

**H.R. 7900—FY23 NATIONAL DEFENSE  
AUTHORIZATION BILL**

**SUBCOMMITTEE ON SEAPOWER  
AND PROJECTION FORCES**

SUMMARY OF BILL LANGUAGE.....	1
BILL LANGUAGE.....	8
DIRECTIVE REPORT LANGUAGE.....	43

# **SUMMARY OF BILL LANGUAGE**

# Table Of Contents

## **DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**

### **TITLE I—PROCUREMENT**

#### **LEGISLATIVE PROVISIONS**

##### **SUBTITLE B—NAVY PROGRAMS**

Section 112—Multiyear Procurement Authority for Arleigh Burke Class Destroyers

Section 113—Authority for Certain Procurements for the Ship-to-Shore Connector Program

##### **SUBTITLE C—AIR FORCE PROGRAMS**

Section 122—Modification of Minimum Inventory Requirement for Air Refueling Tanker Aircraft

Section 125—Prohibition on Availability of Funds for Retirement of C-40 Aircraft

Section 127—Minimum Inventory of C-130 Aircraft

### **TITLE X—GENERAL PROVISIONS**

#### **LEGISLATIVE PROVISIONS**

##### **SUBTITLE C—NAVAL VESSELS AND SHIPYARDS**

Section 1021—Navy Consultation with Marine Corps on Major Decisions Directly Concerning Marine Corps Amphibious Force Structure and Capability

Section 1022—Number of Navy Operational Amphibious Ships

Section 1023—Availability of Funds for Retirement or Inactivation of Landing Dock Ships

Section 1024—Availability of Funds for Retirement or Inactivation of Guided Missile Cruisers

## **DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS**

### **TITLE XXXV—MARITIME SECURITY**

#### **LEGISLATIVE PROVISIONS**

##### **SUBTITLE A—MARITIME ADMINISTRATION**

Section 3501—Authorization of the Maritime Administration

Section 3502—Secretary of Transportation Responsibility with Respect to Cargoes Procured, Furnished, or Financed by Other Federal Departments and Agencies

Section 3503—United States Marine Highway Program

Section 3504—Multistate, State, and Regional Transportation Planning

##### **SUBTITLE B—MERCHANT MARINE ACADEMY**

Section 3511—Appointment of Superintendent of United States Merchant Marine Academy

##### **SUBTITLE C—VESSELS**

Section 3521—Waiver of Navigation and Vessel-Inspection Laws

Section 3522—Certificates of Numbers for Undocumented Vessels  
Section 3523—Recapitalization of National Defense Reserve Fleet  
SUBTITLE D—REPORTS AND OTHER MATTERS  
Section 3532—National Maritime Transportation Report and Strategy

---

# DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

## TITLE I—PROCUREMENT

### LEGISLATIVE PROVISIONS

#### SUBTITLE B—NAVY PROGRAMS

##### Section 112—Multiyear Procurement Authority for Arleigh Burke Class Destroyers

This section would provide multiyear procurement authority for up to 15 Flight III DDG-51 destroyers.

##### Section 113—Authority for Certain Procurements for the Ship-to-Shore Connector Program

This section would authorize the Secretary of the Navy to enter into one or more contracts for up to 25 Ship-to-Shore craft and associated equipment.

#### SUBTITLE C—AIR FORCE PROGRAMS

##### Section 122—Modification of Minimum Inventory Requirement for Air Refueling Tanker Aircraft

This section would set an air refueling minimum inventory of 466 tanker aircraft for fiscal year 2023 and prevent the Air Force from moving KC-135 aircraft from Primary Mission Aircraft Inventory to Backup Aircraft Inventory in the Air Force Guard and Reserve.

##### Section 125—Prohibition on Availability of Funds for Retirement of C-40 Aircraft

This section would prohibit the Air Force from spending funds to retire, prepare to retire, place in storage or put in backup aircraft inventory any C-40 aircraft.

##### Section 127—Minimum Inventory of C-130 Aircraft

This section would keep the C-130 total aircraft inventory at 271 with a sunset date of October 1, 2028.

## TITLE X—GENERAL PROVISIONS

### LEGISLATIVE PROVISIONS

SUBTITLE C—NAVAL VESSELS AND SHIPYARDS

Section 1021—Navy Consultation with Marine Corps on Major Decisions Directly Concerning Marine Corps Amphibious Force Structure and Capability

This section would amend section 8026 of title 10, United States Code, and require consultation with the Commandant of the Marine Corps on major decisions directly concerning naval amphibious force structure and capabilities.

Section 1022—Number of Navy Operational Amphibious Ships

This section would amend section 8062 of title 10, United States Code, and provide a statutory floor for the minimum number of amphibious ships the Secretary is required to have in service.

Section 1023—Availability of Funds for Retirement or Inactivation of Landing Dock Ships

This section would prohibit retirement or inactivation of the USS Germantown (LSD-42), USS Gunston Hall (LSD-44), USS Tortuga (LSD-46), and USS Ashland (LSD-48).

Section 1024—Availability of Funds for Retirement or Inactivation of Guided Missile Cruisers

This section would prohibit the retirement of greater than four guided missile cruisers, and specify that the USS Vicksburg shall not be one of the four ships retired.

**DIVISION C—DEPARTMENT OF ENERGY NATIONAL  
SECURITY AUTHORIZATIONS AND OTHER  
AUTHORIZATIONS**

**TITLE XXXV—MARITIME SECURITY**

**LEGISLATIVE PROVISIONS**

**SUBTITLE A—MARITIME ADMINISTRATION**

Section 3501—Authorization of the Maritime Administration

This section would authorize funds for the Maritime Administration.

Section 3502—Secretary of Transportation Responsibility with Respect to Cargoes Procured, Furnished, or Financed by Other Federal Departments and Agencies

This section would require the Maritime Administrator to issue a final rule to implement and enforce section 55305(d) of title 46, United States Code.

This section would also amend section 55305(d)(2)(A) of title 46, United States Code, and require the Secretary of Transportation to submit an annual report on the underlying programs to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

Section 3503—United States Marine Highway Program

This section would amend section 55601 of title 46, United States Code, rename the Marine Highways Transportation Program as United States Marine Highway Program, and make substantive changes to program execution.

Section 3504—Multistate, State, and Regional Transportation Planning

This section would amend chapter 556 of title 46, United States Code, and create a new section 55603: Multistate, State, and regional transportation planning.

SUBTITLE B—MERCHANT MARINE ACADEMY

Section 3511—Appointment of Superintendent of United States Merchant Marine Academy

This section would amend section 51301 of title 46, United States Code, and clarify the eligibility requirements to become the Superintendent of the United States Merchant Marine Academy.

SUBTITLE C—VESSELS

Section 3521—Waiver of Navigation and Vessel-Inspection Laws

This section would amend section 501 of title 46, United States Code, and make changes to vessel-inspection laws and waiver requirements.

Section 3522—Certificates of Numbers for Undocumented Vessels

This section would amend section 12304(a) of title 46, United States Code, and make changes to the number certificate format.

Section 3523—Recapitalization of National Defense Reserve Fleet

This section would direct the Secretary of Transportation to direct the Maritime Administrator to carry out a program to design and construct up to 10 sealift vessels.

#### SUBTITLE D—REPORTS AND OTHER MATTERS

##### Section 3532—National Maritime Transportation Report and Strategy

This section would require the Secretary of Defense to submit a report on National Maritime Transportation that analyzes the decline in United States-flag vessels participating in international trade, and the resultant national security implications.

This section would also require the Secretary of Defense to submit a National Maritime Strategy that seeks to grow shipping by United States-flag and United States-owned vessels, and that grows the United States shipbuilding industrial base.

# **BILL LANGUAGE**

1 **SEC. 112 [Log 74780]. MULTIYEAR PROCUREMENT AUTHOR-**  
2 **ITY FOR ARLEIGH BURKE CLASS DESTROY-**  
3 **ERS.**

4 (a) FINDINGS; SENSE OF CONGRESS.—

5 (1) FINDINGS.—Congress makes the following  
6 findings:

7 (A) The DDG Flight III destroyer is the  
8 most capable large surface combatant in the  
9 world-wide inventory of the Department of De-  
10 fense.

11 (B) The Department plans to retire 18  
12 large surface combatants over the next five  
13 years.

14 (C) Under the future-years defense plan,  
15 the Department plans to procure two DDGs per  
16 year over the next five years.

17 (2) SENSE OF CONGRESS.—It is the sense of  
18 Congress that—

19 (A) the loss of aggregate fire power due to  
20 the retirement of 18 large surface combatants  
21 over the next five years is cause for concern;

22 (B) the Department should continue to  
23 procure large surface combatants at the fastest  
24 possible rate based on industrial base capacity;  
25 and

1 (C) the Department should maximize sav-  
2 ings and provide stability to the large surface  
3 combatant industrial base through the use of  
4 multiyear procurement contracts for the max-  
5 imum number of ships, realized at a consistent  
6 number of ships per year.

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

12 (c) AUTHORITY FOR ADVANCE PROCUREMENT.—The  
13 Secretary of the Navy may enter into one or more con-  
14 tracts, beginning in fiscal year 2023, for advance procure-  
15 ment associated with the destroyers for which authoriza-  
16 tion to enter into a multiyear procurement contract is pro-  
17 vided under subsection (b), and for systems and sub-  
18 systems associated with such destroyers in economic order  
19 quantities when cost savings are achievable.

20 (d) CONDITION FOR OUT-YEAR CONTRACT PAY-  
21 MENTS.—A contract entered into under subsection (b)  
22 shall provide that any obligation of the United States to  
23 make a payment under the contract for a fiscal year after  
24 fiscal year 2023 is subject to the availability of appropria-  
25 tions or funds for that purpose for such later fiscal year.

1           (e) LIMITATION.—The Secretary of the Navy may  
2 not modify a contract entered into under subsection (b)  
3 if the modification would increase the target price of the  
4 destroyer by more than 10 percent above the target price  
5 specified in the original contract or the destroyer under  
6 subsection (b).

1 **SEC. 113 [Log 75460]. AUTHORITY FOR CERTAIN PROCURE-**  
2 **MENTS FOR THE SHIP-TO-SHORE CON-**  
3 **NECTOR PROGRAM.**

4 (a) **CONTRACT AUTHORITY.**—The Secretary of the  
5 Navy may enter into one or more contracts, beginning  
6 with fiscal year 2023, for the procurement of up to 25  
7 Ship-to-Shore Connector class craft and associated mate-  
8 rial.

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

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

14 (2) that total liability of the Federal Govern-  
15 ment for termination of any contract entered into  
16 shall be limited to the total amount of funding obli-  
17 gated to the contract at time of termination.

1 **SEC. 122 [Log 74800]. MODIFICATION OF MINIMUM INVEN-**  
2 **TORY REQUIREMENT FOR AIR REFUELING**  
3 **TANKER AIRCRAFT.**

4 (a) MINIMUM INVENTORY REQUIREMENT.—

5 (1) IN GENERAL.—Section 9062(j) of title 10,  
6 United States Code, is amended—

7 (A) by striking “effective October 1,  
8 2019,”; and

9 (B) by striking “479” each place it ap-  
10 pears and inserting “466”.

11 (2) EFFECTIVE DATE.—The amendments made  
12 by paragraph (1) shall take effect on October 1,  
13 2022.

14 (b) PROHIBITION ON REDUCTION OF KC-135 AIR-  
15 CRAFT IN PMAI OF THE RESERVE COMPONENTS.—

16 (1) IN GENERAL.—None of the funds author-  
17 ized to be appropriated by this Act or otherwise  
18 made available for fiscal year 2023 for the Air Force  
19 may be obligated or expended to reduce the number  
20 of KC-135 aircraft designated as primary mission  
21 aircraft inventory within the reserve components of  
22 the Air Force.

23 (2) PRIMARY MISSION AIRCRAFT INVENTORY  
24 DEFINED.—In this subsection, the term “primary  
25 mission aircraft inventory” has the meaning given

1 that term in section 9062(i)(2)(B) of title 10,  
2 United States Code.

1 **SEC. 125 [Log 75581]. PROHIBITION ON AVAILABILITY OF**  
2 **FUNDS FOR RETIREMENT OF C-40 AIRCRAFT.**

3 (a) PROHIBITION.—None of the funds authorized to  
4 be appropriated by this Act or otherwise made available  
5 for fiscal year 2023 for the Air Force may be obligated  
6 or expended to retire, prepare to retire, or place in storage  
7 or on backup aircraft inventory status any C-40 aircraft.

8 (b) EXCEPTION.—

9 (1) IN GENERAL.—The limitation under sub-  
10 section (a) shall not apply to an individual C-40 air-  
11 craft that the Secretary of the Air Force determines,  
12 on a case-by-case basis, to be no longer mission ca-  
13 pable because of a Class A mishap.

14 (2) CERTIFICATION REQUIRED.—If the Sec-  
15 retary determines under paragraph (1) that an air-  
16 craft is no longer mission capable, the Secretary  
17 shall submit to the congressional defense committees  
18 a certification that the status of such aircraft is due  
19 to a Class A mishap and not due to lack of mainte-  
20 nance or repairs or other reasons.

1 **SEC. 127 [Log 74834]. MINIMUM INVENTORY OF C-130 AIR-**  
2 **CRAFT.**

3 (a) MINIMUM INVENTORY REQUIREMENT.—

4 (1) IN GENERAL.—During the covered period,  
5 the Secretary of the Air Force shall maintain a total  
6 inventory of C-130 aircraft of not less than 271 air-  
7 craft.

8 (2) EXCEPTION .—The Secretary of the Air  
9 Force may reduce the number of C-130 aircraft in  
10 the Air Force below the minimum number specified  
11 in subsection (a) if the Secretary determines, on a  
12 case-by-case basis, that an aircraft is no longer mis-  
13 sion capable because of a mishap or other damage.

14 (3) COVERED PERIOD DEFINED.—In this sub-  
15 section, the term “covered period” means the pe-  
16 riod—

17 (A) beginning at the close of the period de-  
18 scribed in section 138(c) of the National De-  
19 fense Authorization Act for Fiscal Year 2022  
20 (Public Law 117-81; 135 Stat. 1577); and

21 (B) ending on October 1, 2028.

22 (b) PROHIBITION ON REDUCTION OF C-130 AIR-  
23 CRAFT ASSIGNED TO NATIONAL GUARD.—

24 (1) IN GENERAL.—During fiscal year 2023, the  
25 Secretary of the Air Force may not reduce the total  
26 number of C-130 aircraft assigned to the National

1       Guard below the number so assigned as of the date  
2       of the enactment of this Act.

3               (2) EXCEPTION.—The prohibition under para-  
4       graph (1) shall not apply to an individual C–130 air-  
5       craft that the Secretary of the Air Force determines,  
6       on a case-by-case basis, to be no longer mission ca-  
7       pable because of a mishap or other damage.

1           **Subtitle C—Naval Vessels and**  
2                           **Shipyards**

3   **SEC. 1021 [Log 74782]. NAVY CONSULTATION WITH MARINE**  
4                   **CORPS ON MAJOR DECISIONS DIRECTLY**  
5                   **CONCERNING MARINE CORPS AMPHIBIOUS**  
6                   **FORCE STRUCTURE AND CAPABILITY.**

7           (a) IN GENERAL.—Section 8026 of title 10, United  
8 States Code, is amended by inserting “or amphibious force  
9 structure and capability” after “Marine Corps aviation”.

10          (b) CLERICAL AMENDMENTS.—

11               (1) SECTION HEADING.—The heading of such  
12 section is amended by inserting “**or amphibious**  
13 **force structure and capability**”.

14               (2) TABLE OF SECTIONS.—The table of sections  
15 at the beginning of chapter 803 of such title is  
16 amended by striking the item relating to section  
17 8026 and inserting the following new item:

“8026. Consultation with Commandant of the Marine Corps on major decisions  
directly concerning Marine Corps aviation or amphibious force  
structure and capability.”.

1 **SEC. 1022 [Log 74781]. NUMBER OF NAVY OPERATIONAL AM-**  
2 **PHIBIOUS SHIPS.**

3 Section 8062 of title 10, United States Code, is  
4 amended by adding at the end the following new sub-  
5 section:

6 “(g) The naval combat forces of the Navy shall in-  
7 clude not less than 31 operational amphibious ships, com-  
8 prised of LSD–41 class ships, LSD–49 class ships, LPD–  
9 17 class ships, LPD–17 Flight II class ships, LHD–1  
10 class ships, LHA–6 Flight 0 class ships, and LHA–6  
11 Flight I class ships. For purposes of this subsection, an  
12 operational amphibious ship includes an amphibious ship  
13 that is temporarily unavailable for worldwide deployment  
14 due to routine or scheduled maintenance or repair.”.

1 **SEC. 1023 [Log 75535]. AVAILABILITY OF FUNDS FOR RE-**  
2 **TIREMENT OR INACTIVATION OF LANDING**  
3 **DOCK SHIPS.**

4 None of the funds authorized to be appropriated by  
5 this Act or otherwise made available for fiscal year 2023  
6 for the Department of Defense may be obligated or ex-  
7 pended to retire, prepare to retire, inactivate, or place in  
8 storage any of the following ships:

- 9 (1) USS Germantown (LSD-42).  
10 (2) USS Gunston Hall (LSD-44).  
11 (3) USS Tortuga (LSD-46).  
12 (4) USS Ashland (LSD-48).

1 **SEC. 1024 [Log 75534]. AVAILABILITY OF FUNDS FOR RE-**  
2 **TIREMENT OR INACTIVATION OF GUIDED**  
3 **MISSILE CRUISERS.**

4 (a) IN GENERAL.—Subject to subsection (b), none of  
5 the funds authorized to be appropriated by this Act or  
6 otherwise made available for fiscal year 2023 for the De-  
7 partment of Defense may be obligated or expended to re-  
8 tire, prepare to retire, inactivate, or place in storage more  
9 than four guided missile cruisers.

10 (b) USS VICKSBURG.—The USS Vicksburg may not  
11 be retired, prepared to retire, inactivated, or placed in  
12 storage pursuant to subsection (a).

1                                   **Subtitle A—Maritime**  
2                                   **Administration**

3   **SEC. 3501 [Log 74788]. AUTHORIZATION OF THE MARITIME**  
4                                   **ADMINISTRATION.**

5           (a) IN GENERAL.—There are authorized to be appro-  
6   priated to the Department of Transportation for fiscal  
7   year 2023 for programs associated with maintaining the  
8   United States merchant marine, the following amounts:

9                   (1) For expenses necessary for operations of the  
10   United States Merchant Marine Academy,  
11   \$99,748,000, of which—

12                           (A) \$87,848,000 shall be for Academy op-  
13   erations; and

14                           (B) \$11,900,000 shall be for capital asset  
15   management at the Academy.

16                   (2) For expenses necessary to support the State  
17   maritime academies, \$120,700,000, of which—

18                           (A) \$2,400,000 is for the Student Incen-  
19   tive Program;

20                           (B) \$6,000,000 is for direct payments;

21                           (C) \$6,800,000 is for training ship fuel as-  
22   sistance;

23                           (D) \$30,500,000 for school ship mainte-  
24   nance and repair; and

1 (E) \$75,000,000 for the National Security  
2 Multi-Mission Vessel.

3 (3) For expenses necessary to support Maritime  
4 Administration operations and programs, Head-  
5 quarters Operations, \$67,433,000.

6 (4) For expenses necessary to dispose of vessels  
7 in the National Defense Reserve Fleet, \$6,000,000.

8 (5) For expenses necessary to maintain and  
9 preserve a United States flag merchant marine to  
10 serve the national security needs of the United  
11 States under chapter 531 of title 46, United States  
12 Code, \$318,000,000.

13 (6) For expenses necessary for the loan guar-  
14 antee program authorized under chapter 537 of title  
15 46, United States Code, \$33,000,000, of which—

16 (A) \$30,000,000 may be used for the cost  
17 (as defined in section 502(5) of the Federal  
18 Credit Reform Act of 1990 (2 U.S.C. 661a(5)))  
19 of loan guarantees under the program; and

20 (B) \$3,000,000 may be used for adminis-  
21 trative expenses relating to loan guarantee com-  
22 mitments under the program.

23 (7) For expenses necessary to provide for the  
24 Tanker Security Fleet, as authorized under chapter  
25 534 of title 46, United States Code, \$60,000,000.

1           (8) For expenses necessary to support maritime  
2 environmental and technical assistance activities au-  
3 thorized under section 50307 of title 46, United  
4 States Code, \$15,000,000.

5           (9) For expenses necessary to support marine  
6 highway program activities authorized under chapter  
7 556 of such title, \$15,000,000.

8           (10) For expenses necessary to provide assist-  
9 ance to small shipyards and for the maritime train-  
10 ing program authorized under section 54101 of title  
11 46, United States Code, \$25,000,000.

12           (11) For expenses necessary to implement the  
13 port infrastructure development activities authorized  
14 under subsections (a) and (b) of section 54301 of  
15 title 46, United States Code, \$685,000,000.

16           (12) For expenses necessary to provide for sea-  
17 lift contested environment evaluation, \$2,000,000.

18           (13) For expenses necessary to provide for Na-  
19 tional Defense Reserve Fleet resiliency, \$800,000.

20           (14) For expenses necessary to provide for  
21 training ship State of Maine maritime training plat-  
22 form requirements, \$1,200,000.

23           (b) LIMITATION.—None of the amounts authorized to  
24 be appropriated for port infrastructure development activi-  
25 ties under subsection (a)(11) may be used to provide a

1 grant to purchase fully automated cargo handling equip-  
2 ment that is remotely operated or remotely monitored,  
3 with or without the exercise of human intervention or con-  
4 trol, if the Secretary of Transportation determines such  
5 equipment would result in a net loss of jobs within a port  
6 or port terminal.

1 **SEC. 3502 [Log 75072]. SECRETARY OF TRANSPORTATION**  
2 **RESPONSIBILITY WITH RESPECT TO CAR-**  
3 **GOES PROCURED, FURNISHED, OR FINANCED**  
4 **BY OTHER FEDERAL DEPARTMENTS AND**  
5 **AGENCIES.**

6 (a) IN GENERAL.—Not later than 90 days after the  
7 date of the enactment of this Act, the Administrator of  
8 the Maritime Administration shall issue a final rule to im-  
9 plement and enforce section 55305(d) of title 46, United  
10 States Code.

11 (b) PROGRAMS OF OTHER AGENCIES.—Section  
12 55305(d)(2)(A) of title 46, United States Code, is amend-  
13 ed by inserting after “section” the following: “and annu-  
14 ally submit to the Committee on Transportation and In-  
15 frastructure of the House of Representatives and the Com-  
16 mittee on Commerce, Science, and Transportation of the  
17 Senate a report on the administration of such programs”.

1 **SEC. 3503 [Log 75067]. UNITED STATES MARINE HIGHWAY**  
2 **PROGRAM.**

3 (a) UNITED STATES MARINE HIGHWAY PROGRAM.—  
4 Section 55601 of title 46, United States Code, is amended  
5 to read as follows:

6 **“§ 55601. United States marine highway program**

7 “(a) ESTABLISHMENT.—There is in the Department  
8 of Transportation a program, to be known as the ‘United  
9 States marine highway program’.

10 “(b) CRITERIA.—In order to be designated as a ma-  
11 rine highway transportation route under subsection (c) or  
12 as a marine highway transportation project under sub-  
13 section (d), a route or project shall—

14 “(1) provide a coordinated and capable alter-  
15 native to landside transportation;

16 “(2) mitigate or relieve landside congestion; or

17 “(3) promote marine highway transportation.

18 “(c) MARINE HIGHWAY TRANSPORTATION  
19 ROUTES.—The Secretary may—

20 “(1) designate a route that meets the criteria  
21 under subsection (b) as a marine highway transpor-  
22 tation route; and

23 “(2) collect and disseminate data related to  
24 such designation.

25 “(d) PROJECT DESIGNATION.—The Secretary may—

1           “(1) designate a project that meets the criteria  
2           under subsection (b) as a marine highway transpor-  
3           tation project if the Secretary determines that such  
4           project uses vessels documented under chapter 121  
5           and—

6                   “(A) develops, expands, or promotes—

7                           “(i) marine highway transportation  
8                           services;

9                           “(ii) shipper utilization of marine  
10                          highway transportation; or

11                          “(iii) port and landside infrastructure  
12                          for which assistance is not available under  
13                          section 54301; or

14                          “(B) implements strategies developed  
15                          under section 5560; and

16           “(2) conduct research on solutions to impedi-  
17           ments to such projects.

18           “(e) ASSISTANCE.—

19                   “(1) IN GENERAL.—The Secretary may make  
20                   grants, or enter into contracts or cooperative agree-  
21                   ments, to implement a marine highway transpor-  
22                   tation project designated under subsection (e) or a  
23                   component of such a project.

24                   “(2) APPLICATION.—To be eligible to receive a  
25                   grant or to enter into a contract or cooperative

1 agreement under this subsection, an applicant  
2 shall—

3 “(A) submit to the Secretary an applica-  
4 tion in such form and manner, at such time,  
5 and containing such information as the Sec-  
6 retary may require; and

7 “(B) demonstrate to the satisfaction of the  
8 Secretary that—

9 “(i) the proposed project is financially  
10 viable;

11 “(ii) the funds received under the  
12 grant, contract, or cooperative agreement  
13 will be spent or used efficiently and effec-  
14 tively; and

15 “(iii) a market exists for the services  
16 of the proposed project, as evidenced by  
17 contracts or written statements of intent  
18 from potential customers.

19 “(3) NON-FEDERAL SHARE.—Not more than 80  
20 percent of the funding for any project for which  
21 funding is provided under this subsection may come  
22 from Federal sources.

23 “(4) PREFERENCE FOR FINANCIALLY VIABLE  
24 PROJECTS.— In awarding grants or entering in con-  
25 tracts or cooperative agreements under this sub-

1 section, the Secretary shall give a preference to  
2 those projects or components that present the most  
3 financially viable transportation services and require  
4 the lowest percentage Federal share of the costs.

5 “(f) ADDITIONAL PROGRAM ACTIVITIES.—In car-  
6 rying out the program established under subsection (a),  
7 the Secretary of Transportation may—

8 “(1) coordinate with ports, State departments  
9 of transportation, localities, other public agencies,  
10 and appropriate private sector entities on the devel-  
11 opment of landside facilities and infrastructure to  
12 support marine highway transportation; and

13 “(2) develop performance measures for the pro-  
14 gram.”.

15 (b) CLERICAL AMENDMENT.—The analysis for chap-  
16 ter 556 of title 46, United States Code, is amended by  
17 striking the item relating to section 55601 and inserting  
18 the following:

“55601. United States marine highway program.”.

1 **SEC. 3504 [Log 75068]. MULTISTATE, STATE, AND REGIONAL**  
2 **TRANSPORTATION PLANNING.**

3 (a) MULTISTATE, STATE, AND REGIONAL TRANSPOR-  
4 TATION PLANNING.—Chapter 556 of title 46, United  
5 States Code, is amended by inserting after section 55602  
6 the following:

7 **“§ 55603. Multistate, State, and regional transpor-**  
8 **tation planning**

9 “(a) IN GENERAL.—The Secretary, in consultation  
10 with Federal entities, State and local governments, and  
11 appropriate private sector entities, may develop strategies  
12 to encourage the use of marine highway transportation for  
13 transportation of passengers and cargo.

14 “(b) STRATEGIES.—If the Secretary develops strate-  
15 gies under subsection (a), the Secretary may—

16 “(1) assess the extent to which States and local  
17 governments include marine highway transportation  
18 and other marine transportation solutions in trans-  
19 portation planning;

20 “(2) encourage State departments of transpor-  
21 tation to develop strategies, where appropriate, to  
22 incorporate marine highway transportation, ferries,  
23 and other marine transportation solutions for re-  
24 gional and interstate transport of freight and pas-  
25 sengers in transportation planning; and

1           “(3) encourage groups of States and multistate  
2           transportation entities to determine how marine  
3           highways can address congestion, bottlenecks, and  
4           other interstate transportation challenges.”.

5           (b) CLERICAL AMENDMENT.—The analysis for chap-  
6           ter 556 of title 46, United States Code, is amended by  
7           striking the item relating to section 55603 and inserting  
8           the following:

          “55603. Multistate, State, and regional transportation planning.”.

1           **Subtitle B—Merchant Marine**  
2                           **Academy**

3   **SEC. 3511 [Log 74792]. APPOINTMENT OF SUPERINTENDENT**  
4                           **OF UNITED STATES MERCHANT MARINE**  
5                           **ACADEMY.**

6           Subsection (c) of section 51301 of title 46, United  
7 States Code, is amended to read as follows:

8           “(c) SUPERINTENDENT.—The immediate command  
9 of the United States Merchant Marine Academy shall be  
10 in the Superintendent of the Academy, who shall be ap-  
11 pointed by the Secretary of Transportation and subject to  
12 the direction of the Maritime Administrator under the  
13 general supervision of the Secretary of Transportation.”.

1                                   **Subtitle C—Vessels**

2   **SEC. 3521 [Log 75396]. WAIVER OF NAVIGATION AND VES-**  
3                                   **SEL-INSPECTION LAWS.**

4           Section 501 of title 46, United States Code, is  
5 amended—

6                   (1) in subsection (b)(1) by inserting “on a ves-  
7           sel specific basis” after “those laws”; and

8                   (2) in subsection (c)(1)—

9                           (A) by inserting “and the individual re-  
10           questing such waiver (if not the owner or oper-  
11           ator of the vessel)” before “shall submit”;

12                           (B) in subparagraph (C) by striking  
13           “and”;

14                           (C) by redesignating subparagraphs (B),  
15           (C), and (D), as subparagraphs (C), (D), and  
16           (G), respectively;

17                           (D) by inserting after subparagraph (A)  
18           the following:

19                                   “(B) the name of the owner and operator  
20           of the vessel;” and

21                           (E) by inserting after subparagraph (D),  
22           as so redesignated, the following:

23                                   “(E) a description of the cargo carried;

1                   “(F) an explanation as to why the waiver  
2                   is necessary in the interest of national defense;  
3                   and”.

1 **SEC. 3522 [Log 75070]. CERTIFICATES OF NUMBERS FOR UN-**  
2 **DOCUMENTED VESSELS.**

3 Section 12304(a) of title 46, United States Code, is  
4 amended—

5 (1) by striking “shall be pocketsized,”; and

6 (2) by inserting “in hard copy or digital form.

7 Any certificate issued in hard copy under this sec-

8 tion shall be pocketsized. The certificate shall be”

9 after “and may be”.

1 **SEC. 3523 [Log 75498]. RECAPITALIZATION OF NATIONAL DE-**  
2 **FENSE RESERVE FLEET.**

3 (a) IN GENERAL.—The Secretary of Transportation,  
4 in consultation with the Chief of Naval Operations and  
5 the Commandant of the Coast Guard, shall direct the Mar-  
6 itime Administrator to carry out a program under which  
7 the Administrator—

8 (1) shall complete the design of a roll-on, roll-  
9 off cargo vessel for the National Defense Reserve  
10 Fleet to allow for the construction of such vessel to  
11 begin in fiscal year 2024; and

12 (2) subject to the availability of appropriations,  
13 shall have an entity enter into a contract for the  
14 construction of not more than ten such vessels in ac-  
15 cordance with this section.

16 (b) CONSTRUCTION AND DOCUMENTATION REQUIRE-  
17 MENTS.—A vessel constructed pursuant to this section  
18 shall meet the requirements for and be issued a certificate  
19 of documentation and a coastwise endorsement under  
20 chapter 121 of title 46, United States Code.

21 (c) DESIGN STANDARDS AND CONSTRUCTION PRAC-  
22 TICES.—Subject to subsection (b), a vessel constructed  
23 pursuant to this section shall be constructed using com-  
24 mercial design standards and commercial construction  
25 practices that are consistent with the best interests of the  
26 Federal Government.

1           (d) CONSULTATION WITH OTHER FEDERAL ENTI-  
2 TIES.—The Maritime Administrator may consult and co-  
3 ordinate with the Secretary of the Navy regarding the ves-  
4 sel described in subsection (a) and activities associated  
5 with such vessel.

6           (e) CONTRACTING.—The Maritime Administrator  
7 shall provide for an entity other than the Maritime Admin-  
8 istration to contract for the construction of the vessel de-  
9 scribed in subsection (a).

10          (f) LIMITATION ON USE OF FUNDS FOR USED VES-  
11 SELS.—Amounts authorized to be appropriated by this or  
12 any other Act for use by the Maritime Administration to  
13 carry out this section may not be used for the procurement  
14 of any used vessel.

1 **SEC. 3532 [Log 75465]. NATIONAL MARITIME TRANSPOR-**  
2 **TATION REPORT AND STRATEGY.**

3 (a) NATIONAL MARITIME TRANSPORTATION RE-  
4 PORT.—Not later than October 31, 2023, the Secretary  
5 of Defense shall submit to the appropriate congressional  
6 committees a national maritime transportation report.  
7 Such report shall include each of the following:

8 (1) An analysis of the causes for the decline in  
9 the number of vessels documented under chapter  
10 121 of title 46, United States Code and operating in  
11 the international trade.

12 (2) An examination of the national security and  
13 economic requirements for the United States mer-  
14 chant marine during peacetime and during surge  
15 and sustained national defense sealift that address-  
16 es—

17 (A) whether existing United States-flag  
18 shipping, maritime labor, and shipbuilding and  
19 repair capacity is sufficient to fulfill such sealift  
20 requirements; and

21 (B) if such capacity is not sufficient, the  
22 capacity, including naval auxiliary ships, that  
23 would be needed during a major conflict by—

24 (i) the military for strategic sealift;  
25 and

1 (ii) the private sector to sustain the  
2 economy.

3 (3) An evaluation of the contracting procedures  
4 for United States Government cargo transport and  
5 a determination of whether such policies ensure suf-  
6 ficient access to vessels documented under chapter  
7 121 of title 46, United States Code.

8 (4) A review of the objectives under section  
9 50101(a) of title 46, United States Code, and a de-  
10 termination of the extent to which legislation, pro-  
11 grams, policies, and regulations adopted since the  
12 adoption of such objectives in the Merchant Marine  
13 Act, 1936 have aligned with such objectives.

14 (5) A comparison between the subsidy programs  
15 of other beneficial flag programs and the existing  
16 support programs in the United States.

17 (b) NATIONAL MARITIME TRANSPORTATION STRAT-  
18 EGY.—Not later than October 31, 2024, the Secretary of  
19 Defense shall submit to the appropriate congressional  
20 committees a national maritime transportation strategy.  
21 Such strategy shall include each of the following:

22 (1) Recommendations to encourage the growth  
23 of shipping by United States-flag and United States-  
24 owned vessels and the growth of the United States  
25 shipbuilding industrial base that are—

1 (A) sufficient for national and economic se-  
2 curity;

3 (B) consistent with the objectives and pol-  
4 icy under section 50101 of title 46, United  
5 States Code;

6 (C) compatible with international treaties  
7 and agreements governing maritime safety, se-  
8 curity, and environmental protection; and

9 (D) compatible with rapidly evolving mari-  
10 time transportation technology.

11 (2) Recommendations to increase the size of the  
12 United States-flagged fleet and increase the pool of  
13 United States mariners through—

14 (A) bolstering existing funding sources;

15 (B) new funding; or

16 (C) new programs.

17 (c) INDEPENDENT ENTITY PREPARATION.—The Sec-  
18 retary of Defense shall seek to enter into an agreement  
19 with an appropriate non-Department of Defense entity  
20 that specializes in maritime research under which such en-  
21 tity shall prepare the report and strategy required under  
22 this section.

23 (d) CONSULTATION REQUIREMENT.—In carrying out  
24 this section, the Secretary of Defense shall consult with—

1           (1) the Secretary of Transportation, acting  
2 through the Maritime Administrator; and

3           (2) the Secretary of the Department in which  
4 the Coast Guard operating, acting through the Com-  
5 mandant of the Coast Guard.

6       (e) APPROPRIATE CONGRESSIONAL COMMITTEES.—

7 In this section, the term “appropriate congressional com-  
8 mittees” means—

9           (1) the Committee on Armed Services and the  
10 Committee on Transportation and Infrastructure of  
11 the House of the Representatives; and

12           (2) the Committee on Armed Services and the  
13 Committee on Commerce, Science and Transpor-  
14 tation of the Senate.

# **DIRECTIVE REPORT LANGUAGE**

# Table Of Contents

## DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

### TITLE I—PROCUREMENT

#### SHIPBUILDING AND CONVERSION, NAVY

##### Items of Special Interest

*Additive manufacturing in shipbuilding and ship repair*

*Assessment of the Navy's amphibious warfare fleet*

*Immersive virtual training*

*Large surface combatant Arctic operations*

*Large surface combatant life extension and modernization*

*Review of the Constellation-class guided-missile frigate program*

*Vertical launch system on EPF ships*

#### OTHER PROCUREMENT, NAVY

##### Items of Special Interest

*Littoral Combat Ship Modernization and Maintenance*

*Next Generation Surface Search Radar*

#### OTHER PROCUREMENT, AIR FORCE

##### Items of Special Interest

*Infrared suppression improvements for C-130 and C-17 aircraft*

#### PROCUREMENT, DEFENSE-WIDE

##### Items of Special Interest

*Arctic access and air refueling missions*

*Autonomous air-to-air refueling technology*

*E-6B recapitalization*

### TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

#### RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY

##### Items of Special Interest

*Anti-submarine warfare with multi-day attritable Group III Unmanned Aerial Systems*

*Marine Corps autonomous underwater vehicle capabilities*

*Next-generation expeditionary and reconnaissance watercraft*

# DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

## TITLE I—PROCUREMENT

### SHIPBUILDING AND CONVERSION, NAVY

#### Items of Special Interest

##### *Additive manufacturing in shipbuilding and ship repair*

The committee remains concerned with shipbuilding supply chains, and how existing challenges induce cost and schedule risk into our shipbuilding programs. The committee believes that additive and advanced manufacturing capabilities could induce some resiliency into the supply chain and assist with construction and repair techniques. Therefore, the committee directs the Secretary of the Navy to submit a report to the House Committee on Armed Services by March 31, 2023, on the use of additive manufacturing capabilities in traditional shipbuilding and repair; the feasibility of entering into public-private partnerships with agencies or organizations with expertise in these areas; and an assessment of how public-private partnerships could eliminate or mitigate known capability gaps.

##### *Assessment of the Navy's amphibious warfare fleet*

The Navy and Marine Corps have identified amphibious capabilities as an area of emphasis in future conflicts and are reviewing the requirements and acquisition of the fleet of assets dedicated to this mission. The committee is concerned about the potential impacts this has for the acquisition of amphibious ships that are best suited for prosecuting a future amphibious invasion. Further, the committee is also concerned about the broader implications of the importance of amphibious warfare capabilities, the probability of such a conflict, and the cost of building and maintaining a fleet that can prosecute such a conflict. The committee is interested to learn more about the analysis, decision-making processes, and the frequency with which the Navy and Marine Corps review requirements for amphibious warfare and align these requirements with acquisition programs. Specifically, the committee seeks to understand how the potential changes to requirements would impact the acquisition plans identified in the most recent 30-year shipbuilding plan.

Therefore, the committee directs the Comptroller General of the United States to review the Navy's plans for the future amphibious warfare fleet. At a minimum, the review shall address the following elements:

- (1) analysis of the current amphibious warfare fleet;
- (2) Navy and Marine Corps future plans for the fleet and how it will be positioned to evolve as technology changes;

(3) an assessment of the costs of building and maintaining a fleet whose primary mission is amphibious conflict, such as the light amphibious warship, large deck amphibious ships, and LPD-class ships; and

(4) other items the Comptroller General determines appropriate.

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than March 1, 2023, on the Comptroller General's preliminary findings and to present final results in a format and timeframe agreed to at the time of the briefing.

### *Immersive virtual training*

The committee is aware the Navy's Immersive Virtual Training (IVT) and Surface Training Immersive Gaming and Simulation (STIGS) programs are successfully delivering Surface Training Advanced Virtual Environment (STAVE) compliant courseware and trainers to the Navy's surface fleet, resulting in more effective and efficient sailors, improved team readiness and retention, and reductions in the time and expense of qualifying and certifying sailors.

The committee understands that through these programs, a significant level of IVT software content and training solutions have already been developed for U.S. and Foreign Military Sales (FMS) ship platforms that share extensive system commonality across U.S. Navy ship classes and fleet modernization efforts. This provides the Navy with an opportunity to leverage existing IVT digital content that can be tailored and repurposed with minimal time and cost investment to meet the training needs of additional U.S. ship programs that share common fleet subsystems, such as the new construction FFG-62, LCS Lethality and Survivability modernization, and other Navy ship classes.

Therefore, the committee directs the Secretary of the Navy to provide a briefing to the House Committee on Armed Services by March 1, 2023, as to options for implementing an expanded IVT content. Specifically, this briefing shall include: an analysis of all existing IVT digital content created for U.S. and FMS surface fleet programs to identify common ship platforms, fleet subsystems, and training objectives that are candidates to leverage existing like-training IVT content investments; and, implementation options for this expanded content.

### *Large surface combatant Arctic operations*

The committee recognizes the importance of the Arctic region to United States security and interests. With the decreasing sea ice levels in the Arctic, the region will become a place for increasing commercial and military activity. The territorial claims of Russia in the Arctic, as well as China's rhetoric around the Arctic, claiming itself to be a "near-Arctic" state, necessitate a strategic shift and focus on this emerging region.

The committee recognizes that Navy large surface combatant vessels lack the capability to operate in sea ice conditions at the levels present in the Arctic. This gap in capability poses a risk to the United States' ability to defend itself,

advance its interests, and project power. The committee believes that the Flight III Arleigh Burke-class destroyers offer an opportunity to fill this gap. The committee understands that the current class of destroyers cannot be reasonably outfitted to act as icebreakers, but notes that industry experts have acknowledged that the ship class is ideally suited to improvements that will allow them to operate in ice-diminished seas.

Therefore, the committee directs the Secretary of the Navy to submit a report to the House Committee on Armed Services by March 31, 2023, on the feasibility of ice-hardening the Flight III Arleigh Burke-class destroyers. The report should include at a minimum:

- (1) the overall suitability of the Flight III Arleigh Burke-class destroyers for operations in ice-diminished waters;
- (2) the improvements in hull form and hull strength to allow for operations in ice-diminished waters;
- (3) the power plant's ability to support the increase in displacement that would result from these improvements;
- (4) the improvements to auxiliary systems and combat systems for the destroyers to operate in the Arctic;
- (5) the increase in capability that ice-capable destroyers would provide to combatant commanders;
- (6) a comparative analysis of the feasibility of the improvements versus the capabilities they would provide; and
- (7) the application of these considerations in the design of the next-generation guided-missile destroyer (DDG-X).

#### *Large surface combatant life extension and modernization*

The committee is concerned about the Navy's plan to inactivate 18 large surface combatants (LSC) between 2023 and 2027, and the resultant loss of combat capability and capacity. Accordingly, the committee directs the Secretary of the Navy to submit a report to the House Committee on Armed Services by March 31, 2023, on the Navy's plan for cruisers and DDG-51 Flight I destroyers. The report should include:

- (1) an assessment of modernization and/or service life extension opportunities for each of the 18 LSCs planned for inactivation;
- (2) an assessment of estimated costs to life-extend and/or modernize these ships;
- (3) an assessment of the capability and capacity of original equipment manufacturers to perform potential life extensions and/or modernizations; and
- (4) an assessment of the resultant increase in capability and capacity if these ships were retained in the active inventory, vice inactivated per the 30-year shipbuilding plan.

#### *Review of the Constellation-class guided-missile frigate program*

In April 2020, the Navy competitively awarded a detail, design, and construction contract for the lead Constellation-class guided-missile frigate (FFG-62). To achieve increased capability, the Navy committed to procuring a ship that is significantly more expensive than its current class of small surface combatants, the littoral combat ships (LCS). The Navy expects the lead frigate to cost nearly \$1.3 billion, with an average procurement cost of approximately \$1.1 billion for the remaining 19 ships currently planned for the program. The shipbuilder is currently maturing its detail design to support construction of the lead ship beginning in 2022.

The Government Accountability Office (GAO) reported in 2019 that the Navy's approach to acquiring the frigate was expected to help reduce the risk of design and technology problems that have plagued other Navy shipbuilding programs. However, GAO also found that the Navy asked for \$1.3 billion to build the first ship before having a solid understanding of its design and cost. Given the widespread cost growth and schedule delays in Navy shipbuilding programs in general, including the LCS program, the committee directs the Comptroller General of the United States to review the Constellation-class guided missile frigate program. At a minimum, the review shall address the following elements:

(1) implication of FFG-62 design changes from the parent ship design on the Navy's plans to mature the design to support construction of the lead ship within cost, schedule, and performance expectations;

(2) the Navy's acquisition approach, including any plans for procurement beyond the 20 Constellation-class frigates currently planned or for the potential addition of a follow yard to increase production;

(3) overall test and evaluation plans, including how the Navy's new land-based engineering site for the frigate helps address technical and programmatic risk; and

(4) other items the Comptroller General determines appropriate.

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than March 1, 2023, on the Comptroller General's preliminary findings and to present final results in a format and timeframe agreed to at the time of the briefing.

### *Vertical launch system on EPF ships*

The committee is concerned about the Navy's plan to inactivate 18 large surface combatants (LSC) between 2023 and 2027, and the resultant loss in firepower capacity due to the reduction in vertical launch systems (VLS) available to combatant commanders. Accordingly, the committee directs the Secretary of the Navy to conduct a feasibility study on converting expeditionary fast transport (EPF) ships into arsenal ships equipped with 64 VLS tubes. The committee further directs the Secretary of the Navy to submit a report to the House Committee on Armed Services by March 31, 2023, on its findings. The report shall include, at a minimum:

- (1) an engineering assessment regarding suitability for EPF ships to be equipped with VLS;
- (2) an assessment of additional combat systems upgrades necessary to enable EPF to employ weapons from a VLS;
- (3) an assessment of additional manpower and training requirements associated with EPF employment of weapons utilizing VLS; and
- (4) cost assessments associated with full implementation of VLS on EPF ships.

## OTHER PROCUREMENT, NAVY

### Items of Special Interest

#### *Littoral Combat Ship Modernization and Maintenance*

The Littoral Combat Ship (LCS) was designed as a flexible platform to enable quick deployment of capability. In parallel to its ongoing efforts to assess the maintenance, reliability and employment of both LCS variants, the committee urges the Navy to explore expanding LCS capability to meet revised mission requirements in support of Navy fleet architecture, including through a proof of concept for a modified lethality & survivability upgrade. This proof of concept could include Enhanced Electronic Warfare Capability (SEWIP BLK II-Lite), Integrated Naval Strike Missile (NSM), Link 11 and Link 16 LoS and SATCOM, and a containerized launcher (MK70 MOD 1). It could also present the opportunity to progress the Vertical Launch ASROC Extended Range (VLA-ER) Anti-Submarine Weapon capability.

Consequently, the committee directs the Secretary of the Navy, in consultation with Chief of Naval Operations and the Commandant of the Marine Corps, to submit to the congressional defense committees a report on Littoral Combat Ships no later than March 1, 2023 that includes the following:

1. A description of the schedule and cost associated with Freedom-variant Littoral Combat Ship combining gearbox repairs and modifications;
2. A description of sustainment strategy options for both Littoral Combat Ship variants that account for their unique characteristics and manning levels, including commercial sustainment options that could be employed to increase operational availability, as well as technical qualifications of Littoral Combat Ships Maintenance Execution Teams and the Navy's rationale for removing these teams from Littoral Combat Ship squadron organizations;
3. The Navy's plan to employ usage and failure data to maintain adequate spare part inventories to prevent the cannibalization of active ships;
4. An analysis of near and mid-term lethality, survivability, or sensing upgrades that could enhance the operational relevance of the Littoral Combat Ship in the current global security environment, including plans and any associated costs of increasing the command and control capability of these ships to further allow

them to operate in support of Navy strike groups and as part of the Distributed Maritime Operations concept;

5. An assessment of the impact on the global security environment that forward based Littoral Combat Ships could play by enhancing American naval presence in the 5th, 6th, and 7th Fleet area of operations; and,

6. Options and potential benefits of using Littoral Combat Ships to host and facilitate Marines conducting Expeditionary Advanced Basing Operations, particularly prior to the operational availability of the Light Amphibious Warship.

#### *Next Generation Surface Search Radar*

The committee understands the AN/SPS-73(V)1B Next Generation Surface Search Radar (NGSSR) is a multi-mission software configurable radar that delivers improved situational awareness capabilities to the U.S. Navy surface fleet through advancements in safe navigation, periscope detection, fast attack defense, and drone detection.

The committee supports the NGSSR program and notes it has successfully achieved all phases of developmental testing and has transitioned to full-rate production, with radar systems being delivered to shipyards for installation across the surface fleet, including: aircraft carriers (CVN), guided-missile destroyers (DDG), guided-missile cruisers (CG), future frigate (FFG(X)), and amphibious platforms. However, understanding NGSSR is designated for accelerated deployment as a priority requirement from the Navy's 2017 comprehensive review of the USS McCain and USS Fitzgerald collisions, the committee is concerned the Navy's current contract vehicle does not support the expeditious fielding of NGSSR.

To ensure stability in fielding this critical warfighting system to the fleet, the committee encourages the Secretary of the Navy to transition or evolve the program from a development-type contract to one that matches the stage of program maturity and full-rate production. The committee is concerned that if the Navy does not accomplish this, the Navy will harm deployment of and urgency of fielding NGSSR to the surface fleet by inhibiting acquisition of long lead items; impeding stability for subcontractors; creating logistics and talent shortages; and delaying installation, training, and sparing efforts associated with mature radar systems and weapons programs. Therefore, the committee directs the Secretary of the Navy to provide a briefing to the House Committee on Armed Services by March 1, 2023, on the status of the NGSSR's contract vehicle maturation and its proposed fielding plan across the surface fleet.

### OTHER PROCUREMENT, AIR FORCE

#### Items of Special Interest

*Infrared suppression improvements for C-130 and C-17 aircraft*

The committee notes that current infrared (IR) missiles and man-portable surface-to-air missile systems (MANPADS) are outpacing the existing IR countermeasure flare dispensing and directed energy defensive systems associated with military aircraft. Given the increase of this threat, the committee believes there is merit in providing a wider range of military aircraft that are capable of reducing engine IR baselines to decrease their IR signature and increase the effectiveness of their existing IR countermeasures (IRCM) systems.

The committee understands that with the installation of a highly cost-effective and proven IR suppression system (IRSS), special operations AC-130J gunships have successfully decreased their IR signatures by at least 95 percent, substantially increasing their survivability and exponentially increasing the effectiveness of their existing IRCM systems. The committee also understands that the affordability of the IRSS provides the military services with an opportunity to rapidly and affordably employ this technology across a wider range of military aircraft to increase warfighter survivability and lethality.

As adversary missile capabilities continue to evolve and their proliferation increases globally, the committee believes the Air Force, Navy, Marine Corps, and the Air National Guard should leverage enhanced IR suppression systems to achieve greater heat signature reduction capabilities for its aviation fleets. Therefore, the committee directs the Secretary of the Air Force, in coordination with the Secretary of the Navy, to provide a briefing to the House Committee on Armed Services by October 3, 2022, on what planning and programming actions the Air Force, Navy, Marine Corps, and the Air National Guard are taking to reduce the IR signatures for each military service's C-130s and C-17 aircraft, and identify the resources necessary to implement an expanded IRSS installation program for these aircraft.

## PROCUREMENT, DEFENSE-WIDE

### Items of Special Interest

#### *Arctic access and air refueling missions*

The committee understands the growing strategic importance of the Arctic region and the long distances military aircraft may have to fly to provide support. Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services by August 1, 2023, on the Arctic and North Atlantic regions for air refueling mission capability.

#### *Autonomous air-to-air refueling technology*

The committee notes that the Secretary of the Air Force has proposed investments in capabilities to better enable a global operating model and modernize key capabilities through the use of autonomous air-to-air refueling for manned and unmanned platforms. The committee supports innovative investments across the

manned/unmanned spectrum and supports cost-effective options for extending America's combat reach in denied and geographically dispersed regions across the globe.

Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services by August 1, 2023, on the efforts to develop autonomous air-to-air refueling capabilities. Specifically, the brief shall address:

- (1) current efforts to demonstrate new autonomous air-to-air refueling techniques;
- (2) efforts to scale and adopt new autonomous air-to-air refueling techniques across a range of Department of Defense airborne platforms (manned and unmanned); and
- (3) use of commercial technologies in modeling new autonomous air-to-air refueling capabilities to determine effectiveness, future technology development priorities, and alternative employment concepts that support increased manned/unmanned teaming operations and combat reach.

### *E-6B recapitalization*

The committee is concerned over the current E-6B's fleet availability during a nuclear event. Fleet size and sustainment challenges with aging aircraft and parts obsolescence fail to meet the operational tempo required for current and future concepts of operations for air-to-submarine communications. Furthermore, capability gaps and emerging threats from strategic competitors necessitate the modernization of existing onboard nuclear command, control, and communications (NC3) systems for execution of Presidential orders in contested environments. Therefore, the committee directs the Secretary of the Navy to provide a briefing to the House Committee on Armed Services by February 1, 2023, that includes the plan for the recapitalization program to include initial procurement of selected airframes for prototyping and modernization of onboard nuclear command and control systems. The recapitalization program must provide the earliest possible solution on the fastest schedule to prevent further delays and address the growing capability gap.

## TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

### RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY

#### Items of Special Interest

*Anti-submarine warfare with multi-day attritable Group III Unmanned Aerial Systems*

The committee is encouraged with the Navy's use of ultra-endurance Group III Unmanned Aerial Systems (UAS) to address the limitation of existing manned and unmanned anti-submarine warfare detection. These capabilities will play a key role in deterrence and ensuring the rights of sovereign countries at sea. The committee directs the Secretary of the Navy to provide a briefing to the House Committee on Armed Services by March 1, 2023, on the use of long-range, multi-day endurance Group III UAS in anti-submarine warfare. This briefing should include:

- (1) total program development cost;
- (2) program costs included in the fiscal year; and
- (3) overall development/employment timetable to address these critical anti-submarine warfare surveillance capabilities.

#### *Marine Corps autonomous underwater vehicle capabilities*

The committee recognizes the critical role that autonomous underwater vehicles (AUVs) will play in maintaining U.S. strategic advantage in the undersea domain, particularly in the U.S. Indo-Pacific Command area of responsibility, and welcomes the recent direction of the Commandant of the Marine Corps to integrate AUVs as part of the service's modernization efforts. The committee supports the Marine Corps' efforts to evaluate and procure long-range, multi-mission AUVs with flexible payload interfaces as a critical Marine Corps capability that will deliver a significant warfighting advantage in the undersea domain. As the Marine Corps continues to incorporate AUVs into its inventory and operational concepts, the committee supports efforts to ensure these vehicles are multi-mission capable, including intelligence, surveillance, and reconnaissance (ISR), logistical resupply, and kinetic effect mission sets. These capabilities will support operational and strategic-level missions including anti-surface warfare, seabed warfare, intelligence preparation of the battlefield, reconnaissance and counter reconnaissance, ISR and targeting, and cross-domain intelligence.

The committee encourages the Secretary of the Navy and the Commandant of the Marine Corps, in coordination with the Chief of Naval Operations, to continue to develop capabilities utilizing AUVs as enablers in the undersea domain in support of the Naval Force. Further, the committee directs the Secretary of the Navy, in coordination with the Commandant of the Marine Corps, to provide a briefing to the House Committee on Armed Services by February 1, 2023, detailing the Marine Corps' plans to integrate autonomous underwater vehicles into Marine Corps concept of operations development, its current and planned test and evaluation schedule for AUVs, and its resourcing, development, and deployment plan over the Future Years Defense Program.

#### *Next-generation expeditionary and reconnaissance watercraft*

The committee notes that the U.S. Marine Corps has identified gaps and requirements for a reconnaissance battalions' need for reconnaissance and insertion craft. The committee supports the Commandant's efforts and U.S. Marine Corps

operations envisioned in current concepts. Littoral maneuver from the sea will entail surveillance, collections, target acquisition, battlespace shaping and reconnaissance. The committee further supports a platform with reduced signature from adversary sensors to enhance survivability and efficacy. The committee believes the Secretary of the Navy should rapidly assess and acquire multi-modal insertion maritime platforms for operating across a distributed battlefield. Therefore, the committee directs the Secretary of the Navy to provide a briefing to the House Committee on Armed Services by November 1, 2022, as to the requirements associated with this effort to include crewed and un-crewed options and the plan of action to deliver this capability.