required by subsection (a) may rely upon recently completed or ongoing reviews by the Comptroller General or other entities, as applicable.

SEC. 5616. STUDY ON SPECIAL VICTIMS' COUNSEL PROGRAM.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall enter into an agreement with a federally funded research and development center for the conduct of a study on—

(1) the Special Victims' Counsel program of the Coast Guard;

(2) Coast Guard investigations of sexual assault offenses for cases in which the subject of the investigation is no longer under jeopardy for the alleged misconduct for reasons including the death of the accused, a lapse in the statute of limitations for the alleged offense, and a fully adjudicated criminal trial of the alleged offense in which all appeals have been exhausted; and

(3) legal support and representation provided to members of the Coast Guard who are victims of sexual assault, including in instances in which the accused is a member of the Army, Navy, Air Force, Marine Corps, or Space Force.

(b) ELEMENTS.—The study required by subsection (a) shall assess the following:

(1) The Special Victims' Counsel program of the Coast Guard, including training, effectiveness, capacity to handle the number of cases referred, and experience with cases involving members of the Coast Guard and members of another armed force (as defined in section 101 of title 10, United States Code).

(2) The experience of Special Victims' Counsels in representing members of the Coast Guard during a court-martial.

(3) Policies concerning the availability and detailing of Special Victims' Counsels for sexual assault allegations, in particular such allegations in which the accused is a member of another armed force (as defined in section 101 of title 10, United States Code), and the impact that the cross-service relationship had on—

(A) the competence and sufficiency of services provided to the alleged victim; and

(B) the interaction between—

(i) the investigating agency and the Special Victims' Counsels; and

(ii) the prosecuting entity and the Special Victims' Counsels.

(4) Training provided to, or made available for, Special Victims' Counsels and paralegals with respect to Department of Defense processes for conducting sexual assault investigations and Special Victims' Counsel representation of sexual assault victims.

(5) The ability of Special Victims' Counsels to operate independently without undue influence from third parties, including the command of the accused, the command of the victim, the Judge Advocate General of the Coast Guard, and the Deputy Judge Advocate General of the Coast Guard.

(6) The skill level and experience of Special Victims' Counsels, as compared to special victims' counsels available to members of the Army, Navy, Air Force, Marine Corps, and Space Force.

(7) Policies regarding access to an alternate Special Victims' Counsel, if requested by the member of the Coast Guard concerned, and potential improvements for such policies.

(c) REPORT.—Not later than 180 days after entering into an agreement under subsection (a), the federally funded research and development center shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(1) the findings of the study required by that subsection;

(2) recommendations to improve the coordination, training, and experience of Special Victims' Counsels of the Coast Guard so as to improve outcomes for members of the Coast Guard who have reported sexual assault; and

(3) any other recommendation the federally funded research and development center considers appropriate.

TITLE LVII—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Subtitle A—National Oceanic and Atmospheric Administration Commissioned Officer Corps

SEC. 5701. DEFINITIONS.

Section 212(b) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3002(b)) is amended by adding at the end the following:

''(8) UNDER SECRETARY.—The term 'Under Secretary' means the Under Secretary of Commerce for Oceans and Atmosphere.''.

SEC. 5702. REQUIREMENT FOR APPOINTMENTS.

Section 221(c) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3021(c)) is amended by striking ''may not be given'' and inserting the following: ''may—

''(1) be given only to an individual who is a citizen of the United States; and

''(2) not be given''.

SEC. 5703. REPEAL OF REQUIREMENT TO PROMOTE ENSIGNS AFTER 3 YEARS OF SERVICE.

(a) IN GENERAL.—Section 223 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3023) is amended to read as follows:

''SEC. 223. SEPARATION OF ENSIGNS FOUND NOT FULLY QUALIFIED.

''If an officer in the permanent grade of ensign is at any time found not fully qualified, the officer's commission shall be revoked and the officer shall be separated from the commissioned service.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by striking the item relating to section 223 and inserting the following:

''Sec. 223. Separation of ensigns found not fully qualified.''.

SEC. 5704. AUTHORITY TO PROVIDE AWARDS AND DECORATIONS.

(a) IN GENERAL.—Subtitle A of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001 et seq.) is amended by adding at the end the following:

''SEC. 220. AWARDS AND DECORATIONS.

''The Under Secretary may provide ribbons, medals, badges, trophies, and similar devices to members of the commissioned officer corps of the Administration and to members of other uniformed services for service and achievement in support of the missions of the Administration.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 219 the following:

''Sec. 220. Awards and decorations.''.

SEC. 5705. RETIREMENT AND SEPARATION.

(a) INVOLUNTARY RETIREMENT OR SEPARATION.—Section 241(a)(1) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3041(a)(1)) is amended to read as follows:

''(1) an officer in the permanent grade of captain or commander may—

''(A) except as provided by subparagraph (B), be transferred to the retired list; or

''(B) if the officer is not qualified for retirement, be separated from service; and''.

(b) RETIREMENT FOR AGE.—Section 243(a) of that Act (33 U.S.C. 3043(a)) is amended by striking ''be retired'' and inserting ''be retired or separated (as specified in section 1251(e) of title 10, United States Code)''.

(c) RETIREMENT OR SEPARATION BASED ON YEARS OF CREDITABLE SERVICE.—Section 261(a) of that Act (33 U.S.C. 3071(a)) is amended—

(1) by redesignating paragraphs (17) through (26) as paragraphs (18) through (27), respectively; and

(2) by inserting after paragraph (16) the following:

''(17) Section 1251(e), relating to retirement or separation based on years of creditable service.''.

SEC. 5706. IMPROVING PROFESSIONAL MARINER STAFFING.

(a) IN GENERAL.—Subtitle E of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3071 et seq.) is amended by adding at the end the following:

''SEC. 269B. SHORE LEAVE FOR PROFESSIONAL MARINERS.

''(a) IN GENERAL.—The Under Secretary may prescribe regulations relating to shore leave for professional mariners without regard to the requirements of section 6305 of title 5, United States Code.

''(b) REQUIREMENTS.—The regulations prescribed under subsection (a) shall—

''(1) require that a professional mariner serving aboard an ocean-going vessel be granted a leave of absence of four days per pay period; and

''(2) provide that a professional mariner serving in a temporary promotion position aboard a vessel may be paid the difference between the mariner's temporary and permanent rates of pay for leave accrued while serving in the temporary promotion position.

''(c) PROFESSIONAL MARINER DEFINED.—In this section, the term 'professional mariner' means an individual employed on a vessel of the Administration who has the necessary expertise to serve in the engineering, deck, steward, electronic technician, or survey department.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 269A the following:

''Sec. 269B. Shore leave for professional mariners.''.

SEC. 5707. LEGAL ASSISTANCE.

Section 1044(a)(3) of title 10, United States Code, is amended by inserting ''or the commissioned officer corps of the National Oceanic and Atmospheric Administration'' after ''Public Health Service''.

SEC. 5708. ACQUISITION OF AIRCRAFT FOR EXTREME WEATHER RECONNAISSANCE.

(a) INCREASED FLEET CAPACITY.—

(1) IN GENERAL.—The Under Secretary of Commerce for Oceans and Atmosphere shall acquire adequate aircraft platforms with the necessary observation and modification requirements—

(A) to meet agency-wide air reconnaissance and research mission requirements, particularly with respect to hurricanes and tropical cyclones, and also for atmospheric chemistry, climate, air quality for public health, full-season fire weather research and operations, full-season atmospheric river air reconnaissance observations, and other mission areas; and

(B) to ensure data and information collected by the aircraft are made available to all users for research and operations purposes.

(2) CONTRACTS.—In carrying out paragraph (1), the Under Secretary shall negotiate and enter into 1 or more contracts or other agreements, to the extent practicable and necessary, with 1 or more governmental, commercial, or nongovernmental entities.

(3) DERIVATION OF FUNDS.—For each of fiscal years 2023 through 2026, amounts to support the implementation of paragraphs (1) and (2) shall be derived—

(A) from amounts appropriated to the Office of Marine and Aviation Operations of the National Oceanic and Atmospheric Administration and available for the purpose of atmospheric river reconnaissance; and

(B) if amounts described in subparagraph (A) are insufficient to support the implementation of paragraphs (1) and (2), from amounts appropriated to that Office and available for purposes other than atmospheric river reconnaissance.

(b) ACQUISITION OF AIRCRAFT TO REPLACE THE WP–3D AIRCRAFT.—

(1) IN GENERAL.—Not later than September 30, 2023, the Under Secretary shall enter into a contract for the acquisition of 6 aircraft to replace the WP–3D aircraft that provides for—

(A) the first newly acquired aircraft to be fully operational before the retirement of the last WP–3D aircraft operated by the National Oceanic and Atmospheric Administration; and

(B) the second newly acquired aircraft to be fully operational not later than 1 year after the first such aircraft is required to be fully operational under subparagraph (A).

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Under Secretary $1,800,000,000, without fiscal year limitation, for the acquisition of the aircraft under paragraph (1).

SEC. 5709. REPORT ON PROFESSIONAL MARINER STAFFING MODELS.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the committees specified in subsection (c) a report on staffing issues relating to professional mariners within the Office of Marine and Aviation Operations of the National Oceanic and Atmospheric Administration.

(b) ELEMENTS.—The report required by subsection (a) shall include consideration of—

(1) the challenges the Office of Marine and Aviation Operations faces in recruiting and retaining qualified professional mariners;

(2) workforce planning efforts to address those challenges; and

(3) other models or approaches that exist, or are under consideration, to provide incentives for the retention of qualified professional mariners.

(c) COMMITTEES SPECIFIED.—The committees specified in this subsection are—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure and the Committee on Natural Resources of the House of Representatives.

(d) PROFESSIONAL MARINER DEFINED.—In this section, the term ''professional mariner'' means an individual employed on a vessel of the National Oceanic and Atmospheric Administration who has the necessary expertise to serve in the engineering, deck, steward, or survey department.

Subtitle B—Other Matters

SEC. 5711. CONVEYANCE OF CERTAIN PROPERTY OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION IN JUNEAU, ALASKA.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term ''City'' means the City and Borough of Juneau, Alaska.

(2) MASTER PLAN.—The term ''Master Plan'' means the Juneau Small Cruise Ship Infrastructure Master Plan released by the Docks and Harbors Board and Port of Juneau for the City and dated March 2021.

(3) PROPERTY.—The term ''Property'' means the parcel of real property consisting of approximately 2.4 acres, including tidelands, owned by the United States and under administrative custody and control of the National Oceanic and Atmospheric Administration and located at 250 Egan Drive, Juneau, Alaska, including any improvements thereon that are not authorized or required by another provision of law to be conveyed to a specific individual or entity.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere and the Administrator of the National Oceanic and Atmospheric Administration.

(b) CONVEYANCE AUTHORIZED.—

(1) IN GENERAL.—The Secretary may convey, at fair market value, all right, title, and interest of the United States in and to the Property, subject to subsection (c) and the requirements of this section.

(2) TERMINATION OF AUTHORITY.—The authority provided by paragraph (1) shall terminate on the date that is 3 years after the date of the enactment of this Act.

(c) RIGHT OF FIRST REFUSAL.—The City shall have the right of first refusal with respect to the purchase, at fair market value, of the Property.

(d) SURVEY.—The exact acreage and legal description of the Property shall be determined by a survey satisfactory to the Secretary.

(e) CONDITION; QUITCLAIM DEED.—If the Property is conveyed under this section, the Property shall be conveyed—

(1) in an ''as is, where is'' condition; and

(2) via a quitclaim deed.

(f) FAIR MARKET VALUE.—

(1) IN GENERAL.—The fair market value of the Property shall be—

(A) determined by an appraisal that—

(i) is conducted by an independent appraiser selected by the Secretary; and

(ii) meets the requirements of paragraph (2); and

(B) adjusted, at the Secretary's discretion, based on the factors described in paragraph (3).

(2) APPRAISAL REQUIREMENTS.—An appraisal conducted under paragraph (1)(A) shall be conducted in accordance with nationally recognized appraisal standards, including—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(B) the Uniform Standards of Professional Appraisal Practice.

(3) FACTORS.—The factors described in this paragraph are—

(A) matters of equity and fairness;

(B) actions taken by the City regarding the Property, if the City exercises its right of first refusal under subsection (c), including—

(i) comprehensive waterfront planning, site development, and other redevelopment activities supported by the City in proximity to the Property in furtherance of the Master Plan;

(ii) in-kind contributions made to facilitate and support use of the Property by governmental agencies; and

(iii) any maintenance expenses, capital improvement, or emergency expenditures made necessary to ensure public safety and access to and from the Property; and

(C) such other factors as the Secretary considers appropriate.

(g) COSTS OF CONVEYANCE.—If the City exercises its right of first refusal under subsection (c), all reasonable and necessary

costs, including real estate transaction and environmental documentation costs, associated with the conveyance of the Property to the City under this section may be shared equitably by the Secretary and the City, as determined by the Secretary, including with the City providing in-kind contributions for any or all of such costs.

(h) PROCEEDS.—Notwithstanding section 3302 of title 31, United States Code, or any other provision of law, any proceeds from a conveyance of the Property under this section shall—

(1) be deposited in an account or accounts of the National Oceanic and Atmospheric Administration that exists as of the date of the enactment of this Act;

(2) used to cover costs associated with the conveyance, related relocation efforts, and other facility and infrastructure projects in Alaska; and

(3) remain available until expended, without further appropriation.

(i) MEMORANDUM OF AGREEMENT.—If the City exercises its right of first refusal under subsection (c), before finalizing a conveyance to the City under this section, the Secretary and the City shall enter into a memorandum of agreement to establish the terms under which the Secretary shall have future access to, and use of, the Property to accommodate the reasonable expectations of the Secretary for future operational and logistical needs in southeast Alaska.

(j) RESERVATION OR EASEMENT FOR ACCESS AND USE.—The conveyance authorized under this section shall be subject to a reservation providing, or an easement granting, the Secretary, at no cost to the United States, a right to access and use the Property that—

(1) is compatible with the Master Plan; and

(2) authorizes future operational access and use by other Federal, State, and local government agencies that have customarily used the Property.

(k) LIABILITY.—

(1) AFTER CONVEYANCE.—An individual or entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out on or after the date and time of the conveyance of the Property.

(2) BEFORE CONVEYANCE.—The United States shall remain responsible for any liability the United States incurred with respect to activities the United States carried out on the Property before the date and time of the conveyance of the Property.

(l) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a conveyance under this section as the Secretary considers appropriate and reasonable to protect the interests of the United States.

(m) ENVIRONMENTAL COMPLIANCE.—Nothing in this section may be construed to affect or limit the application of or obligation to comply with any applicable environmental law, including—

(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(2) section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(n) CONVEYANCE NOT A MAJOR FEDERAL ACTION.—A conveyance under this section shall not be considered a major Federal action for purposes of section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)).

TITLE LVIII—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS

SEC. 5801. TECHNICAL CORRECTION.

Section 319(b) of title 14, United States Code, is amended by striking ''section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note)'' and inserting ''section 44801 of title 49''.

SEC. 5802. REINSTATEMENT.

(a) REINSTATEMENT.—The text of section 12(a) of the Act of June 21, 1940 (33 U.S.C. 522(a)), popularly known as the ''Truman-Hobbs Act'', is—

(1) reinstated as it appeared on the day before the date of the enactment of section 8507(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4754); and

(2) redesignated as the sole text of section 12 of the Act of June 21, 1940 (33 U.S.C. 522).

(b) EFFECTIVE DATE.—The provision reinstated by subsection (a) shall be treated as if such section 8507(b) had never taken effect.

(c) CONFORMING AMENDMENT.—The provision reinstated under subsection (a) is amended by striking '', except to the extent provided in this section''.

SEC. 5803. TERMS AND VACANCIES.

Section 46101(b) of title 46, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking ''one year'' and inserting ''2 years''; and

(B) by striking ''2 terms'' and inserting ''3 terms''; and

(2) in paragraph (3)—

(A) by striking ''of the individual being succeeded'' and inserting ''to which such individual is appointed'';

(B) by striking ''2 terms'' and inserting ''3 terms''; and

(C) by striking ''the predecessor of that'' and inserting ''such''.

TITLE LIX—RULE OF CONSTRUCTION

SEC. 5901. RULE OF CONSTRUCTION.

Nothing in this divisions may be construed—

(1) to satisfy any requirement for government-to-government consultation with Tribal governments; or

(2) to affect or modify any treaty or other right of any Tribal government.

SA 6444. Mr. REED (for Ms. CANTWELL (for herself and Mr. WICKER)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike title XXXV and insert the following:

TITLE XXXV—MARITIME MATTERS

Subtitle A—Short Title; Authorization of Appropriations for the Maritime Administration

SEC. 3501. SHORT TITLE.

This title may be cited as the ''Maritime Administration Authorization Act for Fiscal Year 2023''.

SEC. 3502. AUTHORIZATION OF APPROPRIATIONS FOR THE MARITIME ADMINISTRATION.

(a) MARITIME ADMINISTRATION.—There are authorized to be appropriated to the Department of Transportation for fiscal year 2023, for programs associated with maintaining the United States Merchant Marine, the following amounts:

(1) For expenses necessary to support the United States Merchant Marine Academy, $112,848,000, of which—

(A) $87,848,000 shall be for Academy operations;

(B) $22,000,000 shall be for facilities maintenance and repair and equipment; and

(C) $3,000,000 shall be for training, staffing, retention, recruiting, and contract management for United States Merchant Marine Academy capital improvement projects.

(2) For expenses necessary to support the State maritime academies, $80,700,000, of which—

(A) $2,400,000 shall be for the Student Incentive Program;

(B) $6,000,000 shall be for direct payments for State maritime academies;

(C) $6,800,000 shall be for training ship fuel assistance;

(D) $8,080,000 shall be for offsetting the costs of training ship sharing; and

(E) $30,500,000 shall be for maintenance and repair of State maritime academy training vessels.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, including funds for construction and necessary expenses to construct shoreside infrastructure to support such vessels, $75,000,000.

(4) For expenses necessary to support Maritime Administration operations and programs, $101,250,000, of which—

(A) $15,000,000 shall be for the Maritime Environmental and Technical Assistance program authorized under section 50307 of title 46, United States Code;

(B) $14,819,000 shall be for the Marine Highways Program, including to make grants as authorized under section 55601 of title 46, United States Code; and

(C) $67,433,000 shall be for headquarters operations expenses.

(5) For expenses necessary for the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $6,000,000.

(6) For expenses necessary to maintain and preserve a fleet of merchant vessels documented under chapter 121 of title 46, United States Code, to serve the national security needs of the United States, as authorized under chapter 531 of title 46, United States Code, $318,000,000.

(7) For expenses necessary for the loan guarantee program authorized under chapter 537 of title 46, United States Code, $33,000,000, of which—

(A) $30,000,000 may be for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program; and

(B) $3,000,000 may be used for administrative expenses relating to loan guarantee commitments under the program.

(8) For expenses necessary to provide assistance to small shipyards and for maritime training programs authorized under section 54101 of title 46, United States Code, $40,000,000.

(9) For expenses necessary to implement the Port Infrastructure Development Program, as authorized under section 54301 of title 46, United States Code, $750,000,000, to remain available until expended, except that no such funds authorized under this title for this program may be used to provide a grant to purchase fully automated cargo handling equipment that is remotely operated or remotely monitored with or without the exercise of human intervention or control, if the Secretary of Transportation determines such equipment would result in a net loss of jobs within a port or port terminal. If such a determination is made, the data and analysis for such determination shall be reported to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives not later than 3 days after the date of the determination.

(b) AVAILABILITY OF AMOUNTS.—Amounts appropriated—

(1) pursuant to the authority provided in paragraphs (1)(A), (2)(A), and (4)(A) of subsection (a) shall remain available through September 30, 2023; and

(2) pursuant to the authority provided in paragraphs (1)(B), (1)(C), (2)(B), (2)(C), (2)(D), (2)(E), (3), (4)(B), (4)(C), (5), (6), (7)(A), (7)(B), (8), and (9) of subsection (a) shall remain available without fiscal year limitation.

(c) TANKER SECURITY FLEET.—

(1) FUNDING.—Section 53411 of title 46, United States Code, is amended by striking ''$60,000,000'' and inserting ''$120,000,000''.

(2) INCREASE IN NUMBER OF VESSELS.—Section 53403(c) of title 46, United States Code, is amended by striking ''10'' and inserting ''20''.

Subtitle B—General Provisions

SEC. 3511. STUDY TO INFORM A NATIONAL MARITIME STRATEGY.

(a) IN GENERAL.—The Secretary of Transportation and the Secretary of the department in which the Coast Guard is operating shall enter into an agreement with a studies and analysis federally funded research and development center under which such federally funded research and development center shall conduct a study of the key elements and objectives needed for a national maritime strategy. The strategy shall address national objectives, as described in section 50101 of title 46, United States Code, to ensure—

(1) a capable, commercially viable, militarily useful fleet of a sufficient number of merchant vessels documented under chapter 121 of title 46, United States Code;

(2) a robust United States mariner workforce, as described in section 50101 of title 46, United States Code;

(3) strong United States domestic shipbuilding infrastructure, and related shipbuilding trades amongst skilled workers in the United States; and

(4) that the Navy Fleet Auxiliary Force, the National Defense Reserve Fleet, the Military Sealift Command, the Maritime Security Program under chapter 531 of title 46, United States Code, the Tanker Security Program under chapter 534 of title 46, United States Code, and the Cable Security Program under chapter 532 of title 46, United States Code, currently meet the economic and national security needs of the United States and would reliably continue to meet those needs under future economic or national security emergencies.

(b) INPUT.—In carrying out the study, the federally funded research and development center shall solicit input from—

(1) relevant Federal departments and agencies;

(2) nongovernmental organizations;

(3) United States companies;

(4) maritime labor organizations;

(5) commercial industries that depend on United States mariners;

(6) domestic shipyards regarding shipbuilding and repair capacity, and the associated skilled workforce, such as the workforce required for transportation, offshore wind, fishing, and aquaculture;

(7) providers of maritime workforce training; and

(8) any other relevant organizations.

(c) ELEMENTS OF THE STUDY.—The study conducted under subsection (a) shall include consultation with the Department of Transportation, the Department of Defense, the Department of Homeland Security, the National Oceanic and Atmospheric Administration, and other relevant Federal agencies, in the identification and evaluation of—

(1) incentives, including regulatory changes, needed to continue to meet the shipbuilding and ship maintenance needs of the United States for commercial and national security purposes, including through a review of—

(A) the loans and guarantees program carried out under chapter 537 of title 46, United States Code, and how the development of new offshore commercial industries, such as wind, could be supported through modification of such program or other Federal programs, and thus also support the United States sealift in the future;

(B) the barriers to participation in the loans and guarantees program carried out under chapter 537 of title 46, United States Code, and how the program may be improved to facilitate additional shipbuilding activities in the United States;

(C) the needed resources, human and financial, for such incentives; and

(D) the current and anticipated number of shipbuilding and ship maintenance contracts at United States shipyards through 2032, to the extent practicable;

(2) incentives, including regulatory changes, needed to maintain a commercially viable United States-documented fleet, which shall include—

(A) an examination of how the preferences under section 2631 of title 10, United States Code, and chapter 553 of title 46, United States Code, the Maritime Security Program under chapter 531 of title 46, United States Code, the Tanker Security Program under chapter 534 of title 46, United States Code, and the Cable Security Program under chapter 532 of title 46, United States Code, should be used to further maintain and grow a United States-documented fleet and the identification of other incentives that could be used that may not be authorized at the time of the study;

(B) an estimate of the number and type of commercial ships needed over the next 30 years; and

(C) estimates of the needed human and financial resources for such incentives;

(3) the availability of United States mariners, and future needs, including—

(A) the number of mariners needed for the United States commercial and national security needs over the next 30 years;

(B) the policies and programs (at the time of the study) to recruit, train, and retain United States mariners to support the United States maritime workforce needs during peace time and at war;

(C) how those programs could be improved to grow the number of maritime workers trained each year, including how potential collaboration between the uniformed services, the United States Merchant Marine Academy, State maritime academies, maritime labor training centers, and the Centers of Excellence for Domestic Maritime Workforce Training under section 51706 of title 46, United States Code, could be used most effectively; and

(D) estimates of the necessary resources, human and financial, to implement such programs in each relevant Federal agency over the next 30 years; and

(4) the interaction among the elements described under paragraphs (1) through (3).

(d) PUBLIC AVAILABILITY.—The study conducted under subsection (a) shall be made publicly available on a website of the Department of Transportation.

SEC. 3512. NATIONAL MARITIME STRATEGY.

(a) IN GENERAL.—Not later than 6 months after the date of receipt of the study conducted under section 3511, and every 5 years thereafter, the Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating and the United States Transportation Command, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a national maritime strategy.

(b) CONTENTS.—The strategy required under subsection (a) shall—

(1) identify—

(A) international policies and Federal regulations and policies that reduce the competitiveness of United States-documented vessels with foreign vessels in domestic and international transportation markets; and

(B) the impact of reduced cargo flow due to reductions in the number of members of the United States Armed Forces stationed or deployed outside of the United States; and

(2) include recommendations to—

(A) make United States-documented vessels more competitive in shipping routes between United States and foreign ports;

(B) increase the use of United States-documented vessels to carry cargo imported to and exported from the United States;

(C) ensure compliance by Federal agencies with chapter 553 of title 46, United States Code;

(D) increase the use of short sea transportation routes, including routes designated under section 55601(b) of title 46, United States Code, to enhance intermodal freight movements;

(E) enhance United States shipbuilding capability;

(F) invest in, and identify gaps in, infrastructure needed to facilitate the movement of goods at ports and throughout the transportation system, including innovative physical and information technologies;

(G) enhance workforce training and recruitment for the maritime workforce, including training on innovative physical and information technologies;

(H) increase the resilience of ports and the marine transportation system;

(I) increase the carriage of government-impelled cargo on United States-documented vessels pursuant to chapter 553 of title 46, United States Code, section 2631 of title 10, United States Code, or otherwise; and

(J) maximize the cost effectiveness of Federal funding for carriage of non-defense government impelled cargo for the purposes of maintaining a United States flag fleet for national and economic security.

(c) UPDATE.—Not later than 6 months after the date of receipt of the study conducted under section 3511, the Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating and the Commander of the United States Transportation Command, shall—

(1) update the national maritime strategy required by section 603 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281);

(2) submit a report to Congress containing the updated national maritime strategy; and

(3) make the updated national maritime strategy publicly available on the website of the Department of Transportation.

(d) IMPLEMENTATION PLAN.—Not later than 6 months after completion of the updated national maritime strategy under subsection (c), and after the completion of each strategy thereafter, the Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating and the Secretary of Defense, shall publish on a publicly available website an implementation plan for the most recent national maritime strategy.

SEC. 3513. NEGATIVE DETERMINATION NOTICE.

Section 501(b)(3) of title 46, United States Code, is amended—

(1) in subparagraph (B), by striking ''and'' after the semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) in the event a waiver referred to in paragraph (1) is not issued, publish an explanation for not issuing such waiver on the Internet Web site of the Department of Transportation not later than 48 hours after notice of such determination is provided to the Secretary of Transportation, including applicable findings to support the determination.''.

Subtitle C—Maritime Infrastructure

SEC. 3521. MARINE HIGHWAYS.

(a) SHORT TITLE.—This section may be cited as the ''Marine Highway Promotion Act''.

(b) FINDINGS.—Congress finds the following:

(1) Our Nation's waterways are an integral part of the transportation network of the United States.

(2) Using the Nation's coastal, inland, and other waterways can support commercial transportation, can provide maritime transportation options where no alternative surface transportation exists, and alleviates surface transportation congestion and burdensome road and bridge repair costs.

(3) Marine highways are serviced by documented United States flag vessels and manned by United States citizens, providing added resources for national security and to aid in times of crisis.

(4) According to the United States Army Corps of Engineers, inland navigation is a key element of economics development and is essential in maintaining economic competitiveness and national security.

(c) UNITED STATES MARINE HIGHWAY PROGRAM.—

(1) IN GENERAL.—Section 55601 of title 46, United States Code, is amended to read as follows:

''§ 55601. United States Marine Highway Program

''(a) PROGRAM.—

''(1) ESTABLISHMENT.—The Maritime Administrator shall establish a Marine Highway Program to be known as the 'United States Marine Highway Program'. Under such program, the Maritime Administrator shall—

''(A) designate marine highway routes as extensions of the surface transportation system under subsection (b); and

''(B) subject to the availability of appropriations, make grants or enter into contracts or cooperative agreements under subsection (c).

''(2) PROGRAM ACTIVITIES.—In carrying out the Marine Highway Program established under paragraph (1), the Maritime Administrator may—

''(A) coordinate with ports, State departments of transportation, localities, other public agencies, and the private sector on the development of landside facilities and infrastructure to support marine highway transportation;

''(B) develop performance measures for such Marine Highway Program;

''(C) collect and disseminate data for the designation and delineation of marine highway routes under subsection (b); and

''(D) conduct research on solutions to impediments to marine highway services eligible for assistance under subsection (c)(1).

''(b) DESIGNATION OF MARINE HIGHWAY ROUTES.—

''(1) AUTHORITY.—The Maritime Administrator may designate or modify a marine highway route as an extension of the surface transportation system if —

''(A) such a designation or modification is requested by—

''(i) the government of a State or territory;

''(ii) a metropolitan planning organization;

''(iii) a port authority;

''(iv) a non-Federal navigation district; or

''(v) a Tribal government; and

''(B) the Maritime Administrator determines such marine highway route satisfies at least one covered function under subsection (d).

''(2) DETERMINATION.—Not later than 180 days after the date on which the Maritime Administrator receives a request for designation or modification of a marine highway route under paragraph (1), the Maritime Administrator shall make a determination of whether to make the requested designation or modification.

''(3) NOTIFICATION.—Not later than 14 days after the date on which the Maritime Administrator makes the determination whether to make the requested designation or modification, the Maritime Administrator shall send the requester a notification of the determination.

''(4) MAP.—

''(A) IN GENERAL.—Not later than 120 days after the date of enactment of the Maritime Administration Authorization Act for Fiscal Year 2023, and thereafter each time a marine highway route is designated or modified, the Administrator shall make publicly available a map showing the location of marine highway routes, including such routes along the coasts, in the inland waterways, and at sea.

''(B) COORDINATION.—The Administrator shall coordinate with the National Oceanic and Atmospheric Administration to incorporate the map into the Marine Cadastre.

''(c) ASSISTANCE FOR MARINE HIGHWAY SERVICES.—

''(1) IN GENERAL.—The Maritime Administrator may make grants to, or enter into contracts or cooperative agreements with, an eligible entity to implement a marine highway service or component of a marine highway service, if the Administrator determines the service—

''(A) satisfies at least one covered function under subsection (d);

''(B) uses vessels documented under chapter 121 of this title; and

''(C)(i) implements strategies developed under section 55603; or

''(ii) develops, expands, or promotes—

''(I) marine highway transportation services; or

''(II) shipper utilization of marine highway transportation.

''(2) ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means—

''(A) a State, a political subdivision of a State, or a local government;

''(B) a United States metropolitan planning organization;

''(C) a United States port authority;

''(D) a Tribal government in the United States; or

''(E) a United States private sector operator of marine highway services or private sector owners of facilities with an endorsement letter from the marine highway route sponsor described in subsection (b)(1)(A), including an Alaska Native Corporation.

''(3) APPLICATION.—

''(A) IN GENERAL.—To be eligible to receive a grant or enter into a contract or cooperative agreement under this subsection to implement a marine highway service, an eligible entity shall submit an application in such form and manner, at such time, and containing such information as the Maritime Administrator may require, including—

''(i) a comprehensive description of—

''(I) the regions to be served by the marine highway service;

''(II) the marine highway route that the service will use, which may include connection to existing or planned transportation infrastructure and intermodal facilities, key navigational factors such as available draft, channel width, bridge air draft, or lock clearance, and any foreseeable impacts on navigation or commerce, and a map of the proposed route;

''(III) the marine highway service supporters, which may include business affiliations, private sector stakeholders, State departments of transportation, metropolitan planning organizations, municipalities, or other governmental entities (including Tribal governments), as applicable;

''(IV) the estimated volume of passengers, if applicable, or cargo using the service, and predicted changes in such volume during the 5-year period following the date of the application;

''(V) the need for the service;

''(VI) the definition of the success goal for the service, such as volumes of cargo or passengers moved, or contribution to environmental mitigation, safety, reduced vehicle miles traveled, or reduced maintenance and repair costs;

''(VII) the methodology for implementing the service, including a description of the proposed operational framework of the service including the origin, destination, and any intermediate stops on the route, transit times, vessel types, and service frequency; and

''(VIII) any existing programs or arrangements that can be used to supplement or leverage assistance under the program; and

''(ii) a demonstration, to the satisfaction of the Maritime Administrator, that—

''(I) the marine highway service is financially viable;

''(II) the funds or other assistance provided under this subsection will be spent or used efficiently and effectively; and

''(III) a market exists for the services of the proposed marine highway service, as evidenced by contracts or written statements of intent from potential customers.

''(B) PRE-PROPOSAL.—Prior to accepting a full application under subparagraph (A), the Maritime Administrator may require that an eligible entity first submit a pre-proposal that contains a brief description of the items under subparagraph (A).

''(C) PRE-PROPOSAL FEEDBACK.—Not later than 30 days after receiving a pre-proposal, the Maritime Administrator shall provide feedback to the eligible entity that submitted the pre-proposal to encourage or discourage the eligible entity from submitting a full application. An eligible entity may still submit a full application even if that eligible entity is not encouraged to do so after submitting a pre-proposal.

''(4) TIMING OF GRANT NOTICE.—The Maritime Administrator shall post a Notice of Funding Opportunity regarding grants, contracts, or cooperative agreements under this subsection not more than 60 days after the date of enactment of the appropriations Act for the fiscal year concerned.

''(5) GRANT APPLICATION FEEDBACK.—Following the award of grants for a particular fiscal year, the Maritime Administrator may provide feedback to applicants to help applicants improve future applications if the feedback is requested by that applicant.

''(6) TIMING OF GRANTS.—The Maritime Administrator shall award grants, contracts, or cooperative agreements under this subsection not later than 270 days after the date of the enactment of the appropriations Act for the fiscal year concerned.

''(7) NON-FEDERAL SHARE.—

''(A) IN GENERAL.—An applicant shall provide not less than 20 percent of the costs from non-Federal sources, except as provided in subparagraph (B).

''(B) TRIBAL AND RURAL AREAS.—The Maritime Administrator may increase the Federal share of service costs above 80 percent

for a service located in a Tribal or rural area.

''(C) TRIBAL GOVERNMENT.—The Maritime Administrator may increase the Federal share of service costs above 80 percent for a service benefitting a Tribal Government.

''(8) REUSE OF UNEXPENDED GRANT FUNDS.—Notwithstanding paragraph (6), amounts awarded under this subsection that are not expended by the recipient within 3 years after obligation of funds or that are returned under paragraph (10)(C) shall remain available to the Maritime Administrator to make grants and enter into contracts and cooperative agreements under this subsection.

''(9) ADMINISTRATIVE COSTS.—Not more than 3 percent of the total amount made available to carry out this subsection for any fiscal year may be used for the necessary administrative costs associated with grants, contracts, and cooperative agreements made under this subsection.

''(10) PROCEDURAL SAFEGUARDS.—The Maritime Administrator, in consultation with the Office of the Inspector General, shall issue guidelines to establish appropriate accounting, reporting, and review procedures to ensure that—

''(A) amounts made available to carry out this subsection are used for the purposes for which they were made available;

''(B) recipients of funds under this subsection (including through grants, contracts, or cooperative agreements) have properly accounted for all expenditures of such funds; and

''(C) any such funds that are not obligated or expended for the purposes for which they were made available are returned to the Administrator.

''(11) CONDITIONS ON PROVISION OF FUNDS.—The Maritime Administrator may not award funds to an applicant under this subsection unless the Maritime Administrator determines that—

''(A) sufficient funding is available to meet the non-Federal share requirement of paragraph (7);

''(B) the marine highway service for which such funds are provided will be completed without unreasonable delay; and

''(C) the recipient of such funds has authority to implement the proposed marine highway service.

''(d) COVERED FUNCTIONS.—A covered function under this subsection is one of the following:

''(1) Promotion of marine highway transportation.

''(2) Provision of a coordinated and capable alternative to landside transportation.

''(3) Mitigation or relief of landside congestion.

''(e) PROHIBITED USES.—Funds awarded under this section may not be used to—

''(1) raise sunken vessels, construct buildings or other physical facilities, or acquire land unless such activities are necessary for the establishment or operation of a marine highway service implemented using grant funds provided, or pursuant to a contract or cooperative agreement entered into under subsection (c); or

''(2) improve port or land-based infrastructure outside the United States.

''(f) GEOGRAPHIC DISTRIBUTION.—In making grants, contracts, and cooperative agreements under this section the Maritime Administrator shall take such measures so as to ensure an equitable geographic distribution of funds.

''(g) AUDITS AND EXAMINATIONS.—All recipients (including recipients of grants, contracts, and cooperative agreements) under this section shall maintain such records as the Maritime Administrator may require and make such records available for review and audit by the Maritime Administrator.''.

(2) RULES.—

(A) FINAL RULE.—Not later than 1 year after the date of enactment of this title, the Secretary of Transportation shall prescribe such final rules as are necessary to carry out the amendments made by this subsection.

(B) INTERIM RULES.—The Secretary of Transportation may prescribe temporary interim rules necessary to carry out the amendments made by this subsection. For this purpose, the Maritime Administrator, in prescribing rules under this subparagraph, is excepted from compliance with the notice and comment requirements of section 553 of title 5, United States Code, prior to the effective date of the interim rules. All interim rules prescribed under the authority of this subparagraph shall request comment and remain in effect until such time as the interim rules are superseded by a final rule, following notice and comment.

(C) SAVINGS CLAUSE.—The requirements under section 55601 of title 46, United States Code, as amended by this subsection, shall take effect only after the interim rule described in subparagraph (B) is promulgated by the Secretary.

(d) MULTISTATE, STATE, AND REGIONAL TRANSPORTATION PLANNING.—Chapter 556 of title 46, United States Code, is amended by inserting after section 55602 the following:

''SEC. 55603. MULTISTATE, STATE, AND REGIONAL TRANSPORTATION PLANNING.

''(a) IN GENERAL.—The Maritime Administrator, in consultation with the heads of other appropriate Federal departments and agencies, State and local governments, and appropriate private sector entities, may develop strategies to encourage the use of marine highway transportation for the transportation of passengers and cargo.

''(b) STRATEGIES.—If the Maritime Administrator develops the strategies described in subsection (a), the Maritime Administrator may—

''(1) assess the extent to which States and local governments include marine highway transportation and other marine transportation solutions in transportation planning;

''(2) encourage State departments of transportation to develop strategies, where appropriate, to incorporate marine highway transportation, ferries, and other marine transportation solutions for regional and interstate transport of freight and passengers in transportation planning; and

''(3) encourage groups of States and multistate transportation entities to determine how marine highway transportation can address congestion, bottlenecks, and other interstate transportation challenges, including the lack of alternative surface transportation options.''.

(e) RESEARCH ON MARINE HIGHWAY TRANSPORTATION.—Section 55604 of title 46, United States Code, is amended—

(1) by redesignating paragraphs (1) through (3) as paragraphs (4) through (6), respectively; and

(2) by inserting before paragraph (4), as redesignated by paragraph (1), the following new paragraphs:

''(1) the economic importance of marine highway transportation to the United States economy;

''(2) the importance of marine highway transportation to rural areas, including the lack of alternative surface transportation options;

''(3) United States regions and territories, and within-region areas, that do not yet have marine highway services underway, but that could benefit from the establishment of marine highway services;''.

(f) DEFINITIONS.—Section 55605 of title 46, United States Code, is amended to read as follows: ''

''§ 55605. Definitions

''In this chapter—

''(1) the term 'marine highway transportation' means the carriage by a documented vessel of cargo (including such carriage of cargo and passengers), and such cargo—

''(A) is—

''(i) contained in intermodal cargo containers and loaded by crane on the vessel;

''(ii) loaded on the vessel by means of wheeled technology, including roll-on roll-off cargo;

''(iii) shipped in discrete units or packages that are handled individually, palletized, or unitized for purposes of transportation;

''(iv) bulk, liquid, or loose cargo loaded in tanks, holds, hoppers, or on deck; or

''(v) freight vehicles carried aboard commuter ferry boats; and

''(B) is—

''(i) loaded at a port in the United States and unloaded either at another port in the United States or at a port in Canada or Mexico; or

''(ii) loaded at a port in Canada or Mexico and unloaded at a port in the United States;

''(2) the term 'marine highway service' means a planned or contemplated new service, or expansion of an existing service, on a marine highway route, that seeks to provide new modal choices to shippers, offer more desirable services, reduce transportation costs, or provide public benefits;

''(3) the term 'marine highway route' means a route on commercially navigable coastal, inland, or intracoastal waters of the United States, including connections between the United States and a port in Canada or Mexico, that is designated under section 55601(b);

''(4) the term ''Tribal Government'' means the recognized governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of the Maritime Administration Authorization Act for Fiscal Year 2023 pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131); and

''(5) the term 'Alaska Native Corporation' has the meaning given the term 'Native Corporation' under section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).''.

(g) TECHNICAL AMENDMENTS.—

(1) CLERICAL.—The analysis for chapter 556 of title 46, United States Code, is amended—

(A) by striking the item relating to section 55601 and inserting the following:

''55601. United States Marine Highway Program.'';

(B) by inserting after the item relating to section 55602 the following:

''55603. Multistate, State, and regional transportation planning.''; and

(C) by striking the item relating to section 55605 and inserting the following:

''55605. Definitions.''.

(2) DEFINITIONS.—Section 53501 of title 46, United States Code, is amended in paragraph (5)(A)—

(A) in clause (i), by inserting ''and'' after the semicolon; and

(B) by striking clause (iii).

SEC. 3522. GAO REVIEW OF EFFORTS TO SUPPORT AND GROW THE UNITED STATES MERCHANT FLEET.

Not later than 18 months after the date of enactment of this section, the Comptroller General of the United States shall transmit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that examines United States Government efforts to promote the growth and

modernization of the United States maritime industry, and the vessels of the United States, as defined in section 116 of title 46, United States Code, including the overall efficacy of United States Government financial support and policies, including the Capital Construction Fund, Construction Reserve Fund, and other eligible loan, grant, or other programs.

SEC. 3523. GAO REVIEW OF FEDERAL EFFORTS TO ENHANCE PORT INFRASTRUCTURE RESILIENCY AND DISASTER PREPAREDNESS.

Not later than 18 months after the date of enactment of this section, the Comptroller General of the United States shall transmit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that examines Federal efforts to assist ports in enhancing the resiliency of their key intermodal connectors to weather-related disasters. The report shall include consideration of the following:

(1) Actions being undertaken at various ports to better identify critical land-side connectors that may be vulnerable to disruption in the event of a natural disaster, including how to communicate such information during a disaster when communications systems may be compromised, and the level of Federal involvement in such efforts.

(2) The extent to which the Department of Transportation and other Federal agencies are working in line with recent recommendations from key resiliency reports, including the National Academies of Science study on strengthening supply chain resilience, to establish a framework for ports to follow to increase resiliency to major weather-related disruptions before they happen.

(3) The extent to which the Department of Transportation or other Federal agencies have provided funds to ports for resiliency-related projects.

(4) The extent to which Federal agencies have a coordinated approach to helping ports and the multiple State, local, Tribal, and private stakeholders involved, to improve resiliency prior to weather-related disasters.

SEC. 3524. STUDY ON FOREIGN INVESTMENT IN SHIPPING.

(a) ASSESSMENT.—Subject to appropriations, the Under Secretary of Commerce for International Trade (referred to in this section as the ''Under Secretary'') in coordination with Maritime Administration, the Federal Maritime Commission, and other relevant agencies shall conduct an assessment of subsidies, indirect state support, and other financial infrastructure or benefits provided by foreign states that control more than 1 percent of the world merchant fleet to entities or individuals building, owning, chartering, operating, or financing vessels not documented under the laws of the United States that are engaged in foreign commerce.

(b) REPORT.—Not later than 1 year after the date of enactment of this section, the Under Secretary shall submit to the appropriate committees of Congress, as defined in section 3538, a report on the assessment conducted under subsection (a), including—

(1) the amount, in United States dollars, of such support provided by a foreign state described in subsection (a) to—

(A) the shipping industry of each country as a whole;

(B) the shipping industry as a percent of gross domestic product of each country; and

(C) each ship on average, by ship type for cargo, tanker, and bulk;

(2) the amount, in United States dollars, of such support provided by a foreign state described in subsection (a) to the shipping industry of another foreign state, including favorable financial arrangements for ship construction;

(3) a description of the shipping industry activities of state-owned enterprises of a foreign state described in subsection (a);

(4) a description of the type of support provided by a foreign state described in subsection (a), including tax relief, direct payment, indirect support of state-controlled financial entities, or other such support, as determined by the Under Secretary; and

(5) a description of how the subsidies provided by a foreign state described in subsection (a) may be disadvantaging the competitiveness of vessels documented under the laws of the United States that are engaged in foreign commerce and the national security of the United States.

(c) DEFINITIONS.—In this section:

(1) FOREIGN COMMERCE.—The term ''foreign commerce'' means—

(A) commerce or trade between the United States, its territories or possessions, or the District of Columbia, and a foreign country;

(B) commerce or trade between foreign countries; or

(C) commerce or trade within a foreign country.

(2) FOREIGN STATE.—The term ''foreign state'' has the meaning given the term in section 1603(a) of title 28, United States Code.

(3) SHIPPING INDUSTRY.—The term ''shipping industry'' means the construction, ownership, chartering, operation, or financing of vessels engaged in foreign commerce.

SEC. 3525. REPORT REGARDING ALTERNATE MARINE FUEL BUNKERING FACILITIES AT PORTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Maritime Administrator shall report on the necessary port-related infrastructure needed to support bunkering facilities for liquefied natural gas, hydrogen, ammonia, or other new marine fuels under development. The Maritime Administrator shall publish the report on a publicly available website.

(b) CONTENTS.—The report described in subsection (a) shall include—

(1) information about the existing United States infrastructure, in particular the storage facilities, bunkering vessels, and transfer systems to support bunkering facilities for liquefied natural gas, hydrogen, ammonia, or other new marine fuels under development;

(2) a review of the needed upgrades to United States infrastructure, including storage facilities, bunkering vessels, and transfer systems, to support bunkering facilities for liquefied natural gas, hydrogen, ammonia, or other new marine fuels under development;

(3) an assessment of the estimated Government investment in this infrastructure and the duration of that investment; and

(4) in consultation with relevant Federal agencies, information on the relevant Federal agencies that would oversee the permitting and construction of bunkering facilities for liquefied natural gas, hydrogen, ammonia, or other new marine fuels, as well as the Federal funding grants or formula programs that could be used for such marine fuels.

SEC. 3526. STUDY OF CYBERSECURITY AND NATIONAL SECURITY THREATS POSED BY FOREIGN MANUFACTURED CRANES AT UNITED STATES PORTS.

The Administrator of the Maritime Administration shall—

(1) conduct a study, in consultation with the Secretary of Homeland Security, the Secretary of Defense, and the Director of the Cybersecurity and Infrastructure Security Agency, to assess whether there are cybersecurity or national security threats posed by foreign manufactured cranes at United States ports;

(2) submit, not later than 1 year after the date of enactment of this title, an unclassified report on the study described in paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Armed Services of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Armed Services of the House of Representatives; and

(3) if determined necessary by the Administrator, the Secretary of Homeland Security, or the Secretary Defense, submit a classified report on the study described in paragraph (1) to the committees described in paragraph (2).

SEC. 3527. PROJECT SELECTION CRITERIA FOR PORT INFRASTRUCTURE DEVELOPMENT PROGRAM.

Section 54301(a)(6) of title 46, United States Code, is amended by adding at the end the following:

''(C) CONSIDERATIONS FOR NONCONTIGUOUS STATES AND TERRITORIES.—In considering the criteria under subparagraphs (A)(ii) and (B)(ii) for selecting a project described in paragraph (3), in the case the proposed project is located in a noncontiguous State or territory, the Secretary may take into account the geographic isolation of the State or territory and the economic dependence of the State or territory on the proposed project.''.

SEC. 3528. INFRASTRUCTURE IMPROVEMENTS IDENTIFIED IN THE REPORT ON STRATEGIC SEAPORTS.

Section 54301(a)(6) of title 46, United States Code, is amended by adding at the end the following:

''(D) INFRASTRUCTURE IMPROVEMENTS IDENTIFIED IN THE REPORT ON STRATEGIC SEAPORTS.—In selecting projects described in paragraph (3) for funding under this subsection, the Secretary may consider infrastructure improvements identified in the report on strategic seaports required by section 3515 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1985) that would improve the commercial operations of those seaports.''.

Subtitle D—Maritime Workforce

SEC. 3531. SENSE OF CONGRESS ON MERCHANT MARINE.

It is the sense of Congress that the United States Merchant Marine is a critical part of the national infrastructure of the United States, and the men and women of the United States Merchant Marine are essential workers.

SEC. 3532. ENSURING DIVERSE MARINER RECRUITMENT.

Not later than 6 months after the date of enactment of this section, the Secretary of Transportation shall develop and deliver to Congress a strategy to assist State maritime academies and the United States Merchant Marine Academy to improve the representation of women and underrepresented communities in the next generation of the mariner workforce, including each of the following:

(1) Black and African American.

(2) Hispanic and Latino.

(3) Asian.

(4) American Indian, Alaska Native, and Native Hawaiian.

(5) Pacific Islander.

SEC. 3533. LOW EMISSIONS VESSELS TRAINING.

(a) DEVELOPMENT OF STRATEGY.—The Secretary of Transportation, in consultation with the United States Merchant Marine Academy, State maritime academies, civilian nautical schools, and the Secretary of the department in which Coast Guard is operating, shall develop a strategy to ensure there is an adequate supply of trained United

States citizen mariners sufficient to meet the operational requirements of low and zero emission vessels. Implementation of the strategy shall aim to increase the supply of trained United States citizen mariners sufficient to meet the needs of the maritime industry and ensure continued investment in training for mariners serving on conventional fuel vessels.

(b) REPORT.—Not later than 6 months after the date the Secretary of Transportation determines that there is commercially viable technology for low and zero emission vessels, the Secretary of Transportation shall—

(1) submit a report on the strategy developed under subsection (a) and plans for its implementation to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(2) make such report publicly available.

SEC. 3534. IMPROVING PROTECTIONS FOR MIDSHIPMEN ACT.

(a) SHORT TITLE.—This section may be cited as the ''Improving Protections for Midshipmen Act''.

(b) SUSPENSION OR REVOCATION OF MERCHANT MARINER CREDENTIALS FOR PERPETRATORS OF SEXUAL HARASSMENT OR SEXUAL ASSAULT.—

(1) IN GENERAL.—? Chapter 77 of title 46, United States Code, is amended by inserting after section 7704 the following:

''§ 7704a. Sexual harassment or sexual assault as grounds for suspension or revocation

''(a) SEXUAL HARASSMENT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner's document issued under this part, within 10 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual harassment, then the license, certificate of registry, or merchant mariner's document shall be suspended or revoked.

''(b) SEXUAL ASSAULT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner's document issued under this part, within 20 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual assault, then the license, certificate of registry, or merchant mariner's document shall be revoked.

''(c) SUBSTANTIATED CLAIM.—

''(1) IN GENERAL.—The term 'substantiated claim' means—

''(A) a legal proceeding or agency action in any administrative proceeding that determines the individual committed sexual harassment or sexual assault in violation of any Federal, State, local, or Tribal law or regulation and for which all appeals have been exhausted, as applicable; or

''(B) a determination after an investigation by the Coast Guard that it is more likely than not the individual committed sexual harassment or sexual assault as defined in subsection (d), if the determination affords appropriate due process rights to the subject of the investigation.

''(2) ADDITIONAL REVIEW.—A license, certificate of registry, or merchant mariner's document shall not be suspended or revoked under subsection (a) or (b) unless the substantiated claim is reviewed and affirmed, in accordance with the applicable definition in subsection (d), by an administrative law judge at the same suspension or revocation hearing under this chapter described in subsection (a) or (b), as applicable.

''(d) DEFINITIONS.—

''(1) SEXUAL HARASSMENT.—The term 'sexual harassment' means any of the following:

''(A) Conduct that—

''(i) involves unwelcome sexual advances, requests for sexual favors, or deliberate or repeated offensive comments or gestures of a sexual nature, when—

''(I) submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career;

''(II) submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person;

''(III) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment; or

''(IV) conduct may have been by a person's supervisor, a supervisor in another area, a co-worker, or another credentialed mariner; and

''(ii) is so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the environment as hostile or offensive.

''(B) Any use or condonation, by any person in a supervisory or command position, of any form of sexual behavior to control, influence, or affect the career, pay, or job of a subordinate.

''(C) Any deliberate or repeated unwelcome verbal comment or gesture of a sexual nature by any fellow employee of the complainant.

''(2) SEXUAL ASSAULT.—The term 'sexual assault' means any form of abuse or contact as defined in chapter 109A of title 18.

''(e) REGULATIONS.—The Secretary of the department in which the Coast Guard is operating may issue further regulations as necessary to update the definitions in this section, consistent with descriptions of sexual harassment and sexual assault addressed in titles 10 and title 18 to implement this section.''.

(c) CLERICAL AMENDMENT.—The chapter analysis of ? chapter 77 of title 46, United States Code, is amended by inserting after the item relating to section 7704 the following:

''7704a. Sexual harassment or sexual assault as grounds for suspension or revocation.''.

(d) SUPPORTING THE UNITED STATES MERCHANT MARINE ACADEMY.—

(1) IN GENERAL.—? Chapter 513 of title 46, United States Code, is amended by adding at the end the following:

''§ 51325. Sexual assault and sexual harassment prevention information management system

''(a) INFORMATION MANAGEMENT SYSTEM.—

''(1) IN GENERAL.—Not later than January 1, 2023, the Maritime Administrator shall establish an information management system to track and maintain, in such a manner that patterns can be reasonably identified, information regarding claims and incidents involving cadets that are reportable pursuant to subsection (d) of section 51318 of this chapter.

''(2) INFORMATION MAINTAINED IN THE SYSTEM.—Information maintained in the system shall include the following information, to the extent that information is available:

''(A) The overall number of sexual assault or sexual harassment incidents per fiscal year.

''(B) The location of each such incident, including vessel name and the name of the company operating the vessel, if applicable.

''(C) The names and ranks of the individuals involved in each such incident.

''(D) The general nature of each such incident, to include copies of any associated reports completed on the incidents.

''(E) The type of inquiry made into each such incident.

''(F) A determination as to whether each such incident is substantiated.

''(G) Any informal and formal accountability measures taken for misconduct related to the incident, including decisions on whether to prosecute the case.

''(3) PAST INFORMATION INCLUDED.—The information management system under this section shall include the relevant data listed in this subsection related to sexual assault and sexual harassment that the Maritime Administrator possesses, and shall not be limited to data collected after January 1, 2023.

''(4) PRIVACY PROTECTIONS.—The Maritime Administrator and the Department of Transportation Chief Information Officer shall coordinate to ensure that the information management system under this section shall be established and maintained in a secure fashion to ensure the protection of the privacy of any individuals whose information is entered in such system.

''(5) CYBERSECURITY AUDIT.—Ninety days after the implementation of the information management system, the Office of Inspector General of the Department of Transportation shall commence an audit of the cybersecurity of the system and shall submit a report containing the results of that audit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(6) CORRECTING RECORDS.—In establishing the information management system, the Maritime Administrator shall create a process to ensure that if any incident report results in a final agency action or final judgement that acquits an individual of wrongdoing, all personally identifiable information about the acquitted individual is removed from that incident report in the system.

''(b) SEA YEAR PROGRAM.—The Maritime Administrator shall provide for the establishment of in-person and virtual confidential exit interviews, to be conducted by personnel who are not involved in the assignment of the midshipmen to a Sea Year vessel, for midshipmen from the Academy upon completion of Sea Year and following completion by the midshipmen of the survey under section 51322(d).

''(c) DATA-INFORMED DECISIONMAKING.—The data maintained in the data management system under subsection (a) and through the exit interviews under subsection (b) shall be affirmatively referenced and used to inform the creation of new policy or regulation, or changes to any existing policy or regulation, in the areas of sexual harassment, dating violence, domestic violence, sexual assault, and stalking.

''§ 51326. Student advisory board at the United States Merchant Marine Academy

''(a) IN GENERAL.—The Maritime Administrator shall establish at the United States Merchant Marine Academy an advisory board to be known as the Advisory Board to the Secretary of Transportation (referred to in this section as the 'Advisory Board').

''(b) MEMBERSHIP.—The Advisory Board shall be composed of not fewer than 12 midshipmen of the Merchant Marine Academy who are enrolled at the Merchant Marine Academy at the time of the appointment, including not fewer than 3 cadets from each class.

''(c) APPOINTMENT; TERM.—Midshipmen shall serve on the Advisory Board pursuant to appointment by the Maritime Administrator. Appointments shall be made not later than 60 days after the date of the swearing in of a new class of midshipmen at the Academy. The term of membership of a midshipmen on the Advisory Board shall be 1 academic year.

''(d) REAPPOINTMENT.—The Maritime Administrator may reappoint not more than 6 cadets from the previous term to serve on the Advisory Board for an additional academic year if the Maritime Administrator determines such reappointment to be in the best interests of the Merchant Marine Academy.

''(e) MEETINGS.—The Advisory Board shall meet with the Secretary of Transportation not less than once each academic year to discuss the activities of the Advisory Board. The Advisory Board shall meet in person with the Maritime Administrator not less than 2 times each academic year to discuss the activities of the Advisory Board.

''(f) DUTIES.—The Advisory Board shall—

''(1) identify health and wellbeing, diversity, and sexual assault and harassment challenges and other topics considered important by the Advisory Board facing midshipmen at the Merchant Marine Academy, off campus, and while aboard ships during Sea Year or other training opportunities;

''(2) discuss and propose possible solutions, including improvements to culture and leadership development at the Merchant Marine Academy; and

''(3) periodically review the efficacy of the program in section 51325(b), as appropriate, and provide recommendations to the Maritime Administrator for improvement.

''(g) WORKING GROUPS.—The Advisory Board may establish one or more working groups to assist the Advisory Board in carrying out its duties, including working groups composed in part of midshipmen at the Merchant Marine Academy who are not current members of the Advisory Board.

''(h) REPORTS AND BRIEFINGS.—The Advisory Board shall regularly provide the Secretary of Transportation and the Maritime Administrator reports and briefings on the results of its duties, including recommendations for actions to be taken in light of such results. Such reports and briefings may be provided in writing, in person, or both.

''§ 51327. Sexual Assault Advisory Council

''(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a Sexual Assault Advisory Council (in this section referred to as the 'Council').

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The Council shall be composed of not fewer than 8 and not more than 14 individuals selected by the Secretary of Transportation who are alumni that have graduated within the last 4 years or current midshipmen of the United States Merchant Marine Academy (including midshipmen or alumni who were victims of sexual assault, to the maximum extent practicable, and midshipmen or alumni who were not victims of sexual assault) and governmental and nongovernmental experts and professionals in the sexual assault field.

''(2) EXPERTS INCLUDED.—The Council shall include—

''(A) not less than 1 member who is licensed in the field of mental health and has prior experience working as a counselor or therapist providing mental health care to survivors of sexual assault in a victim services agency or organization; and

''(B) not less than 1 member who has prior experience developing or implementing sexual assault or sexual harassment prevention and response policies in an academic setting.

''(3) RULES REGARDING MEMBERSHIP.—No employee of the Department of Transportation shall be a member of the Council. The number of governmental experts appointed to the Council shall not exceed the number of nongovernmental experts.

''(c) DUTIES; AUTHORIZED ACTIVITIES.—

''(1) IN GENERAL.—The Council shall meet not less often than semiannually to—

''(A) review—

''(i) the policies on sexual harassment, dating violence, domestic violence, sexual assault, and stalking under section 51318 of this title;

''(ii) the trends and patterns of data contained in the system described under section 51325 of this title; and

''(iii) related matters the Council views as appropriate; and

''(B) develop recommendations designed to ensure that such policies and such matters conform, to the extent practicable, to best practices in the field of sexual assault and sexual harassment response and prevention.

''(2) AUTHORIZED ACTIVITIES.—To carry out this subsection, the Council may—

''(A) conduct case reviews, as appropriate and only with the consent of the victim of sexual assault or harassment;

''(B) interview current and former midshipmen of the United States Merchant Marine Academy (to the extent that such midshipmen provide the Department of Transportation express consent to be interviewed by the Council); and

''(C) review—

''(i) exit interviews under section 51325(b) and surveys under section 51322(d);

''(ii) data collected from restricted reporting; and

''(iii) any other information necessary to conduct such case reviews.

''(3) PERSONALLY IDENTIFIABLE INFORMATION.—In carrying out this subsection, the Council shall comply with the obligations of the Department of Transportation to protect personally identifiable information.

''(d) REPORTS.—On an annual basis for each of the 5 years after the date of enactment of this section, and at the discretion of the Council thereafter, the Council shall submit, to the President and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, a report on the Council's findings based on the reviews conducted pursuant to subsection (c) and related recommendations.

''(e) EMPLOYEE STATUS.—Members of the Council shall not be considered employees of the United States Government for any purpose and shall not receive compensation other than reimbursement of travel expenses and per diem allowance in accordance with section 5703 of title 5.

''(f) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.

''§ 51328. Student support

''The Maritime Administrator shall—

''(1) require a biannual survey of midshipmen, faculty, and staff of the Academy assessing the inclusiveness of the environment of the Academy; and

''(2) require an annual survey of faculty and staff of the Academy assessing the inclusiveness of the environment of the Sea Year program.''.

(e) REPORT TO CONGRESS.—Not later than 30 days after the date of enactment of this section, the Maritime Administrator shall provide Congress with a briefing on the resources necessary to properly implement section 51328 of title 46, United States Code, as added by this section.

(f) CONFORMING AMENDMENTS.—The chapter analysis for ? chapter 513 of title 46, United States Code, is amended by adding at the end the following:

''51325. Sexual assault and sexual harassment prevention information management system.

''51326. Student advisory board at the United States Merchant Marine Academy.

''51327. Sexual Assault Advisory Council.

''51328. Student support.''.

(g) UNITED STATES MERCHANT MARINE ACADEMY STUDENT SUPPORT PLAN.—

(1) STUDENT SUPPORT PLAN.—Not later than January 1, 2023, the Maritime Administrator shall issue a Student Support Plan for the United States Merchant Marine Academy, in consultation with relevant mental health professionals in the Federal Government or experienced with the maritime industry or related industries. Such plan shall—

(A) address the mental health resources available to midshipmen, both on-campus and during Sea Year;

(B) establish a tracking system for suicidal ideations and suicide attempts of midshipmen, which excludes personally identifiable information;

(C) create an option for midshipmen to obtain assistance from a professional care provider virtually; and

(D) require an annual survey of faculty and staff assessing the adequacy of mental health resources for midshipmen of the Academy, both on campus and during Sea Year.

(2) REPORT TO CONGRESS.—Not later than 30 days after the date of enactment of this section, the Maritime Administrator shall provide Congress with a report on the resources necessary to properly implement this subsection.

(h) SPECIAL VICTIMS ADVISOR.—Section 51319 of title 46, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d);

(2) by inserting after subsection (b) the following:

''(c) SPECIAL VICTIMS ADVISOR.—

''(1) IN GENERAL.—The Secretary shall designate an attorney (to be known as the 'Special Victims Advisor') for the purpose of providing legal assistance to any cadet of the Academy who is the victim of an alleged sex-related offense regarding administrative and criminal proceedings related to such offense, regardless of whether the report of that offense is restricted or unrestricted.

''(2) SPECIAL VICTIMS ADVISORY.—The Secretary shall ensure that the attorney designated as the Special Victims Advisor has knowledge of the Uniform Code of Military Justice, as well as criminal and civil law.

''(3) PRIVILEGED COMMUNICATIONS.—Any communications between a victim of an alleged sex-related offense and the Special Victim Advisor, when acting in their capacity as such, shall have the same protection that applicable law provides for confidential attorney-client communications.''; and

(3) by adding at the end the following:

''(e) UNFILLED VACANCIES.—The Administrator of the Maritime Administration may appoint qualified candidates to positions under subsections (a) and (d) of this section without regard to sections 3309 through 3319 of title 5.''.

(i) CATCH A SERIAL OFFENDER ASSESSMENT.—

(1) ASSESSMENT.—Not later than one year after the date of enactment of this section, the Commandant of the Coast Guard, in coordination with the Maritime Administrator, shall conduct an assessment of the feasibility and process necessary, and appropriate responsible entities to establish a program for the United States Merchant Marine Academy and United States Merchant Marine modeled on the Catch a Serial Offender program of the Department of Defense using the information management system required under subsection (a) of section 51325 of title 46, United States Code, and the exit interviews under subsection (b) of such section.

(2) LEGISLATIVE CHANGE PROPOSALS.—If, as a result of the assessment required by paragraph (1), the Commandant or the Administrator determines that additional authority is necessary to implement the program described in paragraph (1), the Commandant or the Administrator, as applicable, shall provide appropriate legislative change proposals to Congress.

(j) SHIPBOARD TRAINING.—Section 51322(a) of title 46, United States Code, is amended by adding at the end the following:

''(3) TRAINING.—

''(A) IN GENERAL.—As part of training that shall be provided not less than semiannually to all midshipmen of the Academy, pursuant to section 51318, the Maritime Administrator shall develop and implement comprehensive in-person sexual assault risk-reduction and response training that, to the extent practicable, conforms to best practices in the sexual assault prevention and response field and includes appropriate scenario-based training.

''(B) DEVELOPMENT AND CONSULTATION WITH EXPERTS.—In developing the sexual assault risk-reduction and response training under subparagraph (A), the Maritime Administrator shall consult with and incorporate, as appropriate, the recommendations and views of experts in the sexual assault field.''.

SEC. 3535. BOARD OF VISITORS.

Section 51312 of title 46, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) by redesignating subparagraph (C) as subparagraph (D);

(ii) in subparagraph (D), as redesignated by clause (i), by striking ''flag-rank who'' and inserting ''flag-rank'';

(iii) in subparagraph (B), by striking ''and'' after the semicolon; and

(iv) by inserting after subparagraph (B) the following:

''(C) at least 1 shall be a representative of a maritime labor organization; and''; and

(B) in paragraph (3), by adding at the end the following:

''(C) REPLACEMENT.—If a member of the Board is replaced, not later than 60 days after the date of the replacement, the Designated Federal Officer selected under subsection (g)(2) shall notify that member.'';

(2) in subsection (d)—

(A) in paragraph (1), by inserting ''and 2 additional meetings, which may be held in person or virtually'' after ''Academy''; and

(B) by adding at the end the following:

''(3) SCHEDULING; NOTIFICATION.—When scheduling a meeting of the Board, the Designated Federal Officer shall coordinate, to the greatest extent practicable, with the members of the Board to determine the date and time of the meeting. Members of the Board shall be notified of the date of each meeting not less than 30 days prior to the meeting date.'';

(3) in subsection (e), by adding at the end the following:

''(4) STAFF.—One or more staff of each member of the Board may accompany them on Academy visits.

''(5) SCHEDULING; NOTIFICATION.—When scheduling a visit to the Academy, the Designated Federal Officer shall coordinate, to the greatest extent practicable, with the members of the Board to determine the date and time of the visit. Members of the Board shall be notified of the date of each visit not less than 30 days prior to the visit date.''; and

(4) in subsection (h)—

(A) by inserting ''and ranking member'' after ''chairman'' each place the term appears; and

(B) by adding at the end the following: ''Such staff may attend meetings and may visit the Academy.''.

SEC. 3536. MARITIME TECHNICAL ADVANCEMENT ACT.

(a) SHORT TITLE.—This section may be cited as the ''Maritime Technological Advancement Act of 2022''.

(b) CENTERS OF EXCELLENCE FOR DOMESTIC MARITIME WORKFORCE.—Section 51706 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''of Transportation'';

(2) in subsection (b), in the subsection heading, by striking ''ASSISTANCE '' and inserting ''COOPERATIVE AGREEMENTS'';

(3) by redesignating subsection (c) as subsection (d);

(4) in subsection (d), as redesignated by paragraph (2), by adding at the end the following:

''(3) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.''; and

(5) by inserting after subsection (b) the following:

''(c) GRANT PROGRAM.—

''(1) DEFINITIONS.—In this subsection:

''(A) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Maritime Administration.

''(B) ELIGIBLE INSTITUTION.—The term 'eligible institution' means an institution that has a demonstrated record of success in training and is—

''(i) a postsecondary educational institution (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) that offers a 2-year program of study or a 1-year program of training;

''(ii) a postsecondary vocational institution (as defined under section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c));

''(iii) a public or private nonprofit entity that offers 1 or more other structured experiential learning training programs for American workers in the United States maritime industry, including a program that is offered by a labor organization or conducted in partnership with a nonprofit organization or 1 or more employers in the maritime industry; or

''(iv) an entity sponsoring a registered apprenticeship program.

''(C) REGISTERED APPRENTICESHIP PROGRAM.—The term 'registered apprenticeship program' means an apprenticeship program registered with the Office of Apprenticeship of the Employment and Training Administration of the Department of Labor or a State apprenticeship agency recognized by the Office of Apprenticeship pursuant to the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

''(D) UNITED STATES MARITIME INDUSTRY.—The term 'United States maritime industry' means all segments of the maritime-related transportation system of the United States, both in domestic and foreign trade, and in coastal, offshore, and inland waters, as well as non-commercial maritime activities, such as pleasure boating and marine sciences (including all scientific research vessels), and all of the industries that support or depend upon such uses, including—

''(i) vessel construction and repair;

''(ii) vessel operations;

''(iii) ship logistics supply;

''(iv) berthing;

''(v) port operations;

''(vi) port intermodal operations;

''(vii) marine terminal operations;

''(viii) vessel design;

''(ix) marine brokerage;

''(x) marine insurance;

''(xi) marine financing;

''(xii) chartering;

''(xiii) marine-oriented supply chain operations;

''(xiv) offshore industry;

''(xv) offshore wind construction, operation, and repair; and

''(xvi) maritime-oriented research and development.

''(2) GRANT AUTHORIZATION.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Maritime Technological Advancement Act of 2022, the Administrator shall award maritime career training grants to eligible institutions for the purpose of developing, offering, or improving educational or career training programs for American workers related to the maritime workforce.

''(B) GUIDELINES.—Not later than 1 year after the date of enactment of the Maritime Technological Advancement Act of 2022, the Administrator shall—

''(i) promulgate guidelines for the submission of grant proposals under this subsection; and

''(ii) publish and maintain such guidelines on the website of the Maritime Administration.

''(3) LIMITATIONS.—The Administrator may not award a grant under this subsection in an amount that is more than $12,000,000.

''(4) REQUIRED INFORMATION.—

''(A) IN GENERAL.—An eligible institution that desires to receive a grant under this subsection shall submit to the Administrator a grant proposal that includes a detailed description of—

''(i) the specific project for which the grant proposal is submitted, including the manner in which the grant will be used to develop, offer, or improve an educational or career training program that is suited to maritime industry workers;

''(ii) the extent to which the project for which the grant proposal is submitted will meet the educational or career training needs of maritime workers in the community served by the eligible institution, particularly any individuals with a barrier to employment;

''(iii) the extent to which the project for which the grant proposal is submitted fits within any overall strategic plan developed by an eligible community; and

''(iv) any previous experience of the eligible institution in providing maritime educational or career training programs.

''(B) COMMUNITY OUTREACH REQUIRED.—In order to be considered by the Administrator, a grant proposal submitted by an eligible institution under this subsection shall—

''(i) demonstrate that the eligible institution—

''(I) reached out to employers to identify—

''(aa) any shortcomings in existing maritime educational and career training opportunities available to workers in the community; and

''(bb) any future employment opportunities within the community and the educational and career training skills required for workers to meet the future maritime employment demand; and

''(II) reached out to other similarly situated institutions in an effort to benefit from any best practices that may be shared with respect to providing maritime educational or career training programs to workers eligible for training; and

''(ii) include a detailed description of—

''(I) the extent and outcome of the outreach conducted under clause (i);

''(II) the extent to which the project for which the grant proposal is submitted will contribute to meeting any shortcomings identified under clause (i)(I)(aa) or any maritime educational or career training needs identified under clause (i)(I)(bb); and

''(III) the extent to which employers, including small- and medium-sized firms within the community, have expressed an interest in employing workers who would benefit from the project for which the grant proposal is submitted.

''(5) CRITERIA FOR AWARD OF GRANTS.—Subject to the appropriation of funds, the Administrator shall award a grant under this subsection based on—

''(A) a determination of the merits of the grant proposal submitted by the eligible institution to develop, offer, or improve maritime educational or career training programs to be made available to workers;

''(B) an evaluation of the likely employment opportunities available to workers who complete a maritime educational or career training program that the eligible institution proposes to develop, offer, or improve;

''(C) an evaluation of prior demand for training programs by workers in the community served by the eligible institution, as well as the availability and capacity of existing maritime training programs to meet future demand for training programs;

''(D) any prior designation of an institution as a Center of Excellence for Domestic Maritime Workforce Training and Education; and

''(E) an evaluation of the previous experience of the eligible institution in providing maritime educational or career training programs.

''(6) COMPETITIVE AWARDS.—

''(A) IN GENERAL.—The Administrator shall award grants under this subsection to eligible institutions on a competitive basis in accordance with guidelines and requirements established by the Administrator under paragraph (2)(B).

''(B) TIMING OF GRANT NOTICE.—The Administrator shall post a Notice of Funding Opportunity regarding grants awarded under this subsection not more than 90 days after the date of enactment of the appropriations Act for the fiscal year concerned.

''(C) TIMING OF GRANTS.—The Administrator shall award grants under this subsection not later than 270 days after the date of the enactment of the appropriations Act for the fiscal year concerned.

''(D) APPLICATION OF REQUIREMENTS.—The requirements under subparagraphs (B) and (C) shall not apply until the guidelines required under paragraph (2)(B) have been promulgated.

''(E) REUSE OF UNEXPENDED GRANT FUNDS.—Notwithstanding subparagraph (C), amounts awarded as a grant under this subsection that are not expended by the grantee shall remain available to the Administrator for use for grants under this subsection.

''(F) ADMINISTRATIVE COSTS.—Not more than 3 percent of amounts made available to carry out this subsection may be used for the necessary costs of grant administration.

''(7) ELIGIBLE USES OF GRANT FUNDS.—An eligible institution receiving a grant under this subsection—

''(A) shall carry out activities that are identified as priorities for the purpose of developing, offering, or improving educational or career training programs for the United States maritime industry workforce;

''(B) shall provide training to upgrade the skills of the United States maritime industry workforce, including training to acquire covered requirements as well as technical skills training for jobs in the United States maritime industry; and

''(C) may use the grant funds to—

''(i) admit additional students to maritime training programs;

''(ii) develop, establish, and annually update viable training capacity, courses, and mechanisms to rapidly upgrade skills and perform assessments of merchant mariners during time of war or a national emergency, and to increase credentials for domestic or defense needs where training can decrease the gap in the numbers of qualified mariners for sealift;

''(iii) provide services to upgrade the skills of United States offshore wind marine service workers who transport, install, operate, construct, erect, repair, or maintain offshore wind components and turbines, including training, curriculum and career pathway development, on-the-job training, safety and health training, and classroom training;

''(iv) expand existing or create new maritime training programs, including through partnerships and memoranda of understanding with—

''(I) 4-year institutions of higher education;

''(II) labor organizations;

''(III) registered apprenticeship programs with the United States maritime industry; or

''(IV) an entity described in subclause (I) through (III) that has a memorandum of understanding with 1 or more employers in the maritime industry;

''(v) create new maritime pathways or expand existing maritime pathways;

''(vi) expand existing or create new training programs for transitioning military veterans to careers in the United States maritime industry;

''(vii) expand existing or create new training programs that address the needs of individuals with a barrier to employment, as determined by the Secretary in consultation with the Secretary of Labor, in the United States maritime industry;

''(viii) purchase, construct, develop, expand, or improve training facilities, buildings, and equipment to deliver maritime training programs;

''(ix) recruit and train additional faculty to expand the maritime training programs offered by the institution;

''(x) provide financial assistance through scholarships or tuition waivers, not to exceed the applicable tuition expenses associated with the covered programs;

''(xi) promote the use of distance learning that enables students to take courses through the use of teleconferencing, the Internet, and other media technology;

''(xii) assist in providing services to address maritime workforce recruitment and training of youth residing in targeted high-poverty areas within empowerment zones and enterprise communities;

''(xiii) implement partnerships with national and regional organizations with special expertise in developing, organizing, and administering maritime workforce recruitment and training services;

''(xiv) carry out customized training in conjunction with—

''(I) an existing registered apprenticeship program or a pre-apprenticeship program that articulates to a registered apprenticeship program;

''(II) a paid internship; or

''(III) a joint labor-management partnership;

''(xv) design, develop, and test an array of approaches to providing recruitment, training, or retention services, to enhance diversity, equity and inclusion in the United States maritime industry workforce;

''(xvi) in conjunction with employers, organized labor, other groups (such as community coalitions), and Federal, State, or local agencies, design, develop, and test various training approaches in order to determine effective practices; or

''(xvii) assist in the development and replication of effective service delivery strategies for the United States maritime industry as a whole.

''(8) PUBLIC REPORT.—Not later than December 15 in each of the calendar years 2023 through 2025, the Administrator shall make available on a publicly available website a report and provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

''(A) describing each grant awarded under this subsection during the preceding fiscal year;

''(B) assessing the impact of each award of a grant under this subsection in a fiscal year preceding the fiscal year referred to in subparagraph (A) on workers receiving training; and

''(C) the performance of the grant awarded with respect to the indicators of performance under section 116(b)(2)(A)(i) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(b)(2)(A)(i)).

''(9) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $60,000,000 for each of the fiscal years 2023 through 2027.''.

SEC. 3537. STUDY ON CAPITAL IMPROVEMENT PROGRAM AT THE USMMA.

(a) FINDINGS.—Congress finds the following:

(1) The United States Merchant Marine Academy campus is nearly 80 years old and many of the buildings have fallen into a serious state of disrepair.

(2) Except for renovations to student barracks in the early 2000s, all of the buildings on campus have exceeded their useful life and need to be replaced or undergo major renovations.

(3) According to the Maritime Administration, since 2011, $234,000,000 has been invested in capital improvements on the campus, but partly due to poor planning and cost overruns, maintenance and building replacement backlogs continue.

(b) STUDY.—The Comptroller General shall conduct a study of the United States Merchant Marine Academy Capital Improvement Program. The study shall include an evaluation of—

(1) the actions the United States Merchant Marine Academy has taken to bring the buildings, infrastructure, and other facilities on campus up to standards and the further actions that are required to do so;

(2) how the approach that the United States Merchant Marine Academy uses to manage its capital assets meets leading practices;

(3) how cost estimates prepared for capital asset projects meet cost estimating leading practices;

(4) whether the United States Merchant Marine Academy has adequate staff who are trained to identify needed capital projects, estimate the cost of those projects, perform building maintenance, and manage capital improvement projects; and

(5) how the United States Merchant Marine Academy identifies and prioritizes capital construction needs, and how that priority relates to the safety, education, and wellbeing of midshipmen.

(c) REPORT.—Not later than 18 months after the date of enactment of this section, the Comptroller General shall prepare and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing the results of the study under this section.

SEC. 3538. IMPLEMENTATION OF RECOMMENDATIONS FROM THE NATIONAL ACADEMY OF PUBLIC ADMINISTRATION.

(a) INSPECTOR GENERAL AUDIT.—The Inspector General of the Department of Transportation shall—

(1) not later than 180 days after the date of enactment of this section, initiate an audit of the Maritime Administration's actions to address only recommendations 4.1 through 4.3, 4.7 through 4.11, 5.1 through 5.4, 5.6, 5.7, 5.11, 5.14, 5.15, 5.16, 6.1 through 6.4, 6.6, and 6.7, identified by a National Academy of Public Administration panel in the November 2021 report entitled ''Organizational Assessment of the United States Merchant Marine Academy: A Path Forward''; and

(2) release publicly, and submit to the appropriate committees of Congress, a report containing the results of the audit described in paragraph (1) once the audit is completed.

(b) AGREEMENT FOR STUDY BY NATIONAL ACADEMY OF PUBLIC ADMINISTRATION.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this title, the Secretary of Transportation shall enter into an agreement with the National Academy of Public Administration (referred to in this section as the ''Academy'') to provide support for—

(A) prioritizing and addressing the recommendations described in subsection (a)(1), and establishing a process for prioritizing other recommendations in the future;

(B) development of long-term processes and a timeframe for long-term process improvements, as well as corrective actions and best practice criteria that can be implemented in the medium- and near-term;

(C) establishment of a clear assignment of responsibility for implementation of each recommendation described in subsection (a)(1), and a strategy for assigning other recommendations in the future; and

(D) a performance measurement system, including data collection and tracking and evaluating progress toward goals.

(2) REPORT OF PROGRESS.—Not later than 1 year after the date of the agreement described in paragraph (1), the Academy shall prepare and submit a report of progress to the Maritime Administrator, the Inspector General of the Department of Transportation, and the appropriate committees of Congress.

(c) PRIORITIZATION AND IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Maritime Administrator shall provide a prioritization and implementation plan to assess, prioritize, and address the recommendations identified by the National Academy of Public Administration panel in the November 2021 report entitled ''Organizational Assessment of the United States Merchant Marine Academy: A Path Forward'' that are relevant to the Maritime Administration and not listed in subsection (a)(1). The prioritization and implementation plan shall—

(A) make use of the strategies, processes, and systems described in subsection (b)(1);

(B) include estimated timelines and cost estimates for implementation of priority goals;

(C) include summaries of stakeholder and interagency engagement used to assess goals and timelines; and

(D) be released publicly and submitted to the Inspector General of the Department of Transportation and the appropriate committees of Congress.

(2) AUDIT AND REPORT.—The Inspector General of the Department of Transportation shall—

(A) not later than 180 days after the date of publication of the prioritization and implementation plan described in paragraph (1), initiate an audit of the Maritime Administration's actions to address the prioritization and implementation plan;

(B) monitor the Maritime Administration's actions to implement recommendations made by the Inspector General's audit described in subparagraph (A) and in prior audits of the Maritime Administration's implementation of National Academy of Public Administration recommendations and periodically initiate subsequent audits of the Maritime Administration's continued actions to address the prioritization and implementation plan, as the Inspector General determines may be necessary; and

(C) release publicly and submit to the Administrator of the Maritime Administration and the appropriate committees of Congress a report containing the results of the audit once the audit is completed.

(3) REPORT OF PROGRESS.—Not later than 180 days after the date of publication of the Inspector General's report described in paragraph (2)(C), and annually thereafter, the Administrator of the Maritime Administration shall prepare and submit a report to the Inspector General of the Department of Transportation and the appropriate committees of Congress describing—

(A) the Maritime Administration's planned actions and estimated timeframes for taking action to implement any open or unresolved recommendations from the Inspector General's reports described in paragraph (2) and in subsection (a); and

(B) any target action dates associated with open and unresolved recommendations from the Inspector General's reports described in paragraph (2) and in subsection (a) which the Maritime Administration failed to meet or for which it requested an extension of time, and the reasons for which an extension was necessary.

(d) AGREEMENT FOR PLAN ON CAPITAL IMPROVEMENTS.—Not later than 90 days after the date of enactment of this title, the Maritime Administration shall enter into an agreement with a Federal construction agent to create a plan to execute capital improvements at the United States Merchant Marine Academy.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, the Appropriations Subcommittees on Transportation, Housing and Urban Development, and Related Agencies of the Senate and the House of Representatives, and the Committee on Armed Services of the House of Representatives.

SEC. 3539. SERVICE ACADEMY FACULTY PARITY.

Section 105 of title 17, United States Code, is amended—

(1) in the heading of subsection (b), by striking ''CERTAIN OF WORKS '' and inserting ''CERTAIN WORKS'';

(2) in the first subsection (c), by striking ''The Secretary of Defense may'' and inserting ''The Secretary of Defense (or, with respect to the United States Merchant Marine Academy, the Secretary of Transportation, or, with respect to the United States Coast Guard Academy, the Secretary of Homeland Security) may'';

(3) by redesignating the second subsection (c) as subsection (d); and

(4) in subsection (d)(2), as redesignated by paragraph (3), by adding at the end the following:

''(M) United States Merchant Marine Academy.''.

SEC. 3540. UPDATED REQUIREMENTS FOR FISHING CREW AGREEMENTS.

Section 10601(b) of title 46, United States Code, is amended—

(1) in paragraph (2), by striking ''and'' after the semicolon;

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

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

''(3) if the vessel is a catcher processor or fish processing vessel with more than 25 crew, require that the crewmember be served not less than 3 meals a day that total not less than 3,100 calories, including adequate water and minerals in accordance with the Untied States Recommended Daily Allowances; and''.

Subtitle E—Technology Innovation and Resilience

SEC. 3541. MARITIME ENVIRONMENTAL AND TECHNICAL ASSISTANCE PROGRAM.

Section 50307 of title 46, United States Code, is amended—

(1) by striking the subsection (a) enumerator and all that follows through ''Transportation'' and inserting the following:

''(a) EMERGING MARINE TECHNOLOGIES AND PRACTICES.—

''(1) IN GENERAL.—The Secretary of Transportation'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively and adjusting the margins accordingly; and

(ii) in clause (iv), as redesignated by clause (i), by striking ''propeller cavitation'' and inserting ''incidental vessel-generated underwater noise, such as noise from propeller cavitation or hydrodynamic flow'';

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively and adjusting the margins accordingly;

(3) in subsection (c), by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively and adjusting the margins accordingly;

(4) by redesignating subsections (b) through (d) as paragraphs (2) through (4), respectively and adjusting the margins accordingly;

(5) by redesignating subsection (e) as subsection (b);

(6) by striking subsection (f);

(7) in subsection (a)—

(A) in paragraph (1), as designated under paragraph (1) of this section—

(i) by inserting ''or support'' after ''engage in'';

(ii) by striking ''the use of public'' and all that follows through the end of the sentence and inserting ''eligible entities.'';

(B) in paragraph (2), as redesignated under paragraph (4) of this section—

(i) by striking ''this section'' and inserting ''this subsection'';

(ii) by striking ''or improve'' and inserting ''improve, or support efforts related to,'';

(C) in paragraph (3), as redesignated by paragraph (4) of this section, by striking ''under subsection (b)(2) may include'' and inserting ''with other Federal agencies or with State, local, or Tribal governments, as appropriate, under paragraph (2)(B) may include'';

(D) in paragraph (4), as redesignated by paragraph (4) of this section—

(i) by striking ''academic, public, private, and nongovernmental entities and facilities'' and inserting ''eligible entities''; and

(ii) by striking ''subsection (a)'' and inserting ''this subsection''; and

(E) by adding at the end the following:

''(5) GRANTS.—Subject to the availability of appropriations, the Maritime Administrator, may establish and carry out a competitive grant program to award grants to eligible entities for projects in the United States consistent with the goals of this subsection to study, evaluate, test, demonstrate, or apply technologies and practices to improve environmental performance.'';

(8) in subsection (b), as redesignated by paragraph (5) of this section, by striking

''subsection (b)(1)'' and inserting ''this section''; and

(9) by adding at the end the following:

''(c) VESSELS.—Activities carried out under a grant or cooperative agreement made under this section may be conducted on public vessels under the control of the Maritime Administration, upon approval of the Maritime Administrator.

''(d) ELIGIBLE ENTITY DEFINED.—In this section, the term 'eligible entity' means—

''(1) a private entity, including a nonprofit organization;

''(2) a State, regional, or local government or entity, including special districts;

''(3) an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) or a consortium of Indian Tribes;

''(4) an institution of higher education as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); or

''(5) a partnership or collaboration of entities described in paragraphs (1) through (3).

''(e) CENTER FOR MARITIME INNOVATION.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Maritime Administration Authorization Act for Fiscal Year 2023, the Secretary of Transportation shall, through a cooperative agreement, establish a United States Center for Maritime Innovation (referred to in this subsection as the 'Center') to support the study, research, development, assessment, and deployment of emerging marine technologies and practices related to the maritime transportation system.

''(2) SELECTION.—The Center shall be—

''(A) selected through a competitive process of eligible entities;

''(B) based in the United States with technical expertise in emerging marine technologies and practices related to the maritime transportation system; and

''(C) located in close proximity to eligible entities with expertise in United States emerging marine technologies and practices, including the use of alternative fuels and the development of both vessel and shoreside infrastructure.

''(3) COORDINATION.—The Secretary of Transportation shall coordinate with other agencies critical for science, research, and regulation of emerging marine technologies for the maritime sector, including the Department of Energy, the Environmental Protection Agency, the National Science Foundation, and the Coast Guard, when establishing the Center.

''(4) FUNCTIONS.—The Center shall—

''(A) support eligible entities regarding the development and use of clean energy and necessary infrastructure to support the deployment of clean energy on vessels of the United States;

''(B) monitor and assess, on an ongoing basis, the current state of knowledge regarding emerging marine technologies in the United States;

''(C) identify any significant gaps in emerging marine technologies research specific to the United States maritime industry, and seek to fill those gaps;

''(D) conduct research, development, testing, and evaluation for equipment, technologies, and techniques to address the components under subsection (a)(2);

''(E) provide—

''(i) guidance on best available technologies;

''(ii) technical analysis;

''(iii) assistance with understanding complex regulatory requirements; and

''(iv) documentation of best practices in the maritime industry, including training and informational webinars on solutions for the maritime industry; and

''(F) work with academic and private sector response training centers and Domestic Maritime Workforce Training and Education Centers of Excellence to develop maritime strategies applicable to various segments of the United States maritime industry, including the inland, deep water, and coastal fleets.''.

SEC. 3542. STUDY ON STORMWATER IMPACTS ON SALMON.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Administrator of the National Oceanic and Atmospheric Administration, in concert with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, and in consultation with the Director of the United States Fish and Wildlife Service, shall commence a study that—

(1) examines the existing science on tire-related chemicals in stormwater runoff at ports and the impacts of such chemicals on Pacific salmon and steelhead;

(2) examines the challenges of studying tire-related chemicals in stormwater runoff at ports and the impacts of such chemicals on Pacific salmon and steelhead;

(3) provides recommendations for improving monitoring of stormwater and research related to run-off for tire-related chemicals and the impacts of such chemicals on Pacific salmon and steelhead at ports; and

(4) provides recommendations based on the best available science on relevant management approaches at ports under their respective jurisdictions.

(b) SUBMISSION OF STUDY.—Not later than 18 months after commencing the study under subsection (a), the Administrator of the National Oceanic and Atmospheric Administration, in concert with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, shall—

(1) submit the study to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, including detailing any findings from the study; and

(2) make such study publicly available.

SEC. 3543. STUDY TO EVALUATE EFFECTIVE VESSEL QUIETING MEASURES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Administrator of the Maritime Administration, in consultation with the Under Secretary of Commerce for Oceans and Atmosphere and the Secretary of the Department in which the Coast Guard is operating, shall submit to the committees identified under subsection (b), and make publicly available on the website of the Department of Transportation, a report that includes, at a minimum—

(1) a review of technology-based controls and best management practices for reducing vessel-generated underwater noise; and

(2) for each technology-based control and best management practice identified, an evaluation of—

(A) the applicability of each measure to various vessel types;

(B) the technical feasibility and economic achievability of each measure; and

(C) the co-benefits and trade-offs of each measure.

(b) COMMITTEES.—The report under subsection (a) shall be submitted to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SA 6445. Mr. REED (for Mr. MENENDEZ) submitted an amendment intneded to be proposed to amendment SA 5499 proposed by Mr. REED (for himslef and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiseal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

DIVISION E—DEPARTMENT OF STATE AUTHORIZATIONS

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Department of State Authorization Act of 2022''.

SEC. 5002. DEFINITIONS.

In this division:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the United States Agency for International Development.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(3) DEPARTMENT.—Unless otherwise specified, the term ''Department'' means the Department of State.

(4) SECRETARY.—Unless otherwise specified, the term ''Secretary'' means the Secretary of State.

(5) USAID.—The term ''USAID'' means the United States Agency for International Development.

TITLE LI—ORGANIZATION AND OPERATIONS OF THE DEPARTMENT OF STATE

SEC. 5101. MODERNIZING THE BUREAU OF ARMS CONTROL, VERIFICATION, AND COMPLIANCE AND THE BUREAU OF INTERNATIONAL SECURITY AND NONPROLIFERATION.

It is the sense of Congress that—

(1) the Secretary should take steps to address staffing shortfalls in the chemical, biological, and nuclear weapons issue areas in the Bureau of Arms Control, Verification, and Compliance and in the Bureau of International Security and Nonproliferation;

(2) maintaining a fully staffed and resourced Bureau of Arms Control, Verification, and Compliance and Bureau of International Security and Nonproliferation is necessary to effectively confront the threat of increased global proliferation; and

(3) the Bureau of Arms Control, Verification, and Compliance and the Bureau of International Security and Nonproliferation should increase efforts and dedicate resources to combat the dangers posed by the People's Republic of China's conventional and nuclear build-up, the Russian Federation's tactical nuclear weapons and new types of nuclear weapons, bioweapons proliferation, dual use of life sciences research, and chemical weapons.

SEC. 5102. NOTIFICATION TO CONGRESS FOR UNITED STATES NATIONALS UNLAWFULLY OR WRONGFULLY DETAINED ABROAD.

Section 302 of the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1741) is amended—

(1) in subsection (a), by inserting '', as expeditiously as possible,'' after ''review''; and

(2) by amending subsection (b) to read as follows:

''(b) REFERRALS TO SPECIAL ENVOY; NOTIFICATION TO CONGRESS.—

''(1) IN GENERAL.—Upon a determination by the Secretary of State, based on the totality of the circumstances, that there is credible

information that the detention of a United States national abroad is unlawful or wrongful, and regardless of whether the detention is by a foreign government or a nongovernmental actor, the Secretary shall—

''(A) expeditiously transfer responsibility for such case from the Bureau of Consular Affairs of the Department of State to the Special Envoy for Hostage Affairs; and

''(B) not later than 14 days after such determination, notify the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives of such determination and provide such committees with a summary of the facts that led to such determination.

''(2) FORM.—The notification described in paragraph (1)(B) may be classified, if necessary.''.

SEC. 5103. FAMILY ENGAGEMENT COORDINATOR.

Section 303 of the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1741a) is amended by adding at the end the following:

''(d) FAMILY ENGAGEMENT COORDINATOR.—There shall be, in the Office of the Special Presidential Envoy for Hostage Affairs, a Family Engagement Coordinator, who shall ensure—

''(1) for a United States national unlawfully or wrongfully detained abroad, that—

''(A) any interaction by executive branch officials with any family member of such United States national occurs in a coordinated fashion;

''(B) such family member receives consistent and accurate information from the United States Government; and

''(C) appropriate coordination with the Family Engagement Coordinator described in section 304(c)(2); and

''(2) for a United States national held hostage abroad, that any engagement with a family member is coordinated with, consistent with, and not duplicative of the efforts of the Family Engagement Coordinator described in section 304(c)(2).''.

SEC. 5104. REWARDS FOR JUSTICE.

Section 36(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(b)) is amended—

(1) in paragraph (4), by striking ''or (10);'' and inserting ''(10), or (14);'';

(2) in paragraph (12), by striking ''or'' at the end;

(3) in paragraph (13), by striking the period at the end and inserting ''; or''; and

(4) by adding at the end the following:

''(14) the prevention, frustration, or resolution of the hostage taking of a United States person, the identification, location, arrest, or conviction of a person responsible for the hostage taking of a United States person, or the location of a United States person who has been taken hostage, in any country.''.

SEC. 5105. ENSURING GEOGRAPHIC DIVERSITY AND ACCESSIBILITY OF PASSPORT AGENCIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that Department initiatives to expand passport services and accessibility, including through online modernization projects, should include the construction of new physical passport agencies.

(b) REVIEW.—The Secretary shall conduct a review of the geographic diversity and accessibility of existing passport agencies to identify—

(1) the geographic areas in the United States that are farther than 6 hours' driving distance from the nearest passport agency;

(2) the per capita demand for passport services in the areas described in paragraph (1); and

(3) a plan to ensure that in-person services at physical passport agencies are accessible to all eligible Americans, including Americans living in large population centers, in rural areas, and in States with a high per capita demand for passport services.

(c) CONSIDERATIONS.—The Secretary shall consider the metrics identified in paragraphs (1) and (2) of subsection (b) when determining locations for the establishment of new physical passport agencies.

(d) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives that contains the findings of the review conducted pursuant to subsection (b).

SEC. 5106. CULTURAL ANTIQUITIES TASK FORCE.

The Secretary is authorized to use up to $1,000,000 for grants to carry out the activities of the Cultural Antiquities Task Force.

SEC. 5107. BRIEFING ON "CHINA HOUSE".

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall brief the appropriate congressional committees regarding the organizational structure, personnel, resources, and mission of the Department of State's ''China House'' team.

SEC. 5108. OFFICE OF SANCTIONS COORDINATION.

(a) EXTENSION OF AUTHORITIES.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended, in paragraph (4)(B) of subsection (l), as redesignated by section 5502(a)(2) of this Act, by striking ''the date that is two years after the date of the enactment of this subsection'' and inserting ''December 31, 2024''.

(b) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury, or designee, shall brief the appropriate congressional committees with respect to the steps that the Office of Sanctions Coordination has taken to coordinate its activities with the Department of the Treasury and humanitarian aid programs, in an effort to help ensure appropriate flows of humanitarian assistance and goods to countries subject to United States sanctions.

TITLE LII—PERSONNEL ISSUES

SEC. 5201. DEPARTMENT OF STATE PAID STUDENT INTERNSHIP PROGRAM.

(a) IN GENERAL.—The Secretary shall establish the Department of State Student Internship Program (referred to in this section as the ''Program'') to offer internship opportunities at the Department to eligible students to raise awareness of the essential role of diplomacy in the conduct of United States foreign policy and the realization of United States foreign policy objectives.

(b) ELIGIBILITY.—An applicant is eligible to participate in the Program if the applicant—

(1) is enrolled at least half-time at—

(A) an institution of higher education (as such term is defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a))); or

(B) an institution of higher education based outside the United States, as determined by the Secretary of State; and

(2) is eligible to receive and hold an appropriate security clearance.

(c) SELECTION.—The Secretary shall establish selection criteria for students to be admitted into the Program that includes a demonstrated interest in a career in foreign affairs.

(d) OUTREACH.—The Secretary shall—

(1) widely advertise the Program, including—

(A) on the internet;

(B) through the Department's Diplomats in Residence program; and

(C) through other outreach and recruiting initiatives targeting undergraduate and graduate students; and

(2) conduct targeted outreach to encourage participation in the Program from—

(A) individuals belonging to an underrepresented group; and

(B) students enrolled at minority-serving institutions (which shall include any institution listed in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(e) COMPENSATION.—

(1) HOUSING ASSISTANCE.—

(A) ABROAD.—The Secretary shall provide housing assistance to any student participating in the Program whose permanent address is within the United States if the location of the internship in which such student is participating is outside of the United States.

(B) DOMESTIC.—The Secretary may provide housing assistance to a student participating in the Program whose permanent address is within the United States if the location of the internship in which such student is participating is more than 50 miles away from such student's permanent address.

(2) TRAVEL ASSISTANCE.—The Secretary shall provide a student participating in the Program whose permanent address is within the United States with financial assistance that is sufficient to cover the travel costs of a single round trip by air, train, bus, or other appropriate transportation between the student's permanent address and the location of the internship in which such student is participating if such location is—

(A) more than 50 miles from the student's permanent address; or

(B) outside of the United States.

(f) WORKING WITH INSTITUTIONS OF HIGHER EDUCATION.—The Secretary, to the maximum extent practicable, shall structure internships to ensure that such internships satisfy criteria for academic credit at the institutions of higher education in which participants in such internships are enrolled.

(g) TRANSITION PERIOD.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), beginning not later than 2 years after the date of the enactment of this Act—

(A) the Secretary shall convert unpaid internship programs of the Department, including the Foreign Service Internship Program, to internship programs that offer compensation; and

(B) upon selection as a candidate for entry into an internship program of the Department, a participant in such internship program may refuse compensation, including if doing so allows such participant to receive college or university curricular credit.

(2) EXCEPTION.—The transition required under paragraph (1) shall not apply to unpaid internship programs of the Department that are part of the Virtual Student Federal Service internship program.

(3) WAIVER.—

(A) IN GENERAL.—The Secretary may waive the requirement under paragraph (1)(A) with respect to a particular unpaid internship program if the Secretary, not later than 30 days after making a determination that the conversion of such internship program to a compensated internship program would not be consistent with effective management goals, submits a report explaining such determination to—

(i) the appropriate congressional committees;

(ii) the Committee on Appropriations of the Senate; and

(iii) the Committee on Appropriations of the House of Representatives.

(B) REPORT.—The report required under subparagraph (A) shall—

(i) describe the reasons why converting an unpaid internship program of the Department to an internship program that offers compensation would not be consistent with effective management goals; and

(ii)(I) provide justification for maintaining such unpaid status indefinitely; or

(II) identify any additional authorities or resources that would be necessary to convert such unpaid internship program to offer compensation in the future.

(h) REPORTS.—Not later than 18 months after the date of the enactment of this Act, the Secretary of State shall submit a report to the committees referred to in subsection (g)(3)(A) that includes—

(1) data, to the extent the collection of such information is permissible by law, regarding the number of students who applied to the Program, were offered a position, and participated, respectively, disaggregated by race, ethnicity, sex, institution of higher education, home State, State where each student graduated from high school, and disability status;

(2) data regarding the number of security clearance investigations initiated for the students described in paragraph (1), including the timeline for such investigations, whether such investigations were completed, and when an interim security clearance was granted;

(3) information on Program expenditures; and

(4) information regarding the Department's compliance with subsection (g).

(i) VOLUNTARY PARTICIPATION.—

(1) IN GENERAL.—Nothing in this section may be construed to compel any student who is a participant in an internship program of the Department to participate in the collection of the data or divulge any personal information. Such students shall be informed that their participation in the data collection under this section is voluntary.

(2) PRIVACY PROTECTION.—Any data collected under this section shall be subject to the relevant privacy protection statutes and regulations applicable to Federal employees.

(j) SPECIAL HIRING AUTHORITY.—Notwithstanding any other provision of law, the Secretary, in consultation with the Director of the Office of Personnel Management, with respect to the number of interns to be hired each year, may—

(1) select, appoint, and employ individuals for up to 1 year through compensated internships in the excepted service; and

(2) remove any compensated intern employed pursuant to paragraph (1) without regard to the provisions of law governing appointments in the competitive excepted service.

SEC. 5202. IMPROVEMENTS TO THE PREVENTION OF, AND THE RESPONSE TO, HARASSMENT, DISCRIMINATION, SEXUAL ASSAULT, AND RELATED RETALIATION.

(a) POLICIES.—The Secretary should develop and strengthen policies regarding harassment, discrimination, sexual assault, and related retaliation, including policies for—

(1) addressing, reporting, and providing transitioning support;

(2) advocacy, service referrals, and travel accommodations; and

(3) disciplining anyone who violates Department policies regarding harassment, discrimination, sexual assault, or related retaliation occurring between covered individuals and noncovered individuals.

(b) DISCIPLINARY ACTION.—

(1) SEPARATION FOR CAUSE.—Section 610(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 4010(a)(1)), is amended—

(A) by striking ''decide to''; and

(B) by inserting ''upon receiving notification from the Bureau of Diplomatic Security that such member has engaged in criminal misconduct, such as murder, rape, or other sexual assault'' before the period at the end.

(2) UPDATE TO MANUAL.—The Director of Global Talent shall—

(A) update the ''Grounds for Disciplinary Action'' and ''List of Disciplinary Offenses and Penalties'' sections of the Foreign Affairs Manual to reflect the amendments made under paragraph (1); and

(B) communicate such updates to Department staff through publication in Department Notices.

(c) SEXUAL ASSAULT PREVENTION AND RESPONSE VICTIM ADVOCATES.—

(1) PLACEMENT.—The Secretary shall ensure that the Diplomatic Security Service's Victims' Resource Advocacy Program—

(A) is appropriately staffed by advocates who are physically present at—

(i) the headquarters of the Department; and

(ii) major domestic and international facilities and embassies, as determined by the Secretary;

(B) considers the logistics that are necessary to allow for the expedient travel of victims from Department facilities that do not have advocates; and

(C) uses funds available to the Department to provide emergency food, shelter, clothing, and transportation for victims involved in matters being investigated by the Diplomatic Security Service.

SEC. 5203. INCREASING THE MAXIMUM AMOUNT AUTHORIZED FOR SCIENCE AND TECHNOLOGY FELLOWSHIP GRANTS AND COOPERATIVE AGREEMENTS.

Section 504(e)(3) of the Foreign Relations Authorization Act, Fiscal Year 1979 (22 U.S.C. 2656d(e)(3)) is amended by striking ''$500,000'' and inserting ''$2,000,000''.

SEC. 5204. ADDITIONAL PERSONNEL TO ADDRESS BACKLOGS IN HIRING AND INVESTIGATIONS.

(a) IN GENERAL.—The Secretary shall seek to increase the number of personnel within the Bureau of Global Talent Management and the Office of Civil Rights to address backlogs in hiring and investigations into complaints conducted by the Office of Civil Rights.

(b) EMPLOYMENT TARGETS.—The Secretary shall seek to employ—

(1) not fewer than 15 additional personnel in the Bureau of Global Talent Management and the Office of Civil Rights (compared to the number of personnel so employed as of the day before the date of the enactment of this Act) by the date that is 180 days after such date of enactment; and

(2) not fewer than 15 additional personnel in such Bureau and Office (compared to the number of personnel so employed as of the day before the date of the enactment of this Act) by the date that is 1 year after such date of enactment.

SEC. 5205. FOREIGN AFFAIRS TRAINING.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department is a crucial national security agency, whose employees, both Foreign Service and Civil Service, require the best possible training and professional development at every stage of their careers to prepare them to promote and defend United States national interests and the health and safety of United States citizens abroad;

(2) the Department faces increasingly complex and rapidly evolving challenges, many of which are science- and technology-driven, and which demand continual, high-quality training and professional development of its personnel;

(3) the new and evolving challenges of national security in the 21st century necessitate the expansion of standardized training and professional development opportunities linked to equitable, accountable, and transparent promotion and leadership practices for Department and other national security agency personnel; and

(4) consistent with gift acceptance authority of the Department and other applicable laws in effect as of the date of the enactment of this Act, the Department and the Foreign Service Institute may accept funds and other resources from foundations, not-for-profit corporations, and other appropriate sources to help the Department and the Institute enhance the quantity and quality of training and professional development offerings, especially in the introduction of new, innovative, and pilot model courses.

(b) DEFINED TERM.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee on Appropriations of the House of Representatives.

(c) TRAINING AND PROFESSIONAL DEVELOPMENT PRIORITIZATION.—In order to provide the Civil Service of the Department and the Foreign Service with the level of professional development and training needed to effectively advance United States interests across the world, the Secretary shall—

(1) increase relevant offerings provided by the Department—

(A) of interactive virtual instruction to make training and professional development more accessible and useful to personnel deployed throughout the world; or

(B) at partner organizations, including universities, industry entities, and nongovernmental organizations, throughout the United States to provide useful outside perspectives to Department personnel by providing such personnel—

(i) a more comprehensive outlook on different sectors of United States society; and

(ii) practical experience dealing with commercial corporations, universities, labor unions, and other institutions critical to United States diplomatic success;

(2) offer courses using computer-based or computer-assisted simulations, allowing civilian officers to lead decision making in a crisis environment, and encourage officers of the Department, and reciprocally, officers of other Federal departments to participate in similar exercises held by the Department or other government organizations and the private sector;

(3) increase the duration and expand the focus of certain training and professional development courses, including by extending—

(A) the A–100 entry-level course to as long as 12 weeks, which better matches the length of entry-level training and professional development provided to the officers in other national security departments and agencies; and

(B) the Chief of Mission course to as long as 6 weeks for first time Chiefs of Mission and creating comparable courses for new Assistant Secretaries and Deputy Assistant Secretaries to more accurately reflect the significant responsibilities accompanying such roles; and

(4) ensure that Foreign Service officers who are assigned to a country experiencing significant population displacement due to the impacts of climatic and non-climatic shocks and stresses, including rising sea levels and lack of access to affordable and reliable energy and electricity, receive specific instruction on United States policy with respect to resiliency and adaptation to such

climatic and non-climatic shocks and stresses.

(d) FELLOWSHIPS.—The Director General of the Foreign Service shall—

(1) expand and establish new fellowship programs for Foreign Service and Civil Service officers that include short- and long-term opportunities at organizations, including—

(A) think tanks and nongovernmental organizations;

(B) the Department of Defense and other relevant Federal agencies;

(C) industry entities, especially such entities related to technology, global operations, finance, and other fields directly relevant to international affairs; and

(D) schools of international relations and other relevant programs at universities throughout the United States; and

(2) not later than 180 days after the date of the enactment of this Act, submit a report to Congress that describes how the Department could expand the Pearson Fellows Program for Foreign Service Officers and the Brookings Fellow Program for Civil Servants to provide fellows in such programs with the opportunity to undertake a follow-on assignment within the Department in an office in which fellows will gain practical knowledge of the people and processes of Congress, including offices other than the Legislative Affairs Bureau, including—

(A) an assessment of the current state of congressional fellowships, including the demand for fellowships and the value the fellowships provide to both the career of the officer and to the Department; and

(B) an assessment of the options for making congressional fellowships for both the Foreign and Civil Services more career-enhancing.

(e) BOARD OF VISITORS OF THE FOREIGN SERVICE INSTITUTE.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall establish a Board of Visitors of the Foreign Service Institute (referred to in this subsection as the ''Board'').

(2) DUTIES.—The Board shall provide the Secretary with independent advice and recommendations regarding organizational management, strategic planning, resource management, curriculum development, and other matters of interest to the Foreign Service Institute, including regular observations about how well the Department is integrating training and professional development into the work of the Bureau for Global Talent Management.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The Board shall be—

(i) nonpartisan; and

(ii) composed of 12 members, of whom—

(I) 2 members shall be appointed by the Chairperson of the Committee on Foreign Relations of the Senate;

(II) 2 members shall be appointed by the ranking member of the Committee on Foreign Relations of the Senate;

(III) 2 members shall be appointed by the Chairperson of the Committee on Foreign Affairs of the House of Representatives;

(IV) 2 members shall be appointed by the ranking member of the Committee on Foreign Affairs of the House of Representatives; and

(V) 4 members shall be appointed by the Secretary.

(B) QUALIFICATIONS.—Members of the Board shall be appointed from among individuals who—

(i) are not officers or employees of the Federal Government; and

(ii) are eminent authorities in the fields of diplomacy, national security, management, leadership, economics, trade, technology, or advanced international relations education.

(C) OUTSIDE EXPERTISE.—

(i) IN GENERAL.—Not fewer than 6 members of the Board shall have a minimum of 10 years of relevant expertise outside the field of diplomacy.

(ii) PRIOR SENIOR SERVICE AT THE DEPARTMENT.—Not more than 6 members of the Board may be persons who previously served in the Senior Foreign Service or the Senior Executive Service at the Department.

(4) TERMS.—Each member of the Board shall be appointed for a term of 3 years, except that of the members first appointed—

(A) 4 members shall be appointed for a term of 3 years;

(B) 4 members shall be appointed for a term of 2 years; and

(C) 4 members shall be appointed for a term of 1 year.

(5) REAPPOINTMENT; REPLACEMENT.—A member of the Board may be reappointed or replaced at the discretion of the official who made the original appointment.

(6) CHAIRPERSON; CO-CHAIRPERSON.—

(A) APPROVAL.—The Chairperson and Vice Chairperson of the Board shall be approved by the Secretary of State based upon a recommendation from the members of the Board.

(B) SERVICE.—The Chairperson and Vice Chairperson shall serve at the discretion of the Secretary.

(7) MEETINGS.—The Board shall meet—

(A) at the call of the Director of the Foreign Service Institute and the Chairperson; and

(B) not fewer than 2 times per year.

(8) COMPENSATION.—Each member of the Board shall serve without compensation, except that a member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Board. Notwithstanding section 1342 of title 31, United States Code, the Secretary may accept the voluntary and uncompensated service of members of the Board.

(9) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Board established under this subsection.

(f) ESTABLISHMENT OF PROVOST OF THE FOREIGN SERVICE INSTITUTE.—

(1) ESTABLISHMENT.—There is established in the Foreign Service Institute the position of Provost.

(2) APPOINTMENT; REPORTING.—The Provost shall—

(A) be appointed by the Secretary; and

(B) report to the Director of the Foreign Service Institute.

(3) QUALIFICATIONS.—The Provost shall be—

(A) an eminent authority in the field of diplomacy, national security, education, management, leadership, economics, history, trade, adult education, or technology; and

(B) a person with significant experience outside the Department, whether in other national security agencies or in the private sector, and preferably in positions of authority in educational institutions or the field of professional development and mid-career training with oversight for the evaluation of academic programs.

(4) DUTIES.—The Provost shall—

(A) oversee, review, evaluate, and coordinate the academic curriculum for all courses taught and administered by the Foreign Service Institute;

(B) coordinate the development of an evaluation system to ascertain how well participants in Foreign Service Institute courses have absorbed and utilized the information, ideas, and skills imparted by each such course, such that performance assessments can be included in the personnel records maintained by the Bureau of Global Talent Management and utilized in Foreign Service Selection Boards, which may include—

(i) the implementation of a letter or numerical grading system; and

(ii) assessments done after the course has concluded; and

(C) report not less frequently than quarterly to the Board of Visitors regarding the development of curriculum and the performance of Foreign Service officers.

(5) TERM.—The Provost shall serve for a term of not fewer than 5 years and may be reappointed for 1 additional 5-year term.

(6) COMPENSATION.—The Provost shall receive a salary commensurate with the rank and experience of a member of the Senior Foreign Service or the Senior Executive Service, as determined by the Secretary.

(g) OTHER AGENCY RESPONSIBILITIES AND OPPORTUNITIES FOR CONGRESSIONAL STAFF.—

(1) OTHER AGENCIES.—National security agencies other than the Department should be afforded the ability to increase the enrollment of their personnel in courses at the Foreign Service Institute and other training and professional development facilities of the Department to promote a whole-of-government approach to mitigating national security challenges.

(2) CONGRESSIONAL STAFF.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that describes—

(A) the training and professional development opportunities at the Foreign Service Institute and other Department facilities available to congressional staff;

(B) the budget impacts of offering such opportunities to congressional staff; and

(C) potential course offerings.

(h) STRATEGY FOR ADAPTING TRAINING REQUIREMENTS FOR MODERN DIPLOMATIC NEEDS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall develop and submit to the appropriate committees of Congress a strategy for adapting and evolving training requirements to better meet the Department's current and future needs for 21st century diplomacy.

(2) ELEMENTS.—The strategy required under subsection (a) shall include the following elements:

(A) Integrating training requirements into the Department's promotion policies, including establishing educational and professional development standards for training and attainment to be used as a part of tenure and promotion guidelines.

(B) Addressing multiple existing and emerging national security challenges, including—

(i) democratic backsliding and authoritarianism;

(ii) countering, and assisting United States allies to address, state-sponsored disinformation, including through the Global Engagement Center;

(iii) cyber threats;

(iv) the aggression and malign influence of Russia, Cuba, Iran, North Korea, the Maduro Regime, and the Chinese Communist Party's multi-faceted and comprehensive challenge to the rules-based order;

(v) the implications of climate change for United States diplomacy; and

(vi) nuclear threats.

(C) An examination of the likely advantages and disadvantages of establishing residential training for the A–100 orientation course administered by the Foreign Service Institute and evaluating the feasibility of

residential training for other long-term training opportunities.

(D) An examination of the likely advantages and disadvantages of establishing a press freedom curriculum for the National Foreign Affairs Training Center that enables Foreign Service officers to better understand issues of press freedom and the tools that are available to help protect journalists and promote freedom of the press norms, which may include—

(i) the historic and current issues facing press freedom, including countries of specific concern;

(ii) the Department's role in promoting press freedom as an American value, a human rights issue, and a national security imperative;

(iii) ways to incorporate press freedom promotion into other aspects of diplomacy; and

(iv) existing tools to assist journalists in distress and methods for engaging foreign governments and institutions on behalf of individuals engaged in journalistic activity who are at risk of harm.

(E) The expansion of external courses offered by the Foreign Service Institute at academic institutions or professional associations on specific topics, including in-person and virtual courses on monitoring and evaluation, audience analysis, and the use of emerging technologies in diplomacy.

(3) UTILIZATION OF EXISTING RESOURCES.—In examining the advantages and disadvantages of establishing a residential training program pursuant to paragraph (2)(C), the Secretary shall—

(A) collaborate with other national security departments and agencies that employ residential training for their orientation courses; and

(B) consider using the Department's Foreign Affairs Security Training Center in Blackstone, Virginia.

(i) REPORT AND BRIEFING REQUIREMENTS.—

(1) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that includes—

(A) a strategy for broadening and deepening professional development and training at the Department, including assessing current and future needs for 21st century diplomacy;

(B) the process used and resources needed to implement the strategy referred to in subparagraph (A) throughout the Department; and

(C) the results and impact of the strategy on the workforce of the Department, particularly the relationship between professional development and training and promotions for Department personnel, and the measurement and evaluation methods used to evaluate such results.

(2) BRIEFING.—Not later than 1 year after the date on which the Secretary submits the report required under paragraph (1), and annually thereafter for 2 years, the Secretary shall provide to the appropriate committees of Congress a briefing on the information required to be included in the report.

(j) FOREIGN LANGUAGE MAINTENANCE INCENTIVE PROGRAM.—

(1) AUTHORIZATION.—The Secretary is authorized to establish and implement an incentive program, with a similar structure as the Foreign Language Proficiency Bonus offered by the Department of Defense, to encourage members of the Foreign Service who possess language proficiency in any of the languages that qualify for additional incentive pay, as determined by the Secretary, to maintain critical foreign language skills.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate committees of Congress that includes a detailed plan for implementing the program authorized under paragraph (1), including anticipated resource requirements to carry out such program.

(k) DEPARTMENT OF STATE WORKFORCE MANAGEMENT.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that informed, data-driven, and long-term workforce management, including with respect to the Foreign Service, the Civil Service, locally employed staff, and contractors, is needed to align diplomatic priorities with the appropriate personnel and resources.

(2) ANNUAL WORKFORCE REPORT.—

(A) IN GENERAL.—In order to understand the Department's long-term trends with respect to its workforce, the Secretary, is consultation with relevant bureaus and offices, including the Bureau of Global Talent Management and the Center for Analytics, shall submit a report to the appropriate committees of Congress that details the Department's workforce, disaggregated by Foreign Service, Civil Service, locally employed staff, and contractors, including, with respect to the reporting period—

(i) for Federal personnel—

(I) the number of personnel who were hired;

(II) the number of personnel whose employment or contract was terminated or who voluntarily left the Department;

(III) the number of personnel who were promoted, including the grade to which they were promoted;

(IV) the demographic breakdown of personnel; and

(V) the distribution of the Department's workforce based on domestic and overseas assignments, including a breakdown of the number of personnel in geographic and functional bureaus, and the number of personnel in overseas missions by region; and

(ii) for personal service contracts and other contracts with individuals—

(I) the number of individuals under active contracts; and

(II) the distribution of these individual contractors, including a breakdown of the number of personnel in geographic and functional bureaus, and the number of individual contractors supporting overseas missions, disagreggated by region.

(B) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit the report described in subparagraph (A) for each of the fiscal years 2016 through 2022.

(C) RECURRING REPORT.—Not later than December 31, 2023, and annually thereafter for the following 5 years, the Secretary shall submit the report described in subparagraph (A) for the most recently concluded fiscal year.

(D) USE OF REPORT DATA.—The data in each of the reports required under this paragraph shall be used by Congress, in coordination with the Secretary, to inform recommendations on the appropriate size and composition of the Department.

(l) SENSE OF CONGRESS ON THE IMPORTANCE OF FILLING THE POSITION OF UNDERSECRETARY FOR PUBLIC DIPLOMACY AND PUBLIC AFFAIRS.—It is the sense of Congress that since a vacancy in the position of Under Secretary for Public Diplomacy and Public Affairs is detrimental to the national security interests of the United States, the President should expeditiously nominate a qualified individual to such position whenever such vacancy occurs to ensure that the bureaus reporting to such position are able to fulfill their mission of—

(1) expanding and strengthening relationships between the people of the United States and citizens of other countries; and

(2) engaging, informing, and understanding the perspectives of foreign audiences.

(m) REPORT ON PUBLIC DIPLOMACY.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that includes—

(1) an evaluation of the May 2019 merger of the Bureau of Public Affairs and the Bureau of International Information Programs into the Bureau of Global Public Affairs with respect to—

(A) the efficacy of the current configuration of the bureaus reporting to the Under Secretary for Public Diplomacy and Public Affairs in achieving the mission of the Department;

(B) the metrics before and after such merger, including personnel data, disaggregated by position and location, content production, opinion polling, program evaluations, and media appearances;

(C) the results of a survey of public diplomacy practitioners to determine their opinion of the efficacy of such merger and any adjustments that still need to be made;

(D) a plan for evaluating and monitoring, not less frequently than once every 2 years, the programs, activities, messaging, professional development efforts, and structure of the Bureau of Global Public Affairs, and submitting a summary of each such evaluation to the appropriate committees of Congress; and

(2) a review of recent outside recommendations for modernizing diplomacy at the Department with respect to public diplomacy efforts, including—

(A) efforts in each of the bureaus reporting to the Under Secretary for Public Diplomacy and Public Affairs to address issues of diversity and inclusion in their work, structure, data collection, programming, and personnel, including any collaboration with the Chief Officer for Diversity and Inclusion;

(B) proposals to collaborate with think tanks and academic institutions working on public diplomacy issues to implement recent outside recommendations; and

(C) additional authorizations and appropriations necessary to implement such recommendations.

SEC. 5206. SECURITY CLEARANCE APPROVAL PROCESS.

(a) RECOMMENDATIONS.—Not later than 270 days after the date of the enactment of this Act, the Secretary, in coordination with the Director of National Intelligence, shall submit recommendations to the appropriate congressional committees for streamlining the security clearance approval process within the Bureau of Diplomatic Security so that the security clearance approval process for Civil Service and Foreign Service applicants is completed within 6 months, on average, and within 1 year, in the vast majority of cases.

(b) REPORT.—Not later than 90 days after the recommendations are submitted pursuant to subsection (a), the Secretary shall submit a report to the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives that—

(1) describes the status of the efforts of the Department to streamline the security clearance approval process; and

(2) identifies any remaining obstacles preventing security clearances from being completed within the time frames set forth in subsection (a), including lack of cooperation or other actions by other Federal departments and agencies.

SEC. 5207. ADDENDUM FOR STUDY ON FOREIGN SERVICE ALLOWANCES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees an addendum to the report required under section 5302 of the Department of State Authorization Act of 2021 (division E of Public Law 117–81), which shall be entitled the ''Report on Bidding for Domestic and Overseas Posts and Filling Unfilled Positions''. The addendum shall be prepared using input from the same federally funded research and development center that prepared the analysis conducted for the purposes of such report.

(b) ELEMENTS.—The addendum required under subsection (a) shall include—

(1) the total number of domestic and overseas positions open during the most recent summer bidding cycle;

(2) the total number of bids each position received;

(3) the number of unfilled positions at the conclusion of the most recent summer bidding cycle, disaggregated by bureau; and

(4) detailed recommendations and a timeline for—

(A) increasing the number of qualified bidders for underbid positions; and

(B) minimizing the number of unfilled positions at the end of the bidding season.

SEC. 5208. CURTAILMENTS, REMOVALS FROM POST, AND WAIVERS OF PRIVILEGES AND IMMUNITIES.

(a) CURTAILMENTS REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary shall submit a report to the appropriate congressional committees regarding curtailments of Department personnel from overseas posts.

(2) CONTENTS.—The Secretary shall include in the report required under paragraph (1)—

(A) relevant information about any post that, during the 6-month period preceding the report—

(i) had more than 5 curtailments; or

(ii) had curtailments representing more than 5 percent of Department personnel at such post; and

(B) for each post referred to in subparagraph (A), the number of curtailments, disaggregated by month of occurrence.

(b) REMOVAL OF DIPLOMATS.—Not later than 5 days after the date on which any United States personnel under Chief of Mission authority is declared persona non grata by a host government, the Secretary shall—

(1) notify the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives of such declaration; and

(2) include with such notification—

(A) the official reason for such declaration (if provided by the host government);

(B) the date of the declaration; and

(C) whether the Department responded by declaring a host government's diplomat in the United States persona non grata.

(c) WAIVER OF PRIVILEGES AND IMMUNITIES.—Not later than 15 days after any waiver of privileges and immunities pursuant to the Vienna Convention on Diplomatic Relations, done at Vienna April 18, 1961, that is applicable to an entire diplomatic post or to the majority of United States personnel under Chief of Mission authority, the Secretary shall notify the appropriate congressional committees of such waiver and the reason for such waiver.

(d) TERMINATION.—This section shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. 5209. REPORT ON WORLDWIDE AVAILABILITY.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees on the feasibility of requiring that each member of the Foreign Service, at the time of entry into the Foreign Service and thereafter, be worldwide available, as determined by the Secretary.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) the feasibility of a worldwide availability requirement for all members of the Foreign Service;

(2) considerations if such a requirement were to be implemented, including the potential effect on recruitment and retention; and

(3) recommendations for exclusions and limitations, including exemptions for medical reasons, disability, and other circumstances.

SEC. 5210. PROFESSIONAL DEVELOPMENT.

(a) REQUIREMENTS.—The Secretary shall strongly encourage that Foreign Service officers seeking entry into the Senior Foreign Service participate in professional development described in subsection (c).

(b) REQUIREMENTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit recommendations on requiring that Foreign Service officers complete professional development described in subsection (c) to be eligible for entry into the Senior Foreign Service.

(c) PROFESSIONAL DEVELOPMENT DESCRIBED.—Professional development described in this subsection is not less than 6 months of training or experience outside of the Department, including time spent—

(1) as a detailee to another government agency, including Congress or a State, Tribal, or local government;

(2) in Department-sponsored and -funded university training that results in an advanced degree, excluding time spent at a university that is fully funded or operated by the Federal Government.

(d) PROMOTION PRECEPTS.—The Secretary shall instruct promotion boards to consider positively long-term training and out-of-agency detail assignments.

SEC. 5211. MANAGEMENT ASSESSMENTS AT DIPLOMATIC AND CONSULAR POSTS.

(a) IN GENERAL.—Beginning not later than 1 year after the date of the enactment of this Act, the Secretary shall annually conduct, at each diplomatic and consular post, a voluntary survey, which shall be offered to all staff assigned to that post who are citizens of the United States (excluding the Chief of Mission) to assess the management and leadership of that post by the Chief of Mission, the Deputy Chief of Mission, and the Charge d'Affaires.

(b) ANONYMITY.—All responses to the survey shall be—

(1) fully anonymized; and

(2) made available to the Director General of the Foreign Service.

(c) SURVEY.—The survey shall seek to assess—

(1) the general morale at post;

(2) the presence of any hostile work environment;

(3) the presence of any harassment, discrimination, retaliation, or other mistreatment; and

(4) effective leadership and collegial work environment.

(d) DIRECTOR GENERAL RECOMMENDATIONS.—Upon compilation and review of the surveys, the Director General of the Foreign Service shall issue recommendations to posts, as appropriate, based on the findings of the surveys.

(e) REFERRAL.—If the surveys reveal any action that is grounds for referral to the Inspector General of the Department of State and the Foreign Service, the Director General of the Foreign Service may refer the matter to the Inspector General of the Department of State and the Foreign Service, who shall, as the Inspector General considers appropriate, conduct an inspection of the post in accordance with section 209(b) of the Foreign Service Act of 1980 (22 U.S.C. 3929(b)).

(f) ANNUAL REPORT.—The Director General of the Foreign Service shall submit an annual report to the appropriate congressional committees that includes—

(1) any trends or summaries from the surveys;

(2) the posts where corrective action was recommended or taken in response to any issues identified by the surveys; and

(3) the number of referrals to the Inspector General of the Department of State and the Foreign Service, as applicable.

(g) INITIAL BASIS.—The Secretary shall carry out the surveys required under this section on an initial basis for 5 years.

SEC. 5212. INDEPENDENT REVIEW OF PROMOTION POLICIES.

Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a comprehensive review of the policies, personnel, organization, and processes related to promotions within the Department, including—

(1) a review of—

(A) the selection and oversight of Foreign Service promotion panels; and

(B) the use of quantitative data and metrics in such panels;

(2) an assessment of the promotion practices of the Department, including how promotion processes are communicated to the workforce and appeals processes; and

(3) recommendations for improving promotion panels and promotion practices.

SEC. 5213. THIRD PARTY VERIFICATION OF PERMANENT CHANGE OF STATION (PCS) ORDERS.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a mechanism for third parties to verify the employment of, and the validity of permanent change of station (PCS) orders received by, members of the Foreign Service, in a manner that protects the safety, security, and privacy of sensitive employee information.

SEC. 5214. POST-EMPLOYMENT RESTRICTIONS ON SENATE-CONFIRMED OFFICIALS AT THE DEPARTMENT OF STATE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Congress and the executive branch have recognized the importance of preventing and mitigating the potential for conflicts of interest following government service, including with respect to senior United States officials working on behalf of foreign governments; and

(2) Congress and the executive branch should jointly evaluate the status and scope of post-employment restrictions.

(b) RESTRICTIONS.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding at the end the following:

''(m) EXTENDED POST-EMPLOYMENT RESTRICTIONS FOR CERTAIN SENATE-CONFIRMED OFFICIALS.—

''(1) DEFINITIONS.—In this subsection:

''(A) COUNTRY OF CONCERN.—The term 'country of concern' means—

''(i) the People's Republic of China;

''(ii) the Russian Federation;

''(iii) the Islamic Republic of Iran;

''(iv) the Democratic People's Republic of Korea;

''(v) the Republic of Cuba; and

''(vi) the Syrian Arab Republic.

''(B) FOREIGN GOVERNMENT ENTITY.—The term 'foreign governmental entity' includes—

''(i) any person employed by—

''(I) any department, agency, or other entity of a foreign government at the national, regional, or local level;

''(II) any governing party or coalition of a foreign government at the national, regional, or local level; or

''(III) any entity majority-owned or majority-controlled by a foreign government at the national, regional, or local level; and

''(ii) in the case of a country described in paragraph (3)(B), any company, economic project, cultural organization, exchange program, or nongovernmental organization that is more than 33 percent owned or controlled by the government of such country.

''(C) REPRESENTATION.—The term 'representation' does not include representation by an attorney, who is duly licensed and authorized to provide legal advice in a United States jurisdiction, of a person or entity in a legal capacity or for the purposes of rendering legal advice.

''(2) SECRETARY OF STATE AND DEPUTY SECRETARY OF STATE.—With respect to a person serving as the Secretary of State or Deputy Secretary of State, the restrictions described in section 207(f)(1) of title 18, United States Code, shall apply to any such person who knowingly represents, aids, or advises a foreign governmental entity before an officer or employee of the executive branch of the United States at any time after the termination of that person's service as Secretary or Deputy Secretary.

''(3) UNDER SECRETARIES, ASSISTANT SECRETARIES, AND AMBASSADORS.—With respect to a person serving as an Under Secretary, Assistant Secretary, or Ambassador at the Department of State or as the United States Permanent Representative to the United Nations, the restrictions described in section 207(f)(1) of title 18, United States Code, shall apply to any such person who knowingly represents, aids, or advises—

''(A) a foreign governmental entity before an officer or employee of the executive branch of the United States for 3 years after the termination of that person's service in a position described in this paragraph, or the duration of the term or terms of the President who appointed that person to their position, whichever is longer; or

''(B) a foreign governmental entity of a country of concern before an officer or employee of the executive branch of the United States at any time after the termination of that person's service in a position described in this paragraph.

''(4) PENALTIES AND INJUNCTIONS.—Any violations of the restrictions under paragraphs (2) or (3) shall be subject to the penalties and injunctions provided for under section 216 of title 18, United States Code.

''(5) NOTICE OF RESTRICTIONS.—Any person subject to the restrictions under this subsection shall be provided notice of these restrictions by the Department of State—

''(A) upon appointment by the President; and

''(B) upon termination of service with the Department of State.

''(6) EFFECTIVE DATE.—The restrictions under this subsection shall apply only to persons who are appointed by the President to the positions referenced in this subsection on or after 120 days after the date of the enactment of the Department of State Authorization Act of 2022.

''(7) SUNSET.—The restrictions under paragraph (3)(B) shall expire on the date that is 7 years after the date of the enactment of this Act.''.

SEC. 5215. EXPANSION OF AUTHORITIES REGARDING SPECIAL RULES FOR CERTAIN MONTHLY WORKERS' COMPENSATION PAYMENTS AND OTHER PAYMENTS.

Section 901 of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b) is amended by adding at the end the following:

''(j) EXPANSION OF AUTHORITIES.—The head of any Federal agency may exercise the authorities of this section, including to designate an incident, whether the incident occurred in the United States or abroad, for purposes of subparagraphs (A)(ii) and (B)(ii) of subsection (e)(4) when the incident affects United States Government employees of the agency or their dependents who are not under the security responsibility of the Secretary of State as set forth in section 103 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4802) or when operational control of overseas security responsibility for such employees or dependents has been delegated to the head of the agency.''.

TITLE LIII—EMBASSY SECURITY AND CONSTRUCTION

SEC. 5301. AMENDMENTS TO SECURE EMBASSY CONSTRUCTION AND COUNTERTERRORISM ACT OF 1999.

(a) SHORT TITLE.—This section may be cited as the ''Secure Embassy Construction and Counterterrorism Act of 2022''.

(b) FINDINGS.—Congress makes the following findings:

(1) The Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of appendix G of Public Law 106–113) was a necessary response to bombings on August 7, 1998, at the United States embassies in Nairobi, Kenya, and in Dar es Salaam, Tanzania, that were destroyed by simultaneously exploding bombs. The resulting explosions killed 220 persons and injured more than 4,000 others. Twelve Americans and 40 Kenyan and Tanzanian employees of the United States Foreign Service were killed in the attacks.

(2) Those bombings, followed by the expeditionary diplomatic efforts in Iraq and Afghanistan, demonstrated the need to prioritize the security of United States posts and personnel abroad above other considerations.

(3) Between 1999 and 2022, the risk calculus of the Department impacted the ability of United States diplomats around the world to advance the interests of the United States through access to local populations, leaders, and places.

(4) America's competitors and adversaries do not have the same restrictions that United States diplomats have, especially in critically important medium-threat and high-threat posts.

(5) The Department's 2021 Overseas Security Panel report states that—

(A) the requirement for setback and collocation of diplomatic posts under paragraphs (2) and (3) of section 606(a) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)) has led to skyrocketing costs of new embassies and consulates; and

(B) the locations of such posts have become less desirable, creating an extremely suboptimal nexus that further hinders United States diplomats who are willing to accept more risk in order to advance United States interests.

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the setback and collocation requirements referred to in subsection (b)(5)(A), even with available waivers, no longer provide the security such requirements used to provide because of advancement in technologies, such as remote controlled drones, that can evade walls and other such static barriers;

(2) the Department should focus on creating performance security standards that—

(A) attempt to keep the setback requirements of diplomatic posts as limited as possible; and

(B) provide diplomats access to local populations as much as possible, while still providing a necessary level of security;

(3) collocation of diplomatic facilities is often not feasible or advisable, particularly for public diplomacy spaces whose mission is to reach and be accessible to wide sectors of the public, including in countries with repressive governments, since such spaces are required to permit the foreign public to enter and exit the space easily and openly;

(4) the Bureau of Diplomatic Security should—

(A) fully utilize the waiver process provided under paragraphs (2)(B) and (3)(B) of section 606(a) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)); and

(B) appropriately exercise such waiver process as a tool to right-size the appropriate security footing at each diplomatic post rather than only approving waivers in extreme circumstances;

(5) the return of great power competition requires—

(A) United States diplomats to do all they can to outperform our adversaries; and

(B) the Department to better optimize use of taxpayer funding to advance United States national interests; and

(6) this section will better enable United States diplomats to compete in the 21st century, while saving United States taxpayers millions in reduced property and maintenance costs at embassies and consulates abroad.

(d) DEFINITION OF UNITED STATES DIPLOMATIC FACILITY.—Section 603 of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of appendix G of Public Law 106–113) is amended to read as follows:

''SEC. 603. UNITED STATES DIPLOMATIC FACILITY DEFINED.

''In this title, the terms 'United States diplomatic facility' and 'diplomatic facility' mean any chancery, consulate, or other office that—

''(1) is considered by the Secretary of State to be diplomatic or consular premises, consistent with the Vienna Convention on Diplomatic Relations, done at Vienna April 18, 1961, and the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, and was notified to the host government as such; or

''(2) is otherwise subject to a publicly available bilateral agreement with the host government (contained in the records of the United States Department of State) that recognizes the official status of the United States Government personnel present at the facility.''.

(e) GUIDANCE AND REQUIREMENTS FOR DIPLOMATIC FACILITIES.—

(1) GUIDANCE FOR CLOSURE OF PUBLIC DIPLOMACY FACILITIES.—Section 5606(a) of the Public Diplomacy Modernization Act of 2021 (Public Law 117–81; 22 U.S.C. 1475g note) is amended to read as follows:

''(a) IN GENERAL.—In order to preserve public diplomacy facilities that are accessible to the publics of foreign countries, not later than 180 days after the date of the enactment of the Secure Embassy Construction and Counterterrorism Act of 2022, the Secretary of State shall adopt guidelines to collect and utilize information from each diplomatic post at which the construction of a new embassy compound or new consulate compound

could result in the closure or co-location of an American Space that is owned and operated by the United States Government, generally known as an American Center, or any other public diplomacy facility under the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 et seq.).''.

(2) SECURITY REQUIREMENTS FOR UNITED STATES DIPLOMATIC FACILITIES.—Section 606(a) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)) is amended—

(A) in paragraph (1)(A), by striking ''the threat'' and inserting ''a range of threats, including that'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by inserting ''in a location that has certain minimum ratings under the Security Environment Threat List as determined by the Secretary in his or her discretion'' after ''abroad''; and

(II) by inserting '', personnel of the Peace Corps, and personnel of any other type or category of facility that the Secretary may identify'' after ''military commander''; and

(ii) in subparagraph (B)—

(I) by amending clause (i) to read as follows:

''(i) IN GENERAL.—Subject to clause (ii), the Secretary of State may waive subparagraph (A) if the Secretary, in consultation with, as appropriate, the head of each agency employing personnel that would not be located at the site, if applicable, determines that it is in the national interest of the United States after taking account of any considerations the Secretary in his or her discretion considers relevant, which may include security conditions.''; and

(II) in clause (ii), by striking ''(ii) CHANCERY OR CONSULATE BUILDING.—'' and all that follows through ''15 days prior'' and inserting the following:

''(ii) CHANCERY OR CONSULATE BUILDING.—Prior''; and

(C) in paragraph (3)—

(i) by amending subparagraph (A) to read as follows:

''(A) REQUIREMENT.—

''(i) IN GENERAL.—Each newly acquired United States diplomatic facility in a location that has certain minimum ratings under the Security Environment Threat List as determined by the Secretary of State in his or her discretion shall—

''(I) be constructed or modified to meet the measured building blast performance standard applicable to a diplomatic facility sited not less than 100 feet from the perimeter of the property on which the facility is situated; or

''(II) fulfill the criteria described in clause (ii).

''(ii) ALTERNATIVE ENGINEERING EQUIVALENCY STANDARD REQUIREMENT.—Each facility referred to in clause (i) may, instead of meeting the requirement under such clause, fulfill such other criteria as the Secretary is authorized to employ to achieve an engineering standard of security and degree of protection that is equivalent to the numerical perimeter distance setback described in such clause seeks to achieve.''; and

(ii) in subparagraph (B)—

(I) in clause (i)—

(aa) by striking ''security considerations permit and''; and

(bb) by inserting ''after taking account of any considerations the Secretary in his or her discretion considers relevant, which may include security conditions'' after ''national interest of the United States'';

(II) in clause (ii), by striking ''(ii) CHANCERY OR CONSULATE BUILDING.—'' and all that follows through ''15 days prior'' and inserting the following:

''(ii) CHANCERY OR CONSULATE BUILDING.—Prior''; and

(III) in clause (iii), by striking ''an annual'' and inserting ''a quarterly''.

SEC. 5302. DIPLOMATIC SUPPORT AND SECURITY.

(a) SHORT TITLE.—This section may be cited as the ''Diplomatic Support and Security Act of 2022''.

(b) FINDINGS.—Congress makes the following findings:

(1) A robust overseas diplomatic presence is part of an effective foreign policy, particularly in volatile environments where a flexible and timely diplomatic response can be decisive in preventing and addressing conflict.

(2) Diplomats routinely put themselves and their families at great personal risk to serve their country overseas where they face threats related to international terrorism, violent conflict, and public health.

(3) The Department has a remarkable record of protecting personnel while enabling an enormous amount of global diplomatic activity, often in unsecure and remote places and facing a variety of evolving risks and threats. With support from Congress, the Department of State has revised policy, improved physical security through retrofitting and replacing old facilities, deployed additional security personnel and armored vehicles, and greatly enhanced training requirements and training facilities, including the new Foreign Affairs Security Training Center in Blackstone, Virginia.

(4) Diplomatic missions rely on robust staffing and ambitious external engagement to advance United States interests as diverse as competing with China's malign influence around the world, fighting terrorism and transnational organized crime, preventing and addressing violent conflict and humanitarian disasters, promoting United States businesses and trade, protecting the rights of marginalized groups, addressing climate change, and preventing pandemic disease.

(5) Efforts to protect personnel overseas have often resulted in inhibiting diplomatic activity and limiting engagement between embassy personnel and local governments and populations.

(6) Given that Congress currently provides annual appropriations in excess of $1,900,000,000 for embassy security, construction, and maintenance, the Department should be able to ensure a robust overseas presence without inhibiting the ability of diplomats to—

(A) meet outside United States secured facilities with foreign leaders to explain, defend, and advance United States priorities;

(B) understand and report on foreign political, social, and economic conditions through meeting and interacting with community officials outside of United States facilities;

(C) provide United States citizen services; and

(D) collaborate and, at times, compete with other diplomatic missions, particularly those, such as that of the People's Republic of China, that do not have restrictions on meeting locations.

(7) Given these stakes, Congress has a responsibility to empower, support, and hold the Department accountable for implementing an aggressive strategy to ensure a robust overseas presence that mitigates potential risks and adequately considers the myriad direct and indirect consequences of a lack of diplomatic presence.

(c) ENCOURAGING EXPEDITIONARY DIPLOMACY.—

(1) PURPOSE.—Section 102(b) of the Diplomatic Security Act of 1986 (22 U.S.C. 4801(b)) is amended—

(A) by amending paragraph (3) to read as follows:

''(3) to promote strengthened security measures, institutionalize a culture of learning, and, in the case of apparent gross negligence or breach of duty, recommend that the Secretary investigate accountability for United States Government personnel with security-related responsibilities under chief of mission authority;'';

(B) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(C) by inserting after paragraph (3) the following:

''(4) to support a culture of risk management, instead of risk avoidance, that enables the Department of State to pursue its vital goals with full knowledge that it is neither desirable nor possible for the Department to avoid all risks;''.

(2) BRIEFINGS ON EMBASSY SECURITY.—Section 105(a)(1) of the Diplomatic Security Act of 1986 (22 U.S.C. 4804(a)) is amended—

(A) by striking ''any plans to open or reopen a high risk, high threat post'' and inserting ''progress towards opening or reopening a high risk, high threat post, and the risk to national security of the continued closure or any suspension of operations and remaining barriers to doing so'';

(B) in subparagraph (A), by inserting ''the risk to United States national security of the post's continued closure or suspension of operations,'' after ''national security of the United States,''; and

(C) in subparagraph (C), by inserting ''the type and level of security threats such post could encounter, and'' before ''security 'tripwires' ''.

(d) SECURITY REVIEW COMMITTEES.—

(1) IN GENERAL.—Section 301 of the Diplomatic Security Act of 1986 (22 U.S.C. 4831) is amended—

(A) in the section heading, by striking ''**ACCOUNTABILITY REVIEW BOARDS**'' and inserting ''**SECURITY REVIEW COMMITTEES**'';

(B) in subsection (a)—

(i) by amending paragraph (1) to read as follows:

''(1) CONVENING THE SECURITY REVIEW COMMITTEE.—In any case of a serious security incident involving loss of life, serious injury, or significant destruction of property at, or related to, a United States Government diplomatic mission abroad (referred to in this title as a 'Serious Security Incident'), and in any case of a serious breach of security involving intelligence activities of a foreign government directed at a United States Government mission abroad, the Secretary of State shall convene a Security Review Committee, which shall issue a report providing a full account of what occurred, consistent with section 304.'';

(C) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(D) by inserting after paragraph (1) the following:

''(2) COMMITTEE COMPOSITION.—The Secretary shall designate a Chairperson and may designate additional personnel of commensurate seniority to serve on the Security Review Committee, which shall include—

''(A) the Director of the Office of Management Strategy and Solutions;

''(B) the Assistant Secretary responsible for the region where the incident occurred;

''(C) the Assistant Secretary of State for Diplomatic Security;

''(D) the Assistant Secretary of State for Intelligence and Research;

''(E) an Assistant Secretary-level representative from any involved United States Government department or agency; and

''(F) other personnel determined to be necessary or appropriate.'';

(i) in paragraph (3), as redesignated by clause (ii)—

(I) in the paragraph heading, by striking ''DEPARTMENT OF DEFENSE FACILITIES AND

PERSONNEL'' and inserting ''EXCEPTIONS TO CONVENING A SECURITY REVIEW COMMITTEE'';

(II) by striking ''The Secretary of State is not required to convene a Board in the case'' and inserting the following:

''(A) IN GENERAL.—The Secretary of State is not required to convene a Security Review Committee—

''(i) if the Secretary determines that the incident involves only causes unrelated to security, such as when the security at issue is outside of the scope of the Secretary of State's security responsibilities under section 103;

''(ii) if operational control of overseas security functions has been delegated to another agency in accordance with section 106;

''(iii) if the incident is a cybersecurity incident and is covered by other review mechanisms; or

''(iv) in the case''; and

(III) by striking ''In any such case'' and inserting the following:

''(B) DEPARTMENT OF DEFENSE INVESTIGATIONS.—In the case of an incident described in subparagraph (A)(iv)''; and

(E) by adding at the end the following:

''(5) RULEMAKING.—The Secretary of State shall promulgate regulations defining the membership and operating procedures for the Security Review Committee and provide such guidance to the Chair and ranking members of the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''BOARDS'' and inserting ''SECURITY REVIEW COMMITTEES''; and

(B) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—The Secretary of State shall convene a Security Review Committee not later than 60 days after the occurrence of an incident described in subsection (a)(1), or 60 days after the Department first becomes aware of such an incident, whichever is earlier, except that the 60-day period for convening a Security Review Committee may be extended for one additional 60-day period if the Secretary determines that the additional period is necessary.''; and

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

''(c) CONGRESSIONAL NOTIFICATION.—Whenever the Secretary of State convenes a Security Review Committee, the Secretary shall promptly inform the chair and ranking member of—

''(1) the Committee on Foreign Relations of the Senate;

''(2) the Select Committee on Intelligence of the Senate;

''(3) the Committee on Foreign Affairs of the House of Representatives; and

''(4) the Permanent Select Committee on Intelligence of the House of Representatives''.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—Section 302 of the Diplomatic Security Act of 1986 (22 U.S.C. 4832) is amended—

(1) in the section heading, by striking ''**ACCOUNTABILITY REVIEW BOARD**'' and inserting ''**SECURITY REVIEW COMMITTEE**''; and

(2) by striking ''a Board'' each place such term appears and inserting ''a Security Review Committee''.

(f) SERIOUS SECURITY INCIDENT INVESTIGATION PROCESS.—Section 303 of the Diplomatic Security Act of 1986 (22 U.S.C. 4833) is amended to read as follows:

''SEC. 303. SERIOUS SECURITY INCIDENT INVESTIGATION PROCESS.

''(a) INVESTIGATION PROCESS.—

''(1) INITIATION UPON REPORTED INCIDENT.—A United States mission shall submit an initial report of a Serious Security Incident not later than 3 days after such incident occurs, whenever feasible, at which time an investigation of the incident shall be initiated.

''(2) INVESTIGATION.—Not later than 10 days after the submission of a report pursuant to paragraph (1), the Secretary shall direct the Diplomatic Security Service to assemble an investigative team to investigate the incident and independently establish what occurred. Each investigation under this subsection shall cover—

''(A) an assessment of what occurred, who perpetrated or is suspected of having perpetrated the Serious Security Incident, and whether applicable security procedures were followed;

''(B) in the event the Serious Security Incident involved a United States diplomatic compound, motorcade, residence, or other facility, an assessment of whether adequate security countermeasures were in effect based on a known threat at the time of the incident;

''(C) if the incident involved an individual or group of officers, employees, or family members under Chief of Mission security responsibility conducting approved operations or movements outside the United States mission, an assessment of whether proper security briefings and procedures were in place and whether weighing of risk of the operation or movement took place; and

''(D) an assessment of whether the failure of any officials or employees to follow procedures or perform their duties contributed to the security incident.

''(3) INVESTIGATIVE TEAM.—The investigative team assembled pursuant to paragraph (2) shall consist of individuals from the Diplomatic Security Service who shall provide an independent examination of the facts surrounding the incident and what occurred. The Secretary, or the Secretary's designee, shall review the makeup of the investigative team for a conflict, appearance of conflict, or lack of independence that could undermine the results of the investigation and may remove or replace any members of the team to avoid such an outcome.

''(b) REPORT OF INVESTIGATION.—Not later than 90 days after the occurrence of a Serious Security Incident, the investigative team investigating the incident shall prepare and submit a Report of Investigation to the Security Review Committee that includes—

''(1) a detailed description of the matters set forth in subparagraphs (A) through (D) of subsection (a)(2), including all related findings;

''(2) a complete and accurate account of the casualties, injuries, and damage resulting from the incident; and

''(3) a review of security procedures and directives in place at the time of the incident.

''(c) CONFIDENTIALITY.—The investigative team investigating a Serious Security Incident shall adopt such procedures with respect to confidentiality as determined necessary, including procedures relating to the conduct of closed proceedings or the submission and use of evidence in camera, to ensure in particular the protection of classified information relating to national defense, foreign policy, or intelligence matters. The Director of National Intelligence shall establish the level of protection required for intelligence information and for information relating to intelligence personnel included in the report required under subsection (b). The Security Review Committee shall determine the level of classification of the final report prepared pursuant to section 304(b), and shall incorporate the same confidentiality measures in such report to the maximum extent practicable.''.

(g) FINDINGS AND RECOMMENDATIONS OF THE SECURITY REVIEW COMMITTEE.—Section 304 of the Diplomatic Security Act of 1986 (22 U.S.C. 4834) is amended to read as follows:

''SEC. 304. SECURITY REVIEW COMMITTEE FINDINGS AND REPORT.

''(a) FINDINGS.—The Security Review Committee shall—

''(1) review the Report of Investigation prepared pursuant to section 303(b), and all other evidence, reporting, and relevant information relating to a Serious Security Incident at a United States mission abroad, including an examination of the facts and circumstances surrounding any serious injuries, loss of life, or significant destruction of property resulting from the incident; and

''(2) determine, in writing—

''(A) whether the incident was security related and constituted a Serious Security Incident;

''(B) if the incident involved a diplomatic compound, motorcade, residence, or other mission facility—

''(i) whether the security systems, security countermeasures, and security procedures operated as intended; and

''(ii) whether such systems worked to materially mitigate the attack or were found to be inadequate to mitigate the threat and attack;

''(C) if the incident involved an individual or group of officers conducting an approved operation outside the mission, whether a valid process was followed in evaluating the requested operation and weighing the risk of the operation, which determination shall not seek to assign accountability for the incident unless the Security Review Committee determines that an official breached his or her duty;

''(D) the impact of intelligence and information availability, and whether the mission was aware of the general operating threat environment or any more specific threat intelligence or information and took that into account in ongoing and specific operations; and

''(E) any other facts and circumstances that may be relevant to the appropriate security management of United States missions abroad.

''(b) REPORT.—

''(1) SUBMISSION TO SECRETARY OF STATE.—Not later than 60 days after receiving the Report of Investigation prepared pursuant to section 303(b), the Security Review Committee shall submit a report to the Secretary of State that includes—

''(A) the findings described in subsection (a); and

''(B) any related recommendations.

''(2) SUBMISSION TO CONGRESS.—Not later than 90 days after receiving the report pursuant to paragraph (1), the Secretary of State shall submit a copy of the report to—

''(A) the Committee on Foreign Relations of the Senate;

''(B) the Select Committee on Intelligence of the Senate;

''(C) the Committee on Foreign Affairs of the House of Representatives; and

''(D) the Permanent Select Committee on Intelligence of the House of Representatives.

''(c) PERSONNEL RECOMMENDATIONS.—If in the course of conducting an investigation under section 303, the investigative team finds reasonable cause to believe any individual described in section 303(a)(2)(D) has breached the duty of that individual or finds lesser failures on the part of an individual in the performance of his or her duties related to the incident, it shall be reported to the Security Review Committee. If the Security Review Committee finds reasonable cause to support the determination, it shall be reported to the Secretary for appropriate action.''.

(h) RELATION TO OTHER PROCEEDINGS.—Section 305 of the Diplomatic Security Act of 1986 (22 U.S.C. 4835) is amended—

(1) by inserting ''(a) NO EFFECT ON EXISTING REMEDIES OR DEFENSES.—'' before ''Nothing in this title''; and

(2) by adding at the end the following:

''(b) FUTURE INQUIRIES.—Nothing in this title may be construed to preclude the Secretary of State from convening a follow-up public board of inquiry to investigate any security incident if the incident was of such magnitude or significance that an internal process is deemed insufficient to understand and investigate the incident. All materials gathered during the procedures provided under this title shall be provided to any related board of inquiry convened by the Secretary.''.

SEC. 5303. ESTABLISHMENT OF UNITED STATES EMBASSIES IN VANUATU, KIRIBATI, AND TONGA.

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

(1) The Pacific Islands are vital to United States national security and national interests in the Indo-Pacific region and globally.

(2) The Pacific Islands region spans 15 percent of the world's surface area and controls access to open waters in the Central Pacific, sea lanes to the Western Hemisphere, supply lines to United States forward-deployed forces in East Asia, and economically important fisheries.

(3) The Pacific Islands region is home to the State of Hawaii, 11 United States territories, United States Naval Base Guam, and United States Andersen Air Force Base.

(4) Pacific Island countries cooperate with the United States and United States partners on maritime security and efforts to stop illegal, unreported, and destructive fishing.

(5) The Pacific Islands are rich in biodiversity and are on the frontlines of environmental challenges and climate issues.

(6) The People's Republic of China (PRC) seeks to increase its influence in the Pacific Islands region, including through infrastructure development under the PRC's One Belt, One Road Initiative and its new security agreement with the Solomon Islands.

(7) The United States Embassy in Papua New Guinea manages the diplomatic affairs of the United States to the Republic of Vanuatu, and the United States Embassy in Fiji manages the diplomatic affairs of the United States to the Republic of Kiribati and the Kingdom of Tonga.

(8) The United States requires a physical diplomatic presence in the Republic of Vanuatu, the Republic of Kiribati, and the Kingdom of Tonga, to ensure the physical and operational security of our efforts in those countries to deepen relations, protect United States national security, and pursue United States national interests.

(9) Increasing the number of United States embassies dedicated solely to a Pacific Island country demonstrates the United States' ongoing commitment to the region and to the Pacific Island countries.

(b) ESTABLISHMENT OF EMBASSIES.—

(1) IN GENERAL.—The Secretary of State should establish physical United States embassies in the Republic of Kiribati and in the Kingdom of Tonga, and a physical presence in the Republic of Vanuatu as soon as possible.

(2) OTHER STRATEGIES.—

(A) PHYSICAL INFRASTRUCTURE.—In establishing embassies pursuant to paragraph (1) and creating the physical infrastructure to ensure the physical and operational safety of embassy personnel, the Secretary may pursue rent or purchase existing buildings or colocate personnel in embassies of like-minded partners, such as Australia and New Zealand.

(B) PERSONNEL.—In establishing a physical presence in the Republic of Vanuatu pursuant to paragraph (1), the Secretary may assign 1 or more United States Government personnel to the Republic of Vanuatu as part of the United States mission in Papua New Guinea.

(3) WAIVER AUTHORITY.—The President may waive the requirements under paragraph (1) for a period of one year if the President determines and reports to Congress in advance that such waiver is necessary to protect the national security interests of the United States.

(c) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated to the Department of State for Embassy Security, Construction, and Maintenance—

(1) $40,200,000 is authorized to be appropriated for fiscal year 2023 for the establishment and maintenance of the 3 embassies authorized to be established under subsection (b); and

(2) $3,000,000 is authorized to be appropriated for fiscal year 2024 to maintain such embassies.

(d) REPORT.—

(1) DEFINED TERM.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(2) PROGRESS REPORT.—Not later than 180 days following the date of the enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a report that includes—

(A) a description of the status of activities carried out to achieve the objectives described in this section;

(B) an estimate of when embassies and a physical presence will be fully established pursuant to subsection (b)(1); and

(C) an update on events in the Pacific Islands region relevant to the establishment of United States embassies, including activities by the People's Republic of China.

(3) REPORT ON FINAL DISPOSITION.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that—

(A) confirms the establishment of the 2 embassies and the physical presence required under subsection (b)(1); or

(B) if the embassies and physical presence required in subsection (b)(1) have not been established, a justification for such failure to comply with such requirement.

TITLE LIV—A DIVERSE WORKFORCE: RECRUITMENT, RETENTION, AND PROMOTION

SEC. 5401. REPORT ON BARRIERS TO APPLYING FOR EMPLOYMENT WITH THE DEPARTMENT OF STATE.

Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that—

(1) identifies any barriers for applicants applying for employment with the Department;

(2) provides demographic data of online applicants during the most recent 3 years disaggregated by race, ethnicity, sex, age, veteran status, disability, geographic region;

(3) assesses any barriers that exist for applying online for employment with the Department, disaggregated by race, ethnicity, sex, age, veteran status, disability, geographic region; and

(4) includes recommendations for addressing any disparities identified in the online application process.

SEC. 5402. COLLECTION, ANALYSIS, AND DISSEMINATION OF WORKFORCE DATA.

(a) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that includes disaggregated demographic data and other information regarding the diversity of the workforce of the Department.

(b) DATA.—The report required under subsection (a) shall include, to the maximum extent that the collection and dissemination of such data can be done in a way that protects the confidentiality of individuals and is otherwise permissible by law—

(1) demographic data on each element of the workforce of the Department during the 5-year period ending on the date of the enactment of this Act, disaggregated by rank and grade or grade-equivalent, with respect to—

(A) individuals hired to join the workforce;

(B) individuals promoted, including promotions to and within the Senior Executive Service or the Senior Foreign Service;

(C) individuals serving as special assistants in any of the offices of the Secretary of State, the Deputy Secretary of State, the Counselor of the Department of State, the Secretary's Policy Planning Staff, the Under Secretary of State for Arms Control and International Security, the Under Secretary of State for Civilian Security, Democracy, and Human Rights, the Under Secretary of State for Economic Growth, Energy, and the Environment, the Under Secretary of State for Management, the Under Secretary of State for Political Affairs, and the Under Secretary of State for Public Diplomacy and Public Affairs;

(D) individuals serving in each bureau's front office;

(E) individuals serving as detailees to the National Security Council;

(F) individuals serving on applicable selection boards;

(G) members of any external advisory committee or board who are subject to appointment by individuals at senior positions in the Department;

(H) individuals participating in professional development programs of the Department and the extent to which such participants have been placed into senior positions within the Department after such participation;

(I) individuals participating in mentorship or retention programs; and

(J) individuals who separated from the agency, including individuals in the Senior Executive Service or the Senior Foreign Service;

(2) an assessment of agency compliance with the essential elements identified in Equal Employment Opportunity Commission Management Directive 715, effective October 1, 2003; and

(3) data on the overall number of individuals who are part of the workforce, the percentages of such workforce corresponding to each element specified in paragraph (1), and the percentages corresponding to each rank, grade, or grade equivalent.

(c) EFFECTIVENESS OF DEPARTMENT EFFORTS.—The report required under subsection (a) shall describe and assess the effectiveness of the efforts of the Department—

(1) to propagate fairness, impartiality, and inclusion in the work environment, both domestically and abroad;

(2) to enforce anti-harassment and anti-discrimination policies, both domestically and at posts overseas;

(3) to refrain from engaging in unlawful discrimination in any phase of the employment process, including recruitment, hiring, evaluation, assignments, promotion, retention, and training;

(4) to prevent retaliation against employees for participating in a protected equal employment opportunity activity or for reporting sexual harassment or sexual assault;

(5) to provide reasonable accommodation for qualified employees and applicants with disabilities; and

(6) to recruit a representative workforce by—

(A) recruiting women, persons with disabilities, and minorities;

(B) recruiting at women's colleges, historically Black colleges and universities, minority-serving institutions, and other institutions serving a significant percentage of minority students;

(C) placing job advertisements in newspapers, magazines, and job sites oriented toward women and minorities;

(D) sponsoring and recruiting at job fairs in urban and rural communities and at land-grant colleges or universities;

(E) providing opportunities through the Foreign Service Internship Program under chapter 12 of the Foreign Service Act of 1980 (22 U.S.C. 4141 et seq.), and other hiring initiatives;

(F) recruiting mid-level and senior-level professionals through programs designed to increase representation in international affairs of people belonging to traditionally under-represented groups;

(G) offering the Foreign Service written and oral assessment examinations in several locations throughout the United States or via online platforms to reduce the burden of applicants having to travel at their own expense to take either or both such examinations;

(H) expanding the use of paid internships; and

(I) supporting recruiting and hiring opportunities through—

(i) the Charles B. Rangel International Affairs Fellowship Program;

(ii) the Thomas R. Pickering Foreign Affairs Fellowship Program; and

(iii) other initiatives, including agency-wide policy initiatives.

(d) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 1 year after the publication of the report required under subsection (a), the Secretary of State shall submit a report to the appropriate congressional committees, and make such report available on the Department's website, that includes, without compromising the confidentiality of individuals and to the extent otherwise consistent with law—

(A) disaggregated demographic data, to the maximum extent that collection of such data is permissible by law, relating to the workforce and information on the status of diversity and inclusion efforts of the Department;

(B) an analysis of applicant flow data, to the maximum extent that collection of such data is permissible by law; and

(C) disaggregated demographic data relating to participants in professional development programs of the Department and the rate of placement into senior positions for participants in such programs.

(2) COMBINATION WITH OTHER ANNUAL REPORT.—The report required under paragraph (1) may be combined with another annual report required by law, to the extent practicable.

SEC. 5403. CENTERS OF EXCELLENCE IN FOREIGN AFFAIRS AND ASSISTANCE.

(a) PURPOSE.—The purposes of this section are—

(1) to advance the values and interests of the United States overseas through programs that foster innovation, competitiveness, and a diversity of backgrounds, views, and experience in the formulation and implementation of United States foreign policy and assistance; and

(2) to create opportunities for specialized research, education, training, professional development, and leadership opportunities for individuals belonging to an underrepresented group within the Department and USAID.

(b) STUDY.—

(1) IN GENERAL.—The Secretary and the Administrator of USAID shall conduct a study on the feasibility of establishing Centers of Excellence in Foreign Affairs and Assistance (referred to in this section as the ''Centers of Excellence'') within institutions that serve individuals belonging to an underrepresented group to focus on 1 or more of the areas described in paragraph (2).

(2) ELEMENTS.—In conducting the study required under paragraph (1), the Secretary and the Administrator, respectively, shall consider—

(A) opportunities to enter into public-private partnerships that will—

(i) increase diversity in foreign affairs and foreign assistance Federal careers;

(ii) prepare a diverse cadre of students (including nontraditional, mid-career, part-time, and heritage students) and nonprofit or business professionals with the skills and education needed to meaningfully contribute to the formulation and execution of United States foreign policy and assistance;

(iii) support the conduct of research, education, and extension programs that reflect diverse perspectives and a wide range of views of world regions and international affairs—

(I) to assist in the development of regional and functional foreign policy skills;

(II) to strengthen international development and humanitarian assistance programs; and

(III) to strengthen democratic institutions and processes in policymaking, including supporting public policies that engender equitable and inclusive societies and focus on challenges and inequalities in education, health, wealth, justice, and other sectors faced by diverse communities;

(iv) enable domestic and international educational, internship, fellowship, faculty exchange, training, employment or other innovative programs to acquire or strengthen knowledge of foreign languages, cultures, societies, and international skills and perspectives;

(v) support collaboration among institutions of higher education, including community colleges, nonprofit organizations, and corporations, to strengthen the engagement between experts and specialists in the foreign affairs and foreign assistance fields; and

(vi) leverage additional public-private partnerships with nonprofit organizations, foundations, corporations, institutions of higher education, and the Federal Government; and

(B) budget and staffing requirements, including appropriate sources of funding, for the establishment and conduct of operations of such Centers of Excellence.

(c) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that contains the findings of the study conducted pursuant to subsection (b).

SEC. 5404. INSTITUTE FOR TRANSATLANTIC ENGAGEMENT.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary is authorized to establish the Institute for Transatlantic Engagement (referred to in this section as the ''Institute'').

(b) PURPOSE.—The purpose of the Institute shall be to strengthen national security by highlighting, to a geographically diverse set of populations from the United States, Canada, and European nations, the importance of the transatlantic relationship and the threats posed by adversarial countries, such as the Russian Federation and the People's Republic of China, to democracy, free-market economic principles, and human rights, with the aim that lessons learned from the Institute will be shared across the United States and Europe.

(c) DIRECTOR.—The Institute shall be headed by a Director, who shall have expertise in transatlantic relations and diverse populations in the United States and Europe.

(d) SCOPE AND ACTIVITIES.—The Institute shall—

(1) strengthen knowledge of the formation and implementation of transatlantic policies critical to national security, including the threats posed by the Russian Federation and the People's Republic of China;

(2) increase awareness of the roles of government and nongovernmental actors, such as multilateral organizations, businesses, civil society actors, academia, think tanks, and philanthropic institutions, in transatlantic policy development and execution;

(3) increase understanding of the manner in which diverse backgrounds and perspectives affect the development of transatlantic policies;

(4) enhance the skills, abilities, and effectiveness of government officials at national and international levels;

(5) increase awareness of the importance of, and interest in, international public service careers;

(6) annually invite not fewer than 30 individuals to participate in programs of the Institute;

(7) not less than 3 times annually, convene representatives of the Government of the United States, the Government of Canada, and of governments of European nations for a program offered by the Institute that is not less than 2 days in duration; and

(8) develop metrics to track the success and efficacy of the program.

(e) ELIGIBILITY TO PARTICIPATE.—Participants in the programs of the Institute shall include elected government officials—

(1) serving at national, regional, or local levels in the United States, Canada, and European nations; and

(2) who represent geographically diverse backgrounds or constituencies in the United States, Canada, and Europe.

(f) SELECTION OF PARTICIPANTS.—

(1) UNITED STATES PARTICIPANTS.—Participants from the United States shall be appointed in an equally divided manner by—

(A) the chairpersons and ranking members of the appropriate congressional committees;

(B) the Speaker of the House of Representatives and the Minority Leader of the House of Representatives; and

(C) the Majority Leader of the Senate and the Minority Leader of the Senate.

(2) EUROPEAN AND CANADIAN PARTICIPANTS.—Participants from Europe and Canada shall be appointed by the Secretary, in consultation with—

(A) the chairpersons and ranking members of the appropriate congressional committees;

(B) the Speaker of the House of Representatives and the Minority Leader of the House of Representatives; and

(C) the Majority Leader of the Senate and the Minority Leader of the Senate.

(g) RESTRICTIONS.—

(1) UNPAID PARTICIPATION.—Participants in the Institute may not be paid a salary for such participation.

(2) REIMBURSEMENT.—The Institute may pay or reimburse participants for reasonable travel, lodging, and food in connection with participation in the program.

(3) TRAVEL.—No funds authorized to be appropriated under subsection (h) may be used for travel for Members of Congress to participate in Institute activities.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated up to $750,000 for fiscal year 2023 to carry out this section.

SEC. 5405. RULE OF CONSTRUCTION.

Nothing in this division may be construed as altering existing law regarding merit system principles.

TITLE LV—INFORMATION SECURITY AND CYBER DIPLOMACY

SEC. 5501. UNITED STATES INTERNATIONAL CYBERSPACE POLICY.

(a) IN GENERAL.—It is the policy of the United States—

(1) to work internationally to promote an open, interoperable, reliable, and secure internet governed by the multi-stakeholder model, which—

(A) promotes democracy, the rule of law, and human rights, including freedom of expression;

(B) supports the ability to innovate, communicate, and promote economic prosperity; and

(C) is designed to protect privacy and guard against deception, malign influence, incitement to violence, harassment and abuse, fraud, and theft;

(2) to encourage and aid United States allies and partners in improving their own technological capabilities and resiliency to pursue, defend, and protect shared interests and values, free from coercion and external pressure; and

(3) in furtherance of the efforts described in paragraphs (1) and (2)—

(A) to provide incentives to the private sector to accelerate the development of the technologies referred to in such paragraphs;

(B) to modernize and harmonize with allies and partners export controls and investment screening regimes and associated policies and regulations; and

(C) to enhance United States leadership in technical standards-setting bodies and avenues for developing norms regarding the use of digital tools.

(b) IMPLEMENTATION.—In implementing the policy described in subsection (a), the President, in consultation with outside actors, as appropriate, including private sector companies, nongovernmental organizations, security researchers, and other relevant stakeholders, in the conduct of bilateral and multilateral relations, shall strive—

(1) to clarify the applicability of international laws and norms to the use of information and communications technology (referred to in this subsection as ''ICT'');

(2) to reduce and limit the risk of escalation and retaliation in cyberspace, damage to critical infrastructure, and other malicious cyber activity that impairs the use and operation of critical infrastructure that provides services to the public;

(3) to cooperate with like-minded countries that share common values and cyberspace policies with the United States, including respect for human rights, democracy, and the rule of law, to advance such values and policies internationally;

(4) to encourage the responsible development of new, innovative technologies and ICT products that strengthen a secure internet architecture that is accessible to all;

(5) to secure and implement commitments on responsible country behavior in cyberspace, including commitments by countries—

(A) not to conduct, or knowingly support, cyber-enabled theft of intellectual property, including trade secrets or other confidential business information, with the intent of providing competitive advantages to companies or commercial sectors;

(B) to take all appropriate and reasonable efforts to keep their territories clear of intentionally wrongful acts using ICT in violation of international commitments;

(C) not to conduct or knowingly support ICT activity that intentionally damages or otherwise impairs the use and operation of critical infrastructure providing services to the public, in violation of international law;

(D) to take appropriate measures to protect the country's critical infrastructure from ICT threats;

(E) not to conduct or knowingly support malicious international activity that harms the information systems of authorized international emergency response teams (also known as ''computer emergency response teams'' or ''cybersecurity incident response teams'') of another country or authorize emergency response teams to engage in malicious international activity, in violation of international law;

(F) to respond to appropriate requests for assistance to mitigate malicious ICT activity emanating from their territory and aimed at the critical infrastructure of another country;

(G) to not restrict cross-border data flows or require local storage or processing of data; and

(H) to protect the exercise of human rights and fundamental freedoms on the internet, while recognizing that the human rights that people have offline also need to be protected online; and

(6) to advance, encourage, and support the development and adoption of internationally recognized technical standards and best practices.

SEC. 5502. BUREAU OF CYBERSPACE AND DIGITAL POLICY.

(a) IN GENERAL.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a), is amended—

(1) by redesignating subsections (i) and (j) as subsection (j) and (k), respectively;

(2) by redesignating subsection (h) (as added by section 361(a)(1) of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116–260)) as subsection (l); and

(3) by inserting after subsection (h) the following:

''(i) BUREAU OF CYBERSPACE AND DIGITAL POLICY.—

''(1) IN GENERAL.—There is established, within the Department of State, the Bureau of Cyberspace and Digital Policy (referred to in this subsection as the 'Bureau'). The head of the Bureau shall have the rank and status of ambassador and shall be appointed by the President, by and with the advice and consent of the Senate.

''(2) DUTIES.—

''(A) IN GENERAL.—The head of the Bureau shall perform such duties and exercise such powers as the Secretary of State shall prescribe, including implementing the diplomatic and foreign policy aspects of the policy described in section 5501(a) of the Department of State Authorization Act of 2022.

''(B) DUTIES DESCRIBED.—The principal duties and responsibilities of the head of the Bureau shall, in furtherance of the diplomatic and foreign policy mission of the Department, be—

''(i) to serve as the principal cyberspace policy official within the senior management of the Department of State and as the advisor to the Secretary of State for cyberspace and digital issues;

''(ii) to lead, coordinate, and execute, in coordination with other relevant bureaus and offices, the Department of State's diplomatic cyberspace, and cybersecurity efforts (including efforts related to data privacy, data flows, internet governance, information and communications technology standards, and other issues that the Secretary has assigned to the Bureau);

''(iii) to coordinate with relevant Federal agencies and the Office of the National Cyber Director to ensure the diplomatic and foreign policy aspects of the cyber strategy in section 5501 of the Department of State Authorization Act of 2022 and any other subsequent strategy are implemented in a manner that is fully integrated with the broader strategy;

''(iv) to promote an open, interoperable, reliable, and secure information and communications technology infrastructure globally;

''(v) to represent the Secretary of State in interagency efforts to develop and advance Federal Government cyber priorities and activities, including efforts to develop credible national capabilities, strategies, and policies to deter and counter cyber adversaries, and carry out the purposes of title V of the Department of State Authorization Act of 2022;

''(vi) to engage civil society, the private sector, academia, and other public and private entities on relevant international cyberspace and international information and communications technology issues;

''(vii) to support United States Government efforts to uphold and further develop global deterrence frameworks for malicious cyber activity;

''(viii) to advise the Secretary of State and coordinate with foreign governments regarding responses to national security-level cyber incidents, including coordination on diplomatic response efforts to support allies and partners threatened by malicious cyber activity, in conjunction with members of the North Atlantic Treaty Organization and like-minded countries;

''(ix) to promote the building of foreign capacity relating to cyberspace policy priorities;

''(x) to promote an open, interoperable, reliable, and secure information and communications technology infrastructure globally and an open, interoperable, secure, and reliable internet governed by the multi-stakeholder model;

''(xi) to promote an international regulatory environment for technology investments and the internet that benefits United States economic and national security interests;

''(xii) to promote cross-border flow of data and combat international initiatives seeking to impose unreasonable requirements on United States businesses;

''(xiii) to promote international policies to protect the integrity of United States and international telecommunications infrastructure from foreign-based threats, including cyber-enabled threats;

''(xiv) to lead engagement, in coordination with relevant executive branch agencies, with foreign governments on relevant international cyberspace, cybersecurity, cybercrime, and digital economy issues described in title V of the Department of State Authorization Act of 2022;

''(xv) to promote international policies to secure radio frequency spectrum in the best interests of the United States;

''(xvi) to promote and protect the exercise of human rights, including freedom of speech and religion, through the internet;

''(xvii) to build capacity of United States diplomatic officials to engage on cyberspace issues;

''(xviii) to encourage the development and adoption by foreign countries of internationally recognized standards, policies, and best practices;

''(xix) to support efforts by the Global Engagement Center to counter cyber-enabled information operations against the United States or its allies and partners; and

''(xx) to conduct such other matters as the Secretary of State may assign.

''(3) QUALIFICATIONS.—The head of the Bureau should be an individual of demonstrated competency in the fields of—

''(A) cybersecurity and other relevant cyberspace and information and communications technology policy issues; and

''(B) international diplomacy.

''(4) ORGANIZATIONAL PLACEMENT.—

''(A) INITIAL PLACEMENT.—Except as provided in subparagraph (B), the head of the Bureau shall report to the Deputy Secretary of State.

''(B) SUBSEQUENT PLACEMENT.—The head of the Bureau may report to an Under Secretary of State or to an official holding a higher position than Under Secretary if, not later than 15 days before any change in such reporting structure, the Secretary of State—

''(i) consults with the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives; and

''(ii) submits a report to such committees that—

''(I) indicates that the Secretary, with respect to the reporting structure of the Bureau, has consulted with and solicited feedback from—

''(aa) other relevant Federal entities with a role in international aspects of cyber policy; and

''(bb) the elements of the Department of State with responsibility for aspects of cyber policy, including the elements reporting to—

''(AA) the Under Secretary of State for Political Affairs;

''(BB) the Under Secretary of State for Civilian Security, Democracy, and Human Rights;

''(CC) the Under Secretary of State for Economic Growth, Energy, and the Environment;

''(DD) the Under Secretary of State for Arms Control and International Security Affairs;

''(EE) the Under Secretary of State for Management; and

''(FF) the Under Secretary of State for Public Diplomacy and Public Affairs;

''(II) describes the new reporting structure for the head of the Bureau and the justification for such new structure; and

''(III) includes a plan describing how the new reporting structure will better enable the head of the Bureau to carry out the duties described in paragraph (2), including the security, economic, and human rights aspects of cyber diplomacy.

''(5) SPECIAL HIRING AUTHORITIES.—The Secretary of State may—

''(A) appoint employees without regard to the provisions of title 5, United States Code, regarding appointments in the competitive service; and

''(B) fix the basic compensation of such employees without regard to chapter 51 and subchapter III of chapter 53 of such title regarding classification and General Schedule pay rates.

''(6) COORDINATION.—In implementing the duties prescribed under paragraph (2), the head of the Bureau shall coordinate with the heads of such Federal agencies as the National Cyber Director deems appropriate.

''(7) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed—

''(A) to preclude the head of the Bureau from being designated as an Assistant Secretary, if such an Assistant Secretary position does not increase the number of Assistant Secretary positions at the Department above the number authorized under subsection (c)(1); or

''(B) to alter or modify the existing authorities of any other Federal agency or official.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Bureau established under section 1(i) of the State Department Basic Authorities Act of 1956, as added by subsection (a), should have a diverse workforce composed of qualified individuals, including individuals belonging to an underrepresented group.

(c) UNITED NATIONS.—The Permanent Representative of the United States to the United Nations should use the voice, vote, and influence of the United States to oppose any measure that is inconsistent with the policy described in section 5501(a).

SEC. 5503. INTERNATIONAL CYBERSPACE AND DIGITAL POLICY STRATEGY.

(a) STRATEGY REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the President, acting through the Secretary, and in coordination with the heads of other relevant Federal departments and agencies, shall develop an international cyberspace and digital policy strategy.

(b) ELEMENTS.—The strategy required under subsection (a) shall include—

(1) a review of actions and activities undertaken to support the policy described in section 5501(a);

(2) a plan of action to guide the diplomacy of the Department with regard to foreign countries, including—

(A) conducting bilateral and multilateral activities—

(i) to develop and support the implementation of norms of responsible country behavior in cyberspace consistent with the objectives specified in section 5501(b)(5);

(ii) to reduce the frequency and severity of cyberattacks on United States individuals, businesses, governmental agencies, and other organizations;

(iii) to reduce cybersecurity risks to United States and allied critical infrastructure;

(iv) to improve allies' and partners' collaboration with the United States on cybersecurity issues, including information sharing, regulatory coordination and improvement, and joint investigatory and law enforcement operations related to cybercrime; and

(v) to share best practices and advance proposals to strengthen civilian and private sector resiliency to threats and access to opportunities in cyberspace; and

(B) reviewing the status of existing efforts in relevant multilateral fora, as appropriate, to obtain commitments on international norms regarding cyberspace;

(3) a review of alternative concepts for international norms regarding cyberspace offered by foreign countries;

(4) a detailed description, in consultation with the Office of the National Cyber Director and relevant Federal agencies, of new and evolving threats regarding cyberspace from foreign adversaries, state-sponsored actors, and non-state actors to—

(A) United States national security;

(B) the Federal and private sector cyberspace infrastructure of the United States;

(C) intellectual property in the United States; and

(D) the privacy and security of citizens of the United States;

(5) a review of the policy tools available to the President to deter and de-escalate tensions with foreign countries, state-sponsored actors, and private actors regarding—

(A) threats in cyberspace;

(B) the degree to which such tools have been used; and

(C) whether such tools have been effective deterrents;

(6) a review of resources required to conduct activities to build responsible norms of international cyber behavior;

(7) a review, in coordination with the Office of the National Cyber Director and the Office of Management and Budget, to determine whether the budgetary resources, technical expertise, legal authorities, and personnel available to the Department are adequate to achieve the actions and activities undertaken by the Department to support the policy described in section 5501(a);

(8) a review to determine whether the Department is properly organized and coordinated with other Federal agencies to achieve the objectives described in section 5501(b); and

(9) a plan of action, developed in consultation with relevant Federal departments and agencies as the President may direct, to guide the diplomacy of the Department with respect to the inclusion of cyber issues in mutual defense agreements.

(c) FORM OF STRATEGY.—

(1) PUBLIC AVAILABILITY.—The strategy required under subsection (a) shall be available to the public in unclassified form, including through publication in the Federal Register.

(2) CLASSIFIED ANNEX.—The strategy required under subsection (a) may include a classified annex.

(d) BRIEFING.—Not later than 30 days after the completion of the strategy required under subsection (a), the Secretary shall brief the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Armed Services of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Permanent Select Committee on Intelligence of the House of Representatives, and the Committee on Armed Services of the House of Representatives regarding the strategy, including any material contained in a classified annex.

(e) UPDATES.—The strategy required under subsection (a) shall be updated—

(1) not later than 90 days after any material change to United States policy described in such strategy; and

(2) not later than 1 year after the inauguration of each new President.

SEC. 5504. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON CYBER DIPLOMACY.

Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report and provide a briefing to the appropriate congressional committees that includes—

(1) an assessment of the extent to which United States diplomatic processes and other efforts with foreign countries, including through multilateral fora, bilateral engagements, and negotiated cyberspace agreements, advance the full range of United States interests regarding cyberspace, including the policy described in section 5501(a);

(2) an assessment of the Department's organizational structure and approach to managing its diplomatic efforts to advance the full range of United States interests regarding cyberspace, including a review of—

(A) the establishment of a Bureau within the Department to lead the Department's international cyber mission;

(B) the current or proposed diplomatic mission, structure, staffing, funding, and activities of such Bureau;

(C) how the establishment of such Bureau has impacted or is likely to impact the structure and organization of the Department; and

(D) what challenges, if any, the Department has faced or will face in establishing such Bureau; and

(3) any other matters that the Comptroller General determines to be relevant.

SEC. 5505. REPORT ON DIPLOMATIC PROGRAMS TO DETECT AND RESPOND TO CYBER THREATS AGAINST ALLIES AND PARTNERS.

Not later than 180 days after the date of the enactment of this Act, the Secretary, in coordination with the heads of other relevant Federal agencies, shall submit a report to the appropriate congressional committees that assesses the capabilities of the Department to provide civilian-led support for acute cyber incident response in ally and partner countries that includes—

(1) a description and assessment of the Department's coordination with cyber programs and operations of the Department of Defense and the Department of Homeland Security;

(2) recommendations on how to improve coordination and executive of Department involvement in programs or operations to support allies and partners in responding to acute cyber incidents; and

(3) the budgetary resources, technical expertise, legal authorities, and personnel needed for the Department to formulate and implement the programs described in this section.

SEC. 5506. CYBERSECURITY RECRUITMENT AND RETENTION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that improving computer programming language proficiency will improve—

(1) the cybersecurity effectiveness of the Department; and

(2) the ability of foreign service officers to engage with foreign audiences on cybersecurity matters.

(b) TECHNOLOGY TALENT ACQUISITION.—

(1) ESTABLISHMENT.—The Secretary shall establish positions within the Bureau of Global Talent Management that are solely dedicated to the recruitment and retention of Department personnel with backgrounds in cybersecurity, engineering, data science, application development, artificial intelligence, critical and emerging technology, and technology and digital policy.

(2) GOALS.—The goals of the positions described in paragraph (1) shall be—

(A) to fulfill the critical need of the Department to recruit and retain employees for cybersecurity, digital, and technology positions;

(B) to actively recruit relevant candidates from academic institutions, the private sector, and related industries;

(C) to work with the Office of Personnel Management and the United States Digital Service to develop and implement best strategies for recruiting and retaining technology talent; and

(D) to inform and train supervisors at the Department on the use of the authorities listed in subsection (c)(1).

(3) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a plan to the appropriate congressional committees that describes how the objectives and goals set forth in paragraphs (1) and (2) will be implemented.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $750,000 for each of the fiscal years 2023 through 2027 to carry out this subsection.

(c) ANNUAL REPORT ON HIRING AUTHORITIES.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary shall submit a report to the appropriate congressional committees that includes—

(1) a list of the hiring authorities available to the Department to recruit and retain personnel with backgrounds in cybersecurity, engineering, data science, application development, artificial intelligence, critical and emerging technology, and technology and digital policy;

(2) a list of which hiring authorities described in paragraph (1) have been used during the previous 5 years;

(3) the number of employees in qualified positions hired, aggregated by position and grade level or pay band;

(4) the number of employees who have been placed in qualified positions, aggregated by bureau and offices within the Department;

(5) the rate of attrition of individuals who begin the hiring process and do not complete the process and a description of the reasons for such attrition;

(6) the number of individuals who are interviewed by subject matter experts and the number of individuals who are not interviewed by subject matter experts; and

(7) recommendations for—

(A) reducing the attrition rate referred to in paragraph (5) by 5 percent each year;

(B) additional hiring authorities needed to acquire needed technology talent;

(C) hiring personnel to hold public trust positions until such personnel can obtain the necessary security clearance; and

(D) informing and training supervisors within the Department on the use of the authorities listed in paragraph (1).

(d) INCENTIVE PAY FOR CYBERSECURITY PROFESSIONALS.—To increase the number of qualified candidates available to fulfill the cybersecurity needs of the Department, the Secretary shall—

(1) include computer programming languages within the Recruitment Language Program; and

(2) provide appropriate language incentive pay.

(e) REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary shall provide a list to the appropriate congressional committees that identifies—

(1) the computer programming languages included within the Recruitment Language Program and the language incentive pay rate; and

(2) the number of individuals benefitting from the inclusion of such computer programming languages in the Recruitment Language Program and language incentive pay.

SEC. 5507. SHORT COURSE ON EMERGING TECHNOLOGIES FOR SENIOR OFFICIALS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall develop and begin providing, for senior officials of the Department, a course addressing how the most recent and relevant technologies affect the activities of the Department.

(b) THROUGHPUT OBJECTIVES.—The Secretary should ensure that—

(1) during the first year that the course developed pursuant to subsection (a) is offered, not fewer than 20 percent of senior officials are certified as having passed such course; and

(2) in each subsequent year, until the date on which 80 percent of senior officials are certified as having passed such course, an additional 10 percent of senior officials are certified as having passed such course.

SEC. 5508. ESTABLISHMENT AND EXPANSION OF REGIONAL TECHNOLOGY OFFICER PROGRAM.

(a) REGIONAL TECHNOLOGY OFFICER PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish a program, which shall be known as the ''Regional Technology Officer Program'' (referred to in this section as the ''Program'').

(2) GOALS.—The goals of the Program shall include the following:

(A) Promoting United States leadership in technology abroad.

(B) Working with partners to increase the deployment of critical and emerging technology in support of democratic values.

(C) Shaping diplomatic agreements in regional and international fora with respect to critical and emerging technologies.

(D) Building diplomatic capacity for handling critical and emerging technology issues.

(E) Facilitating the role of critical and emerging technology in advancing the foreign policy objectives of the United States through engagement with research labs, incubators, and venture capitalists.

(F) Maintaining the advantages of the United States with respect to critical and emerging technologies.

(b) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit an implementation plan to the appropriate congressional committees that outlines strategies for—

(1) advancing the goals described in subsection (a)(2);

(2) hiring Regional Technology Officers and increasing the competitiveness of the Program within the Foreign Service bidding process;

(3) expanding the Program to include a minimum of 15 Regional Technology Officers; and

(4) assigning not fewer than 2 Regional Technology Officers to posts within—

(A) each regional bureau of the Department; and

(B) the Bureau of International Organization Affairs.

(c) ANNUAL BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary shall brief the appropriate congressional committees regarding the status of the implementation plan required under subsection (b).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated up to $25,000,000 for each of the fiscal years 2023 through 2027 to carry out this section.

SEC. 5509. VULNERABILITY DISCLOSURE POLICY AND BUG BOUNTY PROGRAM REPORT.

(a) DEFINITIONS.—In this section:

(1) BUG BOUNTY PROGRAM.—The term ''bug bounty program'' means a program under which an approved individual, organization, or company is temporarily authorized to identify and report vulnerabilities of internet-facing information technology of the Department in exchange for compensation.

(2) INFORMATION TECHNOLOGY.—The term ''information technology'' has the meaning given such term in section 11101 of title 40, United States Code.

(b) VULNERABILITY DISCLOSURE POLICY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall design, establish, and make publicly known a Vulnerability Disclosure Policy (referred to in this section as the ''VDP'') to improve Department cybersecurity by—

(A) creating Department policy and infrastructure to receive reports of and remediate discovered vulnerabilities in line with existing policies of the Office of Management and Budget and the Department of Homeland Security Binding Operational Directive 20–01 or any subsequent directive; and

(B) providing a report on such policy and infrastructure to Congress.

(2) ANNUAL REPORTS.—Not later than 180 days after the establishment of the VDP pursuant to paragraph (1), and annually thereafter for the following 5 years, the Secretary shall submit a report on the VDP to the Committee on Foreign Relations of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Homeland Security of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives that includes information relating to—

(A) the number and severity of all security vulnerabilities reported;

(B) the number of previously unidentified security vulnerabilities remediated as a result;

(C) the current number of outstanding previously unidentified security vulnerabilities and Department of State remediation plans;

(D) the average time between the reporting of security vulnerabilities and remediation of such vulnerabilities;

(E) the resources, surge staffing, roles, and responsibilities within the Department used to implement the VDP and complete security vulnerability remediation;

(F) how the VDP identified vulnerabilities are incorporated into existing Department vulnerability prioritization and management processes;

(G) any challenges in implementing the VDP and plans for expansion or contraction in the scope of the VDP across Department information systems; and

(H) any other topic that the Secretary determines to be relevant.

(c) BUG BOUNTY PROGRAM REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to Congress that describes any ongoing efforts by the Department or a third-party vendor under contract with the Department to establish or carry out a bug bounty program that identifies security vulnerabilities of internet-facing information technology of the Department.

(2) REPORT.—Not later than 180 days after the date on which any bug bounty program is established, the Secretary shall submit a report to the Committee on Foreign Relations of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Homeland Security of the House of Representatives regarding such program, including information relating to—

(A) the number of approved individuals, organizations, or companies involved in such program, disaggregated by the number of approved individuals, organizations, or companies that—

(i) registered;

(ii) were approved;

(iii) submitted security vulnerabilities; and

(iv) received compensation;

(B) the number and severity of all security vulnerabilities reported as part of such program;

(C) the number of previously unidentified security vulnerabilities remediated as a result of such program;

(D) the current number of outstanding previously unidentified security vulnerabilities and Department remediation plans for such outstanding vulnerabilities;

(E) the average length of time between the reporting of security vulnerabilities and remediation of such vulnerabilities;

(F) the types of compensation provided under such program;

(G) the lessons learned from such program;

(H) the public accessibility of contact information for the Department regarding the bug bounty program;

(I) the incorporation of bug bounty program identified vulnerabilities into existing Department vulnerability prioritization and management processes; and

(J) any challenges in implementing the bug bounty program and plans for expansion or contraction in the scope of the bug bounty program across Department information systems.

TITLE LVI—PUBLIC DIPLOMACY

SEC. 5601. UNITED STATES PARTICIPATION IN INTERNATIONAL FAIRS AND EXPOSITIONS.

(a) IN GENERAL.—Notwithstanding section 204 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (22 U.S.C. 2452b), and subject to subsection (b), amounts available under title I of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022 (division K of Public Law 117–103), or under prior such Acts, may be made available to pay for expenses related to United States participation in international fairs and expositions abroad, including for construction and operation of pavilions or other major exhibits.

(b) LIMITATION ON SOLICITATION OF FUNDS.—Senior employees of the Department, in their official capacity, may not solicit funds to pay expenses for a United States pavilion or other major exhibit at any international exposition or world's fair registered by the Bureau of International Expositions.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated up to $20,000,000 to the Department for United States participation in international fairs and expositions abroad, including for construction and operation of pavilions or other major exhibits.

SEC. 5602. PRESS FREEDOM CURRICULUM.

The Secretary shall ensure that there is a press freedom curriculum for the National Foreign Affairs Training Center that enables Foreign Service officers to better understand issues of press freedom and the tools that are available to help protect journalists and promote freedom of the press norms, which may include—

(1) the historic and current issues facing press freedom, including countries of specific concern;

(2) the Department's role in promoting press freedom as an American value, a human rights issue, and a national security imperative;

(3) ways to incorporate press freedom promotion into other aspects of diplomacy; and

(4) existing tools to assist journalists in distress and methods for engaging foreign governments and institutions on behalf of individuals engaged in journalistic activity who are at risk of harm.

SEC. 5603. GLOBAL ENGAGEMENT CENTER.

(a) IN GENERAL.—Section 1287(j) of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2656 note) is amended by striking ''the date that is 8 years after the date of the enactment of this Act'' and inserting ''December 31, 2027''.

(b) HIRING AUTHORITY FOR GLOBAL ENGAGEMENT CENTER.—Notwithstanding any other provision of law, the Secretary, during the 5-year period beginning on the date of the enactment of this Act and solely to carry out the functions of the Global Engagement Center described in section 1287(b) of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2656 note), may—

(1) appoint employees without regard to appointment in the competitive service; and

(2) fix the basic compensation of such employees regarding classification and General Schedule pay rates.

SEC. 5604. UNDER SECRETARY FOR PUBLIC DIPLOMACY.

Section 1(b)(3) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(F) coordinate the allocation and management of the financial and human resources for public diplomacy, including for—

''(i) the Bureau of Educational and Cultural Affairs;

''(ii) the Bureau of Global Public Affairs;

''(iii) the Office of Policy, Planning, and Resources for Public Diplomacy and Public Affairs;

''(iv) the Global Engagement Center; and

''(v) the public diplomacy functions within the regional and functional bureaus.''.

TITLE LVII—OTHER MATTERS

SEC. 5701. SUPPORTING THE EMPLOYMENT OF UNITED STATES CITIZENS BY INTERNATIONAL ORGANIZATIONS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department should continue to eliminate the unreasonable barriers United States nationals face to obtain employment in the United Nations Secretariat, funds, programs, and agencies; and

(2) the Department should bolster efforts to increase the number of qualified United States nationals who are candidates for leadership and oversight positions in the United Nations system, agencies, and commissions, and in other international organizations.

(b) IN GENERAL.—The Secretary is authorized to promote the employment and advancement of United States citizens by international organizations and bodies, including by—

(1) providing stipends, consultation, and analytical services to support United States citizen applicants; and

(2) making grants for the purposes described in paragraph (1).

(c) USING DIPLOMATIC PROGRAMS FUNDING TO PROMOTE THE EMPLOYMENT OF UNITED STATES CITIZENS BY INTERNATIONAL ORGANIZATIONS.—Amounts appropriated under the heading ''DIPLOMATIC PROGRAMS'' in Acts making appropriations for the Department of State, Foreign Operations, and Related Programs are authorized to be appropriated for grants, programs, and activities described in subsection (b).

(d) STRATEGY TO ESTABLISH JUNIOR PROFESSIONAL PROGRAM.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary, in coordination with the Secretary of the Treasury and other relevant cabinet members, shall publish a strategy for encouraging United States citizens to pursue careers with international organizations, particularly organizations that—

(A) set international scientific, technical, or commercial standards; or

(B) are involved in international finance and development.

(2) REPORT TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in coordination with the Secretary of the Treasury and other relevant cabinet members, shall submit a report to the appropriate congressional committees that identifies—

(A) the number of United States citizens who are involved in relevant junior professional programs in an international organization;

(B) the distribution of individuals described in subparagraph (A) among various international organizations; and

(C) the types of predeployment training that are available to United States citizens through a junior professional program at an international organization.

SEC. 5702. INCREASING HOUSING AVAILABILITY FOR CERTAIN EMPLOYEES ASSIGNED TO THE UNITED STATES MISSION TO THE UNITED NATIONS.

Section 9(2) of the United Nations Participation Act of 1945 (22 U.S.C. 287e–1(2)), is amended by striking ''30'' and inserting ''41''.

SEC. 5703. LIMITATION ON UNITED STATES CONTRIBUTIONS TO PEACEKEEPING OPERATIONS NOT AUTHORIZED BY THE UNITED NATIONS SECURITY COUNCIL.

The United Nations Participation Act of 1945 (22 U.S.C. 287 et seq.) is amended by adding at the end the following:

''SEC. 12. LIMITATION ON UNITED STATES CONTRIBUTIONS TO PEACEKEEPING OPERATIONS NOT AUTHORIZED BY THE UNITED NATIONS SECURITY COUNCIL.

''None of the funds authorized to be appropriated or otherwise made available to pay assessed and other expenses of international peacekeeping activities under this Act may be made available for an international peacekeeping operation that has not been expressly authorized by the United Nations Security Council.''.

SEC. 5704. BOARDS OF RADIO FREE EUROPE/RADIO LIBERTY, RADIO FREE ASIA, THE MIDDLE EAST BROADCASTING NETWORKS, AND THE OPEN TECHNOLOGY FUND.

The United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.) is amended by inserting after section 306 (22 U.S.C. 6205) the following:

''SEC. 307. GRANTEE CORPORATE BOARDS OF DIRECTORS.

''(a) IN GENERAL.—The corporate board of directors of each grantee under this title—

''(1) shall be bipartisan;

''(2) shall, except as otherwise provided in this Act, have the sole responsibility to operate their respective grantees within the jurisdiction of their respective States of incorporation;

''(3) shall be composed of not fewer than 5 members, who shall be qualified individuals who are not employed in the public sector; and

''(4) shall appoint successors in the event of vacancies on their respective boards, in accordance with applicable bylaws.

''(b) NOT FEDERAL EMPLOYEES.—No employee of any grantee under this title may be a Federal employee.''.

SEC. 5705. BROADCASTING ENTITIES NO LONGER REQUIRED TO CONSOLIDATE INTO A SINGLE PRIVATE, NONPROFIT CORPORATION.

Section 310 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6209) is repealed.

SEC. 5706. INTERNATIONAL BROADCASTING ACTIVITIES.

Section 305(a) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6204(a)) is amended—

(1) by striking paragraph (20);

(2) by redesignating paragraphs (21), (22), and (23) as paragraphs (20), (21), and (22), respectively; and

(3) in paragraph (20), as redesignated, by striking ''or between grantees,''.

SEC. 5707. GLOBAL INTERNET FREEDOM.

(a) STATEMENT OF POLICY.—It is the policy of the United States to promote internet freedom through programs of the Department and USAID that preserve and expand the internet as an open, global space for freedom of expression and association, which shall be prioritized for countries—

(1) whose governments restrict freedom of expression on the internet; and

(2) that are important to the national interest of the United States.

(b) PURPOSE AND COORDINATION WITH OTHER PROGRAMS.—Global internet freedom programming under this section—

(1) shall be coordinated with other United States foreign assistance programs that promote democracy and support the efforts of civil society—

(A) to counter the development of repressive internet-related laws and regulations, including countering threats to internet freedom at international organizations;

(B) to combat violence against bloggers and other civil society activists who utilize the internet; and

(C) to enhance digital security training and capacity building for democracy activists;

(2) shall seek to assist efforts—

(A) to research key threats to internet freedom;

(B) to continue the development of technologies that provide or enhance access to the internet, including circumvention tools that bypass internet blocking, filtering, and other censorship techniques used by authoritarian governments; and

(C) to maintain the technological advantage of the Federal Government over the censorship techniques described in subparagraph (B); and

(3) shall be incorporated into country assistance and democracy promotion strategies, as appropriate.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fiscal year 2023—

(1) $75,000,000 to the Department and USAID, to continue efforts to promote internet freedom globally, and shall be matched, to the maximum extent practicable, by sources other than the Federal Government, including the private sector; and

(2) $49,000,000 to the United States Agency for Global Media (referred to in this section as the ''USAGM'') and its grantees, for internet freedom and circumvention technologies that are designed—

(A) for open-source tools and techniques to securely develop and distribute digital content produced by the USAGM and its grantees;

(B) to facilitate audience access to such digital content on websites that are censored;

(C) to coordinate the distribution of such digital content to targeted regional audiences; and

(D) to promote and distribute such tools and techniques, including digital security techniques.

(d) UNITED STATES AGENCY FOR GLOBAL MEDIA ACTIVITIES.—

(1) ANNUAL CERTIFICATION.—For any new tools or techniques authorized under subsection (c)(2), the Chief Executive Officer of the USAGM, in consultation with the President of the Open Technology Fund (referred to in this subsection as the ''OTF'') and relevant Federal departments and agencies, shall submit an annual certification to the appropriate congressional committees that verifies they—

(A) have evaluated the risks and benefits of such new tools or techniques; and

(B) have established safeguards to minimize the use of such new tools or techniques for illicit purposes.

(2) INFORMATION SHARING.—The Secretary may not direct programs or policy of the USAGM or the OTF, but may share any research and development with relevant Federal departments and agencies for the exclusive purposes of—

(A) sharing information, technologies, and best practices; and

(B) assessing the effectiveness of such technologies.

(3) UNITED STATES AGENCY FOR GLOBAL MEDIA.—The Chief Executive Officer of the USAGM, in consultation with the President of the OTF, shall—

(A) coordinate international broadcasting programs and incorporate such programs into country broadcasting strategies, as appropriate;

(B) solicit project proposals through an open, transparent, and competitive application process, including by seeking input from technical and subject matter experts; and

(C) support internet circumvention tools and techniques for audiences in countries that are strategic priorities for the OTF, in accordance with USAGM's annual language service prioritization review.

(e) USAGM REPORT.—Not later than 120 days after the date of the enactment of this Act, the Chief Executive Office of the USAGM shall submit a report to the appropriate congressional committees that describes—

(1) as of the date of the report—

(A) the full scope of internet freedom programs within the USAGM, including—

(i) the efforts of the Office of Internet Freedom; and

(ii) the efforts of the Open Technology Fund;

(B) the capacity of internet censorship circumvention tools supported by the Office of Internet Freedom and grantees of the Open Technology Fund that are available for use by individuals in foreign countries seeking to counteract censors; and

(C) any barriers to the provision of the efforts described in clauses (i) and (ii) of subparagraph (A), including access to surge funding; and

(2) successful examples from the Office of Internet Freedom and Open Technology Fund involving—

(A) responding rapidly to internet shutdowns in closed societies; and

(B) ensuring uninterrupted circumvention services for USAGM entities to promote internet freedom within repressive regimes.

(f) JOINT REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary and the Administrator of USAID shall jointly submit a report, which may include a classified annex, to the appropriate congressional committees that describes—

(1) as of the date of the report—

(A) the full scope of internet freedom programs within the Department and USAID, including—

(i) Department circumvention efforts; and

(ii) USAID efforts to support internet infrastructure;

(B) the capacity of internet censorship circumvention tools supported by the Federal Government that are available for use by individuals in foreign countries seeking to counteract censors; and

(C) any barriers to provision of the efforts enumerated in clauses (i) and (ii) of subsection (e)(1)(A), including access to surge funding; and

(2) any new resources needed to provide the Federal Government with greater capacity to provide and boost internet access—

(A) to respond rapidly to internet shutdowns in closed societies; and

(B) to provide internet connectivity to foreign locations where the provision of additional internet access service would promote freedom from repressive regimes.

(g) SECURITY AUDITS.—Before providing any support for open source technologies

under this section, such technologies must undergo comprehensive security audits to ensure that such technologies are secure and have not been compromised in a manner that is detrimental to the interest of the United States or to the interests of individuals and organizations benefitting from programs supported by such funding.

(h) SURGE.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Subject to paragraph (2), there is authorized to be appropriated, in addition to amounts otherwise made available for such purposes, up to$2,500,000 to support internet freedom programs in closed societies, including programs that—

(A) are carried out in crisis situations by vetted entities that are already engaged in internet freedom programs;

(B) involve circumvention tools; or

(C) increase the overseas bandwidth for companies that received Federal funding during the previous fiscal year.

(2) CERTIFICATION.—Amounts authorized to be appropriated pursuant to paragraph (1) may not be expended until the Secretary has certified to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives that the use of such funds is in the national interest of the United States.

(i) DEFINED TERM.—In this section, the term ''internet censorship circumvention tool'' means a software application or other tool that an individual can use to evade foreign government restrictions on internet access.

SEC. 5708. ARMS EXPORT CONTROL ACT ALIGNMENT WITH THE EXPORT CONTROL REFORM ACT.

Section 38(e) of the Arms Export Control Act (22 U.S.C. 2778(e)) is amended—

(1) by striking ''subsections (c), (d), (e), and (g) of section 11 of the Export Administration Act of 1979, and by subsections (a) and (c) of section 12 of such Act'' and inserting ''subsections (c) and (d) of section 1760 of the Export Control Reform Act of 2018 (50 U.S.C. 4819), and by subsections (a)(1), (a)(2), (a)(3), (a)(4), (a)(7), (c), and (h) of section 1761 of such Act (50 U.S.C. 4820)'';

(2) by striking ''11(c)(2)(B) of such Act'' and inserting ''1760(c)(2) of such Act (50 U.S.C. 4819(c)(2))'';

(3) by striking ''11(c) of the Export Administration Act of 1979'' and inserting ''section 1760(c) of the Export Control Reform Act of 2018 (50 U.S.C. 4819(c))''; and

(4) by striking ''$500,000'' and inserting ''the greater of $1,200,000 or the amount that is twice the value of the transaction that is the basis of the violation with respect to which the penalty is imposed.''.

SEC. 5709. INCREASING THE MAXIMUM ANNUAL LEASE PAYMENT AVAILABLE WITHOUT APPROVAL BY THE SECRETARY.

Section 10(a) of the Foreign Service Buildings Act, 1926 (22 U.S.C. 301(a)), is amended by striking ''$50,000'' and inserting ''$100,000''.

SEC. 5710. REPORT ON UNITED STATES ACCESS TO CRITICAL MINERAL RESOURCES ABROAD.

Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that details, with regard to the Department—

(1) diplomatic efforts to ensure United States access to critical minerals acquired from outside of the United States that are used to manufacture clean energy technologies; and

(2) collaboration with other parts of the Federal Government to build a robust supply chain for critical minerals necessary to manufacture clean energy technologies.

SEC. 5711. OVERSEAS UNITED STATES STRATEGIC INFRASTRUCTURE DEVELOPMENT PROJECTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the One Belt, One Road Initiative (referred to in this section as ''OBOR'') exploits gaps in infrastructure in developing countries to advance the People's Republic of China's own foreign policy objectives;

(2) although OBOR may meet many countries' short-term strategic infrastructure needs, OBOR—

(A) frequently places countries in debt to the PRC;

(B) contributes to widespread corruption;

(C) often fails to maintain the infrastructure that is built; and

(D) rarely takes into account human rights, labor standards, or the environment; and

(3) the need to challenge OBOR represents a major national security concern for the United States, as the PRC's efforts to control markets and supply chains for strategic infrastructure projects, including critical and strategic minerals resource extraction, represent a grave national security threat.

(b) DEFINITIONS.—In this section:

(1) OBOR.—The term ''OBOR'' means the One Belt, One Road Initiative, a global infrastructure development strategy initiated by the Government of the People's Republic of China in 2013.

(2) PRC.—The term ''PRC'' means the People's Republic of China.

(c) ASSESSMENT OF IMPACT TO UNITED STATES NATIONAL SECURITY OF PRC INFRASTRUCTURE PROJECTS IN THE DEVELOPING WORLD.—

(1) IN GENERAL.—The Secretary, in coordination with the Administrator, shall enter into a contract with an independent research organization to prepare the report described in paragraph (2).

(2) REPORT ELEMENTS.—The report described in this paragraph shall—

(A) describe the nature and cost of OBOR investments, operation, and construction of strategic infrastructure projects, including logistics, refining, and processing industries and resource facilities, and critical and strategic mineral resource extraction projects, including an assessment of—

(i) the strategic benefits of such investments that are derived by the PRC and the host nation; and

(ii) the negative impacts of such investments to the host nation and to United States interests;

(B) describe the nature and total funding of United States' strategic infrastructure investments and construction, such as projects financed through initiatives such as Prosper Africa and the Millennium Challenge Corporation;

(C) assess the national security threats posed by the foreign infrastructure investment gap between China and the United States, including strategic infrastructure, such as ports, market access to, and the security of, critical and strategic minerals, digital and telecommunications infrastructure, threats to the supply chains, and general favorability towards the PRC and the United States among the populations of host countries;

(D) assess the opportunities and challenges for companies based in the United States and companies based in United States partner and allied countries to invest in foreign strategic infrastructure projects in countries where the PRC has focused these types of investments;

(E) identify challenges and opportunities for the United States Government and United States partners and allies to more directly finance and otherwise support foreign strategic infrastructure projects, including an assessment of the authorities and capabilities of United States agencies, departments, public-private partnerships, and international or multilateral organizations to support such projects without undermining United States domestic industries, such as domestic mineral deposits;

(F) include a feasibility study and options for United States Government agencies to undertake or increase support for United States businesses to support foreign, large-scale, strategic infrastructure projects, such as roads, power grids, and ports; and

(G) identify at least 5 strategic infrastructure projects, with one each in the Western Hemisphere, Africa, and Asia, that are needed, but have not yet been initiated.

(3) SUBMISSION TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a copy of the report prepared pursuant to this subsection to the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 5712. PROVISION OF PARKING SERVICES AND RETENTION OF PARKING FEES.

The Secretary of State may—

(1) provide parking services, including electric vehicle charging and other parking services, in facilities operated by or for the Department; and

(2) charge fees for such services that may be deposited into the appropriate account of the Department, to remain available until expended for the purposes of such account.

SEC. 5713. DIPLOMATIC RECEPTION AREAS.

(a) DEFINED TERM.—In this section, the term ''reception areas'' has the meaning given such term in section 41(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2713(c)).

(b) IN GENERAL.—The Secretary may sell goods and services and use the proceeds of such sales for administration and related support of the reception areas consistent with section 41(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2713(a)).

(c) AMOUNTS COLLECTED.—Amounts collected pursuant to the authority provided under subsection (b) may be deposited into an account in the Treasury, to remain available until expended.

SEC. 5714. CONSULAR AND BORDER SECURITY PROGRAMS VISA SERVICES COST RECOVERY PROPOSAL.

Section 103(d) of the Enhanced Border Security and Visa Entry Reform Act of 2002 (8 U.S.C. 1713) is amended by adding at the end the following: ''The amount of the machine-readable visa fee or surcharge under this subsection may also account for the cost of other consular services that are not otherwise subject to a fee or surcharge retained by the Department of State.''.

SEC. 5715. RETURN OF SUPPORTING DOCUMENTS FOR PASSPORT APPLICATIONS THROUGH UNITED STATES POSTAL SERVICE CERTIFIED MAIL.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a procedure that provides, to any individual applying for a new United States passport or to renew the United States passport of the individual by mail, the option to have supporting documents for the application returned to the individual by the United States Postal Service through certified mail.

(b) COST.—

(1) RESPONSIBILITY.—The cost of returning supporting documents to an individual as described in subsection (a) shall be the responsibility of the individual.

(2) FEE.—The fee charged to the individual by the Secretary for returning supporting documents as described in subsection (a) shall be the sum of—

(A) the retail price charged by the United States Postal Service for the service; and

(B) the estimated cost of processing the return of the supporting documents.

(3) REPORT.—The Secretary shall submit a report to the appropriate congressional committees that—

(A) details the costs included in the processing fee described in paragraph (2); and

(B) includes an estimate of the average cost per request.

SEC. 5716. REPORT ON DISTRIBUTION OF PERSONNEL AND RESOURCES RELATED TO ORDERED DEPARTURES AND POST CLOSURES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that describes—

(1) how Department personnel and resources dedicated to Mission Afghanistan were reallocated following the closure of diplomatic posts in Afghanistan in August 2021; and

(2) the extent to which Department personnel and resources for Mission Iraq were reallocated following ordered departures for diplomatic posts in March 2020, and how such resources were reallocated.

SEC. 5717. ELIMINATION OF OBSOLETE REPORTS.

(a) CERTIFICATION OF EFFECTIVENESS OF THE AUSTRALIA GROUP.—Section 2(7) of Senate Resolution 75 (105th Congress) is amended by striking subparagraph (C).

(b) ACTIVITIES OF THE TALIBAN.—Section 7044(a)(4) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021 (division K of Public Law 116–260) is amended by striking ''the following purposes—'' and all that follows through ''(B)''.

(c) PLANS TO IMPLEMENT THE GANDHI-KING SCHOLARLY EXCHANGE INITIATIVE.—The Gandhi-King Scholarly Exchange Initiative Act (subtitle D of title III of division FF of Public Law 116–260) is amended by striking section 336.

(d) PROGRESS REPORT ON JERUSALEM EMBASSY.—The Jerusalem Embassy Act of 1995 (Public Law 104–45) is amended by striking section 6.

(e) BURMA'S TIMBER TRADE.—The Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008 (Public Law 110–286; 50 U.S.C. 1701 note) is amended by striking section 12.

(f) MONITORING OF ASSISTANCE FOR AFGHANISTAN.—Section 103 of the Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7513) is amended by striking subsection (d).

(g) PRESIDENTIAL ANTI-PEDOPHILIA CERTIFICATION.—Section 102 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) is amended by striking subsection (g).

(h) MICROENTERPRISE FOR SELF-RELIANCE REPORT.—Title III of the Microenterprise for Self-Reliance and International Anti-Corruption Act of 2000 (Public Law 106–309; 22 U.S.C. 2462 note) is amended by striking section 304.

SEC. 5718. LOCALITY PAY FOR FEDERAL EMPLOYEES WORKING OVERSEAS UNDER DOMESTIC EMPLOYEE TELEWORKING OVERSEAS AGREEMENTS.

(a) DEFINITIONS.—In this section:

(1) CIVIL SERVICE.—The term ''civil service'' has the meaning given the term in section 2101 of title 5, United States Code.

(2) COVERED EMPLOYEE.—The term ''covered employee'' means an employee who—

(A) occupies a position in the civil service; and

(B) is working overseas under a Domestic Employee Teleworking Overseas agreement.

(3) LOCALITY PAY.—The term ''locality pay'' means a locality-based comparability payment paid in accordance with subsection (b).

(4) NONFOREIGN AREA.—The term ''nonforeign area'' has the meaning given the term in section 591.205 of title 5, Code of Federal Regulations, or any successor regulation.

(5) OVERSEAS.—The term ''overseas'' means any geographic location that is not in—

(A) the continental United States; or

(B) a nonforeign area.

(b) PAYMENT OF LOCALITY PAY.—Each covered employee shall be paid locality pay in an amount that is equal to the lesser of—

(1) the amount of a locality-based comparability payment that the covered employee would have been paid under section 5304 or 5304a of title 5, United States Code, had the official duty station of the covered employee not been changed to reflect an overseas location under the applicable Domestic Employee Teleworking Overseas agreement; or

(2) the amount of a locality-based comparability payment that the covered employee would be paid under section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111–32), as limited under section 5803(a)(4)(B) of this Act, if the covered employee were an eligible member of the Foreign Service (as defined in subsection (b) of such section 1113).

(c) APPLICATION.—Locality pay paid to a covered employee under this section—

(1) shall begin to be paid not later than 60 days after the date of the enactment of this Act; and

(2) shall be treated in the same manner, and subject to the same terms and conditions, as a locality-based comparability payment paid under section 5304 or 5304a of title 5, United States Code.

(d) ANNUITY COMPUTATION.—Notwithstanding any other provision of law, for purposes of any annuity computation under chapter 83 or 84 of title 5, United States Code, the basic pay of a covered employee shall—

(1) be considered to be the rate of basic pay that would have been paid to the covered employee had the official duty station of the covered employee not been changed to reflect an overseas location under the applicable Domestic Employee Teleworking Overseas agreement; and

(2) include locality pay paid to the covered employee under this section.

SEC. 5719. MODIFICATIONS TO SANCTIONS WITH RESPECT TO HUMAN RIGHTS VIOLATIONS.

(a) SENSE OF CONGRESS.—

(1) IN GENERAL.—The Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.) is amended by inserting after section 1262 the following:

''SEC. 1262A. SENSE OF CONGRESS.

''It is the sense of Congress that the President should establish and regularize information sharing and sanctions-related decision making with like-minded governments possessing human rights and anti-corruption sanctions programs similar in nature to those authorized under this subtitle.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 2(b) and in title XII of division A of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) are each amended by inserting after the items relating to section 1262 the following:

''Sec. 1262A. Sense of Congress.''.

(b) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—Section 1263(a) of the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10102) is amended by striking paragraphs (2) through (4) and inserting the following:

''(2) is a current or former government official, or a person acting for or on behalf of such an official, who is responsible for or complicit in, or has directly or indirectly engaged in—

''(A) corruption, including—

''(i) the misappropriation of state assets;

''(ii) the expropriation of private assets for personal gain;

''(iii) corruption related to government contracts or the extraction of natural resources; or

''(iv) bribery; or

''(B) the transfer or facilitation of the transfer of the proceeds of corruption;

''(3) is or has been a leader or official of—

''(A) an entity, including a government entity, that has engaged in, or whose members have engaged in, any of the activities described in paragraph (1) or (2) related to the tenure of the leader or official; or

''(B) an entity whose property and interests in property are blocked pursuant to this section as a result of activities related to the tenure of the leader or official;

''(4) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of—

''(A) an activity described in paragraph (1) or (2) that is conducted by a foreign person;

''(B) a person whose property and interests in property are blocked pursuant to this section; or

''(C) an entity, including a government entity, that has engaged in, or whose members have engaged in, an activity described in paragraph (1) or (2) conducted by a foreign person; or

''(5) is owned or controlled by, or has acted or been purported to act for or on behalf of, directly or indirectly, a person whose property and interests in property are blocked pursuant to this section.''.

(2) CONSIDERATION OF CERTAIN INFORMATION.—Subsection (c)(2) of such section is amended by inserting ''corruption and'' after ''monitor''.

(3) REQUESTS BY CONGRESS.—Subsection (d)(2) of such section is amended to read as follows:

''(2) REQUIREMENTS.—A request under paragraph (1) with respect to whether a foreign person has engaged in an activity described in subsection (a) shall be submitted to the President in writing jointly by the chairperson and ranking member of one of the appropriate congressional committees.''.

(c) REPORTS TO CONGRESS.—Section 1264(a) of the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10103(a)) is amended—

(1) in paragraph (5), by striking ''; and'' and inserting a semicolon;

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

(3) by adding at the end the following:

''(7) a description of additional steps taken by the President through diplomacy, international engagement, and assistance to foreign or security sectors to address persistent underlying causes of conduct giving rise to the imposition of sanctions under this section, as amended on or after the date of the enactment of this paragraph, in each country in which foreign persons with respect to which such sanctions have been imposed are located; and

''(8) a description of additional steps taken by the President to ensure the pursuit of judicial accountability in appropriate jurisdictions with respect to foreign persons subject to sanctions under this section.''.

SEC. 5720. REPORT ON COUNTERING THE ACTIVITIES OF MALIGN ACTORS.

(a) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the

Secretary, in consultation with the Secretary of the Treasury and the Administrator, shall submit a report to the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives regarding United States diplomatic efforts in Africa in achieving United States policy goals and countering the activities of malign actors.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) case studies from Mali, Sudan, the Central African Republic, the Democratic Republic of the Congo, and South Sudan, with the goal of assessing the effectiveness of diplomatic tools during the 5-year period ending on the date of the enactment of this Act; and

(B) an assessment of—

(i) the extent and effectiveness of certain diplomatic tools to advance United States priorities in the respective case study countries, including—

(I) in-country diplomatic presence;

(II) humanitarian and development assistance;

(III) support for increased 2-way trade and investment;

(IV) United States security assistance;

(V) public diplomacy; and

(VI) accountability measures, including sanctions;

(ii) whether the use of the diplomatic tools described in clause (i) achieved the diplomatic ends for which they were intended; and

(iii) the means by which the Russian Federation and the People's Republic of China exploited any openings for diplomatic engagement in the case study countries.

(b) FORM.—The report required under subsection (b) shall be submitted in classified form.

(c) CLASSIFIED BRIEFING REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Secretary and the Administrator shall jointly brief Congress regarding the report required under subsection (b).

TITLE LVIII—EXTENSION OF AUTHORITIES

SEC. 5801. CONSULTING SERVICES.

Any consulting services through procurement contracts shall be limited to contracts in which such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive orders issued pursuant to existing law.

SEC. 5802. DIPLOMATIC FACILITIES.

For the purposes of calculating the costs of providing new United States diplomatic facilities in any fiscal year, in accordance with section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the Secretary of State, in consultation with the Director of the Office of Management and Budget, shall determine the annual program level and agency shares for such fiscal year in a manner that is proportional to the contribution of the Department of State for this purpose.

SEC. 5803. EXTENSION OF EXISTING AUTHORITIES.

(a) EXTENSION OF AUTHORITIES.—

(1) PASSPORT FEES.—Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by striking ''September 30, 2010'' and inserting ''September 30, 2024''.

(2) INCENTIVES FOR CRITICAL POSTS.—The authority contained in section 1115(d) of the Supplemental Appropriations Act, 2009 (Public Law 111–32) shall remain in effect through ''September 30, 2024''.

(3) USAID CIVIL SERVICE ANNUITANT WAIVER.—Section 625(j)(1)(B) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)(B)) shall be applied by striking ''October 1, 2010'' and inserting ''September 30, 2024''.

(4) OVERSEAS PAY COMPARABILITY AND LIMITATION.—

(A) IN GENERAL.—The authority provided by section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111–32) shall remain in effect through September 30, 2024.

(B) LIMITATION.—The authority described in subparagraph (A) may not be used to pay an eligible member of the Foreign Service (as defined in section 1113(b) of the Supplemental Appropriations Act, 2009 (Public Law 111–32)) a locality-based comparability payment (stated as a percentage) that exceeds two-thirds of the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such member under section 5304 of title 5, United States Code, if such member's official duty station were in the District of Columbia.

(5) INSPECTOR GENERAL ANNUITANT WAIVER.—The authorities provided in section 1015(b) of the Supplemental Appropriations Act, 2010 (Public Law 111–212)—

(A) shall remain in effect through September 30, 2024; and

(B) may be used to facilitate the assignment of persons for oversight of programs in Somalia, South Sudan, Syria, Venezuela, and Yemen.

(6) ACCOUNTABILITY REVIEW BOARDS.—The authority provided under section 301(a)(3) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect for facilities in Afghanistan and shall apply to facilities in Ukraine through September 30, 2024, except that the notification and reporting requirements contained in such section shall include the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives.

(7) DEPARTMENT OF STATE INSPECTOR GENERAL WAIVER AUTHORITY.—The Inspector General of the Department may waive the provisions of subsections (a) through (d) of section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064), on a case-by-case basis, for an annuitant reemployed by the Inspector General on a temporary basis, subject to the same constraints and in the same manner by which the Secretary of State may exercise such waiver authority pursuant to subsection (g) of such section.

(b) EXTENSION OF PROCUREMENT AUTHORITY.—Section 7077 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74) shall continue in effect until September 30, 2024.

SEC. 5804. WAR RESERVES STOCKPILE AND MILITARY TRAINING REPORT.

(a) EXTENSION OF 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 ''of this section'' and all that follows through the period at the end and inserting ''of this section after September 30, 2024.''.

(b) ANNUAL FOREIGN MILITARY TRAINING REPORT.—

(1) IN GENERAL.—For the purposes of implementing section 656 of the Foreign Assistance Act of 1961 (22 U.S.C. 2416), the term ''military training provided to foreign military personnel by the Department of Defense and the Department of State'' shall be deemed to include all military training provided by foreign governments with funds appropriated to the Department of Defense or the Department of State, except for training provided by the government of a country designated under section 517(b) of such Act (22 U.S.C. 2321k(b)) as a major non-North Atlantic Treaty Organization ally. Such third-country training shall be clearly identified in the report submitted pursuant to such section 656.

(2) DISTRIBUTION OF REPORT.—section 656(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2416(e)) is amended to read as follows:

''(e) DEFINED TERM.—In this section, the term 'appropriate congressional committees' means—

''(1) the Committee on Foreign Relations of the Senate;

''(2) the Committee on Appropriations of the Senate;

''(3) the Committee on Armed Services of the Senate;

''(4) the Committee on Foreign Affairs of the House of Representatives;

''(5) the Committee on Appropriations of the House of Representatives; and

''(6) the Committee on Armed Services of the House of Representatives.''.

SEC. 5805. COMMISSION ON REFORM AND MODERNIZATION OF THE DEPARTMENT OF STATE.

(a) SHORT TITLE.—This section may be cited as the ''Commission on Reform and Modernization of the Department of State Act''.

(b) ESTABLISHMENT OF COMMISSION.—There is established, in the legislative branch, the Commission on Reform and Modernization of the Department of State (referred to in this section as the ''Commission'').

(c) PURPOSES.—The purposes of the Commission are—

(1) to examine the changing nature of diplomacy in the 21st century and the ways in which the Department and its personnel can modernize to advance the interests of the United States; and

(2) to offer recommendations to the President and Congress related to—

(A) the organizational structure of the Department, including a review of the jurisdictional responsibilities of all of the Department's regional bureaus (the Bureau of African Affairs, the Bureau of East Asian and Pacific Affairs, the Bureau of European and Eurasian Affairs, the Bureau of Near Eastern Affairs, the Bureau of South and Central Asian Affairs, and the Bureau of Western Hemisphere Affairs);

(B) personnel-related matters, including recruitment, promotion, training, and retention of the Department's workforce in order to retain the best and brightest personnel and foster effective diplomacy worldwide, including measures to strengthen diversity and inclusion to ensure that the Department's workforce represents all of America;

(C) the Department of State's infrastructure (both domestic and overseas), including infrastructure relating to information technology, transportation, and security;

(D) the link among diplomacy and defense, intelligence, development, commercial, health, law enforcement, and other core United States interests;

(E) core legislation that authorizes United States diplomacy, including the Foreign Service Act of 1980 (Public Law 96–465);

(F) related regulations, rules, and processes that define United States diplomatic efforts, including the Foreign Affairs Manual; and

(G) treaties that impact United States overseas presence.

(d) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of 10 members, of whom—

(A) 2 members shall be appointed by the President;

(B) 1 member shall be appointed by the chairperson of the Committee on Foreign Relations of the Senate;

(C) 1 member shall be appointed by the ranking member of the Committee on Foreign Relations of the Senate;

(D) 1 member shall be appointed by the chairperson of the Committee on Foreign Affairs of the House of Representatives;

(E) 1 member shall be appointed by the ranking member of the Committee on Foreign Affairs of the House of Representatives;

(F) 1 member shall be appointed by the majority leader of the Senate, who shall serve as co-chair of the Commission;

(G) 1 member shall be appointed by the Speaker of the House of Representatives;

(H) 1 member shall be appointed by the minority leader of the Senate, who shall serve as co-chair of the Commission; and

(I) 1 member shall be appointed by the minority leader of the House of Representatives.

(2) QUALIFICATIONS; MEETINGS.—

(A) MEMBERSHIP.—The members of the Commission should be prominent United States citizens, with national recognition and significant depth of experience in international relations and with the Department.

(B) POLITICAL PARTY AFFILIATION.—Not more than 4 members of the Commission may be from the same political party.

(C) MEETINGS.—

(i) INITIAL MEETING.—Not later than 45 days after the date of the enactment of this Act, the Commission shall hold the first meeting and begin operations as soon as practicable.

(ii) FREQUENCY.—The Commission shall meet at the call of the co-chairs.

(iii) QUORUM.—Six members of the Commission shall constitute a quorum for purposes of conducting business, except that 2 members of the Commission shall constitute a quorum for purposes of receiving testimony.

(D) VACANCIES.—Any vacancy in the Commission shall not affect the powers of the Commission, but shall be filled in the same manner as the original appointment.

(e) FUNCTIONS OF COMMISSION.—

(1) IN GENERAL.—The Commission shall act by resolution agreed to by a majority of the members of the Commission voting and present.

(2) PANELS.—The Commission may establish panels composed of less than the full membership of the Commission for purposes of carrying out the duties of the Commission under this section. The actions of any such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel may not be considered the findings and determinations of the Commission unless such findings and determinations are approved by the Commission.

(3) DELEGATION.—Any member, agent, or staff of the Commission may, if authorized by the co-chairs of the Commission, take any action which the Commission is authorized to take pursuant to this section.

(f) POWERS OF COMMISSION.—

(1) HEARINGS AND EVIDENCE.—The Commission or any panel or member of the Commission, as delegated by the co-chairs, may, for the purpose of carrying out this section—

(A) hold such hearings and meetings, take such testimony, receive such evidence, and administer such oaths as the Commission or such designated subcommittee or designated member considers necessary;

(B) require the attendance and testimony of such witnesses and the production of such correspondence, memoranda, papers, and documents, as the Commission or such designated subcommittee or designated member considers necessary; and

(C) subject to applicable privacy laws and relevant regulations, secure directly from the Department, USAID, the United States International Development Finance Corporation, the Millennium Challenge Corporation, the Peace Corps, Trade Development Agency, and the United States Agency for Global Media information and data necessary to enable it to carry out its mission, which shall be provided not later than 30 days after the Commission provides a written request for such information and data.

(2) CONTRACTS.—The Commission, to such extent and in such amounts as are provided in appropriations Acts, may enter into contracts to enable the Commission to discharge its duties under this section.

(3) INFORMATION FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—The Commission may secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of this section.

(B) HANDLING.—Information may only be received, handled, stored, and disseminated by members of the Commission and its staff in accordance with all applicable statutes, regulations, and Executive orders.

(4) ASSISTANCE FROM FEDERAL AGENCIES.—

(A) SECRETARY OF STATE.—The Secretary shall provide to the Commission, on a nonreimbursable basis, such administrative services, staff, and other support services as are necessary for the performance of the Commission's duties under this section.

(B) OTHER DEPARTMENTS AND AGENCIES.—Other Federal departments and agencies may provide the Commission such services, staff, and other support as such departments and agencies consider advisable and authorized by law.

(5) ASSISTANCE FROM INDEPENDENT ORGANIZATIONS.—

(A) IN GENERAL.—In order to inform its work, the Commission should review reports that were written during the 15-year period ending on the date of the enactment of this Act by independent organizations and outside experts relating to reform and modernization of the Department.

(B) AVOIDING DUPLICATION.—In analyzing the reports referred to in subparagraph (A), the Commission should pay particular attention to any specific reform proposals that have been recommended by 2 or more of such reports.

(6) CONGRESSIONAL CONSULTATION.—Not less frequently than quarterly, the Commission shall provide a briefing to the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives regarding the work of the Commission.

(g) STAFF AND COMPENSATION.—

(1) STAFF.—

(A) COMPENSATION.—The co-chairs of the Commission, in accordance with rules established by the Commission, shall appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its duties, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable to a person occupying a position at level V of the Executive Schedule under section 5316 of such title.

(B) DETAIL OF GOVERNMENT EMPLOYEES.—A Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(C) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The co-chairs of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of such title.

(2) COMMISSION MEMBERS.—

(A) COMPENSATION.—

(i) IN GENERAL.—Except as provided in paragraph (2), each member of the Commission may be compensated at a rate not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission under this section.

(ii) WAIVER OF CERTAIN PROVISIONS.—Subsections (a) through (d) of section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064) are waived for an annuitant on a temporary basis so as to be compensated for work performed as part of the Commission.

(3) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of service for the Commission, members and staff of the Commission, and any Federal Government employees detailed to the Commission, shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703(b) of title 5, United States Code.

(4) SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.—The appropriate Federal agencies or departments shall cooperate with the Commission in expeditiously providing to Commission members and staff appropriate security clearances to the extent possible pursuant to existing procedures and requirements, except that no person shall be provided access to classified information under this section without the appropriate security clearances.

(h) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Commission shall submit a final report to the President and to Congress that—

(A) examines all substantive aspects of Department personnel, management, and operations; and

(B) contains such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(2) ELEMENTS.—The report required under paragraph (1) shall include findings, conclusions, and recommendations related to—

(A) the organizational structure of the Department, including recommendations on whether any of the jurisdictional responsibilities among the bureaus referred to in subsection (c)(2)(A) should be adjusted, with particular focus on the opportunities and costs of adjusting jurisdictional responsibility between the Bureau of Near Eastern Affairs to the Bureau of African Affairs, the Bureau of East Asian and Pacific Affairs, the Bureau of South and Central Asian Affairs, and any other bureaus as may be necessary to advance United States efforts to strengthen its diplomatic engagement in the Indo-Pacific region;

(B) personnel-related matters, including recruitment, promotion, training, and retention of the Department's workforce in order to retain the best and brightest personnel and foster effective diplomacy worldwide, including measures to strengthen diversity and inclusion to ensure that the Department's workforce represents all of America;

(C) the Department of State's infrastructure (both domestic and overseas), including infrastructure relating to information technology, transportation, and security;

(D) the link between diplomacy and defense, development, commercial, health, law enforcement, and other core United States interests;

(E) core legislation that authorizes United States diplomacy;

(F) related regulations, rules, and processes that define United States diplomatic efforts, including the Foreign Affairs Manual;

(G) treaties that impact United States overseas presence;

(H) any other areas that the Commission considers necessary for a complete appraisal of United States diplomacy and Department management and operations; and

(I) the amount of time, manpower, and financial resources that would be necessary to implement the recommendations specified under this paragraph.

(3) DEPARTMENT RESPONSE.—The Secretary, in coordination with the heads of appropriate Federal departments and agencies, shall have the right to review and respond to all Commission recommendations—

(A) before the Commission submits its report to the President and to Congress; and

(B) not later than 90 days after receiving such recommendations from the Commission.

(i) TERMINATION OF COMMISSION.—

(1) IN GENERAL.—The Commission, and all the authorities under this section, shall terminate on the date that is 60 days after the date on which the final report is submitted pursuant to subsection (h).

(2) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports and disseminating the report.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated up to $2,000,000 for fiscal year 2023 to carry out this section.

SA 6446. Mr. REED (for Mr. CORNYN (for himself and Mr. WHITEHOUSE)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. TREATMENT OF EXEMPTIONS UNDER FARA.

(a) DEFINITION.—Section 1 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611) is amended by adding at the end the following:

''(q) The term 'country of concern' means—

''(1) the People's Republic of China;

''(2) the Russian Federation;

''(3) the Islamic Republic of Iran;

''(4) the Democratic People's Republic of Korea;

''(5) the Republic of Cuba; and

''(6) the Syrian Arab Republic.''.

(b) EXEMPTIONS.—Section 3 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613), is amended, in the matter preceding subsection (a), by inserting '', except that the exemptions under subsections (d)(1) and (h) shall not apply to any agent of a foreign principal that is a country of concern'' before the colon.

(c) SUNSET.—The amendments made by subsections (a) and (b) shall terminate on October 1, 2025.

SA 6447. Mr. REED (for Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

DIVISION F—MATTERS RELATED TO TAIWAN

SEC. 10001. SHORT TITLE.

This division may be cited as ''Matters Related to Taiwan''.

TITLE I—IMPLEMENTATION OF AN ENHANCED DEFENSE PARTNERSHIP BETWEEN THE UNITED STATES AND TAIWAN

SEC. 10101. MODERNIZING TAIWAN'S SECURITY CAPABILITIES TO DETER AND, IF NECESSARY, DEFEAT AGGRESSION BY THE PEOPLE'S REPUBLIC OF CHINA.

(a) TAIWAN SECURITY PROGRAMS.—The Secretary of State, in consultation with the Secretary of Defense, shall use the authorities under this section to strengthen the United States-Taiwan defense relationship, and to support the acceleration of the modernization of Taiwan's defense capabilities, consistent with the Taiwan Relations Act (Public Law 96–8).

(b) PURPOSE.—In addition to the purposes otherwise authorized for Foreign Military Financing programs under the Arms Export Control Act (22 U.S.C. 2751 et seq.), a purpose of the Foreign Military Financing Program should be to provide assistance, including equipment, training, and other support, to build the civilian and defensive military capabilities of Taiwan—

(1) to accelerate the modernization of self-defense capabilities that will enable Taiwan to delay, degrade, and deny attempts by People's Liberation Army forces—

(A) to conduct coercive or grey zone activities;

(B) to blockade Taiwan; or

(C) to secure a lodgment on any islands administered by Taiwan and expand or otherwise use such lodgment to seize control of a population center or other key territory in Taiwan; and

(2) to prevent the People's Republic of China from decapitating, seizing control of, or otherwise neutralizing or rendering ineffective Taiwan's civilian and defense leadership.

(c) REGIONAL CONTINGENCY STOCKPILE.—Of the amounts authorized to be appropriated pursuant to subsection (g), not more than $100,000,000 may be used during each of the fiscal years 2023 through 2032 to maintain a stockpile (if established under section 10002), in accordance with section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), as amended by section 10002.

(d) AVAILABILITY OF FUNDS.—

(1) ANNUAL SPENDING PLAN.—Not later than March 1, 2023, and annually thereafter, the Secretary of State, in coordination with the Secretary of Defense, shall submit a plan to the appropriate committees of Congress describing how amounts authorized to be appropriated pursuant to subsection (g), if made available, would be used to achieve the purpose described in subsection (b).

(2) CERTIFICATION.—

(A) IN GENERAL.—Amounts authorized to be appropriated for each fiscal year pursuant to subsection (g) are authorized to be made available after the Secretary of State, in coordination with the Secretary of Defense, certifies not less than annually to the appropriate committees of Congress that Taiwan has increased its defense spending relative to Taiwan's defense spending in its prior fiscal year, which may include support for an asymmetric strategy, excepting accounts in Taiwan's defense budget related to personnel expenditures, (other than military training and education and any funding related to the All-Out Defense Mobilization Agency).

(B) WAIVER.—The Secretary of State may waive the certification requirement under subparagraph (A) if the Secretary, in consultation with the Secretary of Defense, certifies to the Committee on Foreign Relations of the Senate, the Committee on Armed Services of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Armed Services of the House of Representatives, and the Committee on Appropriations of the House of Representatives that for any given year—

(i) Taiwan is unable to increase its defense spending relative to its defense spending in its prior fiscal year due to severe hardship; and

(ii) making available the amounts authorized under subparagraph (A) is in the national interests of the United States.

(3) REMAINING FUNDS.—Amounts authorized to be appropriated for a fiscal year pursuant to subsection (g) that are not obligated and expended during such fiscal year shall be added to the amount that may be used for Foreign Military Financing to Taiwan in the subsequent fiscal year.

(e) ANNUAL REPORT ON ADVANCING THE DEFENSE OF TAIWAN.—

(1) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Armed Services of the House of Representatives.

(2) INITIAL REPORT.—Concurrently with the first certification required under subsection (d)(2), the Secretary of State and the Secretary of Defense shall jointly submit a report to the appropriate congressional committees that describes steps taken to enhance the United States-Taiwan defense relationship and Taiwan's modernization of its defense capabilities.

(3) MATTERS TO BE INCLUDED.—Each report required under paragraph (2) shall include—

(A) an assessment of the commitment of Taiwan to implement a military strategy that will deter and, if necessary, defeat military aggression by the People's Republic of China, including the steps that Taiwan has taken and the steps that Taiwan has not taken towards such implementation;

(B) an assessment of the efforts of Taiwan to acquire and employ within its forces counterintervention capabilities, including—

(i) long-range precision fires;

(ii) integrated air and missile defense systems;

(iii) anti-ship cruise missiles;
(iv) land-attack cruise missiles;
(v) coastal defense;
(vi) anti-armor;
(vii) undersea warfare;
(viii) survivable swarming maritime assets;
(ix) manned and unmanned aerial systems;
(x) mining and countermining capabilities;
(xi) intelligence, surveillance, and reconnaissance capabilities;
(xii) command and control systems; and
(xiii) any other defense capabilities that the United States and Taiwan jointly determine are crucial to the defense of Taiwan;
(C) an evaluation of the balance between conventional and counter intervention capabilities in the defense force of Taiwan as of the date on which the report is submitted;
(D) an assessment of steps taken by Taiwan to enhance the overall readiness of its defense forces, including—
(i) the extent to which Taiwan is requiring and providing regular and relevant training to such forces;
(ii) the extent to which such training is realistic to the security environment that Taiwan faces; and
(iii) the sufficiency of the financial and budgetary resources Taiwan is putting toward readiness of such forces;
(E) an assessment of steps taken by Taiwan to ensure that the Taiwan Reserve Command can recruit, train, and equip its forces;
(F) an evaluation of—
(i) the severity of manpower shortages in the military of Taiwan, including in the reserve forces;
(ii) the impact of such shortages in the event of a conflict scenario; and
(iii) the efforts made by Taiwan to address such shortages;
(G) an assessment of the efforts made by Taiwan to boost its civilian defenses, including any informational campaigns to raise awareness among the population of Taiwan of the risks Taiwan faces;
(H) an assessment of the efforts made by Taiwan to secure its critical infrastructure, including in transportation, telecommunications networks, and energy;
(I) an assessment of the efforts made by Taiwan to enhance its cybersecurity, including the security of civilian government and military networks;
(J) an assessment of any significant gaps in any of the matters described in subparagraphs (A) through (I) with respect to which the United States assesses that additional action is needed;
(K) a description of cooperative efforts between the United States and Taiwan on the matters described in subparagraphs (A) through (J); and
(L) a description of any resistance in Taiwan to—
(i) implementing the matters described in subparagraphs (A) through (I); or
(ii) United States' support or engagement with regard to such matters.
(4) SUBSEQUENT REPORTS.—Concurrently with subsequent certifications required under subsection (d)(2), the Secretary of State and the Secretary of Defense shall jointly submit updates to the initial report required under paragraph (2) that provides a description of changes and developments that occurred in the prior year.
(5) FORM.—The reports required under paragraphs (2) and (4) shall be submitted in classified form, but shall include a detailed unclassified summary.
(6) SHARING OF SUMMARY.—The Secretary of State and the Secretary of Defense shall jointly share the unclassified summary required under paragraph (5) with Taiwan, as appropriate.
(f) FOREIGN MILITARY FINANCING LOAN AND LOAN GUARANTEE AUTHORITY.—
(1) DIRECT LOANS.—
(A) IN GENERAL.—Notwithstanding section 23(c)(1) of the Arms Export Control Act (22 U.S.C. 2763), during fiscal years 2023 through 2027, the Secretary of State is authorized to make direct loans available for Taiwan pursuant to section 23 of such Act.
(B) MAXIMUM OBLIGATIONS.—Gross obligations for the principal amounts of loans authorized under subparagraph (A) may not exceed $2,000,000,000.
(C) SOURCE OF FUNDS.—
(i) DEFINED TERM.—In this subparagraph, the term ''cost''—
(I) has the meaning given such term in section 502(5) of the Congressional Budget Act of 1974 (2 U.S.C. 661a(5));
(II) shall include the cost of modifying a loan authorized under subparagraph (A); and
(III) may include the costs of selling, reducing, or cancelling any amounts owed to the United States or to any agency of the United States.
(ii) IN GENERAL.—Amounts authorized to be appropriated pursuant to subsection (g) may be made available to pay for the cost of loans authorized under subparagraph (A).
(D) FEES AUTHORIZED.—
(i) IN GENERAL.—The Government of the United States may charge fees for loans made pursuant to subparagraph (A), which shall be collected from borrowers through a financing account (as defined in section 502(7) of the Congressional Budget Act of 1974 (2 U.S.C. 661a(7)).
(ii) LIMITATION ON FEE PAYMENTS.—Amounts made available under any appropriations Act for any fiscal year may not be used to pay any fees associated with a loan authorized under subparagraph (A).
(E) REPAYMENT.—Loans made pursuant to subparagraph (A) shall be repaid not later than 12 years after the loan is received by the borrower, including a grace period of not more than 1 year on repayment of principal.
(F) INTEREST.—
(i) IN GENERAL.—Notwithstanding section 23(c)(1) of the Arms Export Control Act (22 U.S.C. 2763(c)(1)), interest for loans made pursuant to subparagraph (A) may be charged at a rate determined by the Secretary of State, except that such rate may not be less than the prevailing interest rate on marketable Treasury securities of similar maturity.
(ii) TREATMENT OF LOAN AMOUNTS USED TO PAY INTEREST.—Amounts made available under this paragraph for interest costs shall not be considered assistance for the purposes of any statutory limitation on assistance to a country.
(2) LOAN GUARANTEES.—
(A) IN GENERAL.—Amounts authorized to be appropriated pursuant to subsection (g) may be made available for the costs of loan guarantees for Taiwan under section 24 of the Arms Export Control Act (22 U.S.C. 2764) for Taiwan to subsidize gross obligations for the principal amount of commercial loans and total loan principal, any part of which may be guaranteed, not to exceed $2,000,000,000.
(B) MAXIMUM AMOUNTS.—A loan guarantee authorized under subparagraph (A)—
(i) may not guarantee a loan that exceeds $2,000,000,000; and
(ii) may not exceed 80 percent of the loan principal with respect to any single borrower.
(C) SUBORDINATION.—Any loan guaranteed pursuant to subparagraph (A) may not be subordinated to—
(i) another debt contracted by the borrower; or
(ii) any other claims against the borrower in the case of default.
(D) REPAYMENT.—Repayment in United States dollars of any loan guaranteed under this paragraph shall be required not later than 12 years after the loan agreement is signed.
(E) FEES.—Notwithstanding section 24 of the Arms Export Control Act (22 U.S.C. 2764), the Government of the United States may charge fees for loan guarantees authorized under subparagraph (A), which shall be collected from borrowers, or from third parties on behalf of such borrowers, through a financing account (as defined in section 502(7) of the Congressional Budget Act of 1974 (2 U.S.C. 661a(7)).
(F) TREATMENTS OF LOAN GUARANTEES.—Amounts made available under this paragraph for the costs of loan guarantees authorized under subparagraph (A) shall not be considered assistance for the purposes of any statutory limitation on assistance to a country.
(3) NOTIFICATION REQUIREMENT.—Amounts authorized to be appropriated to carry out this subsection may not be expended without prior notification of the appropriate committees of Congress.
(g) AUTHORIZATION OF APPROPRIATIONS.—
(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated for Foreign Military Financing, there is authorized to be appropriated to the Department of State for Taiwan Foreign Military Finance grant assistance up to $2,000,000,000 for each of the fiscal years 2023 through 2027.
(2) TRAINING AND EDUCATION.—Of the amounts authorized to be appropriated under paragraph (1), the Secretary of State should use not less than $2,000,000 per fiscal year for one or more blanket order Foreign Military Financing training programs related to the defense needs of Taiwan.
(3) DIRECT COMMERCIAL CONTRACTING.—Of the amounts authorized to be appropriated under paragraph (1), the Secretary of State may utilize such funds for the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act (22 U.S.C. 2751 et seq.).
(4) OFFSHORE PROCUREMENT.—Of the amounts authorized to be appropriated for Foreign Military Financing and made available for Taiwan, not more than 15 percent made available for each fiscal year may be available for the procurement by Taiwan in Taiwan of defense articles and defense services, including research and development, as agreed by the United States and Taiwan.
(h) SUNSET PROVISION.—Assistance may not be provided under this section after September 30, 2032.

SEC. 10102. INCREASE IN ANNUAL REGIONAL CONTINGENCY STOCKPILE ADDITIONS AND SUPPORT FOR TAIWAN.

(a) IN GENERAL.—Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking ''$200,000,000'' and all that follows and inserting ''$500,000,000 for any of the fiscal years 2023, 2024, or 2025.''.
(b) ESTABLISHMENT.—Subject to section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President may establish a regional contingency stockpile for Taiwan that consists of munitions and other appropriate defense articles.
(c) INCLUSION OF TAIWAN AMONG OTHER ALLIES ELIGIBLE FOR DEFENSE ARTICLES.—Chapter 2 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.) is amended—
(1) in section 514(c)(2) (22 U.S.C. 2321h(c)(2)), by inserting ''Taiwan,'' after ''Thailand,''; and
(2) in section 516(c)(2) (22 U.S.C. 2321j(c)(2)), by inserting ''to Taiwan,'' after ''major non-

NATO allies on such southern and southeastern flank,''.

(d) ANNUAL BRIEFING.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 7 years, the President shall provide a briefing to the appropriate committees of Congress regarding the status of a regional contingency stockpile established under subsection (b).

SEC. 10103. INTERNATIONAL MILITARY EDUCATION AND TRAINING COOPERATION WITH TAIWAN.

The Secretary of State is authorized to provide training and education to relevant entities in Taiwan through the International Military Education and Training program (22 U.S.C. 2347 et seq).

SEC. 10104. ADDITIONAL AUTHORITIES TO SUPPORT TAIWAN.

(a) DRAWDOWN AUTHORITY.—Section 506(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)) is amended , insert the following paragraph:

''(3) In addition to amounts already specified in this section, the President may direct the drawdown of defense articles from the stocks of the Department of Defense, defense services of the Department of Defense, and military education and training, of an aggregate value of not to exceed $1,000,000,000 per fiscal year, to be provided to Taiwan.''.

(b) EMERGENCY AUTHORITY.—In section 552(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2348a(c)), insert at the end the following: ''In addition to the aggregate value of $25,000,000 authorized in paragraph (2) of the preceding sentence, the President may direct the drawdown of commodities and services from the inventory and resources of any agency of the United States Government for the purposes of providing necessary and immediate assistance to Taiwan of a value not to exceed $25,000,000 in any fiscal year.''.

SEC. 10105. MULTI-YEAR PLAN TO FULFILL DEFENSIVE REQUIREMENTS OF MILITARY FORCES OF TAIWAN AND MODIFICATION OF ANNUAL REPORT ON TAIWAN MILITARY CAPABILITIES AND INTELLIGENCE SUPPORT.

(a) MULTI-YEAR PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall engage for the purposes of establishing a joint consultative mechanism with appropriate officials of Taiwan to develop and implement a multi-year plan to provide for the acquisition of appropriate defensive capabilities by Taiwan and to engage with Taiwan in a series of combined training, exercises, and planning activities consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.).

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

(1) An identification of the defensive military capability gaps and capacity shortfalls of Taiwan that are required to—

(A) allow Taiwan to respond effectively to aggression by the People's Liberation Army or other actors from the People's Republic of China; and

(B) advance a strategy of denial, reduce the threat of conflict, thwart an invasion, and mitigate other risks to the United States and Taiwan.

(2) An assessment of the relative priority assigned by appropriate departments and agencies of Taiwan to include its military to address such capability gaps and capacity shortfalls.

(3) An explanation of the annual resources committed by Taiwan to address such capability gaps and capacity shortfalls.

(4) A description and justification of the relative importance of overcoming each identified capability gap and capacity shortfall for deterring, delaying, or defeating military aggression by the People's Republic of China;

(5) An assessment of—

(A) the capability gaps and capacity shortfalls that could be addressed in a sufficient and timely manner by Taiwan; and

(B) the capability gaps and capacity shortfalls that are unlikely to be addressed in a sufficient and timely manner solely by Taiwan.

(6) An assessment of the capability gaps and capacity shortfalls described in paragraph (5)(B) that could be addressed in a sufficient and timely manner by—

(A) the Foreign Military Financing, Foreign Military Sales, and Direct Commercial Sales programs of the Department of State;

(B) Department of Defense security assistance authorized by chapter 16 of title 10, United States Code;

(C) Department of State training and education programs authorized by chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.);

(D) section 506 of the Foreign Assistance Act of 1961 (22 U.S.C. 2318);

(E) the provision of excess defense articles pursuant to the requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.); or

(F) any other authority available to the Secretary of Defense or the Secretary of State.

(7) A description of United States or Taiwan engagement with other countries that could assist in addressing in a sufficient and timely manner the capability gaps and capacity shortfalls identified pursuant to paragraph (1).

(8) An identification of opportunities to build interoperability, combined readiness, joint planning capability, and shared situational awareness between the United States, Taiwan, and other foreign partners and allies, as appropriate, through combined training, exercises, and planning events, including—

(A) table-top exercises and wargames that allow operational commands to improve joint and combined planning for contingencies involving a well-equipped adversary in a counter-intervention campaign;

(B) joint and combined exercises that test the feasibility of counter-intervention strategies, develop interoperability across services, and develop the lethality and survivability of combined forces against a well-equipped adversary;

(C) logistics exercises that test the feasibility of expeditionary logistics in an extended campaign with a well-equipped adversary;

(D) service-to-service exercise programs that build functional mission skills for addressing challenges posed by a well-equipped adversary in a counter-intervention campaign; and

(E) any other combined training, exercises, or planning with Taiwan's military forces that the Secretary of Defense and Secretary of State consider relevant.

(9) An identification of options for the United States to use, to the maximum extent practicable, existing authorities or programs to expedite military assistance to Taiwan in the event of a crisis or conflict, including—

(A) a list of defense articles of the United States that may be transferred to Taiwan during a crisis or conflict;

(B) a list of authorities that may be used to provide expedited military assistance to Taiwan during a crisis or conflict;

(C) an assessment of methods that could be used to deliver such assistance to Taiwan during a crisis or conflict, including—

(i) the feasibility of employing such methods in different scenarios; and

(ii) recommendations for improving the ability of the Armed Forces to deliver such assistance to Taiwan; and

(D) an assessment of any challenges in providing such assistance to Taiwan in the event of a crisis or conflict and recommendations for addressing such challenges.

(c) RECURRENCE.—The joint consultative mechanism required in subsection (a) shall convene on a recurring basis and not less than annually.

SEC. 10106. FAST-TRACKING SALES TO TAIWAN UNDER FOREIGN MILITARY SALES PROGRAM.

(a) PRECLEARANCE OF CERTAIN FOREIGN MILITARY SALES ITEMS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in coordination with the Secretary of Defense, and in conjunction with coordinating entities such as the National Disclosure Policy Committee, the Arms Transfer and Technology Release Senior Steering Group, and other appropriate entities, shall compile a list of available and emerging military platforms, technologies, and equipment that are pre-cleared and prioritized for sale and release to Taiwan through the Foreign Military Sales program.

(2) SELECTION OF ITEMS.—

(A) RULE OF CONSTRUCTION.—The list compiled pursuant to paragraph (1) shall not be construed as limiting the type, timing, or quantity of items that may be requested by, or sold to, Taiwan under the Foreign Military Sales program.

(B) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to supersede congressional notification requirements as required by the Arms Export Control Act (22 U.S.C. 2751 et. seq.).

(b) PRIORITIZED PROCESSING OF FOREIGN MILITARY SALES REQUESTS FROM TAIWAN.—

(1) REQUIREMENT.—The Secretary of State and the Secretary of Defense shall prioritize and expedite the processing of requests from Taiwan under the Foreign Military Sales program, and may not delay the processing of requests for bundling purposes.

(2) DURATION.—The requirement under paragraph (1) shall continue until the Secretary of State determines and certifies to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that the threat to Taiwan has significantly abated.

(c) INTERAGENCY POLICY.—The Secretary of State and the Secretary of Defense shall jointly review and update interagency policies and implementation guidance related to Foreign Military Sales requests from Taiwan, including incorporating the preclearance provisions of this section.

SEC. 10107. EXPEDITING DELIVERY OF ARMS EXPORTS TO TAIWAN AND UNITED STATES ALLIES IN THE INDO-PACIFIC.

(a) REPORT REQUIRED.—Not later than March 1, 2023, and annually thereafter for a period of 5 years, the Secretary of State, in coordination with the Secretary of Defense, shall transmit to the appropriate committees of Congress a report with respect to the transfer of all defense articles or defense services that have yet to be completed pursuant to the authorities provided by—

(1) section 3, 21, or 36 of the Arms Export Control Act (22 U.S.C. 2753, 2761, or 2776); or

(2) section 516(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(c)(2)).

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

(1) A list of all approved transfers of defense articles and services authorized by Congress pursuant to sections 25 and 36 of the Arms Export Control Act (22 U.S.C. 2765, 2776) with a total value of $25,000,000 or more, to Taiwan, Japan, South Korea, Australia,

the Philippines, Thailand, or New Zealand, that have not been fully delivered by the start of the fiscal year in which the report is being submitted.

(2) The estimated start and end dates of delivery for each approved and incomplete transfer listed pursuant to paragraph (1), including additional details and dates for any transfers that involve multiple tranches of deliveries.

(3) With respect to each approved and incomplete transfer listed pursuant to paragraph (1), a detailed description of—

(A) any changes in the delivery dates of defense articles or services relative to the dates anticipated at the time of congressional approval of the transfer, including specific reasons for any delays related to the United States Government, defense suppliers, or a foreign partner;

(B) the feasibility and advisability of providing the partner subject to such delayed delivery with an interim capability or solution, including drawing from United States stocks, and the mechanisms under consideration for doing so as well as any challenges to implementing such a capability or solution;

(C) authorities, appropriations, or waiver requests that Congress could provide to improve delivery timelines or authorize the provision of interim capabilities or solutions identified pursuant to subparagraph (B); and

(D) a description of which countries are ahead of Taiwan for delivery of each item listed pursuant to paragraph (1).

(4) A description of ongoing interagency efforts to support attainment of operational capability of the corresponding defense articles and services once delivered, including advance training with United States or armed forces of partner countries on the systems to be received. The description of any such training shall also include an identification of the training implementer.

(5) If a transfer listed pursuant to paragraph (1) has been terminated prior to the date of the submission of the report for any reason—

(A) the case information for such transfer, including the date of congressional notification, delivery date of the Letter of Offer and Acceptance (LOA), final signature of the LOA, and information pertaining to delays in delivering LOAs for signature;

(B) a description of the reasons for which the transfer is no longer in effect; and

(C) the impact this termination will have on the intended end-user and the consequent implications for regional security, including the impact on deterrence of military action by countries hostile to the United States, the military balance in the Taiwan Strait, and other factors.

(6) A separate description of the actions the United States is taking to expedite and prioritize deliveries of defense articles and services to Taiwan, including—

(A) a description of what actions the Department of State and the Department of Defense have taken or are planning to take to prioritize Taiwan's Foreign Military Sales cases;

(B) current procedures or mechanisms for determining that a Foreign Military Sales case for Taiwan should be prioritized above a sale to another country of the same or similar item; and

(C) whether the United States intends to divert defense articles from United States stocks to provide an interim capability or solution with respect to any delayed deliveries to Taiwan and the plan, if applicable, to replenish any such diverted stocks.

(7) A description of other potential actions already undertaken by or currently under consideration by the Department of State and the Department of Defense to improve delivery timelines for the transfers listed pursuant to paragraph (1).

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(d) FORM.—The report required under subsection (b) shall be submitted in unclassified form but may include a classified annex.

SEC. 10108. ASSESSMENT OF TAIWAN'S NEEDS FOR CIVILIAN DEFENSE AND RESILIENCE.

(a) ASSESSMENT REQUIRED.—Not later than 120 days after the date of enactment of this Act, the Secretary of State and the Secretary of Defense, in coordination with the Director of National Intelligence, shall submit a written assessment, with a classified annex, of Taiwan's needs in the areas of civilian defense and resilience to the appropriate committees of Congress, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) MATTERS TO BE INCLUDED.—The assessment required under subsection (a) shall—

(1) analyze the potential role of Taiwan's public and civilian assets in defending against various scenarios for foreign militaries to coerce or conduct military aggression against Taiwan;

(2) carefully analyze Taiwan's needs for enhancing its defensive capabilities through the support of civilians and civilian sectors, including—

(A) greater utilization of Taiwan's high tech labor force;

(B) the creation of clear structures and logistics support for civilian defense role allocation;

(C) recruitment and skills training for Taiwan's defense and civilian sectors; and

(D) other defense needs and considerations at the provincial, city, and neighborhood levels;

(3) analyze Taiwan's needs for enhancing resiliency among its people and in key economic sectors;

(4) identify opportunities for Taiwan to enhance communications at all levels to strengthen trust and understanding between the military, other government departments, civilian agencies and the general public, including—

(A) communications infrastructure necessary to ensure reliable communications in response to a conflict or crisis; and

(B) a plan to effectively communicate to the general public in response to a conflict or crisis; and

(5) identify the areas and means through which the United States could provide training, exercises, and assistance at all levels to support the needs discovered through the assessment and fill any critical gaps where capacity falls short of such needs.

(c) SHARING OF REPORT.—The assessment required by subsection (a) shall be shared with appropriate officials Taiwan to facilitate cooperation.

SEC. 10109. ANNUAL REPORT ON TAIWAN DEFENSIVE MILITARY CAPABILITIES AND INTELLIGENCE SUPPORT.

Section 1248 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1988) is amended to read as follows:

''SEC. 1248. ANNUAL REPORT ON TAIWAN CAPABILITIES AND INTELLIGENCE SUPPORT.

''(a) IN GENERAL.—The Secretary of State and the Secretary of Defense, in coordination with the heads of other relevant Federal departments and agencies, shall jointly each year through fiscal year 2027, consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3302(c)), perform an annual assessment of security matters related to Taiwan, including intelligence matters, Taiwan's defensive military capabilities, and how defensive shortcomings or vulnerabilities of Taiwan could be mitigated through cooperation, modernization, or integration. At a minimum, the assessment shall include the following:

''(1) An intelligence assessment regarding—

''(A) conventional military and nuclear threats to Taiwan from China, including exercises, patrols, and presence intended to intimidate or coerce Taiwan; and

''(B) irregular warfare activities, including influence operations, conducted by China to interfere in or undermine the peace and stability of the Taiwan Strait.

''(2) The current military capabilities of Taiwan and the ability of Taiwan to defend itself from external conventional and irregular military threats across a range of scenarios.

''(3) The interoperability of current and future defensive capabilities of Taiwan with the military capabilities of the United States and its allies and partners.

''(4) The plans, tactics, techniques, and procedures underpinning an effective defense strategy for Taiwan, including how addressing identified capability gaps and capacity shortfalls will improve the effectiveness of such strategy.

''(5) A description of additional personnel, resources, and authorities in Taiwan or in the United States that may be required to meet any shortcomings in the development of Taiwan's military capabilities identified pursuant to this section.

''(6) With respect to materiel capabilities and capacities the Secretary of Defense and Secretary of State jointly assess to be most effective in deterring, defeating, or delaying military aggression by the People's Republic of China, a prioritized list of capability gaps and capacity shortfalls of the military forces of Taiwan, including—

''(A) an identification of—

''(i) any United States, Taiwan, or ally or partner country defense production timeline challenge related to potential materiel and solutions to such capability gaps;

''(ii) the associated investment costs of enabling expanded production for items currently at maximum production;

''(iii) the associated investment costs of, or mitigation strategies for, enabling export for items currently not exportable; and

''(iv) existing stocks of such capabilities in the United States and ally and partner countries;

''(B) the feasibility and advisability of procuring solutions to such gaps and shortfalls through United States allies and partners, including through co-development or co-production;

''(C) the feasibility and advisability of assisting Taiwan in the domestic production of solutions to capability gaps, including through—

''(i) the transfer of intellectual property; and

''(ii) co-development or co-production arrangements;

''(D) the estimated costs, expressed in a range of options, of procuring sufficient capabilities and capacities to address such gaps and shortfalls;

''(E) an assessment of the relative priority assigned by appropriate officials of Taiwan to each such gap and shortfall; and

''(F) a detailed explanation of the extent to which Taiwan is prioritizing the development, production, or fielding of solutions to

such gaps and shortfalls within its overall defense budget.

''(7) The applicability of Department of State and Department of Defense authorities for improving the defensive military capabilities of Taiwan in a manner consistent with the Taiwan Relations Act.

''(8) A description of any security assistance provided or Foreign Military Sales and Direct Commercial Sales activity with Taiwan over the past year.

''(9) A description of each engagement between the United States and Taiwan personnel related to planning over the past year.

''(10) With respect to each to training and exercises —

''(A) a description of each such instance over the past year;

''(B) a description of how each such instance—

''(i) sought to achieve greater interoperability, improved readiness, joint planning capability, and shared situational awareness between the United States and Taiwan, or among the United States, Taiwan, and other countries;

''(ii) familiarized the militaries of the United States and Taiwan with each other; and

''(iii) improved Taiwan's defense capabilities.

''(11) A description of the areas and means through which the United States is assisting and support training, exercises, and assistance to support Taiwan's requirements related to civilian defense and resilience, and how the United States is seeking to assist Taiwan in addressing any critical gaps where capacity falls short of meeting such requirements, including those elements identified in the assessment required by [section 10100 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023].

''(12) An assessment of the implications of current levels of pre-positioned war reserve materiel on the ability of the United States to respond to a crisis or conflict involving Taiwan with respect to—

''(A) providing military or non-military aid to Taiwan; and

''(B) sustaining military installations and other infrastructure of the United States in the Indo-Pacific region.

''(13) An assessment of the current intelligence, surveillance, and reconnaissance capabilities of Taiwan, including any existing gaps in such capabilities and investments in such capabilities by Taiwan since the preceding report.

''(14) A summary of changes to pre-positioned war reserve materiel of the United States in the Indo-Pacific region since the preceding report.

''(15) Any other matters the Secretary of Defense or the Secretary of State considers appropriate.

''(b) PLAN.—The Secretary of Defense and the Secretary of State shall jointly develop a plan for assisting Taiwan in improving its defensive military capabilities and addressing vulnerabilities identified pursuant to subsection (a) that includes—

''(1) recommendations, if any, for new Department of State or Department of Defense authorities, or modifications to existing Department of State or Department of Defense authorities, necessary to improve the defensive military capabilities of Taiwan in a manner consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.);

''(2) an identification of opportunities for key leader and subject matter expert engagement between Department personnel and military and civilian counterparts in Taiwan; and

''(3) an identification of challenges and opportunities for leveraging authorities, resources, and capabilities outside the Department of Defense and the Department of State to improve the defensive capabilities of Taiwan in accordance with the Taiwan Relations Act.

''(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter through fiscal year 2027, the Secretary of State and the Secretary of Defense shall jointly submit to the appropriate committees of Congress—

''(1) a report on the results of the assessment required by subsection (a);

''(2) the plan required by subsection (b); and

''(3) a report on—

''(A) the status of efforts to develop and implement the joint multi-year plan required under section 10007 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 to provide for the acquisition of appropriate defensive military capabilities by Taiwan and to engage with Taiwan in a series of combined training and planning activities consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.); and

''(B) any other matters the Secretary considers necessary.

''(d) FORM.—The reports required by subsection (c) shall be submitted in unclassified form, but may include a classified annex.

''(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—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.''.

TITLE II—COUNTERING PEOPLE'S REPUBLIC OF CHINA'S COERCION AND INFLUENCE CAMPAIGNS

SEC. 10201. STRATEGY TO RESPOND TO INFLUENCE AND INFORMATION OPERATIONS TARGETING TAIWAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and annually thereafter for the following 5 years, the Secretary of State, in coordination with the Director of National Intelligence, shall develop and implement a strategy to respond to—

(1) covert, coercive, and corrupting activities carried out to advance the Chinese Communist Party's ''United Front'' work, including activities directed, coordinated, or otherwise supported by the United Front Work Department or its subordinate or affiliated entities; and

(2) information and disinformation campaigns, cyber attacks, and nontraditional propaganda measures supported by the Government of the People's Republic of China and the Chinese Communist Party that are directed toward persons or entities in Taiwan.

(b) ELEMENTS.—The strategy required under subsection (a) shall include descriptions of—

(1) the proposed response to propaganda and disinformation campaigns by the People's Republic of China and cyber-intrusions targeting Taiwan, including—

(A) assistance in building the capacity of Taiwan's public and private-sector entities to document and expose propaganda and disinformation supported by the Government of the People's Republic of China, the Chinese Communist Party, or affiliated entities;

(B) assistance to enhance Taiwan's ability to develop a holistic strategy to respond to sharp power operations, including election interference; and

(C) media training for Taiwan officials and other Taiwan entities targeted by disinformation campaigns;

(2) the proposed response to political influence operations that includes an assessment of the extent of influence exerted by the Government of the People's Republic of China and the Chinese Communist Party in Taiwan on local political parties, financial institutions, media organizations, and other entities;

(3) support for exchanges and other technical assistance to strengthen the Taiwan legal system's ability to respond to sharp power operations; and

(4) programs carried out by the Global Engagement Center to expose misinformation and disinformation in the Chinese Communist Party's propaganda.

SEC. 10202. STRATEGY TO COUNTER ECONOMIC COERCION BY THE PEOPLE'S REPUBLIC OF CHINA TARGETING COUNTRIES AND ENTITIES THAT SUPPORT TAIWAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a description of the strategy being used by the Department of State to respond to the Government of the People's Republic of China's increased response, including economic coercion, against countries which have strengthened their ties with, or support for, Taiwan.

(b) ASSISTANCE FOR COUNTRIES AND ENTITIES TARGETED BY THE PEOPLE'S REPUBLIC OF CHINA FOR ECONOMIC COERCION.—The Department of State, the United States Agency for International Development, the United States International Development Finance Corporation, the Department of Commerce and the Department of the Treasury shall provide appropriate assistance to countries and entities that are subject to coercive economic practices by the People's Republic of China.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Committee on Appropriations of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives;

(5) the Committee on Armed Services of the House of Representatives; and

(6) the Committee on Appropriations of the House of Representatives.

SEC. 10203. CHINA CENSORSHIP MONITOR AND ACTION GROUP.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) QUALIFIED RESEARCH ENTITY.—The term ''qualified research entity'' means an entity that—

(A) is a nonpartisan research organization or a Federally funded research and development center;

(B) has appropriate expertise and analytical capability to write the report required under subsection (c); and

(C) is free from any financial, commercial, or other entanglements, which could undermine the independence of such report or create a conflict of interest or the appearance of a conflict of interest, with—

(i) the Government of the People's Republic of China;

(ii) the Chinese Communist Party;

(iii) any company incorporated in the People's Republic of China or a subsidiary of such company; or

(iv) any company or entity incorporated outside of the People's Republic of China that is believed to have a substantial financial or commercial interest in the People's Republic of China.

(3) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.

(b) CHINA CENSORSHIP MONITOR AND ACTION GROUP.—

(1) IN GENERAL.—The President shall establish an interagency task force, which shall be known as the ''China Censorship Monitor and Action Group'' (referred to in this subsection as the ''Task Force'').

(2) MEMBERSHIP.—The President shall take the following actions with respect to the membership of, and participation in, the Task Force:

(A) Appoint the chair of the Task Force from among the staff of the National Security Council.

(B) Appoint the vice chair of the Task Force from among the staff of the National Economic Council.

(C) Direct the head of each of the following executive branch agencies to appoint personnel to participate in the Task Force:

(i) The Department of State.

(ii) The Department of Commerce.

(iii) The Department of the Treasury.

(iv) The Department of Justice.

(v) The Office of the United States Trade Representative.

(vi) The Office of the Director of National Intelligence, and other appropriate elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(vii) The United States Agency for Global Media.

(viii) Other agencies designated by the President.

(3) RESPONSIBILITIES.—The Task Force shall—

(A) oversee the development and execution of an integrated Federal Government strategy to monitor and address the impacts of efforts directed, or directly supported, by the Government of the People's Republic of China to censor or intimidate, in the United States or in any of its possessions or territories, any United States person, including United States companies that conduct business in the People's Republic of China, which are exercising their right to freedom of speech; and

(B) submit the strategy developed pursuant to subparagraph (A) to the appropriate congressional committees not later than 120 days after the date of the enactment of this Act.

(4) MEETINGS.—The Task Force shall meet not less frequently than twice per year.

(5) CONSULTATIONS.—The Task Force should regularly consult, to the extent necessary and appropriate, with—

(A) Federal agencies that are not represented on the Task Force;

(B) independent agencies of the United States Government that are not represented on the Task Force;

(C) relevant stakeholders in the private sector and the media; and

(D) relevant stakeholders among United States allies and partners facing similar challenges related to censorship or intimidation by the Government of the People's Republic of China.

(6) REPORTING REQUIREMENTS.—

(A) ANNUAL REPORT.—The Task Force shall submit an annual report to the appropriate congressional committees that describes, with respect to the reporting period—

(i) the strategic objectives and policies pursued by the Task Force to address the challenges of censorship and intimidation of United States persons while in the United States or any of its possessions or territories, which is directed or directly supported by the Government of the People's Republic of China;

(ii) the activities conducted by the Task Force in support of the strategic objectives and policies referred to in clause (i); and

(iii) the results of the activities referred to in clause (ii) and the impact of such activities on the national interests of the United States.

(B) FORM OF REPORT.—Each report submitted pursuant to subparagraph (A) shall be unclassified, but may include a classified annex.

(C) CONGRESSIONAL BRIEFINGS.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Task Force shall provide briefings to the appropriate congressional committees regarding the activities of the Task Force to execute the strategy developed pursuant to paragraph (3)(A).

(c) REPORT ON CENSORSHIP AND INTIMIDATION OF UNITED STATES PERSONS BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.—

(1) REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall select and seek to enter into an agreement with a qualified research entity that is independent of the Department of State to write a report on censorship and intimidation in the United States and its possessions and territories of United States persons, including United States companies that conduct business in the People's Republic of China, which is directed or directly supported by the Government of the People's Republic of China.

(B) MATTERS TO BE INCLUDED.—The report required under subparagraph (A) shall—

(i) assess major trends, patterns, and methods of the Government of the People's Republic of China's efforts to direct or directly support censorship and intimidation of United States persons, including United States companies that conduct business in the People's Republic of China, which are exercising their right to freedom of speech;

(ii) assess, including through the use of illustrative examples, as appropriate, the impact on and consequences for United States persons, including United States companies that conduct business in the People's Republic of China, that criticize—

(I) the Chinese Communist Party;

(II) the Government of the People's Republic of China;

(III) the authoritarian model of government of the People's Republic of China; or

(IV) a particular policy advanced by the Chinese Communist Party or the Government of the People's Republic of China;

(iii) identify the implications for the United States of the matters described in clauses (i) and (ii);

(iv) assess the methods and evaluate the efficacy of the efforts by the Government of the People's Republic of China to limit freedom of expression in the private sector, including media, social media, film, education, travel, financial services, sports and entertainment, technology, telecommunication, and internet infrastructure interests;

(v) include policy recommendations for the United States Government, including recommendations regarding collaboration with United States allies and partners, to address censorship and intimidation by the Government of the People's Republic of China; and

(vi) include policy recommendations for United States persons, including United States companies that conduct business in China, to address censorship and intimidation by the Government of the People's Republic of China.

(C) APPLICABILITY TO UNITED STATES ALLIES AND PARTNERS.—To the extent practicable, the report required under subparagraph (A) should identify implications and policy recommendations that are relevant to United States allies and partners facing censorship and intimidation directed or directly supported by the Government of the People's Republic of China.

(2) SUBMISSION OF REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit the report written by the qualified research entity selected pursuant to paragraph (1)(A) to the appropriate congressional committees.

(B) PUBLICATION.—The report referred to in subparagraph (A) shall be made accessible to the public online through relevant United States Government websites.

(d) SUNSET.—This section shall terminate on the date that is 5 years after the date of enactment of this Act.

TITLE III—INCLUSION OF TAIWAN IN INTERNATIONAL ORGANIZATIONS

SEC. 10301. PARTICIPATION OF TAIWAN IN INTERNATIONAL ORGANIZATIONS.

(a) STATEMENT OF POLICY.—It is the policy of the United States to promote Taiwan's inclusion and meaningful participation in international organizations.

(b) SUPPORT FOR MEANINGFUL PARTICIPATION.—The Permanent Representative of the United States to the United Nations and other relevant United States officials shall actively support Taiwan's meaningful participation in all appropriate international organizations.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate committees of Congress that—

(1) describes the People's Republic of China's efforts at the United Nations and other international bodies to block Taiwan's meaningful participation and inclusion; and

(2) recommends appropriate responses that should be taken by the United States to carry out the policy described in subsection (a).

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Committee on Appropriations of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives;

(5) the Committee on Armed Services of the House of Representatives; and

(6) the Committee on Appropriations of the House of Representatives.

SEC. 10302. MEANINGFUL PARTICIPATION OF TAIWAN IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the International Civil Aviation Organization (ICAO) should allow Taiwan to meaningfully participate in the organization, including in ICAO triennial assembly sessions,

conferences, technical working groups, meetings, activities, and mechanisms;

(2) Taiwan is a global leader and hub for international aviation, with a range of expertise, information, and resources and the fifth busiest airport in Asia (Taoyuan International Airport), and its meaningful participation in ICAO would significantly enhance the ability of ICAO to ensure the safety and security of global aviation; and

(3) coercion by the Chinese Communist Party and the People's Republic of China has ensured the systematic exclusion of Taiwan from meaningful participation in ICAO, significantly undermining the ability of ICAO to ensure the safety and security of global aviation.

(b) PLAN FOR TAIWAN'S MEANINGFUL PARTICIPATION IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.—The Secretary of State, in coordination with the Secretary of Commerce and the Secretary of Transportation, is authorized—

(1) to initiate a United States plan to secure Taiwan's meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms; and

(2) to instruct the United States representative to the ICAO to—

(A) use the voice and vote of the United States to ensure Taiwan's meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms; and

(B) seek to secure a vote at the next ICAO triennial assembly session on the question of Taiwan's participation in that session.

(c) REPORT CONCERNING TAIWAN'S MEANINGFUL PARTICIPATION IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.—Not later than 90 days after the date of the enactment of this Act, and not later than April 1 of each year thereafter for the following 6 years, the Secretary of State, in coordination with the Secretary of Commerce, shall submit to the Committee on Foreign Relations and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Foreign Affairs and Committee on Energy and Commerce of the House of Representatives an unclassified report that—

(1) describes the United States plan to ensure Taiwan's meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms;

(2) includes an account of the efforts made by the Secretary of State and the Secretary of Commerce to ensure Taiwan's meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms; and

(3) identifies the steps the Secretary of State and the Secretary of Commerce will take in the next year to ensure Taiwan's meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 10401. REPORT ON TAIWAN TRAVEL ACT.

(a) LIST OF HIGH-LEVEL VISITS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary of State, in accordance with the Taiwan Travel Act (Public Law 115–135), shall submit to the appropriate committees of Congress—

(1) a list of high-level officials from the United States Government who have traveled to Taiwan; and

(2) a list of high-level officials of Taiwan who have entered the United States.

(b) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary of State shall submit a report on the implementation of the Taiwan Travel Act, including a discussion of its positive effects on United States interests in the region, to the appropriate committees of Congress.

(2) FORM.—The report required under 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 Foreign Relations of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Committee on Appropriations of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives;

(5) the Committee on Armed Services of the House of Representatives; and

(6) the Committee on Appropriations of the House of Representatives.

SEC. 10402. AMENDMENTS TO THE TAIWAN ALLIES INTERNATIONAL PROTECTION AND ENHANCEMENT INITIATIVE (TAIPEI) ACT OF 2019.

The Taiwan Allies International Protection and Enhancement Initiative (TAIPEI) Act of 2019 (Public Law 116–135) is amended—

(1) in section 2(5), by striking ''and Kiribati'' and inserting ''Kiribati, and Nicaragua,'';

(2) in section 4—

(A) in the matter preceding paragraph (1), by striking ''should be'' and inserting ''is'';

(B) in paragraph (2), by striking ''and'' at the end;

(C) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(4) to support Taiwan's diplomatic relations with governments and countries''; and

(3) in section 5—

(A) in subsection (a)—

(i) in paragraph (2), by striking ''and'' at the end;

(ii) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(4) identify why governments and countries have altered their diplomatic status vis-a-vis Taiwan and make recommendations to mitigate further deterioration in Taiwan's diplomatic relations with governments and countries.'';

(B) in subsection (b), by striking ''1 year after the date of the enactment of this Act, and annually thereafter for five years, the Secretary of State shall report'' and inserting ''90 days after the date of the enactment of Matters Related to Taiwan, and annually thereafter for the following 7 years, the Secretary of State shall submit an unclassified report, with a classified annex,'';

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

(D) by inserting after subsection (b) the following:

''(c) BRIEFINGS.—Not later than 90 days after the date of the enactment of Matters Related to Taiwan, and annually thereafter for the following 7 years, the Department of State shall provide briefings to the appropriate congressional committees on the steps taken in accordance with section (a). The briefings required under this subsection shall take place in an unclassified setting, but may be accompanied by an additional classified briefing.''.

SEC. 10403. REPORT ON ROLE OF PEOPLE'S REPUBLIC OF CHINA'S NUCLEAR THREAT IN ESCALATION DYNAMICS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense and the Director of National Intelligence, shall submit to the appropriate congressional committees a report assessing the role of the increasing nuclear threat of the People's Republic of China in escalation dynamics with respect to Taiwan.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Select Committee on Intelligence of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives;

(5) the Committee on Armed Services of the House of Representatives; and

(6) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 10404. REPORT ANALYZING THE IMPACT OF RUSSIA'S WAR AGAINST UKRAINE ON THE OBJECTIVES OF THE PEOPLE'S REPUBLIC OF CHINA WITH RESPECT TO TAIWAN.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense and the Director of National Intelligence, shall submit a report to the appropriate congressional committees that analyzes the impact of Russia's war against Ukraine on the PRC's diplomatic, military, economic, and propaganda objectives with respect to Taiwan.

(b) ELEMENTS.—The report required under subsection (a) shall describe—

(1) adaptations or known changes to PRC strategies and military doctrine since the commencement of the Russian invasion of Ukraine on February 24, 2022, including changes—

(A) to PRC behavior in international forums;

(B) within the People's Liberation Army, with respect to the size of forces, the makeup of leadership, weapons procurement, equipment upkeep, the doctrine on the use of specific weapons, such as weapons banned under the international law of armed conflict, efforts to move weapons supply chains onto mainland PRC, or any other changes in its military strategy with respect to Taiwan;

(C) in economic planning, such as sanctions evasion, efforts to minimize exposure to sanctions, or moves in support of the protection of currency or other strategic reserves;

(D) to propaganda, disinformation, and other information operations originating in the PRC; and

(E) to the PRC's strategy for the use of force against Taiwan, including any information on preferred scenarios or operations to secure its objectives in Taiwan, adjustments based on how the Russian military has performed in Ukraine, and other relevant matters;

(2) United States' plans to adapt its policies and military planning in response to the changes referred to in paragraph (1).

(c) FORM.—The report required under subsection (a) shall be submitted in classified form.

(d) COORDINATION WITH ALLIES AND PARTNERS.—The Secretary of State shall share information contained in the report required

under subsection (a), as appropriate, with appropriate officials of allied and partners, including Taiwan and other partners in Europe and in the Indo-Pacific.

(e) DEFINED TERM.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Committee on Appropriations of the Senate;

(4) the Select Committee on Intelligence of the Senate;

(5) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(6) the Committee on Foreign Affairs of the House of Representatives;

(7) the Committee on Armed Services of the House of Representatives;

(8) the Committee on Appropriations of the House of Representatives;

(9) the Permanent Select Committee on Intelligence of the House of Representatives; and

(10) the Committee on Financial Services of the House of Representatives.

TITLE V—UNITED STATES-TAIWAN PUBLIC HEALTH PROTECTION

SEC. 10501. SHORT TITLE.

This title may be cited as ''United States-Taiwan Public Health Protection Act''.

SEC. 10502. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—For the purposes of this title, the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on Energy and Commerce of the House of Representatives; and

(F) the Committee on Appropriations of the House of Representatives.

(2) CENTER.—The term ''Center'' means the Infectious Disease Monitoring Center described in section 10503.

SEC. 10503. STUDY.

(a) STUDY.—Not later than one year after the date of the enactment of this Act, the Secretary of State and the Secretary of Health and Human Services, in consultation with the heads of other relevant Federal departments and agencies, shall submit to appropriate congressional committees a study that includes the following:

(1) A description of ongoing cooperation between the United States Government and Taiwan related to public health, including public health activities supported by the United States in Taiwan.

(2) A description how the United States and Taiwan can promote further cooperation and expand public health activities, including the feasibility and utility of establishing an Infectious Disease Monitoring Center within the American Institute of Taiwan in Taipei, Taiwan to—

(A) regularly monitor, analyze, and disseminate open-source material from countries in the region, including viral strains, bacterial subtypes, and other pathogens;

(B) engage in people-to-people contacts with medical specialists and public health officials in the region;

(C) provide expertise and information on infectious diseases to the United States Government and Taiwanese officials; and

(D) carry out other appropriate activities, as determined by the Director of the Center.

(b) ELEMENTS.—The study required by subsection (a) shall include—

(1) a plan on how such a Center would be established and operationalized, including—

(A) the personnel, material, and funding requirements necessary to establish and operate the Center; and

(B) the proposed structure and composition of Center personnel, which may include—

(i) infectious disease experts from the Department of Health and Human Services, who are recommended to serve as detailees to the Center; and

(ii) additional qualified persons to serve as detailees to or employees of the Center, including—

(I) from any other relevant Federal department or agencies, to include the Department of State and the United States Agency for International Development;

(II) qualified foreign service nationals or locally engaged staff who are considered citizens of Taiwan; and

(III) employees of the Taiwan Centers for Disease Control;

(2) an evaluation, based on the factors in paragraph (1), of whether to establish the Center; and

(3) a description of any consultations or agreements between the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office in the United States regarding the establishment and operation of the Center, including—

(A) the role that employees of the Taiwan Centers for Disease Control would play in supporting or coordinating with the Center; and

(B) whether any employees of the Taiwan Centers for Disease Control would be detailed to, or co-located with, the Center.

(c) CONSULTATION.—The Secretary of State and the Secretary of Health and Human Services shall consult with the appropriate congressional committees before full completion of the study.

TITLE VI—RULES OF CONSTRUCTION

SEC. 10601. RULE OF CONSTRUCTION.

Nothing in this division may be construed—

(1) to restore diplomatic relations with the Republic of China; or

(2) to alter the United States Government's position with respect to the international status of the Republic of China.

SEC. 10602. RULE OF CONSTRUCTION REGARDING THE USE OF MILITARY FORCE.

Nothing in this division may be construed as authorizing the use of military force or the introduction of United States forces into hostilities.

SA 6448. Mr. REED (for Mr. CRAMER) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, add the following:

SEC. 829. MODIFICATION OF CONTRACTS AND OPTIONS TO PROVIDE ECONOMIC PRICE ADJUSTMENTS.

(a) AUTHORITY.—Amounts authorized to be appropriated by this Act for the Department of Defense may be used to modify the terms and conditions of a contract or option, without consideration, to provide an economic price adjustment consistent with sections 16.203–1 and 16.203–2 of the Federal Acquisition Regulation during the relevant period of performance for that contract or option and as specified in section 16.203–3 of the Federal Acquisition Regulation, subject to the availability of appropriations.

(b) GUIDANCE.—Not later than 30 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall issue guidance implementing the authority under this section.

SA 6449. Mr. REED (for Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1077. COST-SHARING REQUIREMENTS APPLICABLE TO CERTAIN BUREAU OF RECLAMATION DAMS AND DIKES.

Section 4309 of the America's Water Infrastructure Act of 2018 (43 U.S.C. 377b note; Public Law 115–270) is amended—

(1) in the section heading, by inserting ''**DAMS AND**'' before ''**DIKES**'';

(2) in subsection (a), by striking ''effective beginning on the date of enactment of this section, the Federal share of the operations and maintenance costs of a dike described in subsection (b)'' and inserting ''effective during the 1-year period beginning on the date of enactment of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, the Federal share of the dam safety modifications costs of a dam or dike described in subsection (b), including repairing or replacing a gate or ancillary gate components,''; and

(3) in subsection (b)—

(A) in the subsection heading, by inserting ''DAMS AND '' before ''DIKES'';

(B) in the matter preceding paragraph (1), by inserting ''dam or'' before ''dike'' each place it appears; and

(C) in paragraph (2), by striking ''December 31, 1945'' and inserting ''December 31, 1948''.

SA 6450. Mr. REED (for Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII, insert the following:

SEC. ___. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER SOVEREIGN UKRAINIAN TERRITORY.

(a) IN GENERAL.—Section 1234 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1974) is amended—

(1) in the section heading, by striking ''**CRIMEA**'' and inserting ''**SOVEREIGN UKRANIAN TERRITORY**''; and

(2) in subsection (a), by striking ''over Crimea'' and inserting ''over territory internationally recognized to be the sovereign territory of Ukraine, including Crimea and territory the Russian Federation claimed to have annexed in Kherson Oblast, Zaporizhzhia Oblast, Donetsk Oblast, and Luhansk Oblast''.

(b) CLERICAL AMENDMENTS.—The tables of sections in section 2(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1541) and at the beginning of title XII of such Act (135 Stat. 1956) are amended, in the matter relating to section 1234, by striking ''Crimea'' and inserting ''sovereign Ukranian territory''.

SA 6451. Mr. REED (for Mr. SCOTT of Florida) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

Subtitle F—American Security Drone Act of 2022

SEC. 881. SHORT TITLE.

This subtitle may be cited as the ''American Security Drone Act of 2022''.

SEC. 882. DEFINITIONS.

In this subtitle:

(1) COVERED FOREIGN ENTITY.—The term ''covered foreign entity'' means an entity included on a list developed and maintained by the Federal Acquisition Security Council. This list will include entities in the following categories:

(A) An entity included on the Consolidated Screening List.

(B) Any entity that is subject to extrajudicial direction from a foreign government, as determined by the Secretary of Homeland Security.

(C) Any entity the Secretary of Homeland Security, in coordination with the Attorney General, Director of National Intelligence, and the Secretary of Defense, determines poses a national security risk.

(D) Any entity domiciled in the People's Republic of China or subject to influence or control by the Government of the People's Republic of China or the Communist Party of the People's Republic of China, as determined by the Secretary of Homeland Security.

(E) Any subsidiary or affiliate of an entity described in subparagraphs (A) through (D).

(2) COVERED UNMANNED AIRCRAFT SYSTEM.—The term ''covered unmanned aircraft system'' has the meaning given the term ''unmanned aircraft system'' in section 44801 of title 49, United States Code.

(3) INTELLIGENCE; INTELLIGENCE COMMUNITY.—The terms ''intelligence'' and ''intelligence community'' have the meanings given those terms in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 883. PROHIBITION ON PROCUREMENT OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—Except as provided under subsections (b) through (f), the head of an executive agency may not procure any covered unmanned aircraft system that is manufactured or assembled by a covered foreign entity, which includes associated elements (consisting of communication links and the components that control the unmanned aircraft) that enable the operator to operate the aircraft in the National Airspace System. The Federal Acquisition Security Council, in coordination with the Secretary of Transportation, shall develop and update a list of associated elements.

(b) EXEMPTION.—The Secretary of Homeland Security, the Secretary of Defense, the Director of National Intelligence, and the Attorney General are exempt from the restriction under subsection (a) if the procurement is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of unmanned aircraft system or counter-unmanned aircraft system technology;

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal criminal or national security investigations, including forensic examinations, or for electronic warfare, information warfare operations, cybersecurity, or development of an unmanned aircraft system or counter-unmanned aircraft system technology; or

(3) is an unmanned aircraft system that, as procured or as modified after procurement but before operational use, can no longer transfer to, or download data from, a covered foreign entity and otherwise poses no national security cybersecurity risks as determined by the exempting official.

(c) DEPARTMENT OF TRANSPORTATION AND FEDERAL AVIATION ADMINISTRATION EXEMPTION.—The Secretary of Transportation is exempt from the restriction under subsection (a) if the operation or procurement is deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, including activities carried out under the Federal Aviation Administration's Alliance for System Safety of UAS through Research Excellence (ASSURE) Center of Excellence (COE) and any other activity deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, as determined by the Secretary or the Secretary's designee.

(d) NATIONAL TRANSPORTATION SAFETY BOARD EXEMPTION.—The National Transportation Safety Board, in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the operation or procurement is necessary for the sole purpose of conducting safety investigations.

(e) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION EXEMPTION.—The Administrator of the National Oceanic and Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the procurement is necessary for the purpose of meeting NOAA's science or management objectives.

(f) WAIVER.—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis—

(1) with the approval of the Director of the Office of Management and Budget, after consultation with the Federal Acquisition Security Council; and

(2) upon notification to—

(A) the Committee on Homeland Security and Government Affairs of the Senate;

(B) the Committee on Oversight and Reform in the House of Representatives; and

(C) other appropriate congressional committees of jurisdiction.

SEC. 884. PROHIBITION ON OPERATION OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) PROHIBITION.—

(1) IN GENERAL.—Beginning on the date that is two years after the date of the enactment of this Act, no Federal department or agency may operate a covered unmanned aircraft system manufactured or assembled by a covered foreign entity.

(2) APPLICABILITY TO CONTRACTED SERVICES.—The prohibition under paragraph (1) applies to any covered unmanned aircraft systems that are being used by any executive agency through the method of contracting for the services of covered unmanned aircraft systems.

(b) EXEMPTION.—The Secretary of Homeland Security, the Secretary of Defense, the Director of National Intelligence, and the Attorney General are exempt from the restriction under subsection (a) if the procurement is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of unmanned aircraft system or counter-unmanned aircraft system technology;

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal criminal or national security investigations, including forensic examinations, or for electronic warfare, information warfare operations, cybersecurity, or development of an unmanned aircraft system or counter-unmanned aircraft system technology; or

(3) is an unmanned aircraft system that, as procured or as modified after procurement but before operational use, can no longer transfer to, or download data from, a covered foreign entity and otherwise poses no national security cybersecurity risks as determined by the exempting official.

(c) DEPARTMENT OF TRANSPORTATION AND FEDERAL AVIATION ADMINISTRATION EXEMPTION.—The Secretary of Transportation is exempt from the restriction under subsection (a) if the operation or procurement is deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, including activities carried out under the Federal Aviation Administration's Alliance for System Safety of UAS through Research Excellence (ASSURE) Center of Excellence (COE) and any other activity deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, as determined by the Secretary or the Secretary's designee.

(d) NATIONAL TRANSPORTATION SAFETY BOARD EXEMPTION.—The National Transportation Safety Board, in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the procurement is necessary for the sole purpose of conducting safety investigations.

(e) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION EXEMPTION.—The Administrator of the National Oceanic and Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the procurement is necessary for the purpose of meeting NOAA's science or management objectives.

(f) WAIVER.—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis—

(1) with the approval of the Director of the Office of Management and Budget, after consultation with the Federal Acquisition Security Council; and

(2) upon notification to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Oversight and Reform in the House of Representatives; and

(C) other appropriate congressional committees of jurisdiction.

(g) REGULATIONS AND GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Attorney General shall prescribe regulations or guidance to implement this section.

SEC. 885. PROHIBITION ON USE OF FEDERAL FUNDS FOR PURCHASES AND OPERATION OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—Beginning on the date that is two years after the date of the enactment of this Act, except as provided in subsection (b), no Federal funds awarded through a contract, grant, or cooperative agreement, or otherwise made available may be used—

(1) to purchase a covered unmanned aircraft system that is manufactured or assembled by a covered foreign entity; or

(2) in connection with the operation of such a drone or unmanned aircraft system.

(b) EXEMPTION.—The Secretary of Homeland Security, the Secretary of Defense, the Director of National Intelligence, and the Attorney General are exempt from the restriction under subsection (a) if the procurement is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of unmanned aircraft system or counter-unmanned aircraft system technology;

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal criminal or national security investigations, including forensic examinations, or for electronic warfare, information warfare operations, cybersecurity, or development of an unmanned aircraft system or counter-unmanned aircraft system technology; or

(3) is an unmanned aircraft system that, as procured or as modified after procurement but before operational use, can no longer transfer to, or download data from, a covered foreign entity and otherwise poses no national security cybersecurity risks as determined by the exempting official.

(c) DEPARTMENT OF TRANSPORTATION AND FEDERAL AVIATION ADMINISTRATION EXEMPTION.—The Secretary of Transportation is exempt from the restriction under subsection (a) if the operation or procurement is deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, including activities carried out under the Federal Aviation Administration's Alliance for System Safety of UAS through Research Excellence (ASSURE) Center of Excellence (COE) and any other activity deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, as determined by the Secretary or the Secretary's designee.

(d) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION EXEMPTION.—The Administrator of the National Oceanic and Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the operation or procurement is necessary for the purpose of meeting NOAA's science or management objectives.

(e) WAIVER.—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis—

(1) with the approval of the Director of the Office of Management and Budget, after consultation with the Federal Acquisition Security Council; and

(2) upon notification to—

(A) the Committee on Homeland Security and Government Affairs of the Senate;

(B) the Committee on Oversight and Reform in the House of Representatives; and

(C) other appropriate congressional committees of jurisdiction.

(f) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall prescribe regulations or guidance, as necessary, to implement the requirements of this section pertaining to Federal contracts.

SEC. 886. PROHIBITION ON USE OF GOVERNMENT-ISSUED PURCHASE CARDS TO PURCHASE COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

Effective immediately, Government-issued Purchase Cards may not be used to procure any covered unmanned aircraft system from a covered foreign entity.

SEC. 887. MANAGEMENT OF EXISTING INVENTORIES OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—All executive agencies must account for existing inventories of covered unmanned aircraft systems manufactured or assembled by a covered foreign entity in their personal property accounting systems, within one year of the date of enactment of this Act, regardless of the original procurement cost, or the purpose of procurement due to the special monitoring and accounting measures necessary to track the items' capabilities.

(b) CLASSIFIED TRACKING.—Due to the sensitive nature of missions and operations conducted by the United States Government, inventory data related to covered unmanned aircraft systems manufactured or assembled by a covered foreign entity may be tracked at a classified level.

(c) EXCEPTIONS.—The Department of Defense, Department of Homeland Security, Department of Justice, and Department of Transportation may exclude from the full inventory process, covered unmanned aircraft systems that are deemed expendable due to mission risk such as recovery issues or that are one-time-use covered unmanned aircraft due to requirements and low cost.

SEC. 888. COMPTROLLER GENERAL REPORT.

Not later than 275 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the amount of commercial off-the-shelf drones and covered unmanned aircraft systems procured by Federal departments and agencies from covered foreign entities.

SEC. 889. GOVERNMENT-WIDE POLICY FOR PROCUREMENT OF UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in coordination with the Department of Homeland Security, Department of Transportation, the Department of Justice, and other Departments as determined by the Director of the Office of Management and Budget, and in consultation with the National Institute of Standards and Technology, shall establish a government-wide policy for the procurement of an unmanned aircraft system—

(1) for non-Department of Defense and non-intelligence community operations; and

(2) through grants and cooperative agreements entered into with non-Federal entities.

(b) INFORMATION SECURITY.—The policy developed under subsection (a) shall include the following specifications, which to the extent practicable, shall be based on industry standards and technical guidance from the National Institute of Standards and Technology, to address the risks associated with processing, storing, and transmitting Federal information in an unmanned aircraft system:

(1) Protections to ensure controlled access to an unmanned aircraft system.

(2) Protecting software, firmware, and hardware by ensuring changes to an unmanned aircraft system are properly managed, including by ensuring an unmanned aircraft system can be updated using a secure, controlled, and configurable mechanism.

(3) Cryptographically securing sensitive collected, stored, and transmitted data, including proper handling of privacy data and other controlled unclassified information.

(4) Appropriate safeguards necessary to protect sensitive information, including during and after use of an unmanned aircraft system.

(5) Appropriate data security to ensure that data is not transmitted to or stored in non-approved locations.

(6) The ability to opt out of the uploading, downloading, or transmitting of data that is not required by law or regulation and an ability to choose with whom and where information is shared when it is required.

(c) REQUIREMENT.—The policy developed under subsection (a) shall reflect an appropriate risk-based approach to information security related to use of an unmanned aircraft system.

(d) REVISION OF ACQUISITION REGULATIONS.—Not later than 180 days after the date on which the policy required under subsection (a) is issued—

(1) the Federal Acquisition Regulatory Council shall revise the Federal Acquisition Regulation, as necessary, to implement the policy; and

(2) any Federal department or agency or other Federal entity not subject to, or not subject solely to, the Federal Acquisition Regulation shall revise applicable policy, guidance, or regulations, as necessary, to implement the policy.

(e) EXEMPTION.—In developing the policy required under subsection (a), the Director of the Office of Management and Budget shall—

(1) incorporate policies to implement the exemptions contained in this subtitle; and

(2) incorporate an exemption to the policy in the case of a head of the procuring department or agency determining, in writing, that no product that complies with the information security requirements described in subsection (b) is capable of fulfilling mission critical performance requirements, and such determination—

(A) may not be delegated below the level of the Deputy Secretary, or Administrator, of the procuring department or agency;

(B) shall specify—

(i) the quantity of end items to which the waiver applies and the operation or procurement value of those items; and

(ii) the time period over which the waiver applies, which shall not exceed three years;

(C) shall be reported to the Office of Management and Budget following issuance of such a determination; and

(D) not later than 30 days after the date on which the determination is made, shall be provided to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives.

SEC. 890. STATE, LOCAL, AND TERRITORIAL LAW ENFORCEMENT AND EMERGENCY SERVICE EXEMPTION.

(a) RULE OF CONSTRUCTION.—Nothing in this subtitle shall prevent a State, local, or

territorial law enforcement or emergency service agency from procuring or operating a covered unmanned aircraft system purchased with non-Federal dollars.

(b) CONTINUITY OF ARRANGEMENTS.—The Federal Government may continue entering into contracts, grants, and cooperative agreements or other Federal funding instruments with State, local, or territorial law enforcement or emergency service agencies under which a covered unmanned aircraft system will be purchased or operated if the agency has received approval or waiver to purchase or operate a covered unmanned aircraft system pursuant to section 885.

SEC. 891. STUDY.

(a) STUDY ON THE SUPPLY CHAIN FOR UNMANNED AIRCRAFT SYSTEMS AND COMPONENTS.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall provide to the appropriate congressional committees a report on the supply chain for covered unmanned aircraft systems, including a discussion of current and projected future demand for covered unmanned aircraft systems.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A description of the current and future global and domestic market for covered unmanned aircraft systems that are not widely commercially available except from a covered foreign entity.

(B) A description of the sustainability, availability, cost, and quality of secure sources of covered unmanned aircraft systems domestically and from sources in allied and partner countries.

(C) The plan of the Secretary of Defense to address any gaps or deficiencies identified in subparagraph (B), including through the use of funds available under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) and partnerships with the National Aeronautics and Space Administration and other interested persons.

(D) Such other information as the Under Secretary of Defense for Acquisition and Sustainment determines to be appropriate.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section the term ''appropriate congressional committees'' means:

(A) The Committees on Armed Services of the Senate and the House of Representatives.

(B) The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives.

(C) The Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

(D) The Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 892. EXCEPTIONS.

(a) EXCEPTION FOR WILDFIRE MANAGEMENT OPERATIONS AND SEARCH AND RESCUE OPERATIONS.—The appropriate Federal agencies, in consultation with the Secretary of Homeland Security, are exempt from the procurement, operation, and purchase restrictions under sections 883, 884, and 885 to the extent the procurement, operation, or purchase is necessary for the purpose of supporting the full range of wildfire management operations or search and rescue operations.

(b) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—The elements of the intelligence community, in consultation with the Director of National Intelligence, are exempt from the procurement, operation, and purchase restrictions under sections 883, 884, and 885 to the extent the procurement, operation, or purchase is necessary for the purpose of supporting intelligence activities.

(c) EXCEPTION FOR TRIBAL LAW ENFORCEMENT OR EMERGENCY SERVICE AGENCY.—Tribal law enforcement or Tribal emergency service agencies, in consultation with the Secretary of Homeland Security, are exempt from the procurement, operation, and purchase restrictions under sections 883, 884, and 885 to the extent the procurement, operation, or purchase is necessary for the purpose of supporting the full range of law enforcement operations or search and rescue operations on Indian lands.

SEC. 893. SUNSET.

Sections 883, 884, and 885 shall cease to have effect on the date that is five years after the date of the enactment of this Act.

SA 6452. Mr. REED (for Mr. SHELBY) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1276. CENTER FOR EXCELLENCE IN ENVIRONMENTAL SECURITY.

(a) IN GENERAL.—Chapter 7 of title 10, United States Code, is amended by inserting after section 182 the following new section:

''SEC. 182a. CENTER FOR EXCELLENCE IN ENVIRONMENTAL SECURITY.

''(a) ESTABLISHMENT.—The Secretary of Defense may operate a Center for Excellence in Environmental Security (in this section referred to as the 'Center').

''(b) MISSIONS.—(1) The Center shall be used to provide and facilitate education, training, and research in civil-military operations, particularly operations that require international assistance and operations that require coordination between the Department of Defense and other agencies.

''(2) The Center shall be used to provide and facilitate education, training, interagency coordination, and research on the following additional matters:

''(A) Management of the consequences of environmental insecurity with respect to—

''(i) access to water, food, and energy;

''(ii) related health matters; and

''(iii) matters relating to when, how, and why environmental stresses to human safety, health, water, energy, and food will cascade to economic, social, political, or national security events.

''(B) Appropriate roles for the reserve components in response to environmental insecurity resulting from natural disasters.

''(C) Meeting requirements for information in connection with regional and global disasters, including the use of advanced communications technology as a virtual library.

''(3) The Center shall be granted access to the data, archives, talent and physical capability of all Federal agencies to enable the development of global environmental indicators.

''(4) The Center shall perform such other missions as the Secretary of Defense may specify.

''(c) JOINT OPERATION WITH EDUCATIONAL INSTITUTION AUTHORIZED.—The Secretary of Defense may enter into an agreement with appropriate officials of an institution of higher education to provide for operation of the Center. Any such agreement shall provide for the institution to furnish necessary administrative services for the Center, including administration and allocation of funds.

''(d) ACCEPTANCE OF DONATIONS.—

''(1) Except as provided in paragraph (2), the Secretary of Defense may accept, on behalf of the Center, donations to be used to defray the costs of the Center or to enhance the operation of the Center. Such donations may be accepted from any agency of the Federal Government, any State or local government, any foreign government, any foundation or other charitable organization (including any that is organized or operates under the laws of a foreign country), or any other private source in the United States or a foreign country.

''(2) The Secretary may not accept a donation under paragraph (1) if the acceptance of the donation would compromise or appear to compromise—

''(A) the ability of the Department of Defense, any employee of the Department, or members of the armed forces, to carry out any responsibility or duty of the Department in a fair and objective manner; or

''(B) the integrity of any program of the Department of Defense or of any person involved in such a program.

''(3) The Secretary shall prescribe written guidance setting forth the criteria to be used in determining whether or not the acceptance of a foreign donation would have a result described in paragraph (2).

''(4) Funds accepted by the Secretary under paragraph (1) as a donation on behalf of the Center shall be credited to appropriations available to the Department of Defense for the Center. Funds so credited shall be merged with the appropriations to which credited and shall be available for the Center for the same purposes and the same period as the appropriations with which merged.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 182 the following new item:

''182a. Center for Excellence in Environmental Security''.

SA 6453. Mr. REED (for Mr. GRAHAM (for himself and Mr. MENENDEZ)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XV, add the following:

SEC. 1550. IRAN NUCLEAR WEAPONS CAPABILITY AND TERRORISM MONITORING ACT OF 2022.

(a) SHORT TITLE.—This section may be cited as the ''Iran Nuclear Weapons Capability and Terrorism Monitoring Act of 2022''.

(b) FINDINGS.—Congress makes the following findings:

(1) In the late 1980s, the Islamic Republic of Iran established the AMAD Project with the intent to manufacture 5 nuclear weapons and prepare an underground nuclear test site.

(2) Since at least 2002, the Islamic Republic of Iran has advanced its nuclear and ballistic

missile programs, posing serious threats to the security interests of the United States, Israel, and other allies and partners.

(3) In 2002, nuclear facilities in Natanz and Arak, Iran, were revealed to the public by the National Council of Resistance of Iran.

(4) On April 11, 2006, the Islamic Republic of Iran announced that it had enriched uranium for the first time to a level close to 3.5 percent at the Natanz Pilot Fuel Enrichment Plant, Natanz, Iran.

(5) On December 23, 2006, the United Nations Security Council adopted Resolution 1737 (2006), which imposed sanctions with respect to the Islamic Republic of Iran for its failure to suspend enrichment activities.

(6) The United Nations Security Council subsequently adopted Resolutions 1747 (2007), 1803 (2008), and 1929 (2010), all of which targeted the nuclear program of and imposed additional sanctions with respect to the Islamic Republic of Iran.

(7) On February 3, 2009, the Islamic Republic of Iran announced that it had launched its first satellite, which raised concern over the applicability of the satellite to the ballistic missile program.

(8) In September 2009, the United States, the United Kingdom, and France revealed the existence of the clandestine Fordow Fuel Enrichment Plant in Iran, years after construction started on the plant.

(9) In 2010, the Islamic Republic of Iran reportedly had enriched uranium to a level of 20 percent.

(10) On March 9, 2016, the Islamic Republic of Iran launched 2 variations of the Qadr medium-range ballistic missile.

(11) On January 28, 2017, the Islamic Republic of Iran conducted a test of a medium-range ballistic missile, which traveled an estimated 600 miles.

(12) In 2018, Israel seized a significant portion of the nuclear archive of the Islamic Republic of Iran, which contained tens of thousands of files and compact discs relating to past efforts at nuclear weapon design, development, and manufacturing by the Islamic Republic of Iran.

(13) On September 27, 2018, Israel revealed the existence of a warehouse housing radioactive material in the Turquz Abad district in Tehran, and an inspection of the warehouse by the International Atomic Energy Agency detected radioactive particles, which the Government of the Islamic Republic of Iran failed to adequately explain.

(14) On January 8, 2020, an Iranian missile struck an Iraqi military base where members of the United States Armed Forces were stationed, resulting in 11 of such members being treated for injuries.

(15) On June 19, 2020, the International Atomic Energy Agency adopted Resolution GOV/2020/34 expressing ''serious concern. . . that Iran has not provided access to the Agency under the Additional Protocol to two locations''.

(16) On November 28, 2020, following the death of the head of the Organization of Defense Innovation and Research of the Islamic Republic of Iran, the Supreme Leader of the Islamic Republic of Iran vowed to ''to continue the martyr's scientific and technological efforts in all the sectors where he was active'' in the ''nuclear and defense fields''.

(17) On April 17, 2021, the International Atomic Energy Agency verified that the Islamic Republic of Iran had begun to enrich uranium to 60 percent purity.

(18) On August 14, 2021, President of Iran Hassan Rouhani stated that ''Iran's Atomic Energy Organization can enrich uranium by 20 percent and 60 percent and if one day our reactors need it, it can enrich uranium to 90 percent purity''.

(19) On November 9, 2021, the Islamic Republic of Iran completed Zolfaghar-1400, a 3-day war game that included conventional navy, army, air force, and air defense forces testing cruise missiles, torpedoes, and suicide drones in the Strait of Hormuz, the Gulf of Oman, the Red Sea, and the Indian Ocean.

(20) On December 20, 2021, the Islamic Republic of Iran commenced a 5-day drill in which it launched a number of short- and long-range ballistic missiles that it claimed could destroy Israel, constituting an escalation in the already genocidal rhetoric of the Islamic Republic of Iran toward Israel.

(21) On January 13, 2022, the head of the Islamic Revolutionary Guards Corps Aerospace Force claimed that the military launched a solid-fuel, mobile satellite launch rocket, with implications for development of an intercontinental ballistic missile.

(22) On January 24, 2022, Houthi rebels, backed by the Islamic Republic of Iran, fired 2 missiles at Al Dhafra Air Base in the United Arab Emirates, which hosts around 2,000 members of the Armed Forces of the United States.

(23) On January 31, 2022, surface-to-air interceptors of the United Arab Emirates shot down a Houthi missile fired at the United Arab Emirates during a visit by President of Israel Isaac Herzog, the first-ever visit of an Israeli President to the United Arab Emirates.

(24) On February 9, 2022, the Islamic Republic of Iran unveiled a new surface-to-surface missile, named ''Kheibar Shekan'', which has a reported range of 900 miles (1450 kilometers) and is capable of penetrating missile shields.

(25) On March 13, 2022, the Islamic Republic of Iran launched 12 missiles into Erbil, Iraq, which struck near a consulate building of the United States.

(26) On April 17, 2022, the Islamic Republic of Iran confirmed the relocation of a production facility for advanced centrifuges from an aboveground facility at Karaj, Iran, to the fortified underground Natanz Enrichment Complex.

(27) On April 19, 2022, the Department of State released a report stating that there are ''serious concerns'' about ''possible undeclared nuclear material and activities in Iran''.

(28) On May 30, 2022, the International Atomic Energy Agency reported that the Islamic Republic of Iran had achieved a stockpile of 43.3 kilograms, equivalent to 95.5 pounds, of 60 percent highly enriched uranium, roughly enough material for a nuclear weapon.

(29) On June 8, 2022, the Islamic Republic of Iran turned off surveillance cameras installed by the International Atomic Energy Agency to monitor uranium enrichment activities at nuclear sites in the country.

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department of State has used evidence of the intent of the Islamic Republic of Iran to advance a nuclear program to secure the support of the international community in passing and implementing United Nations Security Council Resolutions on the Islamic Republic of Iran;

(2) intelligence agencies have compiled evidence of the intent of the Islamic Republic of Iran to advance a nuclear program, with evidence of a nuclear program prior to 2003;

(3) an Islamic Republic of Iran that possesses a nuclear weapons capability would be a serious threat to the national security of the United States, Israel, and other allies and partners;

(4) the Islamic Republic of Iran has been less than cooperative with international inspectors from the International Atomic Energy Agency and has obstructed their ability to inspect nuclear facilities across Iran;

(5) the Islamic Republic of Iran continues to advance missile programs, which are a threat to the national security of the United States, Israel, and other allies and partners;

(6) the Islamic Republic of Iran continues to support proxies in the Middle East in a manner that—

(A) undermines the sovereignty of regional governments;

(B) threatens the safety of United States citizens;

(C) threatens United States allies and partners; and

(D) directly undermines the national security interests of the United States;

(7) the Islamic Republic of Iran has engaged in assassination plots against former United States officials and has been implicated in plots to kidnap United States citizens within the United States;

(8) the Islamic Republic of Iran is engaged in unsafe and unprofessional maritime activity that threatens the movement of naval vessels of the United States and the free flow of commerce through strategic maritime chokepoints in the Middle East and North Africa;

(9) the Islamic Republic of Iran has delivered hundreds of armed drones to the Russian Federation, which will enable Vladimir Putin to continue the assault against Ukraine in direct opposition of the national security interests of the United States; and

(10) the United States must—

(A) ensure that the Islamic Republic of Iran does not develop a nuclear weapons capability;

(B) protect against aggression from the Islamic Republic of Iran manifested through its missiles program; and

(C) counter regional and global terrorism of the Islamic Republic of Iran in a manner that minimizes the threat posed by state and non-state actors to the interests of the United States.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Natural Resources, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Commerce, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) COMPREHENSIVE SAFEGUARDS AGREEMENT.—The term ''Comprehensive Safeguards Agreement'' means the Agreement between the Islamic Republic of Iran and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, done at Vienna June 19, 1973.

(3) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(4) TASK FORCE.—The term ''task force'' means the task force established under subsection (e).

(5) UNMANNED AIRCRAFT SYSTEM.—The term ''unmanned aircraft system'' has the meaning given the term in section 44801 of title 49, United States Code.

(e) ESTABLISHMENT OF INTERAGENCY TASK FORCE ON NUCLEAR ACTIVITY AND GLOBAL REGIONAL TERRORISM OF THE ISLAMIC REPUBLIC OF IRAN.—

(1) ESTABLISHMENT.—The Secretary of State shall establish a task force to coordinate and synthesize efforts by the United States Government regarding—

(A) nuclear activity of the Islamic Republic of Iran or its proxies; and

(B) regional and global terrorism activity by the Islamic Republic of Iran or its proxies.

(2) COMPOSITION.—

(A) CHAIRPERSON.—The Secretary of State shall be the Chairperson of the task force.

(B) MEMBERSHIP.—

(i) IN GENERAL.—The task force shall be composed of individuals, each of whom shall be an employee of and appointed to the task force by the head of one of the following agencies:

(I) The Department of State.

(II) The Office of the Director of National Intelligence.

(III) The Department of Defense.

(IV) The Department of Energy.

(V) The Central Intelligence Agency.

(ii) ADDITIONAL MEMBERS.—The Chairperson may appoint to the task force additional individuals from other Federal agencies, as the Chairperson considers necessary.

(3) SUNSET.—The task force shall terminate on December 31, 2028.

(f) ASSESSMENTS.—

(1) INTELLIGENCE ASSESSMENT ON NUCLEAR ACTIVITY.—

(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and every 120 days thereafter until December 31, 2028, the Director of National Intelligence shall submit to the appropriate congressional committees an assessment regarding any uranium enrichment, nuclear weapons development, delivery vehicle development, and associated engineering and research activities of the Islamic Republic of Iran.

(B) CONTENTS.—The assessment required by subparagraph (A) shall include—

(i) a description and location of current fuel cycle activities for the production of fissile material being undertaken by the Islamic Republic of Iran, including—

(I) research and development activities to procure or construct additional advanced IR-2, IR-6 and other model centrifuges and enrichment cascades, including for stable isotopes;

(II) research and development of reprocessing capabilities, including—

(aa) reprocessing of spent fuel; and

(bb) extraction of medical isotopes from irradiated uranium targets;

(III) activities with respect to designing or constructing reactors, including—

(aa) the construction of heavy water reactors;

(bb) the manufacture or procurement of reactor components, including the intended application of such components; and

(cc) efforts to rebuild the original reactor at Arak;

(IV) uranium mining, concentration, conversion, and fuel fabrication, including—

(aa) estimated uranium ore production capacity and annual recovery;

(bb) recovery processes and ore concentrate production capacity and annual recovery;

(cc) research and development with respect to, and the annual rate of, conversion of uranium; and

(dd) research and development with respect to the fabrication of reactor fuels, including the use of depleted, natural, and enriched uranium; and

(V) activities with respect to—

(aa) producing or acquiring plutonium or uranium (or their alloys);

(bb) conducting research and development on plutonium or uranium (or their alloys);

(cc) uranium metal; or

(dd) casting, forming, or machining plutonium or uranium;

(ii) with respect to any activity described in clause (i), a description, as applicable, of—

(I) the number and type of centrifuges used to enrich uranium and the operating status of such centrifuges;

(II) the number and location of any enrichment or associated research and development facility used to engage in such activity;

(III) the amount of heavy water, in metric tons, produced by such activity and the acquisition or manufacture of major reactor components, including, for the second and subsequent assessments, the amount produced since the last assessment;

(IV) the number and type of fuel assemblies produced by the Islamic Republic of Iran, including failed or rejected assemblies; and

(V) the total amount of—

(aa) uranium–235 enriched to not greater than 5 percent purity;

(bb) uranium–235 enriched to greater than 5 percent purity and not greater than 20 percent purity;

(cc) uranium–235 enriched to greater than 20 percent purity and not greater than 60 percent purity;

(dd) uranium–235 enriched to greater than 60 percent purity and not greater than 90 percent purity; and

(ee) uranium–235 enriched greater than 90 percent purity;

(iii) a description of any weaponization plans and weapons development capabilities of the Islamic Republic of Iran, including—

(I) plans and capabilities with respect to—

(aa) weapon design, including fission, warhead miniaturization, and boosted and early thermonuclear weapon design;

(bb) high yield fission development;

(cc) design, development, acquisition, or use of computer models to simulate nuclear explosive devices;

(dd) design, development, fabricating, acquisition, or use of explosively driven neutron sources or specialized materials for explosively driven neutron sources; and

(ee) design, development, fabrication, acquisition, or use of precision machining and tooling that could enable the production of nuclear explosive device components;

(II) the ability of the Islamic Republic of Iran to deploy a working or reliable delivery vehicle capable of carrying a nuclear warhead;

(III) the estimated breakout time for the Islamic Republic of Iran to develop and deploy a nuclear weapon, including a crude nuclear weapon; and

(IV) the status and location of any research and development work site related to the preparation of an underground nuclear test;

(iv) an identification of any clandestine nuclear facilities;

(v) an assessment of whether the Islamic Republic of Iran maintains locations to store equipment, research archives, or other material previously used for a weapons program or that would be of use to a weapons program that the Islamic Republic of Iran has not declared to the International Atomic Energy Agency;

(vi) any diversion by the Islamic Republic of Iran of uranium, carbon-fiber, or other materials for use in an undeclared or clandestine facility;

(vii) an assessment of activities related to developing or acquiring the capabilities for the production of nuclear weapons, conducted at facilities controlled by the Ministry of Defense and Armed Forces Logistics of Iran, the Islamic Revolutionary Guard Corps, and the Organization of Defensive Innovation and Research, including an analysis of gaps in knowledge due to the lack of inspections and nontransparency of such facilities;

(viii) a description of activities between the Islamic Republic of Iran and other countries with respect to sharing information on nuclear weapons or activities related to weaponization;

(ix) with respect to any new ballistic, cruise, or hypersonic missiles being designed and tested by the Islamic Republic of Iran or any of its proxies, a description of—

(I) the type of missile;

(II) the range of such missiles;

(III) the capability of such missiles to deliver a nuclear warhead;

(IV) the number of such missiles; and

(V) any testing of such missiles;

(x) an assessment of whether the Islamic Republic of Iran or any of its proxies possesses an unmanned aircraft system or other military equipment capable of delivering a nuclear weapon;

(xi) an assessment of whether the Islamic Republic of Iran or any of its proxies has engaged in new or evolving nuclear weapons development activities, or activities related to developing the capabilities for the production of nuclear weapons or potential delivery vehicles, that would pose a threat to the national security of the United States, Israel, or other partners or allies; and

(xii) any other information that the task force determines is necessary to ensure a complete understanding of the capability of the Islamic Republic of Iran to develop and manufacture nuclear or other types of associated weapons systems.

(2) ASSESSMENT ON REGIONAL AND GLOBAL TERRORISM OF THE ISLAMIC REPUBLIC OF IRAN.—

(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and every 120 days thereafter until December 31, 2028, the Director of National Intelligence shall submit to the appropriate congressional committees an assessment regarding the regional and global terrorism of the Islamic Republic of Iran.

(B) CONTENTS.—The assessment required by subparagraph (A) shall include—

(i) a description of the lethal support of the Islamic Republic of Iran, including training, equipment, and associated intelligence support, to regional and global non-state terrorist groups and proxies;

(ii) a description of the lethal support of the Islamic Republic of Iran, including training and equipment, to state actors;

(iii) an assessment of financial support of the Islamic Republic of Iran to Middle Eastern non-state terrorist groups and proxies and associated Iranian revenue streams funding such support;

(iv) an assessment of the threat posed by the Islamic Republic of Iran and Iranian-supported groups to members of the Armed Forces, diplomats, and military and diplomatic facilities of the United States throughout the Middle East and North Africa;

(v) a description of attacks by, or sponsored by, the Islamic Republic of Iran against members of the Armed Forces, diplomats, and military and diplomatic facilities of the United States and the associated response by the United States Government in the previous 120 days;

(vi) a description of attacks by, or sponsored by, the Islamic Republic of Iran against United States partners or allies and the associated response by the United States Government in the previous 120 days;

(vii) an assessment of interference by the Islamic Republic of Iran into the elections and political processes of sovereign countries

in the Middle East and North Africa in an effort to create conditions for or shape agendas more favorable to the policies of the Government of the Islamic Republic of Iran;

(viii) a description of any plots by the Islamic Republic of Iran against former and current United States officials;

(ix) a description of any plots by the Islamic Republic of Iran against United States citizens both abroad and within the United States; and

(x) a description of maritime activity of the Islamic Republic of Iran and associated impacts on the free flow of commerce and the national security interests of the United States.

(3) FORM; PUBLIC AVAILABILITY; DUPLICATION.—

(A) FORM.—Each assessment required by this subsection shall be submitted in unclassified form but may include a classified annex for information that, if released, would be detrimental to the national security of the United States.

(B) PUBLIC AVAILABILITY.—The unclassified portion of an assessment required by this subsection shall be made available to the public on an internet website of the Office of the Director of National Intelligence.

(C) DUPLICATION.—For any assessment required by this subsection, the Director of National Intelligence may rely upon existing products that reflect the current analytic judgment of the intelligence community, including reports or products produced in response to congressional mandate or requests from executive branch officials.

(g) DIPLOMATIC STRATEGY TO ADDRESS IDENTIFIED NUCLEAR, BALLISTIC MISSILE, AND TERRORISM THREATS TO THE UNITED STATES.—

(1) IN GENERAL.—Not later than 30 days after the submission of the initial assessment under subsection (f)(1), and annually thereafter until December 31, 2028, the Secretary of State, in consultation with the task force, shall submit to the appropriate congressional committees a diplomatic strategy that outlines a comprehensive plan for engaging with partners and allies of the United States regarding uranium enrichment, nuclear weaponization, and missile development activities and regional and global terrorism of the Islamic Republic of Iran.

(2) CONTENTS.—The diplomatic strategy required by paragraph (1) shall include—

(A) an assessment of whether the Islamic Republic of Iran—

(i) is in compliance with the Comprehensive Safeguards Agreement and modified Code 3.1 of the Subsidiary Arrangements to the Comprehensive Safeguards Agreement; and

(ii) has denied access to sites that the International Atomic Energy Agency has sought to inspect during previous 1-year period;

(B) a description of any dual-use item (as defined under section 730.3 of title 15, Code of Federal Regulations or listed on the List of Nuclear-Related Dual-Use Equipment, Materials, Software, and Related Technology issued by the Nuclear Suppliers Group or any successor list) the Islamic Republic of Iran is using to further the nuclear weapon or missile program;

(C) a description of efforts of the United States to counter efforts of the Islamic Republic of Iran to project political and military influence into the Middle East;

(D) a description of efforts to address the increased threat that new or evolving uranium enrichment, nuclear weaponization, or missile development activities by the Islamic Republic of Iran pose to United States citizens, the diplomatic presence of the United States in the Middle East, and the national security interests of the United States;

(E) a description of efforts to address the threat that terrorism by, or sponsored by, the Islamic Republic of Iran poses to United States citizens, the diplomatic presence of the United States in the Middle East, and the national security interests of the United States;

(F) a description of efforts to address the impact of the influence of the Islamic Republic of Iran on sovereign governments on the safety and security of United States citizens, the diplomatic presence of the United States in the Middle East, and the national security interests of the United States;

(G) a description of a coordinated whole-of-government approach to use political, economic, and security related tools to address such activities; and

(H) a comprehensive plan for engaging with allies and regional partners in all relevant multilateral fora to address such activities.

(3) UPDATED STRATEGY RELATED TO NOTIFICATION.—Not later than 15 days after the submission of a notification to Congress that there has been a significant development in the nuclear weapons capability or delivery systems capability of the Islamic Republic of Iran, the Secretary of State shall submit to the appropriate congressional committees an update to the most recent diplomatic strategy submitted under paragraph (1).

SA 6454. Mr. REED (for Mr. MANCHIN (for himself, Mr. BARRASSO, and Mr. RISCH)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division C, insert the following:

SEC. 3_____. U.S. NUCLEAR FUELS SECURITY INITIATIVE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department should—

(A) prioritize activities to increase domestic production of low-enriched uranium; and

(B) accelerate efforts to establish a domestic high-assay, low-enriched uranium enrichment capability; and

(2) if domestic enrichment of high-assay, low-enriched uranium will not be commercially available at the scale needed in time to meet the needs of the advanced nuclear reactor demonstration projects of the Department, the Secretary shall consider and implement, as necessary—

(A) all viable options to make high-assay, low-enriched uranium produced from inventories owned by the Department available in a manner that is sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers, without impacting existing Department missions, until such time that commercial enrichment and deconversion capability for high-assay, low-enriched uranium exists at a scale sufficient to meet future needs; and

(B) all viable options for partnering with countries that are allies or partners of the United States to meet those needs and schedules until that time.

(b) OBJECTIVES.—The objectives of this section are—

(1) to expeditiously increase domestic production of low-enriched uranium;

(2) to expeditiously increase domestic production of high-assay, low-enriched uranium by an annual quantity, and in such form, determined by the Secretary to be sufficient to meet the needs of—

(A) advanced nuclear reactor developers; and

(B) the consortium;

(3) to ensure the availability of domestically produced, converted, and enriched uranium in a quantity determined by the Secretary, in consultation with U.S. nuclear energy companies, to be sufficient to address a reasonably anticipated supply disruption;

(4) to address gaps and deficiencies in the domestic production, conversion, enrichment, deconversion, and reduction of uranium by partnering with countries that are allies or partners of the United States if domestic options are not practicable;

(5) to ensure that, in the event of a supply disruption in the nuclear fuel market, a reserve of nuclear fuels is available to serve as a backup supply to support the nuclear nonproliferation and civil nuclear energy objectives of the Department;

(6) to support enrichment, deconversion, and reduction technology deployed in the United States; and

(7) to ensure that, until such time that domestic enrichment and deconversion of high-assay, low-enriched uranium is commercially available at the scale needed to meet the needs of advanced nuclear reactor developers, the Secretary considers and implements, as necessary—

(A) all viable options to make high-assay, low-enriched uranium produced from inventories owned by the Department available in a manner that is sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers; and

(B) all viable options for partnering with countries that are allies or partners of the United States to meet those needs and schedules.

(c) DEFINITIONS.—In this section:

(1) ADVANCED NUCLEAR REACTOR.—The term ''advanced nuclear reactor'' has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

(2) ASSOCIATED ENTITY.—The term ''associated entity'' means an entity that—

(A) is owned, controlled, or dominated by—

(i) the government of a country that is an ally or partner of the United States; or

(ii) an associated individual; or

(B) is organized under the laws of, or otherwise subject to the jurisdiction of, a country that is an ally or partner of the United States, including a corporation that is incorporated in such a country.

(3) ASSOCIATED INDIVIDUAL.—The term ''associated individual'' means an alien who is a national of a country that is an ally or partner of the United States.

(4) CONSORTIUM.—The term ''consortium'' means the consortium established under section 2001(a)(2)(F) of the Energy Act of 2020 (42 U.S.C. 16281(a)(2)(F)).

(5) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(6) HIGH-ASSAY, LOW-ENRICHED URANIUM; HALEU.—The term ''high-assay, low-enriched uranium'' or ''HALEU'' means high-assay low-enriched uranium (as defined in section 2001(d) of the Energy Act of 2020 (42 U.S.C. 16281(d))).

(7) LOW-ENRICHED URANIUM; LEU.—The term ''low-enriched uranium'' or ''LEU'' means each of—

(A) low-enriched uranium (as defined in section 3102 of the USEC Privatization Act (42 U.S.C. 2297h)); and

(B) low-enriched uranium (as defined in section 3112A(a) of that Act (42 U.S.C. 2297h–10a(a))).

(8) PROGRAMS.—The term ''Programs'' means—

(A) the Nuclear Fuel Security Program established under subsection (d)(1);

(B) the American Assured Fuel Supply Program of the Department; and

(C) the HALEU for Advanced Nuclear Reactor Demonstration Projects Program established under subsection (d)(3).

(9) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(10) U.S. NUCLEAR ENERGY COMPANY.—The term ''U.S. nuclear energy company'' means a company that—

(A) is organized under the laws of, or otherwise subject to the jurisdiction of, the United States; and

(B) is involved in the nuclear energy industry.

(d) ESTABLISHMENT AND EXPANSION OF PROGRAMS.—The Secretary, consistent with the objectives described in subsection (b), shall—

(1) establish a program, to be known as the ''Nuclear Fuel Security Program'', to increase the quantity of LEU and HALEU produced by U.S. nuclear energy companies;

(2) expand the American Assured Fuel Supply Program of the Department to ensure the availability of domestically produced, converted, and enriched uranium in the event of a supply disruption; and

(3) establish a program, to be known as the ''HALEU for Advanced Nuclear Reactor Demonstration Projects Program''—

(A) to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers until such time that commercial enrichment and deconversion capability for HALEU exists in the United States at a scale sufficient to meet future needs; and

(B) where practicable, to partner with countries that are allies or partners of the United States to meet those needs and schedules until that time.

(e) NUCLEAR FUEL SECURITY PROGRAM.—

(1) IN GENERAL.—In carrying out the Nuclear Fuel Security Program, the Secretary—

(A) shall—

(i) not later than 180 days after the date of enactment of this Act, enter into 2 or more contracts to begin acquiring not less than 100 metric tons per year of LEU by December 31, 2026 (or the earliest operationally feasible date thereafter), to ensure diverse domestic uranium mining, conversion, enrichment, deconversion, and reduction capacity and technologies, including new capacity, among U.S. nuclear energy companies;

(ii) not later than 180 days after the date of enactment of this Act, enter into 2 or more contracts with members of the consortium to begin acquiring not less than 20 metric tons per year of HALEU by December 31, 2027 (or the earliest operationally feasible date thereafter), from U.S. nuclear energy companies;

(iii) utilize only uranium produced, converted, and enriched in—

(I) the United States; or

(II) if domestic options are not practicable, a country that is an ally or partner of the United States; and

(iv) to the maximum extent practicable, ensure that the use of domestic uranium utilized as a result of that program does not negatively affect the economic operation of nuclear reactors in the United States; and

(B)(i) may not make commitments under this subsection (including cooperative agreements (used in accordance with section 6305 of title 31, United States Code), purchase agreements, guarantees, leases, service contracts, or any other type of commitment) for the purchase or other acquisition of HALEU or LEU unless—

(I) funds are specifically provided for those purposes in advance in appropriations Acts enacted after the date of enactment of this Act; or

(II) the commitment is funded entirely by funds made available to the Secretary from the account described in subsection (i)(2)(B); and

(ii) may make a commitment described in clause (i) only—

(I) if the full extent of the anticipated costs stemming from the commitment is recorded as an obligation at the time that the commitment is made; and

(II) to the extent of that up-front obligation recorded in full at that time.

(2) CONSIDERATIONS.—In carrying out paragraph (1)(A)(ii), the Secretary shall consider and, if appropriate, implement—

(A) options to ensure the quickest availability of commercially enriched HALEU, including—

(i) partnerships between 2 or more commercial enrichers; and

(ii) utilization of up to 10-percent enriched uranium as feedstock in demonstration-scale or commercial HALEU enrichment facilities;

(B) options to partner with countries that are allies or partners of the United States to provide LEU and HALEU for commercial purposes;

(C) options that provide for an array of HALEU—

(i) enrichment levels;

(ii) output levels to meet demand; and

(iii) fuel forms, including uranium metal and oxide; and

(D) options—

(i) to replenish, as necessary, Department stockpiles of uranium that was intended to be downblended for other purposes, but was instead used in carrying out activities under the HALEU for Advanced Nuclear Reactor Demonstration Projects Program;

(ii) to continue supplying HALEU to meet the needs of the recipients of an award made pursuant to the funding opportunity announcement of the Department numbered DE–FOA–0002271 for Pathway 1, Advanced Reactor Demonstrations; and

(iii) to make HALEU available to other advanced nuclear reactor developers and other end-users.

(3) AVOIDANCE OF MARKET DISRUPTIONS.—In carrying out the Nuclear Fuel Security Program, the Secretary, to the extent practicable and consistent with the purposes of that program, shall not disrupt or replace market mechanisms by competing with U.S. nuclear energy companies.

(f) EXPANSION OF THE AMERICAN ASSURED FUEL SUPPLY PROGRAM.—The Secretary, in consultation with U.S. nuclear energy companies, shall—

(1) expand the American Assured Fuel Supply Program of the Department by merging the operations of the Uranium Reserve Program of the Department with the American Assured Fuel Supply Program; and

(2) in carrying out the American Assured Fuel Supply Program of the Department, as expanded under paragraph (1)—

(A) maintain, replenish, diversify, or increase the quantity of uranium made available by that program in a manner determined by the Secretary to be consistent with the purposes of that program and the objectives described in subsection (b);

(B) utilize only uranium produced, converted, and enriched in—

(i) the United States; or

(ii) if domestic options are not practicable, a country that is an ally or partner of the United States;

(C) make uranium available from the American Assured Fuel Supply, subject to terms and conditions determined by the Secretary to be reasonable and appropriate;

(D) refill and expand the supply of uranium in the American Assured Fuel Supply, including by maintaining a limited reserve of uranium to address a potential event in which a domestic or foreign recipient of uranium experiences a supply disruption for which uranium cannot be obtained through normal market mechanisms or under normal market conditions; and

(E) take other actions that the Secretary determines to be necessary or appropriate to address the purposes of that program and the objectives described in subsection (b).

(g) HALEU FOR ADVANCED NUCLEAR REACTOR DEMONSTRATION PROJECTS PROGRAM.—

(1) ACTIVITIES.—On enactment of this Act, the Secretary shall immediately accelerate and, as necessary, initiate activities to make available from inventories or stockpiles owned by the Department and made available to the consortium, HALEU for use in advanced nuclear reactors that cannot operate on uranium with lower enrichment levels or on alternate fuels, with priority given to the awards made pursuant to the funding opportunity announcement of the Department numbered DE–FOA–0002271 for Pathway 1, Advanced Reactor Demonstrations, with additional HALEU to be made available to other advanced nuclear reactor developers, as the Secretary determines to be appropriate.

(2) QUANTITY.—In carrying out activities under this subsection, the Secretary shall consider and implement, as necessary, all viable options to make HALEU available in quantities sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers, including by seeking to make available—

(A) by September 30, 2024, not less than 3 metric tons of HALEU;

(B) by December 31, 2025, not less than an additional 8 metric tons of HALEU; and

(C) by June 30, 2026, not less than an additional 10 metric tons of HALEU.

(3) FACTORS FOR CONSIDERATION.—In carrying out activities under this subsection, the Secretary shall take into consideration—

(A) options for providing HALEU from a stockpile of uranium owned by the Department, including—

(i) uranium that has been declared excess to national security needs during or prior to fiscal year 2022;

(ii) uranium that—

(I) directly meets the needs of advanced nuclear reactor developers; but

(II) has been previously used or fabricated for another purpose;

(iii) uranium that can meet the needs of advanced nuclear reactor developers after removing radioactive or other contaminants that resulted from previous use or fabrication of the fuel for research, development, demonstration, or deployment activities of the Department, including activities that reduce the environmental liability of the Department by accelerating the processing of uranium from stockpiles designated as waste;

(iv) uranium from a high-enriched uranium stockpile, which can be blended with lower assay uranium to become HALEU to meet the needs of advanced nuclear reactor developers; and

(v) uranium from stockpiles intended for other purposes (excluding stockpiles intended for national security needs), but for which uranium could be swapped or replaced in time in such a manner that would not negatively impact the missions of the Department;

(B) options for expanding, or establishing new, capabilities or infrastructure to support

the processing of uranium from Department inventories;

(C) options for accelerating the availability of HALEU from HALEU enrichment demonstration projects of the Department;

(D) options for providing HALEU from domestically enriched HALEU procured by the Department through a competitive process pursuant to the Nuclear Fuel Security Program established under subsection (d)(1);

(E) options to replenish, as needed, Department stockpiles of uranium made available pursuant to subparagraph (A) with domestically enriched HALEU procured by the Department through a competitive process pursuant to the Nuclear Fuel Security Program established under subsection (d)(1); and

(F) options that combine 1 or more of the approaches described in subparagraphs (A) through (E) to meet the deadlines described in paragraph (2).

(4) LIMITATIONS.—

(A) CERTAIN SERVICES.—The Secretary shall not barter or otherwise sell or transfer uranium in any form in exchange for services relating to—

(i) the final disposition of radioactive waste from uranium that is the subject of a contract for sale, resale, transfer, or lease under this subsection; or

(ii) environmental cleanup activities.

(B) CERTAIN COMMITMENTS.—In carrying out activities under this subsection, the Secretary—

(i) may not make commitments under this subsection (including cooperative agreements (used in accordance with section 6305 of title 31, United States Code), purchase agreements, guarantees, leases, service contracts, or any other type of commitment) for the purchase or other acquisition of HALEU or LEU unless—

(I) funds are specifically provided for those purposes in advance in appropriations Acts enacted after the date of enactment of this Act; or

(II) the commitment is funded entirely by funds made available to the Secretary from the account described in subsection (i)(2)(B); and

(ii) may make a commitment described in clause (i) only—

(I) if the full extent of the anticipated costs stemming from the commitment is recorded as an obligation at the time that the commitment is made; and

(II) to the extent of that up-front obligation recorded in full at that time.

(5) SUNSET.—The authority of the Secretary to carry out activities under this subsection shall terminate on the date on which the Secretary notifies Congress that the HALEU needs of advanced nuclear reactor developers can be fully met by commercial HALEU suppliers in the United States, as determined by the Secretary, in consultation with U.S. nuclear energy companies.

(h) DOMESTIC SOURCING CONSIDERATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may only carry out an activity in connection with 1 or more of the Programs if—

(A) the activity promotes manufacturing in the United States associated with uranium supply chains; or

(B) the activity relies on resources, materials, or equipment developed or produced—

(i) in the United States; or

(ii) in a country that is an ally or partner of the United States by—

(I) the government of that country;

(II) an associated entity; or

(III) a U.S. nuclear energy company.

(2) WAIVER.—The Secretary may waive the requirements of paragraph (1) with respect to an activity if the Secretary determines a waiver to be necessary to achieve 1 or more of the objectives described in subsection (b).

(i) REASONABLE COMPENSATION.—

(1) IN GENERAL.—In carrying out activities under this section, the Secretary shall ensure that any LEU and HALEU made available by the Secretary under 1 or more of the Programs is subject to reasonable compensation, taking into account the fair market value of the LEU or HALEU and the purposes of this section.

(2) AVAILABILITY OF CERTAIN FUNDS.—

(A) IN GENERAL.—Notwithstanding section 3302(b) of title 31, United States Code, revenues received by the Secretary from the sale or transfer of fuel feed material acquired by the Secretary pursuant to a contract entered into under clause (i) or (ii) of subsection (e)(1)(A) shall—

(i) be deposited in the account described in subparagraph (B);

(ii) be available to the Secretary for carrying out the purposes of this section, to reduce the need for further appropriations for those purposes; and

(iii) remain available until expended.

(B) REVOLVING FUND.—There is established in the Treasury an account into which the revenues described in subparagraph (A) shall be—

(i) deposited in accordance with clause (i) of that subparagraph; and

(ii) made available in accordance with clauses (ii) and (iii) of that subparagraph.

(j) NUCLEAR REGULATORY COMMISSION.—The Nuclear Regulatory Commission shall prioritize and expedite consideration of any action related to the Programs to the extent permitted under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) and related statutes.

(k) USEC PRIVATIZATION ACT.—The requirements of section 3112 of the USEC Privatization Act (42 U.S.C. 2297h–10) shall not apply to activities related to the Programs.

(l) NATIONAL SECURITY NEEDS.—The Secretary shall only make available to a member of the consortium under this section for commercial use or use in a demonstration project material that the President has determined is not necessary for national security needs, subject to the condition that the material made available shall not include any material that the Secretary determines to be necessary for the National Nuclear Security Administration or any critical mission of the Department.

(m) INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with the obligations of the United States under international agreements.

(n) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise available, there are authorized to be appropriated to the Secretary—

(1) for the Nuclear Fuel Security Program, $3,500,000,000 for fiscal year 2023, to remain available until September 30, 2031, of which the Secretary may use $1,000,000,000 by September 30, 2028, to carry out the HALEU for Advanced Nuclear Reactor Demonstration Projects Program; and

(2) for the American Assured Fuel Supply Program of the Department, as expanded under this section, such sums as are necessary for the period of fiscal years 2023 through 2030, to remain available until September 30, 2031.

SEC. 3_____. ISOTOPE DEMONSTRATION AND ADVANCED NUCLEAR RESEARCH INFRASTRUCTURE ENHANCEMENT.

(a) EVALUATION AND ESTABLISHMENT OF ISOTOPE DEMONSTRATION PROGRAM.—Section 952(a)(2)(A) of the Energy Policy Act of 2005 (42 U.S.C. 16272(a)(2)(A)) is amended by striking ''shall evaluate the technical and economic feasibility of the establishment of'' and inserting ''shall evaluate the technical and economic feasibility of, and, if feasible, is authorized to establish,''.

(b) ADVANCED NUCLEAR RESEARCH INFRASTRUCTURE ENHANCEMENT.—Section 954(a)(5) of the Energy Policy Act of 2005 (42 U.S.C. 16274(a)(5)) is amended—

(1) by redesignating subparagraph (E) as subparagraph (F); and

(2) by inserting after subparagraph (D) the following:

''(E) FUEL SERVICES.—The Secretary shall expand the Research Reactor Infrastructure subprogram of the Radiological Facilities Management program of the Department carried out under paragraph (6) to provide fuel services to research reactors established under this paragraph.''.

SEC. 3_____. REPORT ON CIVIL NUCLEAR CREDIT PROGRAM.

Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to the appropriate committees of Congress a report that identifies the anticipated funding requirements for the civil nuclear credit program described in section 40323 of the Infrastructure Investment and Jobs Act (42 U.S.C. 18753), taking into account—

(1) the zero-emission nuclear power production credit authorized by section 45U of the Internal Revenue Code of 1986; and

(2) any increased fuel costs associated with the use of domestic fuel that may arise from the implementation of that program.

SA 6455. Mr. REED (for Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. OFFICE OF CIVIL RIGHTS AND INCLUSION.I20 (a) SHORT TITLE.—This section may be cited as the "Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022".

(b) ESTABLISHMENT OF OFFICE.—Section 513 of the Homeland Security Act of 2002 (6 U.S.C. 321b) is amended to read as follows:

"SEC. 513. OFFICE OF CIVIL RIGHTS AND INCLUSION.

''(a) DEFINITIONS.—In this section—

''(1) the term 'appropriate committees of Congress' means—

''(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(B) the Committee on Transportation and Infrastructure, the Committee on Oversight and Reform, and the Committee on Homeland Security of the House of Representatives;

''(2) the term 'Director' means the Director of the Office of Civil Rights and Inclusion;

''(3) the term 'disaster assistance' means assistance provided under titles IV and V of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.);

''(4) the term 'Office' means the Office of Civil Rights and Inclusion; and

''(5) the term 'underserved community' means—

''(A) a rural community;

''(B) a low-income community;

''(C) the disability community;

''(D) the Native American, Alaska Native, and Native Hawaiian communities;

''(E) the African-American community;

''(F) the Asian community;

''(G) the Hispanic (including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin) community;

''(H) the Pacific Islander community;

''(I) the Middle Eastern and North African community; and

''(J) any other historically disadvantaged community, as determined by the Director.

''(b) OFFICE OF CIVIL RIGHTS AND INCLUSION.—

''(1) IN GENERAL.—The Office of Equal Rights of the Agency shall, on and after the date of enactment of the Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022, be known as the Office of Civil Rights and Inclusion.

''(2) REFERENCES.—Any reference to the Office of Equal Rights of the Agency in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Office of Civil Rights and Inclusion.

''(c) DIRECTOR.—

''(1) IN GENERAL.—The Office shall be headed by a Director, who shall report to the Administrator.

''(2) REQUIREMENT.—The Director shall have documented experience and expertise in civil rights, underserved community inclusion research, disaster preparedness, or resilience disparities elimination.

''(d) PURPOSE.—The purpose of the Office is to—

''(1) improve underserved community access to disaster assistance;

''(2) improve the quality of disaster assistance received by underserved communities;

''(3) eliminate underserved community disparities in the delivery of disaster assistance; and

''(4) carry out such other responsibilities of the Office of Equal Rights as in effect on the day before the date of enactment of the Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022, as determined appropriate by the Administrator.

''(e) AUTHORITIES AND DUTIES.—

''(1) IN GENERAL.—The Director shall be responsible for—

''(A) improving—

''(i) underserved community access to disaster assistance before and after a disaster; and

''(ii) the quality of Agency assistance underserved communities receive;

''(B) reviewing preparedness, response, and recovery programs and activities of the Agency to ensure the elimination of underserved community disparities in the delivery of such programs and activities; and

''(C) carrying out such other responsibilities of the Office of Equal Rights as in effect on the day before the date of enactment of the Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022, as determined appropriate by the Administrator.

''(2) REDUCING DISPARITIES IN PREPAREDNESS, RESPONSE, AND RECOVERY.—

''(A) IN GENERAL.—The Director shall develop measures to evaluate the effectiveness of the activities of program offices in the Agency and the activities of recipients aimed at reducing disparities in the services provided to underserved communities.

''(B) REQUIREMENT.—The measures developed under subparagraph (A) shall—

''(i) evaluate community outreach activities, language services, workforce competence, historical assistance for grants and loans provided to individuals and State, local, tribal, and territorial governments, the effects of disaster declaration thresholds on underserved communities, the percentage of contracts awarded to underserved businesses, historical barriers to equitable assistance across race and class during and after disasters, and other areas, as determined by the Director; and

''(ii) identify the communities implicated in the evaluations conducted under clause (i).

''(C) COORDINATION WITH OTHER OFFICES.—In carrying out this section, the Director shall—

''(i) participate in scenario-based disaster response exercises at the Agency;

''(ii) coordinate with the Office of Minority Health of the Department of Health and Human Services;

''(iii) coordinate with the Office of Civil Rights of the Department of Agriculture;

''(iv) as appropriate, coordinate with other relevant offices across the Federal Government, including by leading a voluntary task force to address disaster response needs of underserved communities;

''(v) coordinate with the Office for Civil Rights and Civil Liberties of the Department; and

''(vi) investigate allegations of unequal disaster assistance based on race or ethnic origin or refer those allegations to the appropriate office.

''(f) GRANTS AND CONTRACTS.—In carrying out this section, to further inclusion and engagement of underserved communities throughout preparedness, response, recovery, and mitigation and to eliminate underserved community disparities in the delivery of disaster assistance, as described in subsection (d), the Administrator shall—

''(1) administer and evaluate Agency programs and activities, including the programs and activities of recipients of preparedness, response, recovery, and mitigation grants and contracts, to—

''(A) further inclusion and engagement of underserved communities and underserved businesses; and

''(B) improve outcomes for underserved communities tied to Agency programs and activities; and

''(2) establish an underserved community initiative to award grants to, and enter into cooperative agreements and contracts with, nonprofit entities.

''(g) DISABILITY COORDINATOR.—

''(1) IN GENERAL.—There shall be within the Office a Disability Coordinator to ensure that the needs of individuals with disabilities are being properly addressed by proactively engaging with disability and underserved communities and State, local, and tribal governments in emergency preparedness and disaster relief.

''(2) RESPONSIBILITIES.—The Disability Coordinator shall be responsible for—

''(A) providing guidance and coordination on matters relating to individuals with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;

''(B) interacting with the staff of the Agency, the National Council on Disability, the Interagency Coordinating Council on Preparedness and Individuals with Disabilities established under Executive Order 13347 (6 U.S.C. 314 note; relating to individuals with disabilities in emergency preparedness), other agencies of the Federal Government, and State, local, and tribal government authorities relating to the needs of individuals with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;

''(C) consulting with stakeholders that represent the interests and rights of individuals with disabilities about the needs of individuals with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;

''(D) ensuring the coordination and dissemination of best practices and model evacuation plans and sheltering for individuals with disabilities;

''(E) ensuring the development of training materials and a curriculum for training emergency response providers, State, local, and tribal government officials, and others on the needs of individuals with disabilities;

''(F) promoting the accessibility of telephone hotlines and websites relating to emergency preparedness, evacuations, and disaster relief;

''(G) working to ensure that video programming distributors, including broadcasters, cable operators, and satellite television services, make emergency information accessible to individuals with hearing and vision disabilities;

''(H) providing guidance to State, local, and tribal government officials and other individuals, and implementing policies, relating to the availability of accessible transportation options for individuals with disabilities in the event of an evacuation;

''(I) providing guidance and implementing policies to external stakeholders to ensure that the rights and wishes of individuals with disabilities regarding post-evacuation residency and relocation are respected;

''(J) ensuring that meeting the needs of individuals with disabilities is a component of the national preparedness system established under section 644 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 744);

''(K) coordinate technical assistance for Agency programs based on input from underserved communities through a designee of the Director; and

''(L) any other duties assigned by the Director.

''(h) REPORTS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022, and biennially thereafter, the Administrator shall submit to the appropriate committees of Congress a report describing the activities carried out under this section during the period for which the report is being prepared.

''(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

''(A) a narrative on activities conducted by the Office;

''(B) the results of the measures developed to evaluate the effectiveness of activities aimed at reducing preparedness, response, and recovery disparities; and

''(C) the number and types of allegations of unequal disaster assistance investigated by the Director or referred to other appropriate offices.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 513 (6 U.S.C. 321b) and inserting the following:

''Sec. 513. Office of Civil Rights and Inclusion.''.

(d) COVID–19 RESPONSE.—

(1) IN GENERAL.—During the period of time for which there is a major disaster or emergency declared by the President under section 401 or 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191) declared with respect to COVID–19, the Director of the Office of Civil Rights and Inclusion shall regularly consult with State, local, territorial, and Tribal government officials and community-based organizations from underserved

communities the Office of Civil Rights and Inclusion identifies as disproportionately impacted by COVID–19.

(2) FACA APPLICABILITY.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any consultation conducted under paragraph (1).

SA 6456. Mr. REED (for Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1077. DEFINITION OF LAND USE REVENUE UNDER WEST LOS ANGELES LEASING ACT OF 2016.

Section 2(d)(2) of the West Los Angeles Leasing Act of 2016 (Public Law 114–226) is amended—

(1) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph:

''(B) to the extent specified in advance in an appropriations Act for a fiscal year, any funds received as compensation for an easement described in subsection (e); and''.

SA 6457. Mr. REED (for Mr. OSSOFF (for himself and Mr. SCOTT of South Carolina)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1077. OUTREACH TO HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY SERVING INSTITUTIONS REGARDING NATIONAL SECURITY INNOVATION NETWORK (NSIN) PROGRAMS THAT PROMOTE ENTREPRENEURSHIP AND INNOVATION AT INSTITUTIONS OF HIGHER EDUCATION.

(a) SHORT TITLE.—This section may be referred to as the ''HBCU National Security Innovation Act''.

(b) PILOT PROGRAM.—The Under Secretary of Defense for Research and Engineering, acting through the National Security Innovation Network (NSIN), may establish activities, including outreach and technical assistance, to better connect historically Black colleges and universities and minority serving institutions (as described in section 371 of the Higher Education Act of 1965 (20 U.S.C. 1067q)) to the commercialization, innovation, and entrepreneurial activities of the Department of Defense.

(c) BRIEFING.—Not later than one year after the initiation of any pilot activities under subsection (b), the Secretary of Defense shall brief the congressional defense committees on the results of any activities conducted under the aforementioned pilot program, including—

(1) the results of outreach efforts;

(2) the success of expanding NSIN programs to historically Black colleges and universities and minority serving institutions;

(3) the potential barriers to expansion; and

(4) recommendations for how the Department of Defense can support such institutions to successfully participate in Department of Defense commercialization, innovation, and entrepreneurship programs.

SA 6458. Mr. REED (for Mr. VAN HOLLEN (for himself and Mr. TILLIS)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. _____. HBCU RISE.

(a) DEFINITIONS.—In this section:

(1) The term ''eligible institution'' means a historically Black college or university or other minority-serving institution that is classified as a high research activity status institution at the time of application for a grant under this section.

(2) The term ''high research activity status'' means R2 status, as classified by the Carnegie Classification of Institutions of Higher Education.

(3) The term ''historically Black college or university'' has the meaning given the term ''part B institution'' under section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(4) The term ''other minority-serving institution'' means an institution of higher education specified in paragraphs (2) through (7) of section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(5) The term ''Secretary'' means the Secretary of Defense.

(6) The term ''very high research activity status'' means R1 status, as classified by the Carnegie Classification of Institutions of Higher Education.

(7) The term ''very high research activity status indicators'' means the categories used by the Carnegie Classification of Institutions of Higher Education to delineate which institutions have very high research activity status, including—

(A) annual expenditures in science and engineering;

(B) per-capita (faculty member) expenditures in science and engineering;

(C) annual expenditures in non-science and engineering fields;

(D) per-capita (faculty member) expenditures in non-science and engineering fields;

(E) doctorates awarded in science, technology, engineering, and mathematics fields;

(F) doctorates awarded in social science fields;

(G) doctorates awarded in the humanities;

(H) doctorates awarded in other fields with a research emphasis;

(I) total number of research staff, including postdoctoral researchers;

(J) other doctorate-holding non-faculty researchers in science and engineering and per-capita (faculty) number of doctorate-level research staff, including post-doctoral researchers; and

(K) other categories utilized to determine classification.

(b) PROGRAM TO INCREASE CAPACITY TOWARD ACHIEVING VERY HIGH RESEARCH ACTIVITY STATUS.—

(1) PROGRAM.—

(A) IN GENERAL.—The Secretary shall establish and carry out a program to increase capacity at high research activity status historically Black colleges and universities and other minority-serving institutions toward achieving very high research activity status.

(B) RECOMMENDATIONS.—In establishing such program, the Secretary may consider the recommendations pursuant to section 262 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) and section 220 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81).

(2) CONSIDERATIONS.—In establishing the program under this section, the Secretary shall consider—

(A) the extent of nascent research capabilities and planned research capabilities at eligible institutions, with respect to research areas of interest to the Department of Defense;

(B) recommendations from previous studies for increasing the level of research activity at high research activity status historically Black colleges and universities and other minority-serving institutions toward achieving very high research activity status classification during the program, including measurable milestones such as growth in very high research activity status indicators and other relevant factors;

(C) how such institutions will sustain the increased level of research activity;

(D) how such institutions will evaluate and assess progress;

(E) reporting requirements for such institutions participating in the program.

(3) PROGRAM COMPONENTS.—

(A) ELEMENTS.—The Secretary may consider aspects of the program that address—

(i) faculty professional development;

(ii) stipends for undergraduate and graduate students and post-doctoral scholars;

(iii) laboratory equipment and instrumentation;

(iv) recruitment and retention of faculty and graduate students;

(v) communication and dissemination of products produced as part of the program;

(vi) construction, modernization, rehabilitation, or retrofitting of facilities for research purposes; and

(vii) other activities necessary to build capacity in achieving very high research activity status indicators.

(B) PRIORITY AREAS.—The Secretary shall establish and update, on an annual basis, a list of research priorities for STEM and critical technologies appropriate for the program established under this section.

(c) EVALUATION.—Not later than 2 years after the date of the enactment of this section and every 2 years thereafter until the termination of the program, the Secretary shall prepare and submit a report to the Committees on Armed Services of the Senate and the House of Representatives providing an update on the program, including—

(1) activities carried out under the program;

(2) an analysis of the growth in very high research activity status indicators of eligible institutions that participated in the program under this section; and

(3) emerging research areas of interest to the Department of Defense conducted by eligible institutions that participated in the program under this section.

(d) TERMINATION.—The program established by this section shall terminate 10 years after the date on which the Secretary establishes such program.

(e) REPORT TO CONGRESS.—Not later than 180 days after the termination of the program under subsection (d), the Secretary shall prepare and submit a report to the Committees on Armed Services of the Senate and the House of Representatives on the program that includes the following:

(1) An analysis of the growth in very high research activity status indicators of eligible institutions that participated in the program under this section.

(2) An evaluation on the effectiveness of the program in increasing the research capacity of eligible institutions that participated in the program under this section.

(3) A description of how institutions that have achieved very high research activity status plan to sustain that status beyond the duration of the program.

(4) An evaluation of the maintenance of very high research status by eligible institutions that participated in the program under this section.

(5) An evaluation of the effectiveness of the program in increasing the diversity of students conducting high quality research in unique areas.

(6) Recommendations with respect to additional activities and investments necessary to elevate the research status of historically Black colleges and universities and other minority-serving institutions.

(7) Recommendations on whether the program established under this section should be renewed or expanded.

SA 6459. Mr. REED (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1239. BRIEFING ON SUPPORTING GOVERNMENT OF UKRAINE TO MITIGATE, TREAT, AND REHABILITATE TRAUMATIC EXTREMITY INJURIES AND TRAUMATIC BRAIN INJURIES OF UKRAINIAN SOLDIERS.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the treatment and rehabilitation of severely wounded Ukrainian soldiers is of paramount importance to the United States and Ukraine as Ukraine continues to valiantly repulse an unprovoked invasion of its sovereignty by the Russian Federation;

(2) the Senate applauds efforts by the Secretary of Defense to provide treatment in medical facilities of the United States Armed Forces through the Secretarial Designee Program; and

(3) the Senate encourages the Secretary to continue working with defense officials of Ukraine, and as necessary with other governmental and private sources, to fund transportation, lodging, meals, caretakers, and any other nonmedical expenses necessary in connection with treatment for severely wounded Ukrainian soldiers.

(b) BRIEFING.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall assess, and provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives on, whether there is an appropriate role for the Extremity Trauma and Amputation Center of Excellence or the National Intrepid Center of Excellence of the Department of Defense in helping the Government of Ukraine to mitigate, treat, and rehabilitate traumatic extremity injuries and traumatic brain injuries sustained in Ukraine.

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

(A) An assessment of the extent to which the Extremity Trauma and Amputation Center of Excellence and the National Intrepid Center of Excellence of the Department of Defense can facilitate relevant scientific research aimed at saving injured extremities, avoiding amputations, and preserving and restoring the function of injured extremities for the purpose of addressing the current medical needs of Ukraine.

(B) An identification of specific activities such Centers could feasibly undertake to improve and enhance the efforts of the Government of Ukraine in the mitigation, treatment, and rehabilitation of traumatic extremity injuries and traumatic brain injuries.

(C) A determination whether there are other government agencies, institutions of higher education, or public or private entities, including international entities, with which such Centers could partner for the purpose of supporting the Government of Ukraine in such efforts.

SA 6460. Mr. REED (for Mr. KELLY) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1205 and insert the following:

SEC. 1205. MODIFICATION OF REGIONAL DEFENSE COMBATING TERRORISM AND IRREGULAR WARFARE FELLOWSHIP PROGRAM AND PLAN FOR IRREGULAR WARFARE CENTER.

(a) MODIFICATION OF REGIONAL DEFENSE COMBATING TERRORISM AND IRREGULAR WARFARE FELLOWSHIP PROGRAM.—

(1) IN GENERAL.—Section 345 of title 10, United States Code, is amended—

(A) in the section heading, by striking "**Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program**" and inserting "**Irregular Warfare Education**";

(B) in subsection (a)—

(i) in the subsection heading, by striking "PROGRAM AUTHORIZED" and inserting "AUTHORITY";

(ii) in paragraph (1), in the matter preceding subparagraph (A), by inserting "operate and administer a Center for Security Studies in Irregular Warfare and" after "The Secretary of Defense may";

(iii) by amending paragraph (2) to read as follows:

"(2) COVERED COSTS.—

"(A) IN GENERAL.—Costs for which payment may be made under this section include the costs of—

"(i) transportation, travel, and subsistence costs of foreign national personnel and United States governmental personnel necessary for administration and execution of the authority granted to the Secretary of Defense under this section;

"(ii) strategic engagement with alumni of the program referred to in paragraph (1) to address Department of Defense objectives and planning on irregular warfare and combating terrorism topics; and

"(iii) administration and operation of the Irregular Warfare Center, including expenses associated with—

"(I) research, communication, the exchange of ideas, curriculum development and review, and training of military and civilian participants of the United States and other countries, as the Secretary considers necessary; and

"(II) maintaining an international network of irregular warfare policymakers and practitioners to achieve the objectives of the Department of Defense and the Department of State.

"(B) PAYMENT BY OTHERS PERMITTED.—Payment of costs described in subparagraph (A)(i) may be made by the Secretary of Defense, the foreign national participant, the government of such participant, or by the head of any other Federal department or agency."; and

(iv) by amending paragraph (3) to read as follows:

"(3) DESIGNATIONS.—

"(A) CENTER.—The center authorized by this section shall be known as the 'Irregular Warfare Center'.

"(B) PROGRAM.—The program authorized by this section shall be known as the 'Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program'.";

(C) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

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

"(c) IRREGULAR WARFARE CENTER.—

"(1) MISSION.—The mission of the Irregular Warfare Center shall be to support the institutionalization of irregular warfare as a core competency of the Department of Defense by—

"(A) coordinating and aligning Department of Defense education curricula, standards, and objectives related to irregular warfare and strategic competition;

"(B) providing a center for research on irregular warfare, strategic competition, and the role of the Department of Defense in supporting interagency activities relating to irregular warfare and strategic competition;

"(C) engaging and coordinating with Federal departments and agencies other than the Department of Defense and with academia, nongovernmental organizations, civil society, and international partners to discuss and coordinate efforts on security challenges in irregular warfare and strategic competition;

"(D) developing curriculum and conducting training and education of military and civilian participants of the United States and other countries, as determined by the Secretary of Defense; and

"(E) serving as a coordinating body and central repository for irregular warfare resources, including educational activities and programs, and lessons learned across components of the Department of Defense.

"(2) EMPLOYMENT AND COMPENSATION OF FACULTY.—With respect to the Irregular Warfare Center—

"(A) the Secretary of Defense may employ a Director, a Deputy Director, and such civilians as professors, instructors, and lecturers, as the Secretary considers necessary; and

"(B) compensation of individuals employed under this paragraph shall be as prescribed by the Secretary.

''(3) PARTNERSHIP WITH INSTITUTION OF HIGHER EDUCATION.—

''(A) IN GENERAL.—In operating the Irregular Warfare Center, to promote integration throughout the United States Government and civil society across the full spectrum of Irregular Warfare competition and conflict challenges, the Secretary of Defense may partner with an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)).

''(B) TYPES OF PARTNERSHIPS.—The Secretary may—

''(i) establish a partnership under subparagraph (A) by—

''(I) entering into a contract, a cooperative agreement, or an intergovernmental support agreement pursuant to section 2679; or

''(II) awarding a grant; and

''(ii) enter into such a contract, cooperative agreement, or intergovernmental support agreement, or award such a grant, through the Defense Security Cooperation University.

''(C) DETERMINATION REQUIRED.—The Secretary of Defense shall make a determination with respect to the desirability of partnering with an institution of higher education in a Government-owned, contractor-operated partnership, such as the partnership structure used by the Department of Defense for University Affiliated Research Centers, for meeting the mission requirements of the Irregular Warfare Center.

''(4) ROLES AND RESPONSIBILITIES.—The Secretary of Defense shall prescribe guidance for the roles and responsibilities of the relevant components of the Department of Defense in the administration, operation, and oversight of the Irregular Warfare Center, which shall include the roles and responsibilities of the following:

''(A) The Under Secretary of Defense for Policy.

''(B) The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.

''(C) The Director of the Defense Security Cooperation Agency.

''(D) Any other official of the Department of Defense, as determined by the Secretary.'';

(E) in subsection (d), as so redesignated, in the first sentence, by striking ''$35,000,000'' and inserting ''$40,000,000''; and

(F) by inserting after subsection (e), as so redesignated, the following new subsection:

''(f) ANNUAL REVIEW.—The Secretary of Defense—

''(1) shall conduct an annual review of the structure and activities of the Irregular Warfare Center and the program referred to in subsection (a) to determine whether such structure and activities are appropriately aligned with the strategic priorities of the Department of Defense and the applicable combatant commands; and

''(2) may, after an annual review under paragraph (1), revise the relevant structure and activities so as to more appropriately align such structure and activities with the strategic priorities and combatant commands.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter V of chapter 16 of title 10, United States Code, is amended by striking the item relating to section 345 and inserting the following:

''345. Irregular Warfare Education.''.

(b) REPEAL OF TREATMENT AS REGIONAL CENTER FOR SECURITY STUDIES.—Section 1299L(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4012; 10 U.S.C. 342 note) is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(c) PLAN FOR IRREGULAR WARFARE CENTER.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for establishing the structure, operations, and administration of the Irregular Warfare Center described in section 345(a)(1) of title 10, United States Code.

(2) ELEMENTS.—The plan required by paragraph (1) shall include—

(A) a timeline and milestones for the establishment of the Irregular Warfare Center; and

(B) steps to enter into partnerships and resource agreements with academic institutions of the Department of Defense or other academic institutions, including any agreement for hosting or operating the Irregular Warfare Center.

(d) SENSE OF THE SENATE.—It is the sense of the Senate that a Center for Security Studies in Irregular Warfare established under section 345 of title 10, United States Code, should be known as the ''John S. McCain III Center for Security Studies in Irregular Warfare''.

SA 6461. Mr. REED (for Mrs. SHAHEEN (for herself, Mr. MORAN, and Ms. HASSAN)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. HOMELAND PROCUREMENT REFORM ACT.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is amended by adding at the end the following:

''SEC. 836. REQUIREMENTS TO BUY CERTAIN ITEMS RELATED TO NATIONAL SECURITY INTERESTS.

''(a) DEFINITIONS.—In this section:

''(1) COVERED ITEM.—The term 'covered item' means any of the following:

''(A) Footwear provided as part of a uniform.

''(B) Uniforms.

''(C) Holsters and tactical pouches.

''(D) Patches, insignia, and embellishments.

''(E) Chemical, biological, radiological, and nuclear protective gear.

''(F) Body armor components intended to provide ballistic protection for an individual, consisting of 1 or more of the following:

''(i) Soft ballistic panels.

''(ii) Hard ballistic plates.

''(iii) Concealed armor carriers worn under a uniform.

''(iv) External armor carriers worn over a uniform.

''(G) Any other item of clothing or protective equipment as determined appropriate by the Secretary.

''(2) FRONTLINE OPERATIONAL COMPONENT.—The term 'frontline operational component' means any of the following organizations of the Department:

''(A) U.S. Customs and Border Protection.

''(B) U.S. Immigration and Customs Enforcement.

''(C) The United States Secret Service.

''(D) The Transportation Security Administration.

''(E) The Federal Protective Service.

''(F) The Federal Emergency Management Agency.

''(G) The Federal Law Enforcement Training Centers.

''(H) The Cybersecurity and Infrastructure Security Agency.

''(b) REQUIREMENTS.—

''(1) IN GENERAL.—The Secretary shall ensure that any procurement of a covered item for a frontline operational component meets the following criteria:

''(A)(i) To the maximum extent possible, not less than one-third of funds obligated in a specific fiscal year for the procurement of such covered items shall be covered items that are manufactured or supplied in the United States by entities that qualify as small business concerns, as such term is described under section 3 of the Small Business Act (15 U.S.C. 632).

''(ii) Covered items may only be supplied pursuant to subparagraph (A) to the extent that United States entities that qualify as small business concerns—

''(I) are unable to manufacture covered items in the United States; and

''(II) meet the criteria identified in subparagraph (B).

''(B) Each contractor with respect to the procurement of such a covered item, including the end-item manufacturer of such a covered item—

''(i) is an entity registered with the System for Award Management (or successor system) administered by the General Services Administration; and

''(ii) is in compliance with ISO 9001:2015 of the International Organization for Standardization (or successor standard) or a standard determined appropriate by the Secretary to ensure the quality of products and adherence to applicable statutory and regulatory requirements.

''(C) Each supplier of such a covered item with an insignia (such as any patch, badge, or emblem) and each supplier of such an insignia, if such covered item with such insignia or such insignia, as the case may be, is not produced, applied, or assembled in the United States, shall—

''(i) store such covered item with such insignia or such insignia in a locked area;

''(ii) report any pilferage or theft of such covered item with such insignia or such insignia occurring at any stage before delivery of such covered item with such insignia or such insignia; and

''(iii) destroy any such defective or unusable covered item with insignia or insignia in a manner established by the Secretary, and maintain records, for three years after the creation of such records, of such destruction that include the date of such destruction, a description of the covered item with insignia or insignia destroyed, the quantity of the covered item with insignia or insignia destroyed, and the method of destruction.

''(2) WAIVER.—

''(A) IN GENERAL.—In the case of a national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) or a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), the Secretary may waive a requirement in subparagraph (A), (B) or (C) of paragraph (1) if the Secretary determines there is an insufficient supply of a covered item that meets the requirement.

''(B) NOTICE.—Not later than 60 days after the date on which the Secretary determines a waiver under subparagraph (A) is necessary, the Secretary shall provide to the

Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives notice of such determination, which shall include—

''(i) identification of the national emergency or major disaster declared by the President;

''(ii) identification of the covered item for which the Secretary intends to issue the waiver; and

''(iii) a description of the demand for the covered item and corresponding lack of supply from contractors able to meet the criteria described in subparagraph (B) or (C) of paragraph (1).

''(c) PRICING.—The Secretary shall ensure that covered items are purchased at a fair and reasonable price, consistent with the procedures and guidelines specified in the Federal Acquisition Regulation.

''(d) REPORT.—Not later than 1 year after the date of enactment of this section and annually thereafter, the Secretary shall provide to the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate a briefing on instances in which vendors have failed to meet deadlines for delivery of covered items and corrective actions taken by the Department in response to such instances.

''(e) EFFECTIVE DATE.—This section applies with respect to a contract entered into by the Department or any frontline operational component on or after the date that is 180 days after the date of enactment of this section.''.

(b) STUDY.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a study of the adequacy of uniform allowances provided to employees of frontline operational components (as defined in section 836 of the Homeland Security Act of 2002, as added by subsection (a)).

(2) REQUIREMENTS.—The study conducted under paragraph (1) shall—

(A) be informed by a Department-wide survey of employees from across the Department of Homeland Security who receive uniform allowances that seeks to ascertain what, if any, improvements could be made to the current uniform allowances and what, if any, impacts current allowances have had on employee morale and retention;

(B) assess the adequacy of the most recent increase made to the uniform allowance for first year employees; and

(C) consider increasing by 50 percent, at minimum, the annual allowance for all other employees.

(c) ADDITIONAL REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall provide a report with recommendations on how the Department of Homeland Security could procure additional items from domestic sources and bolster the domestic supply chain for items related to national security to—

(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate; and

(B) the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives.

(2) CONTENTS.—The report required under paragraph (1) shall include the following:

(A) A review of the compliance of the Department of Homeland Security with the requirements under section 604 of title VI of division A of the American Recovery and Reinvestment Act of 2009 (6 U.S.C. 453b) to buy certain items related to national security interests from sources in the United States.

(B) An assessment of the capacity of the Department of Homeland Security to procure the following items from domestic sources:

(i) Personal protective equipment and other items necessary to respond to a pandemic such as that caused by COVID–19.

(ii) Helmets that provide ballistic protection and other head protection and components.

(iii) Rain gear, cold weather gear, and other environmental and flame resistant clothing.

(d) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 835 the following:

''Sec. 836. Requirements to buy certain items related to national security interests.''.

SA 6462. Mr. REED (for Mr. SCHUMER (for himself and Mr. CORNYN)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 875. PROHIBITION ON CERTAIN SEMICONDUCTOR PRODUCTS AND SERVICES.

(a) IN GENERAL.—Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 41 U.S.C. 3901 note prec.) is amended—

(1) in the section heading, by inserting ''**AND SEMICONDUCTOR PRODUCTS AND SERVICES**'' after ''**SERVICES OR EQUIPMENT**'';

(2) in subsection (a)(1), by inserting '', or covered semiconductor products or services,'' after ''equipment or services'' both places it appears;

(3) in subsection (d), by adding at the end the following new paragraph:

''(3) SECRETARY OF DEFENSE.—The Secretary of Defense may provide a waiver on a date later than the effective dates described in subsection (c) if the Secretary determines the waiver is in the national security interests of the United States.''; and

(4) in subsection (f)—

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

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

''(3) COVERED SEMICONDUCTOR PRODUCT OR SERVICES.—The term 'covered semiconductor product or services' means any of the following:

''(A) A product that incorporates a semiconductor product designed or produced by, or any service provided by, Semiconductor Manufacturing International Corporation (SMIC), ChangXin Memory Technologies (CXMT), or Yangtze Memory Technologies Corp. (YMTC) (or any subsidiary, affiliate, or successor of such entities).

''(B) Semiconductor products or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.''.

(b) EFFECTIVE DATE AND APPLICABILITY.—The amendments made by subsection (a) shall take effect three years after the date of the enactment of this Act.

(c) OFFICE OF MANAGEMENT AND BUDGET REPORT AND BRIEFING.—Not later than 270 days after the effective date described in subsection (b)(2), the Director of the Office of Management and Budget, in coordination with the Director of National Intelligence and the National Cyber Director, shall provide to the Majority Leader and Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority leader of the House of Representatives, and the appropriate congressional committees (as defined in section 889(f) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 41 U.S.C. 3901 note prec.)) a report and briefing on—

(1) the implementation of the amendments made by subsection (a), including any challenges in the implementation; and

(2) the effectiveness and utility of the waiver authority under subsection (d) of such section 889.

SA 6463. Mr. REED (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. WEATHERIZATION ASSISTANCE PROGRAM.

(a) WEATHERIZATION READINESS FUND.—Section 414 of the Energy Conservation and Production Act (42 U.S.C. 6864) is amended by adding at the end the following:

''(d) WEATHERIZATION READINESS FUND.—

''(1) IN GENERAL.—The Secretary shall establish a fund, to be known as the 'Weatherization Readiness Fund', from which the Secretary shall distribute funds to States receiving financial assistance under this part, in accordance with subsection (a).

''(2) USE OF FUNDS.—

''(A) IN GENERAL.—A State receiving funds under paragraph (1) shall use the funds for repairs to dwelling units described in subparagraph (B) that will remediate the applicable structural defects or hazards of the dwelling unit so that weatherization measures may be installed.

''(B) DWELLING UNIT.—A dwelling unit referred to in subparagraph (A) is a dwelling unit occupied by a low-income person that, on inspection pursuant to the program under this part, was found to have significant defects or hazards that prevented the installation of weatherization measures under the program.

''(3) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated under section 422, there is authorized

to be appropriated to the Secretary to carry out this subsection $30,000,000 for each of fiscal years 2023 through 2027.''.

(b) STATE AVERAGE COST PER UNIT.—

(1) IN GENERAL.—Section 415(c) of the Energy Conservation and Production Act (42 U.S.C. 6865(c)) is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) in the first sentence, by striking ''$6,500'' and inserting ''$12,000''; and

(II) by striking ''(c)(1) Except as provided in paragraphs (3) and (4)'' and inserting the following:

''(c) FINANCIAL ASSISTANCE.—

''(1) IN GENERAL.—Except as provided in paragraphs (3), (4), and (6)'';

(ii) by conforming the margins of subparagraphs (A) through (D) to the margin of subparagraph (E);

(iii) in subparagraph (D), by striking '', and'' and inserting ''; and''; and

(iv) in subparagraph (E), by adding a period at the end;

(B) in paragraph (2), in the first sentence, by striking ''weatherized (including dwelling units partially weatherized)'' and inserting ''fully weatherized'';

(C) in paragraph (4), by striking ''$3,000'' and inserting ''$6,000'';

(D) in paragraph (5)—

(i) in subparagraph (A)(i), by striking ''(6)(A)(ii)'' and inserting ''(7)(A)(ii)''; and

(ii) by striking ''(6)(A)(i)(I)'' each place it appears and inserting ''(7)(A)(i)(I)'';

(E) by redesignating paragraph (6) as paragraph (7); and

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

''(6) LIMIT INCREASE.—The Secretary may increase the amount of financial assistance provided per dwelling unit under this part beyond the limit specified in paragraph (1) if the Secretary determines that market conditions require such an increase to achieve the purposes of this part.''.

(2) CONFORMING AMENDMENT.—Section 414D(b)(1)(C) of the Energy Conservation and Production Act (42 U.S.C. 6864d(b)(1)(C)) is amended by striking ''415(c)(6)(A)'' and inserting ''415(c)(7)''.

SA 6464. Mr. REED (for Mr. PETERS (for himself and Mr. PORTMAN)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS MATTERS

SEC. 5001. TABLE OF CONTENTS.

The table of contents for this division is as follows:

DIVISION E—HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS MATTERS

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TITLE LI—HOMELAND SECURITY

Subtitle A—Global Catastrophic Risk Management Act of 2022

SEC. 5101. SHORT TITLE.

This subtitle may be cited as the ''Global Catastrophic Risk Management Act of 2022''.

SEC. 5102. DEFINITIONS.

In this subtitle:

(1) BASIC NEED.—The term ''basic need''—

(A) means any good, service, or activity necessary to protect the health, safety, and general welfare of the civilian population of the United States; and

(B) includes—

(i) food;

(ii) water;

(iii) shelter;

(iv) basic communication services;

(v) basic sanitation and health services; and

(vi) public safety.

(2) CATASTROPHIC INCIDENT.—The term ''catastrophic incident''—

(A) means any natural or man-made disaster that results in extraordinary levels of casualties or damage, mass evacuations, or disruption severely affecting the population, infrastructure, environment, economy, national morale, or government functions in an area; and

(B) may include an incident—

(i) with a sustained national impact over a prolonged period of time;

(ii) that may rapidly exceed resources available to State and local government and private sector authorities in the impacted area; or

(iii) that may significantly interrupt governmental operations and emergency services to such an extent that national security could be threatened.

(3) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' has the meaning given the term in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e)).

(4) EXISTENTIAL RISK.—The term ''existential risk'' means the potential for an outcome that would result in human extinction.

(5) GLOBAL CATASTROPHIC RISK.—The term ''global catastrophic risk'' means the risk of events or incidents consequential enough to significantly harm, set back, or destroy human civilization at the global scale.

(6) GLOBAL CATASTROPHIC AND EXISTENTIAL THREATS.—The term ''global catastrophic and existential threats'' means those threats that with varying likelihood can produce consequences severe enough to result in significant harm or destruction of human civilization at the global scale, or lead to human extinction. Examples of global catastrophic and existential threats include severe global pandemics, nuclear war, asteroid and comet impacts, supervolcanoes, sudden and severe changes to the climate, and intentional or accidental threats arising from the use and development of emerging technologies.

(7) INDIAN TRIBAL GOVERNMENT.—The term ''Indian Tribal government'' has the meaning given the term ''Indian tribal government'' in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(8) LOCAL GOVERNMENT; STATE.—The terms ''local government'' and ''State'' have the meanings given those terms in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(9) NATIONAL EXERCISE PROGRAM.—The term ''national exercise program'' means activities carried out to test and evaluate the national preparedness goal and related plans and strategies as described in section 648(b) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 748(b)).

(10) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

SEC. 5103. ASSESSMENT OF GLOBAL CATASTROPHIC RISK.

(a) IN GENERAL.—The Secretary shall conduct an assessment of global catastrophic risk.

(b) CONSULTATION.—When conducting the assessment under subsection (a), the Secretary shall consult with senior representatives of—

(1) the Assistant to the President for National Security Affairs;

(2) the Director of the Office of Science and Technology Policy;

(3) the Administrator of the Federal Emergency Management Agency;

(4) the Secretary of State and the Under Secretary of State for Arms Control and International Security;

(5) the Attorney General and the Director of the Federal Bureau of Investigation;

(6) the Secretary of Energy, the Under Secretary of Energy for Nuclear Security, and the Director of Science;

(7) the Secretary of Health and Human Services, the Assistant Secretary for Preparedness and Response, and the Assistant Secretary of Global Affairs;

(8) the Secretary of Commerce, the Under Secretary of Commerce for Oceans and Atmosphere, and the Under Secretary of Commerce for Standards and Technology;

(9) the Secretary of the Interior and the Director of the United States Geological Survey;

(10) the Administrator of the Environmental Protection Agency and the Assistant Administrator for Water;

(11) the Administrator of the National Aeronautics and Space Administration;

(12) the Director of the National Science Foundation;

(13) the Secretary of the Treasury;

(14) the Chair of the Board of Governors of the Federal Reserve System;

(15) the Secretary of Defense, the Assistant Secretary of the Army for Civil Works, and the Chief of Engineers and Commanding General of the Army Corps of Engineers;

(16) the Chairman of the Joint Chiefs of Staff;

(17) the Administrator of the United States Agency for International Development;

(18) the Secretary of Transportation; and

(19) other stakeholders the Secretary determines appropriate.

SEC. 5104. REPORT REQUIRED.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every 10 years thereafter, the Secretary shall submit to Congress a report containing a detailed assessment of global catastrophic and existential risk.

(b) MATTERS COVERED.—Each report required under subsection (a) shall include—

(1) expert estimates of cumulative global catastrophic and existential risk in the next 30 years, including separate estimates for the likelihood of occurrence and potential consequences;

(2) expert-informed analyses of the risk of the most concerning specific global catastrophic and existential threats, including separate estimates, where reasonably feasible and credible, of each threat for its likelihood of occurrence and its potential consequences, as well as associated uncertainties;

(3) a comprehensive list of potential catastrophic or existential threats, including even those that may have very low likelihood;

(4) technical assessments and lay explanations of the analyzed global catastrophic and existential risks, including their qualitative character and key factors affecting their likelihood of occurrence and potential consequences;

(5) an explanation of any factors that limit the ability of the Secretary to assess the risk both cumulatively and for particular threats, and how those limitations may be overcome through future research or with additional resources, programs, or authorities;

(6) a review of the effectiveness of intelligence collection, early warning and detection systems, or other functions and programs necessary to evaluate the risk of particular global catastrophic and existential threats, if any exist and as applicable for particular threats;

(7) a forecast of if and why global catastrophic and existential risk is likely to increase or decrease significantly in the next 30 years, both qualitatively and quantitatively, as well as a description of associated uncertainties;

(8) proposals for how the Federal Government may more adequately assess global catastrophic and existential risk on an ongoing basis in future years;

(9) recommendations for legislative actions, as appropriate, to support the evaluation and assessment of global catastrophic and existential risk; and

(10) other matters deemed appropriate by the Secretary.

(c) CONSULTATION REQUIREMENT.—In producing the report required under subsection (a), the Secretary shall regularly consult with experts on global catastrophic and existential risks, including from non-governmental, academic, and private sector institutions.

SEC. 5105. ENHANCED CATASTROPHIC INCIDENT ANNEX.

(a) IN GENERAL.—The Secretary shall supplement each Federal Interagency Operational Plan to include an annex containing a strategy to ensure the health, safety, and general welfare of the civilian population affected by catastrophic incidents by—

(1) providing for the basic needs of the civilian population of the United States that is impacted by catastrophic incidents in the United States;

(2) coordinating response efforts with State, local, and Indian Tribal governments, the private sector, and nonprofit relief organizations;

(3) promoting personal and local readiness and non-reliance on government relief during periods of heightened tension or after catastrophic incidents; and

(4) developing international partnerships with allied nations for the provision of relief services and goods.

(b) ELEMENTS OF THE STRATEGY.—The strategy required under subsection (a) shall include a description of—

(1) actions the Federal Government should take to ensure the basic needs of the civilian population of the United States in a catastrophic incident are met;

(2) how the Federal Government should coordinate with non-Federal entities to multiply resources and enhance relief capabilities, including—

(A) State and local governments;

(B) Indian Tribal governments;

(C) State disaster relief agencies;

(D) State and local disaster relief managers;

(E) State National Guards;

(F) law enforcement and first response entities; and

(G) nonprofit relief services;

(3) actions the Federal Government should take to enhance individual resiliency to the effects of a catastrophic incident, which actions shall include—

(A) readiness alerts to the public during periods of elevated threat;

(B) efforts to enhance domestic supply and availability of critical goods and basic necessities; and

(C) information campaigns to ensure the public is aware of response plans and services that will be activated when necessary;

(4) efforts the Federal Government should undertake and agreements the Federal Government should seek with international allies to enhance the readiness of the United States to provide for the general welfare;

(5) how the strategy will be implemented should multiple levels of critical infrastructure be destroyed or taken offline entirely for an extended period of time; and

(6) the authorities the Federal Government should implicate in responding to a catastrophic incident.

(c) ASSUMPTIONS.—In designing the strategy under subsection (a), the Secretary shall account for certain factors to make the strategy operationally viable, including the assumption that—

(1) multiple levels of critical infrastructure have been taken offline or destroyed by catastrophic incidents or the effects of catastrophic incidents;

(2) impacted sectors may include—

(A) the transportation sector;

(B) the communication sector;

(C) the energy sector;

(D) the healthcare and public health sector;

(E) the water and wastewater sector; and

(F) the financial sector;

(3) State, local, Indian Tribal, and territorial governments have been equally affected or made largely inoperable by catastrophic incidents or the effects of catastrophic incidents;

(4) the emergency has exceeded the response capabilities of State, local, and Indian Tribal governments under the Robert T.

Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and other relevant disaster response laws; and

(5) the United States military is sufficiently engaged in armed or cyber conflict with State or non-State adversaries, or is otherwise unable to augment domestic response capabilities in a significant manner due to a catastrophic incident.

SEC. 5106. VALIDATION OF THE STRATEGY THROUGH AN EXERCISE.

Not later than 1 year after the addition of the annex required under section 5105, the Department of Homeland Security shall lead an exercise as part of the national exercise program to test and enhance the operationalization of the strategy required under section 5105.

SEC. 5107. RECOMMENDATIONS.

(a) IN GENERAL.—The Secretary shall provide recommendations to Congress for—

(1) actions that should be taken to prepare the United States to implement the strategy required under section 5105, increase readiness, and address preparedness gaps for responding to the impacts of catastrophic incidents on citizens of the United States; and

(2) additional authorities that should be considered for Federal agencies to more effectively implement the strategy required under section 5105.

(b) INCLUSION IN REPORTS.—The Secretary may include the recommendations required under subsection (a) in a report submitted under section 5108.

SEC. 5108. REPORTING REQUIREMENTS.

Not later than 1 year after the date on which Department of Homeland Security leads the exercise under section 5106, the Secretary shall submit to Congress a report that includes—

(1) a description of the efforts of the Secretary to develop and update the strategy required under section 5105; and

(2) an after-action report following the conduct of the exercise described in section 5106.

SEC. 5109. RULE OF CONSTRUCTION.

Nothing in this subtitle shall be construed to supersede the civilian emergency management authority of the Administrator of the Federal Emergency Management Agency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or the Post Katrina Emergency Management Reform Act (6 U.S.C. 701 et seq.).

Subtitle B—DHS Economic Security Council

SEC. 5111. DHS ECONOMIC SECURITY COUNCIL.

(a) ESTABLISHMENT OF THE DHS ECONOMIC SECURITY COUNCIL.—

(1) DEFINITIONS.—In this subsection:

(A) COUNCIL.—The term ''Council'' means the DHS Economic Security Council established under paragraph (2).

(B) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(C) ECONOMIC SECURITY.—The term ''economic security'' has the meaning given that term in section 890B(c)(2) of the Homeland Security Act of 2002 (6 U.S.C. 474(c)(2)).

(D) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(2) DHS ECONOMIC SECURITY COUNCIL.—In accordance with the mission of the Department under section 101(b) of the Homeland Security Act of 2002 (6 U.S.C. 111(b)), and in particular paragraph (1)(F) of that section, the Secretary shall establish a standing council of component heads or their designees within the Department, which shall be known as the ''DHS Economic Security Council''.

(3) DUTIES OF THE COUNCIL.—Pursuant to the scope of the mission of the Department as described in paragraph (2), the Council shall provide to the Secretary advice and recommendations on matters of l security, including—

(A) identifying concentrated risks for trade and economic security;

(B) setting priorities for securing the trade and economic security of the United States;

(C) coordinating Department-wide activity on trade and economic security matters;

(D) with respect to the development of the continuity of the economy plan of the President under section 9603 of the William M. (Mac) Thornberry National Defense Authorization Act of Fiscal Year 2021 (6 U.S.C. 322);

(E) proposing statutory and regulatory changes impacting trade and economic security; and

(F) any other matters the Secretary considers appropriate.

(4) CHAIR AND VICE CHAIR.—The Under Secretary for Strategy, Policy, and Plans of the Department—

(A) shall serve as Chair of the Council; and

(B) may designate a Council member as a Vice Chair.

(5) MEETINGS.—The Council shall meet not less frequently than quarterly, as well as—

(A) at the call of the Chair; or

(B) at the direction of the Secretary.

(6) BRIEFINGS.—Not later than 180 days after the date of enactment of this Act and every 180 days thereafter for 4 years, the Council shall brief the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, the Committee on Finance of the Senate, and the Committee on Ways and Means of the House of Representatives on the actions and activities of the Council.

(b) ASSISTANT SECRETARY FOR ECONOMIC SECURITY.—Section 709 of the Homeland Security Act of 2002 (6 U.S.C. 349) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

''(g) ASSISTANT SECRETARY FOR ECONOMIC SECURITY.—

''(1) IN GENERAL.—There is established within the Office of Strategy, Policy, and Plans an Assistant Secretary for Economic Security.

''(2) DUTIES.—At the direction of the Under Secretary for Strategy, Policy, and Plans, the Assistant Secretary for Economic Security shall be responsible for policy formulation regarding matters relating to economic security and trade, as such matters relate to the mission and the operations of the Department.

''(3) ADDITIONAL RESPONSIBILITIES.—In addition to the duties specified in paragraph (2), the Assistant Secretary for Economic Security, at the direction of the Under Secretary for Strategy, Policy, and Plans, may—

''(A) oversee—

''(i) coordination of supply chain policy; and

''(ii) assessments and reports to Congress related to critical economic security domains;

''(B) serve as the representative of the Under Secretary for Strategy, Policy, and Plans for the purposes of representing the Department on—

''(i) the Committee on Foreign Investment in the United States; and

''(ii) the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector;

''(C) coordinate with stakeholders in other Federal departments and agencies and nongovernmental entities with trade and economic security interests, authorities, and responsibilities; and

''(D) perform such additional duties as the Secretary or the Under Secretary of Strategy, Policy, and Plans may prescribe.

''(4) DEFINITIONS.—In this subsection:

''(A) CRITICAL ECONOMIC SECURITY DOMAIN.—The term 'critical economic security domain' means any infrastructure, industry, technology, or intellectual property (or combination thereof) that is essential for the economic security of the United States.

''(B) ECONOMIC SECURITY.—The term 'economic security' has the meaning given that term in section 890B(c)(2).''.

(c) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to affect or diminish the authority otherwise granted to any other officer of the Department of Homeland Security.

Subtitle C—Transnational Criminal Investigative Units

SEC. 5121. SHORT TITLE.

This subtitle may be cited as the ''Transnational Criminal Investigative Unit Stipend Act''.

SEC. 5122. STIPENDS FOR TRANSNATIONAL CRIMINAL INVESTIGATIVE UNITS.

(a) IN GENERAL.—Subtitle H of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 451 et seq.) is amended by adding at the end the following:

''SEC. 890C. TRANSNATIONAL CRIMINAL INVESTIGATIVE UNITS.

''(a) IN GENERAL.—The Secretary, with the concurrence of the Secretary of State, shall operate Transnational Criminal Investigative Units within Homeland Security Investigations.

''(b) COMPOSITION.—Each Transnational Criminal Investigative Unit shall be composed of trained foreign law enforcement officials who shall collaborate with Homeland Security Investigations to investigate and prosecute individuals involved in transnational criminal activity.

''(c) VETTING REQUIREMENT.—

''(1) IN GENERAL.—Before entry into a Transnational Criminal Investigative Unit, and at periodic intervals while serving in such a unit, foreign law enforcement officials shall be required to pass certain security evaluations, which may include a background check, a polygraph examination, a urinalysis test, or other measures that the Secretary determines to be appropriate.

''(2) LEAHY VETTING REQUIRED.—No member of a foreign law enforcement unit may join a Transnational Criminal Investigative Unit if the Secretary, in coordination with the Secretary of State, has credible information that such foreign law enforcement unit has committed a gross violation of human rights, consistent with the limitations set forth in section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d).

''(3) APPROVAL AND CONCURRENCE.—The establishment and continued support of the Transnational Criminal Investigative Units who are assigned under paragraph (1)—

''(A) shall be performed with the approval of the chief of mission to the foreign country to which the personnel are assigned;

''(B) shall be consistent with the duties and powers of the Secretary of State and the chief of mission for a foreign country under section 103 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4802) and section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927), respectively; and

''(C) shall not be established without the concurrence of the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs.

''(4) REPORT.—The Executive Associate Director of Homeland Security Investigations shall submit a report to the Committee on

Foreign Relations of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Homeland Security of the House of Representatives that describes—

''(A) the procedures used for vetting Transnational Criminal Investigative Unit members to include compliance with the vetting required under paragraph (3); and

''(B) any additional measures that should be implemented to prevent personnel in vetted units from being compromised by criminal organizations.

''(d) MONETARY STIPEND.—The Executive Associate Director of Homeland Security Investigations is authorized to pay vetted members of a Transnational Criminal Investigative Unit a monetary stipend in an amount associated with their duties dedicated to unit activities.

''(e) ANNUAL BRIEFING.—The Executive Associate Director of Homeland Security Investigations, during the 5-year period beginning on the date of the enactment of this Act, shall provide an annual unclassified briefing to the congressional committees referred to in subsection (c)(3), which may include a classified session, if necessary, that identifies—

''(1) the number of vetted members of Transnational Criminal Investigative Unit in each country;

''(2) the amount paid in stipends to such members, disaggregated by country;

''(3) relevant enforcement statistics, such as arrests and progress made on joint investigations, in each such country; and

''(4) whether any vetted members of the Transnational Criminal Investigative Unit in each country were involved in any unlawful activity, including human rights abuses or significant acts of corruption.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Homeland Security Act of 2002 (Public Law 107–296) is amended by inserting after the item relating to section 890B the following:

''Sec. 890C. Transnational Criminal Investigative Units.''.

Subtitle D—Technological Hazards Preparedness and Training

SEC. 5131. SHORT TITLE.

This subtitle may be cited as the ''Technological Hazards Preparedness and Training Act of 2022''.

SEC. 5132. DEFINITIONS.

In this subtitle:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Emergency Management Agency.

(2) INDIAN TRIBAL GOVERNMENT.—The term ''Indian Tribal government'' has the meaning given the term ''Indian tribal government'' in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(3) LOCAL GOVERNMENT; STATE.—The terms ''local government'' and ''State'' have the meanings given those terms in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(4) TECHNOLOGICAL HAZARD AND RELATED EMERGING THREAT.—The term ''technological hazard and related emerging threat''—

(A) means a hazard that involves materials created by humans that pose a unique hazard to the general public and environment and which may result from—

(i) an accident;

(ii) an emergency caused by another hazard; or

(iii) intentional use of the hazardous materials; and

(B) includes a chemical, radiological, biological, and nuclear hazard.

SEC. 5133. ASSISTANCE AND TRAINING FOR COMMUNITIES WITH TECHNOLOGICAL HAZARDS AND RELATED EMERGING THREATS.

(a) IN GENERAL.—The Administrator shall maintain the capacity to provide States, local, and Indian Tribal governments with technological hazards and related emerging threats technical assistance, training, and other preparedness programming to build community resilience to technological hazards and related emerging threats.

(b) AUTHORITIES.—The Administrator shall carry out subsection (a) in accordance with—

(1) the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(2) section 1236 of the Disaster Recovery Reform Act of 2018 (42 U.S.C. 5196g); and

(3) the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109–295; 120 Stat. 1394).

(c) ASSESSMENT AND NOTIFICATION.—In carrying out subsection (a), the Administrator shall—

(1) use any available and appropriate multi-hazard risk assessment and mapping tools and capabilities to identify the communities that have the highest risk of and vulnerability to a technological hazard in each State; and

(2) ensure each State and Indian Tribal government is aware of—

(A) the communities identified under paragraph (1); and

(B) the availability of programming under this section for—

(i) technological hazards and related emerging threats preparedness; and

(ii) building community capability.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Appropriations of the Senate, the Committee on Energy and Natural Resources of the Senate, the Committee on Energy and Commerce of the House of Representatives, the Committee on Homeland Security of the House of Representatives, the Committee on Appropriations of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives a report relating to—

(1) actions taken to implement this section; and

(2) technological hazards and related emerging threats preparedness programming provided under this section during the 1-year period preceding the date of submission of the report.

(e) CONSULTATION.—The Secretary of Homeland Security may seek continuing input relating to technological hazards and related emerging threats preparedness needs by consulting State, Tribal, territorial, and local emergency services organizations and private sector stakeholders.

(f) COORDINATION.—The Secretary of Homeland Security shall coordinate with the Secretary of Energy relating to technological hazard preparedness and training for a hazard that could result from activities or facilities authorized or licensed by the Department of Energy.

SEC. 5134. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this subtitle $20,000,000 for each of fiscal years 2023 through 2024.

SEC. 5135. SAVINGS PROVISION.

Nothing in this subtitle shall diminish or divert resources from—

(1) the full completion of federally-led chemical surety material storage missions or chemical demilitarization missions that are underway as of the date of enactment of this Act; or

(2) any transitional activities or other community assistance incidental to the completion of the missions described in paragraph (1).

Subtitle E—Offices of Countering Weapons of Mass Destruction and Health Security

SEC. 5141. SHORT TITLE.

This subtitle may be cited as the ''Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022''.

CHAPTER 1—COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE

SEC. 5142. COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE.

(a) HOMELAND SECURITY ACT OF 2002.—Title XIX of the Homeland Security Act of 2002 (6 U.S.C. 590 et seq.) is amended—

(1) in section 1901 (6 U.S.C. 591)—

(A) in subsection (c), by amending paragraphs (1) and (2) to read as follows:

''(1) matters and strategies pertaining to—

''(A) weapons of mass destruction; and

''(B) chemical, biological, radiological, nuclear, and other related emerging threats; and

''(2) coordinating the efforts of the Department to counter—

''(A) weapons of mass destruction; and

''(B) chemical, biological, radiological, nuclear, and other related emerging threats.''; and

(B) by striking subsection (e);

(2) by amending section 1921 (6 U.S.C. 591g) to read as follows:

''SEC. 1921. MISSION OF THE OFFICE.

''The Office shall be responsible for—

''(1) coordinating the efforts of the Department to counter—

''(A) weapons of mass destruction; and

''(B) chemical, biological, radiological, nuclear, and other related emerging threats; and

''(2) enhancing the ability of Federal, State, local, Tribal, and territorial partners to prevent, detect, protect against, and mitigate the impacts of attacks using—

''(A) weapons of mass destruction against the United States; and

''(B) chemical, biological, radiological, nuclear, and other related emerging threats against the United States.'';

(3) in section 1922 (6 U.S.C. 591h)—

(A) by striking subsection (b); and

(B) by redesignating subsection (c) as subsection (b);

(4) in section 1923 (6 U.S.C. 592)—

(A) by redesignating subsections (a) and (b) as subsections (b) and (d), respectively;

(B) by inserting before subsection (b), as so redesignated, the following:

''(a) OFFICE RESPONSIBILITIES.—

''(1) IN GENERAL.—For the purposes of coordinating the efforts of the Department to counter weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats, the Office shall—

''(A) provide expertise and guidance to Department leadership and components on chemical, biological, radiological, nuclear, and other related emerging threats, subject to the research, development, testing, and evaluation coordination requirement described in subparagraph (G);

''(B) in coordination with the Office for Strategy, Policy, and Plans, lead development of policies and strategies to counter weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats on behalf of the Department;

''(C) identify, assess, and prioritize capability gaps relating to the strategic and mission objectives of the Department for weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats;

''(D) in coordination with the Office of Intelligence and Analysis, support components of the Department, and Federal, State, local, Tribal, and territorial partners, provide intelligence and information analysis and reports on weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats;

''(E) in consultation with the Science and Technology Directorate, assess risk to the United States from weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats;

''(F) lead development and prioritization of Department requirements to counter weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats, subject to the research, development, testing, and evaluation coordination requirement described in subparagraph (G), which requirements shall be—

''(i) developed in coordination with end users; and

''(ii) reviewed by the Joint Requirements Council, as directed by the Secretary;

''(G) in coordination with the Science and Technology Directorate, direct, fund, and coordinate capability development activities to counter weapons of mass destruction and all chemical, biological, radiological, nuclear, and other related emerging threats research, development, test, and evaluation matters, including research, development, testing, and evaluation expertise, threat characterization, technology maturation, prototyping, and technology transition;

''(H) acquire, procure, and deploy counter weapons of mass destruction capabilities, and serve as the lead advisor of the Department on component acquisition, procurement, and deployment of counter-weapons of mass destruction capabilities;

''(I) in coordination with the Office of Health Security, support components of the Department, and Federal, State, local, Tribal, and territorial partners on chemical, biological, radiological, nuclear, and other related emerging threats health matters;

''(J) provide expertise on weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats to Department and Federal partners to support engagements and efforts with international partners subject to the research, development, testing, and evaluation coordination requirement under subparagraph (G); and

''(K) carry out any other duties assigned to the Office by the Secretary.

''(2) DETECTION AND REPORTING.—For purposes of the detection and reporting responsibilities of the Office for weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats, the Office shall—

''(A) in coordination with end users, including State, local, Tribal, and territorial partners, as appropriate—

''(i) carry out a program to test and evaluate technology, in consultation with the Science and Technology Directorate, to detect and report on weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats weapons or unauthorized material, in coordination with other Federal agencies, as appropriate, and establish performance metrics to evaluate the effectiveness of individual detectors and detection systems in detecting those weapons or material—

''(I) under realistic operational and environmental conditions; and

''(II) against realistic adversary tactics and countermeasures;

''(B) in coordination with end users, conduct, support, coordinate, and encourage a transformational program of research and development to generate and improve technologies to detect, protect against, and report on the illicit entry, transport, assembly, or potential use within the United States of weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats weapons or unauthorized material, and coordinate with the Under Secretary for Science and Technology on research and development efforts relevant to the mission of the Office and the Under Secretary for Science and Technology;

''(C) before carrying out operational testing under subparagraph (A), develop a testing and evaluation plan that articulates the requirements for the user and describes how these capability needs will be tested in developmental test and evaluation and operational test and evaluation;

''(D) as appropriate, develop, acquire, and deploy equipment to detect and report on weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats weapons or unauthorized material in support of Federal, State, local, Tribal, and territorial governments;

''(E) support and enhance the effective sharing and use of appropriate information on weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats and related emerging issues generated by elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), law enforcement agencies, other Federal agencies, State, local, Tribal, and territorial governments, and foreign governments, as well as provide appropriate information to those entities;

''(F) consult, as appropriate, with the Federal Emergency Management Agency and other departmental components, on weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats and efforts to mitigate, prepare, and respond to all threats in support of the State, local, and Tribal communities; and

''(G) perform other duties as assigned by the Secretary.'';

(C) in subsection (b), as so redesignated—

(i) in the subsection heading, by striking ''MISSION'' and inserting ''RADIOLOGICAL AND NUCLEAR RESPONSIBILITIES'';

(ii) in paragraph (1)—

(I) by inserting ''deploy,'' after ''acquire,''; and

(II) by striking ''deployment'' and inserting ''operations'';

(iii) by striking paragraphs (6) through (10);

(iv) redesignating paragraphs (11) and (12) as paragraphs (6) and (7), respectively;

(v) in paragraph (7)(C)(v), as so redesignated—

(I) in the matter preceding subclause (I), by inserting ''except as otherwise provided,'' before ''require''; and

(II) in subclause (II)—

(aa) in the matter preceding item (aa), by striking ''death or disability'' and inserting ''death, disability, or a finding of good cause as determined by the Assistant Secretary (including extreme hardship, extreme need, or the needs of the Office) and for which the Assistant Secretary may grant a waiver of the repayment obligation''; and

(bb) in item (bb), by adding ''and'' at the end;

(vi) by striking paragraph (13); and

(vii) by redesignating paragraph (14) as paragraph (8); and

(D) by inserting after subsection (b), as so redesignated, the following:

''(c) CHEMICAL AND BIOLOGICAL RESPONSIBILITIES.—The Office—

''(1) shall be responsible for coordinating with other Federal efforts to enhance the ability of Federal, State, local, and Tribal governments to prevent, detect, protect against, and mitigate the impacts of chemical and biological threats against the United States; and

''(2) shall—

''(A) serve as a primary entity of the Federal Government to further develop, acquire, deploy, and support the operations of a national biosurveillance system in support of Federal, State, local, Tribal, and territorial governments, and improve that system over time;

''(B) enhance the chemical and biological detection efforts of Federal, State, local, Tribal, and territorial governments and provide guidance, tools, and training to help ensure a managed, coordinated response; and

''(C) collaborate with the Biomedical Advanced Research and Development Authority, the Office of Health Security, the Defense Advanced Research Projects Agency, and the National Aeronautics and Space Administration, and other relevant Federal stakeholders, and receive input from industry, academia, and the national laboratories on chemical and biological surveillance efforts.'';

(5) in section 1924 (6 U.S.C. 593), by striking ''section 11011 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note).'' and inserting ''section 4092 of title 10, United States Code, except that the authority shall be limited to facilitate the recruitment of experts in the chemical, biological, radiological, or nuclear specialties.'';

(6) in section 1927(a)(1)(C) (6 U.S.C. 596a(a)(1)(C))—

(A) in clause (i), by striking ''required under section 1036 of the National Defense Authorization Act for Fiscal Year 2010'';

(B) in clause (ii), by striking ''and'' at the end;

(C) in clause (iii), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(iv) includes any other information regarding national technical nuclear forensics activities carried out under section 1923.'';

(7) in section 1928 (6 U.S.C. 596b)—

(A) in subsection (c)(1), by striking ''from among high-risk urban areas under section 2003'' and inserting ''based on the capability and capacity of the jurisdiction, as well as the relative threat, vulnerability, and consequences from terrorist attacks and other high-consequence events utilizing nuclear or other radiological materials''; and

(B) by striking subsection (d) and inserting the following:

''(d) REPORT.—Not later than 2 years after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Secretary shall submit to the appropriate congressional committees an update on the STC program.''; and

(8) by adding at the end the following:

''SEC. 1929. ACCOUNTABILITY.

''(a) DEPARTMENTWIDE STRATEGY.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, and every 4 years thereafter, the Secretary shall create a Departmentwide strategy and implementation plan to counter weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats, which should—

''(A) have clearly identified authorities, specified roles, objectives, benchmarks, accountability, and timelines;

''(B) incorporate the perspectives of non-Federal and private sector partners; and

''(C) articulate how the Department will contribute to relevant national-level strategies and work with other Federal agencies.

''(2) CONSIDERATION.—The Secretary shall appropriately consider weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats when creating the strategy and implementation plan required under paragraph (1).

''(3) REPORT.—The Office shall submit to the appropriate congressional committees a report on the updated Departmentwide strategy and implementation plan required under paragraph (1).

''(b) DEPARTMENTWIDE BIODEFENSE REVIEW AND STRATEGY.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Secretary, in consultation with appropriate stakeholders representing Federal, State, Tribal, territorial, academic, private sector, and nongovernmental entities, shall conduct a Departmentwide review of biodefense activities and strategies.

''(2) REVIEW.—The review required under paragraph (1) shall—

''(A) identify with specificity the biodefense lines of effort of the Department, including relating to biodefense roles, responsibilities, and capabilities of components and offices of the Department;

''(B) assess how such components and offices coordinate internally and with public and private partners in the biodefense enterprise;

''(C) identify any policy, resource, capability, or other gaps in the Department's ability to assess, prevent, protect against, and respond to biological threats; and

''(D) identify any organizational changes or reforms necessary for the Department to effectively execute its biodefense mission and role, including with respect to public and private partners in the biodefense enterprise.

''(3) STRATEGY.—Not later than 1 year after completion of the review required under paragraph (1), the Secretary shall issue a biodefense strategy for the Department that—

''(A) is informed by such review and is aligned with section 1086 of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 104; relating to the development of a national biodefense strategy and associated implementation plan, including a review and assessment of biodefense policies, practices, programs, and initiatives) or any successor strategy; and

''(B) shall—

''(i) describe the biodefense mission and role of the Department, as well as how such mission and role relates to the biodefense lines of effort of the Department;

''(ii) clarify, as necessary, biodefense roles, responsibilities, and capabilities of the components and offices of the Department involved in the biodefense lines of effort of the Department;

''(iii) establish how biodefense lines of effort of the Department are to be coordinated within the Department;

''(iv) establish how the Department engages with public and private partners in the biodefense enterprise, including other Federal agencies, national laboratories and sites, and State, local, Tribal, and territorial entities, with specificity regarding the frequency and nature of such engagement by Department components and offices with State, local, Tribal and territorial entities; and

''(v) include information relating to—

''(I) milestones and performance metrics that are specific to the biodefense mission and role of the Department described in clause (i); and

''(II) implementation of any operational changes necessary to carry out clauses (iii) and (iv).

''(4) PERIODIC UPDATE.—Beginning not later than 5 years after the issuance of the biodefense strategy and implementation plans required under paragraph (3), and not less often than once every 5 years thereafter, the Secretary shall review and update, as necessary, such strategy and plans.

''(5) CONGRESSIONAL OVERSIGHT.—Not later than 30 days after the issuance of the biodefense strategy and implementation plans required under paragraph (3), the Secretary shall brief the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives regarding such strategy and plans.

''(c) EMPLOYEE MORALE.—Not later than 180 days after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Office shall submit to and brief the appropriate congressional committees on a strategy and plan to continuously improve morale within the Office.

''(d) COMPTROLLER GENERAL.—Not later than 1 year after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Comptroller General of the United States shall conduct a review of and brief the appropriate congressional committees on—

''(1) the efforts of the Office to prioritize the programs and activities that carry out the mission of the Office, including research and development;

''(2) the consistency and effectiveness of stakeholder coordination across the mission of the Department, including operational and support components of the Department and State and local entities; and

''(3) the efforts of the Office to manage and coordinate the lifecycle of research and development within the Office and with other components of the Department, including the Science and Technology Directorate.

''(e) NATIONAL ACADEMIES OF SCIENCES, ENGINEERING, AND MEDICINE.—

''(1) STUDY.—The Secretary shall enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to conduct a consensus study and report to the Secretary and the appropriate congressional committees on—

''(A) the role of the Department in preparing, detecting, and responding to biological and health security threats to the homeland;

''(B) recommendations to improve departmental biosurveillance efforts against biological threats, including any relevant biological detection methods and technologies; and

''(C) the feasibility of different technological advances for biodetection compared to the cost, risk reduction, and timeliness of those advances.

''(2) BRIEFING.—Not later than 1 year after the date on which the Secretary receives the report required under paragraph (1), the Secretary shall brief the appropriate congressional committees on—

''(A) the implementation of the recommendations included in the report; and

''(B) the status of biological detection at the Department, and, if applicable, timelines for the transition from Biowatch to updated technology.

''(f) ADVISORY COUNCIL.—

''(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Secretary shall establish an advisory body to advise on the ongoing coordination of the efforts of the Department to counter weapons of mass destruction, to be known as the Advisory Council for Countering Weapons of Mass Destruction (in this subsection referred to as the 'Advisory Council').

''(2) MEMBERSHIP.—The members of the Advisory Council shall—

''(A) be appointed by the Assistant Secretary; and

''(B) to the extent practicable, represent a geographic (including urban and rural) and substantive cross section of officials, from State, local, and Tribal governments, academia, the private sector, national laboratories, and nongovernmental organizations, including, as appropriate—

''(i) members selected from the emergency management field and emergency response providers;

''(ii) State, local, and Tribal government officials;

''(iii) experts in the public and private sectors with expertise in chemical, biological, radiological, and nuclear agents and weapons;

''(iv) representatives from the national laboratories; and

''(v) such other individuals as the Assistant Secretary determines to be appropriate.

''(3) RESPONSIBILITIES.— The Advisory Council shall—

''(A) advise the Assistant Secretary on all aspects of countering weapons of mass destruction;

''(B) incorporate State, local, and Tribal government, national laboratories, and private sector input in the development of the strategy and implementation plan of the Department for countering weapons of mass destruction; and

''(C) establish performance criteria for a national biological detection system and review the testing protocol for biological detection prototypes.

''(4) CONSULTATION.—To ensure input from and coordination with State, local, and Tribal governments, the Assistant Secretary shall regularly consult and work with the Advisory Council on the administration of Federal assistance provided by the Department, including with respect to the development of requirements for countering weapons of mass destruction programs, as appropriate.

''(5) VOLUNTARY SERVICE.—The members of the Advisory Council shall serve on the Advisory Council on a voluntary basis.

''(6) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Council.''.

(b) COUNTERING WEAPONS OF MASS DESTRUCTION ACT OF 2018.—Section 2 of the Countering Weapons of Mass Destruction Act of 2018 (Public Law 115–387; 132 Stat. 5162) is amended—

(1) in subsection (b)(2) (6 U.S.C. 591 note), by striking ''1927'' and inserting ''1926''; and

(2) in subsection (g) (6 U.S.C. 591 note)—

(A) in the matter preceding paragraph (1), by striking ''one year after the date of the enactment of this Act, and annually thereafter,'' and inserting ''June 30 of each year,''; and

(B) in paragraph (2), by striking ''Security, including research and development activities'' and inserting ''Security''.

(c) SECURITY AND ACCOUNTABILITY FOR EVERY PORT ACT OF 2006.—The Security and Accountability for Every Port Act of 2006 (6 U.S.C. 901 et seq.) is amended—

(1) in section 1(b) (Public Law 109–347; 120 Stat 1884), by striking the item relating to section 502; and

(2) by striking section 502 (6 U.S.C. 592a).

SEC. 5143. RULE OF CONSTRUCTION.

Nothing in this chapter or the amendments made by this chapter shall be construed to

affect or diminish the authorities or responsibilities of the Under Secretary for Science and Technology.

CHAPTER 2—OFFICE OF HEALTH SECURITY

SEC. 5144. OFFICE OF HEALTH SECURITY.

(a) ESTABLISHMENT.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) in section 103 (6 U.S.C. 113)—

(A) in subsection (a)(2)—

(i) by striking ''the Assistant Secretary for Health Affairs,''; and

(ii) by striking ''Affairs, or'' and inserting ''Affairs or''; and

(B) in subsection (d), by adding at the end the following:

''(6) A Chief Medical Officer.'';

(2) by adding at the end the following:

''TITLE XXIII—OFFICE OF HEALTH SECURITY'';

(3) by redesignating section 1931 (6 U.S.C. 597) as section 2301 and transferring such section to appear after the heading for title XXIII, as added by paragraph (2); and

(4) in section 2301, as so redesignated—

(A) in the section heading, by striking ''**CHIEF MEDICAL OFFICER**'' and inserting ''**OFFICE OF HEALTH SECURITY**'';

(B) by striking subsections (a) and (b) and inserting the following:

''(a) IN GENERAL.—There is established in the Department an Office of Health Security.

''(b) HEAD OF OFFICE OF HEALTH SECURITY.—The Office of Health Security shall be headed by a chief medical officer, who shall—

''(1) be the Assistant Secretary for Health Security and the Chief Medical Officer of the Department;

''(2) be a licensed physician possessing a demonstrated ability in and knowledge of medicine and public health;

''(3) be appointed by the President; and

''(4) report directly to the Secretary.'';

(C) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking ''medical issues related to natural disasters, acts of terrorism, and other man-made disasters'' and inserting ''oversight of all medical, public health, and workforce health and safety matters of the Department'';

(ii) in paragraph (1), by striking '', the Administrator of the Federal Emergency Management Agency, the Assistant Secretary, and other Department officials'' and inserting ''and all other Department officials'';

(iii) in paragraph (4), by striking ''and'' at the end;

(iv) by redesignating paragraph (5) as paragraph (13); and

(v) by inserting after paragraph (4) the following:

''(5) overseeing all medical and public health activities of the Department, including the delivery, advisement, and oversight of direct patient care and the organization, management, and staffing of component operations that deliver direct patient care;

''(6) advising the head of each component of the Department that delivers direct patient care regarding the recruitment and appointment of a component chief medical officer and deputy chief medical officer or the employee who functions in the capacity of chief medical officer and deputy chief medical officer;

''(7) advising the Secretary and the head of each component of the Department that delivers direct patient care regarding knowledge and skill standards for medical personnel and the assessment of that knowledge and skill;

''(8) advising the Secretary and the head of each component of the Department that delivers patient care regarding the collection, storage, and oversight of medical records;

''(9) with respect to any psychological health counseling or assistance program of the Department, including such a program of a law enforcement, operational, or support component of the Department, advising the head of each such component with such a program regarding—

''(A) ensuring such program includes safeguards against adverse action, including automatic referrals for a fitness for duty examination, by such component with respect to any employee solely because such employee self-identifies a need for psychological health counseling or assistance or receives such counseling or assistance;

''(B) increasing the availability and number of local psychological health professionals with experience providing psychological support services to personnel;

''(C) establishing a behavioral health curriculum for employees at the beginning of their careers to provide resources early regarding the importance of psychological health;

''(D) establishing periodic management training on crisis intervention and such component's psychological health counseling or assistance program;

''(E) improving any associated existing employee peer support programs, including by making additional training and resources available for peer support personnel in the workplace across such component;

''(F) developing and implementing a voluntary alcohol treatment program that includes a safe harbor for employees who seek treatment;

''(G) including, when appropriate, collaborating and partnering with key employee stakeholders and, for those components with employees with an exclusive representative, the exclusive representative with respect to such a program;

''(10) in consultation with the Chief Information Officer of the Department—

''(A) identifying methods and technologies for managing, updating, and overseeing patient records; and

''(B) setting standards for technology used by the components of the Department regarding the collection, storage, and oversight of medical records;

''(11) advising the Secretary and the head of each component of the Department that delivers direct patient care regarding contracts for the delivery of direct patient care, other medical services, and medical supplies;

''(12) coordinating with the Countering Weapons of Mass Destruction Office and other components of the Department as directed by the Secretary to enhance the ability of Federal, State, local, Tribal, and territorial governments to prevent, detect, protect against, and mitigate the health effects of chemical, biological, radiological, and nuclear issues; and''; and

(D) by adding at the end the following:

''(d) ASSISTANCE AND AGREEMENTS.—The Secretary, acting through the Chief Medical Officer, in support of the medical and public health activities of the Department, may—

''(1) provide technical assistance, training, and information and distribute funds through grants and cooperative agreements to State, local, Tribal, and territorial governments and nongovernmental organizations;

''(2) enter into other transactions;

''(3) enter into agreements with other Federal agencies; and

''(4) accept services from personnel of components of the Department and other Federal agencies on a reimbursable or nonreimbursable basis.

''(e) OFFICE OF HEALTH SECURITY PRIVACY OFFICER.—There shall be a Privacy Officer in the Office of Health Security with primary responsibility for privacy policy and compliance within the Office, who shall—

''(1) report directly to the Chief Medical Officer; and

''(2) ensure privacy protections are integrated into all Office of Health Security activities, subject to the review and approval of the Privacy Officer of the Department to the extent consistent with the authority of the Privacy Officer of the Department under section 222.

''(f) ACCOUNTABILITY.—

''(1) STRATEGY AND IMPLEMENTATION PLAN.—Not later than 180 days after the date of enactment of this section, and every 4 years thereafter, the Secretary shall create a Departmentwide strategy and implementation plan to address health threats.

''(2) BRIEFING.—Not later than 90 days after the date of enactment of this section, the Secretary shall brief the appropriate congressional committees on the organizational transformations of the Office of Health Security, including how best practices were used in the creation of the Office of Health Security.'';

(5) by redesignating section 710 (6 U.S.C. 350) as section 2302 and transferring such section to appear after section 2301, as so redesignated;

(6) in section 2302, as so redesignated—

(A) in the section heading, by striking ''**MEDICAL SUPPORT**'' and inserting ''**SAFETY**'';

(B) in subsection (a), by striking ''Under Secretary for Management'' each place that term appears and inserting ''Chief Medical Officer''; and

(C) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking ''Under Secretary for Management, in coordination with the Chief Medical Officer,'' and inserting ''Chief Medical Officer''; and

(ii) in paragraph (3), by striking ''as deemed appropriate by the Under Secretary,'';

(7) by redesignating section 528 (6 U.S.C. 321q) as section 2303 and transferring such section to appear after section 2302, as so redesignated; and

(8) in section 2303(a), as so redesignated, by striking ''Assistant Secretary for the Countering Weapons of Mass Destruction Office'' and inserting ''Chief Medical Officer''.

(b) TRANSITION AND TRANSFERS.—

(1) TRANSITION.—The individual appointed pursuant to section 1931 of the Homeland Security Act of 2002 (6 U.S.C. 597) of the Department of Homeland Security, as in effect on the day before the date of enactment of this Act, and serving as the Chief Medical Officer of the Department of Homeland Security on the day before the date of enactment of this Act, shall continue to serve as the Chief Medical Officer of the Department on and after the date of enactment of this Act without the need for reappointment.

(2) RULE OF CONSTRUCTION.—The rule of construction described in section 2(hh) of the Presidential Appointment Efficiency and Streamlining Act of 2011 (5 U.S.C. 3132 note) shall not apply to the Chief Medical Officer of the Department of Homeland Security, including the incumbent who holds the position on the day before the date of enactment of this Act, and such officer shall be paid pursuant to section 3132(a)(2) or 5315 of title 5, United States Code.

(3) TRANSFER.—The Secretary of Homeland Security shall transfer to the Chief Medical Officer of the Department of Homeland Security—

(A) all functions, personnel, budget authority, and assets of the Under Secretary for Management relating to workforce health and safety, as in existence on the day before the date of enactment of this Act;

(B) all functions, personnel, budget authority, and assets of the Assistant Secretary for the Countering Weapons of Mass Destruction Office relating to the Chief Medical Officer, including the Medical Operations Directorate of the Countering Weapons of Mass Destruction Office, as in existence on the day before the date of enactment of this Act; and

(C) all functions, personnel, budget authority, and assets of the Assistant Secretary for the Countering Weapons of Mass Destruction Office associated with the efforts pertaining to the program coordination activities relating to defending the food, agriculture, and veterinary defenses of the Office, as in existence on the day before the date of enactment of this Act.

SEC. 5145. MEDICAL COUNTERMEASURES PROGRAM.

The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by redesignating section 1932 (6 U.S.C. 597a) as section 2304 and transferring such section to appear after section 2303, as so redesignated by section 5144 of this subtitle.

SEC. 5146. CONFIDENTIALITY OF MEDICAL QUALITY ASSURANCE RECORDS.

Title XXIII of the Homeland Security Act of 2002, as added by this chapter, is amended by adding at the end the following:

"SEC. 2305. CONFIDENTIALITY OF MEDICAL QUALITY ASSURANCE RECORDS.

''(a) DEFINITIONS.—In this section:

''(1) HEALTH CARE PROVIDER.—The term 'health care provider' means an individual who—

''(A) is—

''(i) an employee of the Department;

''(ii) a detailee to the Department from another Federal agency;

''(iii) a personal services contractor of the Department; or

''(iv) hired under a contract for services;

''(B) performs health care services as part of duties of the individual in that capacity; and

''(C) has a current, valid, and unrestricted license or certification—

''(i) that is issued by a State, the District of Columbia, or a commonwealth, territory, or possession of the United States; and

''(ii) that is for the practice of medicine, osteopathic medicine, dentistry, nursing, emergency medical services, or another health profession.

''(2) MEDICAL QUALITY ASSURANCE PROGRAM.—The term 'medical quality assurance program' means any activity carried out by the Department to assess the quality of medical care, including activities conducted by individuals, committees, or other review bodies responsible for quality assurance, credentials, infection control, incident reporting, the delivery, advisement, and oversight of direct patient care and assessment (including treatment procedures, blood, drugs, and therapeutics), medical records, health resources management review, and identification and prevention of medical, mental health, or dental incidents and risks.

''(3) MEDICAL QUALITY ASSURANCE RECORD OF THE DEPARTMENT.—The term 'medical quality assurance record of the Department' means all information, including the proceedings, records (including patient records that the Department creates and maintains as part of a system of records), minutes, and reports that—

''(A) emanate from quality assurance program activities described in paragraph (2); and

''(B) are produced or compiled by the Department as part of a medical quality assurance program.

''(b) CONFIDENTIALITY OF RECORDS.—A medical quality assurance record of the Department that is created as part of a medical quality assurance program—

''(1) is confidential and privileged; and

''(2) except as provided in subsection (d), may not be disclosed to any person or entity.

''(c) PROHIBITION ON DISCLOSURE AND TESTIMONY.—Except as otherwise provided in this section—

''(1) no part of any medical quality assurance record of the Department may be subject to discovery or admitted into evidence in any judicial or administrative proceeding; and

''(2) an individual who reviews or creates a medical quality assurance record of the Department or who participates in any proceeding that reviews or creates a medical quality assurance record of the Department may not be permitted or required to testify in any judicial or administrative proceeding with respect to the record or with respect to any finding, recommendation, evaluation, opinion, or action taken by that individual in connection with the record.

''(d) AUTHORIZED DISCLOSURE AND TESTIMONY.—

''(1) IN GENERAL.—Subject to paragraph (2), a medical quality assurance record of the Department may be disclosed, and a person described in subsection (c)(2) may give testimony in connection with the record, only as follows:

''(A) To a Federal agency or private organization, if the medical quality assurance record of the Department or testimony is needed by the Federal agency or private organization to—

''(i) perform licensing or accreditation functions related to Department health care facilities, a facility affiliated with the Department, or any other location authorized by the Secretary for the performance of health care services; or

''(ii) perform monitoring, required by law, of Department health care facilities, a facility affiliated with the Department, or any other location authorized by the Secretary for the performance of health care services.

''(B) To an administrative or judicial proceeding concerning an adverse action related to the credentialing of or health care provided by a present or former health care provider by the Department.

''(C) To a governmental board or agency or to a professional health care society or organization, if the medical quality assurance record of the Department or testimony is needed by the board, agency, society, or organization to perform licensing, credentialing, or the monitoring of professional standards with respect to any health care provider who is or was a health care provider for the Department.

''(D) To a hospital, medical center, or other institution that provides health care services, if the medical quality assurance record of the Department or testimony is needed by the institution to assess the professional qualifications of any health care provider who is or was a health care provider for the Department and who has applied for or been granted authority or employment to provide health care services in or on behalf of the institution.

''(E) To an employee, a detailee, or a contractor of the Department who has a need for the medical quality assurance record of the Department or testimony to perform official duties or duties within the scope of their contract.

''(F) To a criminal or civil law enforcement agency or instrumentality charged under applicable law with the protection of the public health or safety, if a qualified representative of the agency or instrumentality makes a written request that the medical quality assurance record of the Department or testimony be provided for a purpose authorized by law.

''(G) In an administrative or judicial proceeding commenced by a criminal or civil law enforcement agency or instrumentality described in subparagraph (F), but only with respect to the subject of the proceeding.

''(2) PERSONALLY IDENTIFIABLE INFORMATION.—

''(A) IN GENERAL.—With the exception of the subject of a quality assurance action, personally identifiable information of any person receiving health care services from the Department or of any other person associated with the Department for purposes of a medical quality assurance program that is disclosed in a medical quality assurance record of the Department shall be deleted from that record before any disclosure of the record is made outside the Department.

''(B) APPLICATION.—The requirement under subparagraph (A) shall not apply to the release of information that is permissible under section 552a of title 5, United States Code (commonly known as the 'Privacy Act of 1974').

''(e) DISCLOSURE FOR CERTAIN PURPOSES.—Nothing in this section shall be construed—

''(1) to authorize or require the withholding from any person or entity de-identified aggregate statistical information regarding the results of medical quality assurance programs, under de-identification standards developed by the Secretary in consultation with the Secretary of Health and Human Services, as appropriate, that is released in a manner in accordance with all other applicable legal requirements; or

''(2) to authorize the withholding of any medical quality assurance record of the Department from a committee of either House of Congress, any joint committee of Congress, or the Comptroller General of the United States if the record pertains to any matter within their respective jurisdictions.

''(f) PROHIBITION ON DISCLOSURE OF INFORMATION, RECORD, OR TESTIMONY.—A person or entity having possession of or access to a medical quality assurance record of the Department or testimony described in this section may not disclose the contents of the record or testimony in any manner or for any purpose except as provided in this section.

''(g) EXEMPTION FROM FREEDOM OF INFORMATION ACT.—A medical quality assurance record of the Department shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code (commonly known as the 'Freedom of Information Act').

''(h) LIMITATION ON CIVIL LIABILITY.—A person who participates in the review or creation of, or provides information to a person or body that reviews or creates, a medical quality assurance record of the Department shall not be civilly liable under this section for that participation or for providing that information if the participation or provision of information was—

''(1) provided in good faith based on prevailing professional standards at the time the medical quality assurance program activity took place; and

''(2) made in accordance with any other applicable legal requirement, including Federal privacy laws and regulations.

''(i) APPLICATION TO INFORMATION IN CERTAIN OTHER RECORDS.—Nothing in this section shall be construed as limiting access to the information in a record created and maintained outside a medical quality assurance program, including the medical record of a patient, on the grounds that the information was presented during meetings of a review body that are part of a medical quality assurance program.

''(j) PENALTY.—Any person who willfully discloses a medical quality assurance record

of the Department other than as provided in this section, knowing that the record is a medical quality assurance record of the Department shall be fined not more than $3,000 in the case of a first offense and not more than $20,000 in the case of a subsequent offense.

''(k) RELATIONSHIP TO COAST GUARD.—The requirements of this section shall not apply to any medical quality assurance record of the Department that is created by or for the Coast Guard as part of a medical quality assurance program.

''(l) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to supersede the requirements of—

''(1) the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 1936) and its implementing regulations;

''(2) the Health Information Technology for Economic and Clinical Health Act(42 U.S.C. 17931 et seq.) and its implementing regulations; or

''(3) sections 921 through 926 of the Public Health Service Act (42 U.S.C. 299b–21 through 299b–26) and their implementing regulations.''.

SEC. 5147. TECHNICAL AND CONFORMING AMENDMENTS.

The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) in the table of contents in section 1(b) (Public Law 107–296; 116 Stat. 2135)—

(A) by striking the items relating to sections 528 and 529 and inserting the following:

''Sec. 528. Transfer of equipment during a public health emergency.'';

(B) by striking the items relating to sections 710, 711, 712, and 713 and inserting the following:

''Sec. 710. Employee engagement.
''Sec. 711. Annual employee award program.
''Sec. 712. Acquisition professional career program.'';

(C) by inserting after the item relating to section 1928 the following:

''Sec. 1929. Accountability.'';

(D) by striking the items relating to subtitle C of title XIX and sections 1931 and 1932; and

(E) by adding at the end the following:

''TITLE XXIII—OFFICE OF HEALTH SECURITY

''Sec. 2301. Office of Health Security.
''Sec. 2302. Workforce health and safety.
''Sec. 2303. Coordination of Department of Homeland Security efforts related to food, agriculture, and veterinary defense against terrorism.
''Sec. 2304. Medical countermeasures.
''Sec. 2305. Confidentiality of medical quality assurance records.'';

(2) by redesignating section 529 (6 U.S.C. 321r) as section 528;

(3) in section 704(e)(4) (6 U.S.C. 344(e)(4)), by striking ''section 711(a)'' and inserting ''section 710(a))'';

(4) by redesignating sections 711, 712, and 713 as sections 710, 711, and 712, respectively;

(5) in subsection (d)(3) of section 1923 (6 U.S.C. 592), as so redesignated by section 5142 of this Act—

(A) in the paragraph heading, by striking ''HAWAIIAN NATIVE-SERVING'' and inserting ''NATIVE HAWAIIAN-SERVING''; and

(B) by striking ''Hawaiian native-serving'' and inserting '''Native Hawaiian-serving''; and

(6) by striking the subtitle heading for subtitle C of title XIX.

Subtitle F—Satellite Cybersecurity Act

SEC. 5151. SHORT TITLE.

This subtitle may be cited as the ''Satellite Cybersecurity Act''.

SEC. 5152. DEFINITIONS.

In this subtitle:

(1) CLEARINGHOUSE.—The term ''clearinghouse'' means the commercial satellite system cybersecurity clearinghouse required to be developed and maintained under section 5154(b)(1).

(2) COMMERCIAL SATELLITE SYSTEM.—The term ''commercial satellite system''—

(A) means a system that—

(i) is owned or operated by a non-Federal entity based in the United States; and

(ii) is composed of not less than 1 earth satellite; and

(B) includes—

(i) any ground support infrastructure for each satellite in the system; and

(ii) any transmission link among and between any satellite in the system and any ground support infrastructure in the system.

(3) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' has the meaning given the term in subsection (e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e)).

(4) CYBERSECURITY RISK.—The term ''cybersecurity risk'' has the meaning given the term in section 2200 of the Homeland Security Act of 2002, as added by section 5191 of this division.

(5) CYBERSECURITY THREAT.—The term ''cybersecurity threat'' has the meaning given the term in section 2200 of the Homeland Security Act of 2002, as added by section 5191 of this division.

SEC. 5153. REPORT ON COMMERCIAL SATELLITE CYBERSECURITY.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the actions the Federal Government has taken to support the cybersecurity of commercial satellite systems, including as part of any action to address the cybersecurity of critical infrastructure sectors.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall report to the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security and the Committee on Space, Science, and Technology of the House of Representatives on the study conducted under subsection (a), which shall include information on—

(1) efforts of the Federal Government to—

(A) address or improve the cybersecurity of commercial satellite systems; and

(B) support related efforts with international entities or the private sector;

(2) the resources made available to the public by Federal agencies to address cybersecurity risks and threats to commercial satellite systems, including resources made available through the clearinghouse;

(3) the extent to which commercial satellite systems and the cybersecurity threats to such systems are addressed in Federal and non-Federal critical infrastructure risk analyses and protection plans;

(4) the extent to which Federal agencies are reliant on satellite systems owned wholly or in part or controlled by foreign entities, and how Federal agencies mitigate associated cybersecurity risks;

(5) the extent to which Federal agencies coordinate or duplicate authorities and take other actions focused on the cybersecurity of commercial satellite systems; and

(6) as determined appropriate by the Comptroller General of the United States, recommendations for further Federal action to support the cybersecurity of commercial satellite systems, including recommendations on information that should be shared through the clearinghouse.

(c) CONSULTATION.—In carrying out subsections (a) and (b), the Comptroller General of the United States shall coordinate with appropriate Federal agencies and organizations, including—

(1) the Department of Homeland Security;

(2) the Department of Commerce;

(3) the Department of Defense;

(4) the Department of Transportation;

(5) the Federal Communications Commission;

(6) the National Aeronautics and Space Administration;

(7) the National Executive Committee for Space-Based Positioning, Navigation, and Timing; and

(8) the National Space Council.

(d) BRIEFING.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall provide a briefing to the appropriate congressional committees on the study conducted under subsection (a).

(e) CLASSIFICATION.—The report made under subsection (b) shall be unclassified but may include a classified annex.

SEC. 5154. RESPONSIBILITIES OF THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY.

(a) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term ''Director'' means the Director of the Cybersecurity and Infrastructure Security Agency.

(2) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

(b) ESTABLISHMENT OF COMMERCIAL SATELLITE SYSTEM CYBERSECURITY CLEARINGHOUSE.—

(1) IN GENERAL.—Subject to the availability of appropriations, not later than 180 days after the date of enactment of this Act, the Director shall develop and maintain a commercial satellite system cybersecurity clearinghouse.

(2) REQUIREMENTS.—The clearinghouse—

(A) shall be publicly available online;

(B) shall contain publicly available commercial satellite system cybersecurity resources, including the voluntary recommendations consolidated under subsection (c)(1);

(C) shall contain appropriate materials for reference by entities that develop, operate, or maintain commercial satellite systems;

(D) shall contain materials specifically aimed at assisting small business concerns with the secure development, operation, and maintenance of commercial satellite systems; and

(E) may contain controlled unclassified information distributed to commercial entities through a process determined appropriate by the Director.

(3) CONTENT MAINTENANCE.—The Director shall maintain current and relevant cybersecurity information on the clearinghouse.

(4) EXISTING PLATFORM OR WEBSITE.—To the extent practicable, the Director shall establish and maintain the clearinghouse using an online platform, a website, or a capability in existence as of the date of enactment of this Act.

(c) CONSOLIDATION OF COMMERCIAL SATELLITE SYSTEM CYBERSECURITY RECOMMENDATIONS.—

(1) IN GENERAL.—The Director shall consolidate voluntary cybersecurity recommendations designed to assist in the development, maintenance, and operation of commercial satellite systems.

(2) REQUIREMENTS.—The recommendations consolidated under paragraph (1) shall include materials appropriate for a public resource addressing the following:

(A) Risk-based, cybersecurity-informed engineering, including continuous monitoring and resiliency.

(B) Planning for retention or recovery of positive control of commercial satellite systems in the event of a cybersecurity incident.

(C) Protection against unauthorized access to vital commercial satellite system functions.

(D) Physical protection measures designed to reduce the vulnerabilities of a commercial satellite system's command, control, and telemetry receiver systems.

(E) Protection against jamming, eavesdropping, hijacking, computer network exploitation, spoofing, threats to optical satellite communications, and electromagnetic pulse.

(F) Security against threats throughout a commercial satellite system's mission lifetime.

(G) Management of supply chain risks that affect the cybersecurity of commercial satellite systems.

(H) Protection against vulnerabilities posed by ownership of commercial satellite systems or commercial satellite system companies by foreign entities.

(I) Protection against vulnerabilities posed by locating physical infrastructure, such as satellite ground control systems, in foreign countries.

(J) As appropriate, and as applicable pursuant to the maintenance requirement under subsection (b)(3), relevant findings and recommendations from the study conducted by the Comptroller General of the United States under section 5153(a).

(K) Any other recommendations to ensure the confidentiality, availability, and integrity of data residing on or in transit through commercial satellite systems.

(d) IMPLEMENTATION.—In implementing this section, the Director shall—

(1) to the extent practicable, carry out the implementation in partnership with the private sector;

(2) coordinate with—

(A) the National Space Council and the head of any other agency determined appropriate by the National Space Council; and

(B) the heads of appropriate Federal agencies with expertise and experience in satellite operations, including the entities described in section 5153(c) to enable the alignment of Federal efforts on commercial satellite system cybersecurity and, to the extent practicable, consistency in Federal recommendations relating to commercial satellite system cybersecurity; and

(3) consult with non-Federal entities developing commercial satellite systems or otherwise supporting the cybersecurity of commercial satellite systems, including private, consensus organizations that develop relevant standards.

(e) SUNSET AND REPORT.—

(1) IN GENERAL.—This section shall cease to have force or effect on the date that is 7 years after the date of the enactment of this Act.

(2) REPORT.—Not later than 6 years after the date of enactment of this Act, the Director shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security and the Committee on Space, Science, and Technology of the House of Representatives a report summarizing—

(A) any partnership with the private sector described in subsection (d)(1);

(B) any consultation with a non-Federal entity described in subsection (d)(3);

(C) the coordination carried out pursuant to subsection (d)(2);

(D) the establishment and maintenance of the clearinghouse pursuant to subsection (b);

(E) the recommendations consolidated pursuant to subsection (c)(1); and

(F) any feedback received by the Director on the clearinghouse from non-Federal entities.

SEC. 5155. STRATEGY.

Not later than 120 days after the date of the enactment of this Act, the National Space Council, in coordination with the Director of the Office of Space Commerce and the heads of other relevant agencies, shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Space, Science, and Technology and the Committee on Homeland Security of the House of Representatives a strategy for the activities of Federal agencies to address and improve the cybersecurity of commercial satellite systems, which shall include an identification of—

(1) proposed roles and responsibilities for relevant agencies; and

(2) as applicable, the extent to which cybersecurity threats to such systems are addressed in Federal and non-Federal critical infrastructure risk analyses and protection plans.

SEC. 5156. RULES OF CONSTRUCTION.

Nothing in this subtitle shall be construed to—

(1) designate commercial satellite systems or other space assets as a critical infrastructure sector; or

(2) infringe upon or alter the authorities of the agencies described in section 5153(c).

Subtitle G—Pray Safe Act

SEC. 5161. SHORT TITLE.

This subtitle may be cited as the ''Pray Safe Act''.

SEC. 5162. DEFINITIONS.

In this subtitle—

(1) the term ''Clearinghouse'' means the Federal Clearinghouse on Safety Best Practices for Faith-Based Organizations and Houses of Worship established under section 2220E of the Homeland Security Act of 2002, as added by section 5163 of this subtitle;

(2) the term ''Department'' means the Department of Homeland Security;

(3) the terms ''faith-based organization'' and ''house of worship'' have the meanings given such terms under section 2220E of the Homeland Security Act of 2002, as added by section 5163 of this subtitle; and

(4) the term ''Secretary'' means the Secretary of Homeland Security.

SEC. 5163. FEDERAL CLEARINGHOUSE ON SAFETY AND SECURITY BEST PRACTICES FOR FAITH-BASED ORGANIZATIONS AND HOUSES OF WORSHIP.

(a) IN GENERAL.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by adding at the end the following:

''SEC. 2220E. FEDERAL CLEARINGHOUSE ON SAFETY AND SECURITY BEST PRACTICES FOR FAITH-BASED ORGANIZATIONS AND HOUSES OF WORSHIP.

''(a) DEFINITIONS.—In this section—

''(1) the term 'Clearinghouse' means the Clearinghouse on Safety and Security Best Practices for Faith-Based Organizations and Houses of Worship established under subsection (b)(1);

''(2) the term 'faith-based organization' means a group, center, or nongovernmental organization with a religious, ideological, or spiritual motivation, character, affiliation, or purpose;

''(3) the term 'house of worship' means a place or building, including synagogues, mosques, temples, and churches, in which congregants practice their religious or spiritual beliefs; and

''(4) the term 'safety and security', for the purpose of the Clearinghouse, means prevention of, protection against, or recovery from threats, including manmade disasters, natural disasters, or violent attacks.

''(b) ESTABLISHMENT.—

''(1) IN GENERAL.—Not later than 270 days after the date of enactment of the Pray Safe Act, the Secretary, in consultation with the Attorney General, the Executive Director of the White House Office of Faith-Based and Neighborhood Partnerships, and the head of any other agency that the Secretary determines appropriate, shall establish a Federal Clearinghouse on Safety and Security Best Practices for Faith-Based Organizations and Houses of Worship within the Department.

''(2) PURPOSE.—The Clearinghouse shall be the primary resource of the Federal Government—

''(A) to educate and publish online best practices and recommendations for safety and security for faith-based organizations and houses of worship; and

''(B) to provide information relating to Federal grant programs available to faith-based organizations and houses of worship.

''(3) PERSONNEL.—

''(A) ASSIGNMENTS.—The Clearinghouse shall be assigned such personnel and resources as the Secretary considers appropriate to carry out this section.

''(B) DETAILEES.—The Secretary may coordinate detailees as required for the Clearinghouse.

''(C) DESIGNATED POINT OF CONTACT.—There shall be not less than 1 employee assigned or detailed to the Clearinghouse who shall be the designated point of contact to provide information and assistance to faith-based organizations and houses of worship, including assistance relating to the grant program established under section 5165 of the Pray Safe Act. The contact information of the designated point of contact shall be made available on the website of the Clearinghouse.

''(D) QUALIFICATION.—To the maximum extent possible, any personnel assigned or detailed to the Clearinghouse under this paragraph should be familiar with faith-based organizations and houses of worship and with physical and online security measures to identify and prevent safety and security risks.

''(c) CLEARINGHOUSE CONTENTS.—

''(1) EVIDENCE-BASED TIERS.—

''(A) IN GENERAL.—The Secretary, in consultation with the Attorney General, the Executive Director of the White House Office of Faith-Based and Neighborhood Partnerships, and the head of any other agency that the Secretary determines appropriate, shall develop tiers for determining evidence-based practices that demonstrate a significant effect on improving safety or security, or both, for faith-based organizations and houses of worship.

''(B) REQUIREMENTS.—The tiers required to be developed under subparagraph (A) shall—

''(i) prioritize—

''(I) strong evidence from not less than 1 well-designed and well-implemented experimental study; and

''(II) moderate evidence from not less than 1 well-designed and well-implemented quasi-experimental study; and

''(ii) consider promising evidence that demonstrates a rationale based on high-quality research findings or positive evaluations that such activity, strategy, or intervention is likely to improve security and promote safety for faith-based organizations and houses of worship.

''(2) CRITERIA FOR BEST PRACTICES AND RECOMMENDATIONS.—The best practices and recommendations of the Clearinghouse shall, at a minimum—

''(A) identify areas of concern for faith-based organizations and houses of worship, including event planning recommendations,

checklists, facility hardening, tabletop exercise resources, and other resilience measures;

''(B) involve comprehensive safety measures, including threat prevention, preparedness, protection, mitigation, incident response, and recovery to improve the safety posture of faith-based organizations and houses of worship upon implementation;

''(C) involve comprehensive safety measures, including preparedness, protection, mitigation, incident response, and recovery to improve the resiliency of faith-based organizations and houses of worship from manmade and natural disasters;

''(D) include any evidence or research rationale supporting the determination of the Clearinghouse that the best practices or recommendations under subparagraph (B) have been shown to have a significant effect on improving the safety and security of individuals in faith-based organizations and houses of worship, including—

''(i) findings and data from previous Federal, State, local, Tribal, territorial, private sector, and nongovernmental organization research centers relating to safety, security, and targeted violence at faith-based organizations and houses of worship; and

''(ii) other supportive evidence or findings relied upon by the Clearinghouse in determining best practices and recommendations to improve the safety and security posture of a faith-based organization or house of worship upon implementation; and

''(E) include an overview of the available resources the Clearinghouse can provide for faith-based organizations and houses of worship.

''(3) ADDITIONAL INFORMATION.—The Clearinghouse shall maintain and make available a comprehensive index of all Federal grant programs for which faith-based organizations and houses of worship are eligible, which shall include the performance metrics for each grant management that the recipient will be required to provide.

''(4) PAST RECOMMENDATIONS.—To the greatest extent practicable, the Clearinghouse shall identify and present, as appropriate, best practices and recommendations issued by Federal, State, local, Tribal, territorial, private sector, and nongovernmental organizations relevant to the safety and security of faith-based organizations and houses of worship.

''(d) ASSISTANCE AND TRAINING.—The Secretary may produce and publish materials on the Clearinghouse to assist and train faith-based organizations, houses of worship, and law enforcement agencies on the implementation of the best practices and recommendations.

''(e) CONTINUOUS IMPROVEMENT.—

''(1) IN GENERAL.—The Secretary shall—

''(A) collect for the purpose of continuous improvement of the Clearinghouse—

''(i) Clearinghouse data analytics;

''(ii) user feedback on the implementation of resources, best practices, and recommendations identified by the Clearinghouse; and

''(iii) any evaluations conducted on implementation of the best practices and recommendations of the Clearinghouse; and

''(B) in coordination with the Faith-Based Security Advisory Council of the Department, the Department of Justice, the Executive Director of the White House Office of Faith-Based and Neighborhood Partnerships, and any other agency that the Secretary determines appropriate—

''(i) assess and identify Clearinghouse best practices and recommendations for which there are no resources available through Federal Government programs for implementation;

''(ii) provide feedback on the implementation of best practices and recommendations of the Clearinghouse; and

''(iii) propose additional recommendations for best practices for inclusion in the Clearinghouse; and

''(C) not less frequently than annually, examine and update the Clearinghouse in accordance with—

''(i) the information collected under subparagraph (A); and

''(ii) the recommendations proposed under subparagraph (B)(iii).

''(2) ANNUAL REPORT TO CONGRESS.—The Secretary shall submit to Congress, on an annual basis, a report on the updates made to the Clearinghouse during the preceding 1-year period under paragraph (1)(C), which shall include a description of any changes made to the Clearinghouse.''.

(b) TECHNICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended—

(1) by moving the item relating to section 2220D to appear after the item relating to section 2220C; and

(2) by inserting after the item relating to section 2220D the following:

''Sec. 2220E. Federal Clearinghouse on Safety Best Practices for Faith-Based Organizations and Houses of Worship.''.

SEC. 5164. NOTIFICATION OF CLEARINGHOUSE.

The Secretary shall provide written notification of the establishment of the Clearinghouse, with an overview of the resources required as described in section 2220E of the Homeland Security Act of 2002, as added by section 5163 of this subtitle, and section 5165 of this subtitle, to—

(1) every State homeland security advisor;

(2) every State department of homeland security;

(3) other Federal agencies with grant programs or initiatives that aid in the safety and security of faith-based organizations and houses of worship, as determined appropriate by the Secretary;

(4) every Federal Bureau of Investigation Joint Terrorism Task Force;

(5) every Homeland Security Fusion Center;

(6) every State or territorial Governor or other chief executive;

(7) the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate; and

(8) the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives.

SEC. 5165. GRANT PROGRAM OVERVIEW.

(a) DHS GRANTS AND RESOURCES.—The Secretary shall include a grants program overview on the website of the Clearinghouse that shall—

(1) be the primary location for all information regarding Department grant programs that are open to faith-based organizations and houses of worship;

(2) directly link to each grant application and any applicable user guides;

(3) identify all safety and security homeland security assistance programs managed by the Department that may be used to implement best practices and recommendation of the Clearinghouse;

(4) annually, and concurrent with the application period for any grant identified under paragraph (1), provide information related to the required elements of grant applications to aid smaller faith based organizations and houses of worship in earning access to Federal grants; and

(5) provide frequently asked questions and answers for the implementation of best practices and recommendations of the Clearinghouse and best practices for applying for a grant identified under paragraph (1).

(b) OTHER FEDERAL GRANTS AND RESOURCES.—Each Federal agency notified under section 5164(3) shall provide necessary information on any Federal grant programs or resources of the Federal agency that are available for faith-based organizations and houses of worship to the Secretary or the appropriate point of contact for the Clearinghouse.

(c) STATE GRANTS AND RESOURCES.—

(1) IN GENERAL.—Any State notified under paragraph (1), (2), or (6) of section 5164 may provide necessary information on any grant programs or resources of the State available for faith-based organizations and houses of worship to the Secretary or the appropriate point of contact for the Clearinghouse.

(2) IDENTIFICATION OF RESOURCES.—The Clearinghouse shall, to the extent practicable, identify, for each State—

(A) each agency responsible for safety for faith-based organizations and houses of worship in the State, or any State that does not have such an agency designated;

(B) any grant program that may be used for the purposes of implementing best practices and recommendations of the Clearinghouse; and

(C) any resources or programs, including community prevention or intervention efforts, that may be used to assist in targeted violence and terrorism prevention.

SEC. 5166. OTHER RESOURCES.

The Secretary shall, on the website of the Clearinghouse, include a separate section for other resources that shall provide a centralized list of all available points of contact to seek assistance in grant applications and in carrying out the best practices and recommendations of the Clearinghouse, including—

(1) a list of contact information to reach Department personnel to assist with grant-related questions;

(2) the applicable Cybersecurity and Infrastructure Security Agency contact information to connect houses of worship with Protective Security Advisors;

(3) contact information for all Department Fusion Centers, listed by State;

(4) information on the If you See Something Say Something Campaign of the Department; and

(5) any other appropriate contacts.

SEC. 5167. RULE OF CONSTRUCTION.

Nothing in this subtitle or the amendments made by this subtitle shall be construed to create, satisfy, or waive any requirement under Federal civil rights laws, including—

(1) title II of the Americans With Disabilities Act of 1990 (42 U.S.C. 12131 et seq.); or

(2) title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

SEC. 5168. EXEMPTION.

Chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'') shall not apply to any rulemaking or information collection required under this subtitle or under section 2220E of the Homeland Security Act of 2002, as added by section 5163 of this subtitle.

Subtitle H—Invent Here, Make Here for Homeland Security Act

SEC. 5171. SHORT TITLE.

This subtitle may be cited as the ''Invent Here, Make Here for Homeland Security Act''.

SEC. 5172. PREFERENCE FOR UNITED STATES INDUSTRY.

Section 308 of the Homeland Security Act of 2002 (6 U.S.C. 188) is amended by adding at the end the following:

''(d) PREFERENCE FOR UNITED STATES INDUSTRY.—

''(1) DEFINITIONS.—In this subsection:

''(A) COUNTRY OF CONCERN.—The term 'country of concern' means a country that—

''(i) is a covered nation, as that term is defined in section 4872(d) of title 10, United States Code; or

''(ii) the Secretary determines is engaged in conduct that is detrimental to the national security of the United States.

''(B) FUNDING AGREEMENT; NONPROFIT ORGANIZATION; SUBJECT INVENTION.—The terms 'funding agreement', 'nonprofit organization', and 'subject invention' have the meanings given those terms in section 201 of title 35, United States Code.

''(C) MANUFACTURED SUBSTANTIALLY IN THE UNITED STATES.—The term 'manufactured substantially in the United States' means manufactured substantially from all articles, materials, or supplies mined, produced, or manufactured in the United States.

''(D) RELEVANT CONGRESSIONAL COMMITTEES.—The term 'relevant congressional committees' means—

''(i) the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(ii) the Committee on Homeland Security of the House of Representatives.

''(2) PREFERENCE.—Subject to the other provisions of this subsection, no firm or nonprofit organization which receives title to any subject invention developed under a funding agreement entered into with the Department and no assignee of any such firm or nonprofit organization shall grant the exclusive right to use or sell any subject invention unless the products embodying the subject invention or produced through the use of the subject invention will be manufactured substantially in the United States.

''(3) WAIVERS.—

''(A) IN GENERAL.—Subject to subparagraph (B), in individual cases, the requirement for an agreement described in paragraph (2) may be waived by the Secretary upon a showing by the firm, nonprofit organization, or assignee that reasonable but unsuccessful efforts have been made to grant licenses on similar terms to potential licensees that would be likely to manufacture substantially in the United States or that under the circumstances domestic manufacture is not commercially feasible.

''(B) CONDITIONS ON WAIVERS GRANTED BY DEPARTMENT.—

''(i) BEFORE GRANT OF WAIVER.—Before granting a waiver under subparagraph (A), the Secretary shall—

''(I) consult with the relevant congressional committees regarding the decision of the Secretary to grant the waiver; and

''(II) comply with the procedures developed and implemented pursuant to section 70923(b)(2) of the Build America, Buy America Act (subtitle A of title IX of division G of Public Law 117–58).

''(ii) PROHIBITION ON GRANTING CERTAIN WAIVERS.—The Secretary may not grant a waiver under subparagraph (A) if, as a result of the waiver, products embodying the applicable subject invention, or produced through the use of the applicable subject invention, will be manufactured substantially in a country of concern.''.

Subtitle I—DHS Joint Task Forces Reauthorization

SEC. 5181. SHORT TITLE.

This subtitle may be cited as the ''DHS Joint Task Forces Reauthorization Act of 2022''.

SEC. 5182. SENSE OF THE SENATE.

It is the sense of the Senate that the Department of Homeland Security should consider using the authority under subsection (b) of section 708 of the Homeland Security Act of 2002 (6 U.S.C. 348(b)) to create a Joint Task Force described in such subsection to improve coordination and response to the number of encounters and amount of seizures of illicit narcotics along the southwest border.

SEC. 5183. AMENDING SECTION 708 OF THE HOMELAND SECURITY ACT OF 2002.

Section 708(b) of the Homeland Security Act of 2002 (6 U.S.C. 348(b)) is amended—

(1) by striking paragraph (8) and inserting the following:

''(8) JOINT TASK FORCE STAFF.—

''(A) IN GENERAL.—Each Joint Task Force shall have a staff, composed of officials from relevant components and offices of the Department, to assist the Director of that Joint Task Force in carrying out the mission and responsibilities of that Joint Task Force.

''(B) REPORT.—The Secretary shall include in the report submitted under paragraph (6)(F)—

''(i) the number of personnel permanently assigned to each Joint Task Force by each component and office; and

''(ii) the number of personnel assigned on a temporary basis to each Joint Task Force by each component and office.'';

(2) in paragraph (9)—

(A) in the heading, by inserting ''STRATEGY AND OF'' after ''ESTABLISHMENT OF'';

(B) by striking subparagraph (A) and inserting the following:

''(A) using leading practices in performance management and lessons learned by other law enforcement task forces and joint operations, establish a strategy for each Joint Task Force that contains—

''(i) the mission of each Joint Task Force and strategic goals and objectives to assist the Joint Task Force in accomplishing that mission; and

''(ii) outcome-based and other appropriate performance metrics to evaluate the effectiveness of each Joint Task Force and measure progress towards the goals and objectives described in clause (i), which include—

''(I) targets for current and future fiscal years; and

''(II) a description of the methodology used to establish those metrics and any limitations with respect to data or information used to assess performance;'';

(C) in subparagraph (B)—

(i) by striking ''enactment of this section'' and insert ''enactment of the DHS Joint Task Forces Reauthorization Act of 2022'';

(ii) by inserting ''strategy and'' after ''Senate the''; and

(iii) by striking the period at the end and inserting ''; and''; and

(D) by striking subparagraph (C) and inserting the following:

''(C) beginning not later than 1 year after the date of enactment of the DHS Joint Task Forces Reauthorization Act of 2022, submit annually to each committee specified in subparagraph (B) a report that—

''(i) contains the evaluation described in subparagraphs (A) and (B); and

''(ii) outlines the progress in implementing outcome-based and other performance metrics referred to in subparagraph (A)(ii).'';

(3) in paragraph (11)(A), by striking the period at the end and inserting the following: '', which shall include—

''(i) the justification, focus, and mission of the Joint Task Force; and

''(ii) a strategy for the conduct of the Joint Task Force, including goals and performance metrics for the Joint Task Force.'';

(4) in paragraph (12)—

(A) in subparagraph (A), by striking ''January 31, 2018, and January 31, 2021, the Inspector General of the Department'' and inserting ''1 year after the date of enactment of the DHS Joint Task Forces Reauthorization Act of 2022, the Comptroller General of the United States''; and

(B) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

''(i) an assessment of the structure of each Joint Task Force;

''(ii) an assessment of the effectiveness of oversight over each Joint Task Force;

''(iii) an assessment of the strategy of each Joint Task Force; and

''(iv) an assessment of staffing levels and resources of each Joint Task Force.''; and

(5) in paragraph (13), by striking ''2022'' and inserting ''2024''.

Subtitle J—Other Provisions

CHAPTER 1—CISA TECHNICAL CORRECTIONS AND IMPROVEMENTS

SEC. 5191. CISA TECHNICAL CORRECTIONS AND IMPROVEMENTS.

(a) TECHNICAL AMENDMENT RELATING TO DOTGOV ACT OF 2020.—

(1) AMENDMENT.—Section 904(b)(1) of the DOTGOV Act of 2020 (title IX of division U of Public Law 116–260) is amended, in the matter preceding subparagraph (A), by striking ''Homeland Security Act'' and inserting ''Homeland Security Act of 2002''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if enacted as part of the DOTGOV Act of 2020 (title IX of division U of Public Law 116–260).

(b) CONSOLIDATION OF DEFINITIONS.—

(1) IN GENERAL.—Title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by inserting before the subtitle A heading the following:

''SEC. 2200. DEFINITIONS.

''Except as otherwise specifically provided, in this title:

''(1) AGENCY.—The term 'Agency' means the Cybersecurity and Infrastructure Security Agency.

''(2) AGENCY INFORMATION.—The term 'agency information' means information collected or maintained by or on behalf of an agency.

''(3) AGENCY INFORMATION SYSTEM.—The term 'agency information system' means an information system used or operated by an agency or by another entity on behalf of an agency.

''(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(B) the Committee on Homeland Security of the House of Representatives.

''(5) CRITICAL INFRASTRUCTURE INFORMATION.—The term 'critical infrastructure information' means information not customarily in the public domain and related to the security of critical infrastructure or protected systems—

''(A) actual, potential, or threatened interference with, attack on, compromise of, or incapacitation of critical infrastructure or protected systems by either physical or computer-based attack or other similar conduct (including the misuse of or unauthorized access to all types of communications and data transmission systems) that violates Federal, State, or local law, harms interstate commerce of the United States, or threatens public health or safety;

''(B) the ability of any critical infrastructure or protected system to resist such interference, compromise, or incapacitation, including any planned or past assessment, projection, or estimate of the vulnerability of critical infrastructure or a protected system, including security testing, risk evaluation thereto, risk management planning, or risk audit; or

''(C) any planned or past operational problem or solution regarding critical infrastructure or protected systems, including repair,

recovery, reconstruction, insurance, or continuity, to the extent it is related to such interference, compromise, or incapacitation.

''(6) CYBER THREAT INDICATOR.—The term 'cyber threat indicator' means information that is necessary to describe or identify—

''(A) malicious reconnaissance, including anomalous patterns of communications that appear to be transmitted for the purpose of gathering technical information related to a cybersecurity threat or security vulnerability;

''(B) a method of defeating a security control or exploitation of a security vulnerability;

''(C) a security vulnerability, including anomalous activity that appears to indicate the existence of a security vulnerability;

''(D) a method of causing a user with legitimate access to an information system or information that is stored on, processed by, or transiting an information system to unwittingly enable the defeat of a security control or exploitation of a security vulnerability;

''(E) malicious cyber command and control;

''(F) the actual or potential harm caused by an incident, including a description of the information exfiltrated as a result of a particular cybersecurity threat;

''(G) any other attribute of a cybersecurity threat, if disclosure of such attribute is not otherwise prohibited by law; or

''(H) any combination thereof.

''(7) CYBERSECURITY PURPOSE.—The term 'cybersecurity purpose' means the purpose of protecting an information system or information that is stored on, processed by, or transiting an information system from a cybersecurity threat or security vulnerability.

''(8) CYBERSECURITY RISK.—The term 'cybersecurity risk'—

''(A) means threats to and vulnerabilities of information or information systems and any related consequences caused by or resulting from unauthorized access, use, disclosure, degradation, disruption, modification, or destruction of such information or information systems, including such related consequences caused by an act of terrorism; and

''(B) does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement.

''(9) CYBERSECURITY THREAT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'cybersecurity threat' means an action, not protected by the First Amendment to the Constitution of the United States, on or through an information system that may result in an unauthorized effort to adversely impact the security, availability, confidentiality, or integrity of an information system or information that is stored on, processed by, or transiting an information system.

''(B) EXCLUSION.—The term 'cybersecurity threat' does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement.

''(10) DEFENSIVE MEASURE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'defensive measure' means an action, device, procedure, signature, technique, or other measure applied to an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

''(B) EXCLUSION.—The term 'defensive measure' does not include a measure that destroys, renders unusable, provides unauthorized access to, or substantially harms an information system or information stored on, processed by, or transiting such information system not owned by—

''(i) the entity operating the measure; or

''(ii) another entity or Federal entity that is authorized to provide consent and has provided consent to that private entity for operation of such measure.

''(11) DIRECTOR.—The term 'Director' means the Director of the Agency.

''(12) HOMELAND SECURITY ENTERPRISE.—The term 'Homeland Security Enterprise' means relevant governmental and nongovernmental entities involved in homeland security, including Federal, State, local, and Tribal government officials, private sector representatives, academics, and other policy experts.

''(13) INCIDENT.—The term 'incident' means an occurrence that actually or imminently jeopardizes, without lawful authority, the integrity, confidentiality, or availability of information on an information system, or actually or imminently jeopardizes, without lawful authority, an information system.

''(14) INFORMATION SHARING AND ANALYSIS ORGANIZATION.—The term 'Information Sharing and Analysis Organization' means any formal or informal entity or collaboration created or employed by public or private sector organizations, for purposes of—

''(A) gathering and analyzing critical infrastructure information, including information related to cybersecurity risks and incidents, in order to better understand security problems and interdependencies related to critical infrastructure, including cybersecurity risks and incidents, and protected systems, so as to ensure the availability, integrity, and reliability thereof;

''(B) communicating or disclosing critical infrastructure information, including cybersecurity risks and incidents, to help prevent, detect, mitigate, or recover from the effects of an interference, a compromise, or an incapacitation problem related to critical infrastructure, including cybersecurity risks and incidents, or protected systems; and

''(C) voluntarily disseminating critical infrastructure information, including cybersecurity risks and incidents, to its members, State, local, and Federal Governments, or any other entities that may be of assistance in carrying out the purposes specified in subparagraphs (A) and (B).

''(15) INFORMATION SYSTEM.—The term 'information system' has the meaning given the term in section 3502 of title 44, United States Code.

''(16) INTELLIGENCE COMMUNITY.—The term 'intelligence community' has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

''(17) MONITOR.—The term 'monitor' means to acquire, identify, or scan, or to possess, information that is stored on, processed by, or transiting an information system.

''(18) NATIONAL CYBERSECURITY ASSET RESPONSE ACTIVITIES.—The term 'national cybersecurity asset response activities' means—

''(A) furnishing cybersecurity technical assistance to entities affected by cybersecurity risks to protect assets, mitigate vulnerabilities, and reduce impacts of cyber incidents;

''(B) identifying other entities that may be at risk of an incident and assessing risk to the same or similar vulnerabilities;

''(C) assessing potential cybersecurity risks to a sector or region, including potential cascading effects, and developing courses of action to mitigate such risks;

''(D) facilitating information sharing and operational coordination with threat response; and

''(E) providing guidance on how best to utilize Federal resources and capabilities in a timely, effective manner to speed recovery from cybersecurity risks.

''(19) NATIONAL SECURITY SYSTEM.—The term 'national security system' has the meaning given the term in section 11103 of title 40, United States Code.

''(20) SECTOR RISK MANAGEMENT AGENCY.—The term 'Sector Risk Management Agency' means a Federal department or agency, designated by law or Presidential directive, with responsibility for providing institutional knowledge and specialized expertise of a sector, as well as leading, facilitating, or supporting programs and associated activities of its designated critical infrastructure sector in the all hazards environment in coordination with the Department.

''(21) SECURITY CONTROL.—The term 'security control' means the management, operational, and technical controls used to protect against an unauthorized effort to adversely affect the confidentiality, integrity, and availability of an information system or its information.

''(22) SECURITY VULNERABILITY.—The term 'security vulnerability' means any attribute of hardware, software, process, or procedure that could enable or facilitate the defeat of a security control.

''(23) SHARING.—The term 'sharing' (including all conjugations thereof) means providing, receiving, and disseminating (including all conjugations of each such terms).''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(A) by amending section 2201 (6 U.S.C. 651) to read as follows:

''SEC. 2201. DEFINITION.

''In this subtitle, the term 'Cybersecurity Advisory Committee' means the advisory committee established under section 2219(a).'';

(B) in section 2202 (6 U.S.C. 652)—

(i) in subsection (a)(1), by striking ''(in this subtitle referred to as the Agency)'';

(ii) in subsection (b)(1), by striking ''in this subtitle referred to as the 'Director')''; and

(iii) in subsection (f)—

(I) in paragraph (1), by inserting ''Executive'' before ''Assistant Director''; and

(II) in paragraph (2), by inserting ''Executive'' before ''Assistant Director'';

(C) in section 2209 (6 U.S.C. 659)—

(i) by striking subsection (a);

(ii) by redesignating subsections (b) through subsection (o) as subsections (a) through (n), respectively;

(iii) in subsection (c)(1), as so redesignated—

(I) in subparagraph (A)(iii), as so redesignated, by striking '', as that term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))''; and

(II) in subparagraph (B)(ii), by striking ''information sharing and analysis organizations'' and inserting ''Information Sharing and Analysis Organizations'';

(iv) in subsection (d), as so redesignated—

(I) in the matter preceding paragraph (1), by striking ''subsection (c)'' and inserting ''subsection (b)''; and

(II) in paragraph (1)(E)(ii)(II), by striking ''information sharing and analysis organizations'' and inserting ''Information Sharing and Analysis Organizations'';

(v) in subsection (j), as so redesignated, by striking ''subsection (c)(8)'' and inserting ''subsection (b)(8)'';

(vi) by redesignating the first subsections (p) and (q) and second subsections (p) and (q) as subsections (o) and (p) and subsections (q) and (r), respectively; and

(vii) in subsection (o), as so redesignated—

(I) in paragraph (2)(A), by striking ''subsection (c)(12)'' and inserting ''subsection (b)(12)''; and

(II) in paragraph (3)(B)(i), by striking ''subsection (c)(12)'' and inserting ''subsection (b)(12)'';

(D) in section 2210 (6 U.S.C. 660)—

(i) by striking subsection (a);

(ii) by redesignating subsections (b) through (e) as subsections (a) through (d), respectively;

(iii) in subsection (b), as so redesignated—

(I) by striking ''information sharing and analysis organizations (as defined in section 2222(5))'' and inserting ''Information Sharing and Analysis Organizations''; and

(II) by striking ''(as defined in section 2209)''; and

(iv) in subsection (c), as so redesignated, by striking ''subsection (c)'' and inserting ''subsection (b)'';

(E) in section 2211 (6 U.S.C. 661), by striking subsection (h);

(F) in section 2212 (6 U.S.C. 662), by striking ''information sharing and analysis organizations (as defined in section 2222(5))'' and inserting ''Information Sharing and Analysis Organizations'';

(G) in section 2213 (6 U.S.C. 663)—

(i) by striking subsection (a);

(ii) by redesignating subsections (b) through (f) as subsections (a) through (e), respectively;

(iii) in subsection (b), as so redesignated, by striking ''subsection (b)'' each place it appears and inserting ''subsection (a)'';

(iv) in subsection (c), as so redesignated, in the matter preceding paragraph (1), by striking ''subsection (b)'' and inserting ''subsection (a)''; and

(v) in subsection (d), as so redesignated—

(I) in paragraph (1)—

(aa) in the matter preceding subparagraph (A), by striking ''subsection (c)(2)'' and inserting ''subsection (b)(2)'';

(bb) in subparagraph (A), by striking ''subsection (c)(1)'' and inserting ''subsection (b)(1)''; and

(cc) in subparagraph (B), by striking ''subsection (c)(2)'' and inserting ''subsection (b)(2)''; and

(II) in paragraph (2), by striking ''subsection (c)(2)'' and inserting ''subsection (b)(2)'';

(H) in section 2216 (6 U.S.C. 665b)—

(i) in subsection (d)(2), by striking ''information sharing and analysis organizations'' and inserting ''Information Sharing and Analysis Organizations''; and

(ii) by striking subsection (f) and inserting the following:

''(f) CYBER DEFENSE OPERATION DEFINED.—In this section, the term 'cyber defense operation' means the use of a defensive measure.'';

(I) in section 2218(c)(4)(A) (6 U.S.C. 665d(4)(A)), by striking ''information sharing and analysis organizations'' and inserting ''Information Sharing and Analysis Organizations'';

(J) in section 2220A (6 U.S.C. 665g)—

(i) in subsection (a)—

(I) by striking paragraphs (1), (2), (5), and (6); and

(II) by redesignating paragraphs (3), (4), (7), (8), (9), (10), (11), and (12) as paragraphs (1) through (8), respectively;

(ii) in subsection (e)(2)(B)(xiv)(II)(aa), by striking ''information sharing and analysis organization'' and inserting ''Information Sharing and Analysis Organization'';

(iii) in subsection (p), by striking ''appropriate committees of Congress'' and inserting ''appropriate congressional committees''; and

(iv) in subsection (q)(4), in the matter preceding clause (i), by striking ''appropriate committees of Congress'' and inserting ''appropriate congressional committees''

(K) in section 2220C(f) (6 U.S.C. 665i(f))—

(i) by striking paragraph (1);

(ii) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(iii) in paragraph (2), as so redesignated, by striking ''(enacted as division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113; 6 U.S.C. 1501(9))'' and inserting ''(6 U.S.C. 1501)''; and

(L) in section 2222 (6 U.S.C. 671)—

(i) by striking paragraphs (3), (5), and (8);

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

(iii) by redesignating paragraphs (6) and (7) as paragraphs (4) and (5), respectively.

(3) TABLE OF CONTENTS AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended—

(A) by inserting before the item relating to subtitle A of title XXII the following:

''Sec. 2200. Definitions.''; and

(B) by striking the item relating to section 2201 and insert the following:

''Sec. 2201. Definition.''.

(4) CYBERSECURITY ACT OF 2015 DEFINITIONS.—Section 102 of the Cybersecurity Act of 2015 (6 U.S.C. 1501) is amended—

(A) by striking paragraphs (4) through (7) and inserting the following:

''(4) CYBERSECURITY PURPOSE.—The term 'cybersecurity purpose' has the meaning given the term in section 2200 of the Homeland Security Act of 2002.

''(5) CYBERSECURITY THREAT.—The term 'cybersecurity threat' has the meaning given the term in section 2200 of the Homeland Security Act of 2002.

''(6) CYBER THREAT INDICATOR.—The term 'cyber threat indicator' has the meaning given the term in section 2200 of the Homeland Security Act of 2002.

''(7) DEFENSIVE MEASURE.—The term 'defensive measure' has the meaning given the term in section 2200 of the Homeland Security Act of 2002.'';

(B) by striking paragraph (13) and inserting the following:

''(13) MONITOR.— The term 'monitor' has the meaning given the term in section 2200 of the Homeland Security Act of 2002.''; and

(C) by striking paragraphs (16) and (17) and inserting the following:

''(16) SECURITY CONTROL.—The term 'security control' has the meaning given the term in section 2200 of the Homeland Security Act of 2002.

''(17) SECURITY VULNERABILITY.—The term 'security vulnerability' has the meaning given the term in section 2200 of the Homeland Security Act of 2002.''.

(c) ADDITIONAL TECHNICAL AND CONFORMING AMENDMENTS.—

(1) FEDERAL CYBERSECURITY ENHANCEMENT ACT OF 2015.—The Federal Cybersecurity Enhancement Act of 2015 (6 U.S.C. 1521 et seq.) is amended—

(A) in section 222 (6 U.S.C. 1521)—

(i) in paragraph (2), by striking ''section 2210'' and inserting ''section 2200''; and

(ii) in paragraph (4), by striking ''section 2209'' and inserting ''section 2200'';

(B) in section 223(b) (6 U.S.C. 151 note), by striking ''section 2213(b)(1)'' each place it appears and inserting ''section 2213(a)(1)'';

(C) in section 226 (6 U.S.C. 1524)—

(i) in subsection (a)—

(I) in paragraph (1), by striking ''section 2213'' and inserting ''section 2200'';

(II) in paragraph (2), by striking ''section 102'' and inserting ''section 2200 of the Homeland Security Act of 2002'';

(III) in paragraph (4), by striking ''section 2210(b)(1)'' and inserting ''section 2210(a)(1)''; and

(IV) in paragraph (5), by striking ''section 2213(b)'' and inserting ''section 2213(a)''; and

(ii) in subsection (c)(1)(A)(vi), by striking ''section 2213(c)(5)'' and inserting ''section 2213(b)(5)''; and

(D) in section 227(b) (6 U.S.C. 1525(b)), by striking ''section 2213(d)(2)'' and inserting ''section 2213(c)(2)''.

(2) PUBLIC HEALTH SERVICE ACT.—Section 2811(b)(4)(D) of the Public Health Service Act (42 U.S.C. 300hh–10(b)(4)(D)) is amended by striking ''section 228(c) of the Homeland Security Act of 2002 (6 U.S.C. 149(c))'' and inserting ''section 2210(b) of the Homeland Security Act of 2002 (6 U.S.C. 660(b))''.

(3) WILLIAM M. (MAC) THORNBERRY NATIONAL DEFENSE AUTHORIZATION ACT OF FISCAL YEAR 2021.—Section 9002 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (6 U.S.C. 652a) is amended—

(A) in subsection (a)—

(i) by striking paragraph (5);

(ii) by redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively;

(iii) by amending paragraph (7) to read as follows:

''(7) SECTOR RISK MANAGEMENT AGENCY.—The term 'Sector Risk Management Agency' has the meaning given the term in section 2200 of the Homeland Security Act of 2002.'';

(B) in subsection (c)(3)(B), by striking ''section 2201(5)'' and inserting ''section 2200''; and

(C) in subsection (d), by striking ''section 2215 of the Homeland Security Act of 2002, as added by this section'' and inserting ''section 2218 of the Homeland Security Act of 2002 (6 U.S.C. 665d)''.

(4) NATIONAL SECURITY ACT OF 1947.—Section 113B(b)(4) of the National Security Act of 1947 (50 U.S.C. 3049a(b)(4)) is amended by striking section ''226 of the Homeland Security Act of 2002 (6 U.S.C. 147)'' and inserting ''section 2208 of the Homeland Security Act of 2002 (6 U.S.C. 658)''.

(5) IOT CYBERSECURITY IMPROVEMENT ACT OF 2020.—Section 5(b)(3) of the IoT Cybersecurity Improvement Act of 2020 (15 U.S.C. 278g–3c(b)(3)) is amended by striking ''section 2209(m) of the Homeland Security Act of 2002 (6 U.S.C. 659(m))'' and inserting ''section 2209(l) of the Homeland Security Act of 2002 (6 U.S.C. 659(l))''.F

(6) SMALL BUSINESS ACT.—Section 21(a)(8)(B) of the Small Business Act (15 U.S.C. 648(a)(8)(B)) is amended by striking ''section 2209(a)'' and inserting ''section 2200''.

(7) TITLE 46.—Section 70101(2) of title 46, United States Code, is amended by striking ''section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148)'' and inserting ''section 2200 of the Homeland Security Act of 2002''.

CHAPTER 2—POST-DISASTER MENTAL HEALTH RESPONSE ACT

SEC. 5192. POST-DISASTER MENTAL HEALTH RESPONSE.

(a) SHORT TITLE.—This section may be cited as the ''Post-Disaster Mental Health Response Act''.

(b) CRISIS COUNSELING ASSISTANCE AND TRAINING.—Section 502(a)(6) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5192(a)(6)) is amended by inserting ''and section 416'' after ''section 408''.

TITLE LII—GOVERNMENTAL AFFAIRS

Subtitle A—Intragovernmental Cybersecurity Information Sharing Act

SEC. 5201. REQUIREMENT FOR INFORMATION SHARING AGREEMENTS.

(a) SHORT TITLE.—This section may be cited as the ''Intragovernmental Cybersecurity and Counterintelligence Information Sharing Act''.

(b) CONGRESSIONAL LEADERSHIP DEFINED.—In this section, the term ''congressional leadership'' means—

(1) the Majority and Minority Leader of the Senate with respect to an agreement

with the Sergeant at Arms and Doorkeeper of the Senate or the Secretary of the Senate; and

(2) the Speaker and Minority Leader of the House of Representatives with respect to an agreement with the Chief Administrative Officer of the House of Representatives or the Sergeant at Arms of the House of Representatives.

(c) REQUIREMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the President shall enter into 1 or more information sharing agreements to enhance collaboration between the executive branch and Congress on implementing cybersecurity measures and counterintelligence protections to improve the protection of legislative branch information technology and personnel with—

(A) the Sergeant at Arms and Doorkeeper of the Senate with respect to cybersecurity information sharing, in consultation with congressional leadership;

(B) the Secretary of the Senate with respect to counterintelligence information sharing, in consultation with congressional leadership;

(C) the Chief Administrative Officer of the House of Representatives with respect to cybersecurity information sharing, in consultation with congressional leadership; and

(D) the Sergeant at Arms of the House of Representatives with respect to counterintelligence information sharing, in consultation with congressional leadership.

(2) DELEGATION.—If the President delegates the duties under paragraph (1), the designee of the President shall coordinate with appropriate Executive agencies (as defined in section 105 of title 5, United States Code, including the Executive Office of the President) and appropriate officers in the executive branch in entering any agreement described in paragraph (1).

(d) ELEMENTS.—The parties to an information sharing agreement under subsection (c) shall jointly develop such elements of the agreement as the parties find appropriate, which may include—

(1) direct and timely sharing of technical indicators and contextual information on cyber threats and vulnerabilities, and the means for such sharing;

(2) direct and timely sharing of classified and unclassified reports on cyber threats and activities and targeting of Senators, Members of the House of Representatives, or congressional staff, consistent with the protection of sources and methods;

(3) seating of cybersecurity personnel of the Office of the Sergeant at Arms and Doorkeeper of the Senate or the Office of the Chief Administrative Officer of the House of Representatives at cybersecurity operations centers; and

(4) any other elements the parties find appropriate.

(e) BRIEFING TO CONGRESS.—Not later than 210 days after the date of enactment of this Act, and at least quarterly thereafter, the President shall brief the Committee on Homeland Security and Governmental Affairs and the Committee on Rules and Administration of the Senate, the Committee on Oversight and Reform and the Committee on House Administration of the House of Representatives, and congressional leadership on the status of the implementation of the agreements required under subsection (c).

Subtitle B—Improving Government for America's Taxpayers

SEC. 5211. GOVERNMENT ACCOUNTABILITY OFFICE UNIMPLEMENTED PRIORITY RECOMMENDATIONS.

The Comptroller General of the United States shall, as part of the Comptroller General's annual reporting to committees of Congress—

(1) consolidate Matters for Congressional Consideration from the Government Accountability Office in one report organized by policy topic that includes the amount of time such Matters have been unimplemented and submit such report to congressional leadership and the oversight committees of each House;

(2) with respect to the annual letters sent by the Comptroller General to individual agency heads and relevant congressional committees on the status of unimplemented priority recommendations, identify any additional congressional oversight actions that can help agencies implement such priority recommendations and address any underlying issues relating to such implementation;

(3) make publicly available the information described in paragraphs (1) and (2); and

(4) publish any known costs of unimplemented priority recommendations, if applicable.

Subtitle C—Advancing American AI Act

SEC. 5221. SHORT TITLE.

This subtitle may be cited as the ''Advancing American AI Act''.

SEC. 5222. PURPOSES.

The purposes of this subtitle are to—

(1) encourage agency artificial intelligence-related programs and initiatives that enhance the competitiveness of the United States and foster an approach to artificial intelligence that builds on the strengths of the United States in innovation and entrepreneurialism;

(2) enhance the ability of the Federal Government to translate research advances into artificial intelligence applications to modernize systems and assist agency leaders in fulfilling their missions;

(3) promote adoption of modernized business practices and advanced technologies across the Federal Government that align with the values of the United States, including the protection of privacy, civil rights, and civil liberties; and

(4) test and harness applied artificial intelligence to enhance mission effectiveness and business practice efficiency.

SEC. 5223. DEFINITIONS.

In this subtitle:

(1) AGENCY.—The term ''agency'' has the meaning given the term in section 3502 of title 44, United States Code.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Oversight and Reform of the House of Representatives.

(3) ARTIFICIAL INTELLIGENCE.—The term ''artificial intelligence'' has the meaning given the term in section 238(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note).

(4) ARTIFICIAL INTELLIGENCE SYSTEM.—The term ''artificial intelligence system''—

(A) means any data system, software, application, tool, or utility that operates in whole or in part using dynamic or static machine learning algorithms or other forms of artificial intelligence, whether—

(i) the data system, software, application, tool, or utility is established primarily for the purpose of researching, developing, or implementing artificial intelligence technology; or

(ii) artificial intelligence capability is integrated into another system or agency business process, operational activity, or technology system; and

(B) does not include any common commercial product within which artificial intelligence is embedded, such as a word processor or map navigation system.

(5) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(6) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

SEC. 5224. PRINCIPLES AND POLICIES FOR USE OF ARTIFICIAL INTELLIGENCE IN GOVERNMENT.

(a) GUIDANCE.—The Director shall, when developing the guidance required under section 104(a) of the AI in Government Act of 2020 (title I of division U of Public Law 116–260), consider—

(1) the considerations and recommended practices identified by the National Security Commission on Artificial Intelligence in the report entitled ''Key Considerations for the Responsible Development and Fielding of AI'', as updated in April 2021;

(2) the principles articulated in Executive Order 13960 (85 Fed. Reg. 78939; relating to promoting the use of trustworthy artificial intelligence in Government); and

(3) the input of—

(A) the Privacy and Civil Liberties Oversight Board;

(B) relevant interagency councils, such as the Federal Privacy Council, the Chief Information Officers Council, and the Chief Data Officers Council;

(C) other governmental and nongovernmental privacy, civil rights, and civil liberties experts; and

(D) any other individual or entity the Director determines to be appropriate.

(b) DEPARTMENT POLICIES AND PROCESSES FOR PROCUREMENT AND USE OF ARTIFICIAL INTELLIGENCE-ENABLED SYSTEMS.—Not later than 180 days after the date of enactment of this Act—

(1) the Secretary of Homeland Security, with the participation of the Chief Procurement Officer, the Chief Information Officer, the Chief Privacy Officer, and the Officer for Civil Rights and Civil Liberties of the Department and any other person determined to be relevant by the Secretary of Homeland Security, shall issue policies and procedures for the Department related to—

(A) the acquisition and use of artificial intelligence; and

(B) considerations for the risks and impacts related to artificial intelligence-enabled systems, including associated data of machine learning systems, to ensure that full consideration is given to—

(i) the privacy, civil rights, and civil liberties impacts of artificial intelligence-enabled systems; and

(ii) security against misuse, degradation, or rending inoperable of artificial intelligence-enabled systems; and

(2) the Chief Privacy Officer and the Officer for Civil Rights and Civil Liberties of the Department shall report to Congress on any additional staffing or funding resources that may be required to carry out the requirements of this subsection.

(c) INSPECTOR GENERAL.—Not later than 180 days after the date of enactment of this Act, the Inspector General of the Department shall identify any training and investments needed to enable employees of the Office of the Inspector General to continually advance their understanding of—

(1) artificial intelligence systems;

(2) best practices for governance, oversight, and audits of the use of artificial intelligence systems; and

(3) how the Office of the Inspector General is using artificial intelligence to enhance audit and investigative capabilities, including actions to—

(A) ensure the integrity of audit and investigative results; and

(B) guard against bias in the selection and conduct of audits and investigations.

(d) ARTIFICIAL INTELLIGENCE HYGIENE AND PROTECTION OF GOVERNMENT INFORMATION, PRIVACY, CIVIL RIGHTS, AND CIVIL LIBERTIES.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Director, in consultation with a working group consisting of members selected by the Director from appropriate interagency councils, shall develop an initial means by which to—

(A) ensure that contracts for the acquisition of an artificial intelligence system or service—

(i) align with the guidance issued to the head of each agency under section 104(a) of the AI in Government Act of 2020 (title I of division U of Public Law 116–260);

(ii) address protection of privacy, civil rights, and civil liberties;

(iii) address the ownership and security of data and other information created, used, processed, stored, maintained, disseminated, disclosed, or disposed of by a contractor or subcontractor on behalf of the Federal Government; and

(iv) include considerations for securing the training data, algorithms, and other components of any artificial intelligence system against misuse, unauthorized alteration, degradation, or rendering inoperable; and

(B) address any other issue or concern determined to be relevant by the Director to ensure appropriate use and protection of privacy and Government data and other information.

(2) CONSULTATION.—In developing the considerations under paragraph (1)(A)(iv), the Director shall consult with the Secretary of Homeland Security, the Secretary of Energy, the Director of the National Institute of Standards and Technology, and the Director of National Intelligence.

(3) REVIEW.—The Director—

(A) should continuously update the means developed under paragraph (1); and

(B) not later than 2 years after the date of enactment of this Act and not less frequently than every 2 years thereafter, shall update the means developed under paragraph (1).

(4) BRIEFING.—The Director shall brief the appropriate congressional committees—

(A) not later than 90 days after the date of enactment of this Act and thereafter on a quarterly basis until the Director first implements the means developed under paragraph (1); and

(B) annually thereafter on the implementation of this subsection.

(5) SUNSET.—This subsection shall cease to be effective on the date that is 5 years after the date of enactment of this Act.

SEC. 5225. AGENCY INVENTORIES AND ARTIFICIAL INTELLIGENCE USE CASES.

(a) INVENTORY.—Not later than 60 days after the date of enactment of this Act, and continuously thereafter for a period of 5 years, the Director, in consultation with the Chief Information Officers Council, the Chief Data Officers Council, and other interagency bodies as determined to be appropriate by the Director, shall require the head of each agency to—

(1) prepare and maintain an inventory of the artificial intelligence use cases of the agency, including current and planned uses;

(2) share agency inventories with other agencies, to the extent practicable and consistent with applicable law and policy, including those concerning protection of privacy and of sensitive law enforcement, national security, and other protected information; and

(3) make agency inventories available to the public, in a manner determined by the Director, and to the extent practicable and in accordance with applicable law and policy, including those concerning the protection of privacy and of sensitive law enforcement, national security, and other protected information.

(b) CENTRAL INVENTORY.—The Director is encouraged to designate a host entity and ensure the creation and maintenance of an online public directory to—

(1) make agency artificial intelligence use case information available to the public and those wishing to do business with the Federal Government; and

(2) identify common use cases across agencies.

(c) SHARING.—The sharing of agency inventories described in subsection (a)(2) may be coordinated through the Chief Information Officers Council, the Chief Data Officers Council, the Chief Financial Officers Council, the Chief Acquisition Officers Council, or other interagency bodies to improve interagency coordination and information sharing for common use cases.

(d) DEPARTMENT OF DEFENSE.—Nothing in this section shall apply to the Department of Defense.

SEC. 5226. RAPID PILOT, DEPLOYMENT AND SCALE OF APPLIED ARTIFICIAL INTELLIGENCE CAPABILITIES TO DEMONSTRATE MODERNIZATION ACTIVITIES RELATED TO USE CASES.

(a) IDENTIFICATION OF USE CASES.—Not later than 270 days after the date of enactment of this Act, the Director, in consultation with the Chief Information Officers Council, the Chief Data Officers Council, and other interagency bodies as determined to be appropriate by the Director, shall identify 4 new use cases for the application of artificial intelligence-enabled systems to support interagency or intra-agency modernization initiatives that require linking multiple siloed internal and external data sources, consistent with applicable laws and policies, including those relating to the protection of privacy and of sensitive law enforcement, national security, and other protected information.

(b) PILOT PROGRAM.—

(1) PURPOSES.—The purposes of the pilot program under this subsection include—

(A) to enable agencies to operate across organizational boundaries, coordinating between existing established programs and silos to improve delivery of the agency mission; and

(B) to demonstrate the circumstances under which artificial intelligence can be used to modernize or assist in modernizing legacy agency systems.

(2) DEPLOYMENT AND PILOT.—Not later than 1 year after the date of enactment of this Act, the Director, in coordination with the heads of relevant agencies and other officials as the Director determines to be appropriate, shall ensure the initiation of the piloting of the 4 new artificial intelligence use case applications identified under subsection (a), leveraging commercially available technologies and systems to demonstrate scalable artificial intelligence-enabled capabilities to support the use cases identified under subsection (a).

(3) RISK EVALUATION AND MITIGATION PLAN.—In carrying out paragraph (2), the Director shall require the heads of agencies to—

(A) evaluate risks in utilizing artificial intelligence systems; and

(B) develop a risk mitigation plan to address those risks, including consideration of—

(i) the artificial intelligence system not performing as expected;

(ii) the lack of sufficient or quality training data; and

(iii) the vulnerability of a utilized artificial intelligence system to unauthorized manipulation or misuse.

(4) PRIORITIZATION.—In carrying out paragraph (2), the Director shall prioritize modernization projects that—

(A) would benefit from commercially available privacy-preserving techniques, such as use of differential privacy, federated learning, and secure multiparty computing; and

(B) otherwise take into account considerations of civil rights and civil liberties.

(5) USE CASE MODERNIZATION APPLICATION AREAS.—Use case modernization application areas described in paragraph (2) shall include not less than 1 from each of the following categories:

(A) Applied artificial intelligence to drive agency productivity efficiencies in predictive supply chain and logistics, such as—

(i) predictive food demand and optimized supply;

(ii) predictive medical supplies and equipment demand and optimized supply; or

(iii) predictive logistics to accelerate disaster preparedness, response, and recovery.

(B) Applied artificial intelligence to accelerate agency investment return and address mission-oriented challenges, such as—

(i) applied artificial intelligence portfolio management for agencies;

(ii) workforce development and upskilling;

(iii) redundant and laborious analyses;

(iv) determining compliance with Government requirements, such as with grants management; or

(v) outcomes measurement to measure economic and social benefits.

(6) REQUIREMENTS.—Not later than 3 years after the date of enactment of this Act, the Director, in coordination with the heads of relevant agencies and other officials as the Director determines to be appropriate, shall establish an artificial intelligence capability within each of the 4 use case pilots under this subsection that—

(A) solves data access and usability issues with automated technology and eliminates or minimizes the need for manual data cleansing and harmonization efforts;

(B) continuously and automatically ingests data and updates domain models in near real-time to help identify new patterns and predict trends, to the extent possible, to help agency personnel to make better decisions and take faster actions;

(C) organizes data for meaningful data visualization and analysis so the Government has predictive transparency for situational awareness to improve use case outcomes;

(D) is rapidly configurable to support multiple applications and automatically adapts to dynamic conditions and evolving use case requirements, to the extent possible

(E) enables knowledge transfer and collaboration across agencies; and

(F) preserves intellectual property rights to the data and output for benefit of the Federal Government and agencies.

(c) BRIEFING.—Not earlier than 270 days but not later than 1 year after the date of enactment of this Act, and annually thereafter for 4 years, the Director shall brief the appropriate congressional committees on the activities carried out under this section and results of those activities.

(d) SUNSET.—The section shall cease to be effective on the date that is 5 years after the date of enactment of this Act.

SEC. 5227. ENABLING ENTREPRENEURS AND AGENCY MISSIONS.

(a) INNOVATIVE COMMERCIAL ITEMS.—Section 880 of the National Defense Authorization Act for Fiscal Year 2017 (41 U.S.C. 3301 note) is amended—

(1) in subsection (c), by striking $10,000,000'' and inserting ''$25,000,000'';

(2) by amending subsection (f) to read as follows:

''(f) DEFINITIONS.—In this section—

''(1) the term 'commercial product'—

''(A) has the meaning given the term 'commercial item' in section 2.101 of the Federal Acquisition Regulation; and

''(B) includes a commercial product or a commercial service, as defined in sections 103 and 103a, respectively, of title 41, United States Code; and

''(2) the term 'innovative' means—

''(A) any new technology, process, or method, including research and development; or

''(B) any new application of an existing technology, process, or method.''; and

(3) in subsection (g), by striking ''2022'' and insert ''2027''.

(b) DHS OTHER TRANSACTION AUTHORITY.—Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''September 30, 2017'' and inserting ''September 30, 2024''; and

(B) by amending paragraph (2) to read as follows:

''(2) PROTOTYPE PROJECTS.—The Secretary—

''(A) may, under the authority of paragraph (1), carry out prototype projects under section 4022 of title 10, United States Code; and

''(B) in applying the authorities of such section 4022, the Secretary shall perform the functions of the Secretary of Defense as prescribed in such section.'';

(2) in subsection (c)(1), by striking ''September 30, 2017'' and inserting ''September 30, 2024''; and

(3) in subsection (d), by striking ''section 845(e)'' and all that follows and inserting ''section 4022(e) of title 10, United States Code.''.

(c) COMMERCIAL OFF THE SHELF SUPPLY CHAIN RISK MANAGEMENT TOOLS.—The General Services Administration is encouraged to pilot commercial off the shelf supply chain risk management tools to improve the ability of the Federal Government to characterize, monitor, predict, and respond to specific supply chain threats and vulnerabilities that could inhibit future Federal acquisition operations.

SEC. 5228. INTELLIGENCE COMMUNITY EXCEPTION.

Nothing in this subtitle shall apply to any element of the intelligence community, as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

Subtitle D—Strategic EV Management

SEC. 5231. SHORT TITLE.

This subtitle may be cited as the ''Strategic EV Management Act of 2022''.

SEC. 5232. DEFINITIONS.

In this subtitle:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of General Services.

(2) AGENCY.—The term ''agency'' has the meaning given the term in section 551 of title 5, United States Code.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Oversight and Reform of the House of Representatives;

(C) the Committee on Environment and Public Works of the Senate; and

(D) the Committee on Energy and Commerce of the House of Representatives.

(4) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

SEC. 5233. STRATEGIC GUIDANCE.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator, in consultation with the Director, shall coordinate with the heads of agencies to develop a comprehensive, strategic plan for Federal electric vehicle fleet battery management.

(b) CONTENTS.—The strategic plan required under subsection (a) shall—

(1) maximize both cost and environmental efficiencies; and

(2) incorporate—

(A) guidelines for optimal charging practices that will maximize battery longevity and prevent premature degradation;

(B) guidelines for reusing and recycling the batteries of retired vehicles;

(C) guidelines for disposing electric vehicle batteries that cannot be reused or recycled; and

(D) any other considerations determined appropriate by the Administrator and Director.

(c) MODIFICATION.—The Administrator, in consultation with the Director, may periodically update the strategic plan required under subsection (a) as the Administrator and Director may determine necessary based on new information relating to electric vehicle batteries that becomes available.

(d) CONSULTATION.—In developing the strategic plan required under subsection (a) the Administrator, in consultation with the Director, may consult with appropriate entities, including—

(1) the Secretary of Energy;

(2) the Administrator of the Environmental Protection Agency;

(3) the Chair of the Council on Environmental Quality;

(4) scientists who are studying electric vehicle batteries and reuse and recycling solutions;

(5) laboratories, companies, colleges, universities, or start-ups engaged in battery use, reuse, and recycling research;

(6) industries interested in electric vehicle battery reuse and recycling;

(7) electric vehicle equipment manufacturers and recyclers; and

(8) any other relevant entities, as determined by the Administrator and Director.

(e) REPORT.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator and the Director shall submit to the appropriate congressional committees a report that describes the strategic plan required under subsection (a).

(2) BRIEFING.—Not later than 4 years after the date of enactment of this Act, the Administrator and the Director shall brief the appropriate congressional committees on the implementation of the strategic plan required under subsection (a) across agencies.

SEC. 5234. STUDY OF FEDERAL FLEET VEHICLES.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on how the costs and benefits of operating and maintaining electric vehicles in the Federal fleet compare to the costs and benefits of operating and maintaining internal combustion engine vehicles.

Subtitle E—Congressionally Mandated Reports

SEC. 5241. SHORT TITLE.

This subtitle may be cited as the ''Access to Congressionally Mandated Reports Act''.

SEC. 5242. DEFINITIONS.

In this subtitle:

(1) CONGRESSIONAL LEADERSHIP.—The term ''congressional leadership'' means the Speaker, majority leader, and minority leader of the House of Representatives and the majority leader and minority leader of the Senate.

(2) CONGRESSIONALLY MANDATED REPORT.—

(A) IN GENERAL.—The term ''congressionally mandated report'' means a report of a Federal agency that is required by statute to be submitted to either House of Congress or any committee of Congress or subcommittee thereof.

(B) EXCLUSIONS.—

(i) PATRIOTIC AND NATIONAL ORGANIZATIONS.—The term ''congressionally mandated report'' does not include a report required under part B of subtitle II of title 36, United States Code.

(ii) INSPECTORS GENERAL.—The term ''congressionally mandated report'' does not include a report by an office of an inspector general.

(iii) NATIONAL SECURITY EXCEPTION.—The term ''congressionally mandated report'' does not include a report that is required to be submitted to one or more of the following committees:

(I) The Select Committee on Intelligence, the Committee on Armed Services, the Committee on Appropriations, or the Committee on Foreign Relations of the Senate.

(II) The Permanent Select Committee on Intelligence, the Committee on Armed Services, the Committee on Appropriations, or the Committee on Foreign Affairs of the House of Representatives.

(3) DIRECTOR.—The term ''Director'' means the Director of the Government Publishing Office.

(4) FEDERAL AGENCY.—The term ''Federal agency'' has the meaning given the term ''federal agency'' under section 102 of title 40, United States Code, but does not include the Government Accountability Office or an element of the intelligence community.

(5) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(6) REPORTS ONLINE PORTAL.—The term ''reports online portal'' means the online portal established under section 5243(a).

SEC. 5243. ESTABLISHMENT OF ONLINE PORTAL FOR CONGRESSIONALLY MANDATED REPORTS.

(a) REQUIREMENT TO ESTABLISH ONLINE PORTAL.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Director shall establish and maintain an online portal accessible by the public that allows the public to obtain electronic copies of congressionally mandated reports in one place.

(2) EXISTING FUNCTIONALITY.—To the extent possible, the Director shall meet the requirements under paragraph (1) by using existing online portals and functionality under the authority of the Director in consultation with the Director of National Intelligence.

(3) CONSULTATION.—In carrying out this subtitle, the Director shall consult with congressional leadership, the Clerk of the House of Representatives, the Secretary of the Senate, and the Librarian of Congress regarding the requirements for and maintenance of congressionally mandated reports on the reports online portal.

(b) CONTENT AND FUNCTION.—The Director shall ensure that the reports online portal includes the following:

(1) Subject to subsection (c), with respect to each congressionally mandated report, each of the following:

(A) A citation to the statute requiring the report.

(B) An electronic copy of the report, including any transmittal letter associated with the report, that—

(i) is based on an underlying open data standard that is maintained by a standards organization;

(ii) allows the full text of the report to be searchable; and

(iii) is not encumbered by any restrictions that would impede the reuse or searchability of the report.

(C) The ability to retrieve a report, to the extent practicable, through searches based on each, and any combination, of the following:

(i) The title of the report.

(ii) The reporting Federal agency.

(iii) The date of publication.

(iv) Each congressional committee or subcommittee receiving the report, if applicable.

(v) The statute requiring the report.

(vi) Subject tags.

(vii) A unique alphanumeric identifier for the report that is consistent across report editions.

(viii) The serial number, Superintendent of Documents number, or other identification number for the report, if applicable.

(ix) Key words.

(x) Full text search.

(xi) Any other relevant information specified by the Director.

(D) The date on which the report was required to be submitted, and on which the report was submitted, to the reports online portal.

(E) To the extent practicable, a permanent means of accessing the report electronically.

(2) A means for bulk download of all congressionally mandated reports.

(3) A means for downloading individual reports as the result of a search.

(4) An electronic means for the head of each Federal agency to submit to the reports online portal each congressionally mandated report of the agency, as required by sections 5244 and 5246.

(5) In tabular form, a list of all congressionally mandated reports that can be searched, sorted, and downloaded by—

(A) reports submitted within the required time;

(B) reports submitted after the date on which such reports were required to be submitted; and

(C) to the extent practicable, reports not submitted.

(c) NONCOMPLIANCE BY FEDERAL AGENCIES.—

(1) REPORTS NOT SUBMITTED.—If a Federal agency does not submit a congressionally mandated report to the Director, the Director shall to the extent practicable—

(A) include on the reports online portal—

(i) the information required under clauses (i), (ii), (iv), and (v) of subsection (b)(1)(C); and

(ii) the date on which the report was required to be submitted; and

(B) include the congressionally mandated report on the list described in subsection (b)(5)(C).

(2) REPORTS NOT IN OPEN FORMAT.—If a Federal agency submits a congressionally mandated report that does not meet the criteria described in subsection (b)(1)(B), the Director shall still include the congressionally mandated report on the reports online portal.

(d) DEADLINE.—The Director shall ensure that information required to be published on the reports online portal under this subtitle with respect to a congressionally mandated report or information required under subsection (c) of this section is published—

(1) not later than 30 days after the information is received from the Federal agency involved; or

(2) in the case of information required under subsection (c), not later than 30 days after the deadline under this subtitle for the Federal agency involved to submit information with respect to the congressionally mandated report involved.

(e) EXCEPTION FOR CERTAIN REPORTS.—

(1) EXCEPTION DESCRIBED.—A congressionally mandated report which is required by statute to be submitted to a committee of Congress or a subcommittee thereof, including any transmittal letter associated with the report, shall not be submitted to or published on the reports online portal if the chair of a committee or subcommittee to which the report is submitted notifies the Director in writing that the report is to be withheld from submission and publication under this subtitle.

(2) NOTICE ON PORTAL.—If a report is withheld from submission to or publication on the reports online portal under paragraph (1), the Director shall post on the portal—

(A) a statement that the report is withheld at the request of a committee or subcommittee involved; and

(B) the written notification provided by the chair of the committee or subcommittee specified in paragraph (1).

(f) FREE ACCESS.—The Director may not charge a fee, require registration, or impose any other limitation in exchange for access to the reports online portal.

(g) UPGRADE CAPABILITY.—The reports online portal shall be enhanced and updated as necessary to carry out the purposes of this subtitle.

(h) SUBMISSION TO CONGRESS.—The submission of a congressionally mandated report to the reports online portal pursuant to this subtitle shall not be construed to satisfy any requirement to submit the congressionally mandated report to Congress, or a committee or subcommittee thereof.

SEC. 5244. FEDERAL AGENCY RESPONSIBILITIES.

(a) SUBMISSION OF ELECTRONIC COPIES OF REPORTS.—Not earlier than 30 days or later than 60 days after the date on which a congressionally mandated report is submitted to either House of Congress or to any committee of Congress or subcommittee thereof, the head of the Federal agency submitting the congressionally mandated report shall submit to the Director the information required under subparagraphs (A) through (D) of section 5243(b)(1) with respect to the congressionally mandated report. Notwithstanding section 5246, nothing in this subtitle shall relieve a Federal agency of any other requirement to publish the congressionally mandated report on the online portal of the Federal agency or otherwise submit the congressionally mandated report to Congress or specific committees of Congress, or subcommittees thereof.

(b) GUIDANCE.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Director, shall issue guidance to agencies on the implementation of this subtitle.

(c) STRUCTURE OF SUBMITTED REPORT DATA.—The head of each Federal agency shall ensure that each congressionally mandated report submitted to the Director complies with the guidance on the implementation of this subtitle issued by the Director of the Office of Management and Budget under subsection (b).

(d) POINT OF CONTACT.—The head of each Federal agency shall designate a point of contact for congressionally mandated reports.

(e) REQUIREMENT FOR SUBMISSION.—The Director shall not publish any report through the reports online portal that is received from anyone other than the head of the applicable Federal agency, or an officer or employee of the Federal agency specifically designated by the head of the Federal agency.

SEC. 5245. CHANGING OR REMOVING REPORTS.

(a) LIMITATION ON AUTHORITY TO CHANGE OR REMOVE REPORTS.—Except as provided in subsection (b), the head of the Federal agency concerned may change or remove a congressionally mandated report submitted to be published on the reports online portal only if—

(1) the head of the Federal agency consults with each committee of Congress or subcommittee thereof to which the report is required to be submitted (or, in the case of a report which is not required to be submitted to a particular committee of Congress or subcommittee thereof, to each committee with jurisdiction over the agency, as determined by the head of the agency in consultation with the Speaker of the House of Representatives and the President pro tempore of the Senate) prior to changing or removing the report; and

(2) a joint resolution is enacted to authorize the change in or removal of the report.

(b) EXCEPTIONS.—Notwithstanding subsection (a), the head of the Federal agency concerned—

(1) may make technical changes to a report submitted to or published on the reports online portal;

(2) may remove a report from the reports online portal if the report was submitted to or published on the reports online portal in error; and

(3) may withhold information, records, or reports from publication on the reports online portal in accordance with section 5246.

SEC. 5246. WITHHOLDING OF INFORMATION.

(a) IN GENERAL.—Nothing in this subtitle shall be construed to—

(1) require the disclosure of information, records, or reports that are exempt from public disclosure under section 552 of title 5, United States Code, or that are required to be withheld under section 552a of title 5, United States Code; or

(2) impose any affirmative duty on the Director to review congressionally mandated reports submitted for publication to the reports online portal for the purpose of identifying and redacting such information or records.

(b) WITHHOLDING OF INFORMATION.—

(1) IN GENERAL.—Consistent with subsection (a)(1), the head of a Federal agency may withhold from the Director, and from publication on the reports online portal, any information, records, or reports that are exempt from public disclosure under section 552 of title 5, United States Code, or that are required to be withheld under section 552a of title 5, United States Code.

(2) NATIONAL SECURITY.—Nothing in this subtitle shall be construed to require the publication, on the reports online portal or otherwise, of any report containing information that is classified, the public release of which could have a harmful effect on national security, or that is otherwise prohibited.

(3) LAW ENFORCEMENT SENSITIVE.—Nothing in this subtitle shall be construed to require the publication on the reports online portal or otherwise of any congressionally mandated report—

(A) containing information that is law enforcement sensitive; or

(B) that describe information security policies, procedures, or activities of the executive branch.

(c) RESPONSIBILITY FOR WITHHOLDING OF INFORMATION.—In publishing congressionally mandated reports to the reports online portal in accordance with this subtitle, the head of each Federal agency shall be responsible for withholding information pursuant to the requirements of this section.

SEC. 5247. IMPLEMENTATION.

(a) REPORTS SUBMITTED TO CONGRESS.—

(1) IN GENERAL.—This subtitle shall apply with respect to any congressionally mandated report which—

(A) is required by statute to be submitted to the House of Representatives, or the Speaker thereof, or the Senate, or the President or President Pro Tempore thereof, at any time on or after the date of the enactment of this Act; or

(B) is included by the Clerk of the House of Representatives or the Secretary of the Senate (as the case may be) on the list of reports received by the House of Representatives or the Senate (as the case may be) at any time on or after the date of the enactment of this Act.

(2) TRANSITION RULE FOR PREVIOUSLY SUBMITTED REPORTS.—To the extent practicable, the Director shall ensure that any congressionally mandated report described in paragraph (1) which was required to be submitted to Congress by a statute enacted before the date of the enactment of this Act is published on the reports online portal under this subtitle.

(b) REPORTS SUBMITTED TO COMMITTEES.—In the case of congressionally mandated reports which are required by statute to be submitted to a committee of Congress or a subcommittee thereof, this subtitle shall apply with respect to—

(1) any such report which is first required to be submitted by a statute which is enacted on or after the date of the enactment of this Act; and

(2) to the maximum extent practical, any congressionally mandated report which was required to be submitted by a statute enacted before the date of enactment of this Act unless—

(A) the chair of the committee, or subcommittee thereof, to which the report was required to be submitted notifies the Director in writing that the report is to be withheld from publication; and

(B) the Director publishes the notification on the reports online portal.

(c) ACCESS FOR CONGRESSIONAL LEADERSHIP.—Notwithstanding any provision of this subtitle or any other provision of law, congressional leadership shall have access to any congressionally mandated report.

SEC. 5248. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this subtitle, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this subtitle, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 6465. Mr. REED (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1214. UNITED STATES – ISRAEL ARTIFICIAL INTELLIGENCE CENTER.

(a) SHORT TITLE.—This section may be cited as the ''United States - Israel Artificial Intelligence Center Act''.

(b) DEFINED TERM.—The term ''foreign country of concern'' means the People's Republic of China, the Democratic People's Republic of Korea, the Russian Federation, the Islamic Republic of Iran, and any other country that the Secretary of State determines to be a country of concern.

(c) ESTABLISHMENT OF CENTER.—The Secretary of State, in consultation with the Secretary of Commerce, the Director of the National Science Foundation, and the heads of other relevant Federal agencies, shall establish the United States – Israel Artificial Intelligence Center (referred to in this section as the ''Center'') in the United States.

(d) PURPOSE.—The purpose of the Center shall be to leverage the experience, knowledge, and expertise of institutions of higher education and private sector entities in the United States and the State of Israel (referred to in this section as ''Israel'') to develop more robust research and development cooperation in the areas of—

(1) machine learning;

(2) image classification;

(3) object detection;

(4) speech recognition;

(5) natural language processing;

(6) data labeling;

(7) computer vision; and

(8) model explainability and interpretability.

(e) ARTIFICIAL INTELLIGENCE PRINCIPLES.—In carrying out the purpose described in subsection (d), the Center shall adhere to the principles for the use of artificial intelligence in the Federal Government set forth in section 3 of Executive Order 13960 (85 Fed. Reg. 78939).

(f) INTERNATIONAL PARTNERSHIPS.—

(1) IN GENERAL.—The Secretary of State and the heads of other relevant Federal agencies, subject to the availability of appropriations, may enter into agreements supporting and enhancing dialogue and planning involving international partnerships between the Department of State or such agencies and the Government of Israel and its ministries, offices, and institutions.

(2) FEDERAL SHARE.—Not more than 50 percent of the costs of implementing the agreements entered into pursuant to paragraph (1) may be paid by the United States Government.

(g) LIMITATIONS.—The Center is prohibited from receiving any investment from or contracting with—

(1) any individual or entity with ties to any entity affiliated (officially or unofficially) with the Chinese Communist Party, the People's Liberation Army, or the government of a foreign country of concern;

(2) any entity owned, controlled by, or affiliated with the Chinese Communist Party or the People's Republic of China, or in which the government of a foreign country of concern has an ownership interest; or

(3) any entity on the Entity List that is maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations.

(h) COUNTERINTELLIGENCE SCREENING.—Not later than 180 days after the date of the enactment of this Act, and not later than each December 31 thereafter, Director of National Intelligence, in collaboration with the Director of the National Counterintelligence and Security Center and the Director of the Federal Bureau of Investigation, shall—

(1) assess—

(A) whether the Center or its participant institutions pose a counterintelligence threat to the United States;

(B) what specific measures the Center has implemented to ensure that intellectual property developed with the assistance of the Center has sufficient protections in place to preclude misuse of United States intellectual property, research and development, and innovation efforts; and

(C) other threats from a foreign country of concern and other entities; and

(2) submit a report to Congress containing the results of the assessment described in paragraph (1).

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Center $10,000,000 for each of the fiscal years 2023 through 2027 to carry out this section.

SA 6466. Mr. REED (for Ms. CANTWELL (for herself and Mr. WICKER)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—OCEANS AND ATMOSPHERE

SEC. 5001. TABLE OF CONTENTS.

The table of contents for this division is as follows:

Sec. 5001. Table of contents.

TITLE LI—CORAL REEF CONSERVATION

Sec. 5101. Short title.

Subtitle A—Reauthorization of Coral Reef Conservation Act of 2000

Sec. 5111. Reauthorization of Coral Reef Conservation Act of 2000.

Subtitle B—United States Coral Reef Task Force

Sec. 5121. Establishment.
Sec. 5122. Duties.
Sec. 5123. Membership.
Sec. 5124. Responsibilities of Federal agency members.
Sec. 5125. Working groups.
Sec. 5126. Definitions.

Subtitle C—Department of the Interior Coral Reef Authorities

Sec. 5131. Coral reef conservation and restoration assistance.

Subtitle D—Susan L. Williams National Coral Reef Management Fellowship

Sec. 5141. Short title.
Sec. 5142. Definitions.
Sec. 5143. Establishment of fellowship program.
Sec. 5144. Fellowship awards.
Sec. 5145. Matching requirement.

TITLE LII—BOLSTERING LONG-TERM UNDERSTANDING AND EXPLORATION OF THE GREAT LAKES, OCEANS, BAYS, AND ESTUARIES

Sec. 5201. Short title.
Sec. 5202. Purpose.
Sec. 5203. Sense of Congress.
Sec. 5204. Definitions.
Sec. 5205. Workforce study.
Sec. 5206. Accelerating innovation at Cooperative Institutes.
Sec. 5207. Blue Economy valuation.
Sec. 5208. No additional funds authorized.
Sec. 5209. No additional funds authorized.

TITLE LIII—REGIONAL OCEAN PARTNERSHIPS

Sec. 5301. Short title.
Sec. 5302. Findings; sense of Congress; purposes.
Sec. 5303. Regional Ocean Partnerships.

TITLE LIV—NATIONAL OCEAN EXPLORATION

Sec. 5401. Short title.

Sec. 5402. Findings.
Sec. 5403. Definitions.
Sec. 5404. Ocean Policy Committee.
Sec. 5405. National Ocean Mapping, Exploration, and Characterization Council.
Sec. 5406. Modifications to the ocean exploration program of the National Oceanic and Atmospheric Administration.
Sec. 5407. Repeal.
Sec. 5408. Modifications to ocean and coastal mapping program of the National Oceanic and Atmospheric Administration.
Sec. 5409. Modifications to Hydrographic Services Improvement Act of 1998.

TITLE LV—MARINE MAMMAL RESEARCH AND RESPONSE

Sec. 5501. Short title.
Sec. 5502. Data collection and dissemination.
Sec. 5503. Stranding or entanglement response agreements.
Sec. 5504. Unusual mortality event activity funding.
Sec. 5505. Liability.
Sec. 5506. National Marine Mammal Tissue Bank and tissue analysis.
Sec. 5507. Marine Mammal Rescue and Response Grant Program and Rapid Response Fund.
Sec. 5508. Health MAP.
Sec. 5509. Reports to Congress.
Sec. 5510. Authorization of appropriations.
Sec. 5511. Definitions.
Sec. 5512. Study on marine mammal mortality.

TITLE LVI—VOLCANIC ASH AND FUMES

Sec. 5601. Short title.
Sec. 5602. Modifications to National Volcano Early Warning and Monitoring System.

TITLE LVII—WILDFIRE AND FIRE WEATHER PREPAREDNESS

Sec. 5701. Short title.
Sec. 5702. Definitions.
Sec. 5703. Establishment of fire weather services program.
Sec. 5704. National Oceanic and Atmospheric Administration data management.
Sec. 5705. Digital fire weather services and data management.
Sec. 5706. High-performance computing.
Sec. 5707. Government Accountability Office report on fire weather services program.
Sec. 5708. Fire weather testbed.
Sec. 5709. Fire weather surveys and assessments.
Sec. 5710. Incident Meteorologist Service.
Sec. 5711. Automated surface observing system.
Sec. 5712. Emergency response activities.
Sec. 5713. Government Accountability Office report on interagency wildfire forecasting, prevention, planning, and management bodies.
Sec. 5714. Amendments to Infrastructure Investment and Jobs Act relating to wildfire mitigation.
Sec. 5715. Wildfire technology modernization amendments.
Sec. 5716. Cooperation; coordination; support to non-Federal entities.
Sec. 5717. International coordination.
Sec. 5718. Submissions to Congress regarding the fire weather services program, incident meteorologist workforce needs, and National Weather Service workforce support.
Sec. 5719. Government Accountability Office report; Fire Science and Technology Working Group; strategic plan.
Sec. 5720. Fire weather rating system.
Sec. 5721. Avoidance of duplication.
Sec. 5722. Authorization of appropriations.

TITLE LVIII—LEARNING EXCELLENCE AND GOOD EXAMPLES FROM NEW DEVELOPERS

Sec. 5801. Short title.
Sec. 5802. Definitions.
Sec. 5803. Purposes.
Sec. 5804. Plan and implementation of plan to make certain models and data available to the public.
Sec. 5805. Requirement to review models and leverage innovations.
Sec. 5806. Report on implementation.
Sec. 5807. Protection of national security interests.
Sec. 5808. Authorization of appropriations.

TITLE LI—CORAL REEF CONSERVATION

SEC. 5101. SHORT TITLE.

This title may be cited as the ''Restoring Resilient Reefs Act of 2022''.

Subtitle A—Reauthorization of Coral Reef Conservation Act of 2000

SEC. 5111. REAUTHORIZATION OF CORAL REEF CONSERVATION ACT OF 2000.

(a) IN GENERAL.—The Coral Reef Conservation Act of 2000 (16 U.S.C. 6401 et seq.) is amended—

(1) by redesignating sections 209 and 210 as sections 217 and 218, respectively;

(2) by striking sections 202 through 208 and inserting the following:

''SEC. 202. PURPOSES.

''The purposes of this title are—

''(1) to conserve and restore the condition of United States coral reef ecosystems challenged by natural and human-accelerated changes, including increasing ocean temperatures, ocean acidification, coral bleaching, coral diseases, water quality degradation, invasive species, and illegal, unreported, and unregulated fishing;

''(2) to promote the science-based management and sustainable use of coral reef ecosystems to benefit local communities and the Nation, including through improved integration and cooperation among Federal and non-Federal stakeholders with coral reef equities;

''(3) to develop sound scientific information on the condition of coral reef ecosystems, continuing and emerging threats to such ecosystems, and the efficacy of innovative tools, technologies, and strategies to mitigate stressors and restore such ecosystems, including evaluation criteria to determine the effectiveness of management interventions, and accurate mapping for coral reef restoration;

''(4) to assist in the preservation of coral reefs by supporting science-based, consensus-driven, and community-based coral reef management by covered States and covered Native entities, including monitoring, conservation, and restoration projects that empower local communities, small businesses, and nongovernmental organizations;

''(5) to provide financial resources, technical assistance, and scientific expertise to supplement, complement, and strengthen community-based management programs and conservation and restoration projects of non-Federal reefs;

''(6) to establish a formal mechanism for collecting and allocating monetary donations from the private sector to be used for coral reef conservation and restoration projects;

''(7) to support the rapid and effective, science-based assessment and response to exigent circumstances that pose immediate and long-term threats to coral reefs, such as coral disease, invasive or nuisance species, coral bleaching, natural disasters, and industrial or mechanical disasters, such as vessel groundings, hazardous spills, or coastal construction accidents; and

''(8) to serve as a model for advancing similar international efforts to monitor, conserve, and restore coral reef ecosystems.

''SEC. 203. FEDERAL CORAL REEF MANAGEMENT AND RESTORATION ACTIVITIES.

''(a) IN GENERAL.—The Administrator, the Secretary of the Interior, or the Secretary of Commerce may conduct activities described in subsection (b) to conserve and restore coral reefs and coral reef ecosystems that are consistent with—

''(1) all applicable laws governing resource management in Federal and State waters, including this Act;

''(2) the national coral reef resilience strategy in effect under section 204; and

''(3) coral reef action plans in effect under section 205, as applicable.

''(b) ACTIVITIES DESCRIBED.—Activities described in this subsection are activities to conserve, research, monitor, assess, and restore coral reefs and coral reef ecosystems in waters managed under the jurisdiction of a Federal agency specified in subsection (c) or in coordination with a State in waters managed under the jurisdiction of such State, including—

''(1) developing, including through the collection of requisite in situ and remotely sensed data, high-quality and digitized maps reflecting—

''(A) current and historical live coral cover data;

''(B) coral reef habitat quality data;

''(C) priority areas for coral reef conservation to maintain biodiversity and ecosystem structure and function, including the reef matrix, that benefit coastal communities and living marine resources;

''(D) priority areas for coral reef restoration to enhance biodiversity and ecosystem structure and function, including the reef matrix, to benefit coastal communities and living marine resources; and

''(E) areas of concern that may require enhanced monitoring of coral health and cover;

''(2) enhancing compliance with Federal laws that prohibit or regulate—

''(A) the taking of coral products or species associated with coral reefs; or

''(B) the use and management of coral reef ecosystems;

''(3) long-term ecological monitoring of coral reef ecosystems;

''(4) implementing species-specific recovery plans for listed coral species consistent with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

''(5) restoring degraded coral reef ecosystems;

''(6) promoting ecologically sound navigation and anchorages, including through navigational aids and expansion of reef-safe anchorages and mooring buoy systems, to enhance recreational access while preventing or minimizing the likelihood of vessel impacts or other physical damage to coral reefs;

''(7) monitoring and responding to severe bleaching or mortality events, disease outbreaks, invasive species outbreaks, and significant maritime accidents, including chemical spill cleanup and the removal of grounded vessels;

''(8) conducting scientific research that contributes to the understanding, sustainable use, and long-term conservation of coral reefs;

''(9) enhancing public awareness, understanding, and appreciation of coral reefs and coral reef ecosystems; and

''(10) centrally archiving, managing, and distributing data sets and coral reef ecosystem assessments and publishing such information on publicly available internet websites, by means such as leveraging and

partnering with existing data repositories, of—

''(A) the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and

''(B) the Task Force.

''(c) FEDERAL AGENCIES SPECIFIED.—A Federal agency specified in this subsection is one of the following:

''(1) The National Oceanic and Atmospheric Administration.

''(2) The National Park Service.

''(3) The United States Fish and Wildlife Service.

''(4) The Office of Insular Affairs.

''SEC. 204. NATIONAL CORAL REEF RESILIENCE STRATEGY.

''(a) IN GENERAL.—The Administrator shall—

''(1) not later than 2 years after the date of the enactment of the Restoring Resilient Reefs Act of 2022, develop a national coral reef resilience strategy; and

''(2) periodically thereafter, but not less frequently than once every 15 years (and not less frequently than once every 5 years, in the case of guidance on best practices under subsection (b)(4)), review and revise the strategy as appropriate.

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

''(1) A discussion addressing—

''(A) continuing and emerging threats to the resilience of United States coral reef ecosystems;

''(B) remaining gaps in coral reef ecosystem research, monitoring, and assessment;

''(C) the status of management cooperation and integration among Federal reef managers and covered reef managers;

''(D) the status of efforts to manage and disseminate critical information, and enhance interjurisdictional data sharing, related to research, reports, datasets, and maps;

''(E) areas of special focus, which may include—

''(i) improving natural coral recruitment;

''(ii) preventing avoidable losses of corals and their habitat;

''(iii) enhancing the resilience of coral populations;

''(iv) supporting a resilience-based management approach;

''(v) developing, coordinating, and implementing watershed management plans;

''(vi) building and sustaining watershed management capacity at the local level;

''(vii) providing data essential for coral reef fisheries management;

''(viii) building capacity for coral reef fisheries management;

''(ix) increasing understanding of coral reef ecosystem services;

''(x) educating the public on the importance of coral reefs, threats and solutions; and

''(xi) evaluating intervention efficacy;

''(F) the status of conservation efforts, including the use of marine protected areas to serve as replenishment zones developed consistent with local practices and traditions and in cooperation with, and with respect for the scientific, technical, and management expertise and responsibilities of, covered reef managers;

''(G) science-based adaptive management and restoration efforts; and

''(H) management of coral reef emergencies and disasters.

''(2) A statement of national goals and objectives designed to guide—

''(A) future Federal coral reef management and restoration activities authorized under section 203;

''(B) conservation and restoration priorities for grants awarded under section 213 and cooperative agreements under section 208; and

''(C) research priorities for the reef research coordination institutes designated under section 214.

''(3) A designation of priority areas for conservation, and priority areas for restoration, to support the review and approval of grants under section 213(e).

''(4) General templates for use by covered reef managers and Federal reef managers to guide the development of coral reef action plans under section 205, including guidance on the best science-based practices to respond to coral reef emergencies that can be included in coral reef action plans.

''(c) CONSULTATIONS.—In developing all elements of the strategy required by subsection (a), the Administrator shall—

''(1) consult with the Secretary of the Interior, the Task Force, covered States, and covered Native entities;

''(2) consult with the Secretary of Defense, as appropriate;

''(3) engage stakeholders, including covered States, coral reef stewardship partnerships, reef research coordination institutes and research centers designated under section 214, and recipients of grants under section 213; and

''(4) solicit public review and comment regarding scoping and the draft strategy.

''(d) SUBMISSION TO CONGRESS; PUBLICATION.—The Administrator shall—

''(1) submit the strategy required by subsection (a) and any revisions to the strategy to the appropriate congressional committees; and

''(2) publish the strategy and any such revisions on publicly available internet websites of—

''(A) the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and

''(B) the Task Force.

''SEC. 205. CORAL REEF ACTION PLANS.

''(a) PLANS PREPARED BY FEDERAL REEF MANAGERS.—

''(1) IN GENERAL.—Not later than 3 years after the date of the enactment of the Restoring Resilient Reefs Act of 2022, each Federal reef manager shall—

''(A) prepare a coral reef action plan to guide management and restoration activities to be undertaken within the responsibilities and jurisdiction of the manager; or

''(B) in the case of a reef under the jurisdiction of a Federal reef manager for which there is a management plan in effect as of such date of enactment, update that plan to comply with the requirements of this subsection.

''(2) ELEMENTS.—A plan prepared under paragraph (1) by a Federal reef manager shall include a discussion of the following:

''(A) Short- and mid-term coral reef conservation and restoration objectives within the jurisdiction of the manager.

''(B) A current adaptive management framework to inform research, monitoring, and assessment needs.

''(C) Tools, strategies, and partnerships necessary to identify, monitor, and address pollution and water quality impacts to coral reef ecosystems within the jurisdiction of the manager.

''(D) The status of efforts to improve coral reef ecosystem management cooperation and integration between Federal reef managers and covered reef managers, including the identification of existing research and monitoring activities that can be leveraged for coral reef status and trends assessments within the jurisdiction of the manager.

''(E) Estimated budgetary and resource considerations necessary to carry out the plan.

''(F) Contingencies for response to and recovery from emergencies and disasters.

''(G) In the case of an updated plan, annual records of significant management and restoration actions taken under the previous plan, cash and non-cash resources used to undertake the actions, and the source of such resources.

''(H) Documentation by the Federal reef manager that the plan is consistent with the national coral reef resilience strategy in effect under section 204.

''(I) A data management plan to ensure data, assessments, and accompanying information are appropriately preserved, curated, publicly accessible, and broadly reusable.

''(3) SUBMISSION TO TASK FORCE.—Each Federal reef manager shall submit a plan prepared under paragraph (1) to the Task Force.

''(4) APPLICATION OF ADMINISTRATIVE PROCEDURE ACT.—Each plan prepared under paragraph (1) shall be subject to the requirements of subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the 'Administrative Procedure Act').

''(b) PLANS PREPARED BY COVERED REEF MANAGERS.—

''(1) IN GENERAL.—A covered reef manager may elect to prepare, submit to the Task Force, and maintain a coral reef action plan to guide management and restoration activities to be undertaken within the responsibilities and jurisdiction of the manager.

''(2) EFFECTIVE PERIOD.—A plan prepared under this subsection shall remain in effect for 5 years, or until an updated plan is submitted to the Task Force, whichever occurs first.

''(3) ELEMENTS.—A plan prepared under paragraph (1) by a covered reef manager—

''(A) shall contain a discussion of—

''(i) short- and mid-term coral reef conservation and restoration objectives within the jurisdiction of the manager;

''(ii) estimated budgetary and resource considerations necessary to carry out the plan;

''(iii) in the case of an updated plan, annual records of significant management and restoration actions taken under the previous plan, cash and non-cash resources used to undertake the actions, and the source of such resources; and

''(iv) contingencies for response to and recovery from emergencies and disasters; and

''(B) may contain a discussion of—

''(i) the status of efforts to improve coral reef ecosystem management cooperation and integration between Federal reef managers and covered reef managers, including the identification of existing research and monitoring activities that can be leveraged for coral reef status and trends assessments within the jurisdiction of the manager;

''(ii) a current adaptive management framework to inform research, monitoring, and assessment needs;

''(iii) tools, strategies, and partnerships necessary to identify, monitor, and address pollution and water quality impacts to coral reef ecosystems within the jurisdiction of the manager; and

''(iv) a data management plan to ensure data, assessments, and accompanying information are appropriately preserved, curated, publicly accessible, and broadly reusable..

''(c) TECHNICAL ASSISTANCE.—The Administrator and the Task Force shall make all reasonable efforts to provide technical assistance upon request by a Federal reef manager or covered reef manager developing a coral reef action plan under this section.

''(d) PUBLICATION.—The Administrator shall publish each coral reef action plan prepared and submitted to the Task Force under this section on publicly available internet websites of—

''(1) the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and

''(2) the Task Force.

''SEC. 206. CORAL REEF STEWARDSHIP PARTNERSHIPS.

''(a) IN GENERAL.—To further the community-based stewardship of coral reefs, coral reef stewardship partnerships for Federal and non-Federal coral reefs may be established in accordance with this section.

''(b) STANDARDS AND PROCEDURES.—The Administrator shall develop and adopt—

''(1) standards for identifying individual coral reefs and ecologically significant units of coral reefs; and

''(2) processes for adjudicating multiple applicants for stewardship of the same coral reef or ecologically significant unit of a reef to ensure no geographic overlap in representation among stewardship partnerships authorized by this section.

''(c) MEMBERSHIP FOR FEDERAL CORAL REEFS.—A coral reef stewardship partnership that has identified, as the subject of its stewardship activities, a coral reef or ecologically significant unit of a coral reef that is fully or partially under the management jurisdiction of any Federal agency specified in section 203(c) shall, at a minimum, include the following:

''(1) That Federal agency, a representative of which shall serve as chairperson of the coral reef stewardship partnership.

''(2) A State or county's resource management agency.

''(3) A coral reef research center designated under section 214(b).

''(4) A nongovernmental organization.

''(5) Such other members as the partnership considers appropriate, such as interested stakeholder groups and covered Native entities.

''(d) MEMBERSHIP FOR NON-FEDERAL CORAL REEFS.—

''(1) IN GENERAL.—A coral reef stewardship partnership that has identified, as the subject of its stewardship activities, a coral reef or ecologically significant component of a coral reef that is not under the management jurisdiction of any Federal agency specified in section 203(c) shall, at a minimum, include the following:

''(A) A State or county's resource management agency or a covered Native entity, a representative of which shall serve as the chairperson of the coral reef stewardship partnership.

''(B) A coral reef research center designated under section 214(b).

''(C) A nongovernmental organization.

''(D) Such other members as the partnership considers appropriate, such as interested stakeholder groups.

''(2) ADDITIONAL MEMBERS.—

''(A) IN GENERAL.—Subject to subparagraph (B), a coral reef stewardship partnership described in paragraph (1) may also include representatives of one or more Federal agencies.

''(B) REQUESTS; APPROVAL.—A representative of a Federal agency described in subparagraph (A) may become a member of a coral reef stewardship partnership described in paragraph (1) if—

''(i) the representative submits a request to become a member to the chairperson of the partnership referred to in paragraph (1)(A); and

''(ii) the chairperson consents to the request.

''(e) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to coral reef stewardship partnerships under this section.

''SEC. 207. BLOCK GRANTS.

''(a) IN GENERAL.—The Administrator shall provide block grants of financial assistance to covered States to support management and restoration activities and further the implementation of coral reef action plans in effect under section 205 by covered States and non-Federal coral reef stewardship partnerships in accordance with this section. The Administrator shall review each covered State's application for block grant funding to ensure that applications are consistent with applicable action plans and the national coral reef resilience strategy in effect under section 204.

''(b) ELIGIBILITY FOR ADDITIONAL AMOUNTS.—

''(1) IN GENERAL.—A covered State shall qualify for and receive additional grant amounts beyond the base award specified in subsection (c)(1) if there is at least one coral reef action plan in effect within the jurisdiction of the covered State developed by that covered State or a non-Federal coral reef stewardship partnership.

''(2) WAIVER FOR CERTAIN FISCAL YEARS.—The Administrator may waive the requirement under paragraph (1) during fiscal years 2023 and 2024.

''(c) FUNDING FORMULA.—Subject to the availability of appropriations, the amount of each block grant awarded to a covered State under this section shall be the sum of—

''(1) a base award of $100,000; and

''(2) if the State is eligible under subsection (b)—

''(A) an amount that is equal to non-Federal expenditures of up to $3,000,000 on coral reef management and restoration activities within the jurisdiction of the State, as reported within the previous fiscal year; and

''(B) an additional amount, from any funds appropriated for block grants under this section that remain after distribution under subparagraph (A) and paragraph (1), based on the proportion of the State's share of total non-Federal expenditures on coral reef management and restoration activities, as reported within the previous fiscal year, in excess of $3,000,000, relative to other covered States.

''(d) EXCLUSIONS.—For the purposes of calculating block grant amounts under subsection (c), Federal funds provided to a covered State or non-Federal coral reef stewardship partnership shall not be considered as qualifying non-Federal expenditures, but non-Federal matching funds used to leverage Federal awards may be considered as qualifying non-Federal expenditures.

''(e) RESPONSIBILITIES OF THE ADMINISTRATOR.—The Administrator is responsible for—

''(1) providing guidance on qualifying non-Federal expenditures and the proper documentation of such expenditures;

''(2) issuing annual solicitations to covered States for awards under this section; and

''(3) determining the appropriate allocation of additional amounts among covered States in accordance with this section.

''(f) RESPONSIBILITIES OF COVERED STATES.—Each covered State is responsible for documenting non-Federal expenditures within the jurisdiction of the State and formally reporting those expenditures for review in response to annual solicitations by the Administrator under subsection (e).

''SEC. 208. COOPERATIVE AGREEMENTS.

''(a) IN GENERAL.—The Administrator shall seek to enter into cooperative agreements with covered States to fund coral reef conservation and restoration activities in waters managed under the jurisdiction of those covered States that are consistent with the national coral reef resilience strategy in effect under section 204 and any applicable action plans under section 205.

''(b) ALL ISLANDS COMMITTEE.—The Administrator may enter into a cooperative agreement with the All Islands Committee of the Task Force to provide support for its activities.

''(c) FUNDING.—Cooperative agreements under subsection (a) shall provide not less than $500,000 to each covered State and are not subject to any matching requirement.

''SEC. 209. CORAL REEF STEWARDSHIP FUND.

''(a) AGREEMENT.—The Administrator shall seek to enter into an agreement with the National Fish and Wildlife Foundation (in this section referred to as the 'Foundation'), authorizing the Foundation to receive, hold, and administer funds received under this section.

''(b) FUND.—

''(1) IN GENERAL.—The Foundation shall establish an account, which shall—

''(A) be known as the 'Coral Reef Stewardship Fund' (in this section referred to as the 'Fund'); and

''(B) serve as the successor to the account known before the date of the enactment of the Restoring Resilient Reefs Act of 2022 as the Coral Reef Conservation Fund and administered through a public-private partnership with the Foundation.

''(2) DEPOSITS.—The Foundation shall deposit funds received under this section into the Fund.

''(3) PURPOSES.—The Fund shall be available solely to support coral reef stewardship activities that—

''(A) further the purposes of this title; and

''(B) are consistent with—

''(i) the national coral reef resilience strategy in effect under section 204; and

''(ii) coral reef action plans in effect, if any, under section 205 covering a coral reef or ecologically significant component of a coral reef to be impacted by such activities, if applicable.

''(4) INVESTMENT OF AMOUNTS.—

''(A) INVESTMENT OF AMOUNTS.—The Foundation shall invest such portion of the Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

''(B) INTEREST AND PROCEEDS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

''(5) REVIEW OF PERFORMANCE.—The Administrator shall conduct a continuing review of all deposits into, and disbursements from, the Fund. Each review shall include a written assessment concerning the extent to which the Foundation has implemented the goals and requirements of—

''(A) this section; and

''(B) the national coral reef resilience strategy in effect under section 204.

''(c) AUTHORIZATION TO SOLICIT DONATIONS.—

''(1) IN GENERAL.—Pursuant to an agreement entered into under subsection (a), the Foundation may accept, receive, solicit, hold, administer, and use any gift (including, notwithstanding section 1342 of title 31, United States Code, donations of services) to further the purposes of this title.

''(2) DEPOSITS IN FUND.—Notwithstanding section 3302 of title 31, United States Code, any funds received as a gift shall be deposited and maintained in the Fund.

''(d) ADMINISTRATION.—Under an agreement entered into pursuant to subsection (a), and subject to the availability of appropriations, the Administrator may transfer funds appropriated to carry out this title to the Foundation. Amounts received by the Foundation under this subsection may be used for

matching, in whole or in part, contributions (whether in money, services, or property) made to the Foundation by private persons, State or local government agencies, or covered Native entities.

"SEC. 210. EMERGENCY ASSISTANCE.

''(a) IN GENERAL.—Notwithstanding any other provision of law, from funds appropriated pursuant to the authorization of appropriations under section 217, the Administrator may provide emergency assistance to any covered State or coral reef stewardship partnership to respond to immediate harm to coral reefs or coral reef ecosystems arising from any of the exigent circumstances described in subsection (b).

''(b) CORAL REEF EXIGENT CIRCUMSTANCES.—The Administrator shall develop a list of, and criteria for, circumstances that pose an exigent threat to coral reefs, including—

''(1) new and ongoing outbreaks of disease;

''(2) new and ongoing outbreaks of invasive or nuisance species;

''(3) new and ongoing coral bleaching events;

''(4) natural disasters;

''(5) industrial or mechanical incidents, such as vessel groundings, hazardous spills, or coastal construction accidents; and

''(6) other circumstances that pose an urgent threat to coral reefs.

''(c) ANNUAL REPORT ON EXIGENT CIRCUMSTANCES.—On February 1 of each year, the Administrator shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report that—

''(1) describes locations with exigent circumstances described in subsection (b) that were considered but declined for emergency assistance, and the rationale for the decision; and

''(2) with respect to each instance in which emergency assistance under this section was provided—

''(A) the location and a description of the exigent circumstances that prompted the emergency assistance, the entity that received the assistance, and the current and expected outcomes from the assistance;

''(B) a description of activities of the National Oceanic and Atmospheric Administration that were curtailed as a result of providing the emergency assistance;

''(C) in the case of an incident described in subsection (b)(5), a statement of whether legal action was commenced under subsection (c), and the rationale for the decision; and

''(D) an assessment of whether further action is needed to restore the affected coral reef, recommendations for such restoration, and a cost estimate to implement such recommendations.

"SEC. 211. CORAL REEF DISASTER FUND.

''(a) AGREEMENTS.—The Administrator shall seek to enter into an agreement with the National Fish and Wildlife Foundation (in this section referred to as the 'Foundation'), authorizing the Foundation to receive, hold, and administer funds received under this section.

''(b) FUND.—

''(1) IN GENERAL.—The Foundation shall establish an account, to be known as the 'Coral Reef Disaster Fund' (in this section referred to as the 'Fund').

''(2) DEPOSITS.—The Foundation shall deposit funds received under this section into the Fund.

''(3) PURPOSES.—The Fund shall be available solely to support the long-term recovery of coral reefs from exigent circumstances described in section 210—

''(A) in partnership with non-Federal stakeholders; and

''(B) in a manner that is consistent with—

''(i) the national coral reef resilience strategy in effect under section 204; and

''(ii) coral reef action plans in effect, if any, under section 205.

''(4) INVESTMENT OF AMOUNTS.—

''(A) INVESTMENT OF AMOUNTS.—The Foundation shall invest such portion of the Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

''(B) INTEREST AND PROCEEDS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

''(5) REVIEW OF PERFORMANCE.—The Administrator shall conduct continuing reviews of all deposits into, and disbursements from, the Fund. Each such review shall include a written assessment concerning the extent to which the Foundation has implemented the goals and requirements of this section.

''(c) AUTHORIZATION TO SOLICIT DONATIONS.—

''(1) IN GENERAL.—Pursuant to an agreement entered into under subsection (a), the Foundation may accept, receive, solicit, hold, administer, and use any gift (including, notwithstanding section 1342 of title 31, United States Code, donations of services) to further the purposes of this title.

''(2) DEPOSITS IN FUND.—Notwithstanding section 3302 of title 31, United States Code, any funds received as a gift shall be deposited and maintained in the Fund.

''(d) ADMINISTRATION.—Under an agreement entered into under subsection (a), and subject to the availability of appropriations, the Administrator may transfer funds appropriated to carry out this title to the Foundation. Amounts received by the Foundation under this subsection may be used for matching, in whole or in part, contributions (whether in money, services, or property) made to the Foundation by private persons, State or local government agencies, or covered Native entities.

"SEC. 212. VESSEL GROUNDING INVENTORY.

''The Administrator, in coordination with the Commandant of the Coast Guard, the Administrator of the Maritime Administration, and the heads of other Federal and State agencies as appropriate, shall establish and maintain an inventory of all vessel grounding incidents involving United States coral reefs, including a description of—

''(1) the location of each such incident;

''(2) vessel and ownership information relating to each such incident, if available;

''(3) the impacts of each such incident to coral reefs, coral reef ecosystems, and related natural resources;

''(4) the estimated cost of removal of the vessel, remediation, or restoration arising from each such incident;

''(5) any response actions taken by the owner of the vessel, the Administrator, the Commandant, or representatives of other Federal or State agencies;

''(6) the status of such response actions, including—

''(A) when the grounded vessel was removed, the costs of removal, and the how the removal was resourced;

''(B) a narrative and timeline of remediation or restoration activities undertaken by a Federal agency or agencies;

''(C) any emergency or disaster assistance provided under section 210 or 211;

''(D) any actions taken to prevent future grounding incidents; and

''(7) recommendations for additional navigational aids or other mechanisms for preventing future grounding incidents.

"SEC. 213. RUTH D. GATES CORAL REEF CONSERVATION GRANT PROGRAM.

''(a) IN GENERAL.—Subject to the availability of appropriations, the Administrator shall establish a program (to be known as the 'Ruth D. Gates Coral Reef Conservation Grant Program') to provide grants for projects for the conservation and restoration of coral reef ecosystems (in this section referred to as 'coral reef projects') pursuant to proposals approved by the Administrator in accordance with this section.

''(b) MATCHING REQUIREMENTS FOR GRANTS.—

''(1) IN GENERAL.—Except as provided in paragraph (3), Federal funds for any coral reef project for which a grant is provided under subsection (a) may not exceed 50 percent of the total cost of the project.

''(2) NON-FEDERAL SHARE.—The non-Federal share of the cost of a coral reef project may be provided by in-kind contributions and other noncash support.

''(3) WAIVER.—The Administrator may waive all or part of the matching requirement under paragraph (1) if the Administrator determines that no reasonable means are available through which an applicant can meet the matching requirement with respect to a coral reef project and the probable benefit of the project outweighs the public interest in the matching requirement.

''(c) ELIGIBILITY.—

''(1) IN GENERAL.—An entity described in paragraph (2) may submit to the Administrator a proposal for a coral reef project.

''(2) ENTITIES DESCRIBED.—An entity described in this paragraph is—

''(A) a covered reef manager or a covered Native entity—

''(i) with responsibility for coral reef management; or

''(ii) the activities of which directly or indirectly affect coral reefs or coral reef ecosystems;

''(B) a regional fishery management council established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.);

''(C) a coral reef stewardship partnership seeking to implement a coral reef action plan in effect under section 205;

''(D) a coral reef research center designated under section 214(b); or

''(E) another nongovernmental organization or research institution with demonstrated expertise in the conservation or restoration of coral reefs in practice or through significant contributions to the body of existing scientific research on coral reefs.

''(d) PROJECT PROPOSALS.—Each proposal for a grant under this section for a coral reef project shall include the following:

''(1) The name of the individual or entity responsible for conducting the project.

''(2) A description of the qualifications of the individual or entity.

''(3) A succinct statement of the purposes of the project.

''(4) An estimate of the funds and time required to complete the project.

''(5) Evidence of support for the project by appropriate representatives of States or other government jurisdictions in which the project will be conducted.

''(6) Information regarding the source and amount of matching funding available to the applicant.

''(7) A description of how the project meets one or more of the criteria under subsection (f)(2).

''(8) In the case of a proposal submitted by a coral reef stewardship partnership, a description of how the project aligns with the applicable coral reef action plan in effect under section 205.

''(9) Any other information the Administrator considers to be necessary for evaluating the eligibility of the project for a grant under this subsection.

''(e) PROJECT REVIEW AND APPROVAL.—

''(1) IN GENERAL.—The Administrator shall review each coral reef project proposal submitted under this section to determine if the project meets the criteria set forth in subsection (f).

''(2) PRIORITIZATION OF CONSERVATION PROJECTS.—The Administrator shall prioritize the awarding of funding for projects that meet the criteria for approval under subparagraphs (A) through (G) of subsection (f)(2) that are proposed to be conducted within priority areas identified for coral reef conservation by the Administrator under the national coral reef resilience strategy in effect under section 204.

''(3) PRIORITIZATION OF RESTORATION PROJECTS.—The Administrator shall prioritize the awarding of funding for projects that meet the criteria for approval under subparagraphs (E) through (L) of subsection (f)(2) that are proposed to be conducted within priority areas identified for coral reef restoration by the Administrator under the national coral reef resilience strategy in effect under section 204.

''(4) REVIEW; APPROVAL OR DISAPPROVAL.—Not later than 180 days after receiving a proposal for a coral reef project under this section, the Administrator shall—

''(A) request and consider written comments on the proposal from each Federal agency, State government, covered Native entity, or other government jurisdiction, including the relevant regional fishery management councils established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or any National Marine Sanctuary or Marine National Monument, with jurisdiction or management authority over coral reef ecosystems in the area where the project is to be conducted, including the extent to which the project is consistent with locally established priorities, unless such entities were directly involved in the development of the project proposal;

''(B) provide for the merit-based peer review of the proposal and require standardized documentation of that peer review;

''(C) after considering any written comments and recommendations based on the reviews under subparagraphs (A) and (B), approve or disapprove the proposal; and

''(D) provide written notification of that approval or disapproval, with summaries of all written comments, recommendations, and peer reviews, to the entity that submitted the proposal, and each of those States, covered Native entity, and other government jurisdictions that provided comments under subparagraph (A).

''(f) CRITERIA FOR APPROVAL.—The Administrator may not approve a proposal for a coral reef project under this section unless the project—

''(1) is consistent with—

''(A) the national coral reef resilience strategy in effect under section 204; and

''(B) any Federal or non-Federal coral reef action plans in effect under section 205 covering a coral reef or ecologically significant unit of a coral reef to be affected by the project; and

''(2) will enhance the conservation and restoration of coral reefs by—

''(A) addressing conflicts arising from the use of environments near coral reefs or from the use of corals, species associated with coral reefs, and coral products, including supporting consensus-driven, community-based planning and management initiatives for the protection of coral reef ecosystems;

''(B) improving compliance with laws that prohibit or regulate the taking of coral products or species associated with coral reefs or regulate the use and management of coral reef ecosystems;

''(C) designing and implementing networks of real-time water quality monitoring along coral reefs, including data collection related to turbidity, nutrient availability, harmful algal blooms, and plankton assemblages, with an emphasis on coral reefs impacted by agriculture and urban development;

''(D) promoting ecologically sound navigation and anchorages, including mooring buoy systems to promote enhanced recreational access, near coral reefs;

''(E) furthering the goals and objectives of coral reef action plans in effect under section 205;

''(F) mapping the location and distribution of coral reefs and potential coral reef habitat;

''(G) stimulating innovation to advance the ability of the United States to understand, research, or monitor coral reef ecosystems, or to develop management or adaptation options to conserve and restore coral reef ecosystems;

''(H) implementing research to ensure the population viability of listed coral species in United States waters as detailed in the population-based recovery criteria included in species-specific recovery plans consistent with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

''(I) developing and implementing cost-effective methods to restore degraded coral reef ecosystems or to create geographically appropriate coral reef ecosystems in suitable waters, including by improving habitat or promoting success of keystone species, with an emphasis on novel restoration strategies and techniques to advance coral reef recovery and growth near population centers threatened by rising sea levels and storm surge;

''(J) translating and applying coral genetics research to coral reef ecosystem restoration, including research related to traits that promote resilience to increasing ocean temperatures, ocean acidification, coral bleaching, coral diseases, and invasive species;

''(K) developing and maintaining in situ native coral propagation sites; or

''(L) developing and maintaining ex situ coral propagation nurseries and land-based coral gene banks to—

''(i) conserve or augment genetic diversity of native coral populations;

''(ii) support captive breeding of rare coral species; or

''(iii) enhance resilience of native coral populations to increasing ocean temperatures, ocean acidification, coral bleaching, and coral diseases through selective breeding, conditioning, or other approaches that target genes, gene expression, phenotypic traits, or phenotypic plasticity.

''(g) FUNDING REQUIREMENTS.—To the extent practicable based upon proposals for coral reef projects submitted to the Administrator, the Administrator shall ensure that funding for grants awarded under this section during a fiscal year is distributed as follows:

''(1) Not less than 40 percent of funds available shall be awarded for projects in the Pacific Ocean within the maritime areas and zones subject to the jurisdiction or control of the United States.

''(2) Not less than 40 percent of the funds available shall be awarded for projects in the Atlantic Ocean, the Gulf of Mexico, or the Caribbean Sea within the maritime areas and zones subject to the jurisdiction or control of the United States.

''(3) Not more than 67 percent of funds distributed in each region in accordance with paragraphs (1) and (2) shall be made exclusively available to projects that are—

''(A) submitted by a coral reef stewardship partnership; and

''(B) consistent with the coral reef action plan in effect under section 205 by such a partnership.

''(4) Of the funds distributed to support projects in accordance with paragraph (3), not less than 20 percent and not more than 33 percent shall be awarded for projects submitted by a Federal coral reef stewardship partnership.

''(h) TASK FORCE.—The Administrator may consult with the Secretary of the Interior and the Task Force to obtain guidance in establishing priorities and evaluating proposals for coral reef projects under this section.

''SEC. 214. NON-FEDERAL CORAL REEF RESEARCH.

''(a) REEF RESEARCH COORDINATION INSTITUTES.—

''(1) ESTABLISHMENT.—The Administrator shall designate 2 reef research coordination institutes for the purpose of advancing and sustaining essential capabilities in coral reef research, one each in the Atlantic and Pacific basins, to be known as the 'Atlantic Reef Research Coordination Institute' and the 'Pacific Reef Research Coordination Institute', respectively.

''(2) MEMBERSHIP.—Each institute designated under paragraph (1) shall be housed within a single coral reef research center designated by the Administrator under subsection (b) and may enter into contracts with other coral reef research centers designated under subsection (b) within the same basin to support the institute's capacity and reach.

''(3) FUNCTIONS.—The institutes designated under paragraph (1) shall—

''(A) conduct federally directed research to fill national and regional coral reef ecosystem research gaps and improve understanding of, and responses to, continuing and emerging threats to the resilience of United States coral reef ecosystems consistent with the national coral reef resilience strategy in effect under section 204;

''(B) support ecological research and monitoring to study the effects of conservation and restoration activities funded by this title on promoting more effective coral reef management and restoration; and

''(C) through agreements—

''(i) collaborate directly with governmental resource management agencies, coral reef stewardship partnerships, nonprofit organizations, and other coral reef research centers designated under subsection (b);

''(ii) assist in the development and implementation of—

''(I) the national coral reef resilience strategy under section 204; and

''(II) coral reef action plans under section 205;

''(iii) build capacity within non-Federal governmental resource management agencies to establish research priorities and translate and apply research findings to management and restoration practices; and

''(iv) conduct public education and awareness programs for policymakers, resource managers, and the general public on—

''(I) coral reefs and coral reef ecosystems;

''(II) best practices for coral reef ecosystem management and restoration;

''(III) the value of coral reefs; and

''(IV) the threats to the sustainability of coral reef ecosystems.

''(b) CORAL REEF RESEARCH CENTERS.—

''(1) IN GENERAL.—The Administrator shall—

''(A) periodically solicit applications for designation of qualifying institutions in covered States as coral reef research centers; and

''(B) designate all qualifying institutions in covered States as coral reef research centers.

''(2) QUALIFYING INSTITUTIONS.—For purposes of paragraph (1), an institution is a qualifying institution if the Administrator determines that the institution—

''(A) is operated by an institution of higher education or nonprofit marine research organization;

''(B) has established management-driven national or regional coral reef research or restoration programs;

''(C) has demonstrated abilities to coordinate closely with appropriate Federal and State agencies, as well as other academic and nonprofit organizations; and

''(D) maintains significant local community engagement and outreach programs related to coral reef ecosystems.

''SEC. 215. REPORTS ON ADMINISTRATION.

''Not later than 3 years after the date of the enactment of the Restoring Resilient Reefs Act of 2022, and every 2 years thereafter, the Administrator shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the administration of this title during the 2-year period preceding submission of the report, including—

''(1) a description of all activities undertaken to implement the most recent national coral reef resilience strategy under section 204;

''(2) a statement of all funds obligated under the authorities of this title; and

''(3) a summary, disaggregated by State, of Federal and non-Federal contributions toward the costs of each project or activity funded, in full or in part, under the authorities of this title.

''SEC. 216. CORAL REEF PRIZE COMPETITIONS.

''(a) IN GENERAL.—The head of any Federal agency with a representative serving on the United States Coral Reef Task Force established by Executive Order 13089 (16 U.S.C. 6401 note; relating to coral reef protection), may, individually or in cooperation with one or more agencies, carry out a program to award prizes competitively under section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719).

''(b) PURPOSES.—Any program carried out under this section shall be for the purpose of stimulating innovation to advance the ability of the United States to understand, research, or monitor coral reef ecosystems, or to develop management or adaptation options to preserve, sustain, and restore coral reef ecosystems.

''(c) PRIORITY PROGRAMS.—Priority shall be given to establishing programs under this section that address communities, environments, or industries that are in distress as a result of the decline or degradation of coral reef ecosystems, including—

''(1) scientific research and monitoring that furthers the understanding of causes behind coral reef decline and degradation and the generally slow recovery following disturbances, including ocean acidification, temperature-related bleaching, disease, and their associated impacts on coral physiology;

''(2) the development of monitoring or management options for communities or industries that are experiencing significant financial hardship;

''(3) the development of adaptation options to alleviate economic harm and job loss caused by damage to coral reef ecosystems;

''(4) the development of measures to help vulnerable communities or industries, with an emphasis on rural communities and businesses; and

''(5) the development of adaptation and management options for impacted tourism industries.'';

(3) in section 217, as redesignated by paragraph (1)—

(A) in subsection (c), by striking ''section 204'' and inserting ''section 213'';

(B) in subsection (d), by striking ''under section 207'' and inserting ''authorized under this title''; and

(C) by adding at the end the following:

''(e) BLOCK GRANTS.—There is authorized to be appropriated to the Administrator $10,000,000 for each of fiscal years 2023 through 2027 to carry out section 207.

''(f) COOPERATIVE AGREEMENTS.—There is authorized to be appropriated to the Administrator $10,000,000 for each of fiscal years 2023 through 2027 to carry out section 208.

''(g) NON-FEDERAL CORAL REEF RESEARCH.—There is authorized to be appropriated to the Administrator $4,500,000 for each of fiscal years 2023 through 2027 for agreements with the reef research coordination institutes designated under section 214.''; and

(4) by amending section 218, as redesignated by paragraph (1), to read as follows:

''SEC. 218. DEFINITIONS.

''In this title:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the National Oceanic and Atmospheric Administration.

''(2) ALASKA NATIVE CORPORATION.—The term 'Alaska Native Corporation' has the meaning given the term 'Native Corporation' in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

''(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives.

''(4) CONSERVATION.—The term 'conservation' means the use of methods and procedures necessary to preserve or sustain native corals and associated species as diverse, viable, and self-perpetuating coral reef ecosystems with minimal impacts from invasive species, including—

''(A) all activities associated with resource management, such as monitoring, assessment, protection, restoration, sustainable use, management of habitat, and maintenance or augmentation of genetic diversity;

''(B) mapping;

''(C) scientific expertise and technical assistance in the development and implementation of management strategies for marine protected areas and marine resources consistent with the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.) and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.);

''(D) law enforcement;

''(E) conflict resolution initiatives;

''(F) community outreach and education; and

''(G) promotion of safe and ecologically sound navigation and anchoring.

''(5) CORAL.—The term 'coral' means species of the phylum Cnidaria, including—

''(A) all species of the orders Antipatharia (black corals), Scleractinia (stony corals), Alcyonacea (soft corals, organ pipe corals, gorgonians), and Helioporacea (blue coral), of the class Anthozoa; and

''(B) all species of the order Anthoathecata (fire corals and other hydrocorals) of the class Hydrozoa.

''(6) CORAL PRODUCTS.—The term 'coral products' means any living or dead specimens, parts, or derivatives, or any product containing specimens, parts, or derivatives, of any species referred to in paragraph (5).

''(7) CORAL REEF.—The term 'coral reef' means calcium carbonate structures in the form of a reef or shoal, composed in whole or in part by living coral, skeletal remains of coral, crustose coralline algae, and other associated sessile marine plants and animals.

''(8) CORAL REEF ECOSYSTEM.—The term 'coral reef ecosystem' means—

''(A) corals and other geographically and ecologically associated marine communities of other reef organisms (including reef plants and animals) associated with coral reef habitat; and

''(B) the biotic and abiotic factors and processes that control or affect coral calcification rates, tissue growth, reproduction, recruitment, abundance, coral-algal symbiosis, and biodiversity in such habitat.

''(9) COVERED NATIVE ENTITY.—The term 'covered Native entity' means a Native entity of a covered State with interests in a coral reef ecosystem.

''(10) COVERED REEF MANAGER.—The term 'covered reef manager' means—

''(A) a management unit of a covered State with jurisdiction over a coral reef ecosystem;

''(B) a covered State; or

''(C) a coral reef stewardship partnership under section 206(d).

''(11) COVERED STATE.—The term 'covered State' means Florida, Hawaii, and the territories of American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the United States Virgin Islands.

''(12) FEDERAL REEF MANAGER.—

''(A) IN GENERAL.—The term 'Federal reef manager' means—

''(i) a management unit of a Federal agency specified in subparagraph (B) with lead management jurisdiction over a coral reef ecosystem; or

''(ii) a coral reef stewardship partnership under section 206(c).

''(B) FEDERAL AGENCIES SPECIFIED.—A Federal agency specified in this subparagraph is one of the following:

''(i) The National Oceanic and Atmospheric Administration.

''(ii) The National Park Service.

''(iii) The United States Fish and Wildlife Service.

''(iv) The Office of Insular Affairs.

''(C) AGENCY JURISDICTION.—Nothing in this Act shall be construed to expand the management authority of a Federal agency specified in subparagraph (B) or a coral reef stewardship partnership under section 206(c) to coral reefs or coral reef ecosystems outside the boundaries of the jurisdiction of the agency or partnership.

''(13) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

''(14) INTERESTED STAKEHOLDER GROUPS.—The term 'interested stakeholder groups' includes community members such as businesses, commercial and recreational fishermen, other recreationalists, covered Native entities, Federal, State, and local government units with related jurisdiction, institutions of higher education, and nongovernmental organizations.

''(15) NATIVE ENTITY.—The term 'Native entity' means any of the following:

''(A) An Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

''(B) An Alaska Native Corporation.

''(C) The Department of Hawaiian Home Lands.

''(D) The Office of Hawaiian Affairs.

''(E) A Native Hawaiian organization (as defined in section 6207 of the Elementary and

Secondary Education Act of 1965 (20 U.S.C. 7517)).

''(16) NONPROFIT ORGANIZATION.—The term 'nonprofit organization' means any corporation, trust, association, cooperative, or other organization, not including an institutions of higher education, that—

''(A) is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest;

''(B) is not organized primarily for profit; and

''(C) uses net proceeds to maintain, improve, or expand the operations of the organization.

''(17) RESTORATION.—The term 'restoration' means the use of methods and procedures necessary to enhance, rehabilitate, recreate, or create a functioning coral reef or coral reef ecosystem, in whole or in part, within suitable waters of the historical geographic range of such ecosystems, to provide ecological, economic, cultural, or coastal resiliency services associated with healthy coral reefs and benefit native populations of coral reef organisms.

''(18) RESILIENCE.—The term 'resilience' means the capacity for corals within their native range, coral reefs, or coral reef ecosystems to resist and recover from natural and human disturbances, and maintain structure and function to provide ecosystem services, as determined by clearly identifiable, measurable, and science-based standards.

''(19) SECRETARY.—The term 'Secretary' means the Secretary of Commerce.

''(20) STATE.—The term 'State' means—

''(A) any State of the United States that contains a coral reef ecosystem within its seaward boundaries;

''(B) American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, or the United States Virgin Islands; or

''(C) any other territory or possession of the United States or separate sovereign in free association with the United States that contains a coral reef ecosystem within its seaward boundaries.

''(21) STEWARDSHIP.—The term 'stewardship', with respect to a coral reef, includes conservation, restoration, and public outreach and education.

''(22) TASK FORCE.—The term 'Task Force' means the United States Coral Reef Task Force established under section 201 of the Restoring Resilient Reefs Act of 2022.''.

(b) CONFORMING AMENDMENT TO NATIONAL OCEANS AND COASTAL SECURITY ACT.—Section 905(a) of the National Oceans and Coastal Security Act (16 U.S.C. 7504(a)) is amended by striking ''and coastal infrastructure'' and inserting '', coastal infrastructure, and ecosystem services provided by natural systems such as coral reefs''.

Subtitle B—United States Coral Reef Task Force

SEC. 5121. ESTABLISHMENT.

There is established a task force to lead, coordinate, and strengthen Federal Government actions to better preserve, conserve, and restore coral reef ecosystems, to be known as the ''United States Coral Reef Task Force'' (in this subtitle referred to as the ''Task Force'').

SEC. 5122. DUTIES.

The duties of the Task Force shall be—

(1) to coordinate, in cooperation with covered States, covered Native entities, Federal reef managers, covered reef managers, coral reef research centers designated under section 214(b) of the Coral Reef Conservation Act of 2000 (as amended by section 5111), and other nongovernmental and academic partners as appropriate, activities regarding the mapping, monitoring, research, conservation, mitigation, and restoration of coral reefs and coral reef ecosystems;

(2) to monitor and advise regarding implementation of the policy and Federal agency responsibilities set forth in—

(A) Executive Order 13089 (63 Fed. Reg. 32701; relating to coral reef protection); and

(B) the national coral reef resilience strategy developed under section 204 of the Coral Reef Conservation Act of 2000, as amended by section 5111;

(3) to work, in coordination with the other members of the Task Force—

(A) to assess the United States role in international trade and protection of coral species;

(B) to encourage implementation of appropriate strategies and actions to promote conservation and sustainable use of coral reef resources worldwide; and

(C) to collaborate with international communities successful in managing coral reefs;

(4) to provide technical assistance for the development and implementation, as appropriate, of—

(A) the national coral reef resilience strategy under section 204 of the Coral Reef Conservation Act of 2000, as amended by section 5111; and

(B) coral reef action plans under section 205 of that Act; and

(5) to produce a report each year, for submission to the appropriate congressional committees and publication on a publicly available internet website of the Task Force, highlighting the status of the coral reef equities of a covered State on a rotating basis, including—

(A) a summary of recent coral reef management and restoration activities undertaken in that State; and

(B) updated estimates of the direct and indirect economic activity supported by, and other benefits associated with, those coral reef equities.

SEC. 5123. MEMBERSHIP.

(a) VOTING MEMBERSHIP.—The voting members of the Task Force shall be—

(1) the Under Secretary of Commerce for Oceans and Atmosphere and the Secretary of Interior, who shall be co-chairpersons of the Task Force;

(2) such representatives from other Federal agencies as the President, in consultation with the Under Secretary, determines appropriate; and

(3) the Governor, or a representative of the Governor, of each covered State.

(b) NONVOTING MEMBERS.—The Task Force shall have the following nonvoting members:

(1) A member of the South Atlantic Fishery Management Council who is designated by the Governor of Florida under section 302(b)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(b)(1)).

(2) A member of the Gulf of Mexico Fishery Management Council who is designated by the Governor of Florida under such section.

(3) A member of the Western Pacific Fishery Management Council who is designated under such section and selected as follows:

(A) For the period beginning on the date of the enactment of this Act and ending on December 31 of the calendar year during which such date of enactment occurs, the member shall be selected jointly by the governors of Hawaii, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

(B) For each calendar year thereafter, the governors of Hawaii, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands shall, on a rotating basis, take turns selecting the member.

(4) A member of the Caribbean Fishery Management Council who is designated under such section and selected as follows:

(A) For the period beginning on the date of the enactment of this Act and ending on December 31 of the calendar year during which such date of enactment occurs, the member shall be selected jointly by the governors of Puerto Rico and the United States Virgin Islands.

(B) For each calendar year thereafter, the governors of Puerto Rico and the United States Virgin Islands shall, on an alternating basis, take turns selecting the member.

(5) A member appointed by the President of the Federated States of Micronesia.

(6) A member appointed by the President of the Republic of the Marshall Islands.

(7) A member appointed by the President of the Republic of Palau.

SEC. 5124. RESPONSIBILITIES OF FEDERAL AGENCY MEMBERS.

(a) IN GENERAL.—A member of the Task Force described in section 5123(a) shall—

(1) identify the actions of the agency that member represents that may affect coral reef ecosystems;

(2) utilize the programs and authorities of that agency to protect and enhance the conditions of such ecosystems, including through the promotion of basic and applied scientific research;

(3) collaborate with the Task Force to appropriately reflect budgetary needs for coral reef conservation and restoration activities in all agency budget planning and justification documents and processes; and

(4) engage in any other coordinated efforts approved by the Task Force.

(b) CO-CHAIRPERSONS.—In addition to their responsibilities under subsection (a), the co-chairpersons of the Task Force shall administer performance of the functions of the Task Force and facilitate the coordination of the members of the Task Force described in section 5123(a).

SEC. 5125. WORKING GROUPS.

(a) IN GENERAL.—The co-chairpersons of the Task Force may establish working groups as necessary to meet the goals and carry out the duties of the Task Force.

(b) REQUESTS FROM MEMBERS.—The members of the Task Force may request that the co-chairpersons establish a working group under subsection (a).

(c) PARTICIPATION BY NONGOVERNMENTAL ORGANIZATIONS.—The co-chairpersons may allow nongovernmental organizations as appropriate, including academic institutions, conservation groups, and commercial and recreational fishing associations, to participate in a working group established under subsection (a).

(d) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to working groups established under this section.

SEC. 5126. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) CONSERVATION, CORAL, CORAL REEF, ETC.—The terms ''conservation'', ''coral'', ''coral reef'', ''coral reef ecosystem'', ''covered Native entity'', ''covered reef manager'', ''covered State'', ''Federal reef manager'', ''Native entity'', ''restoration'', ''resilience'', and ''State'' have the meanings given those terms in section 218 of the Coral Reef Conservation Act of 2000, as amended by section 5111.

Subtitle C—Department of the Interior Coral Reef Authorities

SEC. 5131. CORAL REEF CONSERVATION AND RESTORATION ASSISTANCE.

(a) IN GENERAL.—The Secretary of the Interior may provide scientific expertise and technical assistance, and subject to the availability of appropriations, financial assistance for the conservation and restoration of coral reefs consistent with all applicable laws governing resource management in Federal, State, and Tribal waters, including—

(1) the national coral reef resilience strategy in effect under section 204 of the Coral Reef Conservation Act of 2000, as amended by section 5111; and

(2) coral reef action plans in effect under section 205 of that Act, as applicable.

(b) CORAL REEF INITIATIVE.—The Secretary may establish a Coral Reef Initiative Program—

(1) to provide grant funding to support local management, conservation, and protection of coral reef ecosystems in—

(A) coastal areas of covered States; and

(B) Freely Associated States;

(2) to enhance resource availability of National Park Service and National Wildlife Refuge System management units to implement coral reef conservation and restoration activities;

(3) to complement the other conservation and assistance activities conducted under this Act or the Coral Reef Conservation Act of 2000, as amended by section 5111; and

(4) to provide other technical, scientific, and financial assistance and conduct conservation and restoration activities that advance the purposes of this title and the Coral Reef Conservation Act of 2000, as amended by section 5111.

(c) CONSULTATION WITH THE DEPARTMENT OF COMMERCE.—

(1) CORAL REEF CONSERVATION AND RESTORATION ACTIVITIES.—The Secretary of the Interior may consult with the Secretary of Commerce regarding the conduct of any activities to conserve and restore coral reefs and coral reef ecosystems in waters managed under the jurisdiction of the Federal agencies specified in paragraphs (2) and (3) of section 203(c) of the Coral Reef Conservation Act of 2000, as amended by section 5111.

(2) AWARD OF CORAL REEF MANAGEMENT FELLOWSHIP.—The Secretary of the Interior shall consult with the Secretary of Commerce to award the Susan L. Williams Coral Reef Management Fellowship under subtitle D.

(d) COOPERATIVE AGREEMENTS.—Subject to the availability of appropriations, the Secretary of the Interior may enter into cooperative agreements with covered reef managers to fund coral reef conservation and restoration activities in waters managed under the jurisdiction of such managers that—

(1) are consistent with the national coral reef resilience strategy in effect under section 204 of the Coral Reef Conservation Act of 2000, as amended by section 5111; and

(2) support and enhance the success of coral reef action plans in effect under section 205 of that Act.

(e) DEFINITIONS.—In this section:

(1) CONSERVATION, CORAL, CORAL REEF, ETC.—The terms ''conservation'', ''coral reef'', ''covered reef manager'', ''covered State'', ''restoration'', and ''State'' have the meanings given those terms in section 218 of the Coral Reef Conservation Act of 2000, as amended by section 5111.

(2) TRIBE; TRIBAL.—The terms ''Tribe'' and ''Tribal'' refer to Indian Tribes (as defined in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130)).

Subtitle D—Susan L. Williams National Coral Reef Management Fellowship

SEC. 5141. SHORT TITLE.

This subtitle may be cited as the ''Susan L. Williams National Coral Reef Management Fellowship Act of 2022''.

SEC. 5142. DEFINITIONS.

In this subtitle:

(1) ALASKA NATIVE CORPORATION.—The term ''Alaska Native Corporation'' has the meaning given the term ''Native Corporation'' in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

(2) FELLOW.—The term ''fellow'' means a National Coral Reef Management Fellow.

(3) FELLOWSHIP.—The term ''fellowship'' means the National Coral Reef Management Fellowship established in section 5143.

(4) COVERED NATIVE ENTITY.—The term ''covered Native entity'' means a Native entity of a covered State with interests in a coral reef ecosystem.

(5) COVERED STATE.—The term ''covered State'' means Florida, Hawaii, and the territories of American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the United States Virgin Islands.

(6) NATIVE ENTITY.—The term ''Native entity'' means any of the following:

(A) An Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

(B) An Alaska Native Corporation.

(C) The Department of Hawaiian Home Lands.

(D) The Office of Hawaiian Affairs.

(E) A Native Hawaiian organization (as defined in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517)).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

SEC. 5143. ESTABLISHMENT OF FELLOWSHIP PROGRAM.

(a) IN GENERAL.—There is established a National Coral Reef Management Fellowship Program.

(b) PURPOSES.—The purposes of the fellowship are—

(1) to encourage future leaders of the United States to develop additional coral reef management capacity in States and local communities with coral reefs;

(2) to provide management agencies of covered States or covered Native entities with highly qualified candidates whose education and work experience meet the specific needs of each covered State or covered Native entity; and

(3) to provide fellows with professional experience in management of coastal and coral reef resources.

SEC. 5144. FELLOWSHIP AWARDS.

(a) IN GENERAL.—The Secretary, in partnership with the Secretary of the Interior, shall award the fellowship in accordance with this section.

(b) TERM OF FELLOWSHIP.—A fellowship awarded under this section shall be for a term of not more than 24 months.

(c) QUALIFICATIONS.—The Secretary shall award the fellowship to individuals who have demonstrated—

(1) an intent to pursue a career in marine services and outstanding potential for such a career;

(2) leadership potential, actual leadership experience, or both;

(3) a college or graduate degree in biological science, a resource management college or graduate degree with experience that correlates with aptitude and interest for marine management, or both;

(4) proficient writing and speaking skills; and

(5) such other attributes as the Secretary considers appropriate.

SEC. 5145. MATCHING REQUIREMENT.

(a) IN GENERAL.—Except as provided in subsection (b), the non-Federal share of the costs of a fellowship under this section shall be 25 percent of such costs.

(b) WAIVER OF REQUIREMENTS.—The Secretary may waive the application of subsection (a) if the Secretary finds that such waiver is necessary to support a project that the Secretary has identified as a high priority.

TITLE LII—BOLSTERING LONG-TERM UNDERSTANDING AND EXPLORATION OF THE GREAT LAKES, OCEANS, BAYS, AND ESTUARIES

SEC. 5201. SHORT TITLE.

This title may be cited as the ''Bolstering Long-term Understanding and Exploration of the Great Lakes, Oceans, Bays, and Estuaries Act'' or the ''BLUE GLOBE Act''.

SEC. 5202. PURPOSE.

The purpose of this title is to promote and support—

(1) the monitoring, understanding, and exploration of the Great Lakes, oceans, bays, estuaries, and coasts; and

(2) the collection, analysis, synthesis, and sharing of data related to the Great Lakes, oceans, bays, estuaries, and coasts to facilitate science and operational decision making.

SEC. 5203. SENSE OF CONGRESS.

It is the sense of Congress that Federal agencies should optimize data collection, management, and dissemination, to the extent practicable, to maximize their impact for research, conservation, commercial, regulatory, national security, and educational benefits and to foster innovation, scientific discoveries, the development of commercial products, and the development of sound policy with respect to the Great Lakes, oceans, bays, estuaries, and coasts.

SEC. 5204. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Under Secretary of Commerce for Oceans and Atmosphere in the Under Secretary's capacity as Administrator of the National Oceanic and Atmospheric Administration.

(2) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

SEC. 5205. WORKFORCE STUDY.

(a) IN GENERAL.—Section 303(a) of the America COMPETES Reauthorization Act of 2010 (33 U.S.C. 893c(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''Secretary of Commerce'' and inserting ''Under Secretary of Commerce for Oceans and Atmosphere'';

(2) in paragraph (2), by inserting '', skillsets, or credentials'' after ''degrees'';

(3) in paragraph (3), by inserting ''or highly qualified technical professionals and tradespeople'' after ''atmospheric scientists'';

(4) in paragraph (4), by inserting '', skillsets, or credentials'' after ''degrees'';

(5) in paragraph (5)—

(A) by striking ''scientist''; and

(B) by striking ''; and'' and inserting '', observations, and monitoring;''

(6) in paragraph (6), by striking ''into Federal'' and all that follows and inserting '', technical professionals, and tradespeople into Federal career positions;''

(7) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(8) by inserting after paragraph (1) the following:

''(2) whether there is a shortage in the number of individuals with technical or

trade-based skillsets or credentials suited to a career in oceanic and atmospheric data collection, processing, satellite production, or satellite operations;''; and

(9) by adding at the end the following:

''(8) workforce diversity and actions the Federal Government can take to increase diversity in the scientific workforce; and

''(9) actions the Federal Government can take to shorten the hiring backlog for such workforce.''.

(b) COORDINATION.—Section 303(b) of such Act (33 U.S.C. 893c(b)) is amended by striking ''Secretary of Commerce'' and inserting ''Under Secretary of Commerce for Oceans and Atmosphere''.

(c) REPORT.—Section 303(c) of such Act (33 U.S.C. 893c(c)) is amended—

(1) by striking ''the date of enactment of this Act'' and inserting ''the date of the enactment of the Bolstering Long-term Understanding and Exploration of the Great Lakes, Oceans, Bays, and Estuaries Act'';

(2) by striking ''Secretary of Commerce'' and inserting ''Under Secretary of Commerce for Oceans and Atmosphere''; and

(3) by striking ''to each committee'' and all that follows through ''section 302 of this Act'' and inserting ''to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources and the Committee on Science, Space, and Technology of the House of Representatives''.

(d) PROGRAM AND PLAN.—Section 303(d) of such Act (33 U.S.C. 893c(d)) is amended—

(1) by striking ''Administrator of the National Oceanic and Atmospheric Administration'' and inserting ''Under Secretary of Commerce for Oceans and Atmosphere''; and

(2) by striking ''academic partners'' and all that follows and inserting ''academic partners.''.

SEC. 5206. ACCELERATING INNOVATION AT COOPERATIVE INSTITUTES.

(a) FOCUS ON EMERGING TECHNOLOGIES.—The Administrator shall consider evaluating the goals of one or more Cooperative Institutes of the National Oceanic and Atmospheric Administration to include focusing on advancing or applying emerging technologies, which may include—

(1) applied uses and development of real-time and other advanced genetic technologies and applications, including such technologies and applications that derive genetic material directly from environmental samples without any obvious signs of biological source material;

(2) deployment of, and improvements to, the durability, maintenance, and other lifecycle concerns of advanced unmanned vehicles, regional small research vessels, and other research vessels that support and launch unmanned vehicles and sensors; and

(3) supercomputing and big data management, including data collected through model outputs, electronic monitoring, and remote sensing.

(b) COORDINATION WITH OTHER PROGRAMS.—If appropriate, the Cooperative Institutes shall work with the Interagency Ocean Observation Committee, the regional associations of the Integrated Ocean Observing System, and other ocean observing programs to coordinate technology needs and the transition of new technologies from research to operations.

SEC. 5207. BLUE ECONOMY VALUATION.

(a) MEASUREMENT OF BLUE ECONOMY INDUSTRIES.—The Administrator, in consultation with the heads of other relevant Federal agencies, shall establish a program to improve the collection, aggregation, and analysis of data to measure the value and impact of industries related to the Great Lakes, oceans, bays, estuaries, and coasts on the economy of the United States, including military uses, living resources, marine construction, marine transportation, offshore energy development and siting including for renewable energy, offshore mineral production, ship and boat building, tourism, recreation, subsistence, commercial, recreational, and charter fishing, seafood processing, and other fishery-related businesses, aquaculture such as kelp and shellfish, and other industries the Administrator considers appropriate (known as ''Blue Economy'' industries).

(b) COLLABORATION.—In carrying out subsection (a), the Administrator shall—

(1) work with the Director of the Bureau of Economic Analysis and the heads of other relevant Federal agencies to develop a Coastal and Ocean Economy Satellite Account that includes national, Tribal, and State-level statistics to measure the contribution of the Great Lakes, oceans, bays, estuaries, and coasts to the overall economy of the United States; and

(2) collaborate with national and international organizations and governments to promote consistency of methods, measurements, and definitions to ensure comparability of results between countries.

(c) REPORT.—Not less frequently than once every 2 years until the date that is 20 years after the date of the enactment of this Act, the Administrator, in consultation with the heads of other relevant Federal agencies, shall publish a report that—

(1) defines the Blue Economy, in coordination with Indian Tribes, academia, the private sector, nongovernmental organizations, and other relevant experts;

(2) makes recommendations for updating North American Industry Classification System (NAICS) reporting codes to reflect the Blue Economy; and

(3) provides a comprehensive estimate of the value and impact of the Blue Economy with respect to each State and territory of the United States, including—

(A) the value and impact of—

(i) economic activities that are dependent upon the resources of the Great Lakes, oceans, bays, estuaries, and coasts;

(ii) the population and demographic characteristics of the population along the coasts;

(iii) port and shoreline infrastructure;

(iv) the volume and value of cargo shipped by sea or across the Great Lakes;

(v) data collected from the Great Lakes, oceans, bays, estuaries, and coasts, including such data collected by businesses that purchase and commodify the data, including weather prediction and seasonal agricultural forecasting; and

(vi) military uses; and

(B) to the extent possible, the qualified value and impact of the natural capital of the Great Lakes, oceans, bays, estuaries, and coasts with respect to tourism, recreation, natural resources, and cultural heritage, including other indirect values.

SEC. 5208. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are to be authorized to carry out this title.

SEC. 5209. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out this title.

TITLE LIII—REGIONAL OCEAN PARTNERSHIPS

SEC. 5301. SHORT TITLE.

This title may be cited as the ''Regional Ocean Partnership Act''.

SEC. 5302. FINDINGS; SENSE OF CONGRESS; PURPOSES.

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

(1) The ocean and coastal waters and the Great Lakes of the United States are foundational to the economy, security, global competitiveness, and well-being of the United States and continuously serve the people of the United States and other countries as an important source of food, energy, economic productivity, recreation, beauty, and enjoyment.

(2) Over many years, the resource productivity and water quality of the ocean, coastal, and Great Lakes areas of the United States have been diminished by pollution, increasing population demands, economic development, and natural and man-made hazard events, both acute and chronic.

(3) The ocean, coastal, and Great Lakes areas of the United States are managed by State and Federal resource agencies and Indian Tribes and regulated on an interstate and regional scale by various overlapping Federal authorities, thereby creating a significant need for interstate coordination to enhance regional priorities, including the ecological and economic health of those areas.

(4) Indian Tribes have unique expertise and knowledge important for the stewardship of the ocean and coastal waters and the Great Lakes of the United States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should seek to support interstate coordination of shared regional priorities relating to the management, conservation, resilience, and restoration of ocean, coastal, and Great Lakes areas to maximize efficiencies through collaborative regional efforts by Regional Ocean Partnerships, in coordination with Federal and State agencies, Indian Tribes, and local authorities;

(2) such efforts would enhance existing and effective ocean, coastal, and Great Lakes management efforts of States and Indian Tribes based on shared regional priorities; and

(3) Regional Ocean Partnerships should coordinate with Indian Tribes.

(c) PURPOSES.—The purposes of this title are as follows:

(1) To complement and expand cooperative voluntary efforts intended to manage, conserve, and restore ocean, coastal, and Great Lakes areas spanning across multiple State and Indian Tribe jurisdictions.

(2) To expand Federal support for monitoring, data management, restoration, research, and conservation activities in ocean, coastal, and Great Lakes areas.

(3) To commit the United States to a comprehensive cooperative program to achieve improved water quality in, and improvements in the productivity of living resources of, oceans, coastal, and Great Lakes ecosystems.

(4) To authorize Regional Ocean Partnerships as intergovernmental coordinators for shared regional priorities among States and Indian Tribes relating to the collaborative management of the large marine ecosystems, thereby reducing duplication of efforts and maximizing opportunities to leverage support in the ocean and coastal regions.

(5) To empower States to take a lead role in managing oceans, coastal, and Great Lakes areas.

(6) To incorporate rights of Indian Tribes in the management of oceans, coasts, and Great Lakes resources and provide resources to support Indian Tribe participation in and engagement with Regional Ocean Partnerships.

(7) To enable Regional Ocean Partnerships, or designated fiscal management entities of such partnerships, to receive Federal funding to conduct the scientific research, conservation and restoration activities, and priority coordination on shared regional priorities necessary to achieve the purposes described in paragraphs (1) through (6).

SEC. 5303. REGIONAL OCEAN PARTNERSHIPS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the National Oceanic and Atmospheric Administration.

(2) COASTAL STATE.—The term ''coastal state'' has the meaning given that term in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453).

(3) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(4) REGIONAL OCEAN PARTNERSHIP.—The term ''Regional Ocean Partnership'' means a Regional Ocean Partnership, a Regional Coastal Partnership, or a Regional Great Lakes Partnership.

(b) REGIONAL OCEAN PARTNERSHIPS.—

(1) IN GENERAL.—A coastal state may participate in a Regional Ocean Partnership with one or more—

(A) coastal states that share a common ocean or coastal area with the coastal state, without regard to whether the coastal states are contiguous; and

(B) States—

(i) with which the coastal state shares a common watershed; or

(ii) that would contribute to the priorities of the partnership.

(2) GREAT LAKES.—A partnership consisting of one or more coastal states bordering one or more of the Great Lakes may be known as a ''Regional Coastal Partnership'' or a ''Regional Great Lakes Partnership''.

(3) APPLICATION.—The Governor of a coastal state or the Governors of a group of coastal states may apply to the Secretary of Commerce, on behalf of a partnership, for the partnership to receive designation as a Regional Ocean Partnership if the partnership—

(A) meets the requirements under paragraph (4); and

(B) submits an application for such designation in such manner, in such form, and containing such information as the Secretary may require.

(4) REQUIREMENTS.—A partnership is eligible for designation as a Regional Ocean Partnership by the Secretary under paragraph (3) if the partnership—

(A) is established to coordinate the management of ocean, coastal, and Great Lakes resources among State governments and Indian Tribes;

(B) focuses on the environmental issues affecting the ocean, coastal, and Great Lakes areas of the members participating in the partnership;

(C) complements existing coastal and ocean management efforts of States and Indian Tribes on an interstate scale, focusing on shared regional priorities;

(D) does not have a regulatory function; and

(E) is not duplicative of an existing Regional Ocean Partnership designated under paragraph (5), as determined by the Secretary.

(5) DESIGNATION OF CERTAIN ENTITIES AS REGIONAL OCEAN PARTNERSHIPS.—Notwithstanding paragraph (3) or (4), the following entities are designated as Regional Ocean Partnerships:

(A) The Gulf of Mexico Alliance, comprised of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

(B) The Northeast Regional Ocean Council, comprised of the States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island.

(C) The Mid-Atlantic Regional Council on the Ocean, comprised of the States of New York, New Jersey, Delaware, Maryland, and Virginia.

(D) The West Coast Ocean Alliance, comprised of the States of California, Oregon, and Washington and the coastal Indian Tribes therein.

(c) GOVERNING BODIES OF REGIONAL OCEAN PARTNERSHIPS.—

(1) IN GENERAL.—A Regional Ocean Partnership designated under subsection (b) shall have a governing body.

(2) MEMBERSHIP.—A governing body described in paragraph (1)—

(A) shall be comprised, at a minimum, of voting members from each coastal state participating in the Regional Ocean Partnership, designated by the Governor of the coastal state; and

(B) may include such other members as the partnership considers appropriate.

(d) FUNCTIONS.—A Regional Ocean Partnership designated under subsection (b) may perform the following functions:

(1) Promote coordination of the actions of the agencies of coastal states participating in the partnership with the actions of the appropriate officials of Federal agencies, State governments, and Indian Tribes in developing strategies—

(A) to conserve living resources, increase valuable habitats, enhance coastal resilience and ocean management, promote ecological and economic health, and address such other issues related to the shared ocean, coastal, or Great Lakes areas as are determined to be a shared, regional priority by those states; and

(B) to manage regional data portals and develop associated data products for purposes that support the priorities of the partnership.

(2) In cooperation with appropriate Federal and State agencies, Indian Tribes, and local authorities, develop and implement specific action plans to carry out coordination goals.

(3) Coordinate and implement priority plans and projects, and facilitate science, research, modeling, monitoring, data collection, and other activities that support the goals of the partnership through the provision of grants and contracts under subsection (f).

(4) Engage, coordinate, and collaborate with relevant governmental entities and stakeholders to address ocean and coastal related matters that require interagency or intergovernmental solutions.

(5) Implement outreach programs for public information, education, and participation to foster stewardship of the resources of the ocean, coastal, and Great Lakes areas, as relevant.

(6) Develop and make available, through publications, technical assistance, and other appropriate means, information pertaining to cross-jurisdictional issues being addressed through the coordinated activities of the partnership.

(7) Serve as a liaison with, and provide information to, international counterparts, as appropriate on priority issues for the partnership.

(e) COORDINATION, CONSULTATION, AND ENGAGEMENT.—

(1) IN GENERAL.—A Regional Ocean Partnership designated under subsection (b) shall maintain mechanisms for coordination, consultation, and engagement with the following:

(A) The Federal Government.

(B) Indian Tribes.

(C) Nongovernmental entities, including academic organizations, nonprofit organizations, and private sector entities.

(D) Other federally mandated regional entities, including the Regional Fishery Management Councils, the regional associations of the National Integrated Coastal and Ocean Observation System, and relevant Marine Fisheries Commissions.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1)(B) may be construed as affecting any requirement to consult with Indian Tribes under Executive Order 13175 (25 U.S.C. 5301 note; relating to consultation and coordination with Indian tribal governments) or any other applicable law or policy.

(f) GRANTS AND CONTRACTS.—

(1) IN GENERAL.—A Regional Ocean Partnership designated under subsection (b) may, in coordination with existing Federal and State management programs, from amounts made available to the partnership by the Administrator or the head of another Federal agency, provide grants and enter into contracts for the purposes described in paragraph (2).

(2) PURPOSES.—The purposes described in this paragraph include any of the following:

(A) Monitoring the water quality and living resources of multi-State ocean and coastal ecosystems and coastal communities.

(B) Researching and addressing the effects of natural and human-induced environmental changes on—

(i) ocean and coastal ecosystems; and

(ii) coastal communities.

(C) Developing and executing cooperative strategies that—

(i) address regional data issues identified by the partnership; and

(ii) will result in more effective management of common ocean and coastal areas.

(g) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 5 years after the date of the enactment of this Act, the Administrator, in coordination with the Regional Ocean Partnerships designated under subsection (b), shall submit to Congress a report on the partnerships.

(2) REPORT REQUIREMENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of the overall status of the work of the Regional Ocean Partnerships designated under subsection (b).

(B) An assessment of the effectiveness of the partnerships in supporting regional priorities relating to the management of common ocean, coastal, and Great Lakes areas.

(C) An assessment of the effectiveness of the strategies that the partnerships are supporting or implementing and the extent to which the priority needs of the regions covered by the partnerships are being met through such strategies.

(D) An assessment of how the efforts of the partnerships support or enhance Federal and State efforts consistent with the purposes of this title.

(E) Such recommendations as the Administrator may have for improving—

(i) efforts of the partnerships to support the purposes of this title; and

(ii) collective strategies that support the purposes of this title in coordination with all relevant Federal and State entities and Indian Tribes.

(F) The distribution of funds from each partnership for each fiscal year covered by the report.

(h) AVAILABILITY OF FEDERAL FUNDS.—In addition to amounts made available to the Regional Ocean Partnerships designated under subsection (b) by the Administrator under this section, the head of any other Federal agency may provide grants to, enter into contracts with, or otherwise provide funding to such partnerships.

(i) AUTHORITIES.—Nothing in this section establishes any new legal or regulatory authority of the National Oceanic and Atmospheric Administration or of the Regional Ocean Partnerships designated under subsection (b), other than—

(1) the authority of the Administrator to provide amounts to the partnerships; and

(2) the authority of the partnerships to provide grants and enter into contracts under subsection (f).

TITLE LIV—NATIONAL OCEAN EXPLORATION

SEC. 5401. SHORT TITLE.

This title may be cited as the ''National Ocean Exploration Act''.

SEC. 5402. FINDINGS.

Congress makes the following findings:

(1) The health and resilience of the ocean are vital to the security and economy of the United States and to the lives of the people of the United States.

(2) The United States depends on the ocean to regulate weather and climate, to sustain and protect the diversity of life, for maritime shipping, for national defense, and for food, energy, medicine, recreation, and other services essential to the people of the United States and all humankind.

(3) The prosperity, security, and well-being of the United States depend on successful understanding and stewardship of the ocean.

(4) Interdisciplinary cooperation and engagement among government agencies, research institutions, nongovernmental organizations, States, Indian Tribes, and the private sector are essential for successful stewardship of ocean and coastal environments, national economic growth, national security, and development of agile strategies that develop, promote, and use new technologies.

(5) Ocean exploration can help the people of the United States understand how to be effective stewards of the ocean and serve as catalysts and enablers for other sectors of the economy.

(6) Mapping, exploration, and characterization of the ocean provides basic, essential information to protect and restore the marine environment, stimulate economic activity, and provide security for the United States.

(7) A robust national ocean exploration program engaging multiple Federal agencies, Indian Tribes, the private sector, nongovernmental organizations, and academia is—

(A) essential to the interests of the United States and vital to its security and economy and the health and well-being of all people of the United States; and

(B) critical to reestablish the United States at the forefront of global ocean exploration and stewardship.

SEC. 5403. DEFINITIONS.

In this title:

(1) CHARACTERIZATION.—The term ''characterization'' refers to activities that provide comprehensive data and interpretations for a specific area of interest of the seafloor, subbottom, water column, or hydrologic features, such as water masses and currents, in direct support of specific research, environmental protection, resource management, policymaking, or applied mission objectives.

(2) EXPLORATION.—The term ''exploration'' refers to activities that provide—

(A) a multidisciplinary view of an unknown or poorly understood area of the seafloor, sub-bottom, or water column; and

(B) an initial assessment of the physical, chemical, geological, biological, archeological, or other characteristics of such an area.

(3) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(4) MAPPING.—The term ''mapping'' refers to activities that provide comprehensive data and information needed to understand seafloor characteristics, such as depth, topography, bottom type, sediment composition and distribution, underlying geologic structure, and benthic flora and fauna.

SEC. 5404. OCEAN POLICY COMMITTEE.

(a) SUBCOMMITTEES.—Section 8932(c) of title 10, United States Code, is amended to read as follows:

''(c) SUBCOMMITTEES.—(1) The Committee shall include—

''(A) a subcommittee to be known as the 'Ocean Science and Technology Subcommittee'; and

''(B) a subcommittee to be known as the 'Ocean Resource Management Subcommittee'.

''(2) In discharging its responsibilities in support of agreed-upon scientific needs, and to assist in the execution of the responsibilities described in subsection (b), the Committee may delegate responsibilities to the Ocean Science and Technology Subcommittee, the Ocean Resource Management Subcommittee, or another subcommittee of the Committee, as the Committee determines appropriate.''.

(b) INCREASED ACCESS TO GEOSPATIAL DATA FOR MORE EFFICIENT AND INFORMED DECISION MAKING.—

(1) ESTABLISHMENT OF DOCUMENT SYSTEM.—Section 8932(b) of title 10, United States Code, is amended—

(A) in paragraph (3), by striking ''and'' at the end;

(B) in paragraph (4)(F), by striking the period at the end and inserting ''; and''; and

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

''(5) for projects under the purview of the Committee, establish or designate one or more systems for ocean-related and ocean-mapping related documents prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), in accordance with subsection (h).''.

(2) ELEMENTS.—Section 8932 of such title is amended—

(A) by redesignating subsection (h) as subsection (i); and

(B) by inserting after subsection (g) the following new subsection (h):

''(h) ELEMENTS OF DOCUMENT SYSTEM.—The systems established or designated under subsection (b)(5) may include the following:

''(1) A publicly accessible, centralized digital archive of documents described in subsection (b)(5) that are finalized after the date of the enactment of the National Ocean Exploration Act, including—

''(A) environmental impact statements;

''(B) environmental assessments;

''(C) records of decision; and

''(D) other relevant documents as determined by the lead agency on a project.

''(2) Geospatially referenced data, if any, contained in the documents under paragraph (1).

''(3) A mechanism to retrieve information through geo-information tools that can map and integrate relevant geospatial information, such as—

''(A) Ocean Report Tools;

''(B) the Environmental Studies Program Information System;

''(C) Regional Ocean Partnerships; and

''(D) the Integrated Ocean Observing System.''.

SEC. 5405. NATIONAL OCEAN MAPPING, EXPLORATION, AND CHARACTERIZATION COUNCIL.

(a) ESTABLISHMENT.—The President shall establish a council, to be known as the ''National Ocean Mapping, Exploration, and Characterization Council'' (in this section referred to as the ''Council'').

(b) PURPOSE.—The Council shall—

(1) update national priorities for ocean mapping, exploration, and characterization; and

(2) coordinate and facilitate activities to advance those priorities.

(c) REPORTING.—The Council shall report to the Ocean Science and Technology Subcommittee of the Ocean Policy Committee established under section 8932(c) of title 10, United States Code.

(d) MEMBERSHIP.—The Council shall be composed of senior-level representatives from the appropriate Federal agencies.

(e) CO-CHAIRS.—The Council shall be co-chaired by—

(1) two senior-level representatives from the National Oceanic and Atmospheric Administration; and

(2) one senior-level representative from the Department of the Interior.

(f) DUTIES.—The Council shall—

(1) set national ocean mapping, exploration, and characterization priorities and strategies;

(2) cultivate and facilitate transparent and sustained partnerships among Federal and State agencies, Indian Tribes, private industry, academia, and nongovernmental organizations to conduct ocean mapping, exploration, and characterization activities and related technology development;

(3) coordinate improved processes for data compilation, management, access, synthesis, and visualization with respect to ocean mapping, exploration, and characterization, with a focus on building on existing ocean data management systems and with appropriate safeguards on the public accessibility of data to protect national security equities, as appropriate;

(4) encourage education, workforce training, and public engagement activities that—

(A) advance interdisciplinary principles that contribute to ocean mapping, exploration, research, and characterization;

(B) improve public engagement with and understanding of ocean science; and

(C) provide opportunities for underserved populations;

(5) coordinate activities as appropriate with domestic and international ocean mapping, exploration, and characterization initiatives or programs; and

(6) establish and monitor metrics to track progress in achieving the priorities set under paragraph (1).

(g) INTERAGENCY WORKING GROUP ON OCEAN EXPLORATION AND CHARACTERIZATION.—

(1) ESTABLISHMENT.—The President shall establish a new interagency working group to be known as the ''Interagency Working Group on Ocean Exploration and Characterization''.

(2) MEMBERSHIP.—The Interagency Working Group on Ocean Exploration and Characterization shall be comprised of senior representatives from Federal agencies with ocean exploration and characterization responsibilities.

(3) FUNCTIONS.—The Interagency Working Group on Ocean Exploration and Characterization shall support the Council and the Ocean Science and Technology Subcommittee of the Ocean Policy Committee established under section 8932(c) of title 10, United States Code, on ocean exploration and characterization activities and associated technology development across the Federal Government, State governments, Indian Tribes, private industry, nongovernmental organizations, and academia.

(h) OVERSIGHT.—The Council shall oversee—

(1) the Interagency Working Group on Ocean Exploration and Characterization established under subsection (g)(1); and

(2) the Interagency Working Group on Ocean and Coastal Mapping under section 12203 of the Ocean and Coastal Mapping Integration Act (33 U.S.C. 3502).

(i) PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Council shall develop or update and submit to the appropriate committees of Congress a

plan for an integrated cross-sectoral ocean mapping, exploration, and characterization initiative.

(2) ELEMENTS.—The plan required by paragraph (1) shall—

(A) discuss the utility and benefits of ocean exploration and characterization;

(B) identify and describe national ocean mapping, exploration, and characterization priorities;

(C) identify and describe Federal and federally funded ocean mapping, exploration, and characterization programs;

(D) facilitate and incorporate non-Federal input into national ocean mapping, exploration, and characterization priorities;

(E) ensure effective coordination of ocean mapping, exploration, and characterization activities among programs described in subparagraph (C);

(F) identify opportunities for combining overlapping or complementary needs, activities, and resources of Federal agencies and non-Federal organizations relating to ocean mapping, exploration, and characterization while not reducing benefits from existing mapping, explorations, and characterization activities;

(G) promote new and existing partnerships among Federal and State agencies, Indian Tribes, private industry, academia, and nongovernmental organizations to conduct or support ocean mapping, exploration, and characterization activities and technology development needs, including through coordination under section 3 of the Commercial Engagement Through Ocean Technology Act of 2018 (33 U.S.C. 4102) and the National Oceanographic Partnership Program under section 8931 of title 10, United States Code;

(H) develop a transparent and sustained mechanism for non-Federal partnerships and stakeholder engagement in strategic planning and mission execution to be implemented not later than December 31, 2023;

(I) establish standardized collection and data management protocols, such as with respect to metadata, for ocean mapping, exploration, and characterization with appropriate safeguards on the public accessibility of data to protect national security equities;

(J) encourage the development, testing, demonstration, and adoption of innovative ocean mapping, exploration, and characterization technologies and applications;

(K) promote protocols for accepting data, equipment, approaches, or other resources that support national ocean mapping, exploration, and characterization priorities;

(L) identify best practices for the protection of marine life during mapping, exploration, and characterization activities;

(M) identify training, technology, and other resource requirements for enabling the National Oceanic and Atmospheric Administration and other appropriate Federal agencies to support a coordinated national ocean mapping, exploration, and characterization effort;

(N) identify and facilitate a centralized mechanism or office for coordinating data collection, compilation, processing, archiving, and dissemination activities relating to ocean mapping, exploration, and characterization that meets Federal mandates for data accuracy and accessibility;

(O) designate repositories responsible for archiving and managing ocean mapping, exploration, and characterization data;

(P) set forth a timetable and estimated costs for implementation and completion of the plan;

(Q) to the extent practicable, align ocean exploration and characterization efforts with existing programs and identify key gaps; and

(R) identify criteria for determining the optimal frequency of observations.

(j) BRIEFINGS.—Not later than 1 year after the date of the enactment of this Act, and not less frequently than once every 2 years thereafter, the Council shall brief the appropriate committees of Congress on—

(1) progress made toward meeting the national priorities described in subsection (i)(2)(B); and

(2) recommendations for meeting such priorities, such as additional authorities that may be needed to develop a mechanism for non-Federal partnerships and stakeholder engagement described in subsection (i)(2)(H).

(k) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate; and

(2) the Committee on Natural Resources, the Committee on Science, Space, and Technology, and the Committee on Armed Services of the House of Representatives.

SEC. 5406. MODIFICATIONS TO THE OCEAN EXPLORATION PROGRAM OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) PURPOSE.—Section 12001 of the Omnibus Public Land Management Act of 2009 (33 U.S.C. 3401) is amended by striking ''and the national undersea research program''.

(b) PROGRAM ESTABLISHED.—Section 12002 of such Act (33 U.S.C. 3402) is amended—

(1) in the first sentence, by striking ''and undersea''; and

(2) in the second sentence, by striking ''and undersea research and exploration'' and inserting ''research and ocean exploration and characterization efforts''.

(c) POWERS AND DUTIES OF THE ADMINISTRATOR.—

(1) IN GENERAL.—Section 12003(a) of such Act (33 U.S.C. 3403(a)) is amended—

(A) in the matter preceding paragraph (1), by inserting '', in coordination with the Ocean Policy Committee established under section 8932 of title 10, United States Code,'' after ''Administration'';

(B) in paragraph (1)—

(i) by striking ''voyages'' and inserting ''expeditions'';

(ii) by striking ''Federal agencies'' and all that follows through ''and survey'' and inserting ''Federal and State agencies, Tribal governments, private industry, academia, and nongovernmental organizations, to map, explore, and characterize''; and

(iii) by inserting ''characterize,'' after ''observe,'';

(C) in paragraph (2), by inserting ''of the exclusive economic zone'' after ''deep ocean regions'';

(D) in paragraph (3), by striking ''voyages'' and inserting ''expeditions'';

(E) in paragraph (4), by striking '', in consultation with the National Science Foundation,'';

(F) by amending paragraph (5) to read as follows:

''(5) support technological innovation of the United States marine science community by promoting the development and use of new and emerging technologies for research, communication, navigation, and data collection, such as sensors and autonomous vehicles;'';

(G) in paragraph (6)—

(i) by inserting '', in collaboration with the National Ocean Mapping, Exploration, and Characterization Council established under section 5405 of the National Ocean Exploration Act,'' after ''forum''; and

(ii) by striking the period at the end and inserting ''; and''; and

(H) by adding at the end the following:

''(7) provide guidance, in coordination with the National Ocean Mapping, Exploration, and Characterization Council, to Federal and State agencies, Tribal governments, private industry, academia (including secondary schools, community colleges, and universities), and nongovernmental organizations on data standards, protocols for accepting data, and coordination of data collection, compilation, processing, archiving, and dissemination for data relating to ocean exploration and characterization.''.

(2) DONATIONS.—Section 12003(b) of such Act (33 U.S.C. 3403(b)) is amended to read as follows:

''(b) DONATIONS.—For the purpose of mapping, exploring, and characterizing the oceans or increasing the knowledge of the oceans, the Administrator may—

''(1) accept monetary donations and donations of property, data, and equipment; and

''(2) pay all necessary expenses in connection with the conveyance or transfer of a gift, devise, or bequest.''.

(3) DEFINITION OF EXCLUSIVE ECONOMIC ZONE.—Section 12003 of such Act (33 U.S.C. 3403) is amended by adding at the end the following:

''(c) DEFINITION OF EXCLUSIVE ECONOMIC ZONE.—In this section, the term 'exclusive economic zone' means the zone established by Presidential Proclamation Number 5030, dated March 10, 1983 (16 U.S.C. 1453 note; relating to the exclusive economic zone of the United States of America).''.

(d) REPEAL OF OCEAN EXPLORATION AND UNDERSEA RESEARCH TECHNOLOGY AND INFRASTRUCTURE TASK FORCE.—Section 12004 of such Act (33 U.S.C. 3404) is repealed.

(e) EDUCATION, WORKFORCE TRAINING, AND OUTREACH.—

(1) IN GENERAL.—Such Act is further amended by inserting after section 12003 the following new section 12004:

''SEC. 12004. EDUCATION, WORKFORCE TRAINING, AND OUTREACH.

''(a) IN GENERAL.—The Administrator of the National Oceanic and Atmospheric Administration shall—

''(1) conduct education and outreach efforts in order to broadly disseminate information to the public on the discoveries made by the program under section 12002; and

''(2) to the extent possible, coordinate the efforts described in paragraph (1) with the outreach strategies of other domestic or international ocean mapping, exploration, and characterization initiatives.

''(b) EDUCATION AND OUTREACH EFFORTS.—Efforts described in subsection (a)(1) may include—

''(1) education of the general public, teachers, students, and ocean and coastal resource managers; and

''(2) workforce training, reskilling, and opportunities to encourage development of ocean related science, technology, engineering, and mathematics (STEM) technical training programs involving secondary schools, community colleges, and universities, including Historically Black Colleges or Universities (within the meaning of the term ''part B institution'' under section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061)), Tribal Colleges or Universities (as defined in section 316(b) of such Act (20 U.S.C. 1059c(b))), and other minority-serving institutions (as described in section 371(a) of such Act (20 U.S.C. 1067q(a))).

''(c) OUTREACH STRATEGY.—Not later than 180 days after the date of the enactment of the National Ocean Exploration Act, the Administrator of the National Oceanic and Atmospheric Administration shall develop an outreach strategy to broadly disseminate information on the discoveries made by the program under section 12002.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by

striking the item relating to section 12004 and inserting the following:

''Sec. 12004. Education, workforce training, and outreach.

(f) OCEAN EXPLORATION ADVISORY BOARD.—

(1) ESTABLISHMENT.—Section 12005(a)(1) of such Act (33 U.S.C. 3505(1)) is amended by inserting ''and the National Ocean Mapping, Exploration, and Characterization Council established under section 5405 of the National Ocean Exploration Act'' after ''advise the Administrator''.

(2) TECHNICAL AMENDMENT.—Section 12005(c) of such Act (33 U.S.C. 3505(c)) is amended by inserting ''this'' before ''part''.

(g) AUTHORIZATION OF APPROPRIATIONS.—Section 12006 of such Act (33 U.S.C. 3406) is amended by striking ''this part'' and all that follows and inserting ''this part $60,000,000 for each of fiscal years 2023 through 2028''.

(h) DEFINITIONS.—Such Act is further amended by inserting after section 12006 the following:

''SEC. 12007. DEFINITIONS.

''In this part:

''(1) CHARACTERIZATION.—The terms 'characterization', 'characterize', and 'characterizing' refer to activities that provide comprehensive data and interpretations for a specific area of interest of the seafloor, subbottom, water column, or hydrologic features, such as water masses and currents, in direct support of specific research, environmental protection, resource management, policymaking, or applied mission objectives.

''(2) EXPLORATION.—The term 'exploration', 'explore', and 'exploring' refer to activities that provide—

''(A) a multidisciplinary view of an unknown or poorly understood area of the seafloor, sub-bottom, or water column; and

''(B) an initial assessment of the physical, chemical, geological, biological, archaeological, or other characteristics of such an area.

''(3) MAPPING.—The terms 'map' and 'mapping' refer to activities that provide comprehensive data and information needed to understand seafloor characteristics, such as depth, topography, bottom type, sediment composition and distribution, underlying geologic structure, and benthic flora and fauna.''.

(i) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by inserting after the item relating to section 12006 the following:

''Sec. 12007. Definitions.

SEC. 5407. REPEAL.

(a) IN GENERAL.—The NOAA Undersea Research Program Act of 2009 (part II of subtitle A of title XII of Public Law 111–11; 33 U.S.C. 3421 et seq.) is repealed.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by striking the items relating to part II of subtitle A of title XII of such Act.

SEC. 5408. MODIFICATIONS TO OCEAN AND COASTAL MAPPING PROGRAM OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Section 12202(a) of the Ocean and Coastal Mapping Integration Act (33 U.S.C. 3501(a)) is amended—

(A) by striking ''establish a program to develop a coordinated and'' and inserting ''establish and maintain a program to coordinate'';

(B) by striking ''plan'' and inserting ''efforts''; and

(C) by striking ''that enhances'' and all that follows and inserting ''that—

''(1) enhances ecosystem approaches in decision-making for natural resource and habitat management restoration and conservation, emergency response, and coastal resilience and adaptation;

''(2) establishes research and mapping priorities;

''(3) supports the siting of research and other platforms; and

''(4) advances ocean and coastal science.''.

(2) MEMBERSHIP.—Section 12202 of such Act (33 U.S.C. 3501) is amended by striking subsection (b) and redesignating subsection (c) as subsection (b).

(3) PROGRAM PARAMETERS.—Subsection (b) of section 12202 of such Act (33 U.S.C. 3501), as redesignated by paragraph (2), is amended—

(A) in the matter preceding paragraph (1), by striking ''developing'' and inserting ''maintaining'';

(B) in paragraph (2), by inserting ''and for leveraging existing Federal geospatial services capacities and contract vehicles for efficiencies'' after ''coastal mapping'';

(C) in paragraph (7), by striking ''with coastal state and local government programs'' and inserting ''with mapping programs, in conjunction with Federal and State agencies, Tribal governments, private industry, academia, and nongovernmental organizations'';

(D) in paragraph (8), by striking ''of real-time tide data and the development'' and inserting ''of tide data and water-level data and the development and dissemination'';

(E) in paragraph (9), by striking ''; and'' and inserting a semicolon;

(F) in paragraph (10), by striking the period at the end and inserting ''; and''; and

(G) by adding at the end the following:

''(11) support—

''(A) the Ocean Science and Technology Subcommittee of the Ocean Policy Committee established under section 8932(c) of title 10, United States Code; and

''(B) the National Ocean Mapping, Exploration, and Characterization Council established under section 5405 of the National Ocean Exploration Act.''.

(b) INTERAGENCY WORKING GROUP ON OCEAN AND COASTAL MAPPING.—

(1) NAME CHANGE.—The Ocean and Coastal Mapping Integration Act (33 U.S.C. 3501 et seq.) is amended—

(A) in section 12202 (33 U.S.C. 3501)—

(i) in subsection (a), by striking ''Interagency Committee on Ocean and Coastal Mapping'' and inserting ''Interagency Working Group on Ocean and Coastal Mapping under section 12203''; and

(ii) in subsection (b), as redesignated by subsection (a)(2), by striking ''Committee'' and inserting ''Working Group'';

(B) in section 12203 (33 U.S.C. 3502)—

(i) in the section heading, by striking ''**COMMITTEE**'' and inserting ''**WORKING GROUP**'';

(ii) in subsection (b), in the first sentence, by striking ''committee'' and inserting ''Working Group'';

(iii) in subsection (e), by striking ''committee'' and inserting ''Working Group''; and

(iv) in subsection (f), by striking ''committee'' and inserting ''Working Group''; and

(C) in section 12208 (33 U.S.C. 3507), by amending paragraph (3) to read as follows:

''(3) WORKING GROUP.—The term 'Working Group' means the Interagency Working Group on Ocean and Coastal Mapping under section 12203.''.

(2) IN GENERAL.—Section 12203(a) of such Act (33 U.S.C. 3502(a)) is amended by striking ''within 30 days'' and all that follows and inserting ''not later than 30 days after the date of the enactment of the National Ocean Exploration Act, shall use the Interagency Working Group on Ocean and Coastal Mapping in existence as of the date of the enactment of such Act to implement section 12202.''.

(3) MEMBERSHIP.—Section 12203(b) of such Act (33 U.S.C. 3502(b)) is amended—

(A) in the first sentence, by striking ''senior'' both places it appears and inserting ''senior-level'';

(B) in the third sentence, by striking ''the Minerals Management Service'' and inserting ''the Bureau of Ocean Energy Management of the Department of the Interior, the Office of the Assistant Secretary, Fish and Wildlife and Parks of the Department of the Interior''; and

(C) by striking the second sentence.

(4) CO-CHAIRS.—Section 12203(c) of such Act (33 U.S.C. 3502(c)) is amended to read as follows:

''(c) CO-CHAIRS.—The Working Group shall be co-chaired by one representative from each of the following:

''(1) The National Oceanic and Atmospheric Administration.

''(2) The Department of the Interior.''.

(5) SUBORDINATE GROUPS.—Section 12203(d) of such Act (33 U.S.C. 3502(d)) is amended to read as follows:

''(d) SUBORDINATE GROUPS.—The co-chairs may establish such permanent or temporary subordinate groups as determined appropriate by the Working Group.''.

(6) MEETINGS.—Section 12203(e) of such Act (33 U.S.C. 3502(e)) is amended by striking ''each subcommittee and each working group'' and inserting ''each subordinate group''.

(7) COORDINATION.—Section 12203(f) of such Act (33 U.S.C. 3502(f)) is amended by striking paragraphs (1) through (5) and inserting the following:

''(1) other Federal efforts;

''(2) international mapping activities;

''(3) coastal states;

''(4) coastal Indian Tribes;

''(5) data acquisition and user groups through workshops, partnerships, and other appropriate mechanisms; and

''(6) representatives of nongovernmental entities.''.

(8) ADVISORY PANEL.—Section 12203 of such Act (33 U.S.C. 3502) is amended by striking subsection (g).

(9) FUNCTIONS.—Section 12203 of such Act (33 U.S.C. 3502), as amended by paragraph (8), is further amended by adding at the end the following:

''(g) SUPPORT FUNCTIONS.—The Working Group shall support the National Ocean Mapping, Exploration, and Characterization Council established under section 5405 of the National Ocean Exploration Act and the Ocean Science and Technology Subcommittee of the Ocean Policy Committee established under section 8932(c) of title 10, United States Code, on ocean mapping activities and associated technology development across the Federal Government, State governments, coastal Indian Tribes, private industry, nongovernmental organizations, and academia.''.

(10) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by striking the item relating to section 12203 and inserting the following:

''Sec. 12203. Interagency working group on ocean and coastal mapping.

(c) BIENNIAL REPORTS.—Section 12204 of the Ocean and Coastal Mapping Integration Act (33 U.S.C. 3503) is amended—

(1) in the matter preceding paragraph (1), by striking ''No later'' and all that follows through ''House of Representatives'' and inserting ''Not later than 18 months after the date of the enactment of the National Ocean

Exploration Act, and biennially thereafter until 2040, the co-chairs of the Working Group, in coordination with the National Ocean Mapping, Exploration, and Characterization Council established under section 5405 of such Act, shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources of the Senate, and the Committee on Natural Resources and the Committee on Science, Space, and Technology of the House of Representatives,'';

(2) in paragraph (1), by inserting '', including the data maintained by the National Centers for Environmental Information of the National Oceanic and Atmospheric Administration,'' after ''mapping data'';

(3) in paragraph (3), by inserting '', including a plan to map the coasts of the United States on a requirements-based cycle, with mapping agencies and partners coordinating on a unified approach that factors in recent related studies, meets multiple user requirements, and identifies gaps'' after ''accomplished'';

(4) by striking paragraph (10) and redesignating paragraphs (11), (12), and (13) as paragraphs (10), (11), and (12), respectively;

(5) in paragraph (10), as so redesignated, by striking ''with coastal state and local government programs'' and inserting ''with international, coastal state, and local government and nongovernmental mapping programs'';

(6) in paragraph (11), as redesignated by paragraph (4)—

(A) by striking ''increase'' and inserting ''streamline and expand'';

(B) by inserting ''for the purpose of fulfilling Federal mapping and charting responsibilities, plans, and strategies'' after ''entities''; and

(C) by striking ''; and'' and inserting a semicolon;

(7) in paragraph (12), as redesignated by paragraph (4), by striking the period at the end and inserting a semicolon; and

(8) by adding at the end the following:

''(13) a progress report on the development of new and innovative technologies and applications through research and development, including cooperative or other agreements with joint or cooperative research institutes and centers and other nongovernmental entities;

''(14) a description of best practices in data processing and distribution and leveraging opportunities among agencies represented on the Working Group and with coastal states, coastal Indian Tribes, and nongovernmental entities;

''(15) an identification of any training, technology, or other requirements for enabling Federal mapping programs, vessels, and aircraft to support a coordinated ocean and coastal mapping program; and

''(16) a timetable for implementation and completion of the plan described in paragraph (3), including recommendations for integrating new approaches into the program.''.

(d) NOAA JOINT OCEAN AND COASTAL MAPPING CENTERS.—

(1) CENTERS.—Section 12205(c) of such Act (33 U.S.C. 3504(c)) is amended—

(A) in the matter preceding paragraph (1), by striking ''3'' and inserting ''three''; and

(B) in paragraph (4), by inserting ''and uncrewed'' after ''sensing''.

(2) PLAN.—Section 12205 of such Act (33 U.S.C. 3504) is amended—

(A) in the section heading, by striking ''**PLAN**'' and inserting ''**NOAA JOINT OCEAN AND COASTAL MAPPING CENTERS**'';

(B) by striking subsections (a), (b), and (d); and

(C) in subsection (c), by striking ''(c) NOAA JOINT OCEAN AND COASTAL MAPPING CENTERS.—''.

(3) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by striking the item relating to section 12205 and inserting the following:

''Sec. 12205. NOAA joint ocean and coastal mapping centers.

(e) OCEAN AND COASTAL MAPPING FEDERAL FUNDING OPPORTUNITY.—The Ocean and Coastal Mapping Integration Act (33 U.S.C. 3501 et seq.) is amended—

(1) by redesignating sections 12206, 12207, and 12208 as sections 12208, 12209, and 12210, respectively; and

(2) by inserting after section 12205 the following:

''SEC. 12206. OCEAN AND COASTAL MAPPING FEDERAL FUNDING OPPORTUNITY.

''(a) IN GENERAL.—Not later than one year after the date of the enactment of the National Ocean Exploration Act, the Administrator shall develop an integrated ocean and coastal mapping Federal funding match opportunity, to be known as the 'Brennan Ocean Mapping Fund' in memory of Rear Admiral Richard T. Brennan, within the National Oceanic and Atmospheric Administration with Federal, State, Tribal, local, nonprofit, private industry, or academic partners in order to increase the coordinated acquisition, processing, stewardship, and archival of new ocean and coastal mapping data in United States waters.

''(b) RULES.—The Administrator shall develop administrative and procedural rules for the ocean and coastal mapping Federal funding match opportunity developed under subsection (a), to include—

''(1) specific and detailed criteria that must be addressed by an applicant, such as geographic overlap with pre-established priorities, number and type of project partners, benefit to the applicant, coordination with other funding opportunities, and benefit to the public;

''(2) determination of the appropriate funding match amounts and mechanisms to use, such as grants, agreements, or contracts; and

''(3) other funding award criteria as are necessary or appropriate to ensure that evaluations of proposals and decisions to award funding under this section are based on objective standards applied fairly and equitably to those proposals.

''(c) GEOSPATIAL SERVICES AND CONTRACT VEHICLES.—The ocean and coastal mapping Federal funding match opportunity developed under subsection (a) shall leverage Federal expertise and capacities for geospatial services and Federal geospatial contract vehicles using the private sector for acquisition efficiencies.

''SEC. 12207. AGREEMENTS AND FINANCIAL ASSISTANCE.

''(a) AGREEMENTS.—The head of a Federal agency that is represented on the Interagency Committee on Ocean and Coastal Mapping may enter into agreements with any other agency that is so represented to provide, on a reimbursable or nonreimbursable basis, facilities, equipment, services, personnel, and other support services to carry our the purposes of this subtitle.

''(b) FINANCIAL ASSISTANCE.—The Administrator may make financial assistance awards (grants of cooperative agreements) to any State or subdivision thereof or any public or private organization or individual to carry out the purposes of this subtitle.''.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 12209 of such Act, as redesignated by subsection (e)(1), is amended—

(1) in subsection (a), by striking ''this subtitle'' and all that follows and inserting ''this subtitle $45,000,000 for each of fiscal years 2023 through 2028.'';

(2) in subsection (b), by striking ''this subtitle'' and all that follows and inserting ''this subtitle $15,000,000 for each of fiscal years 2023 through 2028.'';

(3) by striking subsection (c); and

(4) by inserting after subsection (b) the following:

''(c) OCEAN AND COASTAL MAPPING FEDERAL FUNDING OPPORTUNITY.—Of amounts appropriated pursuant to subsection (a), $20,000,000 is authorized to carry out section 12206.''.

(g) DEFINITIONS.—

(1) OCEAN AND COASTAL MAPPING.—Paragraph (5) of section 12210 of such Act, as redesignated by subsection (e)(1), is amended by striking ''processing, and management'' and inserting ''processing, management, maintenance, interpretation, certification, and dissemination''.

(2) COASTAL INDIAN TRIBE.—Section 12210 of such Act, as redesignated by subsection (e)(1), is amended by adding at the end the following:

''(9) COASTAL INDIAN TRIBE.—The term 'coastal Indian Tribe' means an 'Indian tribe', as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304), the land of which is located in a coastal state.''.

(h) CLERICAL AMENDMENTS.—The table of contents in section 1(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by striking the items relating to sections 12206 through 12208 and inserting the following:

''Sec. 12206. Ocean and coastal mapping Federal funding opportunity.
''Sec. 12207. Cooperative agreements, contracts, and grants.
''Sec. 12208. Effect on other laws.
''Sec. 12209. Authorization of appropriations.
''Sec. 12210. Definitions.

SEC. 5409. MODIFICATIONS TO HYDROGRAPHIC SERVICES IMPROVEMENT ACT OF 1998.

(a) DEFINITIONS.—Section 302(4)(A) of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892(4)(A)) is amended by inserting ''hydrodynamic forecast and datum transformation models,'' after ''nautical information databases,''.

(b) FUNCTIONS OF THE ADMINISTRATOR.—Section 303(b) of such Act (33 U.S.C. 892a(b)) is amended—

(1) in the matter preceding paragraph (1), by inserting ''precision navigation,'' after ''promote''; and

(2) in paragraph (2)—

(A) by inserting ''and hydrodynamic forecast models'' after ''monitoring systems'';

(B) by inserting ''and provide foundational information and services required to support coastal resilience planning for coastal transportation and other infrastructure, coastal protection and restoration projects, and related activities'' after ''efficiency''; and

(C) by striking ''; and'' and inserting a semicolon.

(c) QUALITY ASSURANCE PROGRAM.—Section 304(a) of such Act (33 U.S.C. 892b(a)) is amended by striking ''product produced'' and inserting ''product or service produced or disseminated''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 306(a) of such Act (33 U.S.C. 892d(a)) is amended—

(1) in paragraph (1), by striking ''$70,814,000 for each of fiscal years 2019 through 2023'' and inserting ''$71,000,000 for each of fiscal years 2023 through 2028'';

(2) in paragraph (2), by striking ''$25,000,000 for each of fiscal years 2019 through 2023'' and inserting ''$34,000,000 for each of fiscal years 2023 through 2028'';

(3) in paragraph (3), by striking ''$29,932,000 for each of fiscal years 2019 through 2023''

and inserting ''$38,000,000 for each of fiscal years 2023 through 2028'';

(4) in paragraph (4), by striking ''$26,800,000 for each of fiscal years 2019 through 2023'' and inserting ''$45,000,000 for each of fiscal years 2023 through 2028''; and

(5) in paragraph (5), by striking ''$30,564,000 for each of fiscal years 2019 through 2023'' and inserting ''$35,000,000 for each of fiscal years 2023 through 2028''.

TITLE LV—MARINE MAMMAL RESEARCH AND RESPONSE

SEC. 5501. SHORT TITLE.

This title may be cited as the ''Marine Mammal Research and Response Act of 2022''.

SEC. 5502. DATA COLLECTION AND DISSEMINATION.

Section 402 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421a) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A), by inserting ''or entangled'' after ''stranded'';

(B) in paragraph (3)—

(i) by striking ''strandings,'' and inserting ''strandings and entanglements, including unusual mortality events,'';

(ii) by inserting ''stranding'' before ''region''; and

(iii) by striking ''marine mammals; and'' and inserting ''marine mammals and entangled marine mammals to allow comparison of the causes of illness and deaths in stranded marine mammals and entangled marine mammals with physical, chemical, and biological environmental parameters; and''; and

(C) in paragraph (4), by striking ''analyses, that would allow comparison of the causes of illness and deaths in stranded marine mammals with physical, chemical, and biological environmental parameters.'' and inserting ''analyses.''; and

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

''(c) INFORMATION REQUIRED TO BE SUBMITTED AND COLLECTED.—

''(1) IN GENERAL.—After each response to a stranding or entanglement event, the Secretary shall collect (including from any staff of the National Oceanic and Atmospheric Administration that respond directly to such an event), and shall require each stranding network participant who responds to that stranding or entanglement to submit to the Administrator of the National Oceanic and Atmospheric Administration or the Director of the United States Fish and Wildlife Service—

''(A) data on the stranding event, including NOAA Form 89–864 (OMB #0648–0178), NOAA Form 89–878 (OMB #0648–0178), similar successor forms, or similar information in an appropriate format required by the United States Fish and Wildlife Service for species under its management authority;

''(B) supplemental data to the data described in subparagraph (A), which may include, as available, relevant information about—

''(i) weather and tide conditions;

''(ii) offshore human, predator, or prey activity;

''(iii) morphometrics;

''(iv) behavior;

''(v) health assessments;

''(vi) life history samples; or

''(vii) stomach and intestinal contents; and

''(C) data and results from laboratory analysis of tissues, which may include, as appropriate and available—

''(i) histopathology;

''(ii) toxicology;

''(iii) microbiology

''(iv) virology; or

''(v) parasitology.

''(2) TIMELINE.—A stranding network participant shall submit—

''(A) the data described in paragraph (1)(A) not later than 30 days after the date of a response to a stranding or entanglement event;

''(B) the compiled data described in paragraph (1)(B) not later than 30 days after the date on which the data is available to the stranding network participant; and

''(C) the compiled data described in paragraph (1)(C) not later than 30 days after the date on which the laboratory analysis has been reported to the stranding network participant.

''(3) ONLINE DATA INPUT SYSTEM.—The Secretary, acting through the Under Secretary of Commerce for Oceans and Atmosphere, in consultation with the stranding network and the Office of Evaluation Sciences of the General Services Administration, shall establish an online system for the purposes of efficient and timely submission of data described in paragraph (1).

''(d) AVAILABILITY OF DATA.—

''(1) IN GENERAL.—The Secretary shall develop a program to make information, including any data and metadata collected under paragraphs (3) or (4) of subsection (b) or subsection (c), available to researchers, stranding network participants, and the public—

''(A) to improve real-time coordination of response to stranding and entanglement events across geographic areas and between stranding coordinators;

''(B) to identify and quickly disseminate information on potential public health risks;

''(C) to facilitate integrated interdisciplinary research;

''(D) to facilitate peer-reviewed publications;

''(E) to archive regional data into 1 national database for future analyses; and

''(F) for education and outreach activities.

''(2) ACCESS TO DATA.—The Secretary shall ensure that any data or metadata collected under subsection (c)—

''(A) by staff of the National Oceanic and Atmospheric Administration or the United States Fish and Wildlife Service that responded directly to a stranding or entanglement event is available to the public through the Health MAP and the Observation System not later than 30 days after that data or metadata is collected by, available to, or reported to the Secretary; and

''(B) by a stranding network participant that responded directly to a stranding or entanglement event is made available to the public through the Health MAP and the Observation System 2 years after the date on which that data is submitted to the Secretary under subsection (c).

''(3) EXCEPTIONS.—

''(A) WRITTEN RELEASE.—Notwithstanding paragraph (2)(B), the Secretary may make data described in paragraph (2)(B) publicly available earlier than 2 years after the date on which that data is submitted to the Secretary under subsection (c), if the stranding network participant has completed a written release stating that such data may be made publicly available.

''(B) LAW ENFORCEMENT.—Notwithstanding paragraph (2), the Secretary may withhold data for a longer period than the period of time described in paragraph (2) in the event of a law enforcement action or legal action that may be related to that data.

''(e) STANDARDS.—The Secretary, in consultation with the marine mammal stranding community, shall—

''(1) make publicly available guidance about uniform data and metadata standards to ensure that data collected in accordance with this section can be archived in a form that is readily accessible and understandable to the public through the Health MAP and the Observation System; and

''(2) periodically update such guidance.

''(f) MANAGEMENT POLICY.—In collaboration with the regional stranding networks, the Secretary shall develop, and periodically update, a data management and public outreach collaboration policy for stranding or entanglement events.

''(g) AUTHORSHIP AGREEMENTS AND ACKNOWLEDGMENT POLICY.—The Secretary, acting through the Under Secretary of Commerce for Oceans and Atmosphere, shall include authorship agreements or other acknowledgment considerations for use of data by the public, as determined by the Secretary.

''(h) SAVINGS CLAUSE.—The Secretary shall not require submission of research data that is not described in subsection (c).''.

SEC. 5503. STRANDING OR ENTANGLEMENT RESPONSE AGREEMENTS.

(a) IN GENERAL.—Section 403 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421b) is amended—

(1) in the section heading by inserting ''**OR ENTANGLEMENT**'' before ''**RESPONSE**'';

(2) in subsection (a), by striking the period at the end and inserting ''or entanglement.''; and

(3) in subsection (b)—

(A) in paragraph (1), by striking ''and'' after the semicolon;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) include a description of the data management and public outreach policy established under section 402(f).''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Marine Mammal Protection Act of 1972 (Public Law 92–522; 86 Stat. 1027) is amended by striking the item related to section 403 and inserting the following:

''Sec. 403. Stranding or entanglement response agreements.

SEC. 5504. UNUSUAL MORTALITY EVENT ACTIVITY FUNDING.

Section 405 the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421d) is amended—

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

''(b) USES.—Amounts in the Fund—

''(1) shall be available only for use by the Secretary, in consultation with the Secretary of the Interior, and dispersed among claimants based on budgets approved by the Secretary prior to expenditure—

''(A) to make advance, partial, or progress payments under contracts or other funding mechanisms for property, supplies, salaries, services, and travel costs incurred in acting in accordance with the contingency plan issued under section 404(b) or under the direction of an Onsite Coordinator for an unusual mortality event designated under section 404(a)(2)(B)(iii);

''(B) for reimbursing any stranding network participant for costs incurred in the collection, preparation, analysis, and transportation of marine mammal tissues and samples collected with respect to an unusual mortality event for the Tissue Bank; and

''(C) for the care and maintenance of a marine mammal seized under section 104(c)(2)(D); and

''(2) shall remain available until expended.''; and

(2) in subsection (c)—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(4) not more than $250,000 per year, as determined by the Secretary of Commerce, from sums collected as fines, penalties, or forfeitures of property by the Secretary of Commerce for violations of any provision of this Act; and

''(5) sums received from emergency declaration grants for marine mammal conservation.''.

SEC. 5505. LIABILITY.

Section 406(a) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421e(a)) is amended, in the matter preceding paragraph (1)—

(1) by inserting ''or entanglement'' after ''to a stranding''; and

(2) by striking ''government'' and inserting ''Government''.

SEC. 5506. NATIONAL MARINE MAMMAL TISSUE BANK AND TISSUE ANALYSIS.

Section 407 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421f) is amended—

(1) in subsection (c)(2)(A), by striking ''the health of marine mammals and'' and inserting ''marine mammal health and mortality and the health of''; and

(2) in subsection (d), in the matter preceding paragraph (1), by inserting ''public'' before ''access''.

SEC. 5507. MARINE MAMMAL RESCUE AND RESPONSE GRANT PROGRAM AND RAPID RESPONSE FUND.

(a) IN GENERAL.—Section 408 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421f–1) is amended—

(1) by striking the section heading and inserting ''**MARINE MAMMAL RESCUE AND RESPONSE GRANT PROGRAM AND RAPID RESPONSE FUND**'';

(2) by striking subsections (a) through (d) and subsections (f) through (h);

(3) by redesignating subsection (e) as subsection (f); and

(4) by inserting before subsection (f), as redesignated by paragraph (3), the following:

''(a) DEFINITIONS.—In this section:

''(1) EMERGENCY ASSISTANCE.—

''(A) IN GENERAL.—The term 'emergency assistance' means—

''(i) financial assistance provided to respond to, or that results from, a stranding event or entanglement event that—

''(I) causes an immediate increase in the cost of a response, recovery, or rehabilitation that is greater than the usual cost of a response, recovery, or rehabilitation;

''(II) is cyclical or endemic; or

''(III) involves a marine mammal that is out of the normal range for that marine mammal; or

''(ii) financial assistance provided to respond to, or that results from, a stranding event or an entanglement event that—

''(I) the applicable Secretary considers to be an emergency; or

''(II) with the concurrence of the applicable Secretary, a State, territorial, or Tribal government considers to be an emergency.

''(B) EXCLUSIONS.—The term 'emergency assistance' does not include financial assistance to respond to an unusual mortality event.

''(2) SECRETARY.—The term 'Secretary' has the meaning given that term in section 3(12)(A).

''(3) STRANDING REGION.—The term 'stranding region' means a geographic region designated by the applicable Secretary for purposes of administration of this title.

''(b) JOHN H. PRESCOTT MARINE MAMMAL RESCUE AND RESPONSE GRANT PROGRAM.—

''(1) IN GENERAL.—Subject to the availability of appropriations or other funding, the applicable Secretary shall carry out a grant program, to be known as the 'John H. Prescott Marine Mammal Rescue and Response Grant Program' (referred to in this section as the 'grant program'), to award grants to eligible stranding network participants or stranding network collaborators, as described in this subsection.

''(2) PURPOSES.—The purposes of the grant program are to provide for—

''(A) the recovery, care, or treatment of sick, injured, or entangled marine mammals;

''(B) responses to marine mammal stranding events that require emergency assistance;

''(C) the collection of data and samples from living or dead stranded marine mammals for scientific research or assessments regarding marine mammal health;

''(D) facility operating costs that are directly related to activities described in subparagraph (A), (B), or (C); and

''(E) development of stranding network capacity, including training for emergency response, where facilities do not exist or are sparse.

''(3) CONTRACT, GRANT, AND COOPERATIVE AGREEMENT AUTHORITY.—

''(A) IN GENERAL.—The applicable Secretary may enter into a contract, grant, or cooperative agreement with any eligible stranding network participant or stranding network collaborator, as the Secretary determines to be appropriate, for the purposes described in paragraph (2).

''(B) EMERGENCY AWARD FLEXIBILITY.—Following a request for emergency award flexibility and analysis of the merits of and necessity for such a request, the applicable Secretary may—

''(i) amend any contract, grant, or cooperative agreement entered into under this paragraph, including provisions concerning the period of performance; or

''(ii) waive the requirements under subsection (f) for grant applications submitted during the provision of emergency assistance.

''(4) EQUITABLE DISTRIBUTION OF FUNDS.—

''(A) IN GENERAL.—The Secretary shall ensure, to the extent practicable, that funds awarded under the grant program are distributed equitably among the stranding regions.

''(B) CONSIDERATIONS.—In determining priorities among the stranding regions under this paragraph, the Secretary may consider—

''(i) equitable distribution within the stranding regions, including the sub regions (including, but not limited to, the Gulf of Mexico);

''(ii) any episodic stranding, entanglement, or mortality events, except for unusual mortality events, that occurred in any stranding region in the preceding year;

''(iii) any data with respect to average annual stranding, entanglements, and mortality events per stranding region;

''(iv) the size of the marine mammal populations inhabiting a stranding region;

''(v) the importance of the region's marine mammal populations to the well-being of indigenous communities; and

''(vi) the conservation of protected, depleted, threatened, or endangered marine mammal species.

''(C) STRANDINGS.—For the purposes of this program, priority is to be given to applications focusing on marine mammal strandings.

''(5) APPLICATION.—To be eligible for a grant under the grant program, a stranding network participant shall—

''(A) submit an application in such form and manner as the applicable Secretary prescribes; and

''(B) be in compliance with the data reporting requirements under section 402(d) and any applicable reporting requirements of the United States Fish and Wildlife Service for species under its management jurisdiction.

''(6) GRANT CRITERIA.—The Secretary shall, in consultation with the Marine Mammal Commission, a representative from each of the stranding regions, and other individuals who represent public and private organizations that are actively involved in rescue, rehabilitation, release, scientific research, marine conservation, and forensic science with respect to stranded marine mammals under that Department's jurisdiction, develop criteria for awarding grants under their respective grant programs.

''(7) LIMITATIONS.—

''(A) MAXIMUM GRANT AMOUNT.—No grant made under the grant program for a single award may exceed $150,000 in any 12-month period.

''(B) UNEXPENDED FUNDS.—Any funds that have been awarded under the grant program but that are unexpended at the end of the 12-month period described in subparagraph (A) shall remain available until expended.

''(8) ADMINISTRATIVE COSTS AND EXPENSES.—The Secretary's administrative costs and expenses related to reviewing and awarding grants under the grant program, in any fiscal year may not exceed the greater of—

''(A) 6 percent of the amounts made available each fiscal year to carry out the grant program; or

''(B) $80,000.

''(9) TRANSPARENCY.—The Secretary shall make publicly available a list of grant proposals for the upcoming fiscal year, funded grants, and requests for grant flexibility under this subsection.

''(c) JOSEPH R. GERACI MARINE MAMMAL RESCUE AND RAPID RESPONSE FUND.—

''(1) IN GENERAL.—There is established in the Treasury of the United States an interest-bearing fund, to be known as the 'Joseph R. Geraci Marine Mammal Rescue and Rapid Response Fund' (referred to in this section as the 'Rapid Response Fund').

''(2) USE OF FUNDS.—Amounts in the Rapid Response Fund shall be available only for use by the Secretary to provide emergency assistance.

''(d) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—

''(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the grant program $7,000,000 for each of fiscal years 2023 through 2028, to remain available until expended, of which for each fiscal year—

''(i) $6,000,000 shall be made available to the Secretary of Commerce; and

''(ii) $1,000,000 shall be made available to the Secretary of the Interior.

''(B) DERIVATION OF FUNDS.—Funds to carry out the activities under this section shall be derived from amounts authorized to be appropriated pursuant to subparagraph (A) that are enacted after the date of enactment of the Marine Mammal Research and Response Act of 2022.

''(2) JOSEPH R. GERACI MARINE MAMMAL RESCUE AND RAPID RESPONSE FUND.—There is authorized to be appropriated to the Rapid Response Fund $500,000 for each of fiscal years 2023 through 2028.

''(e) ACCEPTANCE OF DONATIONS.—For the purposes of carrying out this section, the Secretary may solicit, accept, receive, hold, administer, and use gifts, devises, and bequests without any further approval or administrative action.''.

(b) TECHNICAL EDITS.—Section 408 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421f–1), as amended by subsection (a), is further amended in subsection (f), as redesignated by subsection (a)(3)—

(1) in paragraph (1)—

(A) by striking ''the costs of an activity conducted with a grant under this section shall be'' and inserting ''a project conducted with funds awarded under the grant program under this section shall be not less than''; and

(B) by striking ''such costs'' and inserting ''such project''; and

(2) in paragraph (2)—

(A) by striking ''an activity'' and inserting ''a project''; and

(B) by striking ''the activity'' and inserting ''the project''.

(c) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Marine Mammal Protection Act of 1972 (Public Law 92–522; 86 Stat. 1027) (as amended by section 5503(b)) is amended by striking the item related to section 408 and inserting the following:

''Sec. 408. Marine Mammal Rescue and Response Grant Program and Rapid Response Fund.

SEC. 5508. HEALTH MAP.

(a) IN GENERAL.—Title IV of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421 et seq.) is amended by inserting after section 408 the following:

''SEC. 408A. MARINE MAMMAL HEALTH MONITORING AND ANALYSIS PLATFORM (HEALTH MAP).

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Marine Mammal Research and Response Act of 2022, the Secretary, acting through the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Secretary of the Interior and the Marine Mammal Commission, shall—

''(1) establish a marine mammal health monitoring and analysis platform (referred to in this Act as the 'Health MAP');

''(2) incorporate the Health MAP into the Observation System; and

''(3) make the Health MAP—

''(A) publicly accessible through the web portal of the Observation System; and

''(B) interoperable with other national data systems or other data systems for management or research purposes, as practicable.

''(b) PURPOSES.—The purposes of the Health MAP are—

''(1) to promote—

''(A) interdisciplinary research among individuals with knowledge and experience in marine mammal science, marine mammal veterinary and husbandry practices, medical science, and oceanography, and with other marine scientists;

''(B) timely and sustained dissemination and availability of marine mammal health, stranding, entanglement, and mortality data;

''(C) identification of spatial and temporal patterns of marine mammal mortality, disease, and stranding;

''(D) evaluation of marine mammal health in terms of mortality, as well as sublethal marine mammal health impacts;

''(E) improved collaboration and forecasting of marine mammal and larger ecosystem health events;

''(F) rapid communication and dissemination of information regarding marine mammal strandings that may have implications for human health, such as those caused by harmful algal blooms; and

''(G) increased accessibility of data in a user friendly visual interface for public education and outreach; and

''(2) to contribute to an ocean health index that incorporates marine mammal health data.

''(c) REQUIREMENTS.—The Health MAP shall—

''(1) integrate in situ, remote, and other marine mammal health, stranding, and mortality data, including visualizations and metadata, collected by marine mammal stranding networks, Federal, State, local, and Tribal governments, private partners, and academia; and

''(2) be designed—

''(A) to enhance data and information availability, including data sharing among stranding network participants, scientists, and the public within and across stranding network regions;

''(B) to facilitate data and information access across scientific disciplines, scientists, and managers;

''(C) to facilitate public access to national and regional marine mammal health, stranding, entanglement, and mortality data, including visualizations and metadata, through the national and regional data portals of the Observation System; and

''(D) in collaboration with, and with input from, States and stranding network participants.

''(d) PROCEDURES AND GUIDELINES.—The Secretary shall establish and implement policies, protocols, and standards for—

''(1) reporting marine mammal health data collected by stranding networks consistent with subsections (c) and (d) of section 402;

''(2) promptly transmitting health data from the stranding networks and other appropriate data providers to the Health MAP;

''(3) disseminating and making publicly available data on marine mammal health, stranding, entanglement, and mortality data in a timely and sustained manner; and

''(4) integrating additional marine mammal health, stranding, or other relevant data as the Secretary determines appropriate.

''(e) CONSULTATION.—The Administrator of the National Oceanic and Atmospheric Administration shall maintain and update the Health MAP in consultation with the Secretary of the Interior and the Marine Mammal Commission.

''(f) CONTRIBUTIONS.—For purposes of carrying out this section, the Secretary may solicit, accept, receive, hold, administer, and use gifts, devises, and bequests without any further approval or administrative action.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Marine Mammal Protection Act of 1972 (Public Law 92–522; 86 Stat. 1027) (as amended by section 5507(b)) is amended by inserting after the item related to section 408 the following:

''Sec. 408A. Marine Mammal Health Monitoring and Analysis Platform (Health MAP).

SEC. 5509. REPORTS TO CONGRESS.

(a) IN GENERAL.—Title IV of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421 et seq.) (as amended by section 5508(a)) is amended by inserting after section 408A the following:

''SEC. 408B. REPORTS TO CONGRESS.

''(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term 'appropriate committees of Congress' means—

''(1) the Committee on Commerce, Science, and Transportation of the Senate;

''(2) the Committee on Environment and Public Works of the Senate;

''(3) the Committee on Natural Resources of the House of Representatives; and

''(4) the Committee on Science, Space, and Technology of the House of Representatives.

''(b) HEALTH MAP STATUS REPORT.—

''(1) IN GENERAL.—Not later than 2 year after the date of enactment of the Marine Mammal Research and Response Act of 2022, the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Marine Mammal Commission, the Secretary of the Interior, and the National Ocean Research Leadership Council, shall submit to the appropriate committees of Congress a report describing the status of the Health MAP.

''(2) REQUIREMENTS.—The report under paragraph (1) shall include—

''(A) a detailed evaluation of the data made publicly available through the Health MAP;

''(B) a detailed list of any gaps in data collected pursuant to the Health MAP, a description of the reasons for those gaps, and recommended actions to close those gaps;

''(C) an analysis of the effectiveness of using the website of the Observation System as the platform to collect, organize, visualize, archive, and disseminate marine mammal stranding and health data;

''(D) a list of publications, presentations, or other relevant work product resulting from, or produced in collaboration with, the Health MAP;

''(E) a description of emerging marine mammal health concerns and the applicability of those concerns to human health;

''(F) an analysis of the feasibility of the Observation System being used as an alert system during stranding events, entanglement events, and unusual mortality events for the stranding network, Observation System partners, Health MAP partners, Federal and State agencies, and local and Tribal governments;

''(G) an evaluation of the use of Health MAP data to predict broader ecosystem events and changes that may impact marine mammal or human health and specific examples of proven or potential uses of Observation System data for those purposes; and

''(H) recommendations for the Health MAP with respect to—

''(i) filling any identified data gaps;

''(ii) standards that could be used to improve data quality, accessibility, transmission, interoperability, and sharing;

''(iii) any other strategies that would contribute to the effectiveness and usefulness of the Health MAP; and

''(iv) the funding levels needed to maintain and improve the Health MAP.

''(c) DATA GAP ANALYSIS.—

''(1) IN GENERAL.—Not later than 5 years after the date on which the report required under subsection (b)(1) is submitted, and every 10 years thereafter, the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Marine Mammal Commission and the Director of the United States Fish and Wildlife Service, shall—

''(A) make publicly available a report on the data gap analysis described in paragraph (2); and

''(B) provide a briefing to the appropriate committees of Congress concerning that data gap analysis.

''(2) REQUIREMENTS.—The data gap analysis under paragraph (1) shall include—

''(A) an overview of existing participants within a marine mammal stranding network;

''(B) an identification of coverage needs and participant gaps within a network;

''(C) an identification of data and reporting gaps from members of a network; and

''(D) an analysis of how stranding and health data are shared and made available to scientists, academics, State, local, and Tribal governments, and the public.

''(d) MARINE MAMMAL RESPONSE CAPABILITIES IN THE ARCTIC.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Marine Mammal Research and Response Act of 2022, the Administrator of the National Oceanic and Atmospheric Administration, the Director of the United States Fish and Wildlife Service, and the Director of the United States Geologic Survey, in consultation with the Marine Mammal Commission, shall—

''(A) make publicly available a report describing the response capabilities for sick and injured marine mammals in the Arctic regions of the United States; and

''(B) provide a briefing to the appropriate committees of Congress on that report.

''(2) ARCTIC.—The term 'Arctic' has the meaning given the term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

''(3) REQUIREMENTS.—The report under paragraph (1) shall include—

''(A) a description, developed in consultation with the Fish and Wildlife Service of the Department of the Interior, of all marine mammal stranding agreements in place for the Arctic region of the United States, including species covered, response capabilities, facilities and equipment, and data collection and analysis capabilities;

''(B) a list of State and local government agencies that have personnel trained to respond to marine mammal strandings in the Arctic region of the United States;

''(C) an assessment of potential response and data collection partners and sources of local information and knowledge, including Alaska Native people and villages;

''(D) an analysis of spatial and temporal trends in marine mammal strandings and unusual mortality events that are correlated with changing environmental conditions in the Arctic region of the United States;

''(E) a description of training and other resource needs to meet emerging response requirements in the Arctic region of the United States;

''(F) an analysis of oiled marine mammal response and rehabilitation capabilities in the Arctic region of the United States, including personnel, equipment, facilities, training, and husbandry capabilities, and an assessment of factors that affect response and rehabilitation success rates; and

''(G) recommendations to address future stranding response needs for marine mammals in the Arctic region of the United States.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Marine Mammal Protection Act of 1972 (Public Law 92–522; 86 Stat. 1027) (as amended by section 5508(b)) is amended by inserting after the item related to section 408A the following:

''Sec. 408B. Reports to Congress.

SEC. 5510. AUTHORIZATION OF APPROPRIATIONS.

Section 409 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421g) is amended—

(1) in paragraph (1), by striking ''1993 and 1994;'' and inserting ''2023 through 2028;'';

(2) in paragraph (2), by striking ''1993 and 1994;'' and inserting ''2023 through 2028;''; and

(3) in paragraph (3), by striking ''fiscal year 1993.'' and inserting ''for each of fiscal years 2023 through 2028.''.

SEC. 5511. DEFINITIONS.

Section 410 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421h) is amended—

(1) by redesignating paragraphs (1) through (6) as paragraphs (2), (5), (6), (7), (8), and (9), respectively;

(2) by inserting before paragraph (2) (as so redesignated) the following:

''(1) The term 'entangle' or 'entanglement' means an event in the wild in which a living or dead marine mammal has gear, rope, line, net, or other material wrapped around or attached to the marine mammal and is—

''(A) on lands under the jurisdiction of the United States, including beaches and shorelines; or

''(B) in waters under the jurisdiction of the United States, including any navigable waters.'';

(3) in paragraph (2) (as so redesignated) by striking ''The term'' and inserting ''Except as used in section 408, the term'';

(4) by inserting after paragraph (2) (as so redesignated) the following:

''(3) The term 'Health MAP' means the Marine Mammal Health Monitoring and Analysis Platform established under section 408A(a)(1).

''(4) The term 'Observation System' means the National Integrated Coastal and Ocean Observation System established under section 12304 of the Integrated Coastal and Ocean Observation System Act of 2009 (33 U.S.C. 3603).''.

SEC. 5512. STUDY ON MARINE MAMMAL MORTALITY.

(a) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the Undersecretary of Commerce for Oceans and Atmosphere shall, in consultation with the Secretary of the Interior and the Marine Mammal Commission, conduct a study evaluating the connections among marine heat waves, frequency and intensity of harmful algal blooms, prey availability, and habitat degradation, and the impacts of these conditions on marine mammal mortality.

(b) REPORT.—The Undersecretary of Commerce for Oceans and Atmosphere, in consultation with the Secretary of the Interior and the Marine Mammal Commission, shall prepare, post to a publicly available website, and brief the appropriate committees of Congress on, a report containing the results of the study described in subsection (a). The report shall identify priority research activities, opportunities for collaboration, and current gaps in effort and resource limitations related to advancing scientific understanding of how ocean heat waves, harmful algae blooms, availability of prey, and habitat degradation impact marine mammal mortality. The report shall include recommendations for policies needed to mitigate and respond to mortality events.

TITLE LVI—VOLCANIC ASH AND FUMES

SEC. 5601. SHORT TITLE.

This title may be cited as the ''Volcanic Ash and Fumes Act of 2022''.

SEC. 5602. MODIFICATIONS TO NATIONAL VOLCANO EARLY WARNING AND MONITORING SYSTEM.

(a) DEFINITIONS.—Subsection (a) of section 5001 of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (43 U.S.C. 31k) is amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following:

''(2) SECRETARY OF COMMERCE.—The term 'Secretary of Commerce' means the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere.''; and

(3) by adding at the end the following:

''(4) VOLCANIC ASH ADVISORY CENTER.—The term 'Volcanic Ash Advisory Center' means an entity designated by the International Civil Aviation Organization that is responsible for informing aviation interests about the presence of volcanic ash in the airspace.''.

(b) PURPOSES.—Subsection (b)(1)(B) of such section is amended—

(1) in clause (i), by striking ''and'' at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(iii) to strengthen the warning and monitoring systems of volcano observatories in the United States by integrating relevant capacities of the National Oceanic and Atmospheric Administration, including with the Volcanic Ash Advisory Centers located in Anchorage, Alaska, and Washington, DC, to observe and model emissions of gases, aerosols, and ash, atmospheric dynamics and chemistry, and ocean chemistry resulting from volcanic eruptions.''.

(c) SYSTEM COMPONENTS.—Subsection (b)(2) of such section is amended—

(1) in subparagraph (B)—

(A) by striking ''and'' before ''spectrometry''; and

(B) by inserting '', and unoccupied aerial vehicles'' after ''emissions''; and

(2) by adding at the end the following:

''(C) MEMORANDUM OF UNDERSTANDING.—The Secretary and the Secretary of Commerce shall develop and execute a memorandum of understanding to establish cooperative support for the activities of the System from the National Oceanic and Atmospheric Administration, including environmental observations, modeling, and temporary duty assignments of personnel to support emergency activities, as necessary or appropriate.''.

(d) MANAGEMENT.—Subsection (b)(3) of such section is amended—

(1) in subparagraph (A), by adding at the end the following:

''(iii) UPDATE.—

''(I) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COST ESTIMATES.—The Secretary of Commerce shall submit to the Secretary annual cost estimates for modernization activities and support of the System for the National Oceanic and Atmospheric Administration.

''(II) UPDATE OF MANAGEMENT PLAN.—The Secretary shall update the management plan submitted under clause (i) to include the cost estimates submitted under subclause (I).''; and

(2) by adding at the end the following:

''(E) COLLABORATION.—The Secretary of Commerce shall collaborate with the Secretary to implement activities carried out under this section related to the expertise of the National Oceanic and Atmospheric Administration, including observations and modeling of emissions of gases, aerosols, and ash, atmospheric dynamics and chemistry, and ocean chemistry resulting from volcanic eruptions.''.

(e) FUNDING.—Subsection (c) of such section is amended—

(1) in paragraph (1)—

(A) in the paragraph heading, by inserting '', UNITED STATES GEOLOGICAL SURVEY'' after ''APPROPRIATIONS''; and

(B) by inserting ''to the United States Geological Survey'' after ''appropriated'';.

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

(3) by inserting after paragraph (1) the following:

''(2) AUTHORIZATION OF APPROPRIATIONS, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—There is authorized to be appropriated to the National Oceanic and Atmospheric Administration to carry out this section such sums as may be necessary for the period of fiscal years 2023 through 2024.''; and

(4) in paragraph (3), as redesignated by paragraph (2)—

(A) by striking ''United States Geological Survey''; and

(B) by inserting ''of the United States Geological Survey and the National Oceanic and Atmospheric Administration'' after ''programs''.

(f) IMPLEMENTATION PLAN.—

(1) DEVELOPMENT OF PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of the Interior, shall develop a plan to implement the amendments made by this Act during the 5-year period beginning on the date on which the plan is developed.

(2) ELEMENTS.—The plan developed under paragraph (1) shall include an estimate of the cost and schedule required for the implementation described in such paragraph.

(3) PUBLIC AVAILABILITY.—Upon completion of the plan developed under paragraph (1), the Secretary of Commerce shall make the plan publicly available.

TITLE LVII—WILDFIRE AND FIRE WEATHER PREPAREDNESS

SEC. 5701. SHORT TITLE.

This title may be cited as the ''Fire Ready Nation Act of 2022''.

SEC. 5702. DEFINITIONS.

In this title:

(1) ADMINISTRATION.—The term ''Administration'' means the National Oceanic and Atmospheric Administration.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Science, Space, and Technology of the House of Representatives.

(3) EARTH SYSTEM MODEL.—The term ''Earth system model'' means a mathematical model containing all relevant components of the Earth, namely the atmosphere, oceans, land, cryosphere, and biosphere.

(4) FIRE ENVIRONMENT.—The term ''fire environment'' means—

(A) the environmental conditions, such as soil moisture, vegetation, topography, snowpack, atmospheric temperature, moisture, and wind, that influence—

(i) fuel and fire behavior; and

(ii) smoke dispersion and transport; and

(B) the associated environmental impacts occurring during and after fire events.

(5) FIRE WEATHER.—The term ''fire weather'' means the weather conditions that influence the start, spread, character, or behavior of wildfire or fires at the wildland-urban interface and relevant meteorological and chemical phenomena, including air quality, smoke, and meteorological parameters such as relative humidity, air temperature, wind speed and direction, and atmospheric composition and chemistry, including emissions and mixing heights.

(6) IMPACT-BASED DECISION SUPPORT SERVICES.—The term ''impact-based decision support services'' means forecast advice and interpretative services the Administration provides to help core partners, such as emergency personnel and public safety officials, make decisions when weather, water, and climate impact the lives and livelihoods of the people of the United States.

(7) SEASONAL.—The term ''seasonal'' has the meaning given that term in section 2 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8501).

(8) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(9) SMOKE.—The term ''smoke'' means emissions, including the gases and particles released into the air as a result of combustion.

(10) STATE.—The term ''State'' means a State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the United State Virgin Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau.

(11) SUBSEASONAL.—The term ''subseasonal'' has the meaning given that term in section 2 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8501).

(12) TRIBAL GOVERNMENT.—The term ''Tribal government'' means the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of this Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

(13) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary of Commerce for Oceans and Atmosphere.

(14) WEATHER ENTERPRISE.—The term ''weather enterprise'' has the meaning given that term in section 2 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8501).

(15) WILDFIRE.—The term ''wildfire'' means any non-structure fire that occurs in vegetation or natural fuels, originating from an unplanned ignition.

(16) WILDLAND-URBAN INTERFACE.—The term ''wildland-urban interface'' means the area, zone, or region of transition between unoccupied or undeveloped land and human development where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels.

SEC. 5703. ESTABLISHMENT OF FIRE WEATHER SERVICES PROGRAM.

(a) IN GENERAL.—The Under Secretary shall establish and maintain a coordinated fire weather services program among the offices of the Administration in existence as of the date of the enactment of this Act and designated by the Under Secretary.

(b) PROGRAM FUNCTIONS.—The functions of the program established under subsection (a), consistent with the priorities described in section 101 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8511), shall be—

(1) to support readiness, responsiveness, understanding, and overall resilience of the United States to wildfires, fire weather, smoke, and other associated conditions, hazards, and impacts in built and natural environments and at the wildland-urban interface;

(2) to collaboratively develop and disseminate accurate, precise, effective, and timely risk communications, forecasts, watches, and warnings relating to wildfires, fire weather, smoke, and other associated conditions, hazards, and impacts, as applicable, with Federal land management agencies;

(3) to partner with and support the public, Federal, State, and Tribal governments, and academic and local partners through the development of capabilities, impact-based decision support services, and overall service delivery and utility;

(4) to conduct and support research and development of new and innovative models, technologies, techniques, products, systems, processes, and procedures to improve understanding of wildfires, fire weather, air quality, and the fire environment;

(5) to develop strong research-to-operations and operations-to-research transitions, in order to facilitate delivery of products, services, and tools to operational users and platforms; and

(6) to develop, in coordination with Federal land management agencies and the Armed Forces, as appropriate, impact-based decision support services that operationalize and integrate the functions described in paragraphs (1) through (5) in order to provide comprehensive impact-based decision support services that encompass the fire environment.

(c) PROGRAM PRIORITIES.—In developing and implementing the program established under subsection (a), the Under Secretary shall prioritize—

(1) development of a fire weather-enabled Earth system model and data assimilation systems that—

(A) are capable of prediction and forecasting across relevant spatial and temporal timescales;

(B) include variables associated with fire weather, air quality from smoke, and the fire environment;

(C) improve understanding of the connections between fire weather and modes of climate variability; and

(D) incorporate emerging techniques such as artificial intelligence, machine learning, and cloud computing;

(2) advancement of existing and new observational capabilities, including satellite-, airborne-, air-, and ground-based systems and technologies and social networking and other public information-gathering applications that—

(A) identify—

(i) high-risk pre-ignition conditions;

(ii) conditions that influence fire behavior and spread including those conditions that suppress active fire events; and

(iii) fire risk values;

(B) support real-time notification and monitoring of ignitions;

(C) support observations and data collection of fire weather and fire environment variables, including smoke, for development of the model and systems under paragraph (1); and

(D) support forecasts and advancing understanding and research of the impacts of wildfires on military activities, human health, ecosystems, climate, transportation, and economies; and

(3) development and implementation of advanced and user-oriented impact-based decision tools, science, and technologies that—

(A) ensure real-time and retrospective data, products, and services are findable, accessible, interoperable, usable, inform further research, and are analysis- and decision-ready;

(B) provide targeted information throughout the fire lifecycle including pre-ignition, detection, forecasting, post-fire, and monitoring phases; and

(C) support early assessment of post-fire hazards, such as air quality, debris flows, mudslides, and flooding.

(d) PROGRAM ACTIVITIES.—In developing and implementing the program established under subsection (a), the Under Secretary may—

(1) conduct relevant physical and social science research activities in support of the functions described in subsection (b) and the priorities described in subsection (c);

(2) conduct relevant activities, in coordination with Federal land management agencies and Federal science agencies, to assess fuel characteristics, including moisture, loading, and other parameters used to determine fire risk levels and outlooks;

(3) support and conduct research that assesses impacts to marine, riverine, and other relevant ecosystems, which may include forest and rangeland ecosystems, resulting from activities associated with mitigation of and response to wildfires;

(4) support and conduct attribution science research relating to wildfires, fire weather, fire risk, smoke, and associated conditions, risks, and impacts;

(5) develop smoke and air quality forecasts, forecast guidance, and prescribed burn weather forecasts, and conduct research on the impact of such forecasts on response behavior that minimizes health-related impacts from smoke exposure;

(6) use, in coordination with Federal land management agencies, wildland fire resource intelligence to inform fire environment impact-based decision support products and services for safety;

(7) work with Federal agencies to provide data, tools, and services to support determinations by such agencies for the implementation of mitigation measures;

(8) provide training and support to ensure effective media utilization of impact-based decision support products and guidance to

the public regarding actions needing to be taken;

(9) provide comprehensive training to ensure staff of the program established under subsection (a) is properly equipped to deliver the impact-based decision support products and services described in paragraphs (1) through (6); and

(10) acquire through contracted purchase private sector-produced observational data to fill identified gaps, as needed.

(e) COLLABORATION; AGREEMENTS.—

(1) COLLABORATION.—The Under Secretary shall, as the Under Secretary considers appropriate, collaborate and consult with partners in the weather and climate enterprises, academic institutions, States, Tribal governments, local partners, and Federal agencies, including land and fire management agencies, in the development and implementation of the program established under subsection (a).

(2) AGREEMENTS.—The Under Secretary may enter into agreements in support of the functions described in subsection (b), the priorities described in subsection (c), the activities described in subsection (d), and activities carried out under section 5708.

(f) PROGRAM ADMINISTRATION PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary shall submit to the appropriate committees of Congress a plan that details how the program established under subsection (a) will be administered and governed within the Administration.

(2) ELEMENTS.—The plan required by paragraph (1) should include a description of—

(A) how the functions described in subsection (b), the priorities described in subsection (c), and the activities described in subsection (d) will be distributed among the line offices of the Administration; and

(B) the mechanisms in place to ensure seamless coordination among those offices.

SEC. 5704. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION DATA MANAGEMENT.

Section 301 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8531) is amended—

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

(2) by inserting after subsection (e) the following:

''(f) DATA AVAILABILITY AND MANAGEMENT.—

''(1) IN GENERAL.—The Under Secretary shall—

''(A) make data and metadata generated or collected by the National Oceanic and Administration that the Under Secretary has the legal right to redistribute fully and openly available, in accordance with chapter 35 of title 44, United States Code, and the Foundations for Evidence-Based Policymaking Act of 2018 (Public Law 115–435; 132 Stat. 5529) and the amendments made by that Act, and preserve and curate such data and metadata, in accordance with chapter 31 of title 44, United States Code (commonly known as the 'Federal Records Act of 1950'), in order to maximize use of such data and metadata; and

''(B) manage and steward the access, archival, and retrieval activities for the data and metadata described in subparagraph (A) by—

''(i) using—

''(I) enterprise-wide infrastructure, emerging technologies, commercial partnerships, and the skilled workforce needed to provide appropriate data management from collection to broad access; and

''(II) associated information services; and

''(ii) pursuing the maximum interoperability of data and information by—

''(I) leveraging data, information, knowledge, and tools from across the Federal Government to support equitable access, cross-sectoral collaboration and innovation, and local planning and decision-making; and

''(II) developing standards and practices for the adoption and citation of digital object identifiers for datasets, models, and analytical tools.

''(2) COLLABORATION.—In carrying out this subsection, the Under Secretary shall collaborate with such Federal partners and stakeholders as the Under Secretary considers relevant—

''(A) to develop standards to pursue maximum interoperability of data, information, knowledge, and tools across the Federal Government, convert historical records into common digital formats, and improve access and usability of data by partners and stakeholders;

''(B) to identify and solicit relevant data from Federal and international partners and other relevant stakeholders, as the Under Secretary considers appropriate;

''(C) to develop standards and practices for the adoption and citation of digital object identifiers for datasets, models, and analytical tools; and

''(D) to ensure that, to the maximum extent possible, data access and distribution is compatible with national security equities.''.

SEC. 5705. DIGITAL FIRE WEATHER SERVICES AND DATA MANAGEMENT.

(a) IN GENERAL.—

(1) DIGITAL PRESENCE.—The Under Secretary shall develop and maintain a comprehensive, centralized, and publicly accessible digital presence designed to promote findability, accessibility, interoperability, usability, and utility of the services, tools, data, and information produced by the program established under section 5703(a).

(2) DIGITAL PLATFORM AND TOOLS.—In carrying out paragraph (1), the Under Secretary shall seek to ensure the digital platform and tools of the Administration integrate geospatial data, decision support tools, training, and best practices to provide real-time fire weather forecasts and address fire-related issues and needs.

(b) INTERNET-BASED TOOLS.—In carrying out subsections (a) and (b), the Under Secretary shall develop and implement internet-based tools, such as webpages and smartphone and other mobile applications, to increase utility and access to services and products for the benefit of users.

SEC. 5706. HIGH-PERFORMANCE COMPUTING.

(a) IN GENERAL.—The Under Secretary shall seek to acquire sufficient high-performance computing resources and capacity for research, operations, and data storage in support of the program established under section 5703(a).

(b) CONSIDERATIONS.—In acquiring high-performance computing capacity under subsection (a), the Under Secretary shall consider requirements needed for—

(1) conducting research and development;

(2) the transition of research and testbed developments into operations;

(3) capabilities existing in other Federal agencies and the commercial sector; and

(4) skilled workforce development.

SEC. 5707. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON FIRE WEATHER SERVICES PROGRAM.

(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the program established under section 5703(a).

(b) ELEMENTS.—The report required by subsection (a) shall—

(1) evaluate the performance of the program by establishing initial baseline capabilities and tracking progress made toward fully operationalizing the functions described in section 5703(b); and

(2) include such other recommendations as the Comptroller General determines are appropriate to improve the program.

SEC. 5708. FIRE WEATHER TESTBED.

(a) ESTABLISHMENT OF FIRE WEATHER TESTBED.—The Under Secretary shall establish a fire weather testbed that enables engagement across the Federal Government, State and local governments, academia, private and federally funded research laboratories, the private sector, and end-users in order to evaluate the accuracy and usability of technology, models, fire weather products and services, and other research to accelerate the implementation, transition to operations, and use of new capabilities by the Administration, Federal and land management agencies, and other relevant stakeholders.

(b) UNCREWED AIRCRAFT SYSTEMS.—

(1) IN GENERAL.—The Under Secretary shall—

(A) research and assess the role and potential of uncrewed aircraft systems to improve data collection in support of modeling, observations, predictions, forecasts, and impact-based decision support services;

(B) transition uncrewed aircraft systems technologies from research to operations as the Under Secretary considers appropriate; and

(C) coordinate with other Federal agencies that may be developing uncrewed aircraft systems and related technologies to meet the challenges of wildland fire management.

(2) PILOT REQUIRED.—In carrying out paragraph (1), not later than 1 year after the date of the enactment of this Act, the Under Secretary shall conduct pilots of uncrewed aircraft systems for fire weather and fire environment observations, including—

(A) testing of uncrewed systems in approximations of real-world scenarios;

(B) assessment of the utility of meteorological data collected from fire response and assessment aircraft;

(C) input of the collected data into appropriate models to predict fire behavior, including coupled atmosphere and fire models; and

(D) collection of best management practices for deployment of uncrewed systems and other remote data technology, including for communication and coordination between the stakeholders described in subsection (a).

(3) PROHIBITION.—

(A) IN GENERAL.—Except as provided under subparagraphs (B) and (C), the Under Secretary may not procure any covered uncrewed aircraft system that is manufactured or assembled by a covered foreign entity, which includes associated elements (consisting of communication links and the components that control the uncrewed aircraft) that are required for the operator to operate safely and efficiently in the national airspace system. The Federal Acquisition Security Council, in coordination with the Secretary of Transportation, shall develop and update a list of associated elements.

(B) EXEMPTION.—The Under Secretary, in consultation with the Secretary of Homeland Security, is exempt from the prohibition under subparagraph (A) if the operation or procurement is necessary for the sole purpose of marine or atmospheric science or management.

(C) WAIVER.—The Under Secretary may waive the prohibition under subparagraph (A) on a case-by-case basis—

(i) with the approval of the Secretary of Homeland Security or the Secretary of Defense; and

(ii) upon notification to Congress.

(D) DEFINITIONS.—In this paragraph:

(i) COVERED FOREIGN ENTITY.—The term ''covered foreign entity'' means an entity included on a list developed and maintained by the Federal Acquisition Security Council. The list shall include entities in the following categories:

(I) An entity included on the Consolidated Screening List.

(II) Any entity that is subject to extrajudicial direction from a foreign government, as determined by the Secretary of Homeland Security.

(III) Any entity the Secretary of Homeland Security, in coordination with the Director of National Intelligence and the Secretary of Defense, determines poses a national security risk.

(IV) Any entity domiciled in the People's Republic of China or subject to influence or control by the Government of the People's Republic of China or the Communist Party of the People's Republic of China, as determined by the Secretary of Homeland Security.

(V) Any subsidiary or affiliate of an entity described in subclauses (I) through (IV).

(ii) COVERED UNCREWED AIRCRAFT SYSTEM.—The term ''covered uncrewed aircraft system'' has the meaning given the term ''unmanned aircraft system'' in section 44801 of title 49, United States Code.

(4) SAVINGS CLAUSE.—

(A) IN GENERAL.—In carrying out activities under this subsection, the Under Secretary shall ensure that any testing or deployment of uncrewed aircraft systems follow procedures, restrictions, and protocols established by the heads of the Federal agencies with statutory or regulatory jurisdiction over any airspace in which wildfire response activities are conducted during an active wildfire event.

(B) CONSULTATION AND COORDINATION.—The Under Secretary shall consult and coordinate with relevant Federal land management agencies, Federal science agencies, and the Federal Aviation Administration to develop processes for the appropriate deployment of the systems described in subparagraph (A).

(c) ADDITIONAL PILOT PROJECTS.—The Under Secretary shall establish additional pilot projects relating to the fire weather testbed that may include the following elements:

(1) Advanced satellite detection products.

(2) Procurement and use of commercial data.

SEC. 5709. FIRE WEATHER SURVEYS AND ASSESSMENTS.

(a) ANNUAL POST-FIRE-WEATHER SEASON SURVEY AND ASSESSMENT.—

(1) IN GENERAL.—During the second winter following the enactment of this Act, and each year thereafter, the Under Secretary shall conduct a post-fire-weather season survey and assessment.

(2) ELEMENTS.—After conducting a post-fire-weather season survey and assessment under paragraph (1), the Under Secretary shall—

(A) investigate any gaps in data collected during the assessment;

(B) identify and implement strategies and procedures to improve program services and information dissemination;

(C) update systems, processes, strategies, and procedures to enhance the efficiency and reliability of data obtained from the assessment;

(D) evaluate the accuracy and efficacy of physical fire weather forecasting information for each incident included in the survey and assessment; and

(E) assess and refine performance measures, as needed.

(b) SURVEYS AND ASSESSMENTS FOLLOWING INDIVIDUAL WILDFIRE EVENTS.—The Under Secretary may conduct surveys and assessments following individual wildfire events as the Under Secretary determines necessary.

(c) GOAL.—In carrying out activities under this section, the Under Secretary shall seek to increase the number of post-wildfire community impact studies, including by surveying individual and collective responses and incorporating other applicable topics of social science research.

(d) ANNUAL BRIEFING.—Not less frequently than once each year, the Under Secretary shall provide a briefing to the appropriate committees of Congress that provides—

(1) an overview of the fire season; and

(2) an outlook for the fire season for the coming year.

(e) COORDINATION.—In conducting any survey or assessment under this section, the Under Secretary shall coordinate with Federal, State, and local partners, Tribal governments, private entities, and such institutions of higher education as the Under Secretary considers relevant in order to—

(1) improve operations and collaboration; and

(2) optimize data collection, sharing, integration, assimilation, and dissemination.

(f) DATA AVAILABILITY.—The Under Secretary shall make the data and findings obtained from each assessment conducted under this section available to the public in an accessible digital format as soon as practicable after conducting the assessment.

(g) SERVICE IMPROVEMENTS.—The Under Secretary shall make best efforts to incorporate the results and recommendations of each assessment conducted under this section into the research and development plan and operations of the Administration.

SEC. 5710. INCIDENT METEOROLOGIST SERVICE.

(a) ESTABLISHMENT.—The Under Secretary shall establish and maintain an Incident Meteorologist Service within the National Weather Service (in this section referred to as the ''Service'').

(b) INCLUSION OF EXISTING INCIDENT METEOROLOGISTS.—The Service shall include—

(1) the incident meteorologists of the Administration as of the date of the enactment of this Act; and

(2) such incident meteorologists of the Administration as may be appointed after such date.

(c) FUNCTIONS.—The Service shall provide—

(1) on-site impact-based decision support services to Federal, State, Tribal government, and local government emergency response agencies preceding, during, and following wildland fires or other events that threaten life or property, including high-impact and extreme weather events; and

(2) support to Federal, State, Tribal government, and local government decision makers, partners, and stakeholders for seasonal planning.

(d) DEPLOYMENT.—The Service shall be deployed—

(1) as determined by the Under Secretary; or

(2) at the request of the head of another Federal agency and with the approval of the Under Secretary.

(e) STAFFING AND RESOURCES.—In establishing and maintaining the Service, the Under Secretary shall identify, acquire, and maintain adequate levels of staffing and resources to meet user needs.

(f) SYMBOL.—

(1) IN GENERAL.—The Under Secretary may—

(A) create, adopt, and publish in the Federal Register a symbol for the Service; and

(B) restrict the use of such symbol as appropriate.

(2) USE OF SYMBOL.—The Under Secretary may authorize the use of a symbol adopted under this subsection by any individual or entity as the Under Secretary considers appropriate.

(3) CONTRACT AUTHORITY.—The Under Secretary may award contracts for the creation of symbols under this subsection.

(4) OFFENSE.—It shall be unlawful for any person—

(A) to represent themselves as an official of the Service absent the designation or approval of the Under Secretary;

(B) to manufacture, reproduce, or otherwise use any symbol adopted by the Under Secretary under this subsection, including to sell any item bearing such a symbol, unless authorized by the Under Secretary; or

(C) to violate any regulation promulgated by the Secretary under this subsection.

(g) SUPPORT FOR INCIDENT METEOROLOGISTS.—The Under Secretary shall provide resources, access to real-time fire weather forecasts, training, administrative and logistical support, and access to professional counseling or other forms of support as the Under Secretary considers appropriate for the betterment of the emotional and mental health and well-being of incident meteorologists and other employees of the Administration involved with response to high-impact and extreme fire weather events.

SEC. 5711. AUTOMATED SURFACE OBSERVING SYSTEM.

(a) JOINT ASSESSMENT AND PLAN.—

(1) IN GENERAL.—The Under Secretary, in collaboration with the Administrator of the Federal Aviation Administration and the Secretary of Defense, shall—

(A) conduct an assessment of resources, personnel, procedures, and activities necessary to maximize the functionality and utility of the automated surface observing system of the United States that identifies—

(i) key system upgrades needed to improve observation quality and utility for weather forecasting, aviation safety, and other users;

(ii) improvements needed in observations within the planetary boundary layer, including mixing height;

(iii) improvements needed in public accessibility of observational data;

(iv) improvements needed to reduce latency in reporting of observational data;

(v) relevant data to be collected for the production of forecasts or forecast guidance relating to atmospheric composition, including particulate and air quality data, and aviation safety;

(vi) areas of concern regarding operational continuity and reliability of the system, which may include needs for on-night staff, particularly in remote and rural areas and areas where system failure would have the greatest negative impact to the community;

(vii) stewardship, data handling, data distribution, and product generation needs arising from upgrading and changing the automated surface observation systems;

(viii) possible solutions for areas of concern identified under clause (vi), including with respect to the potential use of backup systems, power and communication system reliability, staffing needs and personnel location, and the acquisition of critical component backups and proper storage location to ensure rapid system repair necessary to ensure system operational continuity; and

(ix) research, development, and transition to operations needed to develop advanced data collection, quality control, and distribution so that the data are provided to models, users, and decision support systems in a timely manner; and

(B) develop and implement a plan that addresses the findings of the assessment conducted under subparagraph (A), including by seeking and allocating resources necessary to ensure that system upgrades are standardized across the Administration, the Federal

Aviation Administration, and the Department of Defense to the extent practicable.

(2) STANDARDIZATION.—Any system standardization implemented under paragraph (1)(B) shall not impede activities to upgrade or improve individual units of the system.

(3) REMOTE AUTOMATIC WEATHER STATION COORDINATION.—The Under Secretary, in collaboration with relevant Federal agencies and the National Interagency Fire Center, shall assess and develop cooperative agreements to improve coordination, interoperability standards, operations, and placement of remote automatic weather stations for the purpose of improving utility and coverage of remote automatic weather stations, automated surface observation systems, smoke monitoring platforms, and other similar stations and systems for weather and climate operations.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Under Secretary, in collaboration with the Administrator of the Federal Aviation Administration and the Secretary of Defense, shall submit to the appropriate committees of Congress a report that—

(A) details the findings of the assessment required by subparagraph (A) of subsection (a)(1); and

(B) the plan required by subparagraph (B) of such subsection.

(2) ELEMENTS.—The report required by paragraph (1) shall include a detailed assessment of appropriations required—

(A) to address the findings of the assessment required by subparagraph (A) of subsection (a)(1); and

(B) to implement the plan required by subparagraph (B) of such subsection.

(c) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than 4 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—

(1) evaluates the functionality, utility, reliability, and operational status of the automated surface observing system across the Administration, the Federal Aviation Administration, and the Department of Defense;

(2) evaluates the progress, performance, and implementation of the plan required by subsection (a)(1)(B);

(3) assesses the efficacy of cross-agency collaboration and stakeholder engagement in carrying out the plan and provides recommendations to improve such activities;

(4) evaluates the operational continuity and reliability of the system, particularly in remote and rural areas and areas where system failure would have the greatest negative impact to the community, and provides recommendations to improve such continuity and reliability;

(5) assesses Federal coordination regarding the remote automatic weather station network, air resource advisors, and other Federal observing assets used for weather and climate modeling and response activities, and provides recommendations for improvements; and

(6) includes such other recommendations as the Comptroller General determines are appropriate to improve the system.

SEC. 5712. EMERGENCY RESPONSE ACTIVITIES.

(a) DEFINITIONS.—In this section:

(1) BASIC PAY.—The term ''basic pay'' includes any applicable locality-based comparability payment under section 5304 of title 5, United States Code, any applicable special rate supplement under section 5305 of such title, or any equivalent payment under a similar provision of law.

(2) COVERED EMPLOYEE.—The term ''covered employee'' means an employee of the Department of Agriculture, the Department of the Interior, or the Department of Commerce.

(3) COVERED SERVICES.—The term ''covered services'' means services that are performed by a covered employee while serving—

(A) as a wildland firefighter or a fire management response official, including a regional fire director, a deputy regional fire director, and a fire management officer;

(B) as an incident meteorologist accompanying a wildland firefighter crew; or

(C) on an incident management team, at the National Interagency Fire Center, at a Geographic Area Coordinating Center, or at an operations center.

(4) PREMIUM PAY.—The term ''premium pay'' means premium pay paid under a provision of law described in the matter preceding paragraph (1) of section 5547(a) of title 5, United States Code.

(5) RELEVANT COMMITTEES.—The term ''relevant committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Commerce, Science, and Transportation of the Senate;

(C) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(D) the Committee on Appropriations of the Senate;

(E) the Committee on Energy and Natural Resources of the Senate;

(F) the Committee on Oversight and Reform of the House of Representatives;

(G) the Committee on Natural Resources of the House of Representatives;

(H) the Committee on Science, Space, and Technology of the House of Representatives;

(I) the Committee on Agriculture of the House of Representative; and

(J) the Committee on Appropriations of the House of Representatives.

(6) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of Agriculture, with respect to an employee of the Department of Agriculture;

(B) the Secretary of the Interior, with respect to an employee of the Department of the Interior; and

(C) the Secretary of Commerce, with respect to an employee of the Department of Commerce.

(b) WAIVER.—

(1) IN GENERAL.—Any premium pay received by a covered employee for covered services shall be disregarded in calculating the aggregate of the basic pay and premium pay for the covered employee for purposes of applying the limitation on premium pay under section 5547(a) of title 5, United States Code.

(2) CALCULATION OF AGGREGATE PAY.—Any pay that is disregarded under paragraph (1) shall be disregarded in calculating the aggregate pay of the applicable covered employee for purposes of applying the limitation under section 5307 of title 5, United States Code, during calendar year 2023.

(3) LIMITATION.—A covered employee may not be paid premium pay under this subsection if, or to the extent that, the aggregate of the basic pay and premium pay (including premium pay for covered services) of the covered employee for a calendar year would exceed the rate of basic pay payable for a position at level II of the Executive Schedule under section 5313 of title 5, United States Code, as in effect at the end of that calendar year.

(4) TREATMENT OF ADDITIONAL PREMIUM PAY.—If the application of this subsection results in the payment of additional premium pay to a covered employee of a type that is normally creditable as basic pay for retirement or any other purpose, that additional premium pay shall not be—

(A) considered to be basic pay of the covered employee for any purpose; or

(B) used in computing a lump-sum payment to the covered employee for accumulated and accrued annual leave under section 5551 or 5552 of title 5, United States Code.

(5) EFFECTIVE PERIOD.—This subsection shall be in effect during calendar year 2023 and apply to premium pay payable during that year.

(c) AMENDMENT.—Section 5542(a)(5) of title 5, United States Code, is amended by inserting '', the Department of Commerce,'' after ''Interior''.

(d) PLAN TO ADDRESS NEEDS.—

(1) DEVELOPMENT AND IMPLEMENTATION.—Not later than March 30, 2023, the Secretaries referred to in subsection (a)(6), in consultation with the Director of the Office of Management and Budget and the Director of the Office of Personnel Management, shall jointly develop and implement a plan that addresses the needs of the Department of Agriculture, the Department of the Interior, and the Department of Commerce, as applicable, to hire, appoint, promote, or train additional covered employees who carry out covered services such that sufficient covered employees are available throughout each fiscal year, beginning in fiscal year 2024, without the need for waivers of premium pay limitations.

(2) SUBMITTAL.—Not later than 30 days before the date on which the Secretaries implement the plan developed under paragraph (1), the Secretaries shall submit the plan to the relevant committees.

(3) LIMITATION.—The plan developed under paragraph (1) shall not be contingent on any Secretary receiving amounts appropriated for fiscal years beginning in fiscal year 2024 in amounts greater than amounts appropriated for fiscal year 2023.

(e) POLICIES AND PROCEDURES FOR HEALTH, SAFETY, AND WELL-BEING.—The Secretary concerned shall maintain polices and procedures to promote the health, safety, and well-being of covered employees.

SEC. 5713. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON INTERAGENCY WILDFIRE FORECASTING, PREVENTION, PLANNING, AND MANAGEMENT BODIES.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—

(1) identifies all Federal interagency bodies established for the purpose of wildfire forecasting, prevention, planning, and management (such as wildfire councils, commissions, and workgroups), including—

(A) the Wildland Fire Leadership Council;

(B) the National Interagency Fire Center;

(C) the Wildland Fire Management Policy Committee;

(D) the Wildland Fire Mitigation and Management Commission;

(E) the Joint Science Fire Program;

(F) the National Interagency Coordination Center;

(G) the National Predictive Services Oversight Group;

(H) the Interagency Council for Advancing Meteorological Services;

(I) the National Wildfire Coordinating Group;

(J) the National Multi-Agency Coordinating Group; and

(K) the Mitigation Framework Leadership Group;

(2) evaluates the roles, functionality, and utility of such interagency bodies;

(3) evaluates the progress, performance, and implementation of such interagency bodies;

(4) assesses efficacy and identifies potential overlap and duplication of such interagency bodies in carrying out interagency

collaboration with respect to wildfire prevention, planning, and management; and

(5) includes such other recommendations as the Comptroller General determines are appropriate to streamline and improve wildfire forecasting, prevention, planning, and management, including recommendations regarding the interagency bodies for which the addition of the Administration is necessary to improve wildfire forecasting, prevention, planning, and management.

SEC. 5714. AMENDMENTS TO INFRASTRUCTURE INVESTMENT AND JOBS ACT RELATING TO WILDFIRE MITIGATION.

The Infrastructure Investment and Jobs Act (Public Law 117–58; 135 Stat. 429) is amended—

(1) in section 70202—

(A) in paragraph (1)—

(i) in subparagraph (J), by striking ''; and'' and inserting a semicolon;

(ii) in subparagraph (K), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(L) the Committee on Commerce, Science, and Transportation of the Senate; and

''(M) the Committee on Science, Space, and Technology of the House of Representatives.''; and

(B) in paragraph (6)—

(i) in subparagraph (B), by striking ''; and'' and inserting a semicolon;

(ii) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(D) The Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere.''; and

(2) in section 70203(b)(1)(B)—

(A) in the matter preceding clause (i), by striking ''9'' and inserting ''not fewer than 10'';

(B) in clause (i)—

(i) in subclause (IV), by striking ''; and'' and inserting a semicolon;

(ii) in subclause (V), by adding ''and'' at the end; and

(iii) by adding at the end the following:

''(VI) the National Oceanic and Atmospheric Administration.'';

(C) in clause (iv), by striking ''; and'' and inserting a semicolon; and

(D) by adding at the end the following:

''(vi) if the Secretaries determine it to be appropriate, 1 or more representatives from the relevant line offices of the National Oceanic and Atmospheric Administration; and''.

SEC. 5715. WILDFIRE TECHNOLOGY MODERNIZATION AMENDMENTS.

Section 1114 of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (43 U.S.C. 1748b–1) is amended—

(1) in subsection (c)(3), by inserting ''the National Oceanic and Atmospheric Administration,'' after ''Federal Aviation Administration,'';

(2) in subsection (e)(2)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

(B) by inserting after subparagraph (A) the following:

''(B) CONSULTATION.—

''(i) IN GENERAL.—In carrying out subparagraph (A), the Secretaries shall consult with the Under Secretary of Commerce for Oceans and Atmosphere regarding any development of impact-based decision support services that relate to wildfire-related activities of the National Oceanic and Atmospheric Administration.

''(ii) DEFINITION OF IMPACT-BASED DECISION SUPPORT SERVICES.—In this subparagraph, the term 'impact-based decision support services' means forecast advice and interpretative services the National Oceanic and Atmospheric Administration provides to help core partners, such as emergency personnel and public safety officials, make decisions when weather, water, and climate impact the lives and livelihoods of the people of the United States.''; and

(3) in subsection (f)—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the right;

(B) by striking ''The Secretaries'' and inserting the following:

''(1) IN GENERAL.—The Secretaries''; and

(C) by adding at the end the following:

''(2) COLLABORATION.—In carrying out paragraph (1), the Secretaries shall collaborate with the Under Secretary of Commerce for Oceans and Atmosphere to improve coordination, utility of systems and assets, and interoperability of data for smoke prediction, forecasting, and modeling.''.

SEC. 5716. COOPERATION; COORDINATION; SUPPORT TO NON-FEDERAL ENTITIES.

(a) COOPERATION.—Each Federal agency shall cooperate and coordinate with the Under Secretary, as appropriate, in carrying out this title and the amendments made by this title.

(b) COORDINATION.—

(1) IN GENERAL.—In meeting the requirements under this title and the amendments made by this title, the Under Secretary shall coordinate, and as appropriate, establish agreements with Federal and external partners to fully use and leverage existing assets, systems, networks, technologies, and sources of data.

(2) INCLUSIONS.—Coordination carried out under paragraph (1) shall include coordination with—

(A) the National Interagency Fire Center, including the Predictive Services Program that provides impact-based decision support services to the wildland fire community at the Geographic Area Coordination Center and the National Interagency Coordination Center;

(B) the National Wildfire Coordinating Group; and

(C) relevant interagency bodies identified in the report required by section 5713.

(3) CONSULTATION.—In carrying out this subsection, the Under Secretary shall consult with Federal partners.

(c) COORDINATION WITH NON-FEDERAL ENTITIES.—Not later than 540 days after the date of the enactment of this Act, the Under Secretary shall develop and submit to the appropriate committees of Congress a process for annual coordination with Tribal, State, and local governments to assist the development of improved fire weather products and services.

(d) SUPPORT TO NON-FEDERAL ENTITIES.—In carrying out the activities under this title and the amendments made by this title, the Under Secretary may provide support to non-Federal entities by making funds and resources available through—

(1) competitive grants;

(2) contracts under the mobility program under subchapter VI of chapter 33 of title 5, United States Code (commonly referred to as the ''Intergovernmental Personnel Act Mobility Program'');

(3) cooperative agreements; and

(4) colocation agreements as described in section 502 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Amendments Act of 2020 (33 U.S.C. 851 note prec.).

SEC. 5717. INTERNATIONAL COORDINATION.

(a) IN GENERAL.—The Under Secretary, in coordination with the Secretary of State, may develop collaborative relationships with foreign partners and counterparts to address transboundary issues pertaining to wildfires, fire weather, smoke, air quality, and associated conditions and hazards or other relevant meteorological phenomena, as appropriate, to facilitate full and open exchange of data and information.

(b) COORDINATION.—In carrying out activities under this section, the Under Secretary shall coordinate with other Federal agencies as the Under Secretary considers relevant.

SEC. 5718. SUBMISSIONS TO CONGRESS REGARDING THE FIRE WEATHER SERVICES PROGRAM, INCIDENT METEOROLOGIST WORKFORCE NEEDS, AND NATIONAL WEATHER SERVICE WORKFORCE SUPPORT.

(a) REPORT TO CONGRESS.—Not later than 540 days after the date of the enactment of this Act, the Under Secretary shall submit to the appropriate committees of Congress—

(1) the plan described in subsection (b);

(2) the assessment described in subsection (c); and

(3) the assessment described in subsection (d).

(b) FIRE WEATHER SERVICES PROGRAM PLAN.—

(1) ELEMENTS.—The plan submitted under subsection (a)(1) shall detail—

(A) the observational data, modeling requirements, ongoing computational needs, research, development, and technology transfer activities, data management, skilled-personnel requirements, engagement with relevant Federal emergency and land management agencies and partners, and corresponding resources and timelines necessary to achieve the functions described in subsection (b) of section 5703 and the priorities described in subsection (c) of such section; and

(B) plans and needs for all other activities and requirements under this title and the amendments made by this title.

(2) SUBMITTAL OF ANNUAL BUDGET FOR PLAN.—Following completion of the plan submitted under subsection (a)(1), the Under Secretary shall, not less frequently than once each year concurrent with the submission of the budget by the President to Congress under section 1105 of title 31, United States Code, submit to Congress a proposed budget corresponding with the elements detailed in the plan.

(c) INCIDENT METEOROLOGIST WORKFORCE NEEDS ASSESSMENT.—

(1) IN GENERAL.—The Under Secretary shall conduct a workforce needs assessment on the current and future demand for additional incident meteorologists for wildfires and other high-impact fire weather events.

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

(A) A description of staffing levels as of the date on which the assessment is submitted under subsection (a)(2) and projected future staffing levels.

(B) An assessment of the state of the infrastructure of the National Weather Service as of the date on which the assessment is submitted and future needs of such infrastructure in order to meet current and future demands, including with respect to information technology support and logistical and administrative operations.

(3) CONSIDERATIONS.—In conducting the assessment required by paragraph (1), the Under Secretary shall consider factors including projected climate conditions, infrastructure, relevant hazard meteorological response system equipment, user needs, and feedback from relevant stakeholders.

(d) SUPPORT SERVICES ASSESSMENT.—

(1) IN GENERAL.—The Under Secretary shall conduct a workforce support services assessment with respect to employees of the National Weather Service engaged in emergency response.

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

(A) An assessment of need for further support of employees of the National Weather Service engaged in emergency response through services provided by the Public Health Service.

(B) A detailed assessment of appropriations required to secure the level of support services needed as identified in the assessment described in subparagraph (A).

(3) ADDITIONAL SUPPORT SERVICES.—Following the completion of the assessment required by paragraph (1), the Under Secretary shall seek to acquire additional support services to meet the needs identified in the assessment.

SEC. 5719. GOVERNMENT ACCOUNTABILITY OFFICE REPORT; FIRE SCIENCE AND TECHNOLOGY WORKING GROUP; STRATEGIC PLAN.

(a) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that identifies—

(1) the authorities, roles, and science and support services relating to Federal agencies engaged in or providing wildland fire prediction, detection, forecasting, modeling, resilience, response, management, and assessments; and

(2) recommended areas in and mechanisms by which the agencies listed under paragraph (1) could support and improve—

(A) coordination between Federal agencies, State and local governments, Tribal governments, and other relevant stakeholders, including through examination of possible public-private partnerships;

(B) research and development, including interdisciplinary research, related to fire environments, wildland fires, associated smoke, and the impacts of such environments, fires, and smoke, in furtherance of a coordinated interagency effort to address wildland fire risk reduction;

(C) data management and stewardship, the development and coordination of data systems and computational tools, and the creation of a centralized, integrated data collaboration environment for agency data, including historical data, relating to weather, fire environments, wildland fires, associated smoke, and the impacts of such environments, fires, and smoke, and the assessment of wildland fire risk mitigation measures;

(D) interoperability, usability, and accessibility of the scientific data, data systems, and computational and information tools of the agencies listed under paragraph (1);

(E) coordinated public safety communications relating to fire weather events, fire hazards, and wildland fire and smoke risk reduction strategies; and

(F) secure and accurate real-time data, alerts, and advisories to wildland firefighters and other decision support tools for wildland fire incident command posts.

(b) FIRE SCIENCE AND TECHNOLOGY WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the Executive Director of the Interagency Committee for Advancing Weather Services established under section 402 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8542) (in this section referred to as the ''Interagency Committee'') shall establish a working group, to be known as the ''Fire Science and Technology Working Group'' (in this section referred to as the ''Working Group'').

(2) CHAIR.—The Working Group shall be chaired by the Under Secretary, or designee.

(3) GENERAL DUTIES.—

(A) IN GENERAL.—The Working Group shall seek to build efficiencies among the agencies listed under subsection (a)(1) and coordinate the planning and management of science, research, technology, and operations related to science and support services for wildland fire prediction, detection, forecasting, modeling, resilience, response, management, and assessments.

(B) INPUT.—The Working Group shall solicit input from non-Federal stakeholders.

(c) STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than 540 days after the date of the enactment of this Act, the Interagency Committee shall prepare and submit to the committees specified in paragraph (3) a strategic plan for interagency coordination, research, and development that will improve the assessment of fire environments and the understanding and prediction of wildland fires, associated smoke, and the impacts of such fires and smoke, including—

(A) at the wildland-urban interface;

(B) on communities, buildings, and other infrastructure;

(C) on ecosystem services and watersheds;

(D) social and economic impacts;

(E) by developing and encouraging the adoption of science-based and cost-effective measures—

(i) to enhance community resilience to wildland fires;

(ii) to address and mitigate the impacts of wildland fire and associated smoke; and

(iii) to restore natural fire regimes in fire-dependent ecosystems;

(F) by improving the understanding and mitigation of the effects of weather and long-term drought on wildland fire risk, frequency, and severity;

(G) through integrations of social and behavioral sciences in public safety fire communication;

(H) by improving the forecasting and understanding of prescribed fires and the impacts of such fires, and how those impacts may differ from impacts of wildland fires that originate from an unplanned ignition; and

(I) consideration and adoption of any recommendations included in the report required by subsection (a) pursuant to paragraph (2) of such subsection.

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

(A) A description of the priorities and needs of vulnerable populations.

(B) A description of high-performance computing, visualization, and dissemination needs.

(C) A timeline and guidance for implementation of—

(i) an interagency data sharing system for data relevant to performing fire assessments and modeling fire risk and fire behavior;

(ii) a system for ensuring that the fire prediction models of relevant agencies can be interconnected; and

(iii) to the maximum extent practicable, any recommendations included in the report required by subsection (a).

(D) A plan for incorporating and coordinating research and operational observations, including from infrared technologies, microwave, radars, satellites, mobile weather stations, and uncrewed aerial systems.

(E) A flexible framework to communicate clear and simple fire event information to the public.

(F) Integration of social, behavioral, risk, and communication research to improve the fire operational environment and societal information reception and response.

(3) COMMITTEES SPECIFIED.—The committees specified in this paragraph are—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Energy and Natural Resources of the Senate;

(C) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(D) the Committee on Agriculture of the House of Representatives;

(E) the Committee on Natural Resources of the House of Representatives; and

(F) the Committee on Science, Space, and Technology of the House of Representatives.

SEC. 5720. FIRE WEATHER RATING SYSTEM.

(a) IN GENERAL.—The Under Secretary shall, in collaboration with the Chief of the United States Forest Service, the Director of the United States Geological Survey, the Director of the National Park Service, the Administrator of the Federal Emergency Management Agency, and such stakeholders as the Under Secretary considers appropriate—

(1) evaluate the system used as of the date of the enactment of this Act to rate the risk of wildfire; and

(2) determine whether updates to that system are required to ensure that the ratings accurately reflect the severity of fire risk.

(b) UPDATE REQUIRED.—If the Under Secretary determines under subsection (a) that updates to the system described in paragraph (1) of such subsection are necessary, the Under Secretary shall update that system.

SEC. 5721. AVOIDANCE OF DUPLICATION.

(a) IN GENERAL.—The Under Secretary shall ensure, to the greatest extent practicable, that activities carried out under this title and the amendments made by this title are not duplicative of activities supported by other parts of the Administration or other relevant Federal agencies.

(b) COORDINATION.—In carrying out activities under this title and the amendments made by this title, the Under Secretary shall coordinate with the Administration and heads of other Federal research agencies—

(1) to ensure those activities enhance and complement, but do not constitute unnecessary duplication of, efforts; and

(2) to ensure the responsible stewardship of funds.

SEC. 5722. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—In addition to amounts appropriated under title VIII of division D of the Infrastructure Investment and Jobs Act (Public Law 117–58; 135 Stat. 1094), there are authorized to be appropriated to the Administration to carry out new policies and programs to address fire weather under this title and the amendments made by this title—

(1) $15,000,000 for fiscal year 2023;

(2) $111,360,000 for fiscal year 2024;

(3) $116,928,000 for fiscal year 2025;

(4) $122,774,400 for fiscal year 2026; and

(5) $128,913,120 for fiscal year 2027.

(b) PROHIBITION.—None of the amounts authorized to be appropriated by subsection (a) may be used to unnecessarily duplicate activities funded under title VIII of division D of the Infrastructure Investment and Jobs Act (Public Law 117–58; 135 Stat. 1094).

TITLE LVIII—LEARNING EXCELLENCE AND GOOD EXAMPLES FROM NEW DEVELOPERS

SEC. 5801. SHORT TITLE.

This title may be cited as the ''Learning Excellence and Good Examples from New Developers Act of 2022'' or the ''LEGEND Act of 2022''.

SEC. 5802. DEFINITIONS.

In this title:

(1) ADMINISTRATION.—The term ''Administration'' means the National Oceanic and Atmospheric Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Under Secretary of Commerce for Oceans and Atmosphere and Administrator of the National Oceanic and Atmospheric Administration.

(3) EARTH PREDICTION INNOVATION CENTER.—The term ''Earth Prediction Innovation Center'' means the community global weather

research modeling system described in paragraph (5)(E) of section 102(b) of the Weather Research Forecasting and Innovation Act of 2017 (15 U.S.C. 8512(b)), as redesignated by section 5804(g).

(4) MODEL.—The term ''model'' means any vetted numerical model and associated data assimilation of the Earth's system or its components—

(A) developed, in whole or in part, by scientists and engineers employed by the Administration; or

(B) otherwise developed using Federal funds.

(5) OPERATIONAL MODEL.—The term ''operational model'' means any model that has an output used by the Administration for operational functions.

(6) SUITABLE MODEL.—The term ''suitable model'' means a model that meets the requirements described in paragraph (5)(E)(ii) of section 102(b) of the Weather Research Forecasting and Innovation Act of 2017 (15 U.S.C. 8512(b)), as redesignated by section 5804(g), as determined by the Administrator.

SEC. 5803. PURPOSES.

The purposes of this title are—

(1) to support innovation in modeling by allowing interested stakeholders to have easy and complete access to the models used by the Administration, as the Administrator determines appropriate; and

(2) to use vetted innovations arising from access described in paragraph (1) to improve modeling by the Administration.

SEC. 5804. PLAN AND IMPLEMENTATION OF PLAN TO MAKE CERTAIN MODELS AND DATA AVAILABLE TO THE PUBLIC.

(a) IN GENERAL.—The Administrator shall develop and implement a plan to make available to the public the following:

(1) Operational models developed by the Administration.

(2) Models that are not operational models, including experimental and developmental models, as the Administrator determines appropriate.

(3) Applicable information and documentation for models described in paragraphs (1) and (2).

(4) Subject to section 5807, all data owned by the Federal Government and data that the Administrator has the legal right to redistribute that are associated with models made available to the public pursuant to the plan and used in operational forecasting by the Administration, including—

(A) relevant metadata;

(B) data used for operational models used by the Administration as of the date of the enactment of this Act; and

(C) a description of intended model outputs.

(b) ACCOMMODATIONS.—In developing and implementing the plan under subsection (a), the Administrator may make such accommodations as the Administrator considers appropriate to ensure that the public release of any model, information, documentation, or data pursuant to the plan does not jeopardize—

(1) national security;

(2) intellectual property or redistribution rights, including under titles 17 and 35, United States Code;

(3) any trade secret or commercial or financial information subject to section 552(b)(4) of title 5, United States Code;

(4) any models or data that are otherwise restricted by contract or other written agreement; or

(5) the mission of the Administration to protect lives and property.

(c) PRIORITY.—In developing and implementing the plan under subsection (a), the Administrator shall prioritize making available to the public the models described in subsection (a)(1).

(d) PROTECTIONS FOR PRIVACY AND STATISTICAL INFORMATION.—In developing and implementing the plan under subsection (a), the Administrator shall ensure that all requirements incorporated into any models described in subsection (a)(1) ensure compliance with statistical laws and other relevant data protection requirements, including the protection of any personally identifiable information.

(e) EXCLUSION OF CERTAIN MODELS.—In developing and implementing the plan under subsection (a), the Administrator may exclude models that the Administrator determines will be retired or superseded in fewer than 5 years after the date of the enactment of this Act.

(f) PLATFORMS.—In carrying out subsections (a) and (b), the Administrator may use government servers, contracts or agreements with a private vendor, or any other platform consistent with the purpose of this title.

(g) SUPPORT PROGRAM.—The Administrator shall plan for and establish a program to support infrastructure, including telecommunications and technology infrastructure of the Administration and the platforms described in subsection (f), relevant to making operational models and data available to the public pursuant to the plan under subsection (a).

(h) TECHNICAL CORRECTION.—Section 102(b) of the Weather Research Forecasting and Innovation Act of 2017 (15 U.S.C. 8512(b)) is amended by redesignating the second paragraph (4) (as added by section 4(a) of the National Integrated Drought Information System Reauthorization Act of 2018 (Public Law 115–423; 132 Stat. 5456)) as paragraph (5).

SEC. 5805. REQUIREMENT TO REVIEW MODELS AND LEVERAGE INNOVATIONS.

The Administrator shall—

(1) consistent with the mission of the Earth Prediction Innovation Center, periodically review innovations and improvements made by persons outside the Administration to the operational models made available to the public pursuant to the plan under section 5804(a) in order to improve the accuracy and timeliness of forecasts of the Administration; and

(2) if the Administrator identifies an innovation for a suitable model, develop and implement a plan to use the innovation to improve the model.

SEC. 5806. REPORT ON IMPLEMENTATION.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Administrator shall submit to the appropriate congressional committees a report on the implementation of this title that includes a description of—

(1) the implementation of the plan required by section 5804;

(2) the process of the Administration under section 5805—

(A) for engaging with interested stakeholders to learn what innovations those stakeholders have found;

(B) for reviewing those innovations; and

(C) for operationalizing innovations to improve suitable models.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

(2) the Committee on Science, Space, and Technology and the Committee on Appropriations of the House of Representatives.

SEC. 5807. PROTECTION OF NATIONAL SECURITY INTERESTS.

(a) IN GENERAL.—Notwithstanding any other provision of this title, the Administrator, in consultation with the Secretary of Defense, as appropriate, may withhold any model or data if the Administrator determines doing so to be necessary to protect the national security interests of the United States.

(b) RULE OF CONSTRUCTION.—Nothing in this title shall be construed to supersede any other provision of law governing the protection of the national security interests of the United States.

SEC. 5808. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this title $2,000,000 for each of fiscal years 2023 through 2027.

(b) DERIVATION OF FUNDS.—Funds to carry out this section shall be derived from amounts authorized to be appropriated to the National Weather Service that are enacted after the date of the enactment of this Act.

SA 6467. Mr. REED (for Mr. CORNYN (for himself and Mr. KING)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1239. IMPOSITION OF SANCTIONS WITH RESPECT TO THE SALE, SUPPLY, OR TRANSFER OF GOLD TO OR FROM RUSSIA.

(a) IDENTIFICATION.—Not later than 90 days after the date of the enactment of this Act, and periodically as necessary thereafter, the President—

(1) shall submit to Congress a report identifying foreign persons that knowingly participated in a significant transaction—

(A) for the sale, supply, or transfer (including transportation) of gold, directly or indirectly, to or from the Russian Federation or the Government of the Russian Federation, including from reserves of the Central Bank of the Russian Federation held outside the Russian Federation; or

(B) that otherwise involved gold in which the Government of the Russian Federation had any interest; and

(2) shall impose the sanctions described in subsection (b)(1) with respect to each such person; and

(3) may impose the sanctions described in subsection (b)(2) with respect to any such person that is an alien.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) BLOCKING OF PROPERTY.—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a foreign person identified in the report required by subsection (a)(1) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a)(1) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—An alien described in subsection (a)(1) is subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(c) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) NATIONAL INTEREST WAIVER.—The President may waive the imposition of sanctions under this section with respect to a person if the President—

(1) determines that such a waiver is in the national interests of the United States; and

(2) submits to Congress a notification of the waiver and the reasons for the waiver.

(e) TERMINATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the requirement to impose sanctions under this section, and any sanctions imposed under this section, shall terminate on the earlier of—

(A) the date that is 3 years after the date of the enactment of this Act; or

(B) the date that is 30 days after the date on which the President certifies to Congress that—

(i) the Government of the Russian Federation has ceased its destabilizing activities with respect to the sovereignty and territorial integrity of Ukraine; and

(ii) such termination in the national interests of the United States.

(2) TRANSITION RULES.—

(A) CONTINUATION OF CERTAIN AUTHORITIES.—Any authorities exercised before the termination date under paragraph (1) to impose sanctions with respect to a foreign person under this section may continue to be exercised on and after that date if the President determines that the continuation of those authorities is in the national interests of the United States.

(B) APPLICATION TO ONGOING INVESTIGATIONS.—The termination date under paragraph (1) shall not apply to any investigation of a civil or criminal violation of this section or any regulation, license, or order issued to carry out this section, or the imposition of a civil or criminal penalty for such a violation, if—

(i) the violation occurred before the termination date; or

(ii) the person involved in the violation continues to be subject to sanctions pursuant to subparagraph (A).

(f) EXCEPTIONS.—

(1) EXCEPTIONS FOR AUTHORIZED INTELLIGENCE AND LAW ENFORCEMENT AND NATIONAL SECURITY ACTIVITIES.—This section shall not apply with respect to activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence, law enforcement, or national security activities of the United States.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL AGREEMENTS.—Sanctions under subsection (b)(2) may not apply with respect to the admission of an alien to the United States if such admission is necessary to comply with the obligations of the United States under the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other international obligations.

(3) HUMANITARIAN EXEMPTION.—The President shall not impose sanctions under this section with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices or for the provision of humanitarian assistance.

(4) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The requirement or authority to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(g) DEFINITIONS.—In this section:

(1) The terms ''admission'', ''admitted'', ''alien'', and ''lawfully admitted for permanent residence'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) The term ''foreign person'' means an individual or entity that is not a United States person.

(3) The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(4) The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

SA 6468. Mr. REED (for Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 730. PILOT PROGRAM ON ENSURING PHARMACEUTICAL SUPPLY STABILITY.

(a) IN GENERAL.—Not later than January 1, 2024, the Secretary of Defense, acting through the Director of the Defense Logistics Agency, shall establish a pilot program to acquire, manage, and replenish a 180-day supply of not fewer than 30 commonly used generic drugs and their active pharmaceutical ingredients determined by the Secretary to be at risk of shortage under the military health system as a result of a pharmaceutical supply chain disruption to ensure the stability of such supply, with a preference given to manufacturers in the United States and manufacturers leveraging innovative technological approaches, including biotechnology.

(b) MILITARY MEDICAL TREATMENT FACILITIES.—The Secretary of Defense shall select for participation in the pilot program under subsection (a) not fewer than five military medical treatment facilities that are—

(1) located in the continental United States; and

(2) at the greatest risk of pharmaceutical supply chain disruption, as determined by the Secretary.

(c) ELEMENTS.—In carrying out the pilot program under subsection (a), the Secretary of Defense shall—

(1) use the systems and processes of the direct vendor delivery system established under section 352 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 10 U.S.C. 2458 note);

(2) establish a vendor managed inventory approach to pharmaceutical distribution to acquire, manage, and replenish the vendor-held supply, with preference given to supplies of pharmaceuticals manufactured and sourced in the United States, leveraging innovative technological approaches described in subsection (a) to prevent product expiration and shortages; and

(3) ensure guaranteed access by the Department of Defense to the vendor managed inventory approach specified in paragraph (2).

(d) TERMINATION.—The pilot program under subsection (a) shall terminate on the date that is three years after the date of the enactment of this Act.

(e) INITIAL REPORT.—

(1) IN GENERAL.—Not later than 30 days after the date of the establishment of the pilot program under subsection (a), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the design of the pilot program.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) an identification of the military medical treatment facilities selected under subsection (b) and the generic drugs, as well as their active ingredients, selected for the pilot program pursuant to subsection (a);

(B) a plan for the implementation and management of the pilot program; and

(C) key performance indicators to measure the success of the pilot program in ensuring the availability of generic drugs and active pharmaceutical ingredients selected for the pilot program.

(f) FINAL REPORT.—

(1) IN GENERAL.—Not later than 180 days after the termination date under subsection (d), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a final report on the results of the pilot program.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) measurements of key performance indicators identified in the report required under subsection (e);

(B) an analysis of the success of the pilot program under subsection (a) in preventing shortages of commonly used generic drugs within the military medical treatment facilities selected under subsection (b), including the speed and agility of drug production; and

(C) recommendations for expansion of the pilot program, including any legislative or

administrative proposals the Secretary determines would reduce supply chain risk to commonly used generic drugs and their active pharmaceutical ingredients under the military health system.

(g) DEFINITIONS.—In this section:

(1) ACTIVE PHARMACEUTICAL INGREDIENT.—The term ''active pharmaceutical ingredient'' has the meaning given such term in section 744A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–41).

(2) GENERIC DRUG.—The term ''generic drug'' means a drug (as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)) that is approved pursuant to section 505(j) of such Act (21 U.S.C. 355(j)).

(3) PHARMACEUTICAL SUPPLY CHAIN DISRUPTION.—The term ''pharmaceutical supply chain disruption'' means a disruption described in the report of the Inspector General of the Department of Defense titled ''Evaluation of the Department of Defense's Mitigation of Foreign Suppliers in the Pharmaceutical Supply Chain'' (DODIG–2021–126) and published on September 20, 2021.

SA 6469. Mr. REED (for Mr. CORNYN (for himself and Mr. KING)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1239. IMPOSITION OF SANCTIONS WITH RESPECT TO THE SALE, SUPPLY, OR TRANSFER OF GOLD TO OR FROM RUSSIA.

(a) IDENTIFICATION.—Not later than 90 days after the date of the enactment of this Act, and periodically as necessary thereafter, the President—

(1) shall submit to Congress a report identifying foreign persons that knowingly participated in a significant transaction—

(A) for the sale, supply, or transfer (including transportation) of gold, directly or indirectly, to or from the Russian Federation or the Government of the Russian Federation, including from reserves of the Central Bank of the Russian Federation held outside the Russian Federation; or

(B) that otherwise involved gold in which the Government of the Russian Federation had any interest; and

(2) shall impose the sanctions described in subsection (b)(1) with respect to each such person; and

(3) may impose the sanctions described in subsection (b)(2) with respect to any such person that is an alien.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) BLOCKING OF PROPERTY.—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a foreign person identified in the report required by subsection (a)(1) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a)(1) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—An alien described in subsection (a)(1) is subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(c) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) NATIONAL INTEREST WAIVER.—The President may waive the imposition of sanctions under this section with respect to a person if the President—

(1) determines that such a waiver is in the national interests of the United States; and

(2) submits to Congress a notification of the waiver and the reasons for the waiver.

(e) TERMINATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the requirement to impose sanctions under this section, and any sanctions imposed under this section, shall terminate on the earlier of—

(A) the date that is 3 years after the date of the enactment of this Act; or

(B) the date that is 30 days after the date on which the President certifies to Congress that—

(i) the Government of the Russian Federation has ceased its destabilizing activities with respect to the sovereignty and territorial integrity of Ukraine; and

(ii) such termination in the national interests of the United States.

(2) TRANSITION RULES.—

(A) CONTINUATION OF CERTAIN AUTHORITIES.—Any authorities exercised before the termination date under paragraph (1) to impose sanctions with respect to a foreign person under this section may continue to be exercised on and after that date if the President determines that the continuation of those authorities is in the national interests of the United States.

(B) APPLICATION TO ONGOING INVESTIGATIONS.—The termination date under paragraph (1) shall not apply to any investigation of a civil or criminal violation of this section or any regulation, license, or order issued to carry out this section, or the imposition of a civil or criminal penalty for such a violation, if—

(i) the violation occurred before the termination date; or

(ii) the person involved in the violation continues to be subject to sanctions pursuant to subparagraph (A).

(f) EXCEPTIONS.—

(1) EXCEPTIONS FOR AUTHORIZED INTELLIGENCE AND LAW ENFORCEMENT AND NATIONAL SECURITY ACTIVITIES.—This section shall not apply with respect to activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence, law enforcement, or national security activities of the United States.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL AGREEMENTS.—Sanctions under subsection (b)(2) may not apply with respect to the admission of an alien to the United States if such admission is necessary to comply with the obligations of the United States under the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other international obligations.

(3) HUMANITARIAN EXEMPTION.—The President shall not impose sanctions under this section with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices or for the provision of humanitarian assistance.

(4) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The requirement or authority to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(g) DEFINITIONS.—In this section:

(1) The terms ''admission'', ''admitted'', ''alien'', and ''lawfully admitted for permanent residence'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) The term ''foreign person'' means an individual or entity that is not a United States person.

(3) The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(4) The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

SA 6470. Mr. REED (for Mr. CORNYN (for himself and Mr. WHITEHOUSE)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. TREATMENT OF EXEMPTIONS UNDER FARA.

(a) DEFINITION.—Section 1 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611) is amended by adding at the end the following:

''(q) The term 'country of concern' means—

''(1) the People's Republic of China;

''(2) the Russian Federation;

''(3) the Islamic Republic of Iran;

''(4) the Democratic People's Republic of Korea;

''(5) the Republic of Cuba; and

''(6) the Syrian Arab Republic.''.

(b) EXEMPTIONS.—Section 3 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613), is amended, in the matter preceding subsection (a), by inserting '', except that the exemptions under subsections (d)(1) and (h) shall not apply to any agent of a foreign principal that is a country of concern'' before the colon.

(c) SUNSET.—The amendments made by subsections (a) and (b) shall terminate on October 1, 2025.

SA 6471. Mr. REED (for Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. ___. STANDARDIZATION OF SECTIONAL BARGE CONSTRUCTION FOR DEPARTMENT OF DEFENSE USE ON RIVERS AND INTERCOASTAL WATERWAYS.

The Secretary of Defense shall ensure that any sectional barge used by the Department of Defense—

(1) is built to a design that has been reviewed and approved, to the extent possible, by the American Bureau of Shipping, for the intended barge service, and using the rule set of the American Bureau of Shipping for building and classing steel vessels for service on rivers and intercoastal waterways; and

(2) has a deck design that provides for a minimum concentrated load capacity of 10,000 pounds per square foot.

SA 6472. Mr. REED (for Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

SEC. ___. COMMERCIAL AIR WAIVER FOR NEXT OF KIN REGARDING TRANSPORTATION OF REMAINS OF CASUALTIES.

Section 580A of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by adding at the end the following new subsection:

''(c) TRANSPORTATION OF DECEASED MILITARY MEMBER.—In the event of a death that requires the Secretary concerned to provide a death benefit under subchapter II of chapter 75 of title 10, United States Code, such Secretary shall provide the next of kin or other appropriate person a commercial air travel use waiver for the transportation of deceased remains of military member who dies outside of the United States.''.

SA 6473. Mr. REED (for Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 632. NOTIFICATION TO NEXT OF KIN UPON THE DEATH OF A MEMBER OF THE ARMED FORCES.

(a) IN GENERAL.—Subchapter II of chapter 75 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1493. Notification to next of kin or other appropriate person: timing; training

''(a) IN GENERAL.—In the event of a death that requires the Secretary of the military department concerned to provide a death benefit under this subchapter, such Secretary shall notify the next of kin or other appropriate person not later than four hours after such death.

''(b) DEATH OUTSIDE THE UNITED STATES.—If a death described in subsection (a) occurs outside the United States, the Secretary of Defense, in coordination with the Secretary of State, shall attempt to delay reporting, by the media of the country in which such death occurs, of the name of the decedent until after the Secretary of the military department concerned has notified the next of kin or other appropriate person pursuant to subsection (a).

''(c) TRAINING.—The Secretary of the military department concerned shall include a training exercise regarding a death described in this section in each major exercise or planning conference conducted by such Secretary or the Secretary of Defense.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 75 of title 10, United States Code, is amended by adding at the end the following new item:

''1493. Notification to next of kin or other appropriate person: timing; training.''.

SA 6474. Mr. REED (for Mr. GRASSLEY (for himself, Ms. KLOBUCHAR, Mr. LEE, Mr. LEAHY, and Mr. DURBIN)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE _____—NO OIL PRODUCING AND EXPORTING CARTELS

SEC. _____01. SHORT TITLE.

This title may be cited as the ''No Oil Producing and Exporting Cartels Act of 2022'' or ''NOPEC''.

SEC. _____02. SHERMAN ACT.

The Sherman Act (15 U.S.C. 1 et seq.) is amended by adding after section 7 the following:

''SEC. 7A. OIL PRODUCING CARTELS.

''(a) IN GENERAL.—It shall be illegal and a violation of this Act for any foreign state, or any instrumentality or agent of any foreign state, to act collectively or in combination with any other foreign state, any instrumentality or agent of any other foreign state, or any other person, whether by cartel or any other association or form of cooperation or joint action—

''(1) to limit the production or distribution of oil, natural gas, or any other petroleum product;

''(2) to set or maintain the price of oil, natural gas, or any petroleum product; or

''(3) to otherwise take any action in restraint of trade for oil, natural gas, or any petroleum product,

when such action, combination, or collective action has a direct, substantial, and reasonably foreseeable effect on the market, supply, price, or distribution of oil, natural gas, or other petroleum product in the United States.

''(b) INAPPLICABILITY OF DEFENSES.—No court of the United States shall decline, based on the act of state, foreign sovereign compulsion, or political question doctrine to make a determination on the merits in an action brought under this section.

''(c) ENFORCEMENT.—The Attorney General of the United States shall have the sole authority to bring an action to enforce this section. Any such action shall be brought in any district court of the United States as provided under the antitrust laws.''.

SEC. _____03. NO SOVEREIGN IMMUNITY IN OIL CARTEL CASES.

Title 28, United States Code, is amended—

(1) in section 1605(a)—

(A) in paragraph (5), by striking ''or'' after the semicolon;

(B) in paragraph (6), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(7) in which the action is brought under section 7A of the Sherman Act.''; and

(2) in section 1610(a)—

(A) in paragraph (7) by striking the period at the end and inserting '', or''; and

(B) by adding at the end the following:

''(8) the judgment relates to a claim that is brought under section 7A of the Sherman Act.''.

SEC. _____04. SEVERABILITY.

If any provision of this title (or of an amendment made by this title) is held invalid the remainder of this title (or of the amendment) shall not be affected thereby.

SA 6475. Mr. REED (for Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such

fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 564. FOOD INSECURITY AMONG MEMBERS OF THE ARMED FORCES TRANSITIONING OUT OF ACTIVE DUTY SERVICE.

(a) STUDY; EDUCATION AND OUTREACH EFFORTS.—

(1) STUDY.—The Secretary of Defense shall, in conjunction with the Secretary of Veterans Affairs, conduct a study to identify the means by which members of the Armed Forces are provided information about the availability of Federal nutrition assistance programs as they transition out of active duty service.

(2) EDUCATION AND OUTREACH EFFORTS.—The Secretary of Defense, working with the Secretary of Veterans Affairs, shall increase education and outreach efforts to members of the Armed Forces who are transitioning out of active duty service, particularly those members identified as being at-risk for food insecurity, to increase awareness of the availability of Federal nutrition assistance programs and eligibility for those programs.

(3) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(A) submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the results of the study conducted under paragraph (1); and

(B) publish such report on the website of the Department of Defense.

(b) REPORT ON COORDINATION AMONG DEPARTMENTS.—

(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 Veterans Affairs and the Secretary of Agriculture, shall submit to each congressional committee with jurisdiction over the Department of Defense, the Department of Veterans Affairs, and the Department of Agriculture a report on the coordination, data sharing, and evaluation efforts on food insecurity across those departments.

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

(A) An accounting of the funding each department referred to in paragraph (1) has obligated toward research relating to food insecurity among members of the Armed Forces or veterans.

(B) An outline of methods of comparing programs and sharing best practices for addressing food insecurity by each such department.

(C) An outline of—

(i) the plan each such department has to achieve greater government efficiency and cross-agency coordination, data sharing, and evaluation in addressing food insecurity among members of the Armed Forces; and

(ii) efforts that the departments can undertake to improve coordination to better address food insecurity as it impacts members before, during, and after their active duty service.

(D) Any other information the Secretary of Defense, the Secretary of Veterans Affairs, or the Secretary of Agriculture determines to be appropriate.

(c) GOVERNMENT ACCOUNTABILITY OFFICE STUDY.—The Comptroller General of the United States shall conduct a study to evaluate the feasibility and advisability of expanding eligibility for the basic needs allowance under section 402b of title 37, United States Code, to individuals during the period following the transition of the individuals out of active duty service, up to three months.

SA 6476. Mr. REED (for Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. _____. SUBCONTRACTING REQUIREMENTS FOR MINORITY-SERVING INSTITUTIONS.

(a) IN GENERAL.—Subchapter III of chapter 303 of title 10, United States Code, is amended by adding at the end the following new section:

"SEC. 4127. SUBCONTRACTING REQUIREMENTS FOR MINORITY-SERVING INSTITUTIONS.

''(a) IN GENERAL.—(1) The head of an agency shall require that a contract awarded to Department of Defense Federally Funded Research and Development Center or University Affiliated Research Center includes a requirement to establish a partnership to develop the capacity of minority-serving institutions to address the research and development needs of the Department.

''(2) Partnerships established pursuant to paragraph (1) shall be through a subcontract with one or more minority-serving institutions for a total amount of not less than 5 percent of the amount awarded in the contract.

''(b) DEFINITION OF MINORITY-SERVING INSTITUTION.—In this section, the term 'minority-serving institution' means an institution listed in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 303 of such title is amended by inserting after the item relating to section 4126 the following new item:

''4127. Subcontracting requirements for minority-serving institutions.''.

(c) EFFECTIVE DATE.—The amendments made by paragraph (1) shall—

(1) take effect on October 1, 2026; and

(2) apply with respect to funds that are awarded by the Department of Defense on or after such date.

RESOLUTIONS SUBMITTED TODAY

Mr. REED. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the following resolutions that were submitted earlier today en bloc: S. Res. 822, S. Res. 823, and S. Res. 824.

PRESIDING OFFICER. The clerk will report the resolutions by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 822) to authorize testimony and representation in United States v. Rhodes.

A resolution (S. Res. 823) to authorize testimony and representation in United States v. Groseclose.

A resolution (S. Res. 824) to authorize testimony and representation in United States v. Steele-Smith.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. SCHUMER. Mr. President, in three criminal cases pending in Federal district court in the District of Columbia and arising out of the events of January 6, 2021, the prosecution has requested testimony from Senate witnesses.

In the ongoing trial of Stewart Rhodes, the alleged founder and leader of the Oath Keepers, and four codefendants, the prosecution has requested testimony from Virginia Brown, formerly a Senate Chamber assistant, operating under the authority of the then-Secretary for the Minority of the Senate and the Sergeant at Arms and Doorkeeper of the Senate. In that role, Ms. Brown was a witness to the charged events. Then-Secretary for the Minority Myrick and Senate Sergeant at Arms Gibson would like to cooperate with this request by providing relevant testimony in this trial from Ms. Brown.

In two other cases arising out of the events of January of 6, 2021, against Jeremy Groseclose and Melody Steele-Smith, in which trials are scheduled to begin on November 14, 2022, the prosecution has requested testimony from Daniel Schwager, formerly counsel to the Secretary of the Senate, concerning his knowledge and observations of the process and constitutional and legal basis for Congress' counting of the electoral college votes. The prosecution has also sought testimony, if necessary, from Nate Russell and Diego Torres, custodians of records in the Senate Recording Studio, which operates under the authority of the Senate Sergeant at Arms and Doorkeeper, to authenticate Senate Recording Studio video of that day. Senate Secretary Berry and Senate Sergeant at Arms Gibson would like to cooperate with these requests by providing relevant testimony in these trials from Messrs. Schwager, Russell, and Torres, respectively.

In keeping with the rules and practices of the Senate, these resolutions would authorize the production of relevant testimony from Ms. Brown in the *Rhodes* case, and from Messrs. Schwager, Russell, and Torres in the *Groseclose* and *Steele-Smith* cases, with representation by the Senate legal counsel.

Mr. REED. Mr. President, I further ask that the resolutions be agreed to, the preambles be agreed to, and that the motions to reconsider be considered made and laid upon the table, en bloc, with no intervening action or debate.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

MEASURE PLACED ON THE CALENDAR—H.R. 2758

Mr. REED. Mr. President, I understand that there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2758) to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes.

Mr. REED. In order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceeding.

The PRESIDING OFFICER. Objection is heard.

The item will be placed on the calendar.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to the provisions of Public Law 94–201, as amended by Public Law 105–275, re-appoints the following individual to serve as a member of the Board of Trustees of the American Folklife Center of the Library of Congress: John Patrick Rice of Nevada.

UNANIMOUS CONSENT AGREEMENT

Mr. REED. Mr. President, I ask unanimous consent that the November 10 pro forma time be changed to 3 p.m., with all other provisions of the previous order in effect.

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

ADJOURNMENT UNTIL FRIDAY, OCTOBER 14, 2022, AT 11:30 A.M.

Mr. REED. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 11:26 a.m., adjourned until Friday, October 14, 2022, at 11:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

VIVEK HALLEGERE MURTHY, OF FLORIDA, TO BE REPRESENTATIVE OF THE UNITED STATES ON THE EXECUTIVE BOARD OF THE WORLD HEALTH ORGANIZATION, VICE BRETT P. GIROIR.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. THOMAS A. BUSSIERE

IN THE SPACE FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES SPACE FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DEANNA M. BURT

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 2121(D):

To be rear admiral

MARY M. DEAN
CHARLES E. FOSSE
CHAD L. JACOBY
CAROLA J. LIST
MICHAEL W. RAYMOND

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

CHRISTOPHER D. COULSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS A PERMANENT PROFESSOR AT THE UNITED STATES AIR FORCE ACADEMY AND APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 9433(B) AND 9436(A):

To be colonel

MICHAEL A. HYLAND

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DAVID L. GUTIERREZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JEFFREY THOMPSON, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

PHILLIP S. STONE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

MEGHANN E. SULLIVAN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 8132:

To be commander

RAMA K. MUTYALA

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS OF THE COAST GUARD PERMANENT COMMISSIONED TEACHING STAFF FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTIONS 1944 AND 2126:

To be captain

BRIAN J. MAGGI
MEGHAN K. STEINHAUS

To be commander

NICOLE L. BLANCHARD
MICHAEL S. DAEFFLER
LISA M. THOMPSON

WITHDRAWAL

Executive Message transmitted by the President to the Senate on October 11, 2022 withdrawing from further Senate consideration the following nomination:

LAUREL A. BLATCHFORD, OF THE DISTRICT OF COLUMBIA, TO BE CONTROLLER, OFFICE OF FEDERAL FINANCIAL MANAGEMENT, OFFICE OF MANAGEMENT AND BUDGET, VICE DAVID ARTHUR MADER, WHICH WAS SENT TO THE SENATE ON JANUARY 4, 2022.