



United States *House of Representatives*

HOUSE ARMED SERVICES COMMITTEE **DEMOCRATS**

Adam Smith, Ranking Member

House Armed Services Committee Fiscal Year 2024 National Defense Authorization Act Summary

The Fiscal Year 2024 (FY24) National Defense Authorization Act (NDAA) reflects Democrats' commitment to fighting for continued investment in the greatest sources of America's national strength: service members and their families, innovation and technology, allies and partners, our domestic industrial base, and military readiness. Democratic priorities in the FY24 NDAA seek to equip the Department of Defense (DoD) and U.S. military with the resources and authorities needed to meet the ongoing pacing challenge posed by the People's Republic of China (PRC), the acute threat posed by Russia, and the persistent threats posed by North Korea, Iran, and violent extremist organizations. Equally high in our list of priorities is ensuring that we can recruit and retain the diverse and talented military and civilian workforce we need. Included are provisions to strengthen the DoD civilian workforce and better support military spouses and military families by eliminating contraceptive co-pays for one year and addressing other critical health care, employment, and housing needs. The proposal increases funding for minority-serving institutions, including historically Black colleges and universities. Most importantly, it provides a 5.2% pay raise for service members.

As the rules-based international order continues to face challenges and threats from the PRC and Russia, respectively, this year's NDAA authorizes and builds on crucial investments in America's global alliances and partnerships, including the European Deterrence and Pacific Deterrence initiatives. To help the U.S. address affected international communities, the proposal includes additional oversight of ex-gratia payments where harm has been suffered by civilian survivors for damage, injury, or death.

Finally, the proposal authorizes \$874.2 billion in discretionary spending, equal to the Biden-Harris Administration's request for national defense across the DoD and parts of the Department of Energy and other agencies. Building upon the Biden-Harris Administration's efforts to invest in the American people and our diversity, restore U.S. alliances and partnerships, and strengthen our country's global competitiveness, this year's NDAA seeks to fulfill Congress's constitutional obligation to "provide for the common defense."

TABLE 1: FY24 NDAA Funding Levels



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Budget Item	Amount (in billions of dollars)
DoD Discretionary Base	841.5
DoE Discretionary Base	32.3
Defense-Related Activities	.4
FY24 NDAA Discretionary Topline*	874.2*

*Does not include \$12.1 billion in national defense authorizations outside of HASC jurisdiction and other adjustments

Summary of Provisions in the FY24 NDAA

SEVICE MEMBERS, MILITARY FAMILIES AND CIVILIAN WORKFORCE

Increases Service Member Pay and Benefits:

- Supports an increase in military basic pay by 5.2% for service members.
- Authorizes the Secretary of Defense to pay junior enlisted members a monthly bonus as economic conditions dictate.
- Authorizes a one-year extension of certain expiring bonus and special pay authorities to assist with critical recruitment and retention incentive programs.
- Restores Basic Allowance for Housing (BAH) levels, reducing out of pocket expenses to service members.
- Requires a report on a more transparent, fair, and flexible way to calculate the basic allowance for housing.
- Removes the Basic Allowance for Housing from the calculation of the Basic Needs Allowance.
- Authorizes \$50 million for the purpose of assisting local educational agencies with military dependent students and \$20 million for local education agencies eligible to receive a payment for children with severe disabilities.



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- Opens commissary and Morale, Welfare, and Recreation (MWR) access to remarried Gold Star Spouses.
- Establishes parental leave parity for Reserve Component service members.
- Authorizes dual basic allowance for housing for Reserve Component members during training.

Addresses Health Care Needs:

- Improves TRICARE benefits by:
 - Suspending co-pays for one-year for contraceptives acquired through retail or mail order pharmacies.
 - Waiving fees and copays on the TRICARE Dental Program for all members of the Selected Reserve.
 - Requiring reimbursement rates for providers of applied behavior analysis for the treatment of autism to increase to levels that were in effect on April 30, 2022.
 - Continuing oversight of TRICARE pharmacy program.
 - Requiring review of medical resources supporting personnel assigned to operational missions in Japan and Guam.
 - Requiring DoD to study the incidences of cancer among Air Force missileers at Malmstrom, Warren, and Minot Air Force bases and requires.
 - Requiring a review of the adequacy of providers at military treatment facilities.
 - Requires the evaluation of non-opioid / alternative therapies for the treatment of various conditions.
- Addresses growing behavioral health needs and military suicide prevention needs with several provisions by:
 - Reviewing timelines for provider credentialing and payment processing.
 - Exploring innovative treatments for treating depression.
 - Increasing awareness across the DoD to the new 9-8-8 National Suicide Prevention Lifeline.
 - Establishing a pilot program providing routine mental health check-ups in military schools.
 - Establishing a task force dedicated to meeting the mental health needs of service members and their families.
 - Requiring naloxone, a medication used to reverse opioid overdose, be made available on military installations and in operational environments.



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Addresses Child Care Needs and Support for Military Spouses:

- Requires the DoD to publish and maintain a website for waiting lists for military child care availability.
- Expands the in-home pilot program for child care, focusing on remote areas in each of the services.
- Builds on partnerships and relationships off-installation to increase child care capacity by looking at community resources such as local chambers of commerce, Child Care Aware of America or the state equivalent, Armed Services YMCA, and child care business providers.
- Expands eligibility for reimbursement for qualified licensure, certifications, and business relocation costs when a spouse transfers locations, transfers from active duty to reserves, or is placed on temporary disability retired list.
- Requires a report on the feasibility of hiring spouses as mental health professionals within the Defense Health Agency while awaiting licensure.
- Requires a review of what mental health services are available and allows for peer-to-peer counseling for students that attend DoD schools.
- Mandates financial literacy education that is currently taught in DoD schools.
- Requires the Secretary of Defense to provide quarterly briefings to the Committee on various aspects of the development of universal pre-kindergarten and its impact on co-located child development centers.
- Supports increased telework and remote work options for military spouses employed by the federal government.

Addresses Housing Needs for Service Members and Military Families:

- Requires the DoD to create tools for service members to rate housing and compare options.
- Establishes the Department of Defense Military Housing Readiness Council to review and make recommendations to the DoD regarding policies for privatized military housing.
- Mandates that the Secretary of each service must approve waivers for on-base housing that does not meet that service's minimum privacy and configuration standards. It also mandates a quarterly report to Congress on how the DoD is rectifying privacy and configuration issues.



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- Requires the DoD to develop health and safety standards for barracks, including standards on fire and electrical safety. It also prevents waivers on certain minimum health and safety standards.
- Directs the Secretary of Defense to carry out a pilot program to provide air purification technology in privatized military housing.
- Directs the Commander of USTRANSCOM to submit a report on the plan to gradually stand-up the new Global Household Goods Contract to maintain oversight over relocation services for servicemembers, civilian employees, and their families.

Addresses Quality of Life Infrastructure Needs:

- Authorizes \$276 million dollars in military construction for new child development centers and \$60 million in additional funds for planning and design to accelerate future child development center replacements.
- Authorizes \$369.3 million dollars in military construction to replace poor and failing barracks and dormitories for single and unaccompanied service members.
- Authorizes \$150 million in additional funds for barracks replacement planning and design to accelerate the replacement of additional facilities.

Continues Progress on Military Justice Reforms:

- Permits the Supreme Court of the United States to review cases not considered by the Court of Appeals for the Armed Forces, bringing the military criminal justice system more in line with the civilian justice system.

Supports Transitioning Service Member Needs:

- Expands and extends the Troops to Teachers Program.
- Increases Oversight and opportunities related to the Transition Assistance Program.
- Expands on the successes of the SkillBridge Program

Addresses Civilian Personnel Needs

- Includes military service in determining family and medical leave eligibility for federal employees under the Family and Medical Leave Act of 1993.



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- Provides civilian mariners more leave than they currently earn to enable Military Sealift Command to better recruit and retain civilian mariners.
- Repeals the 180-day waiting period for hiring retired military for all General Schedule employees.
- Extends the DoD's authority to grant allowances, benefits, and gratuities to DoD civilian personnel on official duty in a combat zone.
- Consolidates Direct Hire Authorities for critical positions to increase onboarding of new civilian employees and extends Direct Hire Authorities at Defense Industrial Bases and Shipyards for ten years.
- Ensures Navy civilian personnel assigned to Guam are eligible for living quarters allowance.
- Requires the Air Force to provide a report regarding the shortage of civilian simulator instructors (CSIs) and an analysis on authorities that may be employed to address the shortage. CSIs are a highly qualified workforce that train the next generation of airmen.
- Directs the Secretary of Defense to submit a report on hiring practices, pay, and barriers for hiring civilian nurses at Military Treatment Facilities.
- Requires the Comptroller General to submit a report on civilian support positions at remote military installations, including recommendations on hiring incentives for personnel in remote locations.
- Requires the Secretary of Defense to provide a written analysis to congressional defense committees regarding any reductions in the civilian workforce.

Supports Oversight:

- Requires a report on the claims process under the SFC Richard Stayskal Military Medical Accountability Act.
- Requires an assessment of claims filed under the PACT Act.
- Requires GAO to assess the Department's processes for declaring service members Missing in Action (MIA) or Absent Without Leave (AWOL).
- Requires GAO Review to conduct a thorough review on the policies governing Employment by Foreign Governments of Former Officers of the Armed Forces, as well as Former DoD Civilians.

DoD Organizational Reform:



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- Establishes a Space National Guard, limited to those states and territories with Air National Guard units currently performing the space mission.
- Establishes a single military personnel management system for the United States Space Force.
- Requires the Joint Requirements Oversight Council to seek and to consider the views of the Commandant of the Coast Guard.
- Requires the Secretary of Defense to conduct a review of the planning, resourcing, and contributions of the DoD to interagency efforts on geoeconomic affairs and to submit a report regarding such review.

Amendments of Concern Adopted at Markup:

- Establishes a “Parents Bill of Rights” for families with children attending DoD schools.
- Prohibits the DoD from using authorized funds to establish an advisory committee related to environmental, social, and governance aspects or for the Defense Advisory Committee on Diversity and Inclusion or successor committees.
- Repeals the Office of Cost Assessment and Program Evaluation.
- Directs the Secretary of Defense to review current telework policies and telework locations of employees to ensure that an employee is not receiving a higher General Schedule locality pay than needed.
- Directs the Secretary of Defense to review the Federal Employees Health Benefits program to ensure that all family members and dependents who are currently receiving benefits are eligible to receive benefits.
- Requires the Under Secretary of Defense for Personnel and Readiness to submit a report on the hiring, reassigning, and promoting practices within the Department of Defense Education Activity.
- Requires an assessment validating each civil service position in the Office of the Under Secretary of Defense for Personnel and Readiness and Research and Engineering against the core missions, tasks, and functions of the Department.
- Directs the Secretary of Defense to provide a report regarding the security clearance review process for individuals under current or previous investigation by law enforcement for terrorist or foreign state sympathies.

In addition to the amendments of concern outlined above, a number of amendments were adopted at markup that undermine efforts to ensure the military is a diverse and inclusive force that reflects the country:



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- Limits DEI expertise available to support the DoD's needs.
- Prohibits federal funds for training that promotes Critical Race Theory (CRT); also asks for a report on the costs of CRT training.
- Prohibits drag shows and drag queen story hours.
- Sunsets the Defense Advisory Committee on Diversity and Inclusion.
- Prohibits federal funds for DoD's Countering Extremism Work Group.
- Eliminates DoD's Chief Diversity Officer.

Several amendments adopted during markup also undermine the good order and discipline of the military by rewarding those who violated a lawful order to be vaccinated against COVID-19:

- Prohibits adverse action against a member of the Armed Forces solely on the basis that such member refuses to receive a COVID-19 vaccine.
- Requires prioritization of request to review discharge of dismissals on the basis of failure to obey a lawful order to receive a vaccine for COVID-19.
- Requires the DoD to communicate the established process by which a covered individual who was separated due to a failure to receive the COVID-19 vaccination may be reinstated.
- Exempts Cadets or Midshipmen who refuse to receive a vaccination against COVID-19 from repaying their tuition at military service academies.

DEFENSE INDUSTRIAL BASE AND READINESS

Strengthens and Supports Defense Industrial Base:

- Supports and strengthens the organic industrial base by reforming the calculation of depot carryover to ensure stability in funding and workforce management by excluding foreign military sales work from carryover calculations.
- Adds a variety of protections for critical minerals and materials.
- Enhances domestic sourcing requirements to better secure supply chains.
- Requires an Inspector General report on DoD acquisition and contracting.

Addresses Energy and Environment Needs:

- Requires Department of Defense to do an assessment of alternatives for battlefield energy needs.



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- Expands the prototype and demonstration program for energy resilience to include hydrogen energy.
- Bans Department of Defense procurement of certain non-essential items containing certain members of the PFAS family.

Builds on Warfighter Support:

- Requires the Navy to brief the defense committees on the operational status of the amphibious warship fleet, including maintenance delays and deployment dates, to ensure the readiness of the amphibious fleet. This provision limits funding for the Navy until the briefing is provided.
- Continues longitudinal work by the Comptroller General on weapons system sustainment to ensure that ships, aircraft, and ground systems are being sustained adequately to support the warfighter.
- Requires the Comptroller General to review the Air Force Generation (AFFORGEN) Model, the new force generation model that standardizes deployment times while providing adequate time for rest and training.
- Directs the Comptroller General to review the forces and capabilities of the Reserve Components to support the military services in near-peer conflict scenarios. This review also includes an assessment of the strategy and resources provided to the Reserve Components to respond to near-peer conflict-related missions.
- Directs the Comptroller General to review the Navy's ship sustainment requirements, after years of delayed maintenance, decreased time at sea, and increasing maintenance costs.
- Requires a review of U.S. Marine Corps force modernization efforts by a federally funded research and development center (FFRDC) and an assessment by the Secretary of Defense on the results of the FFRDC review. Also requires an annual report on force design by the Commandant of the Marine Corps.

Addresses Defense Community Infrastructure Needs:

- Makes the Defense Community Infrastructure pilot permanent, providing and important authority for the funding of community infrastructure projects that benefit military installations and readiness.

Amendments of Concern Adopted at Markup:

- Prohibits the DoD from using any funds to require major contractors to report on greenhouse gas emissions.



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- Requires the DoD of the Air Force to start the process of seeking a national defense exemption under the Marine Mammal Protection Act for Rice's Whales in the Eglin Gulf Test and Training Range.

INNOVATION AND TECHNOLOGY

Scaling Innovation:

- Creates a new pilot program on near-term quantum applications which requires the DoD to work with a federally funded research and development center and the quantum industry to identify near-term problems that could be solved with quantum computing.
- Includes metrics to evaluate the DoD's ability to transition technology successfully over both near- and long-term timelines.
- Supports initiatives to rapidly test innovative technologies directly with warfighters to enable rapid transition.
- Allows for contributions to the North Atlantic Treaty Organization's Defense Innovation Accelerator for the North Atlantic (NATO DIANA), a technology incubator designed to facilitate the acquisition of emerging technologies more rapidly.
- Enhances oversight of Department policies related to autonomous weapons systems.
- Directs a report on a process for remediation of artificial intelligence capabilities deemed not responsible or deficient.
- Focuses attention on the legal implications of lethal autonomous capabilities.

Increases Network Security:

- Network Security and Access:
 - Improves visibility into DoD's networks and endpoints.
 - Mandates a review of gaps in Authority to Operate policies related to Bring Your Own Device (BYOD) initiatives.
 - Requests DoD's progress on implementing Zero Trust policies.
- Partnerships and External Engagement:
 - Directs a report on how DoD will scale the use of commercial red teams.



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- Mandates that the DoD Chief Information Officer (CIO) determine how DoD can better use National Guard and Reserve forces for cyberspace activities.
- Requires the CIO to detail defense industrial base (DIB) cybersecurity efforts and identify those that are underperforming.
- Examines ways to strengthen public and private shipyards from cyberattacks.

Organizational Improvements:

- Workforce Development, Retention, and Professional Development:
 - Increases funding for Minority-Serving Institutions, including historically Black colleges and universities.
 - Creates the Academic Engagement Office for Cyber, a central program office focused on digital and cyber education, as well as partnerships and scholarships.
 - Expands AI-powered leadership training courses.
 - Requires DoD to create an intellectual property (IP) strategy so innovators can benefit from the IP they own that DoD acquires.
 - Directs a DoD strategy for developing and sustaining the hypersonics workforce.
 - Authorizes DoD and the military services to accept voluntary services from cybersecurity experts.
 - Expands the DoD Cyber Scholarship Program.

Commercial Technology Capabilities:

- Rescopes the Under Secretary of Defense for Research and Engineering to focus on integrating commercial technology.
 - Codifies the elevation of the Director of Defense Innovation Unit (DIU) to report to the Secretary of Defense.
 - Tasks DIU with identifying all the innovation organizations within DoD.
 - Requires a manning assessment of the DIU.
- Extends the Pilot Program on Domestic Investment in the Small Business Innovation Research (SBIR) program, to allow contracts to be more easily awarded to companies with a variety of investment structures.
- Requires the Air Force to develop a strategy for establishing a commercial rocket accelerated flight testing program to develop and test next generation rocket and propulsion systems in coordination with industry.
- Directs DoD to create an implementation plan for establishing a Defense Venture Advisory Board



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- Creates a new senior civilian position in each military service to help facilitate the transition of technologies from innovation organizations within DoD, industry, and academia.

Structural Improvements

- Codifies and elevates the Defense Innovation Unit.
- Directs DoD to evaluate the need for an executive agency for mobile nuclear reactors.
- Directs a report on the feasibility of an Army Cyber Auxiliary Force.

Amendments of Concern Adopted at Markup:

- Amplifies conspiracy theories related to COVID-19 origins by prohibiting certain kinds of biomedical research not currently undertaken by the DoD.
- Duplicates and complicates research security efforts already underway by the White House Office of Science and Technology Policy to standardize disclosures across agencies as part of the federal grantmaking process.
- Blacklists companies that do business with entities that are engaged in fact-checking of misinformation and disinformation and restricts DoD's ability to recruit.
- Hinders DoD efforts to counter misinformation and disinformation peddled by Russia and the CCP.

SPECIAL OPERATIONS

Codifies Sec. 1202 Support of Special Operations for Irregular Warfare:

- Codifies the irregular warfare authority in section 1202 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) and increases the annual amount available to support such operations to \$25 million. This builds on work done in last year's NDAA that increased congressional oversight on irregular warfare.

Special Operations Force (SOF) Structure:



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- Requires a review from the military service secretaries, in coordination with the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict and the Commander of Special Operations Command, to ensure the force structure and personnel requirements for Special Operations Forces are appropriate to support the National Defense Strategy.

Security Cooperation and Foreign Military Sales:

- Extends the authority to loan personnel protection and personnel survivability equipment to coalition partners under section 1207 of the National Defense Authorization Act for Fiscal Year 2015 through calendar year 2029.

Improving Oversight of Equipment to Ukraine and Globally:

- Requires the Comptroller General to submit reports on practices related to end-use monitoring of equipment provided to foreign countries to ensure our partners account for the equipment properly and U.S. tax dollars are being used appropriately.

Improves Foreign Military Sales (FMS) and Security Cooperation Via Workforce Updates:

- Improves the FMS and security cooperation process by updating the mechanisms to ensure the workforce is trained and managed to get the right people, with the right training, in the right job, at the right time.
- Revises security cooperation workforce training and management to address shortfalls.
- Reinforces DoD's initiative to establish a training and career management pathway for security cooperation officers akin to the defense attaché service.
- Establishes the "FMS Center of Excellence" to improve the focus on training and education.

Responsive Combatant Commander Initiative Fund:

- Provides limited, rapid flexible funding authority for geographic combatant commander's expenses related to security cooperation activities to respond more quickly to U.S. partners' and allies' immediate needs.



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MODERNIZATION

Continues to press the DoD to review classification of DoD space programs, and directs expansion of efforts for commercial space providers:

- Requires a plan for threat sharing with commercial space operators.
- Requires review of the classification guidance to make sure that it remains appropriate before granting Milestone B approval of space major defense acquisition programs.
- Requires the DoD to establish a process to identify and evaluate commercial space situational awareness capabilities and to develop and implement a plan to integrate that data into Space Force operational systems.
- Supports competition for National Security Space Launch Phase 3 and continued assured access to space.
- Continues to support tactically responsive space efforts to meet critical national security space requirements.
- Allows for the Space Force to improve common infrastructure at the Cape and Vandenberg launch ranges, in support of the Range of the Future effort of the Space Force.

Increases oversight of DoD and National Nuclear Security Administration (NNSA) nuclear weapons programs:

- Requires the DoD to establish a major force program for nuclear command, control, and communications (NC3) programs to aggregate and better track sustainment and modernization efforts across the NC3 enterprise.
- Improves congressional insight into the Sentinel ICBM program and requires submission of an integrated master schedule, as well as quarterly briefings on the program's progress.
- Requires congressional notification in the event Russia or China provide assistance to each other in advancing their nuclear deterrents.
- Requires NNSA to develop an integrated master schedule for all weapons systems programs.
- Establishes a cybersecurity working group at NNSA, as suggested by the Government Accountability Office.
- Increases the civilian workforce of NNSA to provide better oversight of management and operations contractors and the national labs.

Expands regional missile defense capabilities:



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- Requires the Director of the Missile Defense Agency to provide a report on potential enhancements to the Aegis Ashore missile defense sites in Poland and Romania to better detect and defend against a broader array of missile threats.
- Authorizes the Missile Defense Agency to carry out a program to develop a Glide Phase Interceptor for hypersonic defense and requires it to reach initial capability by 2029.
- Authorizes additional funding for missile defense sensor programs and regional systems, such as the Defense of Guam.
- Fully supports President's Budget Request for Israeli missile defense programs.

Supports improvements to testing of hypersonic technologies:

- Requires the DoD to evaluate and initiate environmental review processes for at least two additional air corridors for hypersonic testing.
- Amends a requirement for the DoD to develop a hypersonic testing strategy to require updates every two years.
- Requires the Joint Staff provide a concept of operations for the future development and employment of hypersonic weapons.

Authorizes Investments in Key Maritime Capabilities and the Ability to Project Power:

- Authorizes \$32.8 billion in shipbuilding funding for the procurement of ten battle force ships, including two Virginia-class submarines; one Columbia class ballistic missile submarine; two DDG 51 Arleigh Burke destroyers; two guided missile Frigates (FFG); one amphibious transport dock ship (LPD); one submarine tender (AS(X)) and one T-AO fleet oiler.
- Authorizes the B-21 Raider program.
- Keeps 271 total C-130 aircraft and blocks any Primary KC-135 aircraft from being downgraded to backup aircraft inventory for FY24.
- Authorizes two additional 2 P-8 aircraft.
- Allows for the divestment of 6 ships as requested by the administration in order to better allocate resources to new capabilities.
- Prohibits Expeditionary Fast Transport vessels from being entered into a reduced operational status and supports greater future involvement in the Indo-Pacific.
- Provide multiyear procurement authorities for up to 13 Virginia Class Submarines and Auxiliary Personnel Lighters (APL).
- Supports shipyard investment and recapitalization efforts by providing for new grant authority.



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- Provides increased transparency and accountability to the Annual Shipbuilding Plan.
- Includes multiyear procurement authority for MK-48 torpedoes.
- Adds additional components to the continuous production authority within the National Sea Based Deterrence Fund (NSBDF).
- Authorizes appropriations for the Maritime Administration that includes support for the State Maritime Academies, continued authorization of the Maritime Security Program, and continued authorization of the Title XI loan guarantee program for shipyards.
- Includes improvements and clarifications to the Port Infrastructure Development Program administered by the Maritime Administration and authorizes appropriations at the FY24 requested amount.
- Continues oversight of the KC-46A program, particularly the retrofit of the remote visual system.

Authorizes Investments in Key Tactical Air and Land Forces Capabilities:

- Authorizes funding for procurement of 42 AH-64E, 24 H-60M, 10 CH-47F (4 above the budget request), and 15 CH-53K aircraft.
- Authorizes funding for the procurement of 48 F-35A, 16 F-35B, and 19 F-35C aircraft.
- Authorizes funding for the procurement of 24 F-15EX aircraft.
- Authorizes funding for the procurement of 91 Armored Multi-Purpose Vehicles, 33 M-10 Booker Combat Vehicles, 105 Stryker Combat Vehicles (20 above the budget request), 30 Paladins (6 above the budget request), 47 Abrams tanks (13 above the budget request), 22 MSHORAD systems, and 80 USMC Amphibious Combat Vehicles.
- Continues strong investment across the munitions enterprise for the procurement of munitions.

Force Structure, Capacity, and Capability:

- Reduces minimum inventory requirements for the A-10 aircraft from 153 to 135 aircraft, allowing the Air Force to invest in modern weapons systems.
- Authorizes the retirement of 57 F-15C/D aircraft, allowing the Air Force to invest in modern weapons systems.
- Prohibits the divestment of F-16 aircraft until the Secretary of the Air Force provides a recapitalization plan, thus ensuring sufficient capability and capacity are retained to support near-term geographic combatant commanders' requirements.



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- Prohibits the termination of the fighter flying mission of any Air National Guard (ANG) flying squadron until the Secretary of the Air Force reports on a notional plan to recapitalize all ANG fighter squadrons, including programmatic funding requirements, and an operational impact assessment.
- Requires the Secretary of the Air Force to report on a plan to maintain sufficient capability, capacity, and proficient aircrews to support geographic combatant commanders' requirements for close air support, forward air controller-airborne, and combat search and rescue.

Continued Oversight of Major Defense Acquisition Programs:

- Mandates accountability metrics for the Next Generation Air Dominance family of systems development program.
- Requires Service Secretaries to establish and validate power and cooling requirements for the F-35 aircraft to support the planned service-life of the aircraft, and to submit those requirements to the F-35 Joint Program Office; requires the F-35 Program Executive Officer to use those pre-determined service-life requirements to conduct a cost-benefit and technical risk analysis integrating all the modifications and upgrades necessary to meet aircraft power and cooling service-life requirements; requires the Secretary of Defense to designate all efforts to modernize and upgrade the existing propulsion, power, and thermal management systems of the F-35 aircraft system as a major subprogram of the F-35 acquisition program
- Requires the Secretary of Defense to designate the F-35 Continuous Capability Development and Delivery program as a single major subprogram of the F-35 aircraft acquisition program.

Energetics Development and Weapon Systems Lethality:

- Directs the Secretary of Defense to establish with the Office of the Secretary of Defense a Joint Energetics Transition Office and directs the Joint Program Executive Office for Armaments and Ammunition to serve as the executive agent for conventional energetics development.
- Requires the Secretary of Defense to carry out a pilot program to incorporate CL20 compound as the energetic material for three weapon systems under development by the DoD.
- Requires the Secretary of Defense to include lethality as a key performance parameter, as appropriate, for the purposes of procuring any new munition, or modifying any existing munition.

Directs DoD to Provide Reports or Briefings on Important Issues Including:



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- Directs the Comptroller General to analyze and report on the Department of the Army's air and missile defense programs, one of Army's key modernization priorities.
- Directs the Comptroller General to analyze and report on the Department of the Army's long range precision fires program, one of Army's key modernization priorities.
- Directs the Assistant Secretary of the Army for Acquisition, Logistics, and Technology, in coordination with the Commanding General of Army Futures Command, to submit a report on Army's near- and long-term strategy to meet Army's current and future requirements for Tactical Wheeled Vehicles.
- Directs the Assistant Secretary of the Army for Acquisition, Logistics, and Technology, in coordination with the Commanding General of Army Futures Command, to submit a report on plans to continually modernize and improve main battle tanks.
- Directs the Assistant Secretary of the Army for Acquisition, Logistics, and Technology, in coordination with the Commanding General of Army Futures Command, to submit a briefing on adherence to Modular Open Systems Architecture standards for ground vehicle modernization programs including the Optionally Manned Fighting Vehicle.
- Directs the Secretary of the Army to submit a briefing on passive radar capabilities relating to air defense and counter-unmanned aircraft systems.

Amendments of Concern Adopted at Markup:

- Requires development of a nuclear sea-launched cruise missile.
- Prohibits research and development of low enriched uranium for nuclear reactors for the Navy.

POLICY ISSUES

Oversight of Involvement of U.S. Armed Forces:

- Requires the President to transmit a report to certain congressional committees within 48 hours of any incident in which U.S. Armed Forces are involved in an attack or hostilities, whether in an offensive or defensive capacity, except in specified circumstances.

Standardizes Access to Military Installations:

- Standardizes access to military installations in the United States by requiring the Secretary of Defense to develop protocols, criteria, and guidance on screening



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standards, security, and authorized individuals. This will ensure that across services, there is a standard process that allows visitors and workers to access installations.

European Deterrence:

- Fully authorizes the European Deterrence Initiative (EDI) budget request at \$3.6 billion through 2025, in accordance with President Biden's budget proposal.
- Fully authorizes the Ukraine Security Assistance Initiative (USAI) at \$300 million in accordance with President Biden's budget proposal and extends the authority through 2025, in accordance with President Biden's budget proposal.
- Authorizes funding for the Baltic Security Initiative (BSI) to meet all planned activities for the region.

Addressing Civilian Harm Mitigation:

- Requires GAO to conduct an assessment of the efficacy of civilian casualty mitigation training.
- Increases congressional oversight on the status of the completion or denial of ex-gratia payments, the authority that requires the United States to make payments for damage, personal injury, or death to a civilian that is inadvertently caused by the use of force by the U.S. Armed Forces, a coalition that includes the U.S., or a military organization supporting the U.S.

Strengthening Cooperation with Allies and Partners:

- Requires the Secretary of Defense to provide a briefing on opportunities to enhance the State Partnership Program
- Enables support to the Coast Guard to improve the capacity of African partners' to detect and counter illegal unregulated and unreported fishing (IUU-F).
- Directs the Secretary of Defense to provide a briefing on the resources, authorities, and staffing necessary for the DoD to implement and prioritize the Global Fragility Act.
- Requires a report on countries that were trained or equipped by the DoD and each instance in which a unit subsequently engaged in a coup, insurrection, or action to overthrow a democratically elected government, or attempted any such action.

Improving Oversight of Equipment to Ukraine and Globally



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- Requires the Comptroller General to submit reports on practices related to end-use monitoring of equipment provided to foreign countries to ensure our partners account for the equipment properly and U.S. tax dollars are being used appropriately.
- With a congressional notification, authorizes the transfer of equipment to be redirected to another country in an extenuating circumstance and allows the DoD to accept returned equipment. This would allow the DoD to accept and potentially repurpose equipment for another country like Ukraine.
- Requires GAO to submit a report on efforts to track how U.S.-origin defense articles are used by recipients in accordance with the recipient government's obligations under the conditions of the transfer and international law.
- Creates a Special Inspector General for Ukraine Funding focused on ensuring that U.S. assistance to Ukraine continues to be well spent and well-overseen.

Asia-Pacific and the Pacing Challenge of China

- Extends and authorizes funds for the Pacific Deterrence Initiative in support of President Biden's request.
- Extends the required plan and the reporting requirements of sec. 1251 of the FY21 NDAA, as amended, including the Commander of the U.S. Indo-Pacific Command's Report on Resourcing United States Defense Requirements for the Indo-Pacific Region and Study on Competitive Strategies, through FY2026.
- Requires an independent assessment of DoD activities carried out under the Pacific Deterrence Initiative.
- Expresses the Sense of Congress that the United States should reinforce its alliance with the Republic of Korea.
- Expresses the Sense of Congress on U.S. defense relations with Taiwan.
- Expresses the Sense of Congress on Department of Defense force posture and capabilities in the area of operations of U.S. Indo-Pacific Command.
- Expresses the sense of Congress on the merits of unmanned vehicles, particularly in the Indo-Pacific region.
- Expresses the Sense of Congress on the importance of the AUKUS trilateral agreement and requires the Secretary of Defense to submit a report identifying gaps in the levels of staffing necessary to accomplish AUKUS-related efforts.
- Requires the Secretary of Defense to submit a report on the progress of the Joint Force Headquarters implementation plan required by section 1087 of the National Defense Authorization Act for Fiscal Year 2023.
- Requires the Secretary of Defense to provide a briefing on the status of efforts to develop and implement the joint multi-year plan to fulfill defensive requirements



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of military forces of Taiwan required under section 5506 of the National Defense Authorization Act for Fiscal Year 2023.

- Requires the Secretary of Defense to develop a plan and roadmap to expand international technology-focused partnerships, agreements, and experimentation activities in the Indo-Pacific region; enhance capabilities using lessons learned by Task Force 59; and identify and accelerate the fielding of capabilities and technologies that would improve Taiwan's self-defense capabilities.
- Requires the Secretary of Defense to consider information related to Chinese military companies that is provided jointly by the chair and ranking member of any of the congressional defense committees.
- Modifies the Annual Report on Military and Security Developments Involving the People's Republic of China to include lessons learned by China from Russia.
- Requires an independent study of the defense budget of the People's Republic of China.
- Directs the Secretary of Defense to engage the Ministry of Defense of Taiwan with the intent to strengthen military cybersecurity cooperation.

Amendments of Concern Adopted at Markup:

- Requires the Secretary of Defense to submit a report to Congress on the feasibility of implementing naval blockades of shipments of fossil fuels to China in the event of an armed conflict between the United States and China.
- Requires the Secretary of Defense to maintain a plan for a noncombatant evacuation operation or any other evacuation mission conducted by the DoD from Taiwan and to submit an annual certification to Congress that the plan is either sufficient or needs to be updated.

Counter-ISIS:

- Continues U.S. military and financial support to our partners in Iraq and Syria to fight ISIS.

Detention Facility at Guantanamo Bay, Cuba

- Provisions prohibiting the transfer of detainees to the United States and a specific set of countries, the construction or modification of domestic facilities to house detainees, and the closure or abandonment of United State Naval Station, Guantanamo Bay. Last year's final National Defense Authorization Act (P.L. 117-263) contained substantially similar provisions.

Acquisitions



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- Streamlines the Acquisition Process and Fields Innovative Technologies by:
 - Recurring Awards for Production, Investment, and Deployment through Competitions Pilot (RAPID Competitions Pilot) for attributable systems and evolving technologies with Combatant Commanders' input.
 - Establishing demonstration projects to identify, develop, and field capabilities for product support through partnership agreements in contested logistics environment.
 - Modifying and streamlining other transaction authority for high-dollar prototypes.
 - Requiring reports on service-to-service trends and utilization of other transaction authority and middle-tier of acquisitions contracts.

- Improves Transparency and Accountability in the Acquisition System by:
 - Reestablishing a loser pays pilot program to ward reimbursement to the DoD for costs incurred from contract award protests denied by the Government Accountability Office.
 - Requiring the DoD to share the determination of commerciality made by contracting officers upon the request of the contractor.
 - Requiring the DoD to avoid Lowest Price Technically Acceptable (LPTA) source selection criteria to the maximum extent possible for fuel and fuel-related services if such services are or reasonably could be controlled by an adversary.

- Improves Supply Chain Security by:
 - Including a variety of reporting requirements and committee recommendations regarding critical minerals and rare earth metals that will help keep our supply chain secure and less dependent on foreign sources.
 - Requiring the Deputy Secretary of Defense to assess the supply chains for energetic materials and to submit a report on the results of the assessment.

Amendments of Concern Adopted at Markup:

- Prohibits consulting companies from contracting with DoD if they have in the last 5 years provided consulting services to the Chinese Government, the Chinese Communist Party, the People's Liberation Army, or other covered entities.