

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

**SUBCOMMITTEE ON  
READINESS**

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# DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

## TITLE III—OPERATION AND MAINTENANCE

### LEGISLATIVE PROVISIONS

#### SUBTITLE B—ENERGY AND ENVIRONMENT

##### Section 3XX—Prototype and Demonstration Projects for Energy Resilience at Certain Military Installations

This section would require the Secretaries of the military departments to designate installations as energy resilience testbeds for the purpose of demonstrating innovative energy resilience technologies.

##### Section 3XX—Pilot Program for Transition of Certain Nontactical Vehicle Fleets of Department of Defense to Electric Vehicles

This section would require the Secretary of Defense to carry out a pilot program to facilitate the transition to electric vehicles while mitigating grid stress through microgrids and other infrastructure to cover the energy demand required to charge these vehicles.

##### Section 3XX—Policy to Increase Disposition of Spent Advanced Batteries through Recycling

This section would require the Department of Defense to promulgate a policy to increase the recycling of spent advanced batteries.

##### Section 3XX—Pilot Program on Use of Sustainable Aviation Fuel

This section would create a pilot program on the use of sustainable aviation fuel with the Department of Defense.

##### Section 3XX—List of Certain PFAS Uses Deemed Essential; Briefings on Department of Defense Procurement of Certain Items Containing PFOS or PFOA

This section would require the Department of Defense to provide a list of per- or polyfluoroalkyl substances (PFAS) uses it deems essential and provide regular briefings on its efforts to procure PFOS- and PFOA-free items.

##### Section 3XX—Guidance and Target Deadline Relating to Formerly Used Defense Sites Programs



This section would require the Department of Defense to promulgate guidance on assessing relative risk across the Formerly Used Defense Sites Program and establish a deadline for cleaning up Military Munitions Response Program Sites.

#### SUBTITLE C—LOGISTICS AND SUSTAINMENT

##### Section 3XX—Five-Year Plans for Improvements to Depot and Ammunition Production Facility Infrastructure

This section would require the Secretaries of the military departments to submit to the congressional defense committees an annual report containing a description of the plans of each Secretary to improve depot infrastructure over the five following fiscal years.

##### Section 3XX—Continuation of Requirement for Annual Report on Funds Expended for Performance of Depot-Level Maintenance and Repair Workloads

This section would reinstate a requirement that the Secretary of Defense submit to Congress an annual report on the percentage of funds expended during the current and ensuing fiscal years for performance of depot-level maintenance and repair by both the public and private sectors.

##### Section 3XX—Continuation of Requirement for Biennial Report on Core Depot-Level Maintenance and Repair

This section would reinstate a requirement that the Secretary of Defense submit to Congress a biennial report on core depot-level maintenance requirements, corresponding workloads, capabilities, workload shortfalls, and other related matters.

##### Section 3XX—Budgeting for Depot and Ammunition Production Facility Maintenance and Repair: Annual Report

This section would amend chapter 9 of title 10, United States Code, by adding a new section that would require the Secretary of Defense, in coordination with the Secretaries of the military departments, to include with the defense budget materials a report regarding the maintenance, repair, and material condition of the organic industrial base depots and ammunition production facilities.

##### Section 3XX—Annual Plan for Maintenance and Modernization of Naval Vessels

This section would amend section 231 of title 10, United States Code, to require the Secretary of the Navy to include with the annual defense budget

materials a plan for the maintenance and modernization of naval vessels over the next 30 fiscal years.

Section 3XX—Clarification of Calculation for Certain Workload Carryover of Department of Army

This section would require the Secretary of Defense to authorize the Secretary of the Army to use a calculation for depot and arsenal workload carryover that applies a material end of period exclusion.

Section 3XX—Modification to Minimum Capital Investment for Certain Depots

This section would amend section 2476 of title 10, United States Code, to raise the annual minimum capital investment for certain depots from 6 percent to 8 percent of the average total combined maintenance, repair, and overhaul workload funded at all the covered depots for the preceding 3 fiscal years. It would also require that 2 percent of the previous 3 years' workload be invested from funds authorized for facilities, sustainment, restoration, and modernization activities. Further, it would permit the rebuilding and restoration of property as permissible capital investment expenditures. Finally, it would require the service secretaries to comply with all applicable requirements of sections 129 and 129a of title 10, United States Code, when identifying amounts to invest in the capital budgets of the covered depots.

SUBTITLE F—OTHER MATTERS

Section 3XX—Annual Reports by Deputy Secretary of Defense on Activities of Joint Safety Council

This section would amend section 185(k) of title 10, United States Code, to require that the Deputy Secretary of Defense submit to the congressional defense committees annual reports containing the Deputy Secretary's assessment of the Joint Safety Council's activities during the previous year and establishing the Joint Safety Council's goals and priorities for the following year.

Section 3XX—Budget Information for Alternatives to Burn Pits

This section would require the Secretary of Defense to provide budget information regarding incinerators and waste-to-energy waste disposal alternatives to burn pits as a dedicated budget line item in the President's budget for fiscal year 2024.

Section 3XX—Establishment of Army and Air Force Safety Commands; Implementation of Accident Investigation Recommendations

This section would require the Secretary of the Army and the Secretary of the Air Force to establish Army and Air Force Safety Commands and to create entities responsible for ensuring the implementation of recommended actions arising from accident investigations.

#### Section 3XX—Pilot Program for Tactical Vehicle Safety Data Collection

This section would require the Secretary of the Army and the Secretary of the Navy to carry out jointly a pilot program to evaluate the feasibility of using data recorders to monitor, assess, and improve the readiness and safety of the operation of military tactical vehicles.

## TITLE X—GENERAL PROVISIONS

### LEGISLATIVE PROVISIONS

#### SUBTITLE F—STUDIES AND REPORTS

#### Section 10XX—Department of Defense Delays in Providing Comments on Government Accountability Office Reports

This section would require the Department of Defense to report on their responsiveness to Government Accountability Office requests for comment.

#### SUBTITLE G—OTHER MATTERS

#### Section 10XX—Security Clearances for Recently Separated Members of the Armed Forces and Civilian Employees of the Department of Defense

This section would require the Secretary of Defense to treat previously held security clearances as active within 1 year of an individual separating from the Armed Forces or the Department of Defense.

## TITLE XI—CIVILIAN PERSONNEL MATTERS

### LEGISLATIVE PROVISIONS

#### Section 11XX—Standardized Credentials for Law Enforcement Officers of the Department of Defense

This section would require the Secretary of Defense to develop a standardized identification credential for Department of Defense law enforcement officers, issue such credential to each such officer, and ensure that any Department

of Defense common access card issued to such an officer clearly identifies the officer as a Defense law enforcement officer.

**Section 11XX—One-Year Extension of Authority to Waive Annual Limitation on Premium Pay and Aggregate Limitation on Pay for Federal Civilian Employees Working Overseas**

This section would amend section 1101 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417) by extending premium pay for Federal civilian employees working overseas until the end of 2023.

**Section 11XX—One-Year Extension of Temporary Authority to Grant Allowances, Benefits, and Gratuities to Civilian Personnel on Official Duty in a Combat Zone**

This section would amend section 1114 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) by extending the temporary authority granting allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone by 1 year.

**DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

**Section 2001—Short Title**

This section would cite division B and title XLVI of this Act as the "Military Construction Authorization Act for Fiscal Year 2023."

**Section 2002—Expiration of Authorizations and Amounts Required To Be Specified by Law**

This section would ensure that the authorizations provided in titles XXI through XXVII of this Act shall expire on October 1, 2025, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2026, whichever is later.

**Section 2003—Effective Date and Automatic Execution of Conforming Changes to Tables of Sections, Tables of Contents, and Similar Tabular Entries**

This section would provide that titles XXI through XXVII of this Act would take effect on October 1, 2022, or the date of the enactment of this Act, whichever is later. This section would also provide for the automatic execution of certain conforming changes.

**TITLE XXI—ARMY MILITARY CONSTRUCTION**

## LEGISLATIVE PROVISIONS

### Section 2101—Authorized Army Construction and Land Acquisition Projects

This section would contain a list of authorized Army construction projects for fiscal year 2023. The authorized amounts are listed on an installation-by-installation basis. The State list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

### Section 2102—Family Housing

This section would authorize new construction, improvements, and planning and design of family housing units for the Army for fiscal year 2023.

### Section 2103—Authorization of Appropriations, Army

This section would authorize appropriations for Army military construction levels identified in section 4601 of division D of this Act.

### Section 21XX—Demolition of District of Columbia Fort McNair Quarters 4, 13 and 15

This section would require the Secretary of the Army to demolish certain quarters at Fort McNair within 1 year of current occupants departure.

### Section 21XX—Modification of Authority to Carry Out Certain Fiscal Year 2018 Projects

This section would modify the authority provided by sections 2101 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115-91) and authorize the Secretary of the Army to make certain modifications to the scope of previously authorized construction projects.

### Section 21XX—Extension of Authority to Carry Out Certain Fiscal Year 2018 Projects

This section would extend the authorization of certain fiscal year 2018 projects until October 1, 2024.

### Section 21XX—Modification of Authority to Carry Out a Certain Fiscal Year 2019 Project

This section would modify the authority provided by section 2101 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public

Law 115-232) and authorize the Secretary of the Army to make certain modifications to the scope of a previously authorized construction project.

## TITLE XXII—NAVY MILITARY CONSTRUCTION

### LEGISLATIVE PROVISIONS

#### Section 22xx—Authorized Navy Construction and Land Acquisition Projects

This section would contain a list of authorized Department of the Navy construction projects for fiscal year 2023. The authorized amounts are listed on an installation-by-installation basis. The State list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

#### Section 22xx—Family Housing

This section would authorize new construction, improvements, and planning and design of family housing units for the Department of the Navy for fiscal year 2023.

#### Section 2203—Authorization of Appropriations, Navy

This section would authorize appropriations for Department of Navy military construction levels identified in section 4601 of division D of this Act.

#### Section 22XX—Extension of Authority to Carry Out Certain Fiscal Year 2018 Project

This section would extend the authorization of a certain fiscal year 2018 project until October 1, 2024.

#### Section 22XX—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

This section would authorize the transfer of the former Barber's Point utility system to the State of Hawaii.

## TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

### LEGISLATIVE PROVISIONS

#### Section 2301—Authorized Air Force Construction and Land Acquisition Projects

This section would contain a list of authorized Air Force construction projects for fiscal year 2023. The authorized amounts are listed on an installation-by-installation basis. The State list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

Section 2302—Family Housing and Improvements to Military Family Housing Units

This section would authorize new construction, improvements, and planning and design of family housing units for the Department of the Air Force for fiscal year 2023.

Section 230X—Authorization of Appropriations, Air Force

This section would authorize appropriations for Air Force military construction levels identified in section 4601 of division D of this Act.

Section 23XX—Extension of Authority to Carry Out Certain Fiscal Year 2018 Projects

This section would extend the authorization of certain fiscal year 2018 projects until October 1, 2024.

Section 23XX—Modification of Authority to Carry Out Certain Military Construction Projects at Tyndall Air Force Base, Florida

This section would modify the authorization of certain military construction projects at Tyndall Air Force Base, Florida.

Section 23XX—Modification of Authority to Carry Out Certain Fiscal Year 2021 Project

This section would modify the authority provided by section 2301 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) and authorize the Secretary of the Air Force to make certain modifications to the scope of a previously authorized construction project.

**TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION**

**LEGISLATIVE PROVISIONS**

Section 2401—Authorized Defense Agencies Construction and Land Acquisition Projects

This section would contain a list of authorized defense agencies construction projects for fiscal year 2023. The authorized amounts are listed on an installation-by-installation basis. The State list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

#### Section 2402—Authorized Energy Resilience and Conservation Investment Program Projects

This section would contain a list of authorized energy resilience and conservation investment projects for fiscal year 2023. The authorized amounts are listed on an installation-by-installation basis. The State list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

#### Section 2403—Authorization of Appropriations, Defense Agencies

This section would authorize appropriations for defense agencies' military construction at the levels identified in section 4601 of division D of this Act.

#### Section 24XX—Extension of Authority to Carry Out Certain Fiscal Year 2018 Projects

This section would extend the authorization of certain fiscal year 2018 projects until October 1, 2024.

## TITLE XXV—INTERNATIONAL PROGRAMS

### LEGISLATIVE PROVISIONS

#### SUBTITLE A—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

#### Section 2501—Authorized NATO Construction and Land Acquisition Projects

This section would authorize the Secretary of Defense to make contributions to the North Atlantic Treaty Organization Security Investment Program in an amount not to exceed the sum of the amount specifically authorized in section 2502 of this Act and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

#### Section 2502—Authorization of Appropriations, NATO

This section would authorize appropriations for the North Atlantic Treaty Organization Security Investment Program at the levels identified in section 4601 of division D of this Act.



## SUBTITLE B—HOST COUNTRY IN-KIND CONTRIBUTIONS

### Section 2511—Republic of Korea Funded Construction Projects

This section would authorize the Secretary of Defense to accept seven military construction projects totaling \$749.8 million pursuant to agreement with the Republic of Korea for required in-kind contributions.

### Section 25xx—Repeal of Authorized Approach to Certain Construction Project

This section would repeal subsection 2511(b) of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117-81).

## TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

### LEGISLATIVE PROVISIONS

#### Section 2601—Authorized Army National Guard Construction and Land Acquisition Projects

This section would contain the list of authorized Army National Guard construction projects for fiscal year 2023. The authorized amounts are listed on an installation-by-installation basis. The State list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

#### Section 2602—Authorized Army Reserve Construction and Land Acquisition Projects

This section would contain the list of authorized Army Reserve construction projects for fiscal year 2023. The authorized amounts are listed on an installation-by-installation basis. The State list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

#### Section 2603—Authorized Air National Guard Construction and Land Acquisition Projects

This section would contain the list of authorized Air National Guard construction projects for fiscal year 2023. The authorized amounts are listed on an installation-by-installation basis. The State list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

#### Section 2604—Authorized Air Force Reserve Construction and Land Acquisition Projects

This section would contain the list of authorized Air Force Reserve construction projects for fiscal year 2023. The authorized amounts are listed on an installation-by-installation basis. The State list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

#### Section 2606—Authorization of Appropriations, National Guard and Reserve

This section would authorize appropriations for National Guard and Reserve military construction at the levels identified in section 4601 of division D of this Act.

#### Section 26xx—Extension of Authority to Carry Out Certain Fiscal Year 2018 Projects

This section would extend the authorization of certain fiscal year 2018 projects until October 1, 2024.

#### Section 26XX—Corrections to Authority to Carry Out Certain Fiscal Year 2022 Projects

This section would clarify the locations of certain military construction projects authorized in the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81).

## TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

### LEGISLATIVE PROVISIONS

#### Section 2701—Authorization of Appropriations for Base Realignment and Closure Activities Funded through the Department of Defense Base Closure Account

This section would authorize appropriations for ongoing activities that are required to implement the Base Realignment and Closure activities authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510), at the levels identified in section 4601 of division D of this Act.

#### Section 27XX—Authorization to Fund Certain Demolition and Removal Activities through Department of Defense Base Closure Account

This section would authorize Defense Base Closure Account funds to be used for certain demolition activities.

## TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

## LEGISLATIVE PROVISIONS

### SUBTITLE A—MILITARY CONSTRUCTION PROGRAM CHANGES

#### Section 28XX—Further Clarification of Requirements Related to Authorized Cost and Scope of Work Variations

This section would provide technical corrections and clarification to the Department of Defense on section 2853 of title 10, United States Code.

#### Section 28XX—Use of Operation and Maintenance Funds for Certain Construction Projects outside the United States

This section would amend and make permanent section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108-136).

#### Section 28XX—Military Construction Projects for Innovation, Research, Development, Test, and Evaluation

This section would allow the Secretary of Defense to carry out military construction projects for the purpose of innovation, research, development, test, and evaluation.

#### Section 28xx—Restoration or Replacement of Damaged, Destroyed, or Economically Unrepairable Facilities

This section would amend section 2854 of title 10, United States Code, and limit the application of appropriations for this section to military construction appropriations and allow these funds to be used for economically unrepairable facilities.

#### Section 28XX—Modification of Annual Locality Adjustment of Dollar Thresholds Applicable to Unspecified Minor Military Construction Authorities

This section would modify section 2805 of title 10, United States Code, related to area cost factors applied to unspecified minor military construction.

#### Section 28XX—Authorized Land and Facilities Transfer to Support Contracts with Federally Funded Research and Development Centers

This section would allow for the lease of military department lands to a federally funded research and development center (FFRDC) pursuant to a contract between that military department and the FFRDC.

## Section 28xx—Basing Decision Scorecard Consistency and Transparency

This section would require the Secretary of the military department concerned to solicit public comment and coordinate with the Secretary of Defense before publishing a basing scorecard.

## Section 28XX—Consideration of Installation of Integrated Solar Roofing to Improve Energy Resiliency of Military Installations

This section would require the Department of Defense to update the Unified Facilities Criteria to include considerations related to the use of integrated solar roofing as part of new construction projects.

## Section 28XX—FFRDC Study on Practices with Respect to Development of Military Construction Projects

This section would require the Department of Defense to commission a federally funded research and development center study on practices related to incorporating innovative construction techniques and sustainable materials into military construction projects.

## SUBTITLE B—CONTINUATION OF MILITARY HOUSING REFORMS

### Section 28XX—Annual Briefings on Military Housing Privatization Projects

This section would require the Department of Defense to provide an annual briefing to the Senate Committee on Armed Services and the House Committee on Armed Services on the health of the military housing privatization initiative's projects, enterprise-wide.

### Section 28XX—Standardization of Military Installation Housing Requirements and Market Analyses

This section would require the military departments to conduct Housing Requirements and Market Analysis for each installation under their jurisdiction every 5 years.

### Section 28XX—Required Consultation with State and Local Entities on Issues Related to Increase in Number of Military Personnel at Military Installations

This section would require the Department of Defense to consult with local entities on issues related to increases of military personnel at domestic installations.

## SUBTITLE D—LAND CONVEYANCES

Section 28XX—Extension of Time Frame for Land Conveyance, Sharpe Army Depot, Lathrop, California

This section would extend the time frame for the Sharpe Army Depot land conveyance.

Section 28XX—Lease or Use Agreement for Category 3 Subterranean Training Facility

This section would require the Department of Defense to enter into a lease or use agreement to facilitate subterranean training.

Section 28XX—Land Conveyance, Naval Air Station Oceana, Dam Neck Annex, Virginia Beach, Virginia

This section would authorize the Secretary of the Navy to convey certain properties at Naval Air Station Oceana, Dam Neck Annex, Virginia Beach, Virginia, to the Hampton Roads Sanitation District.

Section 28xx—Conveyance, Joint Base Charleston, South Carolina

This section would authorize the Secretary of the Air Force to convey certain properties at Joint Base Charleston, South Carolina, to the City of North Charleston.

Section 28XX—Authority for Transfer of Administrative Jurisdiction, Castner Range, Fort Bliss, Texas

This section would amend section 2844 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to allow for a transfer of administrative jurisdiction of Castner Range to the Department of the Interior.

SUBTITLE F—OTHER MATTERS

Section 28XX—Privatization of Navy and Air Force Transient Housing

This section would require the Navy and Air Force, within the next 10 years, to privatize their transient housing, prevent government direct loans, government guarantees, or government equity from being used to accomplish this privatization, and would require consultation with the Army, which has already completed the privatization process. This section would also require annual reports until privatization is complete.

Section 28XX—Defense Access Road Program Enhancements to Address Transportation Infrastructure in Vicinity of Military Installations

This section would amend section 2816 of title 10, United States Code, by establishing a mechanism by which local communities can nominate roads under the Defense Access Road program.

**Section 28XX—Limitation on Use of Funds pending Completion of Military Installation Resilience Component of Master Plans for At-Risk Major Military Installations**

This section would limit the use of funds by the Office of the Secretary of Defense for administration and service-wide activities until the military departments have complied with section 2833 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81).

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

**TITLE XXXIV—NAVAL PETROLEUM RESERVES**

**LEGISLATIVE PROVISIONS**

**Section 34xx—Authorization of Appropriations**

This section would authorize \$13,004,000 for fiscal year 2023 for operation and maintenance of the Naval Petroleum Reserves.

# **BILL LANGUAGE**

1 **SEC. 3**      **[Log 74813]. PROTOTYPE AND DEMONSTRATION**  
2 **PROJECTS FOR ENERGY RESILIENCE AT CER-**  
3 **TAIN MILITARY INSTALLATIONS.**

4 (a) IN GENERAL.—Each Secretary of a military de-  
5 partment shall ensure that covered prototype and dem-  
6 onstration projects are conducted at each military installa-  
7 tion designated by that Secretary as an “Energy Resil-  
8 ience Testbed” pursuant to subsection (b).

9 (b) SELECTION OF MILITARY INSTALLATIONS.—

10 (1) SELECTION.—Not later than 180 days after  
11 the date of the enactment of this Act, each Secretary  
12 of a military department, in consultation with the  
13 Secretary of the Defense, shall—

14 (A) select at least two military installations  
15 under the jurisdiction of that Secretary for des-  
16 ignation pursuant to paragraph (3); and

17 (B) incorporate the conduct of covered pro-  
18 totype and demonstration projects into the mis-  
19 sion of each installation so selected.

20 (2) CONSIDERATIONS.—In selecting military in-  
21 stallations under paragraph (1), each Secretary of a  
22 military department shall, to the extent practicable,  
23 take into consideration the following:

24 (A) The mission of the installation.



1 (B) The geographic terrain of the installa-  
2 tion and of the community surrounding the in-  
3 stallation.

4 (C) The energy resources available to sup-  
5 port the installation.

6 (D) Any State or local regulations that  
7 apply with respect to public or private utilities  
8 serving the installation.

9 (E) An assessment of any climate or ex-  
10 treme weather risks or vulnerabilities at the in-  
11 stallation and the community surrounding the  
12 installation.

13 (3) DESIGNATION AS ENERGY RESILIENCE  
14 TESTBED.—Each installation selected under para-  
15 graph (1) shall be known as an “Energy Resilience  
16 Testbed”.

17 (c) COVERED TECHNOLOGIES.—Covered prototype  
18 and demonstration projects conducted at military installa-  
19 tions designated pursuant to subsection (b) shall include  
20 the prototype and demonstration of technologies in the fol-  
21 lowing areas:

22 (1) Energy storage technologies, including long-  
23 duration energy storage systems.

1           (2) Technologies that support electric vehicles  
2           or the transition to use of electric vehicles, including  
3           with respect to tactical vehicles.

4           (3) Technologies to improve building energy ef-  
5           ficiency in a cyber-secure manner, such as advanced  
6           lighting controls, high-performance cooling systems,  
7           and technologies for waste heat recovery.

8           (4) Technologies to improve building energy  
9           management and control in a cyber-secure manner.

10          (5) Tools and processes for design, assessment,  
11          and decision-making on the installation with respect  
12          to climate resilience and hazard analysis, energy use,  
13          management, and the construction of climate resil-  
14          ient buildings and infrastructure.

15          (6) Carbon sequestration technologies.

16          (7) Technologies relating to on-site resilient en-  
17          ergy generation, including advanced geothermal and  
18          advanced nuclear technologies.

19          (8) Port electrification and surrounding defense  
20          critical infrastructure and related non-Federal infra-  
21          structure, including surrounding defense community  
22          infrastructure.

23          (d) BRIEFING.—Not later than 180 days after the  
24          enactment of this Act, the Secretary of Defense, in con-  
25          sultation with the Secretaries of the military departments,

1 shall provide to the appropriate congressional committees  
2 a briefing on the conduct of covered prototype and dem-  
3 onstration projects at each military installation designated  
4 pursuant to subsection (b). Such briefing shall include the  
5 following:

6 (1) An identification of each military installa-  
7 tion so designated.

8 (2) A justification as to why each military in-  
9 stallation so designated was selected for such des-  
10 ignation.

11 (3) A strategy for commencing the conduct of  
12 such projects at each military installation so des-  
13 igned by not later than one year after the date of  
14 the enactment of this Act.

15 (e) DEADLINE FOR COMMENCEMENT OF  
16 PROJECTS.—The Secretary of Defense shall ensure that,  
17 beginning not later than one year after the date of the  
18 enactment of this Act, covered prototype and demonstra-  
19 tion projects are conducted at, and such conduct is incor-  
20 porated into the mission of, each military installation des-  
21 igned pursuant to subsection (b).

22 (f) CONSORTIUMS.—

23 (1) IN GENERAL.—Each Secretary of a military  
24 department may enter into a partnership with, or  
25 seek to establish, a consortium of industry, aca-

1 demia, and other entities described in paragraph (2)  
2 to conduct covered prototype and demonstration  
3 projects at a military installation designated by that  
4 Secretary pursuant to subsection (b).

5 (2) CONSORTIUM ENTITIES.—The entities de-  
6 scribed in this paragraph are as follows:

7 (A) National laboratories.

8 (B) Third-party financiers.

9 (C) Industry entities the primary work of  
10 which relates to energy and climate security  
11 technologies and business models.

12 (g) AUTHORITIES.—

13 (1) IN GENERAL.—Covered prototype and dem-  
14 onstration projects required under this section may  
15 be conducted as part of the program for operational  
16 energy prototyping established under section 324(c)  
17 of the William M. (Mac) Thornberry National De-  
18 fense Authorization Act for Fiscal Year 2021 (Pub-  
19 lic Law 116–283; 134 Stat. 3523; 10 U.S.C. 2911  
20 note) (including by using funds available under the  
21 Operational Energy Prototyping Fund established pur-  
22 suant to such section), using the other transactions  
23 authority under section 4021 or 4022 of title 10,  
24 United States Code, or using any other available au-

1       thority or funding source the Secretary of Defense  
2       determines appropriate.

3               (2) FOLLOW-ON PRODUCTION CONTRACTS OR  
4       TRANSACTIONS.—Each Secretary of a military de-  
5       partment shall ensure that, to the extent practicable,  
6       any transaction entered into under the other trans-  
7       actions authority under section 4022 of title 10,  
8       United States Code, for the conduct of a covered  
9       prototype and demonstration project under this sec-  
10      tion shall provide for the award of a follow-on pro-  
11      duction contract or transaction pursuant to sub-  
12      section (f) of such section 4022.

13      (h) INTERAGENCY COLLABORATION.—In carrying  
14      out this section, to the extent practicable, the Secretary  
15      of Defense shall collaborate with the Secretary of Energy  
16      and the heads of such other Federal departments and  
17      agencies as the Secretary of Defense may determine ap-  
18      propriate, including by entering into relevant memoranda  
19      of understanding.

20      (i) DEFINITIONS.—In this section:

21               (1) The term “appropriate congressional com-  
22      mittees” means—

23                       (A) the Committee on Armed Services and  
24                       the Committee on Energy and Commerce of the  
25                       House of Representatives; and

1 (B) the Committee on Armed Services and  
2 the Committee on Energy and Natural Re-  
3 sources of the Senate.

4 (2) The term “community infrastructure” has  
5 the meaning given that term in section 2391(e) of  
6 title 10, United State Code.

7 (3) The term “covered prototype and dem-  
8 onstration project” means a project to prototype and  
9 demonstrate advanced technologies to enhance en-  
10 ergy resilience and climate security at a military in-  
11 stallation.

12 (4) The term “military installation” has the  
13 meaning given that term in section 2867 of title 10,  
14 United States Code.

1 **SEC. 3** \_\_\_\_ **[Log 74853]. PILOT PROGRAM FOR TRANSITION**  
2 **OF CERTAIN NONTACTICAL VEHICLE FLEETS**  
3 **OF DEPARTMENT OF DEFENSE TO ELECTRIC**  
4 **VEHICLES.**

5 (a) IN GENERAL.—The Secretary of Defense, in co-  
6 ordination with the Secretaries of the military depart-  
7 ments, and in consultation with the Secretary of Energy,  
8 shall carry out a pilot program to facilitate the transition  
9 of nontactical vehicle fleets of the Department of Defense  
10 at certain military installations to nontactical vehicle fleets  
11 comprised solely of electric vehicles, including through the  
12 maintenance on the installations of charging stations,  
13 microgrids, and other covered infrastructure sufficient to  
14 cover the energy demand of such fleets.

15 (b) SELECTION OF MILITARY INSTALLATIONS.—

16 (1) SELECTION.—Not later than 180 days after  
17 the date of the enactment of this Act, each Secretary  
18 of a military department shall—

19 (A) select at least one military installation  
20 of each Armed Force under the jurisdiction of  
21 that Secretary at which to carry out the pilot  
22 program under subsection (a); and

23 (B) submit to the Committees on Armed  
24 Services of the House of Representatives and

1           the Senate a notification containing an identi-  
2           fication of each such selected installation.

3           (2) PRIORITY.—In selecting military installa-  
4           tions under paragraph (1), each Secretary of a mili-  
5           tary department shall give priority to the following:

6                   (A) Military installations with existing  
7                   third-party financed, installed, operated, and  
8                   maintained charging stations on the installa-  
9                   tion.

10                   (B) Military installations with other exist-  
11                   ing covered infrastructure, including charging  
12                   stations under ownership methods other than  
13                   those specified in subparagraph (A), on the in-  
14                   stallation.

15                   (C) Military installations located in a geo-  
16                   graphic region with existing covered infrastruc-  
17                   ture, including charging stations, proximate to  
18                   the installation.

19                   (D) Military installations with respect to  
20                   which the Secretary determines the future in-  
21                   clusion on the installation of charging stations  
22                   and other covered infrastructure is feasible and  
23                   cost effective given the anticipated need for  
24                   charging stations to service electric vehicles in  
25                   the nontactical vehicle fleet at the installation



1 (including those with respect to which the Sec-  
2 retary determines there may be an opportunity  
3 to enter into a contract for the third-party  
4 charging stations specified in subparagraph  
5 (A)).

6 (E) Military installations at which a  
7 project authorized under section 2914 of title  
8 10, United States Code, (known as the Energy  
9 Resilience and Conservation Investment Pro-  
10 gram) and determined by the Secretary to be  
11 relevant to the pilot program has been con-  
12 ducted or is planned to be conducted pursuant  
13 to the future-years defense program submitted  
14 under section 221 of such title.

15 (3) CONSIDERATIONS.—In determining whether  
16 a military installation should receive priority pursu-  
17 ant to paragraph (2)(D), each Secretary of a mili-  
18 tary department shall take into account the fol-  
19 lowing:

20 (A) A calculation of existing loads at the  
21 installation and the existing capacity of the in-  
22 stallation for the charging of electric vehicles,  
23 including (as applicable) light duty trucks.

1 (B) The availability of adequate space for  
2 vehicles awaiting charging during peak usage  
3 times, as determined by the Secretary.

4 (C) Any required upgrades to covered in-  
5 frastructure on the installation, including elec-  
6 trical wiring, anticipated by the Secretary.

7 (c) TRANSITION PLANS.—

8 (1) IN GENERAL.—Not later than one year  
9 after the date on which a Secretary of a military de-  
10 partment submits a notification identifying a mili-  
11 tary installation under subsection (b)(1), that Sec-  
12 retary shall submit to the Committees on Armed  
13 Services of the House of Representatives and the  
14 Senate a plan for—

15 (A) the replacement of all vehicles in the  
16 nontactical vehicle fleet at the military installa-  
17 tion with electric vehicles by January 1, 2025;  
18 and

19 (B) the maintenance on the military instal-  
20 lation of charging stations and other covered in-  
21 frastructure, including a microgrid, that will be  
22 sufficient—

23 (i) to cover the anticipated electricity  
24 demand of such electric vehicles; and

1 (ii) to improve installation energy re-  
2 silience.

3 (2) ELEMENTS.—Each plan under paragraph  
4 (1) shall include, with respect to the military instal-  
5 lation covered by the plan, the following:

6 (A) A determination of the type and num-  
7 ber of charging stations to include on the in-  
8 stallation, taking into account the interoper-  
9 ability of chargers and the potential future  
10 needs or applications for chargers, such as vehi-  
11 cle-to-grid or vehicle-to-building applications.

12 (B) A determination of the optimal owner-  
13 ship method to provide charging stations on the  
14 installation, taking into account the following:

15 (i) Use of Government-owned (pur-  
16 chased, installed, and maintained) charg-  
17 ing stations.

18 (ii) Use of third-party financed, in-  
19 stalled, operated, and maintained charging  
20 stations.

21 (iii) Use of financing models in which  
22 energy and charging infrastructure oper-  
23 ations and maintenance are treated as a  
24 service.

1 (iv) Cyber and physical security con-  
2 siderations and best practices associated  
3 with different ownership, network, and  
4 control models.

5 (C) A determination of the optimal power  
6 source to provide charging stations at the in-  
7 stallation, taking into account the following:

8 (i) Transformer and substation re-  
9 quirements.

10 (ii) Microgrids and distributed energy  
11 to support both charging requirements and  
12 energy storage.

13 (3) SOURCE OF SERVICES.—Each Secretary of  
14 a military department may use expertise within the  
15 military department or enter into a contract with a  
16 non-Department of Defense entity to make the de-  
17 terminations specified in paragraph (2).

18 (d) FINAL DEADLINE FOR REPLACEMENT.—Begin-  
19 ning not later than January 1, 2025, all vehicles in the  
20 nontactical vehicle fleet at each military installation se-  
21 lected under subsection (b) shall be electric vehicles.

22 (e) DEFINITIONS.—In this section:

23 (1) The terms “Armed Forces” and “military  
24 departments” have the meanings given those terms  
25 in section 101 of title 10, United States Code.

1           (2) The term “charging station” means a col-  
2           lection of one or more electric vehicle supply equip-  
3           ment units.

4           (3) The term “covered infrastructure”—

5           (A) means infrastructure that the Sec-  
6           retary of Defense determines may be used to—

7           (i) charge electric vehicles, including  
8           by transmitting electricity to such vehicles  
9           directly; or

10          (ii) support the charging of electric  
11          vehicles, including by supporting the resil-  
12          ience of grids or other systems for deliv-  
13          ering energy to such vehicles (such as  
14          through the mitigation of grid stress); and

15          (B) includes—

16          (i) charging stations;

17          (ii) batteries;

18          (iii) battery-swapping systems;

19          (iv) microgrids;

20          (v) off-grid charging systems; and

21          (vi) other apparatuses installed for  
22          the specific purpose of delivering energy to  
23          an electric vehicle or to a battery intended  
24          to be used in an electric vehicle.

25          (4) The term “electric vehicle” includes—

1 (A) a plug-in hybrid electric vehicle that  
2 uses a combination of electric and gas powered  
3 engine that can use either gasoline or electricity  
4 as a fuel source; and

5 (B) a plug-in electric vehicle that runs  
6 solely on electricity and does not contain an in-  
7 ternal combustion engine or gas tank.

8 (5) The term “electric vehicle supply equipment  
9 unit” means the port that supplies electricity to one  
10 vehicle at a time.

11 (6) The term “microgrid” means a group of  
12 interconnected loads and distributed energy re-  
13 sources within clearly defined electrical boundaries  
14 that acts as a single controllable entity with respect  
15 to the grid.

16 (7) The term “military installation” has the  
17 meaning given that term in section 2801 of title 10,  
18 United States Code.

19 (8) The term “nontactical vehicle” means a ve-  
20 hicle other than a tactical vehicle.

21 (9) The term “tactical vehicle” means a motor  
22 vehicle designed to military specification, or a com-  
23 mercial design motor vehicle modified to military  
24 specification, to provide direct transportation sup-

- 1 port of combat or tactical operations, or for the
- 2 training of personnel for such operations.

1 **SEC. 3** [Log 74942]. **POLICY TO INCREASE DISPOSITION**  
2 **OF SPENT ADVANCED BATTERIES THROUGH**  
3 **RECYCLING.**

4 (a) **POLICY REQUIRED.**—Not later than one year  
5 after the date of the enactment of this Act, the Assistant  
6 Secretary of Defense for Energy, Installations, and Envi-  
7 ronment, in coordination with the Director of the Defense  
8 Logistics Agency, shall establish a policy to increase the  
9 disposition of spent advanced batteries of the Department  
10 of Defense through recycling (including by updating the  
11 Department of Defense Manual 4160.21, titled “Defense  
12 Material Disposition: Disposal Guidance and Procedures”,  
13 or such successor document, accordingly), for the purpose  
14 of supporting the reclamation and return of precious met-  
15 als, rare earth metals, and elements of strategic impor-  
16 tance (such as cobalt and lithium) into the supply chain  
17 or strategic reserves of the United States.

18 (b) **CONSIDERATIONS.**—In developing the policy  
19 under subsection (a), the Assistant Secretary shall con-  
20 sider, at a minimum, the following recycling methods:

- 21 (1) Pyroprocessing.  
22 (2) Hydroprocessing.  
23 (3) Direct cathode recycling, relithiation, and  
24 upcycling.



1 **SEC. 3** [Log 75011]. **PILOT PROGRAM ON USE OF SUSTAIN-**  
2 **ABLE AVIATION FUEL.**

3 (a) **IN GENERAL.**—The Secretary of Defense shall  
4 conduct a pilot program at two or more geographically di-  
5 verse Department of Defense facilities for the use of sus-  
6 tainable aviation fuel. Such program shall be designed  
7 to—

8 (1) identify any logistical challenges with re-  
9 spect to the use of sustainable aviation fuel by the  
10 Department of Defense; and

11 (2) explore opportunities for collaboration with  
12 nearby commercial airports and sustainable aviation  
13 fuel refinery facilities to facilitate such use.

14 (b) **SELECTION OF FACILITIES.**—

15 (1) **SELECTION.**—Not later than one year after  
16 the date of the enactment of this Act, the Secretary  
17 of Defense shall select at least two geographically di-  
18 verse Department facilities at which to carry out the  
19 pilot program. At least one such facility shall be a  
20 facility with an onsite refinery that is located in  
21 proximity to at least one major commercial airport  
22 that is also actively seeking to increase the use of  
23 sustainable aviation fuel.

1           (2) NOTICE TO CONGRESS.—Upon the selection  
2 of each facility under paragraph (1), the Secretary  
3 shall submit to the Committee on Armed Services  
4 and the Committee on Transportation and Infra-  
5 structure of the House of Representatives notice of  
6 the selection, including an identification of the facil-  
7 ity selected.

8           (c) CERTIFICATION AND USE OF BLENDED SUSTAIN-  
9 ABLE AVIATION FUEL.—

10           (1) PLANS.—For each facility selected under  
11 subsection (b), not later than one year after the se-  
12 lection of the facility, the Secretary shall—

13           (A) develop a plan on how to implement,  
14 by September 30, 2028, a certification program  
15 under which aviation fuel must be certified as  
16 blended to contain at least 10 percent sustain-  
17 able aviation fuel as a requirement for use of  
18 the aviation fuel at the facility (in addition to  
19 any other fuel certification requirement of the  
20 Department of Defense or the Armed Forces);

21           (B) submit the plan to the Committee on  
22 Armed Services and the Committee on Trans-  
23 portation and Infrastructure of the House of  
24 Representatives; and

1 (C) provide to such Committees a briefing  
2 on the plan that includes, at a minimum—

3 (i) a description of any operational,  
4 infrastructure, or logistical requirements  
5 and recommendations for the blending,  
6 certification, and use of sustainable avia-  
7 tion fuel; and

8 (ii) a description of any stakeholder  
9 engagement in the development of the  
10 plan, including any consultations with  
11 nearby commercial airport owners or oper-  
12 ators.

13 (2) IMPLEMENTATION OF PLANS.—For each fa-  
14 cility selected under subsection (b), during the pe-  
15 riod beginning on a date that is not later than Sep-  
16 tember 30, 2028, and for five years thereafter, the  
17 Secretary shall require, in accordance with the re-  
18 spective plan developed under paragraph (1), the ex-  
19 clusive use at the facility of aviation fuel that has  
20 been certified as blended to contain at least 10 per-  
21 cent sustainable aviation fuel.

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

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

3           (2) Such fuel shall constitute drop-in fuel that  
4 meets all specifications and performance require-  
5 ments of the Department of Defense and the Armed  
6 Forces.

7           (e) WAIVER.—The Secretary may waive the require-  
8 ment for the exclusive use at the facility of aviation fuel  
9 that has been certified as blended to contain at least 10  
10 percent sustainable aviation fuel under the pilot program  
11 if the Secretary—

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

15           (2) submits to the congressional defense com-  
16 mittees notice of such waiver and the reasons for  
17 such waiver.

18           (f) FINAL REPORT.—At the conclusion of the pilot  
19 program, the Assistant Secretary of Defense for Energy,  
20 Installations, and Environment shall submit to the Com-  
21 mittee on Armed Services and the Committee on Trans-  
22 portation and Infrastructure of the House of Representa-  
23 tives a final report on the pilot program. Such report shall  
24 include each of the following:

1           (1) An assessment of the effect of using sus-  
2           tainable aviation fuel on the overall fuel costs of  
3           blended fuel.

4           (2) A description of any operational, infrastruc-  
5           ture, or logistical requirements and recommenda-  
6           tions for the blending, certification, and use of sus-  
7           tainable aviation fuel, with a focus on scaling up  
8           military-wide adoption of such fuel.

9           (3) Recommendations with respect to how mili-  
10          tary installations can leverage proximity to commer-  
11          cial airports and other jet fuel consumers to increase  
12          the rate of use of sustainable aviation fuel, for both  
13          military and non-military use, including potential  
14          collaboration on innovative financing or purchasing  
15          and shared supply chain infrastructure.

16          (4) A description of the effects on performance  
17          and operation aircraft using sustainable aviation fuel  
18          including—

19                (A) if used, considerations of various  
20                blending ratios and their associated benefits;

21                (B) efficiency and distance improvements  
22                of flights fuels using sustainable aviation fuel;

23                (C) weight savings on large transportation  
24                aircraft and other types of aircraft with using

1 blended fuel with higher concentrations of sus-  
2 tainable aviation fuel;

3 (D) maintenance benefits of using sustain-  
4 able aviation fuel, including engine longevity;

5 (E) the effect of the use of sustainable  
6 aviation fuel on emissions and air quality;

7 (F) the effect of the use of sustainable  
8 aviation fuel on the environment and on sur-  
9 rounding communities, including environmental  
10 justice factors that are created by the demand  
11 for and use of sustainable aviation fuel by the  
12 Department of Defense; and

13 (G) benefits with respect to job creation in  
14 the sustainable aviation fuel production and  
15 supply chain.

16 (g) SUSTAINABLE AVIATION FUEL DEFINED.—In  
17 this section, the term “sustainable aviation fuel” means  
18 liquid fuel that—

19 (1) consists of synthesized hydrocarbon;

20 (2) meets the requirements of—

21 (A) ASTM International Standard D7566  
22 (or such successor standard); or

23 (B) the co-processing provisions of ASTM  
24 International Standard D1655, Annex A1 (or  
25 such successor standard);

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

5           (4) is not derived from palm fatty acid dis-  
6           tillates; and

7           (5) conforms to the standards, recommended  
8           practices, requirements and criteria, supporting doc-  
9           uments, implementation elements, and any other  
10          technical guidance, for sustainable aviation fuels  
11          that are adopted by the International Civil Aviation  
12          Organization with the agreement of the United  
13          States.

1 **SEC. 3** [Log 75258]. **LIST OF CERTAIN PFAS USES**  
2 **DEEMED ESSENTIAL; BRIEFINGS ON DEPART-**  
3 **MENT OF DEFENSE PROCUREMENT OF CER-**  
4 **TAIN ITEMS CONTAINING PFOS OR PFOA.**

5 (a) LIST OF PFAS USES DEEMED ESSENTIAL.—Not  
6 later than June 1, 2023, the Secretary of Defense shall  
7 submit to the Committees on Armed Services of the House  
8 of Representatives and the Senate a list of each known  
9 use of per- or polyfluoroalkyl substances that the Sec-  
10 retary has deemed an essential use for which use of a re-  
11 placement substance is impossible or impracticable. For  
12 each use so listed, the Secretary shall—

- 13 (1) identify why the use is essential; and  
14 (2) provide a brief explanation as to why such  
15 replacement is impossible or impracticable, as the  
16 case may be.

17 (b) ANNUAL BRIEFINGS.—Not later than 270 days  
18 after the date of the enactment of this Act, and annually  
19 thereafter, the Secretary of Defense shall provide to the  
20 Committees on Armed Services of the House of Represent-  
21 atives and the Senate a briefing that includes a description  
22 of each of the following:

- 23 (1) Steps taken to identify covered items pro-  
24 cured by the Department of Defense that contain



1 perfluorooctane sulfonate (PFOS) or  
2 perfluorooctanoic acid (PFOA).

3 (2) Steps taken to identify products and ven-  
4 dors of covered items that do not contain PFOS or  
5 PFOA.

6 (3) Steps taken to limit the procurement by the  
7 Department of covered items that contain PFOS or  
8 PFOA.

9 (4) Steps the Secretary intends to take to limit  
10 the procurement of covered items that contain  
11 PFOS or PFOA.

12 (c) COVERED ITEM DEFINED.—In this section, the  
13 term “covered item” means—

14 (1) nonstick cookware or cooking utensils for  
15 use in galleys or dining facilities; and

16 (2) upholstered furniture, carpets, and rugs  
17 that have been treated with stain-resistant coatings.

1 **SEC. 3** [Log 75261]. **GUIDANCE AND TARGET DEADLINE**  
2 **RELATING TO FORMERLY USED DEFENSE**  
3 **SITES PROGRAMS.**

4 (a) **GUIDANCE RELATING TO SITE**  
5 **PRIORITIZATION.**—The Assistant Secretary of Defense for  
6 Energy, Installations, and Environment shall issue guid-  
7 ance setting forth how, in prioritizing sites for activities  
8 funded under the “Environmental Restoration Account,  
9 Formerly Used Defense Sites” account established under  
10 section 2703(a)(5) of title 10, United States Code, the As-  
11 sistant Secretary shall weigh the relative risk or other fac-  
12 tors between Installation Restoration Program sites and  
13 Military Munitions Response Program sites.

14 (b) **TARGET DEADLINE FOR MILITARY MUNITIONS**  
15 **RESPONSE PROGRAM.**—The Assistant Secretary of De-  
16 fense for Energy, Installations, and Environment shall es-  
17 tablish a target deadline for the completion of the cleanup  
18 of all Military Munitions Response Program sites.

1 **SEC. 3**      **[Log 74872]. FIVE-YEAR PLANS FOR IMPROVE-**  
2 **MENTS TO DEPOT AND AMMUNITION PRO-**  
3 **DUCTION FACILITY INFRASTRUCTURE.**

4 (a) FIVE-YEAR PLANS REQUIRED.—Concurrent with  
5 the submission to Congress of the budget of the President  
6 for each of fiscal years 2024, 2025, 2026, 2027, and 2028  
7 pursuant to section 1105(a) of title 31, United States  
8 Code, each Secretary of a military department shall sub-  
9 mit to the congressional defense committees a report con-  
10 taining a description of the plan of that Secretary to im-  
11 prove depot and ammunition production facility infra-  
12 structure during the five fiscal years following the fiscal  
13 year for which such budget is submitted, with the objective  
14 of ensuring that all covered facilities have the capacity and  
15 capability to support the readiness and material avail-  
16 ability goals of current and future weapon systems of the  
17 Department of Defense.

18 (b) ELEMENTS.—Each plan required pursuant to  
19 subsection (a) shall include, with respect to the depots and  
20 ammunition production facilities of the military depart-  
21 ment for which the plan is submitted, the following:

22 (1) A comprehensive review of the conditions  
23 and performance of each covered facility, including  
24 the following:

1 (A) An assessment of the current status of  
2 the following elements:

3 (i) Cost and schedule performance of  
4 the covered facility.

5 (ii) Material availability of weapon  
6 systems supported at the covered facility  
7 and the impact of the performance of the  
8 covered facility on that availability.

9 (iii) Work in progress and non-oper-  
10 ational items awaiting covered facility  
11 maintenance.

12 (iv) The condition of the covered facil-  
13 ity.

14 (v) The backlog of restoration and  
15 modernization projects at the covered facil-  
16 ity.

17 (vi) The condition of equipment at the  
18 covered facility.

19 (vii) The vulnerability of the covered  
20 facility to adverse environmental conditions  
21 and, if necessary, the investment required  
22 to withstand those conditions.

23 (B) With respect to the five-year period  
24 covered by the plan, an identification of the  
25 major lines of effort, milestones, and specific

1 goals over such period to address the elements  
2 specified in subparagraph (A) and a description  
3 of how such goals serve the long-term strategies  
4 of the Department of Defense relating to cov-  
5 ered facility improvement, including, as applica-  
6 ble, the strategy required under section 359 of  
7 the National Defense Authorization Act for Fis-  
8 cal Year 2020 (Public Law 116–92; 133 Stat.  
9 1323; 10 U.S.C. 2460 note).

10 (2) The estimated costs of necessary depot and  
11 ammunition production facility improvements and a  
12 description of how such costs would be addressed by  
13 the Department of Defense budget request sub-  
14 mitted during the same year as the plan and the ap-  
15 plicable future-years defense program.

16 (3) Information regarding the plan of the Sec-  
17 retary of the military department to initiate such en-  
18 vironmental and engineering studies as may be nec-  
19 essary to carry out planned depot and ammunition  
20 production facility improvements.

21 (4) Detailed information regarding how depot  
22 improvement projects and ammunition production  
23 facility improvement projects will be paced and  
24 sequenced to ensure continuous operations.

1           (c) INCORPORATION OF RESULTS-ORIENTED MAN-  
2   AGEMENT PRACTICES.—Each plan required pursuant to  
3   subsection (a) shall incorporate the leading results-ori-  
4   ented management practices identified in the report of the  
5   Comptroller General of the United States titled “Actions  
6   Needed to Improve Poor Conditions of Facilities and  
7   Equipment that Affect Maintenance Timeliness and Effi-  
8   ciency” (GAO–19–242), or any successor report, includ-  
9   ing—

- 10           (1) analytically based goals;  
11           (2) results-oriented metrics;  
12           (3) the identification of required resources,  
13   risks, and stakeholders; and  
14           (4) regular reporting on progress to decision-  
15   makers.

16           (d) DEFINITIONS.—In this section:

- 17           (1) The term “ammunition production facility”  
18   means an ammunition organic industrial base pro-  
19   duction facility.  
20           (2) The term “covered depot” has the meaning  
21   given that term in section 2476 of title 10, United  
22   States Code.  
23           (3) The term “covered facility” means a cov-  
24   ered depot or an ammunition production facility.

1 **SEC. 3**      **[Log 74877]. CONTINUATION OF REQUIREMENT**  
2 **FOR ANNUAL REPORT ON FUNDS EXPENDED**  
3 **FOR PERFORMANCE OF DEPOT-LEVEL MAIN-**  
4 **TENANCE AND REPAIR WORKLOADS.**

5 (a) **IN GENERAL.**—Section 1080(a) of the National  
6 Defense Authorization Act for Fiscal Year 2016 (Public  
7 Law 114–92; 129 Stat. 1000; 10 U.S.C. 111 note) does  
8 not apply to the report required to be submitted to Con-  
9 gress under section 2466(d) of title 10, United States  
10 Code.

11 (b) **CONFORMING REPEAL.**—Section 1061(c) of the  
12 National Defense Authorization Act for Fiscal Year 2017  
13 (Public Law 114–328; 130 Stat. 2401; 10 U.S.C. 111  
14 note) is amended by striking paragraph (46).

1 **SEC. 3**      **[Log 74878]. CONTINUATION OF REQUIREMENT**  
2 **FOR BIENNIAL REPORT ON CORE DEPOT-**  
3 **LEVEL MAINTENANCE AND REPAIR.**

4 (a) IN GENERAL.—Section 1080(a) of the National  
5 Defense Authorization Act for Fiscal Year 2016 (Public  
6 Law 114–92; 129 Stat. 1000; 10 U.S.C. 111 note) does  
7 not apply to the report required to be submitted to Con-  
8 gress under section 2464(d) of title 10, United States  
9 Code.

10 (b) CONFORMING REPEAL.—Section 1061(c) of the  
11 National Defense Authorization Act for Fiscal Year 2017  
12 (Public Law 114–328; 130 Stat. 2401; 10 U.S.C. 111  
13 note) is amended by striking paragraph (45).



1 **SEC. 3** [Log 74879]. **BUDGETING FOR DEPOT AND AMMU-**  
2 **NITION PRODUCTION FACILITY MAINTEN-**  
3 **NANCE AND REPAIR: ANNUAL REPORT.**

4 Chapter 9 of title 10, United States Code, is amended  
5 by adding at the end the following new section (and con-  
6 forming the table of sections at the beginning of such  
7 chapter accordingly):

8 **“§ 239d. Budgeting for depot and ammunition pro-**  
9 **duction facility maintenance and repair:**  
10 **annual report**

11 “(a) ANNUAL REPORT.—The Secretary of Defense,  
12 in coordination with the Secretaries of the military depart-  
13 ments, shall include with the defense budget materials for  
14 each fiscal year a report regarding the maintenance and  
15 repair of covered facilities.

16 “(b) ELEMENTS.—Each report required under sub-  
17 section (a) shall include, at a minimum, the following  
18 (disaggregated by military department):

19 “(1) With respect to each of the three fiscal  
20 years preceding the fiscal year covered by the de-  
21 fense budget materials with which the report is in-  
22 cluded, revenue data for that fiscal year for the  
23 maintenance, repair, and overhaul workload funded  
24 at all the depots of the military department.

1           “(2) With respect to the fiscal year covered by  
2           the defense budget materials with which the report  
3           is included and each of the two fiscal years prior, an  
4           identification of the following:

5                   “(A) The amount of appropriations budg-  
6                   eted for that fiscal year for depots, further  
7                   disaggregated by the type of appropriation.

8                   “(B) The amount budgeted for that fiscal  
9                   year for working-capital fund investments by  
10                  the Secretary of the military department for the  
11                  capital budgets of the covered depots of the  
12                  military department, shown in total and further  
13                  disaggregated by whether the investment relates  
14                  to the efficiency of depot facilities, work envi-  
15                  ronment, equipment, equipment (non-capital in-  
16                  vestment program), or processes.

17                  “(C) The total amount required to be in-  
18                  vested by the Secretary of the military depart-  
19                  ment for that fiscal year for the capital budgets  
20                  of covered depots pursuant to section 2476(a)  
21                  of this title.

22                  “(D) A comparison of the budgeted  
23                  amount identified under subparagraph (B) with  
24                  the total required amount identified under sub-  
25                  paragraph (C).

1           “(E) For each covered depot of the mili-  
2           tary department, of the total required amount  
3           identified under subparagraph (C), the percent-  
4           age of such amount allocated, or projected to be  
5           allocated, to the covered depot for that fiscal  
6           year.

7           “(3) For each covered facility of the military  
8           department, the following:

9           “(A) Information on the average facility  
10          condition, average critical facility condition, res-  
11          toration and maintenance project backlog, and  
12          average equipment age, including a description  
13          of any changes in such metrics from previous  
14          years.

15          “(B) Information on the status of the im-  
16          plementation at the covered facility of the plans  
17          and strategies of the Department of Defense re-  
18          lating to covered facility improvement, includ-  
19          ing, as applicable, the implementation of the  
20          strategy required under section 359 of the Na-  
21          tional Defense Authorization Act for Fiscal  
22          Year 2020 (Public Law 116–92; 133 Stat.  
23          1323; 10 U.S.C. 2460 note).

24          “(c) DEFINITIONS.—In this section:

1           “(1) The term ‘ammunition production facility’  
2 means an ammunition organic industrial base pro-  
3 duction facility.

4           “(2) The terms ‘budget’ and ‘defense budget  
5 materials’ have the meaning given those terms in  
6 section 234 of this title.

7           “(3) The term ‘covered depot’ has the meaning  
8 given that term in section 2476 of this title.

9           “(4) The term ‘covered facility’ means a cov-  
10 ered depot or an ammunition production facility.”.

1 **SEC. 3**      **[Log 74882]. ANNUAL PLAN FOR MAINTENANCE**  
2 **AND MODERNIZATION OF NAVAL VESSELS.**

3 (a) ANNUAL PLAN.—Section 231 of title 10, United  
4 States Code, is amended—

5 (1) in the heading, by inserting “, **mainte-**  
6 **nance, and modernization**” after “**con-**  
7 **struction**”;

8 (2) by redesignating subsections (d) through (f)  
9 as subsections (e) through (g), respectively;

10 (3) by inserting after subsection (c) the fol-  
11 lowing new subsection:

12 “(d) ANNUAL PLAN FOR MAINTENANCE AND MOD-  
13 ERNIZATION OF NAVAL VESSELS.—In addition to the plan  
14 included under subsection (a)(1), the Secretary of Defense  
15 shall include with the defense budget materials for a fiscal  
16 year each of the following:

17 “(1) A plan for the maintenance and mod-  
18 ernization of naval vessels that includes the fol-  
19 lowing:

20 “(A) A forecast of the maintenance and  
21 modernization requirements for both the naval  
22 vessels in the inventory of the Navy and the  
23 vessels required to be delivered under the naval

1 vessel construction plan under subsection  
2 (a)(1).

3 “(B) A description of the initiatives of the  
4 Secretary of the Navy to ensure that activities  
5 key to facilitating the maintenance and mod-  
6 ernization of naval vessels (including with re-  
7 spect to increasing workforce and industrial  
8 base capability and capacity, shipyard level-  
9 loading, and facility improvements) receive suf-  
10 ficient resourcing, and are including in appro-  
11 priate planning, to facilitate the requirements  
12 specified in subparagraph (A).

13 “(2) A certification by the Secretary that both  
14 the budget for that fiscal year and the future-years  
15 defense program submitted to Congress in relation  
16 to such budget under section 221 of this title pro-  
17 vide for funding for the maintenance and moderniza-  
18 tion of naval vessels at a level that is sufficient for  
19 such maintenance and modernization in accordance  
20 with the plan under paragraph (1).”; and

21 (4) in subsection (f), as redesignated by para-  
22 graph (2), by inserting “ and the plan and certifi-  
23 cation under subsection (d)” after “subsection (a)”.

24 (b) CLERICAL AMENDMENT.—The table of sections  
25 at the beginning of chapter 9 of title 10, United States

- 1 Code, is amended by striking the item relating to section
- 2 231 and inserting the following new item:

“231. Budgeting for construction, maintenance, and modernization of naval vessels: annual plan and certification.”.

1 **SEC. 3** \_\_\_ **[Log 74966]. CLARIFICATION OF CALCULATION**  
2 **FOR CERTAIN WORKLOAD CARRYOVER OF**  
3 **DEPARTMENT OF ARMY.**

4 For purposes of calculating the amount of workload  
5 carryover with respect to the depots and arsenals of the  
6 Department of the Army, the Secretary of Defense shall  
7 authorize the Secretary of the Army to use a calculation  
8 for such carryover that applies a material end of period  
9 exclusion.



1 **SEC. 3**      **[Log 75550]. MODIFICATION TO MINIMUM CAP-**  
2 **ITAL INVESTMENT FOR CERTAIN DEPOTS.**

3 (a) MODIFICATION.—Section 2476 of title 10, United  
4 States Code, is amended—

5 (1) in subsection (a)—

6 (A) by striking “six” and inserting  
7 “eight”; and

8 (B) by adding at the end the following new  
9 sentence: “Of such total amount required to be  
10 invested, an amount equal to not less than two  
11 percent of such average total for the preceding  
12 three fiscal years shall be invested from funds  
13 authorized for Facilities Sustainment, Restora-  
14 tion, and Modernization activities of the mili-  
15 tary department.”; and

16 (2) in subsection (b), by inserting “ including  
17 through the rebuilding of property following the end  
18 of the economic useful life of the property and the  
19 restoration of property or equipment to like-new con-  
20 dition,” after “operations,”;

21 (3) by redesignating subsections (e) through (e)  
22 as subsections (d) through (f); and

23 (4) by inserting after subsection (b) the fol-  
24 lowing new subsection:

1       “(c) COMPLIANCE WITH CERTAIN REQUIRE-  
2 MENTS.—In identifying amounts to invest pursuant to the  
3 requirement under subsection (a), the Secretary of a mili-  
4 tary department shall comply with all applicable require-  
5 ments of sections 129 and 129a of this title.”.

6       (b) CONFORMING AMENDMENT.—Section 2861(b) of  
7 such title is amended by striking “subsection (e) of section  
8 2476” and inserting “subsection (f) of section 2476”.

9       (c) APPLICABILITY.—The amendments made by sub-  
10 section (a) shall apply with respect to fiscal years begin-  
11 ning on or after October 1, 2023.

1 **SEC. 3**      **[Log 74881]. ANNUAL REPORTS BY DEPUTY SEC-**  
2 **RETARY OF DEFENSE ON ACTIVITIES OF**  
3 **JOINT SAFETY COUNCIL.**

4 Section 184(k) of title 10, United States Code is  
5 amended—

6 (1) by striking “REPORT.—The Chair” and in-  
7 serting “REPORTS.—(1) The Chair”; and

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

10 “(2) Not later than December 31, 2022, and on an  
11 annual basis thereafter, the Deputy Secretary of Defense  
12 shall submit to the congressional defense committees a re-  
13 port containing—

14 “(A) a summary of the goals and priorities of  
15 the Deputy Secretary for the year following the date  
16 of the submission of the report with respect to the  
17 activities of the Council; and

18 “(B) an assessment by the Deputy Secretary of  
19 the activities of the Council carried out during the  
20 year preceding the date of such submission.”.

1 **SEC. 3**      **[Log 75101]. BUDGET INFORMATION FOR ALTER-**  
2 **NATIVES TO BURN PITS.**

3       The Secretary of Defense shall include in the budget  
4 materials submitted to Congress in support of the Depart-  
5 ment of Defense budget for fiscal year 2024 (as submitted  
6 with the budget of the President for such fiscal year under  
7 section 1105(a) of title 31, United States Code) a dedi-  
8 cated budget line item for incinerators and waste-to-en-  
9 ergy waste disposal alternatives to burn pits.

1 **SEC. 3** [Log 75551]. **ESTABLISHMENT OF ARMY AND AIR**  
2 **FORCE SAFETY COMMANDS; IMPLEMENTA-**  
3 **TION OF ACCIDENT INVESTIGATION REC-**  
4 **COMMENDATIONS.**

5 (a) SAFETY COMMANDS.—

6 (1) ARMY SAFETY COMMAND.—

7 (A) ESTABLISHMENT.—Not later than 180  
8 days after the date of the enactment of this  
9 Act, the Secretary of the Army shall establish  
10 within the Department of the Army an “Army  
11 Safety Command”.

12 (B) COMMANDER.—There is a Commander  
13 of the Army Safety Command. The Commander  
14 shall be selected by the Secretary of the Army  
15 from among the general officers of the Army  
16 who hold a rank of major general or higher.

17 (C) DUTIES.—The duties of the Army  
18 Safety Command shall include, with respect to  
19 the Army, the formulation of safety policy, the  
20 development of risk management strategies, the  
21 monitoring of risk adjudication processes, the  
22 provision of safety-related training, and such  
23 other duties as the Secretary of the Army may  
24 determine appropriate.

1 (2) AIR FORCE SAFETY COMMAND.—

2 (A) ESTABLISHMENT.—Not later than 180  
3 days after the date of the enactment of this  
4 Act, the Secretary of the Air Force shall estab-  
5 lish within the Department of the Air Force an  
6 “Air Force Safety Command”.

7 (B) COMMANDER.—There is a Commander  
8 of the Air Force Safety Command. The Com-  
9 mander shall be selected by the Secretary of the  
10 Air Force from among the general officers of  
11 the Air Force who hold a rank of major general  
12 or higher.

13 (C) DUTIES.—The duties of the Air Force  
14 Safety Command shall include, with respect to  
15 the Air Force, the formulation of safety policy,  
16 the development of risk management strategies,  
17 the monitoring of risk adjudication processes,  
18 the provision of safety-related training, and  
19 such other duties as the Secretary of the Air  
20 Force may determine appropriate.

21 (3) TRANSFER OF PREEXISTING ORGANIZA-  
22 TIONAL ELEMENTS.—As of the date on which the  
23 Safety Command of a military department is estab-  
24 lished under this subsection, any element of that  
25 military department responsible for the duties of

1 such Safety Command as of the day before the date  
2 of such establishment (including the duties, respon-  
3 sibilities, and personnel of any such element) shall  
4 be transferred to such Safety Command.

5 (4) BRIEFINGS.—Not later than 90 days after  
6 the date on which the Safety Command of a military  
7 department is established under this subsection, the  
8 Secretary of that military department shall provide  
9 to the congressional defense committees a briefing  
10 on the duties, assigned personnel, key lines of effort,  
11 and organizational structure of such Safety Com-  
12 mand.

13 (b) IMPLEMENTATION OF ACCIDENT INVESTIGATION  
14 RECOMMENDATION.—

15 (1) ESTABLISHMENT OF RESPONSIBLE ENTI-  
16 TIES.—

17 (A) ARMY.—Not later than 180 days of  
18 enactment of this Act, the Secretary of the  
19 Army shall establish within the Department of  
20 the Army an entity the primary responsibility of  
21 which is to ensure the implementation across  
22 the Army of recommended actions arising from  
23 accident investigations conducted by the De-  
24 partment of Defense.

1           (B) AIR FORCE.—Not later than 180 days  
2           of enactment of this Act, the Secretary of the  
3           Air Force shall establish within the Department  
4           of the Air Force an entity the primary responsi-  
5           bility of which is to ensure the implementation  
6           across the Air Force of recommended actions  
7           arising from accident investigations conducted  
8           by the Department of Defense.

9           (2) BRIEFINGS.—Not later than 90 days after  
10          the date on which the Secretary of a military depart-  
11          ment establishes a responsible entity under para-  
12          graph (1), that Secretary shall provide to the con-  
13          gressional defense committees a briefing on the du-  
14          ties, assigned personnel, key lines of effort, and or-  
15          ganizational structure of such entity.



1 **SEC. 3** [Log 75418]. **PILOT PROGRAM FOR TACTICAL VE-**  
2 **HICLE SAFETY DATA COLLECTION.**

3 (a) **IN GENERAL.**—Not later than one year after the  
4 date of the enactment of this Act, the Secretary of the  
5 Army and the Secretary of the Navy shall jointly carry  
6 out a pilot program to evaluate the feasibility of using  
7 data recorders to monitor, assess, and improve the readi-  
8 ness and safety of the operation of military tactical vehi-  
9 cles (in this section referred to as the “pilot program”).

10 (b) **PURPOSES.**—The purposes of the pilot program  
11 are—

12 (1) to allow for the automated identification of  
13 hazards and potential hazards on and off military  
14 installations;

15 (2) to mitigate and increase awareness of haz-  
16 ards and potential hazards on and off military in-  
17 stallations;

18 (3) to identify near-miss accidents;

19 (4) to create a standardized record source for  
20 accident investigations;

21 (5) to assess individual driver proficiency, risk,  
22 and readiness;

1           (6) to increase consistency in the implementa-  
2           tion of military installation and unit-level range safe-  
3           ty programs across military installations and units;

4           (7) to evaluate the feasibility of incorporating  
5           metrics generated from data recorders into the safe-  
6           ty reporting systems and to the Defense Readiness  
7           Reporting System as a measure of assessing safety  
8           risks, mitigations, and readiness;

9           (8) to determine the costs and benefits of retro-  
10          fitting data recorders on legacy platforms and in-  
11          cluding data recorders as a requirement in acquisi-  
12          tion of military tactical vehicles; and

13          (9) any other matters as determined by the  
14          Secretary concerned.

15          (c) REQUIREMENTS.—In carrying out the pilot pro-  
16          gram, the Secretary of the Army and the Secretary of the  
17          Navy shall—

18               (1) assess the feasibility of using commercial  
19               technology, such as smartphones or technologies  
20               used by insurance companies, as a data recorder;

21               (2) test and evaluate a minimum of two data  
22               recorders that meet the pilot program requirements;

23               (3) select a data recorder capable of collecting  
24               and exporting the telemetry data, event data, and  
25               driver identification during operation and accidents;

1           (4) install and maintain a data recorder on a  
2           sufficient number of each of the military tactical ve-  
3           hicles listed under subsection (f) at installations se-  
4           lected by the Secretary concerned under subsection  
5           (e) for statistically significant results;

6           (5) establish and maintain a database that con-  
7           tains telemetry data, driver data, and event data  
8           captured by the data recorder;

9           (6) regularly generate for each installation se-  
10          lected under subsection (e) a dataset that is viewable  
11          in widely available mapping software of hazards and  
12          potential hazards based on telemetry data and event  
13          data captured by the data recorders;

14          (7) generate actionable data sets and statistics  
15          on individual, vehicle, and military installation;

16          (8) require commanders at the installations se-  
17          lected under subsection (e) to incorporate the action-  
18          able data sets and statistics into the installation  
19          range safety program;

20          (9) require unit commanders at the installations  
21          selected under subsection (e) to incorporate the ac-  
22          tionable data sets and statistics into the unit driver  
23          safety program;

24          (10) evaluate the feasibility of integrating data  
25          sets and statistics to improve driver certification and

1       licensing based on data recorded and generated by  
2       the data recorders;

3           (11) use open architecture to the maximum ex-  
4       tent practicable; and

5           (12) carry out any other activities determined  
6       by the Secretary as necessary to meet the purposes  
7       under subsection (b).

8       (d) IMPLEMENTATION PLAN.—Not later than 180  
9       days after the date of the enactment of this Act, the Sec-  
10      retary of the Army and the Secretary of the Navy shall  
11      develop a plan for implementing the pilot program.

12      (e) LOCATIONS.—Each Secretary concerned shall  
13      carry out the pilot program at not fewer than one military  
14      installation in the United States selected by the Secretary  
15      concerned that meets the following conditions:

16           (1) Contains the necessary force structure,  
17      equipment, and maneuver training ranges to collect  
18      driver and military tactical vehicle data during train-  
19      ing and routine operation.

20           (2) Represents at a minimum one of the five  
21      training ranges identified in the study by the Comp-  
22      troller General of the United States titled “Army  
23      and Marine Corps Should Take Additional Actions  
24      to Mitigate and Prevent Training Accidents” that

1 did not track unit location during the training  
2 events.

3 (f) COVERED MILITARY TACTICAL VEHICLES.—The  
4 pilot program shall cover the following military tactical ve-  
5 hicles:

6 (1) Army Strykers.

7 (2) Marine Corps Light Armored Vehicles.

8 (3) Army Family of Medium Tactical Vehicles.

9 (4) Marine Corps Medium Tactical Vehicle Re-  
10 placements.

11 (5) Army and Marine Corps High Mobility Mul-  
12 tipurpose Wheeled Vehicles.

13 (6) Army and Marine Corps Joint Light Tac-  
14 tical Vehicles.

15 (7) Army and United States Special Operations  
16 Command Ground Mobility Vehicles.

17 (8) Army Infantry Squad Vehicles.

18 (g) METRICS.—The Secretaries shall develop metrics  
19 to evaluate the effectiveness of the pilot program in moni-  
20 toring, assessing, and improving vehicle safety, driver  
21 readiness, and mitigation of risk.

22 (h) REPORTS.—

23 (1) INITIAL.—Not later than 180 days after the  
24 date of the enactment of this Act, the Secretary of  
25 the Army and the Secretary of the Navy shall jointly

1 submit to the congressional defense committees a re-  
2 port on the pilot program that addresses the plan  
3 for implementing the requirements under subsection  
4 (c), including the established metrics under sub-  
5 section (g).

6 (2) INTERIM.—Not later than three years after  
7 the commencement of the pilot program, the Sec-  
8 retary of the Army and the Secretary of the Navy  
9 shall jointly submit to the congressional defense  
10 committees a report on the status of the pilot pro-  
11 gram, including the preliminary results in carrying  
12 out the pilot program, the metrics generated during  
13 the pilot program, disaggregated by military tactical  
14 vehicle, location, and service, and the implementa-  
15 tion plan under subsection (d).

16 (3) FINAL.—

17 (A) IN GENERAL.—Not later than 90 days  
18 after the termination of the pilot program, the  
19 Secretary of the Army and the Secretary of the  
20 Navy shall jointly submit to the congressional  
21 defense committees a report on the results of  
22 the program.

23 (B) ELEMENTS.—The report required by  
24 subparagraph (A) shall—

1 (i) assess the effectiveness of the pilot  
2 program in meeting the purposes under  
3 subsection (b);

4 (ii) include the metrics generated dur-  
5 ing the pilot program, disaggregated by  
6 military tactical vehicle, location, and serv-  
7 ice;

8 (iii) include the views of range per-  
9 sonnel, unit commanders, and tactical vehi-  
10 cle operators involved in the pilot program  
11 on the level of effectiveness of the tech-  
12 nology selected;

13 (iv) provide a cost estimate for equip-  
14 ping legacy military tactical vehicles with  
15 data recorders;

16 (v) determine the instances in which  
17 data recorders should be a requirement in  
18 the acquisition of military tactical vehicles;

19 (vi) recommend whether the pilot pro-  
20 gram should be expanded or made into a  
21 program of record; and

22 (vii) recommend any statutory, regu-  
23 latory, or policy changes required to sup-  
24 port the purposes under subsection (b).

1 (i) TERMINATION.—The authority to carry out the  
2 pilot program under subsection (a) shall terminate five  
3 years after the date of the enactment of this Act.

4 (j) DEFINITIONS.—In this section:

5 (1) The term “accident” means a collision, roll-  
6 over, or other mishap involving a motor vehicle.

7 (2) The term “data recorder” means tech-  
8 nologies installed in a motor vehicle to record driver  
9 identification, telemetry data, and event data related  
10 to the operation of the motor vehicle.

11 (3) The term “driver identification” means data  
12 enabling the unique identification of the driver oper-  
13 ating a motor vehicle.

14 (4) The term “event data” includes data related  
15 to—

16 (A) the start and conclusion of each vehicle  
17 operation;

18 (B) a vehicle accident;

19 (C) a vehicle acceleration, velocity, or loca-  
20 tion with an increased potential for an accident;  
21 or

22 (D) a vehicle orientation with an increased  
23 potential for an accident.

24 (5) The term “Secretary concerned” means—



1 (A) the Secretary of the Army with respect  
2 to matters concerning the Army; and

3 (B) the Secretary of the Navy with respect  
4 to matters concerning the Navy and Marine  
5 Corps.

6 (6) The term “tactical vehicle” means a motor  
7 vehicle designed to military specification, or a com-  
8 mercial design motor vehicle modified to military  
9 specification, to provide direct transportation sup-  
10 port of combat or tactical operations, or for the  
11 training of personnel for such operations

12 (7) The term “telemetry data” includes—

13 (A) time;

14 (B) vehicle distance traveled;

15 (C) vehicle acceleration and velocity;

16 (D) vehicle orientation, including roll,  
17 pitch, and yaw; and

18 (E) vehicle location in a geographic coordi-  
19 nate system, including elevation.

1 **SEC. 10** [Log 74815]. **DEPARTMENT OF DEFENSE DELAYS**  
2 **IN PROVIDING COMMENTS ON GOVERNMENT**  
3 **ACCOUNTABILITY OFFICE REPORTS.**

4 (a) **REPORTS REQUIRED.**—Not later than 180 days  
5 after the date of the enactment of this Act, and once every  
6 180 days thereafter until the date that is 2 years after  
7 the date of the enactment of this Act, the Comptroller  
8 General of the United States shall submit to the congres-  
9 sional defense committees a report on the extent to which  
10 the Department of Defense provided comments and sensi-  
11 tivity and security reviews (for drafts tentatively identified  
12 as containing controlled unclassified information or classi-  
13 fied information) in a timely manner and in accordance  
14 with the protocols of the Government Accountability Office  
15 during the 180-day period preceding the date of the sub-  
16 mittal of the report.

17 (b) **REQUIREMENTS FOR GAO REPORT.**—Each re-  
18 port under subsection (a) shall include the following infor-  
19 mation for the period covered by the report:

20 (1) The number of draft Government Account-  
21 ability Office reports for which the Government Ac-  
22 countability Office requested comments from the De-  
23 partment of Defense, including an identification of  
24 the reports for which a sensitivity or security review

1 was requested (separated by reports potentially con-  
2 taining only controlled unclassified information and  
3 reports potentially containing classified information)  
4 and the reports for which such a review was not re-  
5 quested.

6 (2) The median and average number of days  
7 between the date of the request for Department of  
8 Defense comments and the receipt of such com-  
9 ments.

10 (3) The average number of days between the  
11 date of the request for a Department of Defense  
12 sensitivity or security review and the receipt of the  
13 results of such review.

14 (4) In the case of any such draft report for  
15 which the Department of Defense failed to provide  
16 such comments or review within 30 days of the re-  
17 quest for such comments or review—

18 (A) the number of days between the date  
19 of the request and the receipt of such comments  
20 or review; and

21 (B) a unique identifier, for purposes of  
22 identifying the draft report.

23 (5) In the case of any such draft report for  
24 which the Government Accountability Office pro-  
25 vided an extension to the Department of Defense—

1 (A) whether the Department provided the  
2 comments or review within the time period of  
3 the extension; and

4 (B) a unique identifier, for purposes of  
5 identifying the draft report.

6 (6) Any other information the Comptroller Gen-  
7 eral determines appropriate.

8 (c) DOD RESPONSES.—Not later than 30 days after  
9 the Comptroller General submits a report under sub-  
10 section (a), the Secretary of Defense shall submit to the  
11 congressional defense committees a response to such re-  
12 port that includes each of the following:

13 (1) An identification of factors that contributed  
14 to any delays identified in the report with respect to  
15 Department of Defense comments and sensitivity or  
16 security reviews requested by the Government Ac-  
17 countability Office.

18 (2) A description of any actions the Depart-  
19 ment of Defense has taken or plans to take to ad-  
20 dress such factors.

21 (3) A description of any improvements the De-  
22 partment has made in the ability to track timeliness  
23 in providing such comments and sensitivity or secu-  
24 rity reviews.

1           (4) Any other information the Secretary deter-  
2           mines relevant to the information contained in the  
3           report submitted by the Comptroller General.

1 **SEC. 10** [Log 75491]. **SECURITY CLEARANCES FOR RE-**  
2 **CENTLY SEPARATED MEMBERS OF THE**  
3 **ARMED FORCES AND CIVILIAN EMPLOYEES**  
4 **OF THE DEPARTMENT OF DEFENSE.**

5 (a) IMPROVEMENTS.—

6 (1) IN GENERAL.—Except as provided in sub-  
7 section (b), beginning on the date on which a cov-  
8 ered individual separates from the Armed Forces or  
9 the Department of Defense (as the case may be), if  
10 the Secretary of Defense determines that the covered  
11 individual held a security clearance immediately  
12 prior to such separation and requires a security  
13 clearance of an equal or lower level for employment  
14 as a covered contractor, the Secretary shall—

15 (A) during the one-year period following  
16 such date, treat the previously held security  
17 clearance as an active security clearance for  
18 purposes of such employment; and

19 (B) during the two-year period following  
20 the conclusion of the period specified in sub-  
21 paragraph (A), ensure that the adjudication of  
22 any request submitted by the covered employee  
23 for the reactivation of the previously held secu-  
24 rity clearance for purposes of such employment

1 is completed by not later than 180 days after  
2 the date of such submission.

3 (2) COAST GUARD.—In the case of a member of  
4 the Armed Forces who is a member of the Coast  
5 Guard, the Secretary of Defense shall carry out  
6 paragraph (1) in consultation with the Secretary of  
7 the Department in which the Coast Guard is oper-  
8 ating.

9 (b) EXCEPTIONS.—

10 (1) IN GENERAL.—Subsection (a) shall not  
11 apply with respect to a covered individual—

12 (A) whose previously held security clear-  
13 ance is, or was as of the date of separation of  
14 the covered individual, under review as a result  
15 of one or more potentially disqualifying factors  
16 or conditions that have not been fully inves-  
17 tigated or mitigated; or

18 (B) in the case of a member of the Armed  
19 Forces, who separated from the Armed Forces  
20 under other than honorable conditions.

21 (2) CLARIFICATION OF REVIEW EXCEPTION.—

22 The exception specified in paragraph (1)(A) shall  
23 not apply with respect to a routine periodic reinves-  
24 tigation or a continuous vetting investigation in

1       which no potentially disqualifying factors or condi-  
2       tions have been found.

3       (c) DEFINITIONS.—In this section:

4           (1) The term “covered contractor” means an  
5       individual who is employed by an entity that carries  
6       out work under a contract with the Department of  
7       Defense or an element of the intelligence community.

8           (2) The term “covered individual” means a  
9       former member of the Armed Forces or a former ci-  
10      vilian employee of the Department of Defense.

11          (3) The term “intelligence community” has the  
12      meaning given that term in section 3 of the National  
13      Security Act of 1947 (50 U.S.C. 3003).



1 **SEC. 11\_\_\_ . [LOG 75286] STANDARDIZED CREDENTIALS**  
2 **FOR LAW ENFORCEMENT OFFICERS OF THE**  
3 **DEPARTMENT OF DEFENSE.**

4 (a) STANDARDIZED CREDENTIALS REQUIRED.—Not  
5 later than 180 days after the date of the enactment of  
6 this Act, the Secretary of Defense shall—

7 (1) develop a standardized identification creden-  
8 tial for Defense law enforcement officers;

9 (2) issue such credential to each such officer at  
10 no cost to such officer; and

11 (3) ensure that any Department of Defense  
12 common access card issued to such an officer clearly  
13 identifies the officer as a Defense law enforcement  
14 officer.

15 (b) DEFENSE LAW ENFORCEMENT OFFICER DE-  
16 FINED.—In this section, the term “Defense law enforce-  
17 ment officer” means a member of the Armed Forces or  
18 civilian employee of the Department of Defense who—

19 (1) is authorized by law to engage in or super-  
20 vise the prevention, detection, investigation, or pros-  
21 ecution of, or the incarceration of any person for,  
22 any violation of law;

23 (2) has statutory powers of arrest or apprehen-  
24 sion under section 807(b) of title 10, United States

1 Code (article 7(b) of the Uniform Code of Military  
2 Justice); and  
3 (3) is authorized by the Department to carry a  
4 firearm.

1 **SEC. 11\_\_\_\_ [Log 75329]. ONE-YEAR EXTENSION OF AUTHOR-**  
2 **ITY TO WAIVE ANNUAL LIMITATION ON PRE-**  
3 **MIUM PAY AND AGGREGATE LIMITATION ON**  
4 **PAY FOR FEDERAL CIVILIAN EMPLOYEES**  
5 **WORKING OVERSEAS.**

6 Subsection (a) of section 1101 of the Duncan Hunter  
7 National Defense Authorization Act for Fiscal Year 2009  
8 (Public Law 110–417; 122 Stat. 4615), as most recently  
9 amended by section 1112 of the National Defense Author-  
10 ization Act for Fiscal Year 2022 (Public Law 117–81),  
11 is further amended by striking “through 2022” and in-  
12 serting “through 2023”.

1 **SEC. 11\_\_\_ [Log 75330]. ONE-YEAR EXTENSION OF TEM-**  
2 **PORARY AUTHORITY TO GRANT ALLOW-**  
3 **ANCES, BENEFITS, AND GRATUITIES TO CI-**  
4 **VILIAN PERSONNEL ON OFFICIAL DUTY IN A**  
5 **COMBAT ZONE.**

6 Paragraph (2) of section 1603(a) of the Emergency  
7 Supplemental Appropriations Act for Defense, the Global  
8 War on Terror, and Hurricane Recovery, 2006 (Public  
9 Law 109–234; 120 Stat. 443), as added by section 1102  
10 of the Duncan Hunter National Defense Authorization  
11 Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat.  
12 4616) and as most recently amended by section 1114 of  
13 the National Defense Authorization Act for Fiscal Year  
14 2022 (Public Law 117–81), is further amended by strik-  
15 ing “2023” and inserting “2024”.

1 **SEC. 2001 [Log74744]. SHORT TITLE.**

2       This division and title XLVI of division D may be  
3 cited as the “Military Construction Authorization Act for  
4 Fiscal Year 2023”.

1 **SEC. 2002 [Log74745]. EXPIRATION OF AUTHORIZATIONS**  
2 **AND AMOUNTS REQUIRED TO BE SPECIFIED**  
3 **BY LAW.**

4 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE  
5 YEARS.—Except as provided in subsection (b), all author-  
6 izations contained in titles XXI through XXVII for mili-  
7 tary construction projects, land acquisition, family housing  
8 projects and facilities, and contributions to the North At-  
9 lantic Treaty Organization Security Investment Program  
10 (and authorizations of appropriations therefor) shall ex-  
11 pire on the later of—

12 (1) October 1, 2025; or

13 (2) the date of the enactment of an Act author-  
14 izing funds for military construction for fiscal year  
15 2026.

16 (b) EXCEPTION.—Subsection (a) shall not apply to  
17 authorizations for military construction projects, land ac-  
18 quisition, family housing projects and facilities, and con-  
19 tributions to the North Atlantic Treaty Organization Se-  
20 curity Investment Program (and authorizations of appro-  
21 priations therefor), for which appropriated funds have  
22 been obligated before the later of—

23 (1) October 1, 2025; or

1           (2) the date of the enactment of an Act author-  
2           izing funds for fiscal year 2026 for military con-  
3           struction projects, land acquisition, family housing  
4           projects and facilities, or contributions to the North  
5           Atlantic Treaty Organization Security Investment  
6           Program.

1 **SEC. 2003 [Log74746]. EFFECTIVE DATE AND AUTOMATIC**  
2 **EXECUTION OF CONFORMING CHANGES TO**  
3 **TABLES OF SECTIONS, TABLES OF CONTENTS,**  
4 **AND SIMILAR TABULAR ENTRIES.**

5 (a) EFFECTIVE DATE.—Titles XXI through XXVII  
6 shall take effect on the later of—

7 (1) October 1, 2022; or

8 (2) the date of the enactment of this Act.

9 (b) ELIMINATION OF NEED FOR CERTAIN SEPARATE  
10 CONFORMING AMENDMENTS.—

11 (1) AUTOMATIC EXECUTION OF CONFORMING  
12 CHANGES.—When an amendment made by a provi-  
13 sion of this division to a covered defense law adds  
14 a section or larger organizational unit to the covered  
15 defense law, repeals or transfers a section or larger  
16 organizational unit in the covered defense law, or  
17 amends the designation or heading of a section or  
18 larger organizational unit in the covered defense law,  
19 that amendment also shall have the effect of amend-  
20 ing any table of sections, table of contents, or simi-  
21 lar table of tabular entries in the covered defense  
22 law to alter the table to conform to the changes  
23 made by the amendment.



1           (2) EXCEPTIONS.—Paragraph (1) shall not  
2           apply to an amendment described in such paragraph  
3           when—

4                   (A) the amendment, or a separate clerical  
5                   amendment enacted at the same time as the  
6                   amendment, expressly amends a table of sec-  
7                   tions, table of contents, or similar table of tab-  
8                   ular entries in the covered defense law to alter  
9                   the table to conform to the changes made by  
10                  the amendment; or

11                   (B) the amendment otherwise expressly ex-  
12                  empts itself from the operation of this section.

13           (3) COVERED DEFENSE LAW.—In this sub-  
14           section, the term “covered defense law” means—

15                   (A) titles 10, 32, and 37 of the United  
16                  States Code;

17                   (B) any national defense authorization Act  
18                  or military construction authorization Act that  
19                  authorizes funds to be appropriated for a fiscal  
20                  year to the Department of Defense; and

21                   (C) any other law designated in the text  
22                  thereof as a covered defense law for purposes of  
23                  application of this section.

1 **SEC. 2101 [Log74749]. AUTHORIZED ARMY CONSTRUCTION**  
 2 **AND LAND ACQUISITION PROJECTS.**

3 (a) **INSIDE THE UNITED STATES.**—Using amounts  
 4 appropriated pursuant to the authorization of appropria-  
 5 tions in section 2103(a) and available for military con-  
 6 struction projects inside the United States as specified in  
 7 the funding table in section 4601, the Secretary of the  
 8 Army may acquire real property and carry out military  
 9 construction projects for the installations or locations in-  
 10 side the United States, and in the amounts, set forth in  
 11 the following table:

**Army: Inside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Colorado .....	Fort Carson .....	\$14,200,000
Louisiana .....	Fort Polk .....	\$32,000,000
North Carolina .....	Fort Bragg .....	\$34,000,000
New Jersey .....	Picatinny Arsenal .....	\$3,654,000
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

12 (b) **OUTSIDE THE UNITED STATES.**—Using amounts  
 13 appropriated pursuant to the authorization of appropria-  
 14 tions in section 2103(a) and available for military con-  
 15 struction projects outside the United States as specified  
 16 in the funding table in section 4601, the Secretary of the  
 17 Army may acquire real property and carry out military  
 18 construction projects for the installations outside the

- 1 United States, and in the amounts, set forth in the fol-
- 2 lowing table:

**Army: Outside the United States**

State	Installation	Amount
Germany .....	East Camp Grafenwoehr .....	\$168,000,000
Kwajalein .....	Kwajalein Atoll .....	\$69,000,000

1 **SEC. 2102 [Log 74750]. FAMILY HOUSING.**

2 (a) CONSTRUCTION AND ACQUISITION.—Using  
 3 amounts appropriated pursuant to the authorization of ap-  
 4 propriations in section 2103(a) and available for military  
 5 family housing functions as specified in the funding table  
 6 in section 4601, the Secretary of the Army may construct  
 7 or acquire family housing units (including land acquisition  
 8 and supporting facilities) at the installation, in the num-  
 9 ber of units or for the purpose, and in the amount set  
 10 forth in the following table:

**Army: Family Housing**

Country	Installation or Location	Units	Amount
Germany .....	Baumholder .....	Family Housing New Construc- tion .....	\$57,000,000
Italy .....	Vincenza .....	Family Housing New Construc- tion .....	\$95,000,000

11 (b) PLANNING AND DESIGN.—Using amounts appro-  
 12 priated pursuant to the authorization of appropriations in  
 13 section 2103(a) and available for military family housing  
 14 functions as specified in the funding table in section 4601,  
 15 the Secretary of the Army may carry out architectural and  
 16 engineering services and construction design activities  
 17 with respect to the construction or improvement of family  
 18 housing units in an amount not to exceed \$17,339,000.

1 **SEC. 2103 [Log74751]. AUTHORIZATION OF APPROPRIA-**  
2 **TIONS, ARMY.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
4 are hereby authorized to be appropriated for fiscal years  
5 beginning after September 30, 2022, for military con-  
6 struction, land acquisition, and military family housing  
7 functions of the Department of the Army as specified in  
8 the funding table in section 4601.

9 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
10 PROJECTS.—Notwithstanding the cost variations author-  
11 ized by section 2853 of title 10, United States Code, and  
12 any other cost variation authorized by law, the total cost  
13 of all projects carried out under section 2101 may not ex-  
14 ceed the total amount authorized to be appropriated under  
15 subsection (a), as specified in the funding table in section  
16 4601.

1 **SEC. 21** [Log 74965]. **DEMOLITION OF DISTRICT OF CO-**  
2 **LUMBIA FORT MCNAIR QUARTERS 4, 13 AND**  
3 **15.**

4 Not later than one year after the date on which all  
5 the individuals occupying District of Columbia Fort  
6 McNair Quarters 4, 13 and 15, as of the date of the enact-  
7 ment of this Act, have moved out of such Quarters, the  
8 Secretary of the Army shall demolish such Quarters.

1 **SEC. 21** [Log 75153]. **MODIFICATION OF AUTHORITY TO**  
2 **CARRY OUT CERTAIN FISCAL YEAR 2018**  
3 **PROJECTS.**

4 (a) **KUNSAN AIR BASE, KOREA.**—In the case of the  
5 authorization contained in the table in section 2101(b) of  
6 the Military Construction Authorization Act for Fiscal  
7 Year 2018 (division B of Public Law 115–91; 131 Stat.  
8 1819) for Kunsan Air Base, Korea, for construction of  
9 an Unmanned Aerial Vehicle Hangar at the installation,  
10 the Secretary of the Army may—

11 (1) construct the hangar at Camp Humphries,  
12 Korea; and

13 (2) remove primary scope associated with the  
14 relocation of the air defense artillery battalion facili-  
15 ties to include a ground based missile defense equip-  
16 ment area, fighting positions, a missile resupply area  
17 air defense artillery facility, a ready building and  
18 command post, a battery command post area, a safe-  
19 ty shelter, and a guard booth.

20 (b) **KWAJALEIN ATOLL, HWAJALEIN.**—Section  
21 2879(a)(1)(A) of the Military Construction Authorization  
22 Act for Fiscal Year 2018 (division B of Public Law 115–  
23 91; 131 Stat. 1874) is amended by striking “at least 26

- 1 family housing units” and inserting “not more than 26
- 2 family housing units”.



1 **SEC. 21** \_\_\_\_ [Log 75154]. **EXTENSION OF AUTHORITY TO**  
 2 **CARRY OUT CERTAIN FISCAL YEAR 2018**  
 3 **PROJECTS.**

4 (a) **EXTENSION.**—(1) Notwithstanding section 2002  
 5 of the Military Construction Authorization Act for Fiscal  
 6 Year 2018 (division B of Public Law 115–91; 131 Stat.  
 7 1817), the authorization set forth in the table in para-  
 8 graph (2), as provided in section 2101(b) of that Act (131  
 9 Stat. 1819), shall remain in effect until October 1, 2023,  
 10 or the date of the enactment of an Act authorizing funds  
 11 for military construction for fiscal year 2024, whichever  
 12 is later.

13 (2) The table referred to in paragraph (1) is as fol-  
 14 lows:

**Army: Extension of 2018 Project Authorization**

<b>Country</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Original Authorized Amount</b>
Korea .....	Kunsan Air Base .....	Unmanned Aerial Vehicle Hangar ...	\$53,000,000

15 (b) **ARMY FAMILY HOUSING.**—(1) Notwithstanding  
 16 section 2002 of the Military Construction Authorization  
 17 Act for Fiscal Year 2018 (division B of Public Law 115–  
 18 91; 131 Stat. 1817), the authorization set forth in the  
 19 table in paragraph (2), as provided in section 2102 of that  
 20 Act (131 Stat. 1820), shall remain in effect until October

1 1, 2023, or the date of the enactment of an Act author-  
 2 izing funds for military construction for fiscal year 2024,  
 3 whichever is later.

4 (2) The table referred to in paragraph (1) is as fol-  
 5 lows:

**Army: Extension of 2018 Project Authorization**

<b>Country</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Original Authorized Amount</b>
Kwajalein .....	Kwajalein Atoll .....	Family Housing Replacement Construction .....	\$31,000,000

1 **SEC. 21** [Log 75155]. **MODIFICATION OF AUTHORITY TO**  
2 **CARRY OUT CERTAIN FISCAL YEAR 2019**  
3 **PROJECT.**

4 In the case of the authorization contained in the table  
5 in section 2101(b) of the Military Construction Authoriza-  
6 tion Act for Fiscal Year 2019 (Public Law 115–232; 132  
7 Stat. 2242) for Camp Tango, Korea, for construction of  
8 a command and control facility at the installation, the Sec-  
9 retary of the Army may increase scope for a dedicated,  
10 enclosed egress pathway out of the underground facility  
11 to facilitate safe escape in case of fire.

1 **SEC. 22** [Log 74753]. **AUTHORIZED NAVY CONSTRUCTION**  
 2 **AND LAND ACQUISITION PROJECTS.**

3 (a) **INSIDE THE UNITED STATES.**—Using amounts  
 4 appropriated pursuant to the authorization of appropria-  
 5 tions in section 2203(a) and available for military con-  
 6 struction projects inside the United States as specified in  
 7 the funding table in section 4601, the Secretary of the  
 8 Navy may acquire real property and carry out military  
 9 construction projects for the installations or locations in-  
 10 side the United States, and in the amounts, set forth in  
 11 the following table:

**Navy: Inside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
California .....	Marine Corps Base Ground Combat Center Twentynine Palms.	\$120,382,000
	Marine Corps Base Camp Pendleton .....	\$85,210,000
	Naval Air Station Lemoore .....	\$201,261,000
	Naval Base Point Loma .....	\$56,450,000
Connecticut .....	Naval Submarine Base New London .....	\$15,514,000
Florida .....	Naval Air Station Jacksonville .....	\$86,232,000
	Naval Air Station Whiting Field .....	\$57,789,000
Georgia .....	Naval Submarine Base Kings Bay .....	\$279,171,000
Guam .....	Marine Corps Base Camp Blaz .....	\$330,589,000
Hawaii .....	Marine Corps Base Kaneohe Bay .....	\$87,930,000
	Joint Base Pearl Harbor- Hickam .....	\$3,637,692,000
North Carolina .....	Marine Corps Air Station Cherry Point .....	\$38,415,000
	Marine Corps Base Camp Lejeune .....	\$47,475,000
Nevada .....	Naval Air Station Fallon .....	\$97,865,000
Virginia .....	Naval Station Norfolk .....	\$16,863,000
Washington .....	Naval Air Station Whidbey Island .....	\$37,461,000

12 (b) **OUTSIDE THE UNITED STATES.**—Using amounts  
 13 appropriated pursuant to the authorization of appropria-  
 14 tions in section 2203(a) and available for military con-  
 15 struction projects outside the United States as specified

1 in the funding table in section 4601, the Secretary of the  
 2 Navy may acquire real property and carry out military  
 3 construction projects for the installation outside the  
 4 United States, and in the amount, set forth in the fol-  
 5 lowing table:

**Navy: Outside the United States**

Country	Installation or Location	Amount
Australia .....	Royal Australian Air Base Darwin .....	\$258,831,000
Japan .....	Kadena Air Base .....	\$195,400,000

1 **SEC. 22** [Log 74757]. **FAMILY HOUSING.**

2 (a) CONSTRUCTION AND ACQUISITION.—Using  
 3 amounts appropriated pursuant to the authorization of ap-  
 4 propriations in section 2203(a) and available for military  
 5 family housing functions as specified in the funding table  
 6 in section 4601, the Secretary of the Navy may construct  
 7 or acquire family housing units (including land acquisition  
 8 and supporting facilities) at the installations or locations,  
 9 in the number of units or for the purposes, and in the  
 10 amounts set forth in the following table:

**Navy: Family Housing**

Location	Installation	Units or Purpose	Amount
Guam .....	Naval Support Activity Anderson.	Family housing new construction .....	\$248,634,000 .....

11 (b) IMPROVEMENTS TO MILITARY FAMILY HOUSING  
 12 UNITS.—Subject to section 2825 of title 10, United States  
 13 Code, and using amounts appropriated pursuant to the  
 14 authorization of appropriations in section 2203(a) and  
 15 available for military family housing functions as specified  
 16 in the funding table in section 4601, the Secretary of the  
 17 Navy may improve existing military family housing units  
 18 in an amount not to exceed \$74,540,000.

19 (c) PLANNING AND DESIGN.—Using amounts appro-  
 20 priated pursuant to the authorization of appropriations in

1 section 2203(a) and available for military family housing  
2 functions as specified in the funding table in section 4601,  
3 the Secretary of the Navy may carry out architectural and  
4 engineering services and construction design activities  
5 with respect to the construction or improvement of family  
6 housing units in an amount not to exceed \$24,224,000.

1 **SEC. 2203 [Log 74758]. AUTHORIZATION OF APPROPRIA-**  
2 **TIONS, NAVY.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
4 are hereby authorized to be appropriated for fiscal years  
5 beginning after September 30, 2022, for military con-  
6 struction, land acquisition, and military family housing  
7 functions of the Department of the Navy, as specified in  
8 the funding table in section 4601.

9 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
10 PROJECTS.—Notwithstanding the cost variations author-  
11 ized by section 2853 of title 10, United States Code, and  
12 any other cost variation authorized by law, the total cost  
13 of all projects carried out under section 2201 of this Act  
14 may not exceed the total amount authorized to be appro-  
15 priated under subsection (a), as specified in the funding  
16 table in section 4601.



1 **SEC. 22** [Log 75156]. **EXTENSION OF AUTHORITY TO**  
 2 **CARRY OUT CERTAIN FISCAL YEAR 2018**  
 3 **PROJECT.**

4 (a) **EXTENSION.**—Notwithstanding section 2002 of  
 5 the Military Construction Authorization Act for Fiscal  
 6 Year 2018 (division B of Public Law 115–91; 131 Stat.  
 7 1817), the authorization set forth in the table in sub-  
 8 section (a), as provided in section 2201(a) of that Act  
 9 (131 Stat. 1822), shall remain in effect until October 1,  
 10 2023, or the date of the enactment of an Act authorizing  
 11 funds for military construction for fiscal year 2024, which-  
 12 ever is later.

13 (b) **TABLE.**—The table referred to in subsection (a)  
 14 is as follows:

**Navy: Extension of 2018 Project Authorization**

<b>Country</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Original Authorized Amount</b>
Guam .....	Joint Region Marianas	Navy-Commercial Tie-in Hardening	\$37,180,000

1 **SEC. \_\_\_\_\_ [Log 75509 HEY22451]. TRANSFER OF CUSTOMERS**  
2 **FROM ELECTRICAL UTILITY SYSTEM OF THE**  
3 **NAVY AT FORMER NAVAL AIR STATION BAR-**  
4 **BER'S POINT, HAWAII, TO NEW ELECTRICAL**  
5 **SYSTEM IN KALAELOA, HAWAII.**

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

13 (b) FACILITATION OF TRANSFER.—To facilitate the  
14 transfer of customers described in subsection (a), the Sec-  
15 retary of the Navy shall provide the following to the State  
16 of Hawaii:

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

19 (2) Such rights of way and easements as may  
20 be necessary to support the construction of replace-  
21 ment electrical infrastructure.

22 (c) DISPOSAL OF NAVY ELECTRICAL SYSTEM.—After  
23 all customers have been transferred as required under sub-  
24 section (a), the Secretary of the Navy may dispose of the

1 electrical system of the Navy located at former Naval Air  
2 Station Barber's Point, Hawaii.

3 (d) AUTHORITY FOR THIRD-PARTY AGREEMENT.—

4 The Secretary of the Navy may enter into a cooperative  
5 agreement or other appropriate instrument with a non-  
6 Department of Defense entity under which—

7 (1) such entity shall agree to facilitate the  
8 transfer of customers under subsection (a); and

9 (2) subject to the availability of appropriations  
10 for such purpose, the Secretary of the Navy shall  
11 agree to reimburse such entity for the reasonable  
12 costs of such transfer.

1 **SEC. 2301 [Log74760]. AUTHORIZED AIR FORCE CONSTRUC-**  
 2 **TION AND LAND ACQUISITION PROJECTS.**

3 (a) INSIDE THE UNITED STATES.—Using amounts  
 4 appropriated pursuant to the authorization of appropria-  
 5 tions in section 2303(a) and available for military con-  
 6 struction projects inside the United States as specified in  
 7 the funding table in section 4601, the Secretary of the  
 8 Air Force may acquire real property and carry out mili-  
 9 tary construction projects for the installations or locations  
 10 inside the United States, and in the amounts, set forth  
 11 in the following table:

**Air Force: Inside the United States**

State	Installation or Location	Amount
Alaska .....	Clear Air Force Station .....	\$68,000,000
Alabama .....	Maxwell Air Force Base .....	\$15,000,000
California .....	Travis Air Force Base .....	\$7,500,000
	Vandenberg Air Force Base .....	\$89,000,000
Florida	Patrick Space Force Base .....	\$97,000,000
Hawaii .....	Kirtland Air Force Base, Maui Experimental Site .....	\$89,000,000
Ohio .....	Wright-Patterson Air Force Base	\$29,000,000
Oklahoma .....	Altus Air Force Base .....	\$4,750,000
	Tinker Air Force Base .....	\$43,600,000
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
Wyoming .....	F.E. Warren Air Force Base .....	\$176,000,000

12 (b) OUTSIDE THE UNITED STATES.—Using amounts  
 13 appropriated pursuant to the authorization of appropria-  
 14 tions in section 230\_\_ (a) and available for military con-  
 15 struction projects outside the United States as specified

1 in the funding table in section 4601, the Secretary of the  
 2 Air Force may acquire real property and carry out mili-  
 3 tary construction projects for the installations or locations  
 4 outside the United States, and in the amounts, set forth  
 5 in the following table:

**Air Force: Outside the United States**

Country	Installation or Location	Amount
Hungary .....	Papa Air Base .....	\$71,000,000
Iceland .....	Keflavik .....	\$94,000,000
Italy .....	Aviano Air Base .....	\$46,500,000
Japan .....	Kadena Air Base .....	\$307,000,000
Jordan .....	Azraq Air Base .....	\$50,000,000
Norway .....	Rygge .....	\$8,200,000
Spain .....	Moron Air Base .....	\$29,000,000

1 **SEC. 2302 [Log74761]. FAMILY HOUSING AND IMPROVE-**  
2 **MENTS TO MILITARY FAMILY HOUSING**  
3 **UNITS.**

4 (a) IMPROVEMENTS TO MILITARY FAMILY HOUSING  
5 UNITS.—Subject to section 2825 of title 10, United States  
6 Code, and using amounts appropriated pursuant to the  
7 authorization of appropriations in section 230\_\_ (a) and  
8 available for military family housing functions as specified  
9 in the funding table in section 4601, the Secretary of the  
10 Air Force may improve existing military family housing  
11 units in an amount not to exceed \$230,058,000.

12 (b) PLANNING AND DESIGN.—Using amounts appro-  
13 priated pursuant to the authorization of appropriations in  
14 section 230\_\_ (a) and available for military family housing  
15 functions as specified in the funding table in section 4601,  
16 the Secretary of the Air Force may carry out architectural  
17 and engineering services and construction design activities  
18 with respect to the construction or improvement of family  
19 housing units in an amount not to exceed \$2,730,000.

1 **SEC. 230\_\_ [Log74762]. AUTHORIZATION OF APPROPRIA-**  
2 **TIONS, AIR FORCE.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
4 are hereby authorized to be appropriated for fiscal years  
5 beginning after September 30, 2022, for military con-  
6 struction, land acquisition, and military family housing  
7 functions of the Department of the Air Force, as specified  
8 in the funding table in section 4601.

9 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
10 PROJECTS.—Notwithstanding the cost variations author-  
11 ized by section 2853 of title 10, United States Code, and  
12 any other cost variation authorized by law, the total cost  
13 of all projects carried out under section 2301 may not ex-  
14 ceed the total amount authorized to be appropriated under  
15 subsection (a), as specified in the funding table in section  
16 4601.

1 **SEC. 23** [Log 75157]. **EXTENSION OF AUTHORITY TO**  
 2 **CARRY OUT CERTAIN FISCAL YEAR 2018**  
 3 **PROJECTS.**

4 (a) **EXTENSION.**—

5 (1) **EXTENSION.**—Notwithstanding section  
 6 2002 of the Military Construction Authorization Act  
 7 for Fiscal Year 2018 (division B of Public Law 115–  
 8 91; 131 Stat. 1817), the authorizations set forth in  
 9 the table in paragraph (2), as provided in section  
 10 2301(a) of that Act (131 Stat. 1825), shall remain  
 11 in effect until October 1, 2023, or the date of the  
 12 enactment of an Act authorizing funds for military  
 13 construction for fiscal year 2024, whichever is later.

14 (2) **TABLE.**—The table referred to in paragraph  
 15 (1) is as follows:

**Air Force: Extension of 2018 Project Authorizations**

<b>State</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Original Authorized Amount</b>
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

16 (b) **OVERSEAS CONTINGENCY OPERATIONS.**—



- 1           (1) EXTENSION.—Notwithstanding section  
 2           2002 of the Military Construction Authorization Act  
 3           for Fiscal Year 2018 (division B of Public Law 115–  
 4           91; 131 Stat. 1817), the authorizations set forth in  
 5           the table in paragraph (2), as provided in section  
 6           2903 of that Act (131 Stat. 1876), shall remain in  
 7           effect until October 1, 2023, or the date of the en-  
 8           actment of an Act authorizing funds for military  
 9           construction for fiscal year 2024, whichever is later.
- 10           (2) TABLE.—The table referred to in paragraph  
 11           (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
		ERI: Airfield Upgrades .....	\$4,000,000
Slovakia .....	Malacky .....	ERI: Increase POL Storage Capacity	\$20,000,000
	Malacky .....	ERI: Airfield Upgrades	\$22,000,000
	ERI: Airfield Upgrades	Construct Combat Arms Training and Maintenance Facility .....	\$22,000,000

1 **SEC. 23** \_\_\_ [Log 75159]. **MODIFICATION OF AUTHORITY TO**  
2 **CARRY OUT CERTAIN MILITARY CONSTRUC-**  
3 **TION PROJECTS AT TYNDALL AIR FORCE**  
4 **BASE, FLORIDA.**

5 In the case of the authorization contained in section  
6 2912(a) of the Military Construction Authorization Act  
7 for Fiscal Year 2020 (division B of Public Law 116–92;  
8 133 Stat. 1913) for Tyndall Air Force Base, Florida—

9 (1) for construction of Lodging Facilities  
10 Phases 1-2, as specified in such funding table and  
11 modified by section 2306(a)(7) of the Military Con-  
12 struction Authorization Act for Fiscal Year 2021  
13 (division B of Public Law 116–283; 134 Stat.  
14 4302), the Secretary of the Air Force may construct  
15 two emergency backup generators;

16 (2) for construction of Dorm Complex Phases  
17 1-2, as specified in such funding table and modified  
18 by section 2306(a)(8) of the Military Construction  
19 Authorization Act for Fiscal Year 2021 (division B  
20 of Public Law 116–283; 134 Stat. 4302), the Sec-  
21 retary of the Air Force may construct an emergency  
22 backup generator;

23 (3) for construction of Site Development, Utili-  
24 ties, and Demo Phase 2, as specified in such funding

1 table and modified by section 2306(a)(6) of the Mili-  
2 tary Construction Authorization Act for Fiscal Year  
3 2021 (division B of Public Law 116–283; 134 Stat.  
4 4302), the Secretary of the Air Force may con-  
5 struct—

6 (A) up to 6,248 lineal meters of storm  
7 water utilities;

8 (B) up to 55,775 square meters of roads;

9 (C) up to 4,334 lineal meters of gas pipe-  
10 line; and

11 (D) up to 28,958 linear meters of elec-  
12 trical;

13 (4) for construction of Tyndall AFB Gate Com-  
14 plex, as specified in such funding table and modified  
15 by section 2306(a)(9) of the Military Construction  
16 Authorization Act for Fiscal Year 2021 (division B  
17 of Public Law 116–283; 134 Stat. 4302), the Sec-  
18 retary of the Air Force may construct up to 55,694  
19 square meters of roadway with serpentines; and

20 (5) for construction of Deployment Center/  
21 Flight Line Dining/AAFES, as specified in such  
22 funding table and modified by section 2306(a)(11)  
23 of the Military Construction Authorization Act for  
24 Fiscal Year 2021 (division B of Public Law 116–  
25 283; 134 Stat. 4303), the Secretary of the Air Force

- 1 may construct up to 164 square meters of AAFES
- 2 (Shoppette).

1 **SEC. 23** \_\_\_ [Log 75160]. **MODIFICATION OF AUTHORITY TO**  
2 **CARRY OUT CERTAIN FISCAL YEAR 2021**  
3 **PROJECT.**

4 In the case of the authorization contained in the table  
5 in section 2301(a) of the Military Construction Authoriza-  
6 tion Act for Fiscal Year 2021 (division B of Public Law  
7 116–283; 134 Stat. 4299) for Hill Air Force Base, Utah,  
8 for construction of GBSD Organic Software Sustainment  
9 Center, the Secretary of the Air Force may construct—  
10 (1) up to 7,526 square meters of Surface Park-  
11 ing Lot in lieu of constructing a 13,434 square me-  
12 ters vehicle parking garage; and  
13 (2) up to 402 square meters of Storage Igloo.

1 **SEC. 2401 [Log 74764]. AUTHORIZED DEFENSE AGENCIES**  
 2 **CONSTRUCTION AND LAND ACQUISITION**  
 3 **PROJECTS.**

4 (a) **INSIDE THE UNITED STATES.**—Using amounts  
 5 appropriated pursuant to the authorization of appropria-  
 6 tions in section 2403(a) and available for military con-  
 7 struction projects inside the United States as specified in  
 8 the funding table in section 4601, the Secretary of De-  
 9 fense may acquire real property and carry out military  
 10 construction projects for the installations or locations in-  
 11 side the United States, and in the amounts, set forth in  
 12 the following table:

**Defense Agencies: Inside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
California .....	Coronado .....	\$75,712,000
Florida .....	Hurlburt Field .....	\$9,100,000
.....	MacDill Air Force Base .....	\$50,000,000
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

13 (b) **OUTSIDE THE UNITED STATES.**—Using amounts  
 14 appropriated pursuant to the authorization of appropria-  
 15 tions in section 2403(a) and available for military con-  
 16 struction projects outside the United States as specified  
 17 in the funding table in section 4601, the Secretary of De-  
 18 fense may acquire real property and carry out military  
 19 construction projects for the installation or location out-

- 1 side the United States, and in the amount, set forth in
- 2 the following table:

**Defense Agencies: Outside the United States**

<b>Country</b>	<b>Installation or Location</b>	<b>Amount</b>
Germany .....	Baumholder .....	\$149,023,000
Japan .....	Yokota Air Base .....	\$72,154,000

1 **SEC. 2402 [Log 74765]. AUTHORIZED ENERGY RESILIENCE**  
 2 **AND CONSERVATION INVESTMENT PROGRAM**  
 3 **PROJECTS.**

4 (a) **INSIDE THE UNITED STATES.**—Using amounts  
 5 appropriated pursuant to the authorization of appropria-  
 6 tions in section 2403(a) and available for energy conserva-  
 7 tion projects as specified in the funding table in section  
 8 4601, the Secretary of Defense may carry out energy con-  
 9 servation projects under chapter 173 of title 10, United  
 10 States Code, for the installations or locations inside the  
 11 United States, and in the amounts, set forth in the fol-  
 12 lowing table:

**ERCIP Projects: Inside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Alabama .....	Redstone Arsenal .....	\$10,700,000
California .....	Marine Corps Mountain Warfare Training Center Bridgeport .....	\$25,560,000
	Naval Base Ventura County, PT Magu .....	\$13,360,000
Florida .....	Naval Air Station Jacksonville .....	\$2,400,000
	Patrick Space Force Base .....	\$18,000,000
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 .....	Fort George G. Meade .....	\$23,310,000
Texas .....	Fort Hood .....	\$31,500,000
	U.S. Army Reserve Center, Conroe .....	\$9,600,000
Virginia .....	Naval Support Activity, Hampton Roads .....	\$22,400,000
	NCE Springfield, Fort Belvoir .....	\$1,100,000

13 (b) **OUTSIDE THE UNITED STATES.**—Using amounts  
 14 appropriated pursuant to the authorization of appropria-  
 15 tions in section 2403(a) and available for energy conserva-



1 tion projects as specified in the funding table in section  
 2 4601, the Secretary of Defense may carry out energy con-  
 3 servation projects under chapter 173 of title 10, United  
 4 States Code, for the installations or locations outside the  
 5 United States, and in the amounts, set forth in the fol-  
 6 lowing table:

**ERCIP Projects: Outside the United States**

<b>Country</b>	<b>Installation or Location</b>	<b>Amount</b>
Djibouti .....	Camp Lemmonier .....	\$24,000,000
Japan .....	Kadena Air Base .....	\$780,000
Kuwait .....	Camp Arifjan .....	\$26,850,000
Norway .....	Rygge .....	\$8,200,000
Spain .....	Moron Air Base .....	\$29,000,000

1 **SEC. 2403 [Log74766]. AUTHORIZATION OF APPROPRIA-**  
2 **TIONS, DEFENSE AGENCIES.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
4 are hereby authorized to be appropriated for fiscal years  
5 beginning after September 30, 2022, for military con-  
6 struction, land acquisition, and military family housing  
7 functions of the Department of Defense (other than the  
8 military departments), as specified in the funding table  
9 in section 4601.

10 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
11 PROJECTS.—Notwithstanding the cost variations author-  
12 ized by section 2853 of title 10, United States Code, and  
13 any other cost variation authorized by law, the total cost  
14 of all projects carried out under section 2401 may not ex-  
15 ceed the total amount authorized to be appropriated under  
16 subsection (a), as specified in the funding table in section  
17 4601.

1 **SEC. 24** [Log 75161]. **EXTENSION OF AUTHORITY TO**  
 2 **CARRY OUT CERTAIN FISCAL YEAR 2018**  
 3 **PROJECTS.**

4 (a) **EXTENSION.**—Notwithstanding section 2002 of  
 5 the Military Construction Authorization Act for Fiscal  
 6 Year 2018 (division B of Public Law 115–91; 131 Stat.  
 7 1817), the authorization set forth in the table in sub-  
 8 section (b), as provided in section 2401(b) of that Act  
 9 (131 Stat. 1829), shall remain in effect until October 1,  
 10 2023, or the date of the enactment of an Act authorizing  
 11 funds for military construction for fiscal year 2024, which-  
 12 ever is later.

13 (b) **TABLE.**—The table referred to in subsection (a)  
 14 is as follows:

**Defense Agencies: Extension of 2017 Project Authorization**

<b>Country</b>	<b>Installation</b>	<b>Project</b>	<b>Original Au- thorized Amount</b>
Japan .....	Iwakuni .....	Construct Bulk Storage Tanks PH 1 .....	\$30,800,000
Puerto Rico ....	USCG Station; Punta Borinquen .....	Ramey Unit School Replacement .....	\$61,071,000

1 **SEC. 2501 [Log74768]. AUTHORIZED NATO CONSTRUCTION**  
2 **AND LAND ACQUISITION PROJECTS.**

3 The Secretary of Defense may make contributions for  
4 the North Atlantic Treaty Organization Security Invest-  
5 ment Program as provided in section 2806 of title 10,  
6 United States Code, in an amount not to exceed the sum  
7 of the amount authorized to be appropriated for this pur-  
8 pose in section 2502 and the amount collected from the  
9 North Atlantic Treaty Organization as a result of con-  
10 struction previously financed by the United States.

1 **SEC. 2502 [Log74769]. AUTHORIZATION OF APPROPRIA-**  
2 **TIONS, NATO.**

3 Funds are hereby authorized to be appropriated for  
4 fiscal years beginning after September 30, 2022, for con-  
5 tributions by the Secretary of Defense under section 2806  
6 of title 10, United States Code, for the share of the United  
7 States of the cost of projects for the North Atlantic Treaty  
8 Organization Security Investment Program authorized by  
9 section 2501 as specified in the funding table in section  
10 4601.

1 **SEC. 2511 [Log 74770]. REPUBLIC OF KOREA FUNDED CON-**  
 2 **STRUCTION PROJECTS.**

3 Pursuant to agreement with the Republic of Korea  
 4 for required in-kind contributions, the Secretary of De-  
 5 fense may accept military construction projects for the in-  
 6 stallations or locations in the Republic of Korea, and in  
 7 the amounts, set forth in the following table:

**Republic of Korea Funded Construction Projects**

<b>Component</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
Army .....	Camp Humphreys	Quartermaster Laundry/ Dry Cleaner Facility .....	\$24,000,000
Army .....	Camp Humphreys	MILVAN CONNEX Stor- age 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 Dis- tribution West, Phase 3	\$235,000,000

1 **SEC. 25** [Log 74771]. **REPEAL OF AUTHORIZED APPROACH**  
2 **TO CERTAIN CONSTRUCTION PROJECT.**

3 Section 2511 of the Military Construction Authoriza-  
4 tion Act for Fiscal Year 2022 (division B of Public Law  
5 117-81; 135 Stat. 2177) is amended—

6 (1) by striking “(a) **AUTHORITY TO ACCEPT**  
7 **PROJECTS.—**”; and

8 (2) by striking subsection (b).

1 **SEC. 2601 [Log74777]. AUTHORIZED ARMY NATIONAL GUARD**  
 2 **CONSTRUCTION AND LAND ACQUISITION**  
 3 **PROJECTS.**

4 Using amounts appropriated pursuant to the author-  
 5 ization of appropriations in section 2605 and available for  
 6 the National Guard and Reserve as specified in the fund-  
 7 ing table in section 4601, the Secretary of the Army may  
 8 acquire real property and carry out military construction  
 9 projects for the Army National Guard installations or lo-  
 10 cations inside the United States, and in the amounts, set  
 11 forth in the following table:

**Army National Guard**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Delaware .....	New Castle .....	\$16,000,000
Florida .....	Palm Coast .....	\$12,000,000
	Camp Blanding .....	\$24,700,000
Hawaii .....	Kapolei .....	\$29,000,000
Iowa .....	West Des Moines .....	\$15,000,000
Indiana .....	Atlanta .....	\$20,000,000
Michigan .....	Camp Grayling .....	\$16,000,000
Minnesota .....	New Ulm .....	\$17,000,000
North Carolina ..	McLeansville .....	\$15,000,000
Nevada .....	Reno .....	\$18,000,000
New York .....	Troy .....	\$17,000,000
Vermont .....	Bennington .....	\$14,800,000
West Virginia .....	Buckhannon .....	\$14,000,000
Wyoming .....	Sheridan .....	\$14,800,000



1 **SEC. 2602 [Log 74778]. AUTHORIZED ARMY RESERVE CON-**  
 2 **STRUCTION AND LAND ACQUISITION**  
 3 **PROJECTS.**

4 Using amounts appropriated pursuant to the author-  
 5 ization of appropriations in section 2606 and available for  
 6 the National Guard and Reserve as specified in the fund-  
 7 ing table in section 4601, the Secretary of the Army may  
 8 acquire real property and carry out military construction  
 9 projects for the Army Reserve installations or locations in-  
 10 side the United States, and in the amounts, set forth in  
 11 the following table:

**Army Reserve**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Florida .....	Perrine .....	\$46,000,000
Puerto Rico .....	Fort Buchanan .....	\$24,000,000

1 **SEC. 2603 [Log 74784]. AUTHORIZED AIR NATIONAL GUARD**  
 2 **CONSTRUCTION AND LAND ACQUISITION**  
 3 **PROJECTS.**

4 Using amounts appropriated pursuant to the author-  
 5 ization of appropriations in section 2606 and available for  
 6 the National Guard and Reserve as specified in the fund-  
 7 ing table in section 4601, the Secretary of the Air Force  
 8 may acquire real property and carry out military construc-  
 9 tion projects for the Air National Guard installations or  
 10 locations inside the United States, and in the amounts,  
 11 set forth in the following table:

**Air National Guard**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Alabama .....	Birmingham International Airport .....	\$7,500,000
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 .....	Meghee-Tyson Airport .....	\$23,800,000

1 **SEC. 2604 [Log 74785]. AUTHORIZED AIR FORCE RESERVE**  
 2 **CONSTRUCTION AND LAND ACQUISITION**  
 3 **PROJECTS.**

4 Using amounts appropriated pursuant to the author-  
 5 ization of appropriations in section 2606 and available for  
 6 the National Guard and Reserve as specified in the fund-  
 7 ing table in section 4601, the Secretary of the Air Force  
 8 may acquire real property and carry out military construc-  
 9 tion projects for the installations inside the United States,  
 10 and in the amounts, set forth in the following table:

**Air Force Reserve**

<b>State</b>	<b>Installation</b>	<b>Amount</b>
California .....	Beale Air Force Base .....	\$33,000,000
Virginia .....	Joint Base Langley-Eustis .....	\$10,500,000

1 **SEC. 2606 [Log 74786]. AUTHORIZATION OF APPROPRIA-**  
2 **TIONS, NATIONAL GUARD AND RESERVE.**

3 Funds are hereby authorized to be appropriated for  
4 fiscal years beginning after September 30, 2022, for the  
5 costs of acquisition, architectural and engineering services,  
6 and construction of facilities for the Guard and Reserve  
7 Forces, and for contributions therefor, under chapter  
8 1803 of title 10, United States Code (including the cost  
9 of acquisition of land for those facilities), as specified in  
10 the funding table in section 4601.

1 **SEC. 26** \_\_\_\_ [Log 75169]. **EXTENSION OF AUTHORITY TO**  
 2 **CARRY OUT CERTAIN FISCAL YEAR 2018**  
 3 **PROJECTS.**

4 (a) **EXTENSION.**—Notwithstanding section 2002 of  
 5 the Military Construction Authorization Act for Fiscal  
 6 Year 2018 (division B of Public Law 115–91; 131 Stat.  
 7 1817), the authorizations set forth in the table in sub-  
 8 section (b), as provided in section 2604 of that Act (131  
 9 Stat. 1836), shall remain in effect until October 1, 2023,  
 10 or the date of the enactment of an Act authorizing funds  
 11 for military construction for fiscal year 2024, whichever  
 12 is later.

13 (b) **TABLE.**—The table referred to in subsection (a)  
 14 is as follows:

**Air Force: Extension of 2018 Project Authorizations**

<b>State</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Original Authorized Amount</b>
Indiana .....	Hulman Regional Air- port .....	Construct Small Arms Range .....	\$8,000,000
South Dakota	Joe Foss Field .....	Aircraft Mainte- nance Shops .....	\$12,000,000
Wisconsin .....	Dane County Regional/ Airport Truax Field	Construct Small Arms Range .....	\$8,000,000

1 **SEC. 26** [Log 75170]. **CORRECTIONS TO AUTHORITY TO**  
2 **CARRY OUT CERTAIN FISCAL YEAR 2022**  
3 **PROJECTS.**

4 The authorization table in section 2601 of the Mili-  
5 tary Construction Authorization Act for Fiscal Year 2022  
6 (division B of Public Law 117–81; 135 Stat. 2178) is  
7 amended—

8 (1) in the item relating to Redstone Arsenal,  
9 Alabama, by striking “Redstone Arsenal” and in-  
10 sserting “Huntsville”;

11 (2) in the item relating to Jerome National  
12 Guard Armory, Idaho, by striking “Jerome National  
13 Guard Armory” and inserting “Jerome”;

14 (3) in the item relating to Nickell Memorial Ar-  
15 mory Topeka, Kansas, by striking “Nickell Memorial  
16 Armory Topeka” and inserting “Topeka”;

17 (4) in the item relating to Lake Charles Na-  
18 tional Guard Readiness Center, Louisiana, by strik-  
19 ing “Lake Charles National Guard Readiness Cen-  
20 ter” and inserting “Lake Charles”;

21 (5) in the item relating to Camp Grayling,  
22 Michigan, by striking “Camp Grayling” and insert-  
23 ing “Grayling”;

1           (6) in the item relating to Butte Military En-  
2           trance Testing Site, Montana, by striking “Butte  
3           Military Entrance Testing Site” and inserting  
4           “Butte”;

5           (7) in the item relating to Mead Army National  
6           Guard Readiness Center, Nebraska, by striking  
7           “Mead Army National Guard Readiness Center”  
8           and inserting “Mead Training Site”;

9           (8) in the item relating to Dickinson National  
10          Guard Armory, North Dakota, by striking “Dickin-  
11          son National Guard Armory” and inserting “Dickin-  
12          son”;

13          (9) in the item relating to Bennington National  
14          Guard Armory, Vermont, by striking “Bennington  
15          National Guard Armory” and inserting  
16          “Bennington”; and

17          (10) in the item relating to Camp Ethan Allen  
18          Training Site, Vermont, by striking “Camp Ethan  
19          Allen Training Site” and inserting “Ethan Allen Air  
20          Force Base TS”.

1 **SEC. 2701 [Log 74789]. AUTHORIZATION OF APPROPRIA-**  
2 **TIONS FOR BASE REALIGNMENT AND CLO-**  
3 **SURE ACTIVITIES FUNDED THROUGH DE-**  
4 **PARTMENT OF DEFENSE BASE CLOSURE AC-**  
5 **COUNT.**

6 Funds are hereby authorized to be appropriated for  
7 fiscal years beginning after September 30, 2022, for base  
8 realignment and closure activities, including real property  
9 acquisition and military construction projects, as author-  
10 ized by the Defense Base Closure and Realignment Act  
11 of 1990 (part A of title XXIX of Public Law 101–510;  
12 10 U.S.C. 2687 note) and funded through the Department  
13 of Defense Base Closure Account established by section  
14 2906 of such Act (as amended by section 2711 of the Mili-  
15 tary Construction Authorization Act for Fiscal Year 2013  
16 (division B of Public Law 112–239; 126 Stat. 2140)), as  
17 specified in the funding table in section 4601.



1 **SEC. 27**\_\_\_\_. **[Log 75003]. AUTHORIZATION TO FUND CERTAIN**  
2 **DEMOLITION AND REMOVAL ACTIVITIES**  
3 **THROUGH DEPARTMENT OF DEFENSE BASE**  
4 **CLOSURE ACCOUNT.**

5 (a) IN GENERAL.—Section 2906(c)(1) of the Defense  
6 Base Closure and Realignment Act of 1990 (10 U.S.C.  
7 2687 note) is amended by adding at the end the following  
8 new subparagraph:

9 “(E) To carry out the demolition or re-  
10 moval of any building or structure under the  
11 control of the Secretary of the Navy that is not  
12 designated as historic under a Federal, State,  
13 or local law and is located on a military instal-  
14 lation closed or realigned under a base closure  
15 law (as such term is defined in section 101 of  
16 title 10, United States Code) at which the sam-  
17 pling or remediation of radiologically contami-  
18 nated materials has been the subject of sub-  
19 stantiated allegations of fraud, without regard  
20 to—

21 “(i) whether the building or structure  
22 is radiologically impacted; or

23 “(ii) whether such demolition or re-  
24 moval is carried out, as part of a response

1                   action or otherwise, under the Defense En-  
2                   vironmental Restoration Program specified  
3                   in subparagraph (A) or CERCLA (as such  
4                   term is defined in section 2700 of title 10,  
5                   United States Code).”.

6           (b) FUNDING.—The amendment made by this section  
7 may only be carried out using funds authorized to be ap-  
8 propriated in the table in section 4601.

1 **SEC. 28** \_\_\_ [Log74755]. **FURTHER CLARIFICATION OF RE-**  
2 **QUIREMENTS RELATED TO AUTHORIZED**  
3 **COST AND SCOPE OF WORK VARIATIONS.**

4 (a) CLARIFICATIONS AND TECHNICAL CORRECTIONS  
5 RELATING TO EXCEPTIONS TO COST VARIATION AND  
6 SCOPE OF WORK.—Subsection (c)(1) of section 2853 of  
7 title 10, United States Code, as amended by section 2802  
8 of the Military Construction Authorization Act for Fiscal  
9 Year 2022 (division B of Public Law 117–81), is further  
10 amended—

11 (1) by striking subparagraph (A) and inserting  
12 the following new subparagraph (A):

13 “(A) The Secretary concerned may waive the percent-  
14 age or dollar cost limitation applicable to a military con-  
15 struction project or a military family housing project  
16 under subsection (a) and approve an increase in the cost  
17 authorized for the project in excess of that limitation only  
18 if—

19 “(i) the total cost of the project is less than  
20 \$500,000,000;

21 “(ii) the cost increase is an amount equal to or  
22 less than 50 percent of the original authorized  
23 amount; and

1           “(iii) the Secretary notifies the appropriate  
2           committees of Congress of such waiver and approval  
3           in the manner provided in this paragraph.”; and

4           (2) by striking subparagraph (D) and redesignig-  
5           nating subparagraph (E) as subparagraph (D).

6           (b) TECHNICAL CORRECTION RELATED TO EXCEP-  
7           TIONS TO LIMITATION ON SCOPE OF WORK INCREASES.—  
8           Subsection (d)(4) of such section, as so amended, is fur-  
9           ther amended by striking “and approve an increase in the  
10          scope of work for the project that would increase the scope  
11          of work”.

1 **SEC. 28** \_\_\_ [Log74756]. **USE OF OPERATION AND MAINTEN-**  
2 **NANCE FUNDS FOR CERTAIN CONSTRUCTION**  
3 **PROJECTS OUTSIDE THE UNITED STATES.**

4 (a) **PERMANENT AUTHORITY.**—Subsection (a) of sec-  
5 tion 2808 of the Military Construction Authorization Act  
6 for Fiscal Year 2004 (division B of Public Law 108–136;  
7 117 Stat. 1723), as amended, including most recently by  
8 section 2806 of the Military Construction Authorization  
9 Act for Fiscal Year 2022 (division B of Public Law 117–  
10 81), is amended—

11 (1) by striking “, inside the area of responsi-  
12 bility of the United States Central Command or cer-  
13 tain countries in the area of responsibility of the  
14 United States Africa Command,”;

15 (2) by inserting “outside the United States”  
16 after “construction project”; and

17 (3) in paragraph (2), by striking “, unless the  
18 military installation is located in Afghanistan, for  
19 which projects using this authority may be carried  
20 out at installations deemed as supporting a long-  
21 term presence”.

22 (b) **CONFORMING AMENDMENTS.**—Such section is  
23 further amended—

1 (1) in subsection (b), by striking “subsection  
2 (f)” and inserting “subsection (d)”;

3 (2) by striking subsection (e);

4 (3) by redesignating subsections (f) and (g) as  
5 subsections (d) and (e), respectively;

6 (4) in subsection (e), as so redesignated, by  
7 striking “subsection (f)” and inserting “subsection  
8 (d)”;

9 (5) by striking subsections (h) and (i).

10 (c) CLERICAL AMENDMENTS.—Such section is fur-  
11 ther amended as follows:

12 (1) The section heading for such section is  
13 amended—

14 (A) by striking “TEMPORARY, LIMITED”;

15 and

16 (B) by inserting “CERTAIN” before “CON-  
17 STRUCTION PROJECTS”.

18 (2) The subsection heading for subsection (a) of  
19 such section is amended by striking “TEMPORARY  
20 AUTHORITY” and inserting “IN GENERAL”.

21 (d) CLASSIFICATION.—The Law Revision Counsel is  
22 directed to classify section 2808 of the Military Construc-  
23 tion Authorization Act for Fiscal Year 2004 (division B  
24 of Public Law 108–136; 117 Stat. 1723), as amended by

1 subsection (a), as a note following section 2804 of title  
2 10, United States Code.

1 **SEC. 28\_\_\_ . MILITARY CONSTRUCTION PROJECTS FOR IN-**  
2 **NOVATION, RESEARCH, DEVELOPMENT, TEST,**  
3 **AND EVALUATION.**

4 (a) IN GENERAL.—Subchapter I of chapter 169 of  
5 title 10, United States Code, is amended by inserting after  
6 section 2809 the following new section:

7 **“§ 2810. Military construction projects for innovation,**  
8 **research, development, test, and evalua-**  
9 **tion**

10 “(a) PROJECT AUTHORIZATION REQUIRED.—The  
11 Secretary of Defense may carry out such military con-  
12 struction projects for innovation, research, development,  
13 test, and evaluation as are authorized by law, using funds  
14 appropriated or otherwise made available for that purpose.

15 “(b) SUBMISSION OF PROJECT PROPOSALS.—As part  
16 of the Department of Defense Form 1391 submitted to  
17 the appropriate committees of Congress for a military con-  
18 struction project covered by subsection (a), the Secretary  
19 of Defense shall include the following information:

20 “(1) The project title.

21 “(2) The location of the project.

22 “(3) A brief description of the scope of work.

23 “(4) The original project cost estimate and the  
24 current working cost estimate, if different.



1           “(5) Such other information as the Secretary  
2           considers appropriate.

3           “(c) APPLICATION TO MILITARY CONSTRUCTION  
4 PROJECTS.—This section shall apply to military construc-  
5 tion projects covered by subsection (a) for which a Depart-  
6 ment of Defense Form 1391 is submitted to the appro-  
7 priate committees of Congress in connection with the  
8 budget of the Department of Defense for fiscal year 2023  
9 and thereafter.”.

10          (b) CLERICAL AMENDMENT.—The table of sections  
11 at the beginning of such subchapter is amended by insert-  
12 ing after the item relating to section 2809 the following  
13 new item:

“2810. Military construction projects for innovation, research, development, test,  
and evaluation.”.

1 **SEC. 28** [Log 74964]. **RESTORATION OR REPLACEMENT OF**  
2 **DAMAGED, DESTROYED, OR ECONOMICALLY**  
3 **UNREPAIRABLE FACILITIES.**

4 (a) INCLUSION OF APPROPRIATIONS ACCOUNT IN  
5 CONGRESSIONAL NOTIFICATION REGARDING FUNDING.—

6 Subsection (b) of section 2854 of title 10, United States  
7 Code, is amended by inserting “military construction ap-  
8 propriations account that is the” before “source of funds”.

9 (b) ECONOMICALLY UNREPAIRABLE FACILITIES.—  
10 Subsection (c)(1) of such section is amended—

11 (1) in the matter preceding subparagraph (A),  
12 by inserting “or is economically unrepairable” after  
13 “damaged or destroyed”;

14 (2) in subparagraph (A), by inserting “, or the  
15 situation that rendered the facility economically  
16 unrepairable,” after “facility”; and

17 (3) in subparagraph (B)(iii), by striking “dam-  
18 age to a facility rather than destruction” and insert-  
19 ing “a facility that has been damaged or rendered  
20 economically unrepairable rather than destroyed”.

1 **SEC. 28** [Log 75077]. **MODIFICATION OF ANNUAL LOCAL-**  
2 **ITY ADJUSTMENT OF DOLLAR THRESHOLDS**  
3 **APPLICABLE TO UNSPECIFIED MINOR MILI-**  
4 **TARY CONSTRUCTION AUTHORITIES.**

5 Section 2805(f)(2) of title 10, United States Code,  
6 is amended—

7 (1) by striking “or the Commonwealth” and in-  
8 serting “Wake Island, the Commonwealth”; and

9 (2) by inserting “, or a former United States  
10 Trust Territory now in a Compact of Free Associa-  
11 tion with the United States” after “Mariana Is-  
12 lands”.

1 **SEC. 28** [Log 75082]. **AUTHORIZED LAND AND FACILITIES**  
2 **TRANSFER TO SUPPORT CONTRACTS WITH**  
3 **FEDERALLY FUNDED RESEARCH AND DEVEL-**  
4 **OPMENT CENTERS.**

5 (a) IN GENERAL.—Chapter 159 of title 10, United  
6 States Code, is amended by inserting after section 2668a  
7 the following new section:

8 **“§ 2669. Transfer of land and facilities to support con-**  
9 **tracts with federally-funded research and**  
10 **development centers**

11 “(a) LEASE OF LAND, FACILITIES, AND IMPROVE-  
12 MENTS.—(1) The Secretary of a military department may  
13 lease, for no consideration, land, facilities, and improve-  
14 ments to a covered FFRDC if the lease is to further the  
15 purposes of a contract between the Department of Defense  
16 and the covered FFRDC.

17 “(2) A lease entered into under paragraph (1) shall  
18 terminate on the earlier of the following dates:

19 “(A) The date that is 50 years after the date  
20 on which the Secretary enters into the lease.

21 “(B) The date of the termination or non-re-  
22 newal of the contract between the Department of  
23 Defense and the covered FFRDC.

1           “(b) CONVEYANCE OF FACILITIES AND IMPROVE-  
2 MENTS.—(1) The Secretary of a military department may  
3 convey, for no consideration, ownership of facilities and  
4 improvements located on land leased to a covered FFRDC  
5 to further the purposes of a contract between the Depart-  
6 ment of Defense and the covered FFRDC.

7           “(2) The ownership of any facilities and improve-  
8 ments conveyed under this subsection shall revert to the  
9 United States upon the termination or non-renewal of the  
10 underlying land lease.

11           “(c) COVERED FFRDC.—In this section, the term  
12 ‘covered FFRDC’ means a federally-funded research and  
13 development center that is sponsored by, and has entered  
14 into a contract with, the Department of Defense.”.

15           (b) CLERICAL AMENDMENT.—The table of sections  
16 at the beginning of such chapter is amended by inserting  
17 after the item relating to section 2668a the following new  
18 item:

“2669. Transfer of land and facilities to support contracts with federally-funded  
research and development centers.”.

1 **SEC. 28** [Log 75276]. **BASING DECISION SCORECARD CON-**  
2 **SISTENCY AND TRANSPARENCY.**

3 Section 2883(h) of the Military Construction Author-  
4 ization Act for Fiscal Year 2021 (Public Law 116–283;  
5 10 U.S.C. 1781b note) is amended by adding at the end  
6 the following new paragraphs:

7 “(4) COORDINATION WITH SECRETARY OF DE-  
8 FENSE.—In establishing a scorecard under this sub-  
9 section, the Secretary of the military department  
10 concerned shall coordinate with the Secretary of De-  
11 fense to ensure consistency among the military de-  
12 partments.

13 “(5) PUBLICATION IN FEDERAL REGISTER.—  
14 The methodology and criteria for establishing each  
15 scorecard under this subsection shall be published in  
16 the Federal Register for public comment.”.

1 **SEC. 28** [Log 75378]. **CONSIDERATION OF INSTALLATION**  
2 **OF INTEGRATED SOLAR ROOFING TO IM-**  
3 **PROVE ENERGY RESILIENCY OF MILITARY**  
4 **INSTALLATIONS.**

5 The Secretary of Defense shall amend the Unified  
6 Facilities Criteria/DoD Building Code (UFC 1– 200–01)  
7 to require that planning and design for military construc-  
8 tion projects inside the United States include consider-  
9 ation of the feasibility and cost-effectiveness of installing  
10 integrated solar roofing as part of the project, for the pur-  
11 pose of—

12 (1) promoting on-installation energy security  
13 and energy resilience;

14 (2) providing grid support to avoid energy dis-  
15 ruptions; and

16 (3) facilitating implementation and greater use  
17 of the authority provided by subsection (h) of section  
18 2911 of title 10, United States Code, as added and  
19 amended by section 2825 of the Military Construc-  
20 tion Authorization Act for Fiscal Year 2021 (divi-  
21 sion B of Public Law 116–283).

1 **SEC. 28** [Log 75477]. **FFRDC STUDY ON PRACTICES WITH**  
2 **RESPECT TO DEVELOPMENT OF MILITARY**  
3 **CONSTRUCTION PROJECTS.**

4 (a) **STUDY REQUIRED.**—Not later than 90 days after  
5 the date of the enactment of this Act, the Secretary of  
6 Defense shall seek to enter into an agreement with a fed-  
7 erally funded research and development center for the con-  
8 duct of a study on the practices of the Department of De-  
9 fense with respect to the development of military construc-  
10 tion projects.

11 (b) **ELEMENTS.**—An agreement under subsection (a)  
12 shall specify that the study conducted pursuant to the  
13 agreement shall address each of the following:

14 (1) Practices with respect to adoption of United  
15 Facilities Criteria changes and their inclusion into  
16 advanced planning, DD form 1391 budget justifica-  
17 tions, and planning and design.

18 (2) Practices with respect to how sustainable  
19 materials, such as mass timber and low carbon con-  
20 crete, are assessed and included in advanced plan-  
21 ning, DD form 1391 budget justifications, and plan-  
22 ning and design.

23 (3) Barriers to incorporating innovative tech-  
24 niques, including 3D printed building techniques.



1           (4) Whether the Strategic Environmental Re-  
2           search and Development Program or the Environ-  
3           mental Security Technology Certification Program  
4           could be used to validate such materials and tech-  
5           niques to provide the Army Corps of Engineers and  
6           the Naval Facilities Engineering Systems Command  
7           with confidence in the use of such materials and  
8           techniques.

9           (c) REPORT TO CONGRESS.—Not later than 60 days  
10          after the completion of a study pursuant to an agreement  
11          under subsection (a), the Secretary of Defense shall sub-  
12          mit to the congressional defense committees a report on  
13          the results of the study.

1 **SEC. 28** \_\_\_ [Log 74919]. **ANNUAL BRIEFINGS ON MILITARY**  
2 **HOUSING PRIVATIZATION PROJECTS.**

3 Section 2884 of title 10, United States Code, is  
4 amended by adding at the end the following new sub-  
5 section:

6 “(d) ANNUAL BRIEFINGS.—Not later than February  
7 1 of each year, the Secretary concerned shall provide to  
8 the Committees on Armed Services of the Senate and  
9 House of Representatives a briefing on military housing  
10 privatization projects under the jurisdiction of the Sec-  
11 retary. Such briefing shall include, for the 12-month pe-  
12 riod preceding the date of the briefing, each of the fol-  
13 lowing:

14 “(1) The information described in paragraphs  
15 (1) through (14) of subsection (c) with respect to all  
16 military housing privatization projects under the ju-  
17 risdiction of the Secretary.

18 “(2) A review of any such project that is ex-  
19 pected to require the restructuring of a loan, includ-  
20 ing any public or private loan.

21 “(3) For any such project expected to require  
22 restructuring, a timeline for when such restructuring  
23 is expected to occur.

1           “(4) Such other information as the Secretary  
2           determines appropriate.”.

1 **SEC. 28** [Log 75264]. **STANDARDIZATION OF MILITARY IN-**  
2 **STALLATION HOUSING REQUIREMENTS AND**  
3 **MARKET ANALYSES.**

4 (a) IN GENERAL.—Subchapter II of chapter 169 of  
5 title 10, United States Code, is amended by inserting after  
6 section 2836 the following new section:

7 **“§ 2837. Housing Requirements and Market Analysis**

8 “(a) IN GENERAL.—Not less frequently than once  
9 every five years, and in accordance with the requirements  
10 of this section, the Secretary concerned shall conduct a  
11 Housing Requirements and Market Analysis (in this sec-  
12 tion referred to as an ‘HRMA’) for each military installa-  
13 tion under the jurisdiction of the Secretary that is located  
14 in the United States.

15 “(b) PRIORITIZATION OF INSTALLATIONS.—

16 “(1) IN GENERAL.—Except as provided in para-  
17 graph (2), the Secretary concerned shall prioritize  
18 the conduct of HRMAs for installations—

19 “(A) for which an HRMA has not been  
20 conducted for five years or longer; or

21 “(B) in locations with housing shortages.

22 “(2) EXISTING 5-YEAR REQUIREMENT.—Para-  
23 graph (1) shall not apply to a military department  
24 that required an HRMA to be conducted for each in-

1       stallation not less frequently than once every five  
2       years before the date of the enactment of this sec-  
3       tion.

4       “(c) SUBMITTAL TO CONGRESS.—The Secretary of  
5       Defense shall include with the budget for the Department  
6       of Defense for fiscal year 2024 and each subsequent fiscal  
7       year, as submitted to Congress pursuant to section 1105  
8       of title 31, United States Code, a list of the military instal-  
9       lations for which the Secretary concerned plans to conduct  
10      an HRMA during such fiscal year.

11      “(d) HOUSING REQUIREMENTS AND MARKET ANAL-  
12      YSIS.—The term ‘Housing Requirements and Market  
13      Analysis’ or ‘HRMA’ means, with respect to a military in-  
14      stallation, a structured analytical process under which an  
15      assessment is made of both the suitability and availability  
16      of the private sector rental housing market using assumed  
17      specific standards related to affordability, location, fea-  
18      tures, physical condition, and the housing requirements of  
19      the total military population of the installation.”.

20      (b) CLERICAL AMENDMENT.—The table of sections  
21      at the beginning of such chapter is amended by inserting  
22      after the item relating to section 2836 the following new  
23      item:

    “2837. Housing Requirements and Market Analysis.”.

24      (c) TIME FRAME.—

1           (1) IN GENERAL.—During each of fiscal years  
2           2023 through 2027, the Secretary concerned shall  
3           conduct an HRMA for 20 percent of the military in-  
4           stallations under the jurisdiction of the Secretary lo-  
5           cated in the United States.

6           (2) SUBMITTAL OF INFORMATION TO CON-  
7           GRESS.—Not later than January 15, 2023, the Sec-  
8           retary concerned shall submit to the congressional  
9           defense committees a list of military installations for  
10          which the Secretary plans to conduct an HRMA dur-  
11          ing fiscal year 2023.

12          (d) DEFINITIONS.—In this section:

13           (1) The term “HRMA” means, with respect to  
14           a military installation, a structured analytical proc-  
15           ess under which an assessment is made of both the  
16           suitability and availability of the private sector rent-  
17           al housing market using assumed specific standards  
18           related to affordability, location, features, physical  
19           condition, and the housing requirements of the total  
20           military population of the installation.

21           (2) The term “Secretary concerned” has the  
22           meaning given that term in section 101(a)(9) of title  
23           10, United States Code.

1 **SEC. \_\_\_\_ [Log 75265]. REQUIRED CONSULTATION WITH**  
2 **STATE AND LOCAL ENTITIES ON ISSUES RE-**  
3 **LATED TO INCREASE IN NUMBER OF MILI-**  
4 **TARY PERSONNEL AT MILITARY INSTALLA-**  
5 **TIONS.**

6 If any decision of the Secretary of Defense or the Sec-  
7 retary of a military department would result in a signifi-  
8 cant increase in the number of members of the Armed  
9 Forces assigned to a military installation, the Secretary  
10 of Defense or the Secretary of the military department  
11 concerned, during the development of the plans to imple-  
12 ment the decision with respect to that installation, shall  
13 consult with appropriate State and local entities to ensure  
14 that matters affecting the local community, including re-  
15 quirements for transportation, utility infrastructure, hous-  
16 ing, education, and family support activities, are consid-  
17 ered.

1 **SEC. 28** [Log 75033]. **EXTENSION OF TIME FRAME FOR**  
2 **LAND CONVEYANCE, SHARPE ARMY DEPOT,**  
3 **LATHROP, CALIFORNIA.**

4 Section 2833(g) of the William M. (Mac) Thornberry  
5 National Defense Authorization Act for Fiscal Year 2021  
6 (Public Law 116–283) is amended by striking “one year”  
7 and inserting “three years”.



1 **SEC. 28** [Log 75097]. **LEASE OR USE AGREEMENT FOR**  
2 **CATEGORY 3 SUBTERRANEAN TRAINING FA-**  
3 **CILITY.**

4 (a) **IN GENERAL.**—The Secretary of Defense shall  
5 seek to enter into a lease or use agreement with a category  
6 3 subterranean training facility that—

7 (1) is located in close proximity to air assault  
8 and special forces units; and

9 (2) has the capacity to—

10 (A) provide brigade or large full-mission  
11 profile training;

12 (B) rapidly replicate full-scale underground  
13 venues;

14 (C) support helicopter landing zones; and

15 (D) support underground live fire.

16 (b) **USE OF FACILITY.**—A lease or use agreement en-  
17 tered into pursuant to subsection (a) shall provide that  
18 the category 3 subterranean training facility shall be avail-  
19 able for—

20 (1) the hosting of training and testing exercises  
21 for—

22 (A) for members of the Armed Forces, in-  
23 cluding special operations forces;

1 (B) personnel of combat support agencies,  
2 including the Defense Threat Reduction Agen-  
3 cy; and

4 (C) such other personnel as the Secretary  
5 of Defense determines appropriate; and

6 (2) for such other purposes as the Secretary of  
7 Defense determines appropriate.

8 (c) DURATION.—The duration of any lease or use  
9 agreement entered into pursuant to subsection (a) shall  
10 be for a period of not less than 5 years.

11 (d) CATEGORY 3 SUBTERRANEAN TRAINING FACIL-  
12 ITY DEFINED.—In this section, the term “category 3 sub-  
13 terranean training facility” means an underground struc-  
14 ture designed and built—

15 (1) to be unobserved and to provide maximum  
16 protection; and

17 (2) to serve as a command and control, oper-  
18 ations, storage, production, and protection facility.

1 **SEC. 28** [Log 75172]. **LAND CONVEYANCE, NAVAL AIR STA-**  
2 **TION OCEANA, DAM NECK ANNEX, VIRGINIA**  
3 **BEACH, VIRGINIA.**

4 (a) CONVEYANCE AUTHORIZED.—The Secretary of  
5 the Navy may convey to the Hampton Roads Sanitation  
6 District (in this section referred to as the “HRSD”) all  
7 right, title, and interest of the United States in and to  
8 a parcel of installation real property, including any im-  
9 provements thereon, consisting of approximately 7.9 acres  
10 located at Naval Air Station Oceana in Dam Neck Annex,  
11 Virginia Beach, Virginia. The Secretary may void any land  
12 use restrictions associated with the property to be con-  
13 veyed under this subsection.

14 (b) CONSIDERATION.—

15 (1) AMOUNT AND DETERMINATION.—As consid-  
16 eration for the conveyance under subsection (a), the  
17 HRSD shall pay to the Secretary of the Navy an  
18 amount that is not less than the fair market value  
19 of the property conveyed, as determined by the Sec-  
20 retary. The Secretary’s determination of fair market  
21 value shall be final. In lieu of all or a portion of cash  
22 payment of consideration, the Secretary may accept  
23 in-kind consideration.

1           (2) TREATMENT OF CASH CONSIDERATION.—

2           The Secretary of the Navy shall deposit any cash  
3           payment received under paragraph (1) in the special  
4           account in the Treasury established for the Sec-  
5           retary of the Navy under subsection (a) of para-  
6           graph (1) of subsection (e) of section 2667 of title  
7           10, United States Code. The entire amount depos-  
8           ited shall be available for use in accordance with  
9           subparagraph (D) of such paragraph.

10          (c) PAYMENT OF COSTS OF CONVEYANCE.—

11           (1) PAYMENT REQUIRED.—The Secretary of  
12           the Navy shall require the HRSD to cover costs to  
13           be incurred by the Secretary, or to reimburse the  
14           Secretary for costs incurred by the Secretary, to  
15           carry out the conveyance under subsection (a), in-  
16           cluding survey costs, costs related to environmental  
17           documentation, and any other administrative costs  
18           related to the conveyance. If amounts are collected  
19           in advance of the Secretary incurring the actual  
20           costs, and the amount collected exceeds the costs ac-  
21           tually incurred by the Secretary to carry out the  
22           conveyance, the Secretary shall refund the excess  
23           amount to the HRSD.

24           (2) TREATMENT OF AMOUNTS RECEIVED.—

25           Amounts received as reimbursement under para-

1 graph (1) shall be credited to the fund or account  
2 that was used to cover those costs incurred by the  
3 Secretary in carrying out the conveyance. Amounts  
4 so credited shall be merged with amounts in such  
5 fund or account and shall be available for the same  
6 purposes, and subject to the same conditions and  
7 limitations, as amounts in such fund or account.

8 (d) DESCRIPTION OF PROPERTY.—The exact acreage  
9 and legal description of the parcel of real property to be  
10 conveyed under subsection (a) shall be determined by a  
11 survey satisfactory to the Secretary of the Navy.

12 (e) ADDITIONAL TERMS AND CONDITIONS.—The  
13 Secretary of the Navy may require such additional terms  
14 and conditions in connection with the conveyance under  
15 subsection (a) as the Secretary considers appropriate to  
16 protect the interests of the United States.

1 **SEC. \_\_\_\_\_ [Log 75207]. CONVEYANCE, JOINT BASE**  
2 **CHARLESTON, SOUTH CAROLINA.**

3 (a) CONVEYANCE AUTHORIZED.—The Secretary of  
4 the Air Force (in this section referred to as the “Sec-  
5 retary”) may convey to the City of North Charleston,  
6 South Carolina (in this section referred to as the “City”)  
7 all right, title, and interest of the United States in and  
8 to a parcel of real property, including any improvements  
9 thereon, consisting of approximately 26 acres known as  
10 the Old Navy Yard at Joint Base Charleston, South Caro-  
11 lina, for the purpose of permitting the City to use the  
12 property for economic development.

13 (b) CONSIDERATION.—

14 (1) IN GENERAL.—As consideration for the con-  
15 veyance under subsection (a), the City shall pay to  
16 the United States an amount at least equal to the  
17 fair market value, as determined by the Secretary,  
18 based on an appraisal of the property to be conveyed  
19 under such subsection. Consideration may be cash  
20 payment, in-kind consideration as described under  
21 paragraph (2), or a combination thereof. The consid-  
22 eration paid to the Secretary must be sufficient, as  
23 determined by the Secretary, to provide replacement  
24 space for, and for the relocation of, any personnel,

1 furniture, fixtures, equipment, and personal property  
2 of any kind and belonging to any military depart-  
3 ment, located upon the property to be conveyed  
4 under subsection (a). All cash consideration must be  
5 paid in full, and any in-kind consideration must be  
6 complete and useable, and delivered to the satisfac-  
7 tion of the Secretary at or prior to date of the con-  
8 veyance under subsection (a).

9 (2) IN-KIND CONSIDERATION.—In-kind consid-  
10 eration described in this paragraph may include the  
11 acquisition, construction, provision, improvement,  
12 maintenance, repair, or restoration (including envi-  
13 ronmental restoration), or combination thereof, of  
14 any facilities or infrastructure within proximity to  
15 the Joint Base Charleston Weapons Station (South  
16 Annex) and located on Joint Base Charleston, that  
17 the Secretary considers acceptable.

18 (3) TREATMENT OF CASH CONSIDERATION RE-  
19 CEIVED.—Any cash payment received by the United  
20 States under paragraph (1) shall be deposited in the  
21 special account in the Treasury referred to in sub-  
22 paragraph (A) of paragraph (5) of subsection (b) of  
23 section 572 of title 40, United States Code, and  
24 shall be available in accordance with subparagraph  
25 (B) of such paragraph.

1 (c) PAYMENT OF COSTS OF CONVEYANCE.—

2 (1) PAYMENT REQUIRED.—The Secretary may  
3 require the City to cover all costs to be incurred by  
4 the Secretary, or to reimburse the Secretary for  
5 costs incurred by the Secretary, to carry out the  
6 conveyance under subsection (a), including survey  
7 costs, appraisal costs, costs related to environmental  
8 documentation, and any other administrative costs  
9 related to the conveyance. If amounts paid by the  
10 City to the Secretary in advance exceed the costs ac-  
11 tually incurred by the Secretary to carry out the  
12 conveyance, the Secretary shall refund the excess  
13 amount to the City.

14 (2) TREATMENT OF AMOUNTS RECEIVED.—  
15 Amounts received under paragraph (1) as reim-  
16 bursement for costs incurred by the Secretary to  
17 carry out the conveyance under subsection (a) shall  
18 be credited to the fund or account that was used to  
19 cover the costs incurred by the Secretary in carrying  
20 out the conveyance, or to an appropriate fund or ac-  
21 count that is available to the Secretary for the pur-  
22 poses for which the costs were paid. Amounts so  
23 credited shall be merged with amounts in such fund  
24 or account and shall be available for the same pur-



1 poses, and subject to the same conditions and limita-  
2 tions, as amounts in such fund or account.

3 (d) DESCRIPTION OF PROPERTY.—The exact acreage  
4 and legal description of the property to be conveyed under  
5 subsection (a) shall be determined by a survey satisfactory  
6 to the Secretary.

7 (e) CONDITION OF CONVEYANCE.—The conveyance  
8 under subsection (a) shall be subject to all valid existing  
9 rights and the condition that the City accept the property  
10 (and any improvements thereon) in its condition at the  
11 time of the conveyance (commonly known as a conveyance  
12 “as is”).

13 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-  
14 retary may require such additional terms and conditions  
15 in connection with the conveyance under subsection (a) as  
16 the Secretary considers appropriate to protect the inter-  
17 ests of the United States.

18 (g) OLD NAVY YARD.—In this section, the term “Old  
19 Navy Yard” includes the facilities used by the Naval Infor-  
20 mation Warfare Center Atlantic including, buildings 1602,  
21 1603, 1639, 1648, and such other facilities, infrastruc-  
22 ture, and land along or near the Cooper River waterfront  
23 at Joint Base Charleston as the Secretary considers to be  
24 appropriate.

1 **SEC. 28** [Log 75226]. **AUTHORITY FOR TRANSFER OF AD-**  
2 **MINISTRATIVE JURISDICTION, CASTNER**  
3 **RANGE, FORT BLISS, TEXAS.**

4 Section 2844 of the National Defense Authorization  
5 Act for Fiscal Year 2013 (Public Law 112–239) is amend-  
6 ed—

7 (1) in subsection (a)—

8 (A) in paragraph (1)—

9 (i) by redesignating the text beginning  
10 with “convey” and ending with “Franklin  
11 Mountains State Park.” as subparagraph  
12 (B);

13 (ii) by striking “may” and inserting  
14 “may—”; and

15 (iii) by inserting after subparagraph  
16 (B), as redesignated by subparagraph (A)  
17 of this paragraph, the following new sub-  
18 paragraph (A):

19 “(A) transfer administrative jurisdiction of  
20 approximately 7,081 acres at Fort Bliss, Texas,  
21 to the Secretary of the Interior (acting through  
22 the Director of the Bureau of Land Manage-  
23 ment) which shall be managed in accordance  
24 with the Federal Land Policy and Management

1 Act of 1976 (43 U.S.C. 1701 et seq.) and any  
2 other applicable laws; or”; and

3 (B) in paragraph (2)—

4 (i) by inserting “transfer of adminis-  
5 trative jurisdiction or” before “convey-  
6 ance”;

7 (ii) by inserting “transfer to the Sec-  
8 retary of the Interior or” before “convey to  
9 the Department”; and

10 (iii) by striking “Department’s”;

11 (2) in subsection (b)—

12 (A) by inserting “conveys the real property  
13 under subsection (a)(1)(B) and” after “If the  
14 Secretary”; and

15 (B) by striking “conveyed under subsection  
16 (a)”;

17 (3) in the first subsection (c), by striking “the  
18 land conveyance under this section” and inserting “a  
19 land conveyance under subsection (a)(1)(B)”;

20 (4) by redesignating the second subsection (c)  
21 and subsections (d) and (e) as subsections (d), (e),  
22 and (f), respectively;

23 (5) in subsection (d), as so redesignated, by in-  
24 serting “transferred or” before “conveyed”;

1           (6) in subsection (e), as so redesignated, by  
2           striking “the conveyances under subsection (a)” and  
3           inserting “a conveyance under subsection  
4           (a)(1)(B)”;

5           (7) in subsection (f), as so redesignated—

6           (A) by striking “federal” each place it ap-  
7           pears and inserting “Federal”;

8           (B) by striking “non-federal” each place it  
9           appears and inserting “non-Federal”; and

10          (C) in paragraph (3), by inserting “trans-  
11          ferred or” before “conveyed”; and

12          (8) by adding at the end the following new sub-  
13          section:

14          “(g) MEMORANDUM OF UNDERSTANDING.—The Sec-  
15          retary may enter into a memorandum of understanding  
16          with the Secretary of the Interior (acting through the Di-  
17          rector of the Bureau of Land Management) regarding any  
18          transfer of administrative jurisdiction under subsection  
19          (a)(1)(A).”.

1 **SEC. 28** [Log 75116]. **PRIVATIZATION OF NAVY AND AIR**  
2 **FORCE TRANSIENT HOUSING.**

3 (a) **PRIVATIZATION REQUIRED.**—Not later than ten  
4 years after the date of the enactment of this Act, the Sec-  
5 retary concerned shall privatize all transient housing in  
6 the United States under the jurisdiction of the Secretary  
7 concerned through the conveyance of the transient housing  
8 to one or more eligible entities.

9 (b) **APPLICABLE PRIVATIZATION LAWS.**—The Sec-  
10 retary concerned shall carry out this section using the au-  
11 thority provided by section 2872 of title 10, United States  
12 Code, consistent with subchapters IV and V of chapter  
13 169 of such title.

14 (c) **LIMITATIONS.**—No Government direct loans, Gov-  
15 ernment guarantees, or Government equity may be ex-  
16 tended in consideration of any privatization carried out  
17 pursuant to subsection (a).

18 (d) **CONSULTATIONS.**—In establishing a plan to carry  
19 out the privatization of transient housing pursuant to sub-  
20 section (a), the Secretary concerned shall—

- 21 (1) consult with the Secretary of the Army; and
- 22 (2) to the greatest extent possible, incorporate
- 23 into such plan the best practices and efficiencies of
- 24 the Secretary of the Army in carrying out the pri-

1       vatization of transient housing under the jurisdiction  
2       of the Secretary of the Army.

3       (d) REPORT REQUIRED.—Not later than one year  
4       after the date of the enactment of this Act, and annually  
5       thereafter until the privatization required under sub-  
6       section (a) is complete, the Secretary concerned shall sub-  
7       mit to the Committees on Armed Services of the Senate  
8       and House of Representatives a report that includes—

9           (1) detailed plans for the privatization of all  
10       transient housing under the jurisdiction of the Sec-  
11       retary; and

12           (2) timelines for conveyances and other critical  
13       milestones.

14       (e) DEFINITIONS.—In this section:

15           (1) The term “eligible entity” has the meaning  
16       given that term in section 2871 of title 10, United  
17       States Code.

18           (2) The term “transient housing” means lodg-  
19       ing intended to be occupied by members of the  
20       Armed Forces on temporary duty.

21           (3) The term “Secretary concerned” means—

22                (A) the Secretary of the Navy, with respect  
23       to transient housing under the jurisdiction of  
24       the Secretary of the Navy; and

1                   (B) the Secretary of the Air Force, with  
2                   respect to transient housing under the jurisdic-  
3                   tion of the Secretary of the Air Force.

1 **SEC. 28** [Log 75230]. **DEFENSE ACCESS ROAD PROGRAM**  
2 **ENHANCEMENTS TO ADDRESS TRANSPOR-**  
3 **TATION INFRASTRUCTURE IN VICINITY OF**  
4 **MILITARY INSTALLATIONS.**

5 (a) **IN GENERAL.**—Section 2816 of the National De-  
6 fense Authorization Act for Fiscal Year 2012 (Public Law  
7 112–81) is amended—

8 (1) in subsection (b)—

9 (A) in paragraph (1), by striking “this  
10 Act” and inserting “the National Defense Au-  
11 thorization Act for Fiscal Year 2023”; and

12 (B) in paragraph (2), by striking “this  
13 Act” and inserting “the National Defense Au-  
14 thorization Act for Fiscal Year 2023”; and

15 (2) by adding at the end the following new sub-  
16 sections:

17 “(d) **PETITION FOR CERTIFICATION OF ROADS AS**  
18 **DEFENSE ACCESS ROADS.**—

19 “(1) **IN GENERAL.**—Not later than October 1,  
20 2023, the Secretary of Defense shall establish a for-  
21 mal mechanism under which—

22 “(A) a State, county, or municipality may  
23 petition the Secretary to certify roads as de-



1           fense access roads under section 210 of title 23,  
2           United States Code; and

3                   “(B) the Secretary shall respond, in writ-  
4           ing, to any such petition by not later than 90  
5           days after receiving the petition.

6                   “(2) STATE DEFINED.—In this subsection, the  
7           term ‘State’ means any of the several States, the  
8           District of Columbia, American Samoa, Guam, the  
9           Commonwealth of the Northern Mariana Islands,  
10          the Commonwealth of Puerto Rico, and the United  
11          States Virgin Islands.

12                   “(e) PUBLIC AVAILABILITY OF INFORMATION.—The  
13          Secretary of Defense shall maintain and update regularly  
14          on an appropriate website of the Federal Government, a  
15          list of all roads certified as important to the national de-  
16          fense by the Secretary or by such other official as the  
17          President may designate. Such website shall include, for  
18          each such road, each of the following:

19                   “(1) The military installation (as such term is  
20           defined in section 2687(g)(1) of title 10, United  
21           States Code) that is in closest proximity to the road.

22                   “(2) The date on which the road was so cer-  
23           tified.

24                   “(3) Any fiscal year for which the President  
25           transmitted to Congress under section 1105 of title

1 31, United States Code, a budget request that in-  
2 cluded an amount for such road.

3 “(4) Any fiscal year for which Congress appro-  
4 priated an amount for such road.

5 “(f) TREATMENT OF CLASSIFIED INFORMATION.—  
6 Nothing in subsection (d) or (e) shall be construed as a  
7 requirement for the Secretary of Defense to make publicly  
8 available any classified information.”.

9 (b) REPORT ON DEFENSE ACCESS ROADS.—Section  
10 2814(b) of the Duncan Hunter National Defense Author-  
11 ization Act for Fiscal Year 2009 (Public Law 110–417)  
12 is amended—

13 (1) by striking “April 1, 2009” and inserting  
14 “one year after the date of the enactment of the Na-  
15 tional Defense Authorization Act for Fiscal Year  
16 2023”; and

17 (2) by inserting before the period at the end the  
18 following: “and name any road that the commander  
19 of a military installation (as such term is defined in  
20 section 2687(g)(1) of title 10, United States Code)  
21 or the Secretary of a military department has rec-  
22 ommended that the Secretary of Defense certify as  
23 a defense access road during the period beginning on  
24 April 1, 2009, and ending on the date of the enact-

1 ment of the National Defense Authorization Act for  
2 Fiscal Year 2023”.

3 (c) REPORT ON DESIGNATION OF CERTAIN HIGH-  
4 WAYS AS DEFENSE ACCESS ROADS.—

5 (1) REPORT.—Not later than October 1, 2023,  
6 the Secretary of the Air Force shall submit to the  
7 Committees on Armed Services of the Senate and  
8 House of Representatives a report containing the re-  
9 sults of a study on the advisability of designating  
10 each of the roads identified under paragraph (2) as  
11 defense access roads for purposes of section 210 of  
12 title 23, United States Code.

13 (2) ROADS IDENTIFIED.—The roads identified  
14 under this subsection are each of the following:

15 (A) For Beale Air Force Base, California:

16 (i) Chuck Yeager Road.

17 (ii) North Beale Road.

18 (iii) Spenceville Road, also known as  
19 Camp Beale Highway.

20 (iv) South Beale Road.

21 (B) For Travis Air Force Base, California:

22 (i) Air Base Parkway.

23 (ii) Canon Road.

24 (iii) Gate Road, including North Gate  
25 Road.

- 1 (iv) Petersen Road.
- 2 (v) Vanden Road.

1 **SEC. 28** [Log 75389]. **LIMITATION ON USE OF FUNDS**  
2 **PENDING COMPLETION OF MILITARY INSTAL-**  
3 **LATION RESILIENCE COMPONENT OF MAS-**  
4 **TER PLANS FOR AT-RISK MAJOR MILITARY**  
5 **INSTALLATIONS.**

6 Of the funds authorized to be appropriated by this  
7 Act or otherwise made available for fiscal year 2023 for  
8 the Office of the Secretary of Defense for administration  
9 and service-wide activities, not more than 50 percent may  
10 be obligated or expended until the date on which the each  
11 Secretary of a military department has satisfied the re-  
12 quirements of section 2833 of the National Defense Au-  
13 thorization Act for Fiscal Year 2022 (Public Law 117–  
14 81; 10 U.S.C. 2864 note).

1 **SEC. 34** \_\_\_\_ .**[Log 74794] AUTHORIZATION OF APPROPRIA-**  
2 **TIONS.**

3 (a) **AMOUNT.**—There are hereby authorized to be ap-  
4 propriated to the Secretary of Energy \$13,004,000 for fis-  
5 cal year 2023 for the purpose of carrying out activities  
6 under chapter 869 of title 10, United States Code, relating  
7 to the naval petroleum reserves.

8 (b) **PERIOD OF AVAILABILITY.**—Funds appropriated  
9 pursuant to the authorization of appropriations in sub-  
10 section (a) shall remain available until expended.

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- Report on the Composition of the Rotational Brigade Combat Team in Korea
- Report on Warehouse Utilization Project Pilot
- Stockpile Status of Antimony
- Transition from Joint Service Lightweight Integrated Suit Technology to Uniformed Integrated Protective Ensemble

##### OTHER MATTERS

- Briefing on Progress Towards Historical Accounting of Department of Defense Participation in Indian Boarding Schools
- Data Dashboard for Aviation Status Tracking
- Environmental Cleanup at National Guard Locations
- Former Air Force Radar Sites with Asbestos Contamination
- Guidance for Tribal and Cultural Resource Personnel within the Department of Defense
- Installation Access Standards
- Noise Mitigation and Air Installation Compatible Use Zones



PFAS Destruction Technologies  
Promulgation of Guidance and Best Practices for PFAS Destruction  
Replacing the Army Combat Uniform with the Flame-Resistant Army Combat Uniform  
Traffic Congestion around Military Installations  
Using Innovative Technology in Indo-Pacific Training Exercises to Enhance Army Readiness

## **DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

### **TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION**

#### **ITEMS OF SPECIAL INTEREST**

NORAD Support Infrastructure Recapitalization

### **TITLE XXVIII—MILITARY CONSTRUCTION GENERAL**

#### **PROVISIONS**

#### **ITEMS OF SPECIAL INTEREST**

Air Force Housing

Area-Wide Contracts and Utilities

Army Installation Cybersecurity

Feasibility of Barracks Privatization

Feasibility of Using Joint Reserve Intelligence Centers for Software Development

Natural Infrastructure for Water Management

Pilot Program on Sustainable Building Materials

Prioritization of Facility Sustainment, Renovation, Modernization, and Maintenance

Project Labor Agreements for Shipyard Infrastructure Projects

Rocket Propulsion Test and Evaluation Facilities

Study on Deployment of Electric Vertical Take Off and Landing Aircraft at Military Installations

Sustainable Groundwater Management

Utilities Privatization

# DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

## TITLE III—OPERATION AND MAINTENANCE

### ITEMS OF SPECIAL INTEREST

#### ENERGY ISSUES

##### Carbon Free Energy Technologies

The committee commends the Department of Defense for pursuing policies to increase energy resilience, and to reduce the carbon emissions of installation and operational energy to reduce climate risks. However, the committee is concerned that the Department may not be fully considering all carbon-free energy technologies, nor is it fully assessing the ability of carbon-free emitting energy technologies to meet the reliability, resilience, and performance requirements for installations and operations, especially for action strategies that do not maximize the achievement of both mission objectives and climate goals.

Accordingly, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services not later than June 1, 2023. The report shall include at a minimum the following:

- (1) an evaluation of the reliability, resilience, and performance characteristics of all existing and emerging carbon-free energy technologies, including grid-scale and micro-advanced nuclear energy;
- (2) assesses whether carbon-free energy technologies are currently capable, if deployed, of meeting the reliability, resilience, and performance requirements for all agency energy uses at domestic installations for critical missions; and
- (3) an assessment of emerging carbon-free energy technologies in research and development that could enhance energy resilience at domestic installations.

##### Energy Conservation Measures at Installations

The committee commends the military departments on the use of energy savings performance contracts to improve energy resilience, decrease energy costs, and increase readiness at military installations. The committee notes that installation commanders and base personnel identify energy saving initiatives on their energy conservation measures list and that these projects could in turn become part of an energy savings performance contract. The committee is concerned that without a mechanism for sharing the contents of the energy conservation measures list with energy service companies, the Department of Defense is not able to utilize energy savings performance contracts to the fullest extent possible.

Therefore, the committee directs the Under Secretary of Defense for Acquisition and Sustainment to initiate a study and submit a report to the House Committee on Armed Services by January 1, 2023, on potential methods of securely

sharing installation energy conservation measures requirements lists with existing Department energy services companies.

### Energy Resilience Readiness Exercises

The committee commends the military departments for embracing the use of black-start exercises as a means to identify energy resilience gaps. The committee recognizes that the Energy Resilience Readiness Exercise (ERRE) program, when used to its greatest potential, can serve to identify gaps in energy, water supply, communications, and continuity of operations. The committee is aware that by requiring mission owners to "fight through the outage" and exercise their ability to continue their missions in a degraded environment, military departments can not only identify energy resilience gaps, but also identify and mitigate readiness gaps.

The committee encourages the military departments to utilize the ERRE program to its maximum effect by planning exercises in force concentration areas with power projection missions and using these exercises to identify readiness gaps as well as energy resiliency issues. Accordingly, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services by November 15, 2022, on their planned ERREs for fiscal year 2023. The briefing shall include at a minimum the following:

(1) how each exercise will assess readiness gaps, continuity of operations, and critical mission holder ability to withstand 12 or more hours of denial of commercial energy and water;

(2) framework for identifying interdependences between missions and enabling infrastructure including communications networks;

(3) framework for assessing resilience of backup systems including systems supporting intrusion detection, safety, fire-suppression, and health infrastructure; and

(4) discussion of future exercise frameworks to include timing exercises to coincide with high or low temperatures, and large fleet or force concentration areas.

The committee directs the Secretary of the Navy to provide a briefing to the House Committee on Armed Services by November 15, 2022, on their planned ERREs for fiscal year 2023. The briefing shall include at a minimum the following:

(1) how each exercise will assess readiness gaps, continuity of operations, and critical mission holder ability to withstand 12 or more hours of denial of commercial energy and water;

(2) framework for identifying interdependences between missions and enabling infrastructure including communications networks;

(3) framework for assessing resilience of backup systems including systems supporting intrusion detection, safety, fire-suppression, and health infrastructure; and

(4) discussion of future exercise frameworks to include timing exercises to coincide with high or low temperatures, and large fleet or force concentration areas.

The committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services by November 15, 2022, on their planned ERREs for fiscal year 2023. The briefing shall include at a minimum the following:

- (1) how each exercise will assess readiness gaps, continuity of operations, and critical mission holder ability to withstand 12 or more hours of denial of commercial energy and water;
- (2) framework for identifying interdependences between missions and enabling infrastructure including communications networks;
- (3) framework for assessing resilience of backup systems including systems supporting intrusion detection, safety, fire-suppression, and health infrastructure; and
- (4) discussion of future exercise frameworks to include timing exercises to coincide with high or low temperatures, and large fleet or force concentration areas.

### Natural Gas Generators

The committee notes that diesel generators remain in use as emergency power on a number of installations. The committee further notes that natural gas generators may provide an alternative that cuts overall emissions and reduces carbon dioxide. The committee notes that natural gas generators can be used in combination with renewable sources or in locations where renewable sources are less viable. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by February 1, 2023, on installations where natural gas generators could be fielded as a source of resilient energy.

## LOGISTICS AND SUSTAINMENT ISSUES

### Minimal Capital Investment for Certain Depots

The committee notes that more than two-thirds of most weapon systems' lifecycle costs are incurred for operations and sustainment. To support this critical function, it is imperative that the military services make consistent, strategic capital investments in the organic industrial base (OIB). Such investments will ensure modern, surge-ready facilities that can support ongoing and future missions, facilitate competition with our adversaries, enable the recruitment of a skilled OIB workforce, and improve the efficiency and effectiveness of weapon system maintenance and modernization.

Despite the military services' largely meeting the statutory requirement to invest in the OIB at least 6 percent of the average total combined maintenance, repair, and overhaul workload for the preceding 3 fiscal years, the Government Accountability Office (GAO) has found that facility conditions remain poor at most organic depots. The GAO also found that some Department of Defense officials believe that the 6 percent investment required by section 2476 of title 10, United States Code, is not adequate to address OIB infrastructure needs. The committee is

aware that potential modifications to 10 U.S.C. 2476, which provides for the 6 percent investment requirement, may facilitate more robust and effective investment in the OIB.

Therefore, the committee directs the Secretaries of the Army, Navy and Air Force to submit reports to the House Committee on Armed Services not later than March 1, 2023, that assess potential modifications to 10 U.S.C. 2476 and their implications for the military services' ability to make strategic investments in the OIB. The reports should assess:

- (1) whether 6 percent is the appropriate minimum investment or whether another target should be considered;
- (2) the impacts of requiring a minimum investment at each individual depot or depot command, rather than for each military department;
- (3) the impact of enabling the minimum investment requirement to include funds invested for the sustainment, rebuilding, or restoration to like-new condition of existing facilities, infrastructure, and equipment;
- (4) whether the baseline for the investment requirement should be calculated based on a formula other than the three preceding years of revenue;
- (5) the impact of enabling the military departments to credit any annual investment in excess of 6 percent to future years' minimum requirements; and
- (6) the implications of modifying the depots to which the minimum investment requirement applies.

### Naval Sustainment System-Supply

The committee notes that supply chain visibility is critical to mapping supply chains, identifying vulnerabilities, and developing alternate and more secure sources of strategic goods and services. Supply chain visibility also promotes readiness and optimizes decision-making by improving end-to-end logistics processes and data integration. Further, supply chain insights achieved through increased data integrity and expanded data analytics can drive weapon system readiness improvements.

The committee commends Naval Supply Systems Command for establishing a new end-to-end approach to managing naval supply chains and supporting mission performance. Naval Sustainment System-Supply (NSS-Supply) seeks to implement a portfolio-based approach across the commercial and organic industrial base to increase predictability, capacity, and speed throughout the supply chain.

In order for the committee to develop a better understanding of the NSS-Supply initiative as a readiness force multiplier, the committee directs the Secretary of the Navy to provide a briefing to the House Committee on Armed Services not later than March 1, 2023, on the strategy to implement NSS-Supply. The briefing shall include the following elements:

- (1) an explanation of the milestones and outcomes to be achieved under NSS-Supply;

(2) an explanation of how the potential gains brought by NSS-Supply will be institutionalized to improve end-to-end supply chain business processes in the Navy; and

(3) an explanation of the resources needed to support NSS-Supply and a discussion of the potential to accelerate outcomes and the resources required to do so.

### Navy Organizational-Level Maintenance

The committee notes that the Navy's organizational-level maintenance—in which ships' crews perform routine preventive maintenance and repairs such as inspecting, servicing, and replacing parts—is a key driver of fleet readiness. However, the Comptroller General of the United States has identified several challenges impeding the Navy's organizational-level maintenance efforts, including crew shortages; poor maintenance training leading to an extensive reliance on on-the-job training aboard ships; and shortages in the tools, parts, and materials needed to perform organizational-level maintenance.

Day-to-day maintenance is vital to ensuring the operational capability and longevity of the fleet. Although the Navy has a variety of efforts underway to improve how it conducts more complex maintenance activities while ships are in port, it is unclear whether the Navy is adequately addressing challenges at the organizational maintenance level.

Therefore, the committee directs the Comptroller General of the United States to review and assess the Navy's efforts to provide sufficient crewing, training, and material to perform required levels of organizational-level maintenance. The review should address the following elements:

- (1) the extent to which the Navy has ensured crew levels meet requirements for the organizational-level maintenance workload;
- (2) the extent to which the Navy has provided sufficient organizational-level maintenance and repair training;
- (3) the extent to which the Navy has provided sufficient tools, parts, and materials necessary for the performance of maintenance aboard ships;
- (4) the extent to which the Navy has developed systems and processes for tracking the performance of organizational-level maintenance; and
- (5) any other topics deemed appropriate by the Comptroller General.

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 present final results in a format and timeframe agreed to at the time of the briefing.

### T-38 and T-6 Aircraft Sustainment Costs

The committee notes that the Air Force is undergoing modernization efforts on various types of aircraft, including fighter and trainer aircraft. Modern aircraft are generally more cost-effective to maintain and provide for an easier transition for

pilots and maintainers to fourth- and fifth-generation aircraft. The committee is concerned about the length of service for some of the Air Force's training aircraft and supports increased investments to modernize the trainer aircraft fleet. Flying legacy trainer aircraft past their intended service life can drive increased maintenance costs and prevent airmen from training on equipment that will prepare them for the rest of their career.

Therefore, the committee directs the Secretary of the Air Force to submit a report to the House Committee on Armed Services not later than March 1, 2023, on individual aircraft fleet sustainment costs for the T-38 and T-6 aircraft fleets. This report should include:

(1) a detailed description of the current sustainment costs for the T-38 and T-6 aircraft fleets;

(2) an identification and assessment of sustainment cost elements attributable to the Air Force and to contractors, disaggregated by the entity responsible for each portion of the cost element (including for a prime contractor and any first-tier subcontractor);

(3) an identification of sustainment cost metrics for the T-38 and T-6 aircraft fleets, expressed in a cost-per-tail-per-year format (pursuant to the formula specified in section 356(c) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81));

(4) an assessment of engine operational availability for the aircraft and efforts to mitigate any impact to sorties flown by T-38 and T-6 aircraft fleets due to unavailability of engines; and

(5) a forecast of how accelerating the T-7 acquisition timeline could produce potential cost savings for T-38 and T-6 aircraft fleets.

### U.S. Private Shipyards

The committee notes that a robust shipbuilding and repair industry is critical to U.S. national security. The Navy's approximately 240 non-nuclear ships depend on private shipyards for repair, maintenance, and modernization. As the Center for Strategic and Budgetary Assessments noted in a 2020 report on strengthening the U.S. defense maritime industrial base, the most significant private dry-dock shortfall is on the west coast. While the Navy has rebalanced its fleet over the last decade toward the west coast to better address military competition with China, the committee is concerned that investment in the industrial base has not been commensurate with that shift. Further, according to the Navy, the need for additional U.S. shipyard capability outside of homeports is critical to provide surge capacity, industrial base stability, and increased competition.

The committee notes that private repair yards can potentially perform work more efficiently for the Navy, but the Navy has not provided sufficient support and information—including a long-term, predictable plan for private shipyard capacity-building—to private companies that are not yet certified to perform Navy work.

Additional information and support is needed to guide and coordinate the investments required for these companies to seek certification for Navy maintenance.

Therefore, the committee directs the Secretary of the Navy to submit a report to the House Committee on Armed Services not later than January 31, 2023, on the potential certification of additional U.S. private shipyards for Navy maintenance. The report should include:

(1) an assessment of whether the capability and capacity of the private shipyards in the United States that currently perform Navy maintenance is sufficient to ensure the timely repair and modernization of naval vessels;

(2) an identification and assessment of the private U.S. shipyards that could perform maintenance on naval vessels if they attained the necessary certifications;

(3) a description of the Navy's interactions with private U.S. shipyards that have approached the Navy about pursuing certification for Navy maintenance;

(4) an assessment of the possible grant programs, loan guarantee programs, and other initiatives that the Navy could undertake to incentivize private shipyard investment and recapitalization to support Navy maintenance; and

(5) a description of the Navy's plans, if any, to provide such assistance to private shipyards.

## READINESS ISSUES

### Air Force Operational Training Digital Infrastructure

The committee notes that the Air Force is testing virtual, augmented, and mixed-reality technologies in both its pilot and maintenance training pipelines in order to provide students with an immersive training experience, tailor trainings to address unique needs, and accelerate the training process. While the committee recognizes the Air Force's progress in deploying digital training infrastructure, the committee is concerned that the Air Force may not have sufficient plans in place to integrate digital training infrastructure into its training organizations and commands at a speed that aligns with the pace of software development.

Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services not later than March 1, 2023, on a service-wide plan to transition digital training infrastructure into the appropriate Air Force organizations as soon as technical readiness will allow. This briefing should include:

(1) details on ensuring the security of digital infrastructure and training tools;

(2) future support and sustainment plans for digital training infrastructure;

(3) plans for the incorporation of immersive technologies such as extended reality;

(4) actions to ensure unity of effort across Air Force commands;



- (5) information on approval and certification roles and responsibilities for software and hardware integration; and
- (6) plans for the inclusion of small businesses.

### Commercial Adversary Air

The committee notes that the Air Force makes use of commercial adversary aviation services to train new fighter pilots to fly against enemy fighter pilots and their aircraft. Once predominately an in-house function, the Air Force has determined that the use of commercial adversary air can yield cost savings, save flying hours on some of the military's most expensive aircraft, and provide combat flight training experience against a variety of aircraft.

In order to better understand the Air Force's use of commercial adversary air, the committee directs the Secretary of the Air Force to submit a report to the House Committee on Armed Services not later than March 1, 2023, on the current use and future plans for commercially contracted adversary air. The report should include:

- (1) a description of the Air Force's current utilization of contract adversary air;
- (2) an assessment of the outcomes of the Air Force's use of contract adversary air;
- (3) a comparison of the cost per flying hour of utilizing commercial adversary aircraft instead of fifth-generation fighters;
- (4) a description of the impact of utilizing commercial adversary air on maintenance personnel availability, pilot retention, and Air Force aircraft utilization; and
- (5) a description of the Air Force's plans for the future utilization, basing, and funding for commercial adversary air.

### Comptroller General Review of Army Watercraft

The Army has stressed that its watercraft are a significant combat multiplier in support of large-scale combat operations. Composed of a small number of units and somewhat less than 100 vessels, Army watercraft transport, support, resupply, and sustain combat forces wherever coasts, littorals, port, and inland waterways, come into play.

The committee has significant concerns about the readiness, force structure capacity, and modernization plans of the Army's watercraft fleet. The Army has a transformation strategy to resize, restructure, and modernize the fleet; over the long term, the Army believes it will require a larger fleet with more advanced capabilities. To assist the committee in its oversight of these efforts, the committee directs the Comptroller General of the United States to review and assess the Army's watercraft readiness, sustainment, and long-term force structure plans. The Comptroller General's review should:

(1) assess the readiness of Army watercraft units, including key drivers of readiness;

(2) assess the Army's programs to sustain, extend the service life, and modernize its fleet of watercraft; and

(3) evaluate the extent to which the Army has evaluated its force structure and capacity requirements for watercraft to support large-scale combat operations over the long term.

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than March 15, 2023, on preliminary findings of the review and present final results in a format and timeframe agreed to at the time of the briefing.

### Comptroller General Review of Marine Corps and Army Force Structure Plans

Since the renewed emphasis on great power competition, both the Marine Corps and Army have developed new warfighting concepts and aligned their force structure plans to better prepare the United States to fight in complex, multi-domain environments. The Marines divested tanks, some aviation, and artillery units as part of their force design changes, and created the first Marine Littoral Regiment in 2022. The Army is activating up to five Multi-Domain Task Forces for planning and coordinating a variety of theater-wide operations, including cyber, space, electronic and information warfare, and long-range fires.

The committee recognizes that both the Marine Corps and Army are at the early stages of orienting their warfighting doctrine and force structure plans toward great power competition. Russia's invasion of Ukraine and China's outsized presence in the Pacific region are constant reminders of how important it is for the Marine Corps and Army to successfully consider and implement changes in the size and composition of their forces. To assist the committee in its oversight of the Marine Corps and Army initiatives, the committee directs the Comptroller General of the United States to review and assess the military services' force structure plans for addressing great power competition. The Comptroller General's review should:

(1) assess the military services' plans for developing and fielding Marine Littoral Regiments and Army Multi-Domain Task Forces;

(2) evaluate the extent to which the Marine Corps and Army are collaborating with each other on warfighting concepts and doctrine in establishing these units; and

(3) assess the extent to which the Joint Staff and combatant commanders have incorporated Marine Littoral Regiments and Army Multi-Domain Task Forces in their joint doctrine, guidance, and plans.

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than March 15, 2023, on the Comptroller General's preliminary findings and present final results in a format and timeframe agreed to at the time of the briefing.

### Defense Readiness for Global Catastrophes

The committee notes that the global COVID-19 pandemic has highlighted risks to Department of Defense missions that were previously either unknown or under-appreciated. The committee further notes that these risks and lessons learned are readily applicable to other catastrophes or incidences with the capacity to cause global impacts to economies, supply chain, and workforce. The committee contends that the Department of Defense should be incorporating best practices and lessons learned from the COVID-19 pandemic into doctrine and policy to ensure that the Department is ready to support the warfighter in conflicts that coincide with or actions requiring defense support to civil authorities in response to major global events and catastrophes.

Accordingly, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services not later than February 1, 2024, providing an assessment of the Department's readiness in relation to a future global catastrophe and adoption of best practices learned through the COVID-19 global pandemic into the Department's doctrine and policies. The report shall include at a minimum the following:

- (1) an assessment of best practices and risks identified during the COVID-19 global pandemic;
- (2) the extent to which these lessons learned have been adopted into Department of Defense or military department doctrine, policy, and practice;
- (3) assessment of risk to continuity of operations and execution of national functions in the aftermath of a global catastrophe or significant event of global impact, and to what extent mitigations have been put in place to address those risks;
- (4) a description of the events the Department has deemed most likely or most dangerous or incapacitating;
- (5) an assessment of potential future investments and policy shifts required to address those events; and
- (6) an assessment of the Department's current ability to successfully conduct national functions and maintain continuity of operations during those events.

### F-35 Operational Capabilities

The committee notes that operational F-35 aircraft have experienced sustainment challenges, including problems associated with the global supply chain and the F-35 logistics software. As the services have increasingly deployed the F-35 to forward locations in recent years, including Air Force deployments to the Middle East and the Pacific, Navy deployments on the USS Carl Vinson in the Pacific, and Marine Corps F-35 stationing in Japan and deployment on amphibious ships, it is critical to assess the F-35's operational capabilities and lessons learned from these deployments.

Therefore, to satisfy the requirement provided in section 357 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81), the

committee directs the Comptroller General of the United States to conduct a comprehensive review of F-35 operational capabilities and challenges. This review should assess the extent to which:

- (1) the military services have used the F-35 to support operational deployments, met performance expectations when deployed, and experienced sustainment-related challenges during those operations;
- (2) the current stocks of repair parts and consumable supplies contained in the F-35's afloat and deployment spares packages have successfully supported operational deployments;
- (3) the military services have experienced challenges operating and maintaining F-35s that remain at the air bases or stations from which F-35s are deployed; and
- (4) any other topics deemed appropriate by the Comptroller General.

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 present final results in a format and timeframe agreed to at the time of the briefing.

### Fighter Aircraft Readiness

The committee notes that while the Department of Defense spends billions of dollars annually to maintain fighter aircraft, persistent fleet-wide aircraft availability challenges limit the readiness of military fighter jets.

The Comptroller General of the United States has reported in recent years that Air Force and Navy aircraft mission capable rates have been negatively impacted by aging aircraft, depot maintenance delays, and insufficient supply support. The readiness of Air Force and Navy fighter jets is also being negatively affected by the Department of Defense's flawed approach to developing requirements and executing funding to support fighter aircraft readiness. Finally, the committee is concerned that program offices are not fully implementing leading sustainment practices.

Therefore, the committee directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than November 1, 2022, on fighter readiness, historical operation and support costs for fighter aircraft, and planned modernization efforts for these aircraft.

Further, the committee directs the Comptroller General to conduct a review of the Department of Defense's employment of aircraft sustainment best practices and execution of operation and maintenance (O&M) funding for fighter aircraft. The review should:

- (1) identify knowledge-based sustainment practices for maintaining aircraft, to include a review of private industry approaches and methods;
- (2) assess the extent to which the Department has incorporated these practices into policy and guidance and implemented them in its sustainment of fighter aircraft;

(3) review military service and fighter aircraft program office approaches to establishing O&M funding requirements;

(4) review the Department's approach to presenting its O&M budget request for fighter aircraft and the extent to which this enables visibility into the amount requested for each aircraft;

(5) analyze the requested, appropriated, and executed O&M amounts for fighter aircraft and determine whether there is any correlation with readiness outcomes; and

(6) address any other topics deemed appropriate by the Comptroller General.

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

### Improving Safety Oversight and Implementation of Accident Investigation Recommendations

The committee notes that the Navy has elevated its Naval Safety Center to a two-star command under the direct authority of the Chief of Naval Operations (CNO) in an effort to move from reactively managing safety to proactively managing risk. Naval Safety Command's mission is to provide safety advice and assistance to the CNO and the Secretary of the Navy, to manage the Navy's safety and occupational health program, and to oversee the Department of the Navy's safety management systems. The decision to establish the Naval Safety Command was a recommendation resulting from the investigation into the USS Bonhomme Richard fire. In the wake of the fire, the Navy also established a Learning to Action Board to ensure that recommended actions from accident investigations are effectively implemented.

The committee notes that all the military departments face challenges in identifying, adjudicating, and mitigating operational and training risk. Risk is often pushed down the chain of command rather than adjudicated at the appropriate level. Further, risk can be obfuscated and compounded by underreporting, failures to form a comprehensive understanding of risk contributors, ineffective corrective actions, non-enduring corrective actions, and the absence of higher echelon and self-monitoring programs to assess risk management effectiveness.

The committee commends the Navy for the establishment of the Naval Safety Command and the Learning to Action Board. The committee directs the Secretary of the Army and the Secretary of the Air Force each to submit a report to the House Committee on Armed Services not later than January 31, 2022, on the feasibility of establishing a safety command and creating a body similar to the Navy's Learning to Action Board within the Army and the Air Force.

### Incorporation of Disaster Response Scenarios into Department of Defense Exercises

The committee commends the Department of Defense for its series of war games designed to exercise humanitarian assistance and disaster response capabilities. The committee notes that while these exercises are useful, rarely do world events happen in isolation. The committee contends that another potentially more useful way to conduct disaster response training is to include it in exercises with other defense objectives. The committee notes that this would more closely simulate real-world events and require exercise participants to assess risk and make decisions requiring hard trade-offs.

Accordingly, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services not later than February 1, 2023, on the ways in which disaster response training can be incorporated into major training events and exercises. The briefing shall include at a minimum a discussion of inclusion of the following:

- (1) extreme weather events;
- (2) earthquakes, tsunamis, and wildfires; and
- (3) pandemic response.

#### Regionally Aligned Readiness and Modernization Model

The committee notes that the Army is changing its force generation model for the second time since 2017. In July 2021, the Army reported to this committee that its legacy force generation model, Sustainable Readiness, delivers sub-optimal readiness and modernization results. Under the new Regionally Aligned Readiness and Modernization Model (ReARMM), the Army is standardizing deployment, training, and modernization periods to better synchronize the fielding of more capable weapon systems and equipment, prioritizing those units that need it the most. The Army also will use ReARMM to optimize Army forces across the regular Army and Reserve Components by aligning units globally, regionally, and functionally across mission requirements. By taking these actions, the Army believes that ReARMM will better address recent changes in joint force requirements, fiscal pressures, and global threats. According to the Army's July 2021 report, the Army is modifying its existing force generation systems and processes, such that the majority of regular Army units will fall under ReARMM by the end of fiscal year 2023.

The committee recognizes that the Army will require time to implement ReARMM, and that there will be lessons to be learned as units transition to the new model. To inform committee oversight of the Army's progress in implementing ReARMM, the committee directs the Comptroller General of the United States to assess the status, progress, budget implications, and potential challenges of implementing the new model. The Comptroller General's review should:

- (1) compare and contrast ReARMM with Sustainable Readiness, including whether the Army has designed ReARMM to address the shortcomings of Sustainable Readiness;

(2) examine the Army's governance of the transition to and implementation of ReARMM;

(3) assess changes in the Army's processes for organizing, training, and equipping the total Army under ReARMM;

(4) analyze how the implementation of ReARMM is affecting Army readiness; and

(5) review any other aspects of ReARMM that the Comptroller General deems significant.

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than March 15, 2023, on the Comptroller General's preliminary findings and present final results in a format and timeframe agreed to at the time of the briefing.

#### Report on the Composition of the Rotational Brigade Combat Team in Korea

There are few places where force readiness and the ability to fight at a moment's notice are more important than on the Korean Peninsula. Our forward presence there is integral to our efforts to assure allies and deter aggressors. Earlier this year, it was announced that the normal rotational Armored Brigade Combat Team (ABCT) would be replaced with a Stryker Brigade Combat Team (SBCT) rotation. The SBCT will bring a different set of capabilities than an ABCT, and trade-offs and risks associated with such a change must be better understood. Therefore, the committee directs the Secretary of Army to submit a report to the House Committee on Armed Services by February 15, 2023, that will:

(1) describe the intended benefits or improved suitability of a Stryker Brigade Combat Team for consequence management on the Korean Peninsula;

(2) describe planned usage of Army Prepositioned Stock-Set 4 (APS-4) in the Indo-Pacific over the next 5 years, to include any removal of the APS-4 stock from the Korean Peninsula for training elsewhere in the theater;

(3) describe the timelines and resources required for rapid deployment of an Armored Brigade Combat Team to the Korean Peninsula in the event of conflict and if needed; and

(4) include a cost estimate of the difference between having a Stryker Brigade Combat Team (SBCT) rotation on the Korean Peninsula as opposed to a Armored Brigade Combat Team (ABCT).

#### Report on Warehouse Utilization Project Pilot

The committee continues to support the objectives and progress of Department of Defense efforts to modernize and improve space management of its network of 4,000 warehouses. As a result of findings from the 2018 Non-Tactical Warehouse Initiative study, the Office of the Secretary of Defense is conducting a pilot program of warehouse consolidation, commercial insourcing, and technology enablement at multiple sites across the Department of Defense enterprise,

including Anniston Army Depot, Tinker Air Force Base, Marine Corps Logistics Base Barstow, and Naval Base San Diego.

The committee encourages the Under Secretary of Defense for Acquisition and Sustainment to continue to centrally fund and execute the warehouse utilization project and assess the potential for expanding it to additional sites across the Department of Defense enterprise. In addition, the committee understands major process improvement and technology modernization efforts are underway at the Defense Logistic Agency's Eastern Distribution Center.

Therefore, the committee directs the Under Secretary of Defense for Acquisition and Sustainment to submit a report to the congressional defense committees not later than February 1, 2023, detailing plans for continued execution of the warehouse space management pilot, projected sites, and updated cumulative metrics describing realized and estimated return on investment. The report should also include detail on plans, if any, to undertake modernization at other distribution centers within the Department warehousing footprint.

#### Stockpile Status of Antimony

The committee is concerned about recent geopolitical dynamics with Russia and China and how that could accelerate supply chain disruptions, particularly with antimony. Therefore, the committee directs the National Defense Stockpile Manager to provide a briefing to the House Committee on Armed Services not later than September 30, 2022, on the stockpile status of antimony. The briefing shall include not only the status of the current stockpile, but also a 5-year outlook of these minerals and current and future supply chain vulnerabilities.

#### Transition from Joint Service Lightweight Integrated Suit Technology to Uniformed Integrated Protective Ensemble

The committee is aware that the Joint Service Lightweight Integrated Suit Technology (JSLIST) will soon be replaced by the Uniformed Integrated Protective Ensemble (UIPE). Therefore, the committee directs the Director of the Defense Logistics Agency to provide a briefing to the House Committee on Armed Services not later than January 1, 2023, on the impacts to the supply chain during the transition from JSLIST to UIPE and any mitigation efforts to prevent supply chain disruption.

#### OTHER MATTERS

##### Briefing on Progress Towards Historical Accounting of Department of Defense Participation in Indian Boarding Schools

The committee notes that the Federal Government has recently begun a whole-of-government accounting process to more fully document its role in the establishment and sustainment of American Indian boarding schools in the United



States from 1819 through the 1960s. The committee recognizes the Department of Defense's role in hosting and administering some of these schools and the harm that historical legacy has caused to former students, their families and greater American Indian, Alaska Native, and Native Hawaiian communities. The committee commends the Department of the Army for its efforts to account for, engage with families, and where desired, repatriate the remains of American Indian, Alaska Native, and Native Hawaiian students who died while attending the Carlisle Indian Industrial School. However, the committee notes that without a full accounting of the Department of Defense's role it cannot provide similar information and comfort to other families of former students. Accordingly, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services not later than December 1, 2022, on the process by which the Department will conduct this accountability effort. The briefing shall include at a minimum the following:

- (1) the process by which the Department of Defense will conduct this study;
- (2) how the Department has consulted with Native American tribes, Alaska Native and Native Hawaiian communities both on the process that will be used;
- (3) how the Department will consult with and provide opportunities for participation by Native American tribes and Native Alaskan and Native Hawaiian communities throughout the study;
- (4) how the Department will present its findings to the impacted communities and the greater American public; and
- (5) any additional information on how the Department will move forward after the accounting process is complete, particularly with respect to the repatriation of remains located at Indian boarding schools.

#### Data Dashboard for Aviation Status Tracking

The committee is aware that aviation enterprise automation systems, or data dashboards, are a valuable tool for maintaining situational awareness of assets. Having the ability to track flight hours, maintenance status and history, and equipment inventory, in real time, is invaluable for achieving a high readiness status and identifying places where efficiencies could be achieved. These systems have been shown to improve tracking, reduce costs, and provide clarity to complex processes, and the committee understands that similar benefits apply to the military.

Therefore, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services by February 15, 2023, that will include:

- (1) background on the aviation enterprise automation systems currently used by the Army, Navy, Air Force, and National Guard to track information related to their aviation assets including, but not limited to, flight hours, maintenance status and history, and equipment inventory;

(2) a review of aviation enterprise automation systems currently in use by the public or private aviation sector; their suitability for military use; and a review of their ability to reduce errors, display complex information in an easy-to-understand format, and provide real-time assessments;

(3) an assessment of how these other options differ from the Army's current systems and how they are similar, including whether the use of multiple systems might assist operations; and

(4) a cost analysis of these different systems.

### Environmental Cleanup at National Guard Locations

The committee notes that section 316 of the National Defense Authorization Act for Fiscal Year 2020 (Public law 116-92) and section 314 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) authorized the use of Defense Environmental Restoration Program funds for National Guard sites contaminated by perfluorooctanoic acid (PFOA) or perfluorooctane sulfonate (PFOS) in order to facilitate the cleanup of defense communities around National Guard installations. The committee further notes that the Department of Defense has previously stated that the majority of the National Guard's environmental cleanup requirements result from PFOS and PFOA contamination. The committee is concerned that installations remain unaware of the changes to this authority and as a result are not utilizing Defense Environmental Restoration Program funds for this purpose to their fullest extent.

Therefore, the committee directs the Assistant Secretary of Defense for Energy, Installations, and Environment to provide a briefing to the House Committee on Armed Services by December 15, 2022, on the measures taken to inform National Guard installations about this authority. The briefing shall include at a minimum the following:

(1) a breakdown of National Guard cleanup funding needs to include the percentage involving PFOS and PFOA; and

(2) plans to update the Defense Environmental Restoration Program Manual to reflect changes to statute and policy.

### Former Air Force Radar Sites with Asbestos Contamination

The committee is aware that asbestos was routinely used to insulate radar sites on Air Force installations during the Cold War period. Many of these sites, including the former North Truro Air Force Station, Truro, Massachusetts, were closed in the 1990s but never fully remediated. The committee notes that the deterioration of these sites has in some cases led to asbestos contamination of soils and ground water causing risk to human health and the environment. The committee is concerned that failure to conduct site inspections and remedial investigations on these sites in order to fully characterize the site may lead to increased liability and risk as the facilities on these sites continue to deteriorate.

Accordingly, the committee directs the Secretary of the Air Force to submit a report to the House Committee on Armed Services not later than December 15, 2022, on the Air Force's plan to characterize these sites and develop a plan to provide further remediation if required. The report should include at a minimum the following:

- (1) a list of inactive Air Force sites with known or expected asbestos contamination;
- (2) a plan to include a timeline and prioritized list for characterizing these sites through the conduct of a site inspection and remedial investigation; and
- (3) an assessment of the state of facilities deterioration and the corresponding risk of friable asbestos being released into soils and groundwater.

#### Guidance for Tribal and Cultural Resource Personnel within the Department of Defense

The committee notes that the Department of Defense must engage in government-to-government consultation with federally recognized tribes under various Federal statutes, regulations, Department-promulgated policies, and executive orders. The committee further notes that the Department of Defense Instruction 4710.02 provides guidance on the interactions between the Department of Defense and federally recognized tribes. The committee notes that while this document provides a useful foundation for government-to-government consultation with tribal nations, it is silent or inadequate in several areas. Accordingly, the committee directs the Assistant Secretary of Defense for Energy, Installations and Environment to provide a briefing to the House Committee on Armed Services by December 15, 2022, on how it will standardize best practices to improve government-to-government consultation with federally recognized tribes. The briefing shall include at a minimum the following:

- (1) an assessment of how to standardize practices across the military departments to include thresholds for when full-time tribal liaison personnel or tribal and cultural resources personnel should be hired at installations;
- (2) best practices for meaningful, robust, and ongoing consultation with tribal nations;
- (3) best practices for effective consultation to include development of training for installation personnel engaged in government-to-government consultation with tribal nations; and
- (4) how Department of Defense Instruction 4710.02 can be improved to reflect these best practices and provide continuity across the military departments in practices, policies, training, and personnel who conduct government-to-government consultation with federally recognized tribes.

#### Installation Access Standards

The committee notes that, over the past 15 years, the Congress has several times directed the Department of Defense to develop and update installation access standards that are applicable to all military installations in the United States and

that the Department has issued multiple directives to satisfy these requirements. However, the committee is aware that access standard implementation can be inconsistent across installations, resulting in confusion for installation visitors. The committee notes that the Department of Defense in 2019 issued the third volume of DOD Manual 5200.08, which establishes physical security access control standards, procedures, and guidance, and that a fourth volume is currently being developed. The committee directs the Under Secretary of Defense for Intelligence and Security to provide a briefing to the House Committee on Armed Services not later than December 31, 2022, on access standard implementation across the Department. This briefing should include:

- (1) an update on the status of the fourth volume of DOD Manual 5200.08 and a description of its contents;
- (2) an assessment of the extent to which current access standards are being implemented consistently across Department of Defense installations; and
- (3) an assessment of the feasibility of issuing credentials for expedited access to the following categories of visitors: transportation workers, construction workers, motor carriers, members of labor organizations, and members of veterans service organizations.

#### Noise Mitigation and Air Installation Compatible Use Zones

The committee remains concerned about the impact of noise from military aviation training on communities surrounding military installations. The committee commends the Department of Defense for the work it has done thus far in assessing its existing Air Installations Compatible Use Zone (AICUZ) program in an effort to facilitate a sustainable noise mitigation program, but is concerned about the length of time it is taking to operationalize such a program. Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by December 15, 2022, on the progress to date in revising the AICUZ program to facilitate the timely execution of a noise mitigation program for defense communities. The report shall include the following:

- (1) proposed revisions to Department of Defense Instruction 4165.57 to make it more compatible with noise mitigation and insulation efforts;
- (2) the number of installations that host fixed-wing aircraft training that would require AICUZ revisions with 5 years to accurately reflect fixed-wing training activities;
- (3) the percentage of installations with residences, schools, or hospitals within the zones that are at or exceed the 65 decibel (Db) day-night average;
- (4) of the facilities exceeding the 65 Db day-night average, the number that are located in accident potential zones;
- (5) the estimated cost of noise mitigation or noise insulation of these facilities;
- (6) opportunities for building community engagement and cooperation in adoption of AICUZ-compatible zoning and noise mitigation; and

(7) the resources required to implement an effective and proactive noise program to include additional personnel needed at headquarters or installations.

### PFAS Destruction Technologies

The committee remains concerned about the safe destruction of per- and polyfluoroalkyl substances (PFAS)-containing investigation-derived wastes associated with cleanup activities in defense communities. The committee notes that the Department has conducted tests of on-site solutions that would destroy PFAS without incineration. The committee notes that some disposal technologies reportedly modify the characteristics of the waste such that it is no longer classified as hazardous waste and can be disposed of through more cost-effective mixed waste protocols. The committee contends that the rapid adoption of proven technologies that provide safe on-site PFAS destruction is essential to the Department of Defense's response to PFAS contamination. Accordingly, the committee directs the Under Secretary of Defense for Acquisition and Sustainment to provide a briefing to the House Committee on Armed Services by December 15, 2022, on the progress in implementing on-site PFAS destruction technologies not requiring incineration. The briefing shall include the following:

- (1) list of technologies meeting the above criteria;
- (2) which of these technologies have undergone or are undergoing testing by the Environmental Security Technology Certification Program;
- (3) the results of any such testing; and
- (4) the promulgation of guidance and best practices to the military services on preferred methods for PFAS investigation-derived wastes.

### Promulgation of Guidance and Best Practices for PFAS Destruction

The committee is aware that increased understanding of the potential health effects of per- and polyfluoroalkyl substances (PFAS) exposure has led to a proliferation of technologies to address PFAS contamination. The committee notes that section 341 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) created a Department of Defense task force to ensure continuity in PFAS-related policy across the military departments. The committee further notes that one of the duties of the PFAS task force is to coordinate efforts to mitigate the impacts of PFAS release and its associated contamination. The committee contends that the promulgation of guidance and best practices for PFAS destruction for use by all military departments will allow for greater efficiency, potentially decrease cost, and enhance defense community confidence in Department of Defense cleanup efforts.

Therefore, the committee directs the Assistant Secretary of Defense for Energy, Installations, and Environment to provide a briefing to the House Committee on Armed Services by January 15, 2023, on the Department's progress in establishing the PFAS task force and its accomplishments to date. The briefing shall include the following:

- (1) an update on the progress in establishing the PFAS task force;
- (2) a discussion of the process by which the PFAS task force is executing its four statutory duties;
- (3) any and all contracting mechanisms available and in use for environmental remediation of PFAS; and
- (4) a discussion of the PFAS task force's work to standardize efforts across the military departments especially with respect to best practices for PFAS destruction and the contracting of environmental remediation services for PFAS.

### Replacing the Army Combat Uniform with the Flame-Resistant Army Combat Uniform

The committee is aware that funding and posture changes have resulted in a surplus of Flame-Resistant Army Combat Uniforms (FRACU), raising long-term industrial base concerns. Specifically, the committee is concerned that the industrial base would be challenged to return to full-scale production to restore this critical soldier protection capability once stagnated. At the same time, the committee has long supported expanding flame-resistant uniforms for all soldiers. In recent years, the committee is aware of new technologies to enhance the FRACU and reduce cost without sacrificing protection. For these reasons, the committee encourages the Army to consider replacing the Army Combat Uniform with the FRACU, making it an item of issue in the initial clothing bag. By doing this, the Army can reduce overall costs while equipping all soldiers with the FRACU. Therefore, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services by February 15, 2023, which would include a cost benefit and feasibility analysis for replacing the ACU with the new FRACU.

### Traffic Congestion around Military Installations

The committee notes that there are significant traffic and commuting challenges onto, off, and around major installations including MacDill Air Force Base, Florida; Joint Base Lewis-McChord, Washington; and other installations where surrounding communities have grown without accompanying infrastructure improvements. The committee further notes that while traffic impacts are often studied as part of environmental impact statements, absent a need for environmental planning changes, traffic patterns and saturation may go unstudied for years. Therefore, the committee directs the Secretary of the Air Force to submit a report to the House Committee on Armed Services by February 1, 2023, on traffic congestion around certain installations experiencing significant traffic congestion. The report shall include at a minimum the following:

- (1) an assessment of traffic patterns and commuting challenges around MacDill Air Force Base, Joint Base Lewis-McChord, and any traffic constrained installations belonging to the Navy or Marine Corps;

- (2) an assessment of whether the Defense Access Roads Program could help with traffic congestion;
- (3) the feasibility of non-road-based solutions, where appropriate, to include a floating ferry terminal;
- (4) a cost-benefit analysis of the various options for addressing traffic congestion;
- (5) an analysis of considerations for the various options including base security, timeline, and any other feasibility concerns;
- (6) an assessment of whether traffic demand management strategies such as public transit, van pools could be effectively employed; and
- (7) an assessment of the extent to which the Defense Community Infrastructure Program could be used to address traffic congestion issues.

### Using Innovative Technology in Indo-Pacific Training Exercises to Enhance Army Readiness

The purposes of the Pacific Deterrence Initiative include carrying out a program of exercises, training, experimentation, and innovation for the joint force, and improving infrastructure, to enhance the responsiveness and resiliency of the United States Armed Forces. The committee recognizes that key to achieving this objective is the identification and deployment of enabling capabilities that will generate a more efficient, resilient, and sustainable force that can mitigate the tyranny of time and distance. While significant focus has remained on platforms and force posture in the region, incorporating innovative technologies can significantly reduce logistical challenges and operational costs. In addition, decreased dependence on products like bulk fuel and bulk water creates a more sustainable and resilient force in the region.

Training exercises provide an opportunity to pilot new concepts of operation. The committee encourages the U.S. Army Pacific (USARPAC) to incorporate existing commercially available and military suitable innovative technologies into large-scale training exercises such as Pacific Defender. As such, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services by February 15, 2023, about USARPAC plans, timelines, barriers, and required resources to begin incorporating commercially available innovative technologies to challenges like power storage, water production, and other activities essential to a deployed force within the Indo-Pacific and that can be incorporated into current training exercises.

## **DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

### **TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION**

#### **ITEMS OF SPECIAL INTEREST**

## NORAD Support Infrastructure Recapitalization

The Cheyenne Mountain Complex is located at Cheyenne Mountain Space Force Station (CMAFS), a short distance from NORAD and USNORTHCOM headquarters at Peterson Space Force Base in Colorado Springs, Colorado. A hardened command and control center was developed as a defense against long-range Soviet bombers and the construction of an operational center was finalized within the granite mountain. Like much of the Cold War era infrastructure the Cheyenne Mountain facility became operational in the 1960s. The committee is concerned that since that time, NORAD support facilities have atrophied and require recapitalization to support this critical mission. Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services by March 1, 2023, that details the Secretary's intent to recapitalize critical components and contingency billeting associated with NORAD support facilities that are necessary to sustain these capabilities over the fiscal year 2024 Program Objective Memorandum.

## TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

### ITEMS OF SPECIAL INTEREST

#### Air Force Housing

The committee notes that housing for many military personnel, both unaccompanied and those with families, is a challenge. The committee has heard repeatedly about the poor quality and inadequate capacity of barracks across the country and believes that more must be done to correct these issues. Furthermore, the committee has heard from numerous defense communities and service members about the challenges they and their families face in finding safe and affordable homes as prices soar nationwide and supply is limited or non-existent. The Air Force, much like the other military services, is confronted with both of these issues. Dormitory overcapacity issues, like those found on Nellis Air Force Base, lower morale, hurt retention, and provide a poorer quality of life for our newest and youngest airmen. Off-base housing shortages create crisis for Air Force service members and their families at installations like Hill and Beale Air Force Bases, and it is imperative that the Air Force and surrounding communities continue to work together to address this need.

Therefore, the committee directs the Assistant Secretary of the Air Force for Energy, Installations, and Environment to provide a briefing to the House Committee on Armed Services by February 15, 2023, that should include:

(1) an assessment of how the Air Force is addressing housing shortages at its bases;



(2) a review of the Air Force's effort to improve access to affordable housing for service members and their families;

(3) a breakdown of those locations and instances where the military housing privatization initiative system might be useful in providing the needed housing;

(4) a summary of how recent Dormitory Master Plans, Housing Community Profiles, Family Housing Master Plans, and Housing Requirements and Market Analyses have influenced decision-making and the current housing stock at these bases;

(5) a list of those Air Force dormitories that are at 95 percent capacity or more;

(6) a description of the current composition of those dormitories that fall within the 95 percent capacity or more category;

(7) the average stay in an enlisted dormitory for a newly assigned single or unaccompanied airman eligible to live in the dormitory; and

(8) the process for dislocation from the enlisted dormitory to off-base housing, along with the average cost to the airman to secure housing, furniture, transportation, and additional items required to live independently.

### Area-Wide Contracts and Utilities

The committee notes that area-wide contracts provide a vehicle for the Department of Defense to enter into a public-private partnership with regulated electric companies to provide energy, increase resilience, and provide efficiency upgrades. The committee is disappointed that the Department of Defense has not taken full advantage of this authority as a means of mitigating energy resilience gaps and facilitating the Department's goals of lowering energy costs through increased efficiency and fielding the charging infrastructure needed to facilitate the increased use of electric vehicles. Accordingly, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services not later than January 15, 2023, on the use of area-wide contracts and any policy or statutory limitations that are preventing their further use for the aforementioned purposes.

### Army Installation Cybersecurity

The committee notes that central to securing installations both domestically and abroad is a holistic approach that ensures resiliency of Army installations. However, the committee is concerned that gaps remain, and more specifically that the Army has not fully assessed its needs in the area of potential cyberattacks on installation-based industrial control systems.

Therefore, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services by February 1, 2023, that includes:

(1) a 5-year notional plan for securing industrial control systems; and

(2) the costs associated with it broken out by procurement; research, development, test, and evaluation; and operation and maintenance accounts.

### Feasibility of Barracks Privatization

The committee notes that the military departments have chronically underfunded quality-of-life infrastructure. The committee is disappointed that the services continue to take risk in facilities sustainment, renovation, and modernization accounts which has led to a high number of service members being forced to live in poor and failing unaccompanied housing facilities. Given the chronic underinvestment, the committee encourages the Department of Defense to look for innovative ways to improve the condition of quality-of-life infrastructure. Accordingly, the committee directs the Secretary of Defense to provide a report to the House Committee on Armed Services by July 1, 2023, on the feasibility of privatizing unaccompanied housing to include barracks and dormitories within the United States. The report shall include at a minimum the following:

(1) location-specific factors, market demand considerations, and operational considerations that would impact the viability of privatized unaccompanied military housing;

(2) alternative forms of privatization to include government-owned/contractor-operated facilities; full privatization with a transfer of ownership to include privatization of operations, maintenance, and recapitalization of the facilities to the private sector;

(3) a preliminary assessment of the viability of the business case for the above forms of privatization;

(4) an assessment of Department policies related to occupation of and assignment to unaccompanied housing and what, if any, changes would be required to facilitate a privatization program;

(5) what, if any, legislative changes would be required to facilitate a privatization program, to include both changes to title 10, United States Code, and section 402 of title 37, United States Code; and

(6) any other barriers to a privatization program the Secretary of Defense deems relevant.

### Feasibility of Using Joint Reserve Intelligence Centers for Software Development

The committee understands that Joint Reserve Intelligence Centers are essential to the Director of the Defense Intelligence Agency's ability to develop and retain Reserve intelligence capabilities. But the committee also believes that the capacity associated with these secure facilities could be utilized as a communal workspace for software developers working on classified contracts during the work week. Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by March 1, 2023, as to options to expand private sector use by cleared contractors of these secure facilities. Such report shall include, at a minimum, the following elements:

- (1) an assessment of the feasibility of using Joint Reserve Intelligence Centers as a communal workspace for software developers working on classified contracts during the work week;
- (2) recommendations on any modifications that would need to be made to Joint Reserve Intelligence Centers to create a development, security, and operations (DevSecOps) environment;
- (3) recommendations on the Joint Reserve Intelligence Center locations within the United States that could be best used as communal workspaces to spur innovation; and
- (4) an assessment of the personnel requirements that would be necessary to provide support to Joint Reserve Intelligence Centers that may be used as communal workspaces.

### Natural Infrastructure for Water Management

The committee notes that many military installations have problems managing stormwater which in turn leads to flooding and may contribute to off-installation pollution of water resources. The committee is aware that the use of natural infrastructure such as absorbent roadside planters, green roofs, and bioswales can provide a cost-effective means to avoid flooding and the corresponding risk of property damage, infrastructure destruction, and pollution. Therefore, the committee directs the Under Secretary of Defense for Acquisition and Sustainment to provide a briefing to the House Committee on Armed Services by December 15, 2022, on the potential for natural infrastructure to lower stormwater-related risks to infrastructure and the environment on military installations. This briefing shall include the following:

- (1) a list of installations where stormwater management is a concern;
- (2) current policy and practice related to using natural infrastructure for stormwater management and flooding abatement;
- (3) opportunities for future improvement of stormwater management through natural infrastructure; and
- (4) any statutory or policy barriers to increased implementation of natural infrastructure for stormwater management.

### Pilot Program on Sustainable Building Materials

The committee notes that the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) required the Department of Defense to commence a pilot program for the use of sustainable materials such as mass timber products and low carbon concrete. The committee is disappointed that the Department has not more fully embraced sustainable building materials that could help it meet its sustainability goals, mitigate supply chain challenges, and enhance installation resilience. The committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by December 1, 2022, that provides an

update on the execution of the sustainable materials pilot program for military construction.

### Prioritization of Facility Sustainment, Renovation, Modernization, and Maintenance

The committee is disappointed by the continued chronic underfunding of Facilities Sustainment, Renovation, and Modernization (FSRM) over decades and across multiple administrations. The committee notes that despite this chronic assumption of risk in military infrastructure, the FSRM accounts are also continually a target for reprogramming actions. The committee is concerned that these actions have led to particularly dire circumstances in categories of infrastructure that compete less favorably for resources or are considered lower priority including barracks, child development centers, laboratories, test and evaluation infrastructure. Accordingly, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by February 1, 2023, on prioritization of FSRM funds across various types of infrastructure. The report shall include the following:

- (1) a breakdown of FSRM spending by type of infrastructure and by military department per year over the last 5 years;
- (2) amounts that have been reprogrammed from the FSRM accounts of the military departments per year over the last 5 years by dollar amount and percentage of the appropriation;
- (3) in the case of quality-of-life infrastructure, the amount per year spent on the following: permanent party barracks, transient barracks, and child development centers (by dollar amount and percentage of total appropriation) for each military department; and
- (4) in the case of infrastructure related to research, development, test, and evaluation, the amount per year spent on the subcategories of research and development, science and technology, and test and evaluation by dollar amount and percentage of the appropriation by each military department.

### Project Labor Agreements for Shipyard Infrastructure Projects

The committee notes that Executive Order 14063 on the use of project labor agreements for Federal construction projects was issued on February 4, 2022. The order establishes that it is the policy of the Federal Government for agencies to use project labor agreements in connection with Federal construction projects above \$35.0 million.

The committee notes that the Navy will be initiating several significant construction projects over the next few years as part of its Shipyard Infrastructure Optimization Plan (SIOP). The committee further notes that many SIOP projects will be long in duration, operationally complex, and will involve multiple crafts and trades. To facilitate the committee's understanding of the Navy's use of project labor agreements for SIOP projects, the committee directs the Secretary of the Navy to

provide a briefing to the House Committee on Armed Services not later than June 1, 2023, on the Navy's use of project labor agreements for SIOP projects in accordance with Executive Order 14063. The briefing should include a prioritized list of SIOP projects for which the Navy has used, or projects it will use, project labor agreements.

#### Rocket Propulsion Test and Evaluation Facilities

The committee is aware of the critical contributions of the United States' rocket propulsion research, development, test, and evaluation facilities. The committee is concerned that despite the importance of this work, the military departments continue to take risk by delaying the recapitalization and modernization of these facilities. The committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by December 15, 2022, on the Secretary's plan to address the recapitalization of these facilities including but not limited to the Air Force Research Laboratory Rocket Propulsion Division Test Facilities, White Sands Missile Range, Naval Support Facility Indian Head, and Naval Air Warfare Center Weapons Division. This briefing should consider and discuss the full range of available authorities, as well as the business case for a new model of leveraging commercial space companies in support of national objectives and how the Secretary factors in usage of these facilities by the private sector in the recapitalization strategy.

#### Study on Deployment of Electric Vertical Take Off and Landing Aircraft at Military Installations

The committee remains interested in the U.S. Air Force's Agility Prime program. The Agility Prime program is working towards its goal of ensuring a robust domestic market for electric vertical takeoff and landing (eVTOL) aircraft and preparing the technologies for use within the Department of Defense. In the committee report accompanying the National Defense Authorization Act for Fiscal Year 2022 (H. Rept. 117-118), the committee required the Secretary of the Air Force to submit a report on the focus areas, projected dates of key milestones, a projected timeline for acquisition of electric aircraft, and other information related to the Agility Prime program. The committee looks forward to receiving the report and is encouraged by the inclusion of electric aircraft procurement by the Air Force in the budget request for fiscal year 2023. As Agility Prime continues to test electric aircraft and deploys them in different use cases, the Committee is interested in the future deployment of eVTOL capability at Department of Defense installations.

Therefore, the committee directs the Secretary of the Air Force to provide a report to the House Committee on Armed Services by March 31, 2023, on the use cases of eVTOL validated by the Agility Prime program, a list of installations where electric aircraft are deployed for testing, a list of installation characteristics that may influence future deployment of electric aircraft, and efforts to work with the

Federal Aviation Administration on certification of electric aircraft and pilot trainings.

### Sustainable Groundwater Management

The committee notes that the State of California enacted the Sustainable Groundwater Management Act in 2014 to protect groundwater resources in the State over the long term. The committee further notes that pursuant to this act, groundwater authorities were created to manage State-designated areas of medium- and high-priority basins including the Indian Wells Valley Groundwater Basin. The committee is concerned that in circumstances where these State-designated basins are in critical overdraft they could impact military mission readiness. Given that effective coordination is essential to maintaining readiness for military installations in medium- or high-priority basins, the committee directs the Secretary of Defense or his designee to coordinate with groundwater authorities, regional water management agencies, and local governments to ensure effective communication. Further, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by December 1, 2022, on its efforts to coordinate with these stakeholders around military installations in California such as Naval Air Weapons Station China Lake to develop and implement solutions, including the importation of water, that promote long-term water supply sustainability in the basin.

### Utilities Privatization

The committee commends the military departments' use of utilities privatization authorities to enhance infrastructure at domestic installations. The committee notes that the privatization of water and energy utilities often leads to better reliability, resilience, sustainability, and cost savings. The committee encourages the military departments to increase efforts to privatize water utility systems particularly in locations that are at high risk for poor water quality, water scarcity/drought, or sustained regulatory noncompliance. The committee notes that modern, well-maintained infrastructure can increase mission resilience and be protective of human health and the environment.

Similarly, the committee notes that with the increased use of energy at many installations through both mission sources and the increased fielding of electric vehicles (EVs), utilities privatization can build more resilient systems that are better able to accommodate grid stress. The committee understands that current utilities privatization contracts encompass the entire installation grid system to include the distribution system, component parts, and necessary upgrades to the system to accommodate new missions and tasks. The committee contends that the EV charging stations and associated distribution systems are a part of the installation overall energy distribution system. Accordingly, the committee directs the Under Secretary of Defense for Acquisition and Sustainment to provide a briefing to the House Committee on Armed Services by December 1, 2022, on how it

will maximize the use of utilities privatization to improve energy resilience, facilitate the increased use of EVs, and mitigate water quality and scarcity concerns.