

**H.R. 4350—FY22 NATIONAL DEFENSE
AUTHORIZATION BILL**

SUBCOMMITTEE ON READINESS

SUMMARY OF BILL LANGUAGE.....	1
BILL LANGUAGE.....	21
DIRECTIVE REPORT LANGUAGE.....	212

SUMMARY OF BILL LANGUAGE

Table Of Contents

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE III—OPERATION AND MAINTENANCE

LEGISLATIVE PROVISIONS

SUBTITLE B—ENERGY AND ENVIRONMENT

Section 3xx—Review and Guidance Relating to Prevention and Mitigation of Spills of Aqueous Film-Forming Foam

Section 3XX—Prohibition on Use of Open-Air Burn Pits in Contingency Operations outside the United States

Section 3XX—Modification of Authorities Governing Cultural and Conservation Activities of the Department of Defense

Section 3XX—Modification of Authority for Environmental Restoration Projects of National Guard

Section 3XX—Public Disclosure of Results of Department of Defense Testing for Perfluoroalkyl or Polyfluoroalkyl Substances

Section 3XX—Temporary Moratorium on Incineration by Department of Defense of Perfluoroalkyl Substances, Polyfluoroalkyl Substances, and Aqueous Film Forming Foam

Section 3XX—Energy Efficiency Targets for Department of Defense Data Centers

Section 3XX—Long-Duration Demonstration Initiative and Joint Program

SUBTITLE C—LOGISTICS AND SUSTAINMENT

Section 3XX—Global Bulk Fuel Management and Delivery

Section 3XX—Comptroller General Annual Reviews of F-35 Sustainment Efforts

Section 3XX—Annual Report on Material Readiness of Navy Ships

Section 3XX—Pilot Program on Digital Optimization of Organic Industrial Base Maintenance and Repair Operations

Section 3XX—Mitigation of Contested Logistics Challenges of the Department of Defense through Reduction of Operational Energy Demand

Section 3xx—Improvements and Clarifications Related to Military Working Dogs

Section 3XX—Authority to Establish Center of Excellence for Radar Systems and Complementary Workforce and Education Programs

SUBTITLE E—OTHER MATTERS

Section 3XX—Establishment of Joint Safety Council

Section 3XX—Inclusion of Information regarding Borrowed Military Manpower in Readiness Reports

Section 3XX—Implementation of Comptroller General Recommendations on Preventing Tactical Vehicle Training Accidents

Section 3XX—Strategy and Annual Report on Critical Language Proficiency of Special Operations Forces

Section 3XX—Mishap Investigation Review Board

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

LEGISLATIVE PROVISIONS

SUBTITLE B—OTHER DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT MATTERS

Section 9XX—Clarification of Treatment of Office of Local Defense Community Cooperation as a Department of Defense Field Activity

TITLE XI—CIVILIAN PERSONNEL MATTERS

LEGISLATIVE PROVISIONS

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

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

Section 11XX—Comptroller General Review of Naval Audit Service Operations

Section 11XX—Implementation of GAO Recommendations on Tracking, Response, and Training for Civilian Employees of the Department of Defense regarding Sexual Harassment and Assault

Section 11XX—Amendment to Diversity and Inclusion Reporting

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Section 2001—Short Title

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

Section 2003—Effective Date

TITLE XXI—ARMY MILITARY CONSTRUCTION

LEGISLATIVE PROVISIONS

Section 2101—Authorized Army Construction and Land Acquisition Projects

Section 2102—Family Housing

Section 2103—Authorization of Appropriations, Army

Section 2104—Extension of Authority to Carry Out Certain Fiscal Year 2017 Project

Section 2105—Modification of Authority to Carry Out Certain Fiscal Year 2021 Project

Section 2106—Additional Authorized Funding Source for Certain Fiscal Year 2022 Project

TITLE XXII—NAVY MILITARY CONSTRUCTION

LEGISLATIVE PROVISIONS

Section 2201—Authorized Navy Construction and Land Acquisition Projects

Section 2202—Family Housing

Section 2203—Authorization of Appropriations, Navy

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

LEGISLATIVE PROVISIONS

Section 2301—Authorized Air Force Construction and Land Acquisition Projects
Section 2302—Family Housing
Section 2303—Authorization of Appropriations, Air Force
Section 2304—Extension of Authority to Carry Out Certain Fiscal Year 2017
Projects
Section 2305—Modification of Authority to Carry Out Military Construction
Projects at Tyndall Air Force Base, Florida

**TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION
LEGISLATIVE PROVISIONS**

Section 2401—Authorized Defense Agencies Construction and Land Acquisition
Projects
Section 2402—Authorized Energy Resilience and Conservation Investment
Program Projects
Section 2403—Authorization of Appropriations, Defense Agencies
Section 2404—Extension of Authority to Carry Out Certain Fiscal Year 2017
Project

**TITLE XXV—INTERNATIONAL PROGRAMS
LEGISLATIVE PROVISIONS**

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

Section 2501—Authorized NATO Construction and Land Acquisition Projects
Section 2502—Authorization of Appropriations, NATO
SUBTITLE B—HOST COUNTRY IN-KIND CONTRIBUTIONS
Section 2511—Republic of Korea Funded Construction Projects
Section 2512—Republic of Poland Funded Infrastructure Projects

**TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES
LEGISLATIVE PROVISIONS**

SUBTITLE A—PROJECT AUTHORIZATIONS AND AUTHORIZATION OF APPROPRIATIONS

Section 2601—Authorized Army National Guard Construction and Land
Acquisition Projects
Section 2602—Authorized Army Reserve Construction and Land Acquisition
Projects
Section 2603—Authorized Navy Reserve and Marine Corps Reserve
Construction and Land Acquisition Projects
Section 2604—Authorized Air National Guard Construction and Land
Acquisition Projects
Section 2605—Authorized Air Force Reserve Construction and Land
Acquisition Projects
Section 2606—Authorization of Appropriations, National Guard and Reserve

**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

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

LEGISLATIVE PROVISIONS

SUBTITLE A—MILITARY CONSTRUCTION PROGRAM AND MILITARY FAMILY HOUSING CHANGES

Section 28XX—Special Construction Authority to Use Operation and Maintenance Funds to Meet Certain United States Military-Related Construction Needs in Friendly Foreign Countries

Section 28XX—Modification and Extension of Temporary, Limited Authority to Use Operation and Maintenance Funds for Construction Projects in Certain Areas outside the United States

Section 28XX—Increased Transparency and Public Availability of Information regarding Solicitation and Award of Subcontracts under Military Construction Contracts

Section 28XX—Improvement of Department of Defense Child Development Centers and Increased Availability of Child Care for Children of Military Personnel

Section 28XX—Prompt Completion of Military Installation Resilience Component of Master Plans for At-Risk Major Military Installations

Section 28XX—Additional Department of Defense Activities to Improve Energy Resiliency of Military Installations

Section 28XX—Cooperation with State and Local Governments in Development of Master Plans for Major Military Installations

Section 28XX—Pilot Program on Increased Use of Mass Timber in Military Construction

Section 28XX—Amendment of Unified Facilities Criteria to Require Inclusion of Private Nursing and Lactation Space in Certain Military Construction Projects

Section 28XX—Limitations on Authorized Cost and Scope of Work Variations

SUBTITLE B—REAL PROPERTY AND FACILITIES ADMINISTRATION

Section 28XX—Modification of Restrictions on Use of Former Navy Property Conveyed to University of California, San Diego

SUBTITLE F—OTHER MATTERS

Section 28XX—Required Investments in Improving Military Unaccompanied Housing

Section 28XX—Identification of Organic Industrial Base Gaps and Vulnerabilities Related to Climate Change and Defensive Cybersecurity Capabilities

Section 28XX—Consideration of Anticipated Increased Share of Electric Vehicles in Department of Defense Vehicle Fleet and Owned by Members of the Armed Forces and Department Employees

Section 28XX—Secretary of the Navy Authority to Support Development and Operation of National Museum of the United States Navy

Section 28XX—Improved Oversight of Certain Infrastructure Services Provided by Naval Facilities Engineering Systems Command Pacific
Section 28XX—Conditions on Revision of Unified Facilities Criteria or Unified Facilities Guide Specifications regarding Use of Variable Refrigerant Flow Systems

Section 28XX—Clarification of Installation and Maintenance Requirements regarding Fire Extinguishers in Department of Defense Facilities

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

**TITLE XXXIV—NAVAL PETROLEUM RESERVES
LEGISLATIVE PROVISIONS**

Section 34xx—Authorization of Appropriations

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE III—OPERATION AND MAINTENANCE

LEGISLATIVE PROVISIONS

SUBTITLE B—ENERGY AND ENVIRONMENT

Section 3xx—Review and Guidance Relating to Prevention and Mitigation of Spills of Aqueous Film-Forming Foam

This section would require the Secretary of Defense to promulgate guidance on the prevention and mitigation of spills of aqueous film-forming foam within 180 days of the date of the enactment of this Act.

Section 3XX—Prohibition on Use of Open-Air Burn Pits in Contingency Operations outside the United States

This section would prohibit the use of open-air burn pits during overseas contingency operations unless an exemption is issued by the President of the United States for a particular location. Thirty days after an exemption is granted, the President would be required to submit a report to Congress detailing the location, size, duration, and need of the burn pit; the number of personnel assigned to the location; and the personal protective equipment or other methods that will be used by those personnel to mitigate the health effects of said pit.

Section 3XX—Modification of Authorities Governing Cultural and Conservation Activities of the Department of Defense

This section would amend section 2694 of title 10, United States Code, to include Sentinel Landscapes and encourage the establishment of an interagency Sentinel Landscape Partnership.

Section 3XX—Modification of Authority for Environmental Restoration Projects of National Guard

This section would amend section 2707 of title 10, United States Code, to allow the National Guard to access Defense Environmental Restoration Programs funds.

Section 3XX—Public Disclosure of Results of Department of Defense Testing for Perfluoroalkyl or Polyfluoroalkyl Substances

This section would require the Department of Defense to publicly disclose the results of testing for perfluoroalkyl or polyfluoroalkyl substances on military installations or formerly used defense sites.

Section 3XX—Temporary Moratorium on Incineration by Department of Defense of Perfluoroalkyl Substances, Polyfluoroalkyl Substances, and Aqueous Film Forming Foam

This section would require the Department of Defense to institute a moratorium on incineration of materials containing or contaminated by perfluoroalkyl substances, polyfluoroalkyl substances, or aqueous film forming foam until the Secretary of Defense certifies that the Department has implemented the Environmental Protection Agency's guidance for disposal.

Section 3XX—Energy Efficiency Targets for Department of Defense Data Centers

This section would require the Department of Defense to assess its current inventory of data centers and set energy and water targets for certain centers.

Section 3XX—Long-Duration Demonstration Initiative and Joint Program

This section would require the Department of Defense to establish a demonstration program with the Department of Energy with the aim of developing long-duration energy storage technologies.

SUBTITLE C—LOGISTICS AND SUSTAINMENT

Section 3XX—Global Bulk Fuel Management and Delivery

This section would amend subchapter 3 of chapter 173 of title 10, United States Code, by adding a new section that would direct the Secretary of Defense to

designate a combatant command to be responsible for global bulk fuel management and delivery. This section also would direct a strategy on global bulk fuel management and delivery.

Section 3XX—Comptroller General Annual Reviews of F-35 Sustainment Efforts

This section would direct the Comptroller General of the United States to conduct an annual review of F-35 sustainment efforts, provide annual briefings to the House Committee on Armed Services not later than March 1 of each year of 2022, 2023, 2024, and 2025, and annual reports at a time agreed upon by the Comptroller General and the House Committee on Armed Services.

Section 3XX—Annual Report on Material Readiness of Navy Ships

This section would amend section 8674 of title 10, United States Code, to make permanent the requirement for an annual report to the congressional defense committees on the material readiness of Navy ships.

Section 3XX—Pilot Program on Digital Optimization of Organic Industrial Base Maintenance and Repair Operations

This section would require that the Secretary of Defense initiate a pilot program under which the Secretary shall provide for the digitization of the facilities and operations of at least one government-owned and operated military depot.

Section 3XX—Mitigation of Contested Logistics Challenges of the Department of Defense through Reduction of Operational Energy Demand

This section would require the Department of Defense to establish a contested logistics working group for the purpose of mitigating energy-related contested logistics challenges.

Section 3xx—Improvements and Clarifications Related to Military Working Dogs

This section would amend section 2583 of title 10, United States Code, and direct that retired military working dogs shall be transferred without charge to the adoption recipients. This section would also amend section 708 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) and direct the Joint Trauma Education and Training Directorate to consider military working dogs and veterinary services in its research and planning efforts.

Section 3XX—Authority to Establish Center of Excellence for Radar Systems and Complementary Workforce and Education Programs

This section would permit the Secretary of Defense to establish a Center of Excellence to further the expertise of the Department of Defense in the repair, sustainment, and support of radar systems.

SUBTITLE E—OTHER MATTERS

Section 3XX—Establishment of Joint Safety Council

This section would amend chapter 7 of title 10, United States Code, to establish a Joint Safety Council within the Office of the Deputy Secretary of Defense.

Section 3XX—Inclusion of Information regarding Borrowed Military Manpower in Readiness Reports

This section would amend section 482 of title 10, United States Code, to require that semiannual readiness reports to Congress include information on the extent to which service members are diverted to perform functions previously performed by civilian employees or contractors.

Section 3XX—Implementation of Comptroller General Recommendations on Preventing Tactical Vehicle Training Accidents

This section would require the Secretaries of the Army and Marine Corps to develop a plan to address the recommendations contained in the Comptroller General report entitled "Army and Marine Corps Should Take Additional Actions to Mitigate and Prevent Training Accidents."

Section 3XX—Strategy and Annual Report on Critical Language Proficiency of Special Operations Forces

This section would require the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict (ASD SO/LIC), in coordination with the Commander, U.S. Special Operations Command, to prepare a 5-year strategy on current and planned efforts to recruit, select, and train special operations forces (SOF) in critical languages relevant to strategic competition. Further, this section would also direct ASD SOLIC to submit an annual report on the assessed proficiency of SOF in those critical languages, due not later than 1 year after the submission of the strategy.

Section 3XX—Mishap Investigation Review Board

This section would direct the Deputy Secretary of Defense to develop a proposal for the establishment of a Mishap Investigation Review Board to provide oversight and independent review of safety and legal mishap investigations.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

LEGISLATIVE PROVISIONS

SUBTITLE B—OTHER DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT MATTERS

Section 9XX—Clarification of Treatment of Office of Local Defense Community Cooperation as a Department of Defense Field Activity

This section would clarify that the Office of Local Defense Community Cooperation is to be treated as a Department of Defense Field Activity.

TITLE XI—CIVILIAN PERSONNEL MATTERS

LEGISLATIVE PROVISIONS

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 2022.

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 1106 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) by extending the temporary authority granting allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone by 1 year.

Section 11XX—Comptroller General Review of Naval Audit Service Operations

This section would prohibit changes to the size or function of the Naval Audit Service until the Comptroller General of the United States completes a report on the operations of the Naval Audit Service.

Section 11XX—Implementation of GAO Recommendations on Tracking, Response, and Training for Civilian Employees of the Department of Defense regarding Sexual Harassment and Assault

This section would require the Secretary of Defense to develop a plan to address the recommendations contained in the Comptroller General of the United States report entitled "Sexual Harassment and Assault: Guidance Needed to Ensure Consistent Tracking, Response, and Training for Department of Defense Civilians."

Section 11XX—Amendment to Diversity and Inclusion Reporting

This section would amend section 113 of title 10, United States Code, to require that the Department of Defense establish relevant metrics, collect and report on diversity statistics, and report on the status of diversity and inclusion efforts among the civilian workforce.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Section 2001—Short Title

This section would cite division B of this Act as the "Military Construction Authorization Act for Fiscal Year 2022".

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, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

Section 2003—Effective Date

This section would provide that titles XXI through XXVII of this Act would take effect on October 1, 2021, or the date of the enactment of this Act, whichever is later.

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 2022. 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 2022.

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 2104—Extension of Authority to Carry Out Certain Fiscal Year 2017 Project

This section would extend the authorization of a certain fiscal year 2017 project until October 1, 2023.

Section 2105—Modification of Authority to Carry Out Certain Fiscal Year 2021 Project

This section would modify the authority provided by section 2101 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116-283) and authorize the Secretary of the Army to make certain modifications to the authorized cost of a previously authorized construction project.

Section 2106—Additional Authorized Funding Source for Certain Fiscal Year 2022 Project

This section would authorize the Secretary of the Army to use funds available to the Secretary under section 2667(e)(1)(C) of title 10, United States Code, as a funding source for this fiscal year 2022 project.

TITLE XXII—NAVY MILITARY CONSTRUCTION

LEGISLATIVE PROVISIONS

Section 2201—Authorized Navy Construction and Land Acquisition Projects

This section would contain a list of authorized Department of the Navy construction projects for fiscal year 2022. 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 2202—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 2022.

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.

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 2022. 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

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 2022.

Section 2303—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 2304—Extension of Authority to Carry Out Certain Fiscal Year 2017 Projects

This section would extend the authorization of certain fiscal year 2017 projects until October 1, 2023.

Section 2305—Modification of Authority to Carry Out 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.

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 2022. 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 2022. 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 2404—Extension of Authority to Carry Out Certain Fiscal Year 2017 Project

This section would extend the authorization of a certain fiscal year 2017 project until October 1, 2023.

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 six military construction projects totaling \$505.2 million pursuant to agreement with the Republic of Korea for required in-kind contributions.

Section 2512—Republic of Poland Funded Infrastructure Projects

This section would authorize the Secretary of Defense to accept two military construction projects totaling \$37,000,000 pursuant to agreement with the Republic of Poland for required in-kind contributions.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

LEGISLATIVE PROVISIONS

SUBTITLE A—PROJECT AUTHORIZATIONS AND AUTHORIZATION OF APPROPRIATIONS

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 2022. 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 2022. 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 Navy Reserve and Marine Corps Reserve Construction and Land Acquisition Projects

This section would contain the list of authorized Navy Reserve and Marine Corps Reserve construction projects for fiscal year 2022. 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 National Guard Construction and Land Acquisition Projects

This section would contain the list of authorized Air National Guard construction projects for fiscal year 2022. 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 2605—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 2022. 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 the National Guard and Reserve military construction at the levels identified in section 4601 of division D of this Act.

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.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

LEGISLATIVE PROVISIONS

SUBTITLE A—MILITARY CONSTRUCTION PROGRAM AND MILITARY FAMILY HOUSING CHANGES

Section 28XX—Special Construction Authority to Use Operation and Maintenance Funds to Meet Certain United States Military-Related Construction Needs in Friendly Foreign Countries

This section would amend section 2804 of title 10, United States Code, to allow the Secretaries of the military departments to use operation and maintenance funds for certain combatant command construction priorities.

Section 28XX—Modification and Extension of Temporary, Limited Authority to Use Operation and Maintenance Funds for Construction Projects in Certain Areas outside the United States

This section would modify and extend the limited authority to use operation and maintenance funds for construction projects in certain locations outside the United States.

Section 28XX—Increased Transparency and Public Availability of Information regarding Solicitation and Award of Subcontracts under Military Construction Contracts

This section would increase transparency of information regarding the award of subcontracts to military construction contracts.

Section 28XX—Improvement of Department of Defense Child Development Centers and Increased Availability of Child Care for Children of Military Personnel

This section would require the military departments to conduct safety inspections at Department of Defense Child Development Centers and develop 10-year facility improvement plans for these child development centers.

Section 28XX—Prompt Completion of Military Installation Resilience Component of Master Plans for At-Risk Major Military Installations

This section would require each military department to complete the extreme weather resilience component of a military installation master plan at two of its installations within 1 year of the date of the enactment of this Act.

Section 28XX—Additional Department of Defense Activities 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 construction of microgrids as part of new construction projects.

Section 28XX—Cooperation with State and Local Governments in Development of Master Plans for Major Military Installations

This section would require the commanders of major military installations to consult with State and local communities in the development of installation master plans.

Section 28XX—Pilot Program on Increased Use of Mass Timber in Military Construction

This section would require the military departments to conduct a pilot program for the use of mass timber products in military construction.

Section 28XX—Amendment of Unified Facilities Criteria to Require Inclusion of Private Nursing and Lactation Space in Certain Military Construction Projects

This section would require the Secretary of Defense to amend the Unified Facilities Criteria to include a requirement for private nursing areas in certain Department of Defense facilities.

Section 28XX—Limitations on Authorized Cost and Scope of Work Variations

This section would amend section 2853 of title 10, United States Code, to place limitations on the cost and scope of work variations for which the military departments can use notification procedures.

SUBTITLE B—REAL PROPERTY AND FACILITIES ADMINISTRATION

Section 28XX—Modification of Restrictions on Use of Former Navy Property Conveyed to University of California, San Diego

This section would modify the Navy's reversionary interest in property conveyed to the University of California, San Diego.

SUBTITLE F—OTHER MATTERS

Section 28XX—Required Investments in Improving Military Unaccompanied Housing

This section would require the military departments to reserve a percentage of their Facilities Sustainment, Restoration, and Modernization funds for investment in permanent unaccompanied housing for service members.

Section 28XX—Identification of Organic Industrial Base Gaps and Vulnerabilities Related to Climate Change and Defensive Cybersecurity Capabilities

This section would amend section 2504 of title 10, United States Code, to require annual reporting on climate and cyber vulnerabilities in industrial base infrastructure.

Section 28XX—Consideration of Anticipated Increased Share of Electric Vehicles in Department of Defense Vehicle Fleet and Owned by Members of the Armed Forces and Department Employees

This section would require the Secretary of Defense to amend the Unified Facilities Criteria to require consideration of electric vehicle charging considerations as part of new construction. This section would also lay out planning criteria for deployment of electric vehicle charging stations.

Section 28XX—Secretary of the Navy Authority to Support Development and Operation of National Museum of the United States Navy

This section would authorize the Secretary of the Navy to enter into cooperative agreements or contracts in support of the development and operation of the National Museum of the United States Navy.

Section 28XX—Improved Oversight of Certain Infrastructure Services Provided by Naval Facilities Engineering Systems Command Pacific

This section would require the Secretary of the Navy to designate a position at the Naval Facilities Engineering Systems Command Pacific to provide oversight and continuity over leased property in Hawaii.

Section 28XX—Conditions on Revision of Unified Facilities Criteria or Unified Facilities Guide Specifications regarding Use of Variable Refrigerant Flow Systems

This section would require the Department of Defense to notify the House Committee on Armed Services prior to making any changes to the Unified Facilities Criteria related to variable refrigerant flow air conditioning systems.

Section 28XX—Clarification of Installation and Maintenance Requirements regarding Fire Extinguishers in Department of Defense Facilities

This section would clarify that the Department of Defense is required to adopt the National Fire Protection Association's NFPA 1, Fire Code.

**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 \$13,650,000 for fiscal year 2022 for operation and maintenance of the Naval Petroleum Reserves.

BILL LANGUAGE

1 **SEC. ____ [Log 72827]. REVIEW AND GUIDANCE RELATING TO**
2 **PREVENTION AND MITIGATION OF SPILLS OF**
3 **AQUEOUS FILM-FORMING FOAM.**

4 (a) REVIEW REQUIRED.—Not later than 180 days of
5 after the date of the enactment of this Act, the Secretary
6 of Defense shall complete a review of the efforts of the
7 Department of Defense to prevent or mitigate spills of
8 aqueous film-forming foam (in this section referred to as
9 “AFFF”). Such review shall assess the following:

10 (1) The preventative maintenance guidelines for
11 fire trucks of the Department and fire suppression
12 systems in buildings of the Department, to mitigate
13 the risk of equipment failure that may result in a
14 spill of AFFF.

15 (2) Any requirements for the use of personal
16 protective equipment by personnel when conducting
17 a material transfer or maintenance activity of the
18 Department that may result in a spill of AFFF, or
19 when conducting remediation activities for such a
20 spill, including requirements for side-shield safety
21 glasses, latex gloves, and respiratory protection
22 equipment.

23 (3) The methods by which the Secretary en-
24 sures compliance with guidance specified in material

1 safety data sheets with respect to the use of such
2 personal protective equipment.

3 (b) GUIDANCE.—Not later than 90 days after the
4 date on which the Secretary completes the review under
5 subsection (a), the Secretary shall issue guidance on the
6 prevention and mitigation of spills of AFFF based on the
7 results of such review that includes, at a minimum, best
8 practices and recommended requirements to ensure the
9 following:

10 (1) The supervision by personnel trained in re-
11 sponding to spills of AFFF of each material transfer
12 or maintenance activity of the Department of De-
13 fense that may result in such a spill.

14 (2) The use of containment berms and the cov-
15 ering of storm drains and catch basins by personnel
16 performing maintenance activities for the Depart-
17 ment in the vicinity of such drains or basins.

18 (3) The storage of materials for the cleanup
19 and containment of AFFF in close proximity to fire
20 suppression systems in buildings of the Department
21 and the presence of such materials during any trans-
22 fer or activity specified in paragraph (1).

23 (c) BRIEFING.—Not later than 30 days after the date
24 on which the Secretary issues the guidance under sub-
25 section (b), the Secretary shall provide to the congres-

- 1 sional defense committees a briefing that summarizes the
- 2 results of the review conducted under subsection (a) and
- 3 the guidance issued under subsection (b).

1 **SEC. 3** [Log 72930]. **PROHIBITION ON USE OF OPEN-AIR**
2 **BURN PITS IN CONTINGENCY OPERATIONS**
3 **OUTSIDE THE UNITED STATES.**

4 (a) **IN GENERAL.**—Chapter 160 of title 10, United
5 States Code, is amended by adding at the end the fol-
6 lowing new section:

7 **“§ 2714. Prohibition on use of open-air burn pits**

8 “(a) **IN GENERAL.**—Except as provided in subsection
9 (b), beginning on January 1, 2023, the disposal of covered
10 waste by the Department of Defense in an open-air burn
11 pit located outside of the United States during a contin-
12 gency operation is prohibited.

13 “(b) **WAIVER.**—The President may exempt a location
14 from the prohibition under subsection (a) if the President
15 determines such an exemption is in the paramount interest
16 of the United States.

17 “(c) **REPORT.**—(1) Not later than 30 days after
18 granting an exemption under subsection (b) with respect
19 to the use of an open-air burn pit at a location, the Presi-
20 dent shall submit to Congress a written report that identi-
21 fies—

22 “(A) the location of the open-air burn pit;

1 “(B) the number of personnel of the United
2 States assigned to the location where the open-air
3 burn pit is being used;

4 “(C) the size and expected duration of use of
5 the open-air burn pit;

6 “(D) the personal protective equipment or other
7 health risk mitigation efforts that will be used by
8 members of the armed forces when airborne hazards
9 are present, including how such equipment will be
10 provided when required; and

11 “(E) the need for the open-air burn pit and ra-
12 tionale for granting the exemption.

13 “(2) A report submitted under paragraph (1) shall
14 be submitted in unclassified form, but may include a clas-
15 sified annex.

16 “(d) DEFINITION OF COVERED WASTE.—In this sec-
17 tion, the term ‘covered waste’ includes—

18 “(1) hazardous waste, as defined by section
19 1004(5) of the Solid Waste Disposal Act (42 U.S.C.
20 6903(5));

21 “(2) medical waste;

22 “(3) tires;

23 “(4) treated wood;

24 “(5) batteries;

1 “(6) plastics, except insignificant amounts of
2 plastic remaining after a good-faith effort to remove
3 or recover plastic materials from the solid waste
4 stream;

5 “(7) munitions and explosives, except when dis-
6 posed of in compliance with guidance on the destruc-
7 tion of munitions and explosives contained in the
8 Department of Defense Ammunition and Explosives
9 Safety Standards, DoD Manual 6055.09-M;

10 “(8) compressed gas cylinders, unless empty
11 with valves removed;

12 “(9) fuel containers, unless completely evacu-
13 ated of its contents;

14 “(10) aerosol cans;

15 “(11) polychlorinated biphenyls;

16 “(12) petroleum, oils, and lubricants products
17 (other than waste fuel for initial combustion);

18 “(13) asbestos;

19 “(14) mercury;

20 “(15) foam tent material;

21 “(16) any item containing any of the materials
22 referred to in a preceding paragraph; and

23 “(17) other waste as designated by the Sec-
24 retary.”.

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

“2714. Prohibition on use of open-air burn pits.”.

4 (c) CONFORMING REPEAL.—Effective January 1,
5 2023, section 317 of the National Defense Authorization
6 Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C.
7 2701 note) is repealed.

1 **SEC. 3** [Log 73041]. **MODIFICATION OF AUTHORITIES**
2 **GOVERNING CULTURAL AND CONSERVATION**
3 **ACTIVITIES OF THE DEPARTMENT OF DE-**
4 **FENSE.**

5 (a) **IN GENERAL.**—Section 2694 of title 10, United
6 States Code, is amended—

7 (1) in subsection (b)—

8 (A) in paragraph (1)—

9 (i) in subparagraph (A), by inserting
10 “or Sentinel Landscape” after “military
11 department”; and

12 (ii) in subparagraph (B), by inserting
13 “or that would contribute to maintaining
14 or improving military installation resil-
15 ience” after “military operations”;

16 (B) in paragraph (2)—

17 (i) in subparagraph (A), by inserting
18 “or nature-based climate resilience plans”
19 after “land management plans”; and

20 (ii) by amending subparagraph (F) to
21 read as follows:

22 “(F) The implementation of ecosystem-wide
23 land management plans—

24 “(i) for a single ecosystem that—

1 “(I) encompasses at least two non-
2 contiguous military installations, if those
3 military installations are not all under the
4 administrative jurisdiction of the same
5 Secretary of a military department; and

6 “(II) provides synergistic benefits un-
7 available if the installations acted sepa-
8 rately; or

9 “(ii) for one or more ecosystems within a
10 designated Sentinel Landscape.”; and

11 (2) by adding at the end the following new sub-
12 section:

13 “(e) DEFINITION OF SENTINEL LANDSCAPE.—In
14 this section, the term ‘Sentinel Landscape’ means a land-
15 scape-scale area encompassing—

16 “(1) one or more military installations or State-
17 owned National Guard installations and associated
18 airspace; and

19 “(2) the working or natural lands that serve to
20 protect and support the rural economy, the natural
21 environment, outdoor recreation, and the national
22 defense test and training missions of the military or
23 State-owned National Guard installation or installa-
24 tions.”.

1 (b) PRESERVATION OF SENTINEL LANDSCAPES.—

2 Section 317 of the National Defense Authorization Act for
3 Fiscal Year 2018 (10 U.S.C. 2684a note) is amended—

4 (1) in subsection (c)—

5 (A) by inserting “resilience,” after “mu-
6 tual benefit of conservation,”;

7 (B) by inserting “, resilience,” after “vol-
8 untary land management”; and

9 (C) by adding at the end the following new
10 sentence: “The Secretary of Defense shall in-
11 clude information concerning the activities
12 taken pursuant to the Sentinel Landscapes
13 Partnership in the annual report to Congress
14 submitted pursuant to section 2684a(g) of title
15 10, United States Code.”;

16 (2) in subsection (d), in the second sentence, by
17 inserting “by an eligible landowner or agricultural
18 producer” after “Participation”;

19 (3) by redesignating subsection (e) as sub-
20 section (f);

21 (4) by inserting after subsection (d) the fol-
22 lowing new subsection (e):

23 “(e) PARTICIPATION BY OTHER AGENCIES.—To the
24 extent practicable, the Secretary of Defense shall seek the
25 participation of other Federal agencies in the Sentinel

1 Landscape Partnership and encourage such agencies to
2 become full partners in the Partnership.”; and

3 (5) in subsection (f), by adding at the end the
4 following new paragraph:

5 “(4) RESILIENCE.—The term ‘resilience’ means
6 the capability to avoid, prepare for, minimize the ef-
7 fect of, adapt to, and recover from extreme weather
8 events, flooding, wildfires, or other anticipated or
9 unanticipated changes in environmental conditions.”.

1 **SEC. 3** [Log 73097]. **MODIFICATION OF AUTHORITY FOR**
2 **ENVIRONMENTAL RESTORATION PROJECTS**
3 **OF NATIONAL GUARD.**

4 Section 2707(e)(1) of title 10, United States Code,
5 is amended by striking “in response to perfluorooctanoic
6 acid or perfluorooctane sulfonate contamination under this
7 chapter or CERCLA”.

1 **SEC. 3** [Log 73127]. **PUBLIC DISCLOSURE OF RESULTS OF**
2 **DEPARTMENT OF DEFENSE TESTING FOR**
3 **PERFLUOROALKYL OR POLYFLUOROALKYL**
4 **SUBSTANCES.**

5 (a) **PUBLIC DISCLOSURE OF PFAS TESTING.**—The
6 Secretary of Defense shall publicly disclose the results of
7 any testing for perfluoroalkyl or polyfluoroalkyl substances
8 (commonly referred to as “PFAS”) conducted on or after
9 May 19, 2016, on military installations or formerly used
10 defense sites, including—

11 (1) all such testing results conducted by the
12 Department of Defense; and

13 (2) all such testing results conducted by a non-
14 Department entity (including any Federal agency
15 and any public or private entity) under contract or
16 pursuant to a cooperative agreement with the De-
17 partment of Defense.

18 (b) **PUBLICATION.**—The Secretary of Defense may
19 satisfy the disclosure requirement under subsection (a) by
20 publishing the results relating to the testing referred to
21 in such subsection—

22 (1) on the publicly available website established
23 under section 331(b) of the National Defense Au-
24 thorization Act of 2020 (Public Law 116–92);

1 (2) on another publicly available website of the
2 Department of Defense; or

3 (3) in the Federal Register.

4 (c) LOCAL NOTIFICATION.—Prior to conducting any
5 testing for perfluoroalkyl or polyfluoroalkyl substances,
6 the Secretary of Defense shall provide notice in writing
7 of the testing to the managers of the public water system
8 and the publicly owned treatment works serving the areas
9 located immediately adjacent to the military installation
10 where such testing is to occur.

11 (d) DEFINITIONS.—In this section:

12 (1) The term “formerly used defense site”
13 means any site formerly used by the Department of
14 Defense or National Guard eligible for environ-
15 mental restoration by the Secretary of Defense fund-
16 ed under the “Environmental Restoration Account,
17 Formerly Used Defense Sites” account established
18 under section 2703(a)(5) of title 10, United States
19 Code.

20 (2) The term “military installation” has the
21 meaning given such term in section 2801(c)(4) of
22 title 10, United States Code.

23 (3) The term “perfluoroalkyl or polyfluoroalkyl
24 substance” means any man-made chemical with at
25 least one fully fluorinated carbon atom.

1 (4) The term “public water system” has the
2 meaning given such term under section 1401(4) of
3 the Safe Drinking Water Act (42 U.S.C. 300f(4)).

4 (5) The term “treatment works” has the mean-
5 ing given such term in section 212(2) of the Federal
6 Water Pollution Control Act (33 U.S.C. 1292(2)).

1 **SEC. 3** **[Log 73129]. TEMPORARY MORATORIUM ON IN-**
2 **CINERATION BY DEPARTMENT OF DEFENSE**
3 **OF PERFLUOROALKYL SUBSTANCES,**
4 **POLYFLUOROALKYL SUBSTANCES, AND**
5 **AQUEOUS FILM FORMING FOAM.**

6 (a) TEMPORARY MORATORIUM.—Beginning not later
7 than 90 days after the date of the enactment of this Act,
8 the Secretary of Defense shall prohibit the incineration of
9 covered materials until the earlier of the following:

10 (1) The date on which the Secretary submits to
11 Committees on Armed Services of the House of Rep-
12 resentatives and the Senate a certification that the
13 Secretary is implementing the interim guidance on
14 the destruction and disposal of PFAS and materials
15 containing PFAS published by the Administrator of
16 the Environmental Protection Agency under section
17 7361 of the National Defense Authorization Act for
18 Fiscal Year 2020 (15 U.S.C. 8961).

19 (2) The date on which the Administrator of the
20 Environmental Protection Agency publishes in the
21 Federal Register a final rule regarding the destruc-
22 tion and disposal of such materials pursuant to such
23 section.

1 (b) REQUIRED ADOPTION OF FINAL RULE.—Upon
2 publication of the final rule specified in subsection (a)(2),
3 the Secretary shall adopt such final rule, regardless of
4 whether the Secretary previously implemented the interim
5 guidance specified in subsection (a)(1).

6 (c) REPORT.—Not later than one year after the date
7 on which the Administrator of the Environmental Protec-
8 tion Agency publishes the final rule specified in subsection
9 (a)(2), and annually thereafter for three years, the Sec-
10 retary shall submit to the Administrator a report on all
11 incineration by the Department of Defense of covered ma-
12 terials during the year covered by the report, including—

13 (1) the total amount of covered materials incin-
14 erated;

15 (2) the temperature range at which the covered
16 materials were incinerated; and

17 (3) the locations and facilities where the cov-
18 ered materials were incinerated.

19 (d) DEFINITIONS.—In this section:

20 (1) The term “AFFF” means aqueous film
21 forming foam.

22 (2) The term “covered material” means any
23 legacy AFFF formulation containing PFAS, mate-
24 rial contaminated by AFFF release, or spent filter

1 or other PFAS-contaminated material resulting from
2 site remediation or water filtration that—

3 (A) has been used by the Department of
4 Defense or a military department;

5 (B) is being discarded for disposal by the
6 Department of Defense or a military depart-
7 ment; or

8 (C) is being removed from sites or facilities
9 owned or operated by the Department of De-
10 fense.

11 (3) The term “PFAS” means per- or
12 polyfluoroalkyl substances.

1 **SEC. 3** **[Log 73138]. ENERGY EFFICIENCY TARGETS FOR**
2 **DEPARTMENT OF DEFENSE DATA CENTERS.**

3 (a) ENERGY EFFICIENCY TARGETS FOR DATA CEN-
4 TERS.—

5 (1) IN GENERAL.—Subchapter I of chapter 173
6 of title 10, United States Code, is amended by add-
7 ing at the end the following new section:

8 **“§ 2920. Energy efficiency targets for data centers**

9 “(a) COVERED DATA CENTERS.—(1) For each cov-
10 ered data center, the Secretary shall—

11 “(A) develop a power usage effectiveness target
12 for the data center, based on location, resiliency, in-
13 dustry standards, and best practices;

14 “(B) develop a water usage effectiveness target
15 for the data center, based on location, resiliency, in-
16 dustry standards, and best practices;

17 “(C) develop other energy efficiency or water
18 usage targets for the data center based on industry
19 standards and best practices, as applicable to meet
20 energy efficiency and resiliency goals;

21 “(D) identify potential renewable or clean en-
22 ergy resources to enhance resiliency at the data cen-
23 ter, including potential renewable or clean energy

1 purchase targets based on the location of the data
2 center; and

3 “(E) identify any statutory, regulatory, or pol-
4 icy barriers to meeting any target under any of sub-
5 paragraphs (A) through (C).

6 “(2) In this subsection, the term ‘covered data center’
7 means a data center of the Department that—

8 “(A) is one of the 50 data centers of the De-
9 partment with the highest annual power usage rates;
10 and

11 “(B) has been established before the date of the
12 enactment of this section.

13 “(b) NEW DATA CENTERS.—(1) Except as provided
14 in paragraph (2), in the case of any Department data cen-
15 ter established on or after the date of the enactment of
16 this section, the Secretary shall establish energy, water
17 usage, and resiliency-related standards that the data cen-
18 ter shall be required to meet based on location, resiliency,
19 industry standards, and best practices. Such standards
20 shall include—

21 “(A) power usage effectiveness standards;

22 “(B) water usage effectiveness standards; and

23 “(C) any other energy or resiliency standards
24 the Secretary determines are appropriate.

1 “(2) The Secretary may waive the requirement for
2 a Department data center established on or after the date
3 of the enactment of this section to meet the standards es-
4 tablished under paragraph (1) if the Secretary—

5 “(A) determines that such waiver is in the na-
6 tional security interest of the United States; and

7 “(B) submits to the Committee on Armed Serv-
8 ices of the House of Representatives notice of such
9 waiver and the reasons for such waiver.”.

10 (2) CLERICAL AMENDMENT.—The table of sec-
11 tions at the beginning of such subchapter is amend-
12 ed by inserting after the item relating to section
13 7319 the following new item:

“7320. Energy efficiency targets for data centers.”.

14 (b) INVENTORY OF DATA FACILITIES.—

15 (1) INVENTORY REQUIRED.—By not later than
16 180 days after the date of the enactment of this Act,
17 the Secretary of Defense shall conduct an inventory
18 of all data centers owned or operated by the Depart-
19 ment of Defense. Such survey shall include the fol-
20 lowing:

21 (A) A list of data centers owned or oper-
22 ated by the Department of Defense.

23 (B) For each such data center, the earlier
24 of the following dates:

1 (i) The date on which the data center
2 was established.

3 (ii) The date of the most recent cap-
4 ital investment in new power, cooling, or
5 compute infrastructure at the data center.

6 (C) The total average annual power use, in
7 kilowatts, for each such data center.

8 (D) The number of data centers that
9 measure power usage effectiveness (hereinafter
10 in this section referred to as “PUE”) and for
11 each such data center, the PUE for the center.

12 (E) The number of data centers that
13 measure water usage effectiveness (hereinafter
14 in this section “WUE”) and, for each such data
15 center, the WUE for the center.

16 (F) A description of any other existing en-
17 ergy efficiency or efficient water usage metrics
18 used by any data center and the applicable
19 measurements for any such center.

20 (G) An assessment of the facility resiliency
21 of each data center, including redundant power
22 and cooling facility infrastructure.

23 (H) Any other matters the Secretary deter-
24 mines are relevant.

1 (2) DATA CENTER DEFINED.—In this section,
2 the term “data center” has the meaning given such
3 term in the most recent Integrated Data Collection
4 guidance of the Office of Management and Budget.

5 (c) REPORT.—Not later than 180 days after the com-
6 pletion of the inventory required under subsection (b), the
7 Secretary of Defense shall submit to the Committee on
8 Armed Services of the House of Representatives a report
9 on the inventory and the energy assessment targets under
10 section 2920(a) of title 10, United States Code, as added
11 by subsection (a). Such report shall include each of the
12 following:

13 (1) A timeline of necessary actions required to
14 meet the energy assessment targets for covered data
15 centers.

16 (2) The estimated costs associated with meeting
17 such targets.

18 (3) An assessment of the business case for
19 meeting such targets, including any estimated sav-
20 ings in operational energy and water costs and esti-
21 mated reduction in energy and water usage if the
22 targets are met.

23 (4) An analysis of any statutory, regulatory, or
24 policy barriers to meeting such targets identified

- 1 pursuant to section 2920(a)(E) of title 10, United
- 2 States Code, as added by subsection (a).

1 **SEC. 3** [Log 73148]. **LONG-DURATION DEMONSTRATION**
2 **INITIATIVE AND JOINT PROGRAM.**

3 (a) **ESTABLISHMENT OF INITIATIVE.**—Not later than
4 March 1, 2022, the Secretary of Defense shall establish
5 a demonstration initiative composed of demonstration
6 projects focused on the development of long-duration en-
7 ergy storage technologies.

8 (b) **SELECTION OF PROJECTS.**—To the maximum ex-
9 tent practicable, in selecting demonstration projects to
10 participate in the demonstration initiative under sub-
11 section (a), the Secretary of Defense shall—

- 12 (1) ensure a range of technology types;
- 13 (2) ensure regional diversity among projects;
- 14 and
- 15 (3) consider bulk power level, distribution power
16 level, behind-the-meter, microgrid (grid-connected or
17 islanded mode), and off-grid applications.

18 (c) **JOINT PROGRAM.**—

19 (1) **ESTABLISHMENT.**—As part of the dem-
20 onstration initiative under subsection (a), the Sec-
21 retary of Defense, in consultation with the Secretary
22 of Energy, shall establish within the Department of
23 Defense a joint program to carry out projects—

1 (A) to demonstrate promising long-dura-
2 tion energy storage technologies at different
3 scales to promote energy resiliency; and

4 (B) to help new, innovative long-duration
5 energy storage technologies become commer-
6 cially viable.

7 (2) MEMORANDUM OF UNDERSTANDING.—Not
8 later than 180 days after the date of the enactment
9 of this Act, the Secretary of Defense shall enter into
10 a memorandum of understanding with the Secretary
11 of Energy to administer the joint program.

12 (3) INFRASTRUCTURE.—In carrying out the
13 joint program, the Secretary of Defense and the Sec-
14 retary of Energy shall—

15 (A) use existing test-bed infrastructure
16 at—

17 (i) installations of the Department of
18 Defense; and

19 (ii) facilities of the Department of En-
20 ergy; and

21 (B) develop new infrastructure for identi-
22 fied projects, if appropriate.

23 (4) GOALS AND METRICS.—The Secretary of
24 Defense and the Secretary of Energy shall develop
25 goals and metrics for technological progress under

1 the joint program consistent with energy resilience
2 and energy security policies.

3 (5) SELECTION OF PROJECTS.—

4 (A) IN GENERAL.—To the maximum ex-
5 tent practicable, in selecting projects to partici-
6 pate in the joint program, the Secretary of De-
7 fense and the Secretary of Energy may—

8 (i) ensure that projects are carried
9 out under conditions that represent a vari-
10 ety of environments with different physical
11 conditions and market constraints; and

12 (ii) ensure an appropriate balance
13 of—

14 (I) larger, operationally-scaled
15 projects, adapting commercially-prov-
16 en technology that meets military
17 service defined requirements; and

18 (II) smaller, lower-cost projects.

19 (B) PRIORITY.—In carrying out the joint
20 program, the Secretary of Defense and the Sec-
21 retary of Energy shall give priority to dem-
22 onstration projects that—

23 (i) make available to the public
24 project information that will accelerate de-
25 ployment of long-duration energy storage

1 technologies that promote energy resil-
2 iency; and
3 (ii) will be carried out as field dem-
4 onstrations fully integrated into the instal-
5 lation grid at an operational scale.

1 **SEC. 3** **[Log 72862]. GLOBAL BULK FUEL MANAGEMENT**
2 **AND DELIVERY.**

3 (a) DESIGNATION OF RESPONSIBLE COMBATANT
4 COMMAND.—

5 (1) DESIGNATION REQUIRED.—Subchapter III
6 of chapter 173 of title 10, United States Code, is
7 amended by adding at the end the following new sec-
8 tion:

9 **“§ 2927. Global bulk fuel management and delivery**

10 “The Secretary of Defense shall designate a combat-
11 ant command to be responsible for bulk fuel management
12 and delivery of the Department on a global basis.”.

13 (2) CLERICAL AMENDMENT.—The table of con-
14 tents for such subchapter is amended by adding at
15 the end the following new item:

“2927. Global bulk fuel management and delivery.”.

16 (3) DEADLINE FOR DESIGNATION; NOTICE.—
17 Not later than 30 days after the date of the enact-
18 ment of this Act, the Secretary of Defense shall—

19 (A) make the designation required under
20 section 2927 of title 10, United States Code (as
21 added by paragraph (1)); and

22 (B) provide to the Committees on Armed
23 Services of the Senate and the House of Rep-

1 representatives notice of the combatant command
2 so designated.

3 (b) GLOBAL BULK FUEL MANAGEMENT STRAT-
4 EGY.—

5 (1) STRATEGY REQUIRED.—The commander of
6 the combatant command designated under section
7 2927 of title 10, United States Code (as added by
8 subsection (a)), shall prepare and submit to the con-
9 gressional defense committees a strategy to develop
10 the infrastructure and programs necessary to opti-
11 mally support global bulk fuel management of the
12 Department of Defense.

13 (2) ADDITIONAL ELEMENTS.—The strategy
14 under paragraph (1) shall include the following addi-
15 tional elements:

16 (A) A description of the current organiza-
17 tional responsibility for bulk fuel management
18 of the Department, organized by geographic
19 combatant command, including with respect to
20 ordering, storage, and strategic and tactical
21 transportation.

22 (B) A description of any legacy bulk fuel
23 management assets of each of the geographic
24 combatant commands.

1 (C) A description of the operational plan to
2 exercise such assets to ensure full functionality
3 and to repair, upgrade, or replace such assets
4 as necessary.

5 (D) An identification of the resources re-
6 quired for any such repairs, upgrades, or re-
7 placements.

8 (E) A description of the current programs
9 relating to platforms, weapon systems, or re-
10 search and development, that are aimed at
11 managing fuel constraints by decreasing de-
12 mand for fuel.

13 (F) An assessment of current and pro-
14 jected threats to forward-based bulk fuel deliv-
15 ery, storage, and distribution systems, and an
16 assessment, based on such current and pro-
17 jected threats, of attrition to bulk fuel infra-
18 structure, including storage and distribution
19 systems, in a conflict involving near-peer for-
20 eign countries.

21 (G) An assessment of current days of sup-
22 ply guidance, petroleum war reserve require-
23 ments, and prepositioned war reserve stocks,
24 based on operational tempo associated with dis-
25 tribution operations in a contested environment.

1 (H) An identification of the resources re-
2 quired to address any changes to such guid-
3 ance, requirements, or stocks recommended as
4 the result of such assessment.

5 (I) An identification of any global shortfall
6 with respect to bulk fuel management, orga-
7 nized by geographic combatant command, and a
8 prioritized list of investment recommendations
9 to address each shortfall identified.

10 (3) COORDINATION.—In preparing the strategy
11 under paragraph (1), the commander of the combat-
12 ant command specified in such paragraph shall co-
13 ordinate with subject matter experts of the Joint
14 Staff, the geographic combatant commands, the
15 United States Transportation Command, the De-
16 fense Logistics Agency, and the military depart-
17 ments.

18 (c) LIMITATION ON AVAILABILITY OF FUNDS FOR
19 DEFENSE LOGISTICS AGENCY (ENERGY).—Of the funds
20 authorized to be appropriated by this Act or otherwise
21 made available for fiscal year 2022 for the Defense Logis-
22 tics Agency (Energy), not more than 50 percent may be
23 obligated or expended before the date on which the notice
24 under subsection (a)(3)(B) is provided.

1 (d) CONFORMING AMENDMENTS.—Section 2854 of
2 the Military Construction Authorization Act for Fiscal
3 Year 2021 (Public Law 116–283) is amended—

4 (1) in subsection (b), by striking “The organi-
5 zational element designated pursuant to subsection
6 (a)” and inserting “The Secretary of Defense”;

7 (2) in subsection (c), by striking “subsection
8 (b)” and inserting “subsection (a)”;

9 (3) by striking subsections (a) and (d); and

10 (4) by redesignating subsections (b) and (c), as
11 amended by paragraphs (1) and (2), as subsections
12 (a) and (b), respectively.

1 **SEC. 3** ____ **[Log 72864]. COMPTROLLER GENERAL ANNUAL**
2 **REVIEWS OF F-35 SUSTAINMENT EFFORTS.**

3 (a) ANNUAL REVIEWS AND BRIEFINGS.—Not later
4 than March 1 of each year of 2022, 2023, 2024, and
5 2025, the Comptroller General of the United States
6 shall—

7 (1) conduct an annual review of the
8 sustainment efforts of the Department of Defense
9 with respect to the F-35 aircraft program (including
10 the air vehicle and propulsion elements of such pro-
11 gram); and

12 (2) provide to the Committee on Armed Serv-
13 ices of the House of Representatives a briefing on
14 such review, including any findings of the Comp-
15 troller General as a result of such review.

16 (b) ELEMENTS.—Each review under subsection
17 (a)(1) shall include an assessment of the following:

18 (1) The status of the sustainment strategy of
19 the Department for the F-35 Lightning II aircraft
20 program.

21 (2) The Department oversight and prime con-
22 tractor management of key sustainment functions
23 with respect to the F-35 aircraft program.

1 (3) The ability of the Department to reduce the
2 costs, or otherwise maintain the affordability, of the
3 sustainment of the F-35 fleet.

4 (4) Any other matters regarding the
5 sustainment or affordability of the F-35 aircraft
6 program that the Comptroller General determines to
7 be of critical importance to the long-term viability of
8 such program.

9 (c) REPORTS.—Following the provision of each brief-
10 ing under subsection (a)(2), at such time as is mutually
11 agreed upon by the Committee on Armed Services of the
12 House of Representatives and the Comptroller General,
13 the Comptroller General shall submit to such committee
14 a report on the matters covered by the briefing.

1 **SEC. 3** [Log 72880]. **ANNUAL REPORT ON MATERIAL**
2 **READINESS OF NAVY SHIPS.**

3 Section 8674(d) of title 10, United States Code is
4 amended—

5 (1) in paragraph (1)—

6 (A) by striking “submit to the” and insert-
7 ing “provide to the”;

8 (B) by inserting “a briefing and submit to
9 such committees” after “congressional defense
10 committees”; and

11 (C) by striking “setting forth” and insert-
12 ing “regarding”;

13 (2) in paragraph (2)—

14 (A) by striking “in an unclassified form
15 that is releasable to the public without further
16 redaction.” and inserting “in—”; and

17 (B) by adding at the end the following new
18 subparagraphs:

19 “(A) a classified form that shall be available
20 only to the congressional defense committees; and

21 “(B) an unclassified form that is releasable to
22 the public without further redaction”; and

23 (3) by striking paragraph (3).

1 **SEC. 3** [Log 72920]. **PILOT PROGRAM ON DIGITAL OPTIMI-**
2 **ZATION OF ORGANIC INDUSTRIAL BASE**
3 **MAINTENANCE AND REPAIR OPERATIONS.**

4 (a) **IN GENERAL.**—Beginning not later than 180
5 days after the date of the enactment of this Act, The Sec-
6 retary of the Defense shall initiate a pilot program under
7 which the Secretary shall provide for the digitization of
8 the facilities and operations of at least one covered depot.

9 (b) **ELEMENTS OF PILOT PROGRAM.**—In carrying
10 out the pilot program under this section, the Secretary
11 shall provide for each of the following at the covered depot
12 or depots at which the Secretary carries out the program:

13 (1) The delivery of a digital twin model of the
14 maintenance, repair, and remanufacturing infra-
15 structure and activities.

16 (2) The modeling and simulation of optimized
17 facility configuration, logistics systems, and proc-
18 esses.

19 (3) The analysis of material flow and resource
20 use to achieve key performance metrics for all levels
21 of maintenance and repair.

22 (4) An assessment of automated, advanced, and
23 additive manufacturing technologies that could im-

1 prove maintenance, repair, and remanufacturing op-
2 erations.

3 (5) The identification of investments necessary
4 to achieve the efficiencies identified by the digital
5 twin model required under paragraph (1).

6 (c) REPORT.—Not later than 60 days after the com-
7 pletion of the digital twin model and associated analysis,
8 the Secretary of Defense shall submit to the Committees
9 on Armed Services of the Senate and the House of Rep-
10 resentatives a report on the pilot program. Such report
11 shall include—

12 (1) a description of the efficiencies identified
13 under the pilot program;

14 (2) a description of the infrastructure, work-
15 force, and capital equipment investments necessary
16 to achieve such efficiencies;

17 (3) the plan of the Secretary to undertake such
18 investments; and

19 (4) the assessment of the Secretary of the po-
20 tential applicability of the findings of the pilot pro-
21 gram to other covered depots.

22 (d) COVERED DEPOT DEFINED.—In this section, the
23 term “covered depot” includes any depot covered under
24 section 2476(e) of title 10, United States Code, except for
25 the following:

- 1 (1) Portsmouth Naval Shipyard, Maine.
- 2 (2) Pearl Harbor Naval Shipyard, Hawaii.
- 3 (3) Puget Sound Naval Shipyard, Washington.
- 4 (4) Norfolk Naval Shipyard, Virginia.

1 **SEC. 3** **[Log 73134]. MITIGATION OF CONTESTED LOGIS-**
2 **TICS CHALLENGES OF THE DEPARTMENT OF**
3 **DEFENSE THROUGH REDUCTION OF OPER-**
4 **ATIONAL ENERGY DEMAND.**

5 (a) CLARIFICATION OF OPERATIONAL ENERGY RE-
6 SPONSIBILITIES.—Section 2926 of title 10, United States
7 Code, is amended—

8 (1) in subsection (a), by inserting “in contested
9 logistics environments” after “missions”; and

10 (2) in subsection (b)—

11 (A) in the heading, by striking “AUTHORI-
12 TIES” and inserting “RESPONSIBILITIES”;

13 (B) in the matter preceding paragraph (1),
14 by striking “may” and inserting “shall”;

15 (C) by amending paragraph (1) to read as
16 follows:

17 “(1) require the Secretaries concerned and the
18 commanders of the combatant commands to assess
19 the energy supportability in contested logistics envi-
20 ronments of systems, capabilities, and plans;”;

21 (D) in paragraph (2), by inserting “
22 supportability in contested logistics environ-
23 ments,” after “power,”; and

1 (E) in paragraph (3), by inserting “in con-
2 tested logistics environments” after
3 “vulnerabilities”.

4 (b) ESTABLISHMENT OF WORKING GROUP.—Such
5 section is further amended—

6 (1) in subsection (c)—

7 (A) in the matter preceding paragraph (1),
8 by inserting “ and in coordination with the
9 working group under subsection (d)” after
10 “components”;

11 (B) in paragraph (1), by striking “Defense
12 and oversee” and inserting “Defense, including
13 the activities of the working group established
14 under subsection (d), and oversee”;

15 (C) in paragraph (2), by inserting “, tak-
16 ing into account the findings of the working
17 group under subsection (d)” after “Defense”;
18 and

19 (D) paragraph (3), by inserting “, taking
20 into account the findings of the working group
21 under subsection (d)” after “resilience”;

22 (2) by redesignating subsections (d) through (f)
23 as subsections (e) through (g), respectively;

24 (3) by inserting after subsection (c), as amend-
25 ed by paragraph (1), the following new subsection:

1 “(d) WORKING GROUP.—(1) The Secretary of De-
2 fense shall establish a working group to integrate efforts
3 to mitigate contested logistics challenges through the re-
4 duction of operational energy demand that are carried out
5 within each armed force, across the armed forces, and with
6 the Office of the Secretary of Defense and to conduct
7 other coordinated functions relating to such efforts.

8 “(2) The head of the working group under paragraph
9 (1) shall be the Assistant Secretary of Defense for Energy,
10 Installations, and Environment. The Assistant Secretary
11 shall supervise the members of the working group and pro-
12 vide guidance to such members with respect to specific
13 operational energy plans and programs to be carried out
14 pursuant to the strategy under subsection (e).

15 “(3) The members of the working group under para-
16 graph (1) shall be appointed as follows:

17 “(A) A senior official of each armed force, who
18 shall be nominated by the Secretary concerned and
19 confirmed by the Senate to represent such armed
20 force.

21 “(B) A senior official from each geographic and
22 functional combatant command, who shall be ap-
23 pointed by the commander of the respective combat-
24 ant command to represent such combatant com-
25 mand.

1 “(C) A senior official under the jurisdiction of
2 the Chairman of the Joint Chiefs of Staff, who shall
3 be appointed by the Chairman to represent the Joint
4 Chiefs of Staff and the Joint Staff.

5 “(4) Each member of the working group shall be re-
6 sponsible for carrying out operational energy plans and
7 programs and implementing coordinated initiatives pursu-
8 ant to the strategy under subsection (e) for the respective
9 component of the Department that the member rep-
10 resents.

11 “(5) The duties of the working group under para-
12 graph (1) shall be as follows:

13 “(A) Planning for the integration of efforts to
14 mitigate contested logistics challenges through the
15 reduction of operational energy demand carried out
16 within each armed force, across the armed forces,
17 and with the Office of the Secretary of Defense.

18 “(B) Developing recommendations regarding
19 the strategy for operational energy under subsection
20 (e).

21 “(C) Developing recommendations relating to
22 the development of, and modernization efforts for,
23 platforms and weapons systems of the armed forces.

24 “(D) Developing recommendations to ensure
25 that such development and modernization efforts

1 lead to increased lethality, extended range, and ex-
2 tended on-station time for tactical assets.

3 “(E) Developing recommendations to mitigate
4 the effects of hostile action by a near-peer adversary
5 targeting operational energy storage and operations
6 of the armed forces, including through the use of in-
7 novative delivery systems, distributed storage, flexi-
8 ble contracting, and improved automation.”; and

9 (4) in subsection (g), as redesignated by para-
10 graph (2)—

11 (A) in paragraph (1)—

12 (i) by striking “The Secretary of a
13 military department” and inserting “Each
14 member of the working group under sub-
15 section (d)”;

16 (ii) by striking “conducted by the
17 military department” and inserting “con-
18 ducted by the respective component of the
19 Department that the member represents
20 for purposes of the working group”;

21 (B) in paragraph (2), by striking “military
22 department” and inserting “armed force”.

23 (c) MODIFICATIONS TO OPERATIONAL ENERGY
24 STRATEGY.—Subsection (e) of such section, as redesign-
25 nated by subsection (b)(2), is amended to read as follows:

1 “(1) The Assistant Secretary of Defense for Energy,
2 Installations, and Environment, in coordination with the
3 working group under subsection (d), shall be responsible
4 for the establishment and maintenance of a department-
5 wide transformational strategy for operational energy. The
6 strategy shall be updated every five years and shall estab-
7 lish near-term, mid-term, and long-term goals, perform-
8 ance metrics to measure progress in meeting the goals,
9 and a plan for implementation of the strategy within each
10 armed force, across the armed forces, and with the Office
11 of the Secretary of Defense.

12 “(2) The strategy required under paragraph (1) shall
13 include the following:

14 “(A) A plan to integrate efforts to mitigate con-
15 tested logistics challenges through the reduction of
16 operational energy demand within each armed force.

17 “(B) An assessment of how industry trends
18 transitioning from the production of internal com-
19 bustion engines to the development and production
20 of alternative propulsion systems may affect the
21 long-term availability of parts for military equip-
22 ment, the fuel costs for such equipment, and the
23 sustainability of such equipment.

24 “(C) An assessment of any fossil fuel reduction
25 technologies, including electric, hydrogen, or other

1 sustainable fuel technologies, that may reduce oper-
2 ational energy demand in the near-term or long-
3 term.

4 “(D) An assessment of any risks or opportuni-
5 ties related to the development of tactical vehicles or
6 other military equipment that use alternative propul-
7 sion systems, including any such risks or opportuni-
8 ties with respect the supply chain or resupply capa-
9 bilities of the armed forces or the congruence of
10 such systems with the systems used by allies of the
11 United States.

12 “(E) An assessment of how the Secretaries con-
13 cerned and the commanders of the combatant com-
14 mands can better plan for challenges presented by
15 near-peer adversaries in a contested logistics envi-
16 ronment, including through innovative delivery sys-
17 tems, distributed storage, flexible contracting, and
18 improved automation.

19 “(F) An assessment of any infrastructure in-
20 vestments of allied and partner countries that may
21 affect operational energy availability in the event of
22 a conflict with a near-peer adversary.

23 “(3) By authority of the Secretary of Defense, and
24 taking into consideration the findings of the working
25 group, the Assistant Secretary shall prescribe policies and

1 procedures for the implementation of the strategy and
2 make recommendations to the Secretary of Defense and
3 Deputy Secretary of Defense with respect to specific oper-
4 ational energy plans and programs to be carried out pur-
5 suant to the strategy.

6 “(4) Not later than 30 days after the date on which
7 the budget for fiscal year 2024 is submitted to Congress
8 pursuant to section 1105 of title 31, and every five years
9 thereafter, the Assistant Secretary shall submit to the con-
10 gressional defense committees the strategy required under
11 paragraph (1).”.

12 (d) DEFINITIONS.—Such section is further amended
13 by adding at the end the following new subsection:

14 “(h) DEFINITIONS.—In this section:

15 “(1) The term ‘contested logistics environment’
16 means an environment in which the armed forces en-
17 gage in conflict with an adversary that presents
18 challenges in all domains and directly targets logis-
19 tics operations, facilities, and activities in the United
20 States, abroad, or in transit from one location to the
21 other.

22 “(2) The term ‘tactical vehicle’ means a vehicle
23 owned by the Department of Defense or the armed
24 forces and used in combat, combat support, combat

1 service support, tactical, or relief operations, or in
2 training for such operations.”.

3 (e) CONFORMING AMENDMENT.—Section 2926(c)(5)
4 of title 10, United States Code, is amended by striking
5 “subsection (e)(4)” and inserting “subsection (f)(4)”.

6 (f) INTERIM REPORT.—Not later than 180 days after
7 the date of the enactment of this Act, the Assistant Sec-
8 retary of Defense for Energy, Installations, and Environ-
9 ment shall submit to the congressional defense committees
10 an interim report on any actions taken pursuant to the
11 amendments made by this section. Such report shall in-
12 clude an update regarding the establishment of the work-
13 ing group under section 2926(d) of title 10, United States
14 Code, as amended by subsection (b).

1 **SEC. 3** **[Log 73225]. IMPROVEMENTS AND CLARIFICA-**
2 **TIONS RELATED TO MILITARY WORKING**
3 **DOGS.**

4 (a) PROHIBITION ON CHARGE FOR TRANSFER OF
5 MILITARY ANIMALS.—Subsection (d) of section 2583 of
6 title 10, United States Code, is amended by striking
7 “may” and inserting “shall”.

8 (b) INCLUSION OF MILITARY WORKING DOGS IN
9 CERTAIN RESEARCH AND PLANS.—

10 (1) RESEARCH UNDER JOINT TRAUMA EDU-
11 CATION AND TRAINING DIRECTORATE.—Subsection
12 (b) of section 708 of the National Defense Author-
13 ization Act for Fiscal Year 2017 (Public Law 114–
14 328; 10 U.S.C. 1071 note) is amended—

15 (A) in paragraph (7), by striking “of mem-
16 bers of the Armed Forces” and inserting “with
17 respect to both members of the Armed Forces
18 and military working dogs”; and

19 (B) by striking paragraph (9) and insert-
20 ing the following new paragraph:

21 “(9) To inform and advise the conduct of re-
22 search on the leading causes of morbidity and mor-
23 tality of members of the Armed Forces and military
24 working dogs in combat.”.

1 (2) VETERINARIANS IN PERSONNEL MANAGE-
2 MENT PLAN.—Subsection (d)(1) of such section is
3 amended—

4 (A) by redesignating subparagraph (F) as
5 subparagraph (G); and

6 (B) by inserting after subparagraph (E)
7 the following new subparagraph:

8 “(F) Veterinary services.”.

1 **SEC. 3** [Log 73496]. **AUTHORITY TO ESTABLISH CENTER**
2 **OF EXCELLENCE FOR RADAR SYSTEMS AND**
3 **COMPLEMENTARY WORKFORCE AND EDU-**
4 **CATION PROGRAMS.**

5 (a) **AUTHORITY.**—The Secretary of Defense may es-
6 tablish a Center of Excellence for radar systems and com-
7 plementary workforce and education programs.

8 (b) **FUNCTIONS.**—If the Secretary establishes the
9 Center authorized under subsection (a), such Center shall
10 be designed to further the expertise of the Department
11 of Defense in the repair, sustainment, and support of
12 radar systems, as identified by the Joint Radar Industrial
13 Base Working Group and the Radar Supplier Resiliency
14 Plan, by conducting the following activities, as appro-
15 priate:

16 (1) Facilitating collaboration among academia,
17 the Department, and the commercial radar industry,
18 including radar system repair and sustainment fa-
19 cilities.

20 (2) Establishing goals for research in areas of
21 study relevant to advancing technology and facili-
22 tating better understanding of the necessity of radar
23 systems in the growing development and reliance on

1 automated and complex defense systems, including
2 continuing education and training.

3 (3) Establishing at any institution of higher
4 education with which the Secretary enters into an
5 agreement under subsection (c) such activities as are
6 necessary to develop and meet the requirements of
7 the Department.

8 (4) Increasing communications with radar sys-
9 tems subject-matter experts in industry to learn and
10 support state-of-the-art operational practices, espe-
11 cially studied future needs of the Department re-
12 lated to autonomous systems.

13 (c) ELIGIBLE PARTICIPANTS.—If the Secretary es-
14 tablishes the Center authorized under subsection (a)—

15 (1) the Secretary may enter into an agreement
16 with one or more institutions of higher education to
17 provide for joint operation of the Center; and

18 (2) the Center may partner with nonprofit insti-
19 tutions and private industry with expertise in radar
20 systems to further the mission of the Center.

21 (d) LOCATION.—If the Secretary establishes the Cen-
22 ter authorized under subsection (a), in determining the lo-
23 cation of the Center, the Secretary shall take into account
24 the proximity to existing radar system facilities capable

1 of efficiently facilitating partnership between the Depart-
2 ment, industry, and an academic institution.

3 (e) COORDINATION.—Nothing in this section shall
4 preclude the coordination or collaboration between any
5 Center established under this section and any other estab-
6 lished center of excellence.

7 (f) INSTITUTION OF HIGHER EDUCATION DE-
8 FINED.—The term “institution of higher education” has
9 the meaning given that term in section 101 of the Higher
10 Education Act of 1965 (20 U.S.C. 1001).

1 **SEC. 3** ___ [Log 72878]. **ESTABLISHMENT OF JOINT SAFETY**
2 **COUNCIL.**

3 (a) IN GENERAL.—Chapter 7 of title 10, United
4 States Code, is amended by inserting after section 183a
5 the following new section:

6 **“§ 184. Joint Safety Council**

7 “(a) IN GENERAL.—There is established, within the
8 Office of the Deputy Secretary of Defense, a Joint Safety
9 Council (in this section referred to as the ‘Council’).

10 “(b) COMPOSITION; APPOINTMENT; COMPENSA-
11 TION.—(1) The Council shall include the following voting
12 members:

13 “(A) The Vice Chief of Staff of the Army.

14 “(B) The Vice Chief of Staff of the Air Force.

15 “(C) The Vice Chief of Naval Operations.

16 “(D) The Assistant Commandant of the Marine
17 Corps.

18 “(E) The Vice Chief of Space Operations.

19 “(F) A member of the Senior Executive Service
20 from the Office of the Under Secretary of Defense
21 for Personnel and Readiness, appointed by the Dep-
22 uty Secretary of Defense.

23 “(G) A member of the Senior Executive Service
24 from the Office of the Under Secretary for Research

1 and Engineering, appointed by the Deputy Secretary
2 of Defense.

3 “(H) A member of the Senior Executive Service
4 from the Office of the Under Secretary for Acquisi-
5 tion and Sustainment, appointed by the Deputy Sec-
6 retary of Defense.

7 “(2) The Council shall include the following non-vot-
8 ing members:

9 “(A) The Director of Safety for the Depart-
10 ment of the Army, who shall be appointed by the
11 Secretary of the Army.

12 “(B) The Director of Safety for the Depart-
13 ment of the Air Force, who shall be appointed by the
14 Secretary of the Air Force.

15 “(C) The Director of Safety for the Department
16 of the Navy, who shall be appointed by the Secretary
17 of the Navy.

18 “(D) The Deputy Assistant Secretary of De-
19 fense for Force Safety and Occupational Health, ap-
20 pointed by the Deputy Secretary of Defense as the
21 Executive Secretary.

22 “(3)(A) Members of the Council serve at the will of
23 the official who appointed them.

24 “(B) Vacancies on the Council shall be filled in the
25 same manner as the original appointment.

1 “(4) Members of the Council may not receive addi-
2 tional pay, allowances, or benefits by reason of their serv-
3 ice on the Council.

4 “(c) CHAIR AND VICE CHAIR.—(1) The Secretary of
5 Defense, or the Secretary’s designee, shall select one of
6 the members of the Council who is a member of the armed
7 forces to serve as Chair of the Council. Unless earlier re-
8 moved, the Chair shall serve for a term of two years. The
9 Chair shall serve as the Director of Operational and
10 Training Safety for the Department of Defense.

11 “(2) The Vice Chair shall be a person appointed
12 under subsection (b) who is a member of the Senior Exec-
13 utive Service. The Vice Chair shall report to the Chair
14 and shall serve as Chair in his or her absence.

15 “(d) STAFF.—(1) The Council may appoint staff in
16 accordance with section 3101 of title 5.

17 “(2) The Council may accept persons on detail from
18 within the Department of Defense and from other Federal
19 departments or agencies on a reimbursable or non-reim-
20 bursable basis.

21 “(e) CONTRACT AUTHORITY.—The Council may
22 enter into contracts for the acquisition of administrative
23 supplies, equipment, and personnel services for use by the
24 Council, to the extent that funds are available for such
25 purposes.

1 “(f) PROCUREMENT OF TEMPORARY AND INTERMIT-
2 TENT SERVICES.—The Chair may procure temporary and
3 intermittent services under section 3109(b) of title 5 at
4 rates for individuals which do not exceed the daily equiva-
5 lent of the annual rate of basic pay prescribed for level
6 V of the Executive Schedule under section 5316 of such
7 title.

8 “(g) DATA COLLECTION.—(1) Under regulations
9 issued by the Secretary of Defense, the Council shall have
10 access to Department of Defense databases necessary to
11 carry out its responsibilities, including causal factors to
12 be used for mishap reduction purposes.

13 “(2) Under regulations issued by the Secretary of De-
14 fense, the Council may enter into agreements with the
15 Federal Aviation Administration, the National Transpor-
16 tation Safety Board, and any other Federal agency re-
17 garding the sharing of safety data.

18 “(h) MEETINGS.—The Council shall meet quarterly
19 and at the call of the Chair.

20 “(i) DUTIES.—The Council shall carry out the fol-
21 lowing responsibilities:

22 “(1) Subject to subsection (j), issuing, pub-
23 lishing, and updating regulations related to joint
24 safety, including regulations on the reporting and in-
25 vestigation of mishaps.

1 “(2) Establishing uniform data collection stand-
2 ards, a centralized collection system for mishaps in
3 the Department of Defense, and a process for safe-
4 guarding sensitive data and information where ap-
5 propriate.

6 “(3) Reviewing the compliance of each military
7 department in adopting and using the uniform data
8 collection standards established under paragraph
9 (2).

10 “(4) Reviewing mishap data to assess, identify,
11 and prioritize risk mitigation efforts and safety im-
12 provement efforts across the Department.

13 “(5) Establishing standards and requirements
14 for the collection of equipment, simulator, training,
15 pilot, and operator data.

16 “(6) Establishing requirements for each mili-
17 tary department to collect and analyze any waivers
18 issued relating to pilot or operator qualifications or
19 standards.

20 “(7) Establishing, in consultation with the
21 heads of other Federal departments and agencies, as
22 appropriate, a requirement for each military depart-
23 ment to implement a safety management system.

1 “(8) Reviewing the safety management system
2 of each military department and the implementation
3 of such systems.

4 “(9) Reviewing and assessing civilian and com-
5 mercial safety programs and practices to determine
6 the suitability of such programs for implementation
7 in the Department.

8 “(10) Establishing a requirement for each mili-
9 tary department to implement a system to monitor
10 recommendations made in safety and legal investiga-
11 tion reports to ensure implementation of corrective
12 actions.

13 “(11) Reviewing and providing feedback on the
14 investments of the military departments in techno-
15 logical solutions for safety and mishap prevention.

16 “(j) REVIEW.—The decisions and recommendations
17 of the Council are subject to review and approval by the
18 Deputy Secretary of Defense.

19 “(k) REPORT.—The Chair of the Council shall sub-
20 mit to the congressional defense committees semi-annual
21 reports on the activities of the Council.”.

22 (b) CLERICAL AMENDMENT.—The table of sections
23 at the beginning of such chapter is amended by inserting
24 after the item relating to section 183a the following new
25 item:

“184. Joint Safety Council.”.

1 **SEC. 3** [Log 73118]. **INCLUSION OF INFORMATION RE-**
2 **GARDING BORROWED MILITARY MANPOWER**
3 **IN READINESS REPORTS.**

4 (a) **IN GENERAL.**—Section 482(b) of title 10, United
5 States Code, is amended—

6 (1) by redesignating paragraph (10) as para-
7 graph (11); and

8 (2) by inserting after paragraph (9) the fol-
9 lowing new paragraph (10):

10 “(11) Information regarding—

11 “(A) the extent to which any member of
12 the armed forces is diverted, temporarily as-
13 signed, or detailed outside the member’s as-
14 signed unit or away from training in order to
15 perform any function that had been performed
16 by civilian employees of the Federal Govern-
17 ment or by contractors prior to such diversion,
18 temporary assignment, or detail; and

19 “(B) whether such function is within the
20 scope of the skills required for the military oc-
21 cupational specialty of such member of the
22 armed forces.”.

1 **SEC. 3** [Log 73125]. **IMPLEMENTATION OF COMPTROLLER**
2 **GENERAL RECOMMENDATIONS ON PRE-**
3 **VENTING TACTICAL VEHICLE TRAINING AC-**
4 **CIDENTS.**

5 (a) **PLAN REQUIRED.**—Not later than 180 days after
6 the date of the enactment of this Act, each Secretary con-
7 cerned shall submit to the congressional defense commit-
8 tees and to the Comptroller General of the United States
9 a plan to address the recommendations in the report of
10 the Government Accountability Office entitled “Army and
11 Marine Corps Should Take Additional Actions to Mitigate
12 and Prevent Training Accidents” (GAO–21–361). Each
13 such plan shall include, with respect to each recommenda-
14 tion in such report that the Secretary concerned has im-
15 plemented or intends to implement—

16 (1) a summary of actions that have been or will
17 be taken to implement the recommendation; and

18 (2) a schedule, with specific milestones, for
19 completing implementation of the recommendation.

20 (b) **DEADLINE FOR IMPLEMENTATION.**—

21 (1) **IN GENERAL.**—Except as provided in para-
22 graph (2), not later than 18 months after the date
23 of the enactment of this Act, each Secretary con-
24 cerned shall carry out activities to implement the

1 plan of the Secretary developed under subsection
2 (a).

3 (2) EXCEPTION FOR IMPLEMENTATION OF CER-
4 TAIN RECOMMENDATIONS.—

5 (A) DELAYED IMPLEMENTATION.—A Sec-
6 retary concerned may initiate implementation of
7 a recommendation in the report referred to in
8 subsection (a) after the date specified in para-
9 graph (1) if, on or before such date, the Sec-
10 retary provides to the congressional defense
11 committees a specific justification for the delay
12 in implementation of such recommendation.

13 (B) NONIMPLEMENTATION.—A Secretary
14 concerned may decide not to implement a rec-
15 ommendation in the report referred to in sub-
16 section (a) if, on or before the date specified in
17 paragraph (1), the Secretary provides to the
18 congressional defense committees—

19 (i) a specific justification for the deci-
20 sion not to implement the recommendation;
21 and

22 (ii) a summary of alternative actions
23 the Secretary plans to take to address the
24 conditions underlying the recommendation.

1 (c) SECRETARY CONCERNED.—In this section, the
2 term “Secretary concerned” means—

3 (1) the Secretary of the Army, with respect to
4 the Army; and

5 (2) the Secretary of the Navy, with respect to
6 the Navy.

1 **SEC. 3** ____ **.[Log 73405]. STRATEGY AND ANNUAL REPORT ON**
2 **CRITICAL LANGUAGE PROFICIENCY OF SPE-**
3 **CIAL OPERATIONS FORCES.**

4 (a) FIVE-YEAR STRATEGY.—

5 (1) STRATEGY REQUIRED.—Not later than 180
6 days after the date of the enactment of this Act, the
7 Assistant Secretary of Defense for Special Oper-
8 ations and Low-Intensity Conflict shall submit to the
9 congressional defense committees a five-year strat-
10 egy to support the efforts of the Secretaries con-
11 cerned to identify individuals who have proficiency in
12 a critical language and to recruit and retain such in-
13 dividuals in the special operations forces of Armed
14 Forces.

15 (2) ELEMENTS.—The strategy under paragraph
16 (1) shall include the following:

17 (A) A baseline of foreign language pro-
18 ficiency requirements to be implemented within
19 the special operations forces, disaggregated by
20 Armed Force and by critical language.

21 (B) Annual recruitment targets for the
22 number of candidates with demonstrated pro-
23 ficiency in a critical language to be selected for
24 participation in the initial assessment and qual-

1 ification programs of the special operations
2 forces.

3 (C) A description of current and planned
4 efforts of the Secretaries concerned and the As-
5 sistant Secretary to meet such annual recruit-
6 ment targets.

7 (D) A description of any training programs
8 used to enhance or maintain foreign language
9 proficiency within the special operations forces,
10 including any non-governmental programs used.

11 (E) An annual plan (for each of the five
12 years covered by the strategy) to enhance and
13 maintain foreign language proficiency within
14 the special operations forces of each Armed
15 Force.

16 (F) An annual plan (for each of the five
17 years covered by the strategy) to retain mem-
18 bers of the special operation forces of each
19 Armed Force who have proficiency in a foreign
20 language.

21 (G) A description of current and projected
22 capabilities and activities that the Assistant
23 Secretary determines are necessary to maintain
24 proficiency in critical languages within the spe-
25 cial operations forces.

1 (H) A plan to implement a training pro-
2 gram for members of the special operations
3 forces who serve in positions that the Assistant
4 Secretary determines require proficiency in a
5 critical language to support the Department of
6 Defense in strategic competition.

7 (b) ANNUAL REPORT.—

8 (1) REPORTS REQUIRED.—Not later than De-
9 cember 31, 2022, and annually thereafter until De-
10 cember 31, 2027, the Assistant Secretary of Defense
11 for Special Operations and Low-Intensity Conflict
12 shall submit to the congressional defense committees
13 a report on the recruitment, training, and retention
14 of members of the special operations forces who have
15 proficiency in a critical language.

16 (2) ELEMENTS.—Each report under paragraph
17 (1) shall include, with respect to the year for which
18 the report is submitted, the following information:

19 (A) The number of candidates with dem-
20 onstrated proficiency in a critical language who
21 have been selected for participation in the ini-
22 tial assessment and qualification programs of
23 the special operations forces, disaggregated by
24 Armed Force of which the special operations
25 force is a component.

1 (B) A description of any variance between
2 the number specified in subparagraph (A) and
3 the recruitment target specified in the strategy
4 under subsection (a)(2)(B) for the cor-
5 responding year, including a justification for
6 any such variance.

7 (C) As compared to the total number of
8 members of the special operations forces—

9 (i) the percentage of such members
10 who have maintained proficiency in a crit-
11 ical language, disaggregated by Armed
12 Force;

13 (ii) the percentage of such members
14 who are enrolled in a critical language
15 training program, disaggregated by Armed
16 Force and by critical language; and

17 (iii) the average proficiency rating re-
18 ceived by such members with respect to
19 each critical language, disaggregated by
20 Armed Force.

21 (D) As compared to the total number of
22 members of the special operations force of each
23 Armed Force who are assigned to a unit with
24 the primary mission of advising foreign mili-
25 taries—

1 (i) the percentage of such members
2 who maintain proficiency in a foreign lan-
3 guage relevant to such mission; and

4 (ii) the percentage of such members
5 who are enrolled in a foreign language
6 training program relevant to such mission.

7 (E) As compared to the required baseline
8 specified in the strategy under subsection
9 (a)(2)(A), the percentage of members of the
10 special operations force who have proficiency in
11 a critical language, disaggregated by Armed
12 Force and by critical language.

13 (F) A description of any gaps in foreign
14 language training identified by the Assistant
15 Secretary with respect to the special operations
16 forces.

17 (c) DEFINITIONS.—In this section:

18 (1) The term “critical language” means a lan-
19 guage identified by the Director of the National Se-
20 curity Education Program as critical to national se-
21 curity.

22 (2) The term “proficiency” means proficiency
23 in a language, as assessed by the Defense Language
24 Proficiency Test.

1 (3) The term “Secretary concerned” has the
2 meaning given such term in section 101 of title 10,
3 United States Code.

4 (4) The term “special operations forces” means
5 forces described under section 167(j) of title 10,
6 United States Code.

1 **SEC. 3** **[Log 73445]. MISHAP INVESTIGATION REVIEW**
2 **BOARD.**

3 (a) PROPOSAL FOR ESTABLISHMENT OF BOARD.—

4 The Deputy Secretary of Defense shall develop a proposal
5 for the establishment of a Mishap Investigation Review
6 Board (in this section referred to as the “Board”) to pro-
7 vide independent oversight and review of safety and legal
8 investigations into the facts and circumstances sur-
9 rounding operational and training mishaps. The proposal
10 shall include recommendations relating to—

11 (1) the size and composition of the Board;

12 (2) the process by which the Board would
13 screen mishap investigations to identify unsatisfac-
14 tory, biased, incomplete, or insufficient investiga-
15 tions requiring subsequent review by the Board, in-
16 cluding whether the Board should review investiga-
17 tions meeting a predetermined threshold (such as all
18 fatal mishaps or all Class A mishaps);

19 (3) the process by which the military depart-
20 ments, the Joint Safety Council established under
21 section **[3____/log 72878]**, and other components of
22 the Department of Defense could refer pending or
23 completed safety and legal investigations to the
24 Board for review;

1 (4) the process by which the Board would
2 evaluate a particular safety or legal investigation for
3 accuracy, thoroughness, and objectivity;

4 (5) the requirements for and process by which
5 the convening component of an investigation re-
6 viewed by the Board should address the findings of
7 the Board's review of that particular investigation;

8 (6) proposed procedures for safeguarding sen-
9 sitive information collected during the investigation
10 review process; and

11 (7) how and when the Board would be required
12 to report to the Deputy Secretary of Defense and
13 the Joint Safety Council established under section
14 [3____] on the activities of the Board, the outcomes
15 of individual investigation reviews performed by the
16 Board, and the assessment of the Board regarding
17 cross-cutting themes and trends identified by those
18 reviews; and

19 (b) REPORT.—Not later than 180 days after the date
20 of the enactment of this Act, the Deputy Secretary of De-
21 fense shall submit to the congressional defense committee
22 the proposal required by subsection (a) and a timeline for
23 establishing the Board.

1 **SEC. 9 _____ [Log 72828]. CLARIFICATION OF TREATMENT OF**
2 **OFFICE OF LOCAL DEFENSE COMMUNITY CO-**
3 **OPERATION AS A DEPARTMENT OF DEFENSE**
4 **FIELD ACTIVITY.**

5 (a) TREATMENT OF OFFICE OF LOCAL DEFENSE
6 COMMUNITY COOPERATION AS A DEPARTMENT OF DE-
7 FENSE FIELD ACTIVITY.—

8 (1) TRANSFER TO CHAPTER 8.—Section 146 of
9 title 10, United States Code, is transferred to sub-
10 chapter I of chapter 8 of such title, inserted after
11 section 197, and redesignated as section 198.

12 (2) TREATMENT AS DEPARTMENT OF DEFENSE
13 FIELD ACTIVITY.—Section 198(a) of such title, as
14 transferred and redesignated by subsection (a) of
15 this subsection, is amended—

16 (A) by striking “in the Office of the Sec-
17 retary of Defense an office to be known as the”
18 and inserting “in the Department of Defense
19 an”; and

20 (B) by adding at the end the following:
21 “The Secretary shall designate the Office as a
22 Department of Defense Field Activity pursuant
23 to section 191, effective as of the date of the
24 enactment of the William M. (Mac) Thornberry

1 National Defense Authorization Act for Fiscal
2 Year 2021 (Public Law 116–283).”.

3 (3) APPOINTMENT OF DIRECTOR.—Such section
4 198 is further amended—

5 (A) in subsection (b) in the matter pre-
6 ceding paragraph (1), by striking “Under Sec-
7 retary of Defense for Acquisition and
8 Sustainment” and inserting “Secretary of De-
9 fense”; and

10 (B) in subsection (c)(4), by striking
11 “Under Secretary of Defense for Acquisition
12 and Sustainment” and inserting “Secretary”.

13 (4) CLERICAL AMENDMENTS.—

14 (A) CHAPTER 4.—The table of sections at
15 the beginning of chapter 4 of title 10, United
16 States Code, is amended by striking the item
17 relating to section 146.

18 (B) CHAPTER 8.—The table of sections at
19 the beginning of subtitle I of chapter 8 of such
20 title is amended by inserting after the item re-
21 lating to section 197 the following new item:

“198. Office of Local Defense Community Cooperation.”.

22 (b) LIMITATION ON INVOLUNTARY SEPARATION OF
23 PERSONNEL.—No personnel of the Office of Local De-
24 fense Community Cooperation under section 198 of title
25 10, United States Code (as added by subsection (a)), may

1 be involuntarily separated from service with that Office
2 during the one-year period beginning on the date of the
3 enactment of this Act, except for cause.

4 (c) ADMINISTRATION OF PROGRAMS.—Any program,
5 project, or other activity administered by the Office of
6 Economic Adjustment of the Department of Defense as
7 of the date of the enactment of the William M. (Mac)
8 Thornberry National Defense Authorization Act for Fiscal
9 Year 2021 (Public Law 116–283) shall be administered
10 by the Office of Local Defense Community Cooperation
11 under section 198 of title 10, United States Code (as
12 added by subsection (a)).

13 (d) CONFORMING REPEAL.—Section 905 of the Wil-
14 liam M. (Mac) Thornberry National Defense Authoriza-
15 tion Act for Fiscal Year 2021 (Public Law 116–283) is
16 repealed.

1 **SEC. 11____. [LOG 72882] 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 1105 of the William M. (Mac) Thorn-
10 berry National Defense Authorization Act for Fiscal Year
11 2021 (Public Law 116–283), is further amended by strik-
12 ing “through 2021” and inserting “through 2022”.

1 **SEC. 11____. [LOG 72883] 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 1106 of
13 the of the William M. (Mac) Thornberry National Defense
14 Authorization Act for Fiscal Year 2021 (Public Law 116–
15 283), is further amended by striking “2022” and inserting
16 “2023”.

1 **SEC. 11____. [LOG 73119] COMPTROLLER GENERAL REVIEW**
2 **OF NAVAL AUDIT SERVICE OPERATIONS.**

3 (a) COMPTROLLER GENERAL REPORT.—Not later
4 than one year after the date of enactment of this Act, the
5 Comptroller General of the United States shall submit to
6 congressional defense committees a report on the oper-
7 ations of the Naval Audit Service. Such report shall in-
8 clude—

9 (1) a description of current and historical budg-
10 etary resources and authorized full-time employees
11 provided to and utilized by the Naval Audit Service,
12 as well as of any planned or anticipated changes to
13 the Naval Audit Service’s level of resources or staff;

14 (2) information on the workload of the Naval
15 Audit Service and where it devotes its resources;

16 (3) an assessment of the audit policies of the
17 Naval Audit Service, how it determines where to de-
18 vote resources, and its level of independence when
19 performing audits and reporting audit results; and

20 (4) an assessment of the potential impacts of
21 any planned or anticipated changes to the Naval
22 Audit Service’s level of resources or staff.

23 (b) LIMITATION.—During the period beginning on
24 the date of enactment of this Act and ending on the date

1 that is 180 days after the date on which the report under
2 subsection (a) is submitted to the congressional defense
3 committees—

4 (1) no individual may assign, transfer, transi-
5 tion, merge, consolidate, or eliminate any function,
6 responsibility, authority, service, system, or program
7 that was carried out by the Naval Audit Service as
8 of January 1, 2021, to an entity other than the
9 Naval Audit Service; and

10 (2) the number of full-time employees author-
11 ized for the Naval Audit Service may not be reduced
12 below the total that is 10 percent less than the num-
13 ber that was authorized as of January 1, 2021.

14 (c) SECRETARY OF THE NAVY REPORT.—Not later
15 than the date that is 90 days after the date the report
16 under subsection (a) is submitted to the congressional de-
17 fense committees, the Secretary of the Navy shall submit
18 to the congressional defense committees a report, includ-
19 ing—

20 (1) the Navy’s assessment of the findings and
21 recommendations of the Comptroller General in re-
22 gard to the Naval Audit Service, including the
23 Navy’s plans to implement the Comptroller General’s
24 recommendations;

1 (2) any reports or studies completed since 2018
2 by the Navy or outside entities, including federally
3 funded research and development centers, into the
4 operations of the Naval Audit Service, and the
5 Navy's response to the findings and recommenda-
6 tions of such reports; and

7 (3) the Secretary's plans for any changes to the
8 activities, resources, staffing, authorities, respon-
9 sibilities, and mission of the Naval Audit Service.

1 **SEC. 11____. [LOG 73120] IMPLEMENTATION OF GAO REC-**
2 **COMMENDATIONS ON TRACKING, RESPONSE,**
3 **AND TRAINING FOR CIVILIAN EMPLOYEES OF**
4 **THE DEPARTMENT OF DEFENSE REGARDING**
5 **SEXUAL HARASSMENT AND ASSAULT.**

6 (a) PLAN REQUIRED.—

7 (1) IN GENERAL.—The Secretary of Defense
8 shall develop a plan to address the recommendations
9 in the report of the U.S. Government Accountability
10 Office titled “Sexual Harassment and Assault: Guid-
11 ance Needed to Ensure Consistent Tracking, Re-
12 sponse, and Training for DOD Civilians” (GAO–21–
13 113).

14 (2) ELEMENTS.—The plan required under
15 paragraph (1) shall, with respect to each rec-
16 ommendation in the report described in paragraph
17 (1) that the Secretary has implemented or intends to
18 implement, include—

19 (A) a summary of actions that have been
20 or will be taken to implement the recommenda-
21 tion; and

22 (B) a schedule, with specific milestones,
23 for completing implementation of the rec-
24 ommendation.

1 (b) SUBMISSION TO CONGRESSIONAL DEFENSE COM-
2 MITTEES.—Not later than one year after the date of the
3 enactment of this Act, the Secretary shall submit to the
4 congressional defense committees the plan required under
5 subsection (a).

6 (c) DEADLINE FOR IMPLEMENTATION.—

7 (1) IN GENERAL.—Except as provided in para-
8 graph (2), not later than 18 months after the date
9 of the enactment of this Act, the Secretary shall
10 carry out activities to implement the plan developed
11 under subsection (a).

12 (2) EXCEPTION FOR IMPLEMENTATION OF CER-
13 TAIN RECOMMENDATIONS.—

14 (A) DELAYED IMPLEMENTATION.—The
15 Secretary may initiate implementation of a rec-
16 ommendation in the report described in sub-
17 section (a)(1) after the date specified in para-
18 graph (1) if the Secretary provides the congres-
19 sional defense committees with a specific jus-
20 tification for the delay in implementation of
21 such recommendation on or before such date.

22 (B) NONIMPLEMENTATION.—The Sec-
23 retary may decide not to implement a rec-
24 ommendation in the report described in sub-
25 section (a)(1) if the Secretary provides to the

1 congressional defense committees, on or before
2 the date specified in paragraph (1)—

3 (i) a specific justification for the deci-
4 sion not to implement the recommendation;
5 and

6 (ii) a summary of alternative actions
7 the Secretary plans to take to address the
8 conditions underlying the recommendation.

1 **SEC. 11____. [LOG 73121] AMENDMENT TO DIVERSITY AND**
2 **INCLUSION REPORTING.**

3 Section 113 of title 10, United States Code, as
4 amended by section 551 of the National Defense Author-
5 ization Act for Fiscal Year 2021 (Public Law 116–283),
6 is amended—

7 (1) in subsection (c)(2), by inserting “of mem-
8 bers and civilian employees” after “inclusion”;

9 (2) in subsection (l)—

10 (A) in paragraph (1)—

11 (i) in subparagraph (A), by striking “;
12 and” and inserting a semicolon;

13 (ii) by redesignating subparagraph
14 (B) as subparagraph (C); and

15 (iii) by inserting after subparagraph
16 (A) the following new subparagraph (B):

17 “(B) efforts to reflect, across the civilian work-
18 force of the Department and of each armed force,
19 the diversity of the population of the United States;
20 and”; and

21 (B) in paragraph (2)(B), by inserting “and
22 civilian employees of the Department” after
23 “members of the armed forces”; and

24 (3) in subsection (m)—

1 (A) by redesignating paragraph (7) as
2 paragraph (8); and

3 (B) by inserting after paragraph (6) the
4 following new paragraph (7):

5 “(7) The number of civilian employees of the
6 Department, disaggregated by military department,
7 gender, race, and ethnicity—

8 “(A) in each grade of the General Sched-
9 ule;

10 “(B) in each grade of the Senior Executive
11 Service;

12 “(C) paid at levels above grade GS-15 of
13 the General Schedule but who are not members
14 of the Senior Executive Service;

15 “(D) paid under the Federal Wage Sys-
16 tem, and

17 “(E) paid under alternative pay systems.”.

1 **SEC. 2001 [Log 73010]. SHORT TITLE.**

2 This division may be cited as the “Military Construc-
3 tion Authorization Act for Fiscal Year 2022”.

1 **SEC. 2002 [Log 73011]. 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, 2024; or

13 (2) the date of the enactment of an Act author-
14 izing funds for military construction for fiscal year
15 2025.

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, 2024; or

1 (2) the date of the enactment of an Act author-
2 izing funds for fiscal year 2025 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 [Log 73012]. EFFECTIVE DATE.**

2 Titles XXI through XXVII shall take effect on the
3 later of—

4 (1) October 1, 2021; or

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

1 **SEC. 2101 [Log 73013]. 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

State	Installation or Location	Amount
Alabama	Anniston Army Depot	\$25,000,000
	Fort Rucker	\$66,000,000
	Redstone Arsenal	\$55,000,000
California	Fort Irwin	\$52,000,000
Georgia	Fort Stewart	\$100,000,000
Hawaii	West Loch Naval Magazine Annex	\$51,000,000
Kansas	Fort Leavenworth	\$34,000,000
Kentucky	Fort Knox	\$27,000,000
Louisiana	Fort Polk	\$111,000,000
Maryland	Fort Detrick	\$23,981,000
	Fort Meade	\$81,000,000
New Jersey	Armaments Center	\$1,800,000
New York	Fort Hamilton	\$26,000,000
	Watervliet Arsenal	\$20,000,000
Pennsylvania	Letterkenny Army Depot	\$21,000,000
Texas	Fort Hood	\$90,200,000

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

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

Army: Outside the United States

State	Installation	Amount
Belgium	Shape Headquarters	\$16,000,000
Germany	Smith Barracks	\$33,500,000
	East Camp Grafenwoehr	\$103,000,000
Classified Location	Classified Location	\$31,000,000

1 **SEC. 2102 [LOG 73014]. 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
Italy	Vicenza	Family Housing New Construc- tion	\$92,304,000

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 \$22,545,000.

1 **SEC. 2103 [Log 73015]. 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, 2021, 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 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. 2104 [Log 73499]. EXTENSION OF AUTHORITY TO CARRY**
 2 **OUT CERTAIN FISCAL YEAR 2017 PROJECT.**

3 (a) EXTENSION.—Notwithstanding section 2002 of
 4 the Military Construction Authorization Act for Fiscal
 5 Year 2017 (division B of Public Law 114–328; 130 Stat.
 6 2688), the authorization set forth in the table in sub-
 7 section (b), as provided in section 2101 of that Act (130
 8 Stat. 2689), shall remain in effect until October 1, 2023,
 9 or the date of the enactment of an Act authorizing funds
 10 for military construction for fiscal year 2024, whichever
 11 is later.

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

Army: Extension of 2017 Project Authorization

Country	Installation	Project	Original Au- thorized Amount
Germany	Wiesbaden Army Air- field	Hazardous Material Storage Building	\$2,700,000

1 **SEC. 2105 [Log 73500]. MODIFICATION OF AUTHORITY TO**
2 **CARRY OUT CERTAIN FISCAL YEAR 2021**
3 **PROJECT.**

4 (a) MODIFICATION OF PROJECT AUTHORITY.—In the
5 case of the authorization contained in the table in section
6 2101(a) of the Military Construction Authorization Act
7 for Fiscal Year 2021 (division B of Public Law 116–283;
8 134 Stat. _____) for Fort Wainwright, Alaska, for con-
9 struction of Unaccompanied Enlisted Personnel Housing,
10 as specified in the funding table in section 4601 of such
11 Public Law (134 Stat. _____), the Secretary of the Army
12 may construct—

13 (1) an Unaccompanied Enlisted Personnel
14 Housing building of 104,300 square feet to incor-
15 porate a modified standard design; and

16 (2) an outdoor recreational shelter, sports fields
17 and courts, barbecue and leisure area, and fitness
18 stations associated with the Unaccompanied Enlisted
19 Personnel Housing.

20 (b) MODIFICATION OF PROJECT AMOUNTS.—

21 (1) DIVISION B TABLE.—The authorization
22 table in section 2101(a) of the Military Construction
23 Authorization Act for Fiscal Year 2021 (division B
24 of Public Law 116–283; 134 Stat. _____) is

1 amended in the item relating to Fort Wainwright,
2 Alaska, by striking “\$114,000,000” and inserting
3 “\$146,000,000” to reflect the project modification
4 made by subsection (a).

5 (2) DIVISION D TABLE.—The funding table in
6 section 4601 of Public Law 116–283 (134 Stat.
7) is amended in the item relating to Fort
8 _____
9 Wainwright Unaccompanied Enlisted Personnel
10 Housing by striking “\$59,000” in the Conference
11 Authorized column and inserting “\$91,000” to re-
12 flect the project modification made by subsection
(a).

1 **SEC. 2106 [Log 73511]. ADDITIONAL AUTHORIZED FUNDING**
2 **SOURCE FOR CERTAIN FISCAL YEAR 2022**
3 **PROJECT.**

4 To carry out an unspecified minor military construc-
5 tion project in the amount of \$3,600,000 at Aberdeen
6 Proving Ground, Maryland, to construct a 6,000 square
7 foot recycling center to meet the requirements of a quali-
8 fied recycling program at the installation, the Secretary
9 of the Army may use funds available to the Secretary
10 under section 2667(e)(1)(C) of title 10, United States
11 Code, in addition to funds appropriated for unspecified
12 minor military construction for the project.

1 **SEC. 2201 [Log 73016]. 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

State	Installation or Location	Amount
Arizona	Marine Corps Air Station Yuma	\$99,600,000
California	Air Ground Combat Center Twentynine Palms	\$45,000,000
	San Nicolas Island	\$19,907,000
Guam	Andersen Air Force Base	\$50,890,000
	Joint Region Marianas	\$507,527,000
Hawaii	Marine Corps Base Kaneohe	\$101,200,000
North Carolina	Cherry Point Marine Corps Air Station	\$321,417,000
Nevada	Naval Air Station Fallon	\$48,250,000
Virginia	Marine Corps Base Quantico	\$42,850,000
	Naval Station Norfolk	\$269,693,000
	Norfolk Naval Shipyard	\$156,380,000

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
 16 in the funding table in section 4601, the Secretary of the
 17 Navy may acquire real property and carry out military
 18 construction projects for the installation outside the

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

Navy: Outside the United States

Country	Installation or Location	Amount
Japan	Fleet Activities Yokosuka	\$49,900,000

1 **SEC. 2202 [Log 73017]. 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
District of Columbia	Marine Barracks Washington	Family housing improvements	\$10,415,000
Japan	Fleet Activities Yokosuka	Family housing improvements	\$61,469,000

11 (b) PLANNING AND DESIGN.—Using amounts appro-
 12 priated pursuant to the authorization of appropriations in
 13 section 2203(a) and available for military family housing
 14 functions as specified in the funding table in section 4601,
 15 the Secretary of the Navy 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 \$3,634,000.

1 **SEC. 2203 [Log 73018]. 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, 2021, 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. 2301 [Log 73019]. 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 2302(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	Joint Base Elmendorf-Richardson	\$251,000,000
Arizona	Davis-Monthan Air Force Base	\$13,400,000
	Luke Air Force Base	\$49,000,000
California	Vandenberg Air Force Base	\$67,000,000
Colorado	Schriever Air Force Base	\$30,000,000
	United States Air Force Academy	\$4,360,000
District of Columbia	Joint Base Anacostia-Bolling	\$24,000,000
Guam	Joint Region Marianas	\$85,000,000
Louisiana	Barksdale Air Force Base	\$272,000,000
Maryland	Joint Base Andrews	\$33,800,000
Massachusetts	Hanscom Air Force Base	\$66,000,000
Nebraska	Offutt Air Force Base	\$5,000,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	\$4,500,000
Ohio	Wright-Patterson Air Force Base	\$24,000,000
Oklahoma	Tinker Air Force Base	\$160,000,000
South Carolina	Joint Base Charleston	\$30,000,000
South Dakota	Ellsworth Air Force Base	\$242,000,000
Texas	Joint Base San Antonio	\$192,000,000
	Sheppard Air Force Base	\$20,000,000
Virginia	Joint Base Langley-Eustis	\$24,000,000

12 (b) OUTSIDE THE UNITED STATES.—Using amounts
 13 appropriated pursuant to the authorization of appropria-
 14 tions in section 2302(a) and available for military con-

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

Air Force: Outside the United States

Country	Installation or Location	Amount
Australia	Royal Australian Air Force Base Darwin	\$7,400,000
	Royal Australian Air Force Base Tindal	\$14,400,000
Japan	Kadena Air Base	\$206,000,000
	Misawa Air Base	\$25,000,000
United Kingdom	Royal Air Force Lakenheath	\$104,000,000

1 **SEC. 2302 [Log 73020]. FAMILY HOUSING.**

2 (a) IMPROVEMENTS TO MILITARY FAMILY HOUSING
3 UNITS.—Subject to section 2825 of title 10, United States
4 Code, and using amounts appropriated pursuant to the
5 authorization of appropriations in section 2303(a) and
6 available for military family housing functions as specified
7 in the funding table in section 4601, the Secretary of the
8 Air Force may improve existing military family housing
9 units in an amount not to exceed \$105,528,000.

10 (b) PLANNING AND DESIGN.—Using amounts appro-
11 priated pursuant to the authorization of appropriations in
12 section 2303(a) and available for military family housing
13 functions as specified in the funding table in section 4601,
14 the Secretary of the Air Force may carry out architectural
15 and engineering services and construction design activities
16 with respect to the construction or improvement of family
17 housing units in an amount not to exceed \$10,458,000.

1 **SEC. 2303 [Log 73021]. 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, 2021, 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. 2304 [Log 73501]. EXTENSION OF AUTHORITY TO CARRY**
 2 **OUT CERTAIN FISCAL YEAR 2017 PROJECTS.**

3 (a) EXTENSION.—Notwithstanding section 2002 of
 4 the Military Construction Authorization Act for Fiscal
 5 Year 2017 (division B of Public Law 114–328; 130 Stat.
 6 2688), the authorizations set forth in the table in sub-
 7 section (b), as provided in sections 2301 and 2902 of that
 8 Act (130 Stat. 2696, 2743), shall remain in effect until
 9 October 1, 2023, or the date of the enactment of an Act
 10 authorizing funds for military construction for fiscal year
 11 2024, whichever is later.

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

Air Force: Extension of 2017 Project Authorizations

State or Country	Installation or Location	Project	Original Authorized Amount
Germany	Ramstein Air Base	37 AS Squadron Operations/Aircraft Maintenance Unit	\$13,437,000
	Spangdahlem Air Base	F/A-22 Low Observable/Composite Repair Facility	\$12,000,000
	Spangdahlem Air Base	Upgrade Hardened Aircraft Shelters for F/A-22	\$2,700,000
Guam	Joint Region Marianas	APR - Munitions Storage Igloos, Phase 2	\$35,300,000
	Joint Region Marianas	APR - SATCOM C4I Facility	\$14,200,000
Japan	Kadena Air Base	APR - Replace Munitions Structures	\$19,815,000
	Yokota Air Base	C-130J Corrosion Control Hangar ...	\$23,777,000
	Yokota Air Base	Construct Combat Arms Training and Maintenance Facility	\$8,243,000

Air Force: Extension of 2017 Project Authorizations—Continued

State or Country	Installation or Location	Project	Original Authorized Amount
Massachusetts	Hanscom Air Force Base	Vandenberg Gate Complex	\$10,965,000
United Kingdom	Royal Air Force Croughton	Main Gate Complex	\$16,500,000

1 **SEC. 2305 [Log 73502]. MODIFICATION OF AUTHORITY TO**
2 **CARRY OUT MILITARY CONSTRUCTION**
3 **PROJECTS AT TYNDALL AIR FORCE BASE,**
4 **FLORIDA.**

5 (a) FISCAL YEAR 2018 PROJECT.—In the case of the
6 authorization contained in the table in section 2301(b) of
7 the Military Construction Authorization Act for Fiscal
8 Year 2018 (division B of Public Law 115–91; 131 Stat.
9 1825) for Tyndall Air Force Base, Florida, for construc-
10 tion of a Fire Station, as specified in the funding table
11 in section 4601 of that Public Law (131 Stat. 2002), the
12 Secretary of the Air Force may construct a crash rescue/
13 structural fire station encompassing up to 3,588 square
14 meters.

15 (b) FISCAL YEAR 2020 PROJECTS.—In the case of
16 the authorization contained in section 2912(a) of the Mili-
17 tary Construction Authorization Act for Fiscal Year 2020
18 (division B of Public Law 116–92; 133 Stat. 1913) for
19 Tyndall Air Force Base, Florida—

20 (1) for construction of Site Development, Utili-
21 ties, and Demo Phase 1, as specified in the Natural
22 Disaster Recovery Justification Book dated August
23 2019, the Secretary of the Air Force may con-
24 struct—

1 (A) up to 3,698 lineal meters of waste
2 water utilities;

3 (B) up to 6,306 lineal meters of storm
4 water utilities; and

5 (C) two emergency power backup genera-
6 tors;

7 (2) for construction of Munitions Storage Fa-
8 cilities, as specified in the Natural Disaster Recovery
9 Justification Book dated August 2019, the Secretary
10 of the Air Force may construct—

11 (A) up to 4,393 square meters of aircraft
12 support equipment storage yard;

13 (B) up to 1,535 square meters of tactical
14 missile maintenance facility; and

15 (C) up to 560 square meters of missile
16 warhead assembly and maintenance shop and
17 storage;

18 (3) for construction of 53 WEG Complex, as
19 specified in the Natural Disaster Recovery Justifica-
20 tion Book dated August 2019, the Secretary of the
21 Air Force may construct—

22 (A) up to 1,693 square meters of aircraft
23 maintenance shop;

24 (B) up to 1,458 square meters of fuel sys-
25 tems maintenance dock; and

1 (C) up to 3,471 square meters of group
2 headquarters;

3 (4) for construction of 53 WEG Subscale Drone
4 Facility, as specified in the Natural Disaster Recov-
5 ery Justification Book dated August 2019, the Sec-
6 retary of the Air Force may construct up to 511
7 square meters of pilotless aircraft shop in a separate
8 facility;

9 (5) for construction of CE/Contracting/USACE
10 Complex, as specified in the Natural Disaster Recov-
11 ery Justification Book dated August 2019, the Sec-
12 retary of the Air Force may construct—

13 (A) up to 557 square meters of base engi-
14 neer storage shed 6000 area; and

15 (B) up to 183 square meters of non-Air
16 Force administrative office;

17 (6) for construction of Logistics Readiness
18 Squadron Complex, as specified in the Natural Dis-
19 aster Recovery Justification Book dated August
20 2019, the Secretary of the Air Force may con-
21 struct—

22 (A) up to 802 square meters of supply ad-
23 ministrative headquarters;

24 (B) up to 528 square meters of vehicle
25 wash rack; and

1 (C) up to 528 square meters of vehicle
2 service rack;

3 (7) for construction of Fire Station Silver Flag
4 #4, as specified in the Natural Disaster Recovery
5 Justification Book dated August 2019, the Secretary
6 of the Air Force may construct up to 651 square
7 meters of fire station;

8 (8) for construction of AFCEC RDT&E, as
9 specified in the Natural Disaster Recovery Justifica-
10 tion Book dated August 2019, the Secretary of the
11 Air Force may construct—

12 (A) up to 501 square meters of CE Mat
13 Test Runway Support Building;

14 (B) up to 1,214 square meters of Robotics
15 Range Control Support Building; and

16 (C) up to 953 square meters of fire ga-
17 rage;

18 (9) for construction of Flightline–Munitions
19 Storage, 7000 Area, as specified in the funding table
20 in section 4603 of that Public Law (133 Stat.
21 2103), the Secretary of the Air Force may con-
22 struct—

23 (A) up to 1,861 square meters of above
24 ground magazines; and

1 (B) up to 530 square meters of air support
2 equipment shop/storage facility pad;

3 (10) for construction of Site Development, Util-
4 ities and Demo Phase 2, as specified in such funding
5 table and modified by section 2306(a)(6) of the Mili-
6 tary Construction Authorization Act for Fiscal Year
7 2021 (division B of Public Law 116–283; 134 Stat.
8 ____), the Secretary of the Air Force may con-
9 struct—

10 (A) up to 5,233 lineal meters of storm
11 water utilities;

12 (B) up to 48,560 square meters of roads;

13 (C) up to 3,612 lineal meters of gas pipe-
14 line; and

15 (D) up to 993 square meters of water fire
16 pumping station with an emergency backup
17 generator;

18 (11) for construction of Tyndall AFB Gate
19 Complexes, as specified in such funding table and
20 modified by section 2306(a)(9) of the Military Con-
21 struction Authorization Act for Fiscal Year 2021
22 (division B of Public Law 116–283; 134 Stat. ____),
23 the Secretary of the Air Force may construct—

24 (A) up to 52,694 square meters of road-
25 way with serpentines; and

1 (B) up to 20 active/passive barriers;
2 (12) for construction of Deployment Center/
3 Flight Line Dining/AAFES, as specified in such
4 funding table and modified by section 2306(a)(11)
5 of the Military Construction Authorization Act for
6 Fiscal Year 2021 (division B of Public Law 116–
7 283; 134 Stat. ____), the Secretary of the Air Force
8 may construct up to 144 square meters of AAFES
9 shoppette;

10 (13) for construction of Airfield Drainage, as
11 specified in such funding table and modified by sec-
12 tion 2306(a)(12) of the Military Construction Au-
13 thorization Act for Fiscal Year 2021 (division B of
14 Public Law 116–283; 134 Stat. ____), the Secretary
15 of the Air Force may construct—

16 (A) up to 37,357 meters of drainage ditch;

17 (B) up to 18,891 meters of storm drain
18 piping;

19 (C) up to 19,131 meters of box culvert;

20 (D) up to 3,704 meters of concrete block
21 swale;

22 (E) up to 555 storm drain structures; and

23 (F) up to 81,500 square meters of storm
24 drain ponds; and

1 (14) for construction of 325th Fighting Wing
2 HQ Facility, as specified in such funding table and
3 modified by section 2306(a)(13) of the Military Con-
4 struction Authorization Act for Fiscal Year 2021
5 (division B of Public Law 116–283; 134 Stat. ____),
6 the Secretary of the Air Force may construct up to
7 769 square meters of separate administrative space
8 for SAPR/SARC.

1 **SEC. 2401 [Log 73022]. 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

State	Installation or Location	Amount
California	Marine Corps Base Camp Pendleton	\$13,600,000
	Naval Base Coronado	\$54,200,000
Colorado	Buckley Air Force Base	\$20,000,000
Georgia	Fort Benning	\$62,000,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$29,800,000
Maryland	Fort Meade	\$1,201,000,000
New Mexico	Kirtland Air Force Base	\$8,600,000
Virginia	Fort Belvoir	\$29,800,000
	Pentagon	\$50,543,000
Washington	Naval Health Clinic Oak Harbor	\$59,000,000

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

1 construction projects for the installation or location out-
 2 side the United States, and in the amount, set forth in
 3 the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Germany	Ramstein Air Base	\$93,000,000
Japan	Kadena Air Base	\$24,000,000
	Misawa Air Base	\$6,000,000
United Kingdom	Royal Air Force Lakenheath	\$19,283,000

1 **SEC. 2402 [Log 73023]. 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

State	Installation or Location	Amount
Alabama	Fort Rucker	\$24,000,000
California	Marine Corps Air Station Miramar	\$4,054,000
	Naval Air Weapons Station China Lake	\$9,120,000
District of Co- lumbia	Joint Base Anacostia-Bolling	\$31,261,000
Florida	MacDill Air Force Base	\$22,000,000
Georgia	Fort Benning	\$17,593,000
	Fort Stewart	\$22,000,000
	Kings Bay Naval Submarine Base	\$19,314,000
Guam	Naval Base Guam	\$38,300,000
Idaho	Mountain Home Air Force Base	\$33,800,000
Michigan	Camp Grayling	\$5,700,000
Mississippi	Camp Shelby	\$45,655,000
New York	Fort Drum	\$27,000,000
North Carolina ...	Fort Bragg	\$27,169,000
North Dakota	Cavalier Air Force Station	\$24,150,000
Ohio	Springfield-Beckley Municipal Airport	\$4,700,000
Puerto Rico	Fort Allen	\$12,190,000
	Ramey Unit School	\$10,120,000
Tennessee	Memphis International Airport	\$4,870,000
Virginia	National Geospatial Intelligence Agency Springfield	\$5,299,000
	Various Locations	\$2,965,000

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

ERCIP Projects: Outside the United States

Country	Installation or Location	Amount
Japan	Naval Air Facility Atsugi	\$3,810,000
Kuwait	Camp Arifjan	\$15,000,000

1 **SEC. 240**___ **[Log 73024]. 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, 2021, 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 of this Act
15 may not exceed the total amount authorized to be appro-
16 priated under subsection (a), as specified in the funding
17 table in section 4601.

1 **SEC. 2404 [Log 73505]. EXTENSION OF AUTHORITY TO CARRY**
 2 **OUT CERTAIN FISCAL YEAR 2017 PROJECT.**

3 (a) EXTENSION.—Notwithstanding section 2002 of
 4 the Military Construction Authorization Act for Fiscal
 5 Year 2017 (division B of Public Law 114–328; 130 Stat.
 6 2688), the authorization set forth in the table in sub-
 7 section (b), as provided in section 2401 of that Act (130
 8 Stat. 2700), shall remain in effect until October 1, 2023,
 9 or the date of the enactment of an Act authorizing funds
 10 for military construction for fiscal year 2024, whichever
 11 is later.

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

Defense Agencies: Extension of 2017 Project Authorization

Country	Installation	Project	Original Au- thorized Amount
Japan	Yokota Air Base	Hanger/AMU	\$39,466,000

1 **SEC. 2501 [Log 73025]. 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 [Log 73026]. AUTHORIZATION OF APPROPRIA-**
2 **TIONS, NATO.**

3 Funds are hereby authorized to be appropriated for
4 fiscal years beginning after September 30, 2021, 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 73027]. REPUBLIC OF KOREA FUNDED CON-**
 2 **STRUCTION PROJECTS.**

3 (a) **AUTHORITY TO ACCEPT PROJECTS.**—Pursuant to
 4 agreement with the Republic of Korea for required in-kind
 5 contributions, the Secretary of Defense may accept mili-
 6 tary construction projects for the installations or locations
 7 in the Republic of Korea, and in the amounts, set forth
 8 in the following table:

Republic of Korea Funded Construction Projects

Component	Installation or Location	Project	Amount
Army	Camp Humphreys	Unaccompanied Enlisted Personnel Housing	\$52,000,000
Army	Camp Humphreys	Type I Aircraft Parking Apron and Parallel Taxiway	\$48,000,000
Army	Camp Humphreys	Black Hat Intelligence Fusion Center	\$149,000,000
Navy	Mujuk	Expeditionary Dining Facility	\$10,200,000
Air Force	Gimhae Air Base	Repair Contingency Hospital	\$75,000,000
Air Force	Osan Air Base	Munitions Storage Area Move Delta (Phase 2) ...	\$171,000,000

9 (b) **AUTHORIZED APPROACH TO CERTAIN CON-**
 10 **STRUCTION PROJECT.**—Section 2350k of title 10, United
 11 States Code, shall apply with respect to the construction
 12 of the Black Hat Intelligence Fusion Center at Camp
 13 Humphreys, Republic of Korea, as set forth in the table
 14 in subsection (a).

1 **SEC. 2512 [Log 73506]. REPUBLIC OF POLAND FUNDED CON-**
 2 **STRUCTION PROJECTS.**

3 Pursuant to agreement with the Republic of Poland
 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 Poland, and in
 7 the amounts, set forth in the following table:

Republic of Poland Funded Construction Projects

Component	Installation or Location	Project	Amount
Army	Poznan	Command and Control Facility	\$30,000,000
Army	Poznan	Information Systems Facility	\$7,000,000

1 **SEC. 2601 [Log 73028]. AUTHORIZED ARMY NATIONAL**
 2 **GUARD CONSTRUCTION AND LAND ACQUISSI-**
 3 **TION 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 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

State	Installation or Location	Amount
California	Beale Air Force Base	\$33,000,000
Connecticut	National Guard Armory Putnam	\$17,500,000
Georgia	Fort Benning	\$13,200,000
Guam	Barrigada National Guard Complex	\$34,000,000
Idaho	National Guard Armory Jerome	\$15,000,000
Illinois	National Guard Armory Bloomington	\$15,000,000
Kansas	National Guard Reserve Center	\$16,732,000
Louisiana	Camp Minden	\$13,800,000
	National Guard Armory Lake Charles	\$18,500,000
Maine	National Guard Armory Saco	\$21,200,000
Michigan	Camp Grayling	\$16,000,000
Mississippi	Camp Shelby	\$15,500,000
Montana	National Guard Armory Butte	\$16,000,000
Nebraska	Camp Ashland	\$11,000,000
North Dakota	North Dakota Army National Guard Recruiting	\$15,500,000
South Carolina ...	McEntire Joint National Guard Base	\$9,000,000
Virginia	National Guard Armory Troutville	\$13,000,000
	National Guard Aviation Support Facility	\$5,805,000

1 **SEC. 2602 [Log 73029]. 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

State	Installation or Location	Amount
Michigan	Army Reserve Center Southfield	\$12,000,000
Ohio	Wright-Patterson Air Force Base	\$19,000,000
Wisconsin	Fort McCoy	\$94,600,000

1 **SEC. 2603 [Log 73030]. AUTHORIZED NAVY RESERVE AND**
 2 **MARINE CORPS RESERVE CONSTRUCTION**
 3 **AND LAND ACQUISITION 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 Navy may
 8 acquire real property and carry out military construction
 9 projects for the Navy Reserve and Marine Corps Reserve
 10 installations or locations inside the United States, and in
 11 the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Installation or Location	Amount
Michigan	Naval Operational Support Center Battle Creek	\$49,090,000
Minnesota	Minneapolis Air Reserve Station	\$14,350,000

1 **SEC. 2604 [Log 73031]. 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

State	Installation or Location	Amount
Massachusetts	Barnes Air National Guard Base	\$12,200,000
Delaware	Newcastle Air National Guard Base	\$17,500,000
Idaho	Boise Air Terminal	\$6,500,000
Illinois	Abraham Capital Airport	\$10,200,000
Michigan	Alpena County Regional Airport	\$23,000,000
	W. K. Kellogg Regional Airport	\$10,000,000
Mississippi	Jackson International Airport	\$9,300,000
New York	Schenectady Municipal Airport	\$10,800,000
Ohio	Camp Perry	\$7,800,000
South Carolina	McEntire Joint National Guard Base	\$9,800,000
South Dakota	Joe Foss Field	\$9,800,000
Wisconsin	Truax Field	\$44,200,000
Wyoming	Cheyenne Municipal Airport	\$13,400,000

1 **SEC. 2605 [Log 73032]. 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

State	Installation	Amount
Florida	Homestead Air Force Reserve Base	\$14,000,000
	Patrick Air Force Base	\$18,500,000
Minnesota	Minneapolis-St. Paul International Airport	\$14,000,000
New York	Niagara Falls Air Reserve Station	\$10,600,000
Ohio	Youngstown Air Reserve Station	\$8,700,000

1 **SEC. 2606 [Log 73033]. 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, 2021, 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. 2701 [Log 73034]. 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, 2021, 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. 28**___ [Log 73038]. **SPECIAL CONSTRUCTION AUTHOR-**
2 **ITY TO USE OPERATION AND MAINTENANCE**
3 **FUNDS TO MEET CERTAIN UNITED STATES**
4 **MILITARY-RELATED CONSTRUCTION NEEDS**
5 **IN FRIENDLY FOREIGN COUNTRIES.**

6 Section 2804 of title 10, United States Code, is
7 amended to read as follows:

8 **“§ 2804. Special construction authority for certain**
9 **military-related construction needs in**
10 **friendly foreign countries**

11 “(a) CONSTRUCTION AUTHORIZED.—The Secretary
12 concerned may carry out a construction project in a
13 friendly foreign country, and perform planning and design
14 to support such a project, that the Secretary determines
15 meets each of the following conditions:

16 “(1) The commander of the geographic combat-
17 ant command in which the construction project will
18 be carried out identified the construction project as
19 necessary to support vital United States military re-
20 quirements related to strategic laydown opportuni-
21 ties at an air port of debarkation, sea port of debar-
22 kation, or rail or other logistics support location.

1 “(2) The construction project will not carried
2 out at a military installation that is considered a
3 main operating base.

4 “(3) The use of construction authority under
5 this section is not duplicative of other construction
6 authorities available to the Secretary concerned to
7 carry out the construction project.

8 “(4) The funds made available under the au-
9 thority of this section for the construction project—

10 “(A) will be sufficient to produce a com-
11 plete and usable facility or other improvement
12 or complete the repair of an existing facility or
13 improvement; to and

14 “(B) will not require additional funds from
15 other Department of Defense accounts.

16 “(5) The level of construction will be the min-
17 imum necessary to meet the vital military require-
18 ments identified under paragraph (1).

19 “(6) Deferral of the construction project pend-
20 ing inclusion of the project proposal in the next
21 budget submission is inconsistent with the vital mili-
22 tary requirements identified under paragraph (1)
23 and other national security or national interests of
24 the United States.

1 “(b) USE OF OPERATION AND MAINTENANCE
2 FUNDS.—The Secretary concerned may obligate from ap-
3 propriations available to the Secretary concerned for oper-
4 ation and maintenance amounts necessary to carry out a
5 covered construction project.

6 “(c) NOTIFICATION OF PROPOSED OBLIGATION OF
7 FUNDS.—

8 “(1) NOTIFICATION REQUIRED.—Before using
9 appropriated funds available for operation and main-
10 tenance to carry out a covered construction project
11 that has an estimated cost in excess of the amounts
12 authorized for unspecified minor military construc-
13 tion projects under section 2805(c) of this title, the
14 Secretary concerned shall submit to the specified
15 congressional committees the following notices:

16 “(A) A notice regarding the proposed initi-
17 ation of planning and design for the covered
18 construction project.

19 “(B) A notice regarding the proposed solici-
20 tation of a contract for the covered construc-
21 tion project.

22 “(2) NOTIFICATION ELEMENTS.—The notices
23 required by paragraph (1) with regard to a covered
24 construction project shall include the following:

1 “(A) A certification that the conditions
2 specified in subsection (a) are satisfied with re-
3 gard to the covered construction project.

4 “(B) A description of the purpose for
5 which appropriated funds available for oper-
6 ation and maintenance will be obligated.

7 “(C) All relevant documentation detailing
8 the covered construction project, including plan-
9 ning and design.

10 “(D) An estimate of the total amount to be
11 obligated for the covered construction project.

12 “(E) An explanation of the harm to na-
13 tional security or national interests that would
14 occur if the covered construction project was
15 deferred to permit inclusion in the next budget
16 submission.

17 “(3) NOTICE AND WAIT.—A covered construc-
18 tion project may be carried out only after the end
19 of the 30-day period beginning on the date the sec-
20 ond notice required by paragraph (1) is received by
21 the specified congressional committees, including
22 when a copy of the notification is provided in an
23 electronic medium pursuant to section 480 of this
24 title.

1 “(4) EFFECT OF FAILURE TO SUBMIT NOTIFI-
2 CATIONS.—If the notices required by paragraph (1)
3 with regard to a covered construction project are not
4 submitted to the specified congressional committees
5 by the required date, appropriated funds available
6 for operation and maintenance may not be obligated
7 or expended after that date under the authority of
8 this section to carry out covered construction
9 projects until the date on which all late notices are
10 finally submitted.

11 “(d) ANNUAL LIMITATIONS ON USE OF AUTHOR-
12 ITY.—

13 “(1) TOTAL COST LIMITATION.—For each fiscal
14 year, the total cost of the covered construction
15 projects carried out by each Secretary concerned
16 using, in whole or in part, appropriated funds avail-
17 able for operation and maintenance shall not exceed
18 \$50,000,000.

19 “(2) ADDITIONAL OBLIGATION AUTHORITY.—
20 Notwithstanding paragraph (1), the Secretary of De-
21 fense may authorize the obligation under this section
22 of not more than an additional \$10,000,000 of ap-
23 propriated funds available for operation and mainte-
24 nance for a fiscal year if the Secretary determines

1 that the additional funds are needed for costs associ-
2 ated with contract closeouts.

3 “(3) PROJECT LIMITATION.—The total amount
4 of operation and maintenance funds used for a sin-
5 gle covered construction project shall not exceed
6 \$10,000,000.

7 “(e) RELATION TO OTHER AUTHORITIES.—This sec-
8 tion, section 2805 of this title, and section 2808 of the
9 Military Construction Authorization Act for Fiscal Year
10 2004 (division B of Public Law 108–136; 117 Stat. 1723)
11 are the only authorities available to the Secretary con-
12 cerned to use appropriated funds available for operation
13 and maintenance to carry out construction projects.

14 “(f) DEFINITIONS.—In this section:

15 “(1) The term ‘covered construction project’
16 means a construction project meeting the conditions
17 specified in subsection (a) that the Secretary con-
18 cerned may carry out using appropriated funds
19 available for operation and maintenance under the
20 authority of this section.

21 “(2) The term ‘specified congressional commit-
22 tees’ means—

23 “(A) the Committee on Armed Services
24 and the Subcommittee on Defense and the Sub-
25 committee on Military Construction, Veterans

1 Affairs, and Related Agencies of the Committee
2 on Appropriations of the Senate; and

3 “(B) the Committee on Armed Services
4 and the Subcommittee on Defense and the Sub-
5 committee on Military Construction, Veterans
6 Affairs, and Related Agencies of the Committee
7 on Appropriations of the House of Representa-
8 tives.

9 “(g) DURATION.—The authority of the Secretary
10 concerned to commence a covered construction project
11 under the authority of this section shall expire on Sep-
12 tember 30, 2026.”.

1 **SEC. 28** ____ [Log 73039]. **MODIFICATION AND EXTENSION OF**
2 **TEMPORARY, LIMITED AUTHORITY TO USE**
3 **OPERATION AND MAINTENANCE FUNDS FOR**
4 **CONSTRUCTION PROJECTS IN CERTAIN**
5 **AREAS OUTSIDE THE UNITED STATES.**

6 (a) **TWO-YEAR EXTENSION OF AUTHORITY.**—Sub-
7 section (h) of section 2808 of the Military Construction
8 Authorization Act for Fiscal Year 2004 (division B of
9 Public Law 108–136; 117 Stat. 1723), as most recently
10 amended by section 2806(a) of the Military Construction
11 Authorization Act for Fiscal Year 2021 (division B of
12 Public Law 116–283; 134 Stat. ____), is further amend-
13 ed—

14 (1) in paragraph (1), by striking “December
15 31, 2021” and inserting “December 31, 2023”; and

16 (2) paragraph (2), by striking “fiscal year
17 2022” and inserting “fiscal year 2024”.

18 (b) **CONTINUATION OF LIMITATION ON USE OF AU-**
19 **THORITY.**—Subsection (c)(1) of section 2808 of the Mili-
20 tary Construction Authorization Act for Fiscal Year 2004
21 (division B of Public Law 108–136; 117 Stat. 1723), as
22 most recently amended by subsections (b) and (c) of sec-
23 tion 2806 of the Military Construction Authorization Act

1 for Fiscal Year 2021 (division B of Public Law 116–283;
2 134 Stat.), is further amended—

3 (1) by striking subparagraphs (A) and (B);
4 (2) by redesignating subparagraph (C) as sub-
5 paragraph (A); and
6 (3) by adding at the end the following new sub-
7 paragraph:

8 “(B) The period beginning October 1, 2021,
9 and ending on the earlier of December 31, 2022, or
10 the date of the enactment of an Act authorizing
11 funds for military activities of the Department of
12 Defense for fiscal year 2023.

13 “(C) The period beginning October 1, 2022,
14 and ending on the earlier of December 31, 2023, or
15 the date of the enactment of an Act authorizing
16 funds for military activities of the Department of
17 Defense for fiscal year 2024.”.

18 (c) ESTABLISHMENT OF PROJECT MONETARY LIM-
19 TATION.—Subsection (c) of section 2808 of the Military
20 Construction Authorization Act for Fiscal Year 2004 (di-
21 vision B of Public Law 108–136; 117 Stat. 1723) is
22 amended by adding at the end the following new para-
23 graph:

24 “(3) The total amount of operation and maintenance
25 funds used for a single construction project carried out

1 under the authority of this section shall not exceed
2 \$15,000,000.”.

3 (d) MODIFICATION OF NOTICE AND WAIT REQUIRE-
4 MENT.—Subsection (b) of section 2808 of the Military
5 Construction Authorization Act for Fiscal Year 2004 (di-
6 vision B of Public Law 108–136; 117 Stat. 1723) is
7 amended—

8 (1) by striking “10-day period” and inserting
9 “14-day period”; and

10 (2) by striking “or, if earlier, the end of the 7-
11 day period beginning on the date on which” and in-
12 serting “, including when”.

1 **SEC. 28** ____ [Log 73133]. **INCREASED TRANSPARENCY AND**
2 **PUBLIC AVAILABILITY OF INFORMATION RE-**
3 **GARDING SOLICITATION AND AWARD OF SUB-**
4 **CONTRACTS UNDER MILITARY CONSTRUC-**
5 **TION CONTRACTS.**

6 (a) AVAILABILITY OF CERTAIN INFORMATION RE-
7 LATING TO MILITARY CONSTRUCTION SUBCONTRACTS.—
8 Section 2851 of title 10, United States Code, is amend-
9 ed—

10 (1) by redesignating subsection (d) as sub-
11 section (f); and

12 (2) by inserting after subsection (c) the fol-
13 lowing new subsections:

14 “(d) INFORMATION AND NOTICE REQUIREMENTS
15 REGARDING SOLICITATION AND AWARD OF SUB-
16 CONTRACTS.—(1) The recipient of a contract for a con-
17 struction project described in subsection (c)(1) to be car-
18 ried out in a State shall make publicly available on a
19 website of the General Services Administration or the
20 Small Business Administration, as applicable, any solicita-
21 tion made by the contract recipient under the contract for
22 a subcontract with an estimated value of \$250,000 or
23 more.

24 “(2) The Secretary of Defense shall—

1 “(A) maintain on the Internet site required by
2 subsection (c)(1) information regarding the solicita-
3 tion date and award date (or anticipated date) for
4 each subcontract described in paragraph (1);

5 “(B) submit written notice of the award of the
6 original contract for a project described in sub-
7 section (c)(1) to be carried out in a State, and each
8 subcontract described in paragraph (1) under the
9 contract, to each State agency that enforces workers’
10 compensation or minimum wage laws in the State in
11 which the contract or subcontract will be carried
12 out; and

13 “(C) in the case of the award of a contract for
14 a project described in subsection (c)(1) to be carried
15 out in a State, and any subcontract described in
16 paragraph (1) under the contract, with an estimated
17 value of \$2,000,000 or more, submit written notice
18 of the award of the contract or subcontract within
19 30 days after the award to each Senator of the State
20 in which the contract or subcontract will be carried
21 out and the Member of the House of Representatives
22 representing the congressional district in which the
23 contract or subcontract will be carried out.

24 “(3) In this subsection:

1 “(A) The term ‘Member of the House of Rep-
2 representatives’ includes a Delegate to the House of
3 Representatives and the Resident Commissioner
4 from Puerto Rico.

5 “(B) The term ‘State’ means any of the several
6 States, the District of Columbia, the Commonwealth
7 of Puerto Rico, Guam, American Samoa, the United
8 States Virgin Islands, and the Commonwealth of the
9 Northern Mariana Islands.

10 “(e) EXCLUSION OF CLASSIFIED PROJECTS.—Sub-
11 sections (c) and (d) do not apply to a classified construc-
12 tion project otherwise described in subsection (c)(1).”.

13 (b) APPLICABILITY.—Subsection (d) of section 2851
14 of title 10, United States Code, as added by subsection
15 (a)(2), shall apply with respect to a contract for a con-
16 struction project described in subsection (c)(1) of such
17 section that—

18 (1) is entered into on or after the date of the
19 enactment of this Act; or

20 (2) was entered into before the date of the en-
21 actment of this Act, if the first solicitation made by
22 the contract recipient under the contract for a sub-
23 contract with an estimated value of \$250,000 or
24 more is made on or after the date of the enactment
25 of this Act.

1 **SEC. 28**____ [Log 73136]. **IMPROVEMENT OF DEPARTMENT OF**
2 **DEFENSE CHILD DEVELOPMENT CENTERS**
3 **AND INCREASED AVAILABILITY OF CHILD**
4 **CARE FOR CHILDREN OF MILITARY PER-**
5 **SONNEL.**

6 (a) SAFETY INSPECTION OF CHILD DEVELOPMENT
7 CENTERS.—

8 (1) SAFETY INSPECTION REQUIRED.—Not later
9 than one year after the date of the enactment of this
10 Act, each Secretary of a military department shall
11 complete an inspection of all facilities under the ju-
12 risdiction of that Secretary used as a child develop-
13 ment center to identify any unresolved safety issues,
14 including lead, asbestos, and mold, that adversely
15 impact the facilities.

16 (2) REPORTING REQUIREMENT.—

17 (A) REPORT REQUIRED.—Not later than
18 90 days after completing the safety inspections
19 required by paragraph (1), the Secretary of the
20 military department concerned shall submit to
21 the Committees on Armed Services of the Sen-
22 ate and the House of Representatives a report
23 containing the results of the safety inspections.

1 (B) REPORT ELEMENTS.—The Secretary
2 of a military department shall include in the re-
3 port prepared by that Secretary the following:

4 (i) The identity and location of each
5 child development center at which unre-
6 solved safety issues, including lead, asbes-
7 tos, and mold, were found.

8 (ii) For each identified child develop-
9 ment center—

10 (I) a description of the safety
11 issues found; and

12 (II) the proposed plan and sched-
13 ule and projected cost to remediate
14 the safety issues found.

15 (b) TEN-YEAR FACILITY IMPROVEMENT PLAN FOR
16 CHILD DEVELOPMENT CENTERS.—

17 (1) FACILITY IMPROVEMENT PLAN RE-
18 QUIRED.—Each Secretary of a military department
19 shall establish a plan to renovate facilities under the
20 jurisdiction of that Secretary used as a child devel-
21 opment center so that, no later December 31,
22 2031—

23 (A) no child development center is identi-
24 fied as being in poor or failing condition accord-

1 ing to the facility condition index of that mili-
2 tary department; and

3 (B) all facility projects involving a child
4 development center that were included on the
5 priority lists within Appendix C of the “Depart-
6 ment of Defense Report to the Congressional
7 Defense Committees On Department of Defense
8 Child Development Programs” published in
9 2020 are completed.

10 (2) REPORT ON FACILITIES IMPROVEMENT
11 PLAN.—Not later than 180 days after the date of
12 the enactment of this Act, the Secretary of the mili-
13 tary department concerned shall submit to the Com-
14 mittees on Armed Services of the Senate and the
15 House of Representatives a report describing the fa-
16 cilities improvement plan established by that Sec-
17 retary pursuant to paragraph (1). The report shall
18 include the following:

19 (A) Details regarding the child develop-
20 ment center facility improvement plan.

21 (B) An estimate of the funding required to
22 complete the facility improvement plan before
23 the deadline specified in paragraph (1).

1 (C) The plan of the Secretary to obtain the
2 funding necessary to complete the facility im-
3 provement plan.

4 (D) Any additional statutory authorities
5 that the Secretary needs to complete the facility
6 improvement plan before the deadline specified
7 in paragraph (1).

8 (E) A plan to execute preventive mainte-
9 nance on other child development center facili-
10 ties to prevent more from degrading to poor or
11 failing condition.

12 (3) STATUS REPORTS.—Not later than 18
13 months after the date of the enactment of this Act,
14 and every 12 months thereafter until the date speci-
15 fied in paragraph (1), the Secretary of the military
16 department concerned shall submit to the Commit-
17 tees on Armed Services of the Senate and the House
18 of Representatives a status report on the progress
19 made by that Secretary toward accomplishing the fa-
20 cility improvement plan established by that Sec-
21 retary pursuant to paragraph (1). Such a report
22 shall include the following:

23 (A) Details about projects planned, funded,
24 under construction, and completed under the
25 facility improvement plan.

1 (B) Updated funding requirements to com-
2 plete all child development center facility con-
3 struction under the facility improvement plan.

4 (C) Any changes to the plan of the Sec-
5 retary to obtain the funding necessary to com-
6 plete the facility improvement plan.

7 (D) Any additional statutory authorities
8 that the Secretary needs to complete the facility
9 improvement plan before the deadline specified
10 in paragraph (1).

11 (c) PUBLIC-PRIVATE PARTNERSHIPS FOR CHILD
12 CARE FOR CHILDREN OF MILITARY PERSONNEL.—

13 (1) IN GENERAL.—Not later than one year
14 after the date of the enactment of this Act and pur-
15 suant to regulations prescribed by the Secretary of
16 Defense, each Secretary of a military department
17 shall seek to enter into at least one agreement with
18 a private entity to provide child care to the children
19 of personnel (including members of the Armed
20 Forces and civilian employees of the Department of
21 Defense) under the jurisdiction of that Secretary.

22 (2) REPORTING.—

23 (A) PRELIMINARY REPORTS.—Not later
24 than one year after the date of the enactment
25 of this Act, the Secretary of Defense and the

1 Secretaries of the military departments shall
2 jointly submit to the Committees on Armed
3 Services of the Senate and House of Represent-
4 atives a report regarding progress in carrying
5 out paragraph (1).

6 (B) REGULAR REPORTS.—Upon entering
7 into an agreement under paragraph (1) and an-
8 nually thereafter until the termination of such
9 agreement, the Secretary of the military depart-
10 ment concerned shall submit to the Committees
11 on Armed Services of the Senate and House of
12 Representatives a report regarding such agree-
13 ment. Such a report shall include—

14 (i) the terms of the agreement, includ-
15 ing cost to the United States;

16 (ii) the number of children described
17 in paragraph (1) projected to receive child
18 care under such agreement; and

19 (iii) if applicable, the actual number
20 of children described in paragraph (1) who
21 received child care under such agreement
22 served during the previous year.

23 (d) CHILD DEVELOPMENT CENTER DEFINED.—In
24 this section, the term “child development center” has the
25 meaning given that term in section 2871(2) of title 10,

- 1 United States Code, and includes facilities identified as
- 2 a child care center or day care center.

1 **SEC. 28**____ [Log 73137]. **PROMPT COMPLETION OF MILITARY**
2 **INSTALLATION RESILIENCE COMPONENT OF**
3 **MASTER PLANS FOR AT-RISK MAJOR MILI-**
4 **TARY INSTALLATIONS.**

5 (a) IDENTIFICATION OF AT-RISK INSTALLATIONS.—
6 Not later than 30 days after the date of the enactment
7 of this Act, each Secretary of a military department
8 shall—

9 (1) identify at least two major military installa-
10 tions under the jurisdiction of that Secretary that
11 the Secretary considers most at risk from extreme
12 weather events; and

13 (2) notify the Committees on Armed Services of
14 the Senate and the House of Representatives of the
15 major military installations identified under para-
16 graph (1).

17 (b) COMPLETION DEADLINE.—Not later than one
18 year after the date of the enactment of this Act, each Sec-
19 retary of a military department shall ensure that the mili-
20 tary installation resilience component of the master plan
21 for each major military installation identified by the Sec-
22 retary under subsection (a) is completed.

23 (c) BRIEFINGS.—Not later than 60 days after com-
24 pletion of a master plan component as required by sub-

1 section (b) for a major military installation, the Secretary
2 of the military department concerned shall brief the Com-
3 mittees on Armed Services of the Senate and the House
4 of Representatives regarding the results of the master
5 plan efforts for that major military installation.

6 (d) DEFINITIONS.—In this section:

7 (1) The term “major military installation” has
8 the meaning given that term in section 2864(f) of
9 title 10, United States Code.

10 (2) The term “master plan” means the master
11 plan required by section 2864(a) of title 10, United
12 States Code, for a major military installation.

1 **SEC. 28** ____ [Log 73143]. **ADDITIONAL DEPARTMENT OF DE-**
2 **FENSE ACTIVITIES TO IMPROVE ENERGY RE-**
3 **SILIENCY OF MILITARY INSTALLATIONS.**

4 (a) **AMENDMENT OF UNIFIED FACILITIES CRITERIA**
5 **REQUIRED.**—The Secretary of Defense shall amend the
6 Unified Facilities Criteria/DoD Building Code (UFC 1–
7 200–01) to require that planning and design for military
8 construction projects inside the United States include con-
9 sideration of the feasibility and cost-effectiveness of in-
10 stalling an energy microgrid as part of the project, includ-
11 ing intentional islanding capability of at least seven con-
12 secutive days, for the purpose of—

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

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

21 (b) **CONTRACTS FOR EMERGENCY ACCESS TO EXIST-**
22 **ING ON-INSTALLATION RENEWABLE ENERGY SOURCES.**—
23 In the case of a covered renewable energy generating
24 source located on a military installation pursuant to a

1 lease of non-excess defense property under section 2667
2 of title 10, United States Code, the Secretary of the mili-
3 tary department concerned is encouraged to negotiate with
4 the owner and operator of the renewable energy gener-
5 ating source to revise the lease contract to permit the mili-
6 tary installation to access the renewable energy generating
7 source during an emergency. The negotiations shall in-
8 clude consideration of the ease of modifying the renewable
9 energy generating source to include an islanding capa-
10 bility, the necessity of additional infrastructure to tie the
11 renewable energy generating source into the installation
12 energy grid, and the cost of such modifications and infra-
13 structure.

14 (c) DEFINITIONS.—In this section:

15 (1) The term “covered renewable energy gener-
16 ating source” means a renewable energy generating
17 source that, on the date of the enactment of this
18 Act—

19 (A) is located on a military installation in-
20 side the United States; but

21 (B) cannot be used as a direct source of
22 resilient energy for the installation in the event
23 of a power disruption.

24 (2) The term “islanding capability” refers to
25 the ability to remove an energy system, such as a

1 microgrid, from the local utility grid and to operate
2 the energy system, at least temporarily, as an inte-
3 grated, stand-alone system, during an emergency in-
4 volving the loss of external electric power supply.

5 (3) The term “microgrid” means an integrated
6 energy system consisting of interconnected loads and
7 energy resources with an islanding capability to per-
8 mit functioning separate from the local utility grid.

1 **SEC. 28** ___ [Log 73147]. **COOPERATION WITH STATE AND**
2 **LOCAL GOVERNMENTS IN DEVELOPMENT OF**
3 **MASTER PLANS FOR MAJOR MILITARY IN-**
4 **STALLATIONS.**

5 Section 2864(a) of title 10, United States Code, is
6 amended by adding at the end the following new para-
7 graph:

8 “(3)(A) The commander of a major military installa-
9 tion shall develop and update the master plan for that
10 major military installation in consultation with representa-
11 tives of the government of the State in which the installa-
12 tion is located and representatives of local governments
13 in the vicinity of the installation to improve cooperation
14 and consistency between the Department of Defense and
15 such governments in addressing each component of the
16 master plan described in paragraph (1).

17 “(B) The consultation required by subparagraph (A)
18 is in addition to the consultation specifically required by
19 subsection (b)(1) in connection with the transportation
20 component of the master plan for a major military instal-
21 lation.”.

1 **SEC. 28** ___ [Log 73151]. **PILOT PROGRAM ON INCREASED**
2 **USE OF MASS TIMBER IN MILITARY CON-**
3 **STRUCTION.**

4 (a) **PILOT PROGRAM REQUIRED.**—Each Secretary of
5 a military department shall conduct a pilot program to
6 evaluate the effect that the use of mass timber as the pri-
7 mary construction material in military construction may
8 have on the environmental sustainability, infrastructure
9 resilience, cost effectiveness, and construction timeliness
10 of military construction.

11 (b) **PROJECT SELECTION AND LOCATIONS.**—

12 (1) **MINIMUM NUMBER OF PROJECTS.**—Each
13 Secretary of a military department shall carry out at
14 least one military construction project under the
15 pilot program.

16 (2) **PROJECT LOCATIONS.**—The pilot program
17 shall be conducted at military installations in the
18 continental United States—

19 (A) that are identified as vulnerable to ex-
20 treme weather events; and—

21 (B) for which a military construction
22 project is authorized but a request for proposal
23 has not been released.

1 (c) INCLUSION OF MILITARY UNACCOMPANIED
2 HOUSING PROJECT.—The Secretaries of the military de-
3 partments shall coordinate the selection of military con-
4 struction projects to be carried out under the pilot pro-
5 gram so that at least one of the military construction
6 projects involves construction of military unaccompanied
7 housing.

8 (d) PROGRAM AUTHORITY.—The Secretary of a mili-
9 tary department may carry out a military construction
10 project under the pilot program using the authorities
11 available to the Secretary of Defense under section 2914
12 of title 10, United States Code, regarding military con-
13 struction projects for energy resilience, energy security,
14 and energy conservation.

15 (e) DURATION OF PROGRAM.—The authority of the
16 Secretary of a military department to carry out a military
17 construction project under the pilot program shall expire
18 on September 30, 2024. Any construction commenced
19 under the pilot program before the expiration date may
20 continue to completion.

21 (f) REPORTING REQUIREMENT.—

22 (1) REPORT REQUIRED.—Not later than 180
23 days after the date of the enactment of this Act, and
24 every 180 days thereafter through December 31,
25 2024, the Secretaries of the military departments

1 shall submit to the congressional defense committees
2 a report on the progress of the pilot program.

3 (2) REPORT ELEMENTS.—The report shall in-
4 clude the following:

5 (A) A description of the status of the mili-
6 tary construction projects selected to be con-
7 ducted under the pilot program.

8 (B) An explanation of the reasons why
9 those military construction projects were se-
10 lected.

11 (C) An analysis of the projected or actual
12 carbon footprint, resilience to extreme weather
13 events, construction timeliness, and cost effec-
14 tiveness of the military construction projects
15 conducted under the pilot program using mass
16 timber as compared to other materials histori-
17 cally used in military construction.

18 (D) Any updated guidance the Under Sec-
19 retary of Defense for Acquisition and
20 Sustainment has released in relation to the pro-
21 curement policy for future military construction
22 projects based on comparable benefits realized
23 from use of mass timber, including guidance on
24 prioritizing sustainable materials in establishing

1 evaluation criteria for military construction
2 project contracts when technically feasible.

3 (g) MASS TIMBER DEFINED.—In this section, the
4 term “mass timber” includes the following:

- 5 (1) Cross-laminated timber.
- 6 (2) Nail-laminated timber.
- 7 (3) Glue-laminated timber.
- 8 (4) Laminated strand lumber.
- 9 (5) Laminated veneer lumber.

1 **SEC. 28** [Log 73150]. **AMENDMENT OF UNIFIED FACILI-**
2 **TIES CRITERIA TO REQUIRE INCLUSION OF**
3 **PRIVATE NURSING AND LACTATION SPACE IN**
4 **CERTAIN MILITARY CONSTRUCTION**
5 **PROJECTS.**

6 (a) **AMENDMENT REQUIRED.**—The Secretary of De-
7 fense shall amend UFC 1–4.2 (Nursing and Lactation
8 Rooms) of the Unified Facility Criteria/DoD Building
9 Code (UFC 1–200–01) to require that military construc-
10 tion planning and design for buildings likely to be regu-
11 larly frequented by nursing mothers who are members of
12 the uniformed services, civilian employees of the Depart-
13 ment of Defense, contractor personnel, or visitors include
14 a private nursing and lactation room or other private
15 space suitable for that purpose.

16 (b) **DEADLINE.**—The Secretary of Defense shall com-
17 plete the amendment process required by subsection (a)
18 and implement the amended UFC 1–4.2 not later than
19 one year after the date of the enactment of this Act.

1 **SEC. 28** ____ [Log 73522]. **LIMITATIONS ON AUTHORIZED COST**
2 **AND SCOPE OF WORK VARIATIONS.**

3 (a) PROCESS FOR APPROVING CERTAIN EXCEP-
4 TIONS; LIMITATIONS.—Subsections (c) and (d) of section
5 2853 of title 10, United States Code, are amended to read
6 as follows:

7 “(c) EXCEPTIONS TO LIMITATION ON COST VARI-
8 ATIONS AND SCOPE OF WORK REDUCTIONS.—(1)(A) Ex-
9 cept as provided in subparagraph (D), the Secretary con-
10 cerned may waive the percentage or dollar cost limitation
11 applicable to a military construction project or a military
12 family housing project under subsection (a) and approve
13 an increase in the cost authorized for the project in excess
14 of that limitation if the Secretary concerned notifies the
15 appropriate committees of Congress of the cost increase
16 in the manner provided in this paragraph.

17 “(B) The notification required by subparagraph (A)
18 shall—

19 “(i) identify the amount of the cost increase
20 and the reasons for the increase;

21 “(ii) certify that the cost increase is sufficient
22 to meet the mission requirement identified in the
23 justification data provided to Congress as part of the
24 request for authorization of the project; and

1 “(iii) describe the funds proposed to be used to
2 finance the cost increase.

3 “(C) A waiver and approval by the Secretary con-
4 cerned under subparagraph (A) shall take effect only after
5 the end of the 14-day period beginning on the date on
6 which the notification required by such subparagraph is
7 received by the appropriate committees of Congress in an
8 electronic medium pursuant to section 480 of this title.

9 “(D) The Secretary concerned may not use the au-
10 thority provided by subparagraph (A) to waive the cost
11 limitation applicable to a military construction project or
12 a military family housing project and approve an increase
13 in the cost authorized for the project that would increase
14 the project cost by more than 50 percent of the total au-
15 thorized cost of the project.

16 “(E) In addition to the notification required by this
17 paragraph, subsection (f) applies whenever a military con-
18 struction project or military family housing project with
19 a total authorized cost greater than \$40,000,000 will have
20 a cost increase of 25 percent or more. Subsection (f) may
21 not be construed to authorize a cost increase in excess of
22 the limitation imposed by subparagraph (D).

23 “(2)(A) The Secretary concerned may waive the per-
24 centage or dollar cost limitation applicable to a military
25 construction project or a military family housing project

1 under subsection (a) and approve a decrease in the cost
2 authorized for the project in excess of that limitation if
3 the Secretary concerned notifies the appropriate commit-
4 tees of Congress of the cost decrease not later than 14
5 days after the date funds are obligated in connection with
6 the project.

7 “(B) The notification required by subparagraph (A)
8 shall be provided in an electronic medium pursuant to sec-
9 tion 480 of this title.

10 “(3)(A) The Secretary concerned may waive the limi-
11 tation on a reduction in the scope of work applicable to
12 a military construction project or a military family hous-
13 ing project under subsection (b)(1) and approve a scope
14 of work reduction for the project in excess of that limita-
15 tion if the Secretary concerned notifies the appropriate
16 committees of Congress of the reduction in the manner
17 provided in this paragraph.

18 “(B) The notification required by subparagraph (A)
19 shall—

20 “(i) describe the reduction in the scope of work
21 and the reasons for the decrease; and

22 “(ii) certify that the mission requirement identi-
23 fied in the justification data provided to Congress
24 can still be met with the reduced scope.

1 “(C) A waiver and approval by the Secretary con-
2 cerned under subparagraph (A) shall take effect only after
3 the end of the 14-day period beginning on the date on
4 which the notification required by such subparagraph is
5 received by the appropriate committees of Congress in an
6 electronic medium pursuant to section 480 of this title.

7 “(d) EXCEPTIONS TO LIMITATION ON SCOPE OF
8 WORK INCREASES.—(1) Except as provided in paragraph
9 (4), the Secretary concerned may waive the limitation on
10 an increase in the scope of work applicable to a military
11 construction project or a military family housing project
12 under subsection (b)(1) and approve an increase in the
13 scope of work for the project in excess of that limitation
14 if the Secretary concerned notifies the appropriate com-
15 mittees of Congress of the reduction in the manner pro-
16 vided in this subsection.

17 “(2) The notification required by paragraph (1) shall
18 describe the increase in the scope of work and the reasons
19 for the increase.

20 “(3) A waiver and approval by the Secretary con-
21 cerned under paragraph (1) shall take effect only after
22 the end of the 14-day period beginning on the date on
23 which the notification required by such paragraph is re-
24 ceived by the appropriate committees of Congress in an
25 electronic medium pursuant to section 480 of this title.

1 “(4) The Secretary concerned may not use the au-
2 thority provided by paragraph (1) to waive the limitation
3 on an increase in the scope of work applicable to a military
4 construction project or a military family housing project
5 and approve an increase in the scope of work for the
6 project that would increase the scope of work by more
7 than 10 percent of the amount specified for the project
8 in the justification data provided to Congress as part of
9 the request for authorization of the project.”.

10 (b) CONFORMING AMENDMENT RELATED TO CALCULATING
11 LIMITATION ON COST VARIATIONS.—Section
12 2853(a) of title 10, United States Code, is amended by
13 striking “the amount appropriated for such project” and
14 inserting “the total authorized cost of the project”

15 (c) CLERICAL AMENDMENTS.—Section 2853 of title
16 10, United States Code, is further amended—

17 (1) in subsection (a), by inserting “COST VARI-
18 ATIONS AUTHORIZED; LIMITATION.—” after the
19 enumerator “(a)”;

20 (2) in subsection (b), by inserting “SCOPE OF
21 WORK VARIATIONS AUTHORIZED; LIMITATION.—”
22 after the enumerator “(b)”;

23 (3) in subsection (e), by inserting “ADDITIONAL
24 COST VARIATION EXCEPTIONS.—” after the enu-
25 merator “(e)”;

1 (4) in subsection (f), by inserting “ADDITIONAL
2 REPORTING REQUIREMENT FOR CERTAIN COST IN-
3 CREASES.—” after the enumerator “(f)”; and
4 (5) in subsection (g), by inserting “RELATION
5 TO OTHER LAW.—” after the enumerator “(g)”.

1 **SEC. 28** ____ [Log 73389]. **MODIFICATION OF RESTRICTIONS**
2 **ON USE OF FORMER NAVY PROPERTY CON-**
3 **VEYED TO UNIVERSITY OF CALIFORNIA, SAN**
4 **DIEGO.**

5 (a) **MODIFICATION OF ORIGINAL USE RESTRIC-**
6 **TION.**—Section 3(a) of Public Law 87–662 (76 Stat. 546)
7 is amended by inserting after “educational purposes” the
8 following: “, which may include technology innovation and
9 entrepreneurship programs and establishment of innova-
10 tion incubators”.

11 (b) **EXECUTION.**—If necessary to effectuate the
12 amendment made by subsection (a), the Secretary of the
13 Navy shall execute and file in the appropriate office an
14 amended deed or other appropriate instrument reflecting
15 the modification of restrictions on the use of former Camp
16 Matthews conveyed to the regents of the University of
17 California pursuant to Public Law 87–662.

1 **SEC. 28** ____ [Log 72841]. **REQUIRED INVESTMENTS IN IM-**
2 **PROVING MILITARY UNACCOMPANIED HOUS-**
3 **ING.**

4 (a) INVESTMENTS IN MILITARY UNACCOMPANIED
5 HOUSING.—

6 (1) INVESTMENTS REQUIRED.—Of the total
7 amount authorized to be appropriated by the Na-
8 tional Defense Authorization Act for a covered fiscal
9 year for Facilities Sustainment, Restoration, and
10 Modernization activities of a military department,
11 the Secretary of that military department shall re-
12 serve an amount equal to five percent of the esti-
13 mated replacement cost of the inventory of unim-
14 proved military unaccompanied housing under the
15 jurisdiction of that Secretary for the purpose of car-
16 rying out projects for the improvement of military
17 unaccompanied housing.

18 (2) DEFINITIONS.—In this subsection:

19 (A) The term “military unaccompanied
20 housing” means military housing intended to be
21 occupied by members of the Armed Forces serv-
22 ing a tour of duty unaccompanied by depend-
23 ents.

1 (B) The term “replacement cost”, with re-
2 spect to military unaccompanied housing,
3 means the amount that would be required to re-
4 place the remaining service potential of that
5 military unaccompanied housing.

6 (3) DURATION OF INVESTMENT REQUIRE-
7 MENT.—Paragraph (1) shall apply for fiscal years
8 2022 through 2026.

9 (b) COMPTROLLER GENERAL ASSESSMENT.—

10 (1) ASSESSMENT REQUIRED.—The Comptroller
11 General of the United States shall conduct an inde-
12 pendent assessment of the condition of unaccom-
13 panied military housing under the jurisdiction of the
14 Secretaries of the military departments. As elements
15 of the assessment, the Comptroller General shall
16 analyze—

17 (A) how the prioritization of Facilities
18 Sustainment, Restoration, and Modernization
19 outlays has impacted department infrastructure
20 identified as quality-of-life infrastructure;

21 (B) how that prioritization interacts with
22 the regular budget process for military con-
23 struction projects; and

24 (C) the extent to which Facilities
25 Sustainment, Restoration, and Modernization

1 funds are being used to improve quality-of-life
2 infrastructure.

3 (2) BRIEFING.—Not later than February 2,
4 2022, the Comptroller General shall provide to the
5 Committees on Armed Services of the Senate and
6 the House of Representatives a briefing on the as-
7 sessment conducted pursuant to paragraph (1).

8 (3) REPORT.—No later than December 31,
9 2022, the Comptroller General shall submit to the
10 Committees on Armed Services of the Senate and
11 the House of Representatives a report containing the
12 results of the assessment conducted pursuant to
13 paragraph (1).

1 **SEC. 28** ___ [Log 72902]. **IDENTIFICATION OF ORGANIC IN-**
2 **DUSTRIAL BASE GAPS AND VULNERABILITIES**
3 **RELATED TO CLIMATE CHANGE AND DEFEN-**
4 **SIVE CYBERSECURITY CAPABILITIES.**

5 Section 2504(3)(B) of title 10, United States Code,
6 is amended—

7 (1) by redesignating clauses (i), (ii), and (iii) as
8 clauses (ii), (iii), and (iv); and

9 (2) by inserting before clause (ii), as so redesign-
10 nated, the following new clause:

11 “(i) gaps and vulnerabilities related
12 to—

13 “(I) current and projected im-
14 pacts of climate change; and

15 “(II) defensive cybersecurity ca-
16 pabilities;”.

1 **SEC. 28** ___ [Log 72829]. **CONSIDERATION OF ANTICIPATED**
2 **INCREASED SHARE OF ELECTRIC VEHICLES**
3 **IN DEPARTMENT OF DEFENSE VEHICLE**
4 **FLEET AND OWNED BY MEMBERS OF THE**
5 **ARMED FORCES AND DEPARTMENT EMPLOY-**
6 **EES.**

7 (a) **AMENDMENT OF UNIFIED FACILITIES CRITERIA**
8 **REQUIRED.**—The Secretary of Defense shall amend the
9 Unified Facilities Criteria/DoD Building Code (UFC 1–
10 200–01) to require that military construction planning
11 and design for buildings, including military housing, and
12 related parking structures and surface lots to be con-
13 structed for military installations inside the United States
14 include the installation of charging stations for electric ve-
15 hicles when inclusion of charging stations is feasible and
16 cost effective given the anticipated need for charging sta-
17 tions to service electric vehicles in the Department of De-
18 fense vehicle fleet and electric vehicles owned by members
19 of the Armed Forces and Department employees.

20 (b) **IMPLEMENTATION.**—

21 (1) **SOURCE OF SERVICES.**—Each Secretary of
22 a military department may utilize expertise within
23 the military department or contract with an outside
24 entity to make the determinations required by sub-

1 sections (c) through (f) related to the installation of
2 charging stations for electric vehicles.

3 (2) DETERMINATIONS.—Determinations re-
4 quired by subsections (c) through (f) shall be a data-
5 driven analysis for the purpose of enabling align-
6 ment between internal and external stakeholders and
7 addressing key questions regarding the installation
8 of charging stations, including the composition of
9 the electric vehicle fleet, ownership costs, and kilo-
10 watt hour load profiles for targeted locations. The
11 parties making these determinations shall make use
12 of modeling and multiple scenarios to optimize initial
13 investments and identify priority locations for invest-
14 ment.

15 (c) CONSIDERATIONS RELATED TO CHARGING STA-
16 TION LOCATION.—A determination of whether inclusion of
17 charging stations is feasible and cost effective as part of
18 a military construction project shall include consideration
19 of the following:

20 (1) Calculation of detailed energy profiles of ex-
21 isting loads at locations to include the impacts of
22 managed and non-managed charging options.

23 (2) Local electric vehicle charging profiles, vehi-
24 cle traffic patterns and flow to readily access charg-
25 ing stations, signage needs, proximity to anticipated

1 users of charging stations, and existing building load
2 profiles.

3 (3) Availability of adequate space for vehicles
4 awaiting charging during peak usage times.

5 (4) Required infrastructure upgrades, including
6 electrical wiring.

7 (5) Safety protocols.

8 (d) CONSIDERATIONS RELATED TO TYPE AND NUM-
9 BER OF CHARGING STATIONS.—A determination of the
10 type and number of charging stations to include as part
11 of a military construction project shall include consider-
12 ation of the following:

13 (1) The different capabilities and energy de-
14 mands between level 1 charging, level 2 charging,
15 and level 3 charging.

16 (2) The current and anticipated future distribu-
17 tion of plug-in hybrid electric vehicles and plug-in
18 electric vehicles for a proposed charging station loca-
19 tion and how many electric vehicles will need to be
20 charged at the same time.

21 (3) In the case of level 3 charging, which pro-
22 vides the fastest charging rates, an assessment of
23 supporting utilities infrastructure, potential gaps,
24 and required improvements.

1 (4) The costs and benefits of using a single
2 connector versus multi-connector units.

3 (5) The interoperability of chargers and the po-
4 tential future needs or applications for chargers,
5 such as vehicle-to-grid or vehicle-to-building applica-
6 tions.

7 (e) CONSIDERATIONS RELATED TO CHARGING STA-
8 TION OWNERSHIP.—A determination of the optimal own-
9 ership method to provide charging stations as part of a
10 military construction project shall include consideration of
11 the following:

12 (1) Use of Government owned (purchased, in-
13 stalled, and maintained) charging stations.

14 (2) Use of third-party financed, installed, oper-
15 ated, and maintained charging stations.

16 (3) Use of financing models in which energy
17 and charging infrastructure operations and mainte-
18 nance are treated as a service.

19 (4) Network and data collection requirements,
20 including considerations related to communications
21 with charging and utility networks, managed charg-
22 ing, grid curtailment, and electric vehicles as a grid
23 asset.

1 (5) Cyber and physical security concerns and
2 best practices associated with different ownership,
3 network, and control models.

4 (f) CONSIDERATIONS RELATED TO POWER
5 SOURCE.—A determination of the optimal power source
6 to provide charging stations as part of a military construc-
7 tion project shall include consideration of the following:

8 (1) Transformer and substation requirements.

9 (2) Microgrids and distributed energy to sup-
10 port both charging requirements and energy storage.

11 (g) INSTALLATION PLANS FOR CHARGING STATIONS
12 REQUIRED.—

13 (1) INFRASTRUCTURE DEVELOPMENT PLANS.—

14 For each of fiscal years 2023 through 2027, each
15 Secretary of a military department shall complete
16 for at least five military installations in the United
17 States under the jurisdiction of the Secretary an in-
18 frastructure development plan for the installation of
19 charging stations for electric vehicles.

20 (2) INCLUSION OF ELECTRICITY MICROGRID.—

21 Each infrastructure development plan shall include
22 the use of a microgrid that will be sufficient—

23 (A) to cover anticipated electricity demand
24 of electric vehicles using charging stations in-
25 cluded in the plan; and

1 (B) to improve installation energy resil-
2 ience.

3 (h) DEFINITIONS.—In this section:

4 (1) The term “charging station” refers to a col-
5 lection of one or more electric vehicle supply equip-
6 ment units.

7 (2) The term “connector” refers to the socket
8 or cable that connects an electric vehicle being
9 charged to the electric vehicle supply equipment
10 unit.

11 (3) The term “electric vehicle” includes—

12 (A) a plug-in hybrid electric vehicle that
13 uses a combination of electric and gas powered
14 engine that can use either gasoline or electricity
15 as a fuel source; and

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

19 (4) The term “electric vehicle supply equipment
20 unit” refers to the port that supplies electricity to
21 one vehicle at a time.

22 (5) The term “level 1 charging” refers to an
23 electric vehicle charging method that provides charg-
24 ing through a 120 volt alternating current plug and

1 supplies approximately two to five miles of range per
2 hour of charging time.

3 (6) The term “level 2 charging” refers to an
4 electric vehicle charging method that provides charg-
5 ing through a 240 volt alternating current recep-
6 tacle, requires a dedicated 40-Amp circuit and sup-
7 plies approximately 10 to 20 miles of range per hour
8 of charging time.

9 (7) The term “level 3 charging”, also known as
10 DC Fast Charging, refers to an electric vehicle
11 charging method that provides charging via direct
12 current equipment that does not require a convertor
13 and supplies approximately 60 to 80 miles of range
14 per 20 min of charging.

15 (8) The term “microgrid” refers to a group of
16 interconnected loads and distributed energy re-
17 sources within clearly defined electrical boundaries
18 that acts as a single controllable entity with respect
19 to the grid.

1 **SEC. 28** [Log 73048]. **SECRETARY OF THE NAVY AUTHOR-**
2 **ITY TO SUPPORT DEVELOPMENT AND OPER-**
3 **ATION OF NATIONAL MUSEUM OF THE**
4 **UNITED STATES NAVY.**

5 Chapter 861 of title 10, United States Code, is
6 amended by inserting after section 8616 the following new
7 section:

8 **“§ 8617. National Museum of the United States Navy**

9 “(a) **AUTHORITY TO SUPPORT DEVELOPMENT AND**
10 **OPERATION OF MUSEUM.—**(1) The Secretary of the Navy
11 may select and enter into a contract, cooperative agree-
12 ment, or other agreement with one or more eligible non-
13 profit organizations to support the development, design,
14 construction, renovation, or operation of a multipurpose
15 museum to serve as the National Museum of the United
16 States Navy.

17 “(2) The Secretary may—

18 “(A) authorize a partner organization to con-
19 tract for each phase of development, design, con-
20 struction, renovation, or operation of the museum,
21 or all such phases; or

22 “(B) authorize acceptance of funds from a part-
23 ner organization for each or all such phases.

1 “(b) PURPOSES OF MUSEUM.—(1) The museum shall
2 be used for the identification, curation, storage, and public
3 viewing of artifacts and artwork of significance to the
4 Navy, as agreed to by the Secretary of the Navy.

5 “(2) The museum also may be used to support such
6 education, training, research, and associated activities as
7 the Secretary considers compatible with and in support of
8 the museum and the mission of the Naval History and
9 Heritage Command.

10 “(c) ACCEPTANCE UPON COMPLETION.—Upon the
11 satisfactory completion, as determined by the Secretary of
12 the Navy, of any phase of the museum, and upon the satis-
13 faction of any financial obligations incident thereto, the
14 Secretary shall accept such phase of the museum from the
15 partner organization, and all right, title, and interest in
16 and to such phase of the museum shall vest in the United
17 States. Upon becoming the property of the United States,
18 the Secretary shall assume administrative jurisdiction over
19 such phase of the museum.

20 “(d) LEASE AUTHORITY.—(1) The Secretary of the
21 Navy may lease portions of the museum to an eligible non-
22 profit organization for use in generating revenue for the
23 support of activities of the museum and for such adminis-
24 trative purposes as may be necessary for support of the

1 museum. Such a lease may not include any part of the
2 collection of the museum.

3 “(2) Any rent received by the Secretary under a lease
4 under paragraph (1), including rent-in-kind, shall be used
5 solely to cover or defray the costs of development, mainte-
6 nance, or operation of the museum.

7 “(e) AUTHORITY TO ACCEPT GIFTS.—(1) The Sec-
8 retary of the Navy may accept, hold, administer, and
9 spend any gift, devise, or bequest of real property, per-
10 sonal property, or money made on the condition that the
11 gift, devise, or bequest be used for the benefit, or in con-
12 nection with, the establishment, operation, or mainte-
13 nance, of the museum. Section 2601 (other than sub-
14 sections (b), (c), and (e)) of this title shall apply to gifts
15 accepted under this subsection.

16 “(2) The Secretary may display at the museum rec-
17 ognition for an individual or organization that contributes
18 money to a partner organization, or an individual or orga-
19 nization that contributes a gift directly to the Navy, for
20 the benefit of the museum, whether or not the contribution
21 is subject to the condition that the recognition be provided.
22 The Secretary shall prescribe regulations governing the
23 circumstances under which contributor recognition may be
24 provided, appropriate forms of recognition, and suitable
25 display standards.

1 “(3) The Secretary may authorize the sale of donated
2 property received under paragraph (1). A sale under this
3 paragraph need not be conducted in accordance with dis-
4 posal requirements that would otherwise apply, so long as
5 the sale is conducted at arms-length and includes an
6 auditable transaction record.

7 “(4) Any money received under paragraph (1) and
8 any proceeds from the sale of property under paragraph
9 (3) shall be deposited into a fund established in the Treas-
10 ury to support the museum.

11 “(f) ADDITIONAL TERMS AND CONDITIONS.—The
12 Secretary of the Navy may require such additional terms
13 and conditions in connection with a contract, cooperative
14 agreement, or other agreement under subsection (a) or a
15 lease under subsection (d) as the Secretary considers ap-
16 propriate to protect the interests of the United States.

17 “(g) USE OF NAVY INDICATORS.—(1) In a contract,
18 cooperative agreement, or other agreement under sub-
19 section (a) or a lease under subsection (d), the Secretary
20 of the Navy may authorize, consistent with section 2260
21 (other than subsection (d)) of this title, a partner organi-
22 zation to enter into licensing, marketing, and sponsorship
23 agreements relating to Navy indicators, including the
24 manufacture and sale of merchandise for sale by the mu-

1 seum, subject to the approval of the Department of the
2 Navy.

3 “(2) No such licensing, marketing, or sponsorship
4 agreement may be entered into if it would reflect unfavor-
5 ably on the ability of the Department of the Navy, any
6 of its employees, or any member of the armed forces to
7 carry out any responsibility or duty in a fair and objective
8 manner, or if the Secretary determines that the use of the
9 Navy indicator would compromise the integrity or appear-
10 ance of integrity of any program of the Department of
11 the Navy.

12 “(h) DEFINITIONS.—In this section:

13 “(1) The term ‘eligible nonprofit organization’
14 means an entity that—

15 “(A) qualifies as an exempt organization
16 under section 501(c)(3) of the Internal Revenue
17 Code of 1986; and

18 “(B) has as its primary purpose the pres-
19 ervation and promotion of the history and herit-
20 age of the Navy.

21 “(2) The term ‘museum’ means the National
22 Museum of the United States Navy, including its fa-
23 cilities and grounds.

24 “(3) The term ‘Navy indicators’ includes trade-
25 marks and service marks, names, identities, abbreviations,

1 viations, official insignia, seals, emblems, and acro-
2 nyms of the Navy and Marine Corps, including un-
3 derlying units, and specifically includes the term
4 ‘National Museum of the United States Navy’.

5 “(4) The term ‘partner organization’ means an
6 eligible nonprofit organization with whom the Sec-
7 retary of the Navy enters into a contract, coopera-
8 tive agreement, or other agreement under subsection
9 (a) or a lease under subsection (d).”.

1 **SEC. 28**____ [Log 73155]. **IMPROVED OVERSIGHT OF CERTAIN**
2 **INFRASTRUCTURE SERVICES PROVIDED BY**
3 **NAVAL FACILITIES ENGINEERING SYSTEMS**
4 **COMMAND PACIFIC.**

5 The Secretary of the Navy shall designate an admin-
6 istrative position within the Naval Facilities Engineering
7 Systems Command Pacific for the purpose of improving
8 the continuity of management and oversight of real prop-
9 erty and infrastructure assets in the Pacific Area of Re-
10 sponsibility related to the training needs of the Armed
11 Forces, particularly regarding leased property for which
12 the lease will expire within 10 years after the date of the
13 enactment of this Act.

1 **SEC. 28**____ [Log 73144]. **CONDITIONS ON REVISION OF UNI-**
2 **FIED FACILITIES CRITERIA OR UNIFIED FA-**
3 **CILITIES GUIDE SPECIFICATIONS REGARD-**
4 **ING USE OF VARIABLE REFRIGERANT FLOW**
5 **SYSTEMS.**

6 (a) CONGRESSIONAL NOTIFICATION REQUIRED.—
7 The Under Secretary of Defense for Acquisition and
8 Sustainment shall notify the Committee on Armed Serv-
9 ices of the House of Representatives before executing any
10 revision to the Unified Facilities Criteria/DoD Building
11 Code (UFC 1–200–01) or Unified Facilities Guide Speci-
12 fications regarding the use of variable refrigerant flow sys-
13 tems

14 (b) ELEMENTS OF EFFECTIVE NOTIFICATION.—To
15 be effective as congressional notification for purposes of
16 subsection (a), the notice submitted by the Under Sec-
17 retary of Defense for Acquisition and Sustainment must—

18 (1) be in writing;

19 (2) specify the nature of the revision to be
20 made to the Unified Facility Criteria/DoD Building
21 Code (UFC 1–200–01) or Unified Facilities Guide
22 Specifications regarding the use of variable refrig-
23 erant flow systems;

24 (3) explain the justification for the revision; and

1 (4) be received by the Committee on Armed
2 Services of the House of Representatives at least 30
3 days before the revision takes effect.

1 **SEC. 28** ____ [Log 73472]. **CLARIFICATION OF INSTALLATION**
2 **AND MAINTENANCE REQUIREMENTS RE-**
3 **GARDING FIRE EXTINGUISHERS IN DEPART-**
4 **MENT OF DEFENSE FACILITIES.**

5 Section 2861 of the Military Construction Authoriza-
6 tion Act for Fiscal Year 2020 (division B of Public Law
7 116–92; 133 Stat. ____) is amended by striking “require-
8 ments of national model fire codes developed by the Na-
9 tional Fire Protection Association and the International
10 Code Council” and inserting “NFPA 1, Fire Code of the
11 National Fire Protection Association and applicable re-
12 quirements of the international building code and inter-
13 national fire code of the International Code Council”.

1 **SEC. 34** ____ .**[Log 73531] AUTHORIZATION OF APPROPRIA-**
2 **TIONS.**

3 (a) **AMOUNT.**—There are hereby authorized to be ap-
4 propriated to the Secretary of Energy \$13,650,000 for fis-
5 cal year 2022 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.

DIRECTIVE REPORT LANGUAGE

Table Of Contents

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE III—OPERATION AND MAINTENANCE

ITEMS OF SPECIAL INTEREST

ENERGY ISSUES

Operational Energy

LOGISTICS AND SUSTAINMENT ISSUES

Air Force Mobility Sustainment and Modernization

Army Futures Command Depot-Level Maintenance

C-130 Depot Maintenance Capacity

Defense-Wide Working Capital Fund Cash Management Actions

F-35 Organic Maintenance Capability

Ground Combat Vehicle Maintenance Modernization Report

Landing Gear System Management

Predictive Maintenance

READINESS ISSUES

Body-Worn Cameras for Military Law Enforcement

Navy Optimized Fleet Response Plan

Next Generation 911

Parachute Management System

Preserving Military Training Routes

Readiness Modeling

OTHER MATTERS

Briefing on Progress of Cleanup Actions Related to Department of Defense-Caused Per- and Polyfluoroalkyl Substances Contamination

Continuing Foreign Language Education

Fire Detection and Monitoring

Reducing the Risk of Flash Fire

Research and Development of New and Emerging Technologies for the

Remediation and Disposal of PFAS

Sufficiency of Current Special Operations Force Language Capabilities to Meet Great Power Competition Challenges

Waikoloa Maneuver Area

Water Banking to Support Installation Resiliency

TITLE X—GENERAL PROVISIONS

ITEMS OF SPECIAL INTEREST

OTHER MATTERS

Defense Counterintelligence and Security Agency Working Capital Fund Operations

National Background Investigation Services

TITLE XI—CIVILIAN PERSONNEL MATTERS

ITEMS OF SPECIAL INTEREST

Civilian Personnel in the Office of the Secretary of Defense
DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS
TITLE XXVIII—MILITARY CONSTRUCTION GENERAL
PROVISIONS

ITEMS OF SPECIAL INTEREST

Air Purification Assessment
Arresting Further Science and Technology Infrastructure Decline
Assessment of Childcare Facilities Needs
Conditions of Unaccompanied Personnel Housing
Dillingham Airfield Water System
Emergency Generators for Energy Resiliency
Energy Infrastructure at Former Naval Air Station Barbers Point
Innovative Building Technologies
Installation Security Improvements
Intergovernmental Support Agreements
Land Exchange with the Nisqually Tribe of Indians
Lualualei Naval Road/Kolekole Pass
Naval Air Weapons Station China Lake Modernization
Three Rivers Levee Authority
Update on Tenant's Bill of Rights Implementation

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE III—OPERATION AND MAINTENANCE

ITEMS OF SPECIAL INTEREST

ENERGY ISSUES

Operational Energy

The committee remains concerned about the logistics challenges our armed services will encounter in a contested environment. In particular, the committee is cognizant of the obstacles related to energy that could lead to disruptions in operations due to potential intermittent energy availability.

While the committee is aware of the Department of Defense's nascent efforts to address these issues, the lack of coordination and the focus on addressing both supply- and demand-side element of the problem is concerning. The committee observes that some of the Department's policies, such as a preference for a single drop-in fuel type, may not be the only option for meeting certain requirements of the National Defense Strategy.

The committee notes that industry, as well as our allies and partners, have been investing in hydrogen fuels, electric propulsion systems, and other systems

that increase the range and on-station time of fossil fuel vehicles and that these systems could be selectively applied to reduce the risk in a contested environment. Therefore, the committee directs the Assistant Secretary of Defense for Energy, Installations, and Environment, in coordination with the Director of Logistics for the Joint Staff, the Assistant Service Secretaries of the military departments for Energy, Installations, and Environment, the Commander of U.S. Indo-Pacific Command, and the Director of the Defense Logistics Agency, to submit a report to the House Committee on Armed Services by March 15, 2022, that identifies and evaluates viable operational energy architectures including but not limited to the above for their value in reducing the demand on the contested logistics enterprise. The report shall include at a minimum the following:

(1) an assessment of alternate-fuel-based commercial platforms and products, and the level of suitability, effort, and risk associated with adapting them for Department of Defense use;

(2) a general discussion about potential performance benefits and corresponding operational benefits of platforms powered by alternate fuels, with a specific focus on the feasibility, benefits, and risks of using hydrogen fuels and cached hydrogen fuel feedstock for operational energy in expeditionary advanced base operations;

(3) a discussion of current and future production capacity by U.S. allies and partners for fuel alternatives that could address demand in a contested environment, with a specific focus on the commercial availability of hydrogen and hydrogen fuel feedstocks within the U.S. Indo-Pacific Command area of responsibility;

(4) a review of transportation safety and storage capacity for fuel alternatives, with a focus on the feasibility, benefits, and risks of transporting hydrogen gas in bulk as well as storing hydrogen fuel feedstocks; and

(5) a list of recommendations for Department of Defense research and development investments to address the demand side of the contested logistics environment.

LOGISTICS AND SUSTAINMENT ISSUES

Air Force Mobility Sustainment and Modernization

The committee recognizes the importance of a strong Air Force Reserve Component that can provide needed surge capability to the Active Component during times of peak demand. The Reserve Component is an especially critical force provider of inter- and intra-theater mobility assets to United States Transportation Command, via the Air Force Air Mobility Command. To that end, the committee is concerned that the Air Force continues to divest legacy aircraft from the Reserve Component while it modernizes the Active Component.

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, 2022, on the Air Force's sustainment and modernization plans for the global fleet of C-17

and C-130 aircraft, broken out by Active and Reserve Components, including an assessment of the need for standardized fielding allocations and permanent aircraft tail number assignments for Reserve Component airlift squadrons.

Army Futures Command Depot-Level Maintenance

While the committee is encouraged by the ongoing work of Army Futures Command to modernize Army platforms, it is concerned about how these future systems will be maintained. The committee believes that there must be planning and infrastructure in place for the sustained maintenance of these systems, and that depot-level maintenance will be particularly important. It is also critical that the introduction of new equipment maintenance obligations be effectively integrated with existing capabilities to ensure that Army Futures Command can meet delivery schedule requirements. Therefore, the committee directs the Secretary of the Army to submit a report to the House Committee on Armed Services not later than January 31, 2022, that includes the following:

- (1) an analysis of the ability of the Army to perform depot-level sustained maintenance of any future systems developed by Army Futures Command; and
- (2) recommendations for additional maintenance capabilities that will need to be established to sustain such systems.

C-130 Depot Maintenance Capacity

The committee is aware that Air Force, Navy, and Marine Corps C-130 depot maintenance is performed at multiple locations and Air Force Air Logistics Centers, and it has concerns about potential capacity and capability shortfalls to execute overflow or surge C-130 depot maintenance. Accordingly, 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, 2022, on the Air Force's efforts to ensure that adequate capacity and capability exists to complete all current and forecast C-130 depot maintenance. The briefing should include an explanation of C-130 depot work performed, by location; a description of the workforce composition at each location, broken down between government and contractor employees; and a description of each location's existing additional capability and capacity to meet surge or overflow C-130 depot maintenance. If capability or capacity shortfalls are identified, the briefing should include the Air Force's plans to mitigate these shortfalls.

Defense-Wide Working Capital Fund Cash Management Actions

The committee is aware that the Defense-Wide Working Capital Fund has faced cash management challenges due to the COVID-19 pandemic and subsequent reduced operational tempos of the individual services, and that the Defense Logistics Agency has executed multiple near-term actions to maintain adequate cash balances, including purchase order reductions, reprogramming actions, and

rate increases. However, the committee is concerned with the potential longer-term impacts to readiness and supply chain resilience as a result of these cash management actions. Therefore, the committee directs the Director, Defense Logistics Agency to submit a report to the House Committee on Armed Services not later than March 1, 2022, on the overall solvency of the Defense-Wide Working Capital Fund. At a minimum, the report shall address the following elements:

(1) a review of monthly fiscal years 2020 and 2021 cash balances compared to upper and lower limits, and cash management actions taken to ensure adequate balances;

(2) an assessment of the impact to the supply base from cash management actions taken in fiscal years 2020 and 2021;

(3) a review of strategies implemented to lessen the impact on the supply base, especially smaller vendors, due to fiscal year 2020-2021 cash management actions;

(4) an assessment of what impact reduced purchase order actions in fiscal years 2020 and 2021 will have on future readiness over 6-month, 12-month, 18-month, and 24-month time horizons;

(5) A review of actions taken in the President's budget request for fiscal year 2022 that will allow for the normalization of purchase orders in execution year 2022;

(6) an identification of the percentage of fluctuation related to long-range forecasting and demand requirements for troop support end items, and an assessment of specific processes used to track and reduce such fluctuations; and

(7) a recommendation as to whether shifting from a long-range forecasting model to a consumption pull model would create a more consistent purchase order environment and facilitate cost reductions as a result of greater certainty for contractors in the supply chain, and whether reducing the range of minimum and maximum contract obligations to a range of plus or minus 20 percent of annual estimated quantities would relieve ordering fluctuation and improve supply chain resilience.

F-35 Organic Maintenance Capability

The committee recognizes the importance of the F-35 Lightning II program to our national defense and its foreign partners. The committee is concerned that the program faces affordability challenges for the services, and that organic repair capability could play a large role in reducing sustainment costs.

Given the significance of the F-35 program to the future of tactical air for the military, the Department of Defense's need to operate and deploy the F-35 on a widespread basis in the coming years, the involvement of international partners and foreign military sales customers, and the importance of maintaining affordability, the committee directs the Comptroller General of the United States to review organic maintenance capability of the F-35. At minimum, the review shall address the following elements:

(1) depot standup, including prospects for moving some aspects from contract-led to organic repair capability; F-35 Joint Program Office efforts to speed up the establishment of depot maintenance capability; technical data rights and unique tooling requirements associated with an expanded organic depot repair capability; prime and sub-prime contractor efforts to provide required technical data and unique tooling in accordance with organic repair requirements; and an assessment of the actual versus forecast complexity for scheduled and unscheduled depot-level repair actions, as well as planned efforts to account for expanded complex repair requirements;

(2) options, progress, and impact for organic supply chain management; options and efforts to make supply chain management an organic task, as well as assessment of potential cost savings in doing so;

(3) field-level maintenance challenges including Autonomic Logistics Information System (ALIS), ALIS to Operational Data Integrated Network transition, lack of technical data and unique tooling, and reliability and maintainability problems; assessment of key drivers of Not Mission Capable for Maintenance (NMC-M) rates; assessment of Department efforts to address key drivers to NMC-M rates; and

(4) other items the Comptroller General determines appropriate.

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than March 1, 2022, on the Comptroller General's preliminary findings and to present final results in a format and timeframe agreed to at the time of the briefing.

Ground Combat Vehicle Maintenance Modernization Report

The committee is aware that while Army rotary-wing aviation has digitized their systems to increase efficiency, those in ground combat vehicle maintenance are still using paper records for multiple processes including ordering parts and standard checks. The committee is concerned that such techniques slow the maintenance process down and increase the risk of human error. The committee notes that recent reports have highlighted Army Materiel Command's efforts to modernize and invest in technologies that will speed up and improve the maintenance process. The committee applauds these efforts and believes there is room to investigate further modernization efforts involving ground combat units force-wide.

Therefore, the committee directs the Assistant Secretary of the Army for Acquisition, Logistics, and Technology to provide a report to the House Committee on Armed Services by February 15, 2022, assessing at a minimum the following:

(1) a description of current field-level maintenance procedures for ground combat vehicles;

(2) a review of current efforts that the Department of the Army has taken to digitize items including, but not limited to, procedures and manuals;

- (3) a discussion of the options available for further digitization and the expected efficiencies that can be gained from these possible changes;
- (4) a cost estimate for procuring said capabilities; and
- (5) an estimated implementation plan and timeline for doing so.

Landing Gear System Management

The committee is aware of seven landing gear related Air Force flight mishaps between June 2020 and May 2021, involving seven different aircraft (A-10, C-17, F-15, F-16, F-22, F-35, and MQ-9), and has concerns about landing gear systems management across the total Air Force inventory. 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, 2022, on the Air Force's efforts to reduce landing gear related mishaps and discrepancies across its entire inventory of aircraft. The briefing should include a 10-year historical review of landing gear related mishaps; identification of any trend data across platforms; and an assessment of the need to consolidate management of total inventory landing gear systems to one organization within the Air Force as a means to identify trend data across platforms, develop common solutions, and reduce Air Force landing gear systems malfunctions and mishaps.

Predictive Maintenance

The committee notes that the Department of Defense has in recent years undertaken various initiatives to determine the most effective and efficient way to plan and perform maintenance on its weapon systems, including through preventive maintenance performed on a regular schedule and conditions-based maintenance performed at predetermined trigger events. The military services have begun developing predictive maintenance programs that rely on sensor technology, data analytics, and algorithms, rather than calendars and current conditions, to better plan what maintenance is needed when. If performed effectively, predictive maintenance can reduce weapon system downtime, ensure adequate supply of needed parts, and decrease costs.

The committee directs the Comptroller General of the United States to review the incorporation of predictive maintenance into the military services' weapon system sustainment. The review should address the following elements:

- (1) the extent to which the Department and the military services have incorporated predictive maintenance into the sustainment of ground combat systems, ships and submarines, and aircraft;
- (2) the extent to which the Department and the military services have set goals, resourced, tested, and executed their predictive maintenance efforts; and
- (3) the extent to which the Department and the military services have established policies and implemented processes to track and manage predictive maintenance efforts.

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than March 1, 2022, on the Comptroller General's preliminary findings and present final results in a format and timeframe agreed to at the time of the briefing.

READINESS ISSUES

Body-Worn Cameras for Military Law Enforcement

The committee recognizes the expansive use of body cameras by law enforcement personnel around the nation, along with the positive benefits that result from their use. However, the committee also notes that there are differences between some of the tasks that military law enforcement and civilian law enforcement are called to perform. Therefore, the committee directs the Assistant Secretary of Defense for Energy, Installations, and Environment to submit a report to the House Committee on Armed Services by February 15, 2022, assessing the use of body cameras by military law enforcement. The committee believes that local community stakeholders should also be engaged during the production of this report, to make sure their thoughts and suggestions are taken into consideration and incorporated into any final report recommendations. The report shall include at a minimum the following:

- (1) an assessment of the viability of using body cameras by military law enforcement personnel;
- (2) a description of the duties where their use would be the most appropriate and impactful;
- (3) a discussion of what policies would need to be in place to govern the storage, release, and distribution of camera recordings to address accountability, transparency, and national security concerns;
- (4) a cost estimate of deployment and storage of camera equipment; and
- (5) to the extent that body cameras are deemed appropriate and necessary for use by military law enforcement personnel, an implementation plan for their deployment and use.

Navy Optimized Fleet Response Plan

The committee notes that in order to address its persistently low readiness levels, the Navy implemented a revised operational schedule, the Optimized Fleet Response Plan (OFRP), in November 2014. OFRP was intended to address several problems that had developed as the Navy coped with heavy operational demands. These included increased ship deployment lengths, reduced or deferred maintenance, decreased predictability for sailors and the ship repair industrial base, declining ship conditions across the fleet, and longer maintenance periods. The Navy's implementation of the OFRP—and readiness recovery more broadly—is premised on adherence to more sustainable deployment, training, and maintenance schedules.

However, the Navy has faced persistent challenges in implementing OFRP since its inception and Navy readiness declined between 2017 and 2019. In addition, the Navy has experienced continued difficulties with ship maintenance timeliness, implementing training for the high-end fight, limiting deployment lengths, maintaining ship readiness after deployment to provide for surge capacity, meeting “fit and fill” crewing goals across the fleet, and maintaining carrier air wing readiness. In October 2020, the Navy updated its OFRP instruction to implement additional changes and address lessons learned. The committee remains concerned about the Navy’s implementation of OFRP and its effect on the Navy’s readiness recovery.

Therefore, the committee directs the Comptroller General of the United States to assess the following:

(1) the extent to which the Navy has been successful in achieving OFRP goals for maintenance completion, timeliness, training certifications, personnel fit/fill rates, operational availability, and others;

(2) the extent to which OFRP implementation impacted carrier air wing maintenance, training, and readiness;

(3) the extent to which the Navy has taken action to improve OFRP and the challenges it faces in maximizing the fleet’s operational availability; and

(4) any other related matters the Comptroller General considers appropriate.

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than November 1, 2021, on the Comptroller General’s preliminary findings and to present final results in a format and timeframe agreed to at the time of the briefing.

Next Generation 911

The committee recognizes the importance of quick response times in responding to emergencies on military installations. Incidents at Naval Air Station Corpus Christi, Joint Base Pearl Harbor-Hickam, and Washington Navy Yard show the importance and need for rapid alert systems and responses. The committee is aware of Department of Defense’s ongoing efforts to upgrade their public safety communications ecosystem, taking advantage of innovative technological solutions in the emergency services space to increase efficiency and save lives. The committee is encouraged by these steps by the Department and looks forward to further progress in this realm as their planning continues.

The committee directs the Director of the Defense Information Systems Agency to provide a briefing to the House Committee on Armed Services by February 15, 2022, including at a minimum the following:

(1) an update of ongoing efforts and plans to modernize emergency alert systems on domestic installations;

(2) a discussion on the specific challenges to modernizing emergency alert systems on domestic installations;

(3) an assessment of the possible use of an outside project manager or consulting service to assist in Department efforts to modernize emergency alert systems on domestic installations; and

(4) a description of next steps for the implementation of this program.

Parachute Management System

The committee continues its interest in updating the way in which the Army manages parachute systems. In the committee report accompanying the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (H. Rept. 116-442), the committee required a report on Personnel Parachute and Cargo Management Inventory which the Army provided to the committee on January 8, 2021. The report concluded that the existing paper-based system used by parachute riggers is inadequate. As a result, the Army is developing an interim parachute management system that is slated to be replaced by a program of record in the 2027 timeframe.

The committee is concerned that the Army has decided to forgo suitable commercially available parachute management systems, and instead develop a government solution to bridge the gap between today and the program of record replacement. The committee notes that the report does not conclude that the commercially available systems do not meet the Army's requirements. The committee therefore directs the Secretary of the Army to submit a report to the House Committee on Armed Services by February 1, 2022, containing at a minimum an analysis of the ability of commercial parachute management solutions to meet Army requirements and the cost of developing a government solution versus deploying an interim solution for parachute management with a commercial-off-the-shelf system.

Preserving Military Training Routes

The committee commends the Military Aviation and Installation Assurance Siting Clearinghouse (the Clearinghouse) for its efforts in ensuring that compatible energy development for energy security does not present an undue national security risk or undermine readiness. The committee notes that the Clearinghouse has conducted considerable analysis related to potential wind energy projects on military training routes and ensuring that adequate mitigations are in place to avoid any adverse impact on military operations and readiness. Further, the committee encourages the Department of Defense to engage with all stakeholders as part of its process to assess and make a determination of whether an individual project is compatible. As such, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by March 1, 2022, to include, at a minimum the following:

(1) an update on the process by which the Clearinghouse reviews and seeks stakeholder input on proposed wind energy projects with the potential to impact military training routes;

(2) a review of available mitigations to include technological mitigations being used to avoid any negative impact to readiness;

(3) any ongoing research and development programs to mitigate readiness impacts of wind turbines and how emerging technologies are factored into the Clearinghouse's compatibility analysis;

(4) a discussion of how the Clearinghouse assesses the cumulative impacts of wind projects on the viability of a military training route; and

(5) a list of military training routes that are no longer in use due to wind energy projects, and what training mitigations were put in place to counter the readiness impacts of those routes not being available for use.

Readiness Modeling

The committee is encouraged by the Under Secretary of Defense for Acquisition and Sustainment's efforts to improve readiness and control lifecycle costs. The committee encourages the Department of Defense to expand these efforts across the enterprise and look at the potential for using modeling for all complex defense systems, performing simulation and analytically optimizing readiness and lifecycle cost outcomes. The committee notes that this methodology could reliably redefine readiness not as a single measure, but as a cost-optimized curve that could provide Congress and the Department with multiple support options across an array of budgetary scenarios thereby increasing understanding of the steps required to reduce lifecycle costs and improve system performance. Therefore, the committee directs the Under Secretary of Defense for Acquisition and Sustainment to submit a report to the House Committee on Armed Services by December 1, 2021, on efforts to standardize readiness modeling for major weapon systems across the Department of Defense enterprise.

OTHER MATTERS

Briefing on Progress of Cleanup Actions Related to Department of Defense-Caused Per- and Polyfluoroalkyl Substances Contamination

The committee remains concerned about the progress of environmental remediation at sites contaminated with perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) caused by the Department of Defense. The committee recognizes the concerns of communities impacted by this contamination and their frustration with poor communication by the Department. Accordingly, the committee directs the Under Secretary of Defense for Acquisition and Sustainment to provide a briefing not later than February 1, 2022, on the progress of all ongoing environmental remediation actions to clean up PFOS- and PFOA-contaminated sites. The briefing shall at a minimum include the following:

(1) a list of contaminated sites by service;

(2) the status of environmental remediation at each site;

(3) for sites that have completed the preliminary assessment or site inspection phase, the number that have been assessed to require no further action and the justification for this finding;

(4) for sites that have proceeded to the remedial investigation or feasibility study phase, the timeline for completion of this phase;

(5) for sites that have completed the remedial investigation or feasibility study phase, a discussion of next steps to include, where appropriate, the justification for a finding that no further action is required;

(6) a discussion of any site where duly promulgated State standards or regulations have been assessed as applicable or relevant and appropriate requirements; and

(7) the means by which the Department is communicating with community stakeholders about the progress of environmental remediation actions.

Continuing Foreign Language Education

The committee recognizes the importance of providing ongoing foreign language instruction to maintain linguists' highly perishable skills after they transition from education or training settings to operational environments. In addition, given the importance of frequently updating language and cultural awareness training content, it is also critical that the Department of Defense monitor the quality and suitability of its post-schoolhouse language training programs and establish metrics to ensure training effectiveness. Therefore, the committee directs the Under Secretary of Defense for Personnel and Readiness to submit a report to the House Committee on Armed Services, not later than March 1, 2022, that includes the following:

(1) a summary of the Department's in-person and virtual offerings for language professionals to sustain their proficiency, including information on these platforms' online and mobile accessibility;

(2) a description of the Department's utilization of both organic and commercially available advanced foreign language tools;

(3) a description of the extent to which the Department's current tools and programs include multimedia content, including video, audio, print, and interactive features; and

(4) information on the oversight and management of these programs, including an assessment of the necessity and feasibility of establishing an executive agent for continued foreign language education.

Fire Detection and Monitoring

The committee is aware of past Department of Defense efforts to assist the State of California in the initial detection and monitoring of wildfires through a pilot program known as Firefly. In recent years, wildfires have burned millions of acres, causing economic damage and the displacement of thousands of people. The committee is also aware that this pilot program is scheduled to expire on September

30, 2021, and of the Department of Defense's efforts to transition the program to the National Interagency Fire Center. As the Department executes its transition, the committee is concerned about whether Department-provided resources and support will be made available to the National Interagency Fire Center. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by February 15, 2022, that will include at a minimum the following:

- (1) a history of the Firefly program, examples of the types of data it provides, and how that data is ultimately used by the State;
- (2) a full review of what resources will and will not be transferred from the Firefly program to the National Interagency Fire Center and why; and
- (3) an assessment of what other resources could be made available to the States to assist in the detection and monitoring of wildfires.

Reducing the Risk of Flash Fire

The committee is aware of the ongoing risks of flash fire to members of the Armed Forces and National Guard and encourages the implementation of enhanced protections against this significant category of injury. The committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by February 1, 2022, on the risk of flash fire to members of the Armed Forces and National Guard of the United States which shall include at a minimum:

- (1) an assessment of the risk to members of the Armed Forces and National Guard presented by flash fire in combat and non-combat operations;
- (2) a review of existing criteria for determining in what circumstances combat uniforms of the Armed Forces and National Guard are required to be flame-resistant;
- (3) the potential benefits of flame-resistant combat uniforms on operational safety and force protection; and
- (4) plans for enhancing protections for members of the Armed Forces and National Guard against flash fire.

Research and Development of New and Emerging Technologies for the Remediation and Disposal of PFAS

The committee commends the Defense Strategic Environmental Research and Development Program and Environmental Security Technology Certification Program for their work on the research and development of new technologies to aid in the environmental remediation of soils and water contaminated with per- and polyfluoroalkyl substances (PFAS), and the safe disposal of aqueous film-forming foam and other PFAS-contaminated items. However, the committee is aware that there is still significant work to be done in the development and field-testing of these technologies. 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 February 1, 2022, on its continuing efforts to

develop and field remediation and disposal technologies to address PFAS contamination. The briefing shall at a minimum address the following:

- (1) a description of completed and ongoing work in PFAS sampling and analysis technologies;
- (2) a description of completed and ongoing work in in situ and ex situ treatment for PFAS to include work or planned work in the following areas: super-critical water oxidation technology, granulated active carbon filter alternatives, and thermal destruction; and
- (3) a description of completed and ongoing work on incineration alternatives for disposal to include non-thermal plasma technologies, various thermal and hydrothermal technologies, chemical and photo/electric reduction technologies, and electron beam technologies.

Sufficiency of Current Special Operations Force Language Capabilities to Meet Great Power Competition Challenges

The shift in focus by the Department of Defense on strategic competition with near-peer adversaries necessitates a force that is not simply proficient in foreign languages such as Chinese and Russian, but also regional dialects and the languages of relevant foreign partners. Proficiency and sufficiency of foreign language skills are a necessity for the joint force to conduct irregular warfare (IW), and the Department must maintain an expandable baseline level of institutional readiness, to include that of foreign language proficiency, to meet the full range of enduring IW requirements. While the conduct of IW is a whole-of-government effort in which the Department plays an important role, U.S. Special Operations Forces (USSOF) are an integral part of those military activities carried out below the level of armed conflict and therefore must maintain a high degree of proficiency in those languages critical to enable strategic competition.

The committee is concerned that the last two decades of combatting violent extremism has impacted USSOF's ability to access and participate in foreign language training and thus led to an atrophy of such skills across the formation. Further, the committee is aware that foreign language readiness of the formation is an element that is not well documented nor assessed.

Therefore, the committee directs the Comptroller General of the United States to conduct a review of the foreign language skills of special operations forces. The review shall assess:

- (1) the required number of SOF personnel trained and proficient in foreign languages;
- (2) the current number of SOF personnel trained and proficient in foreign languages;
- (3) the distribution of SOF personnel with language skills by military occupational specialty;
- (4) the ways in which proficiency of foreign languages is determined;
- (5) the accessibility of such foreign language programs by SOF personnel;

(6) how the Department determines the sufficiency of existing foreign language training, education, and testing programs to address current and emergent threats;

(7) any gaps in foreign language readiness to include specific shortfalls in critical languages and mitigations to address those gaps; and

(8) any other areas the Comptroller General deems appropriate.

The committee directs the Comptroller General to provide a briefing to the House Committee on Armed Services by March 4, 2022, on the initial findings and to submit a final report on a date agreed to at the time of the briefing.

Waikoloa Maneuver Area

The committee is aware that Waikoloa Maneuver Area is a formerly used defense site on the island of Hawaii that extends to over 100,000 acres on the northwest side of the island. The committee notes that two surface cleanup actions were taken shortly after the end of the Second World War to clean up unexploded ordnance and that additional contracts have been completed to clear areas planned for development. The United States Army Corps of Engineers has assessed certain areas of the site as moderate to high risk areas. To date, 28,000 acres have been cleared. The committee is concerned that munitions continue to be found on the site, and that there has not been sufficient progress in clearing areas planned for development. Accordingly, the committee directs the Assistant Secretary of Defense for Energy, Installations, and Environment to provide a report to the House Committee on Armed Services by February 1, 2022, that shall include at a minimum the following:

(1) an updated estimate for the cost to complete the investigation, cleanup, and long-term monitoring of the site;

(2) a prioritized timeline and plan for cleaning up the areas of the site planned for industrial or agricultural, and other development;

(3) a description of ongoing communication efforts with community stakeholders on the progress and future plans for cleanup; and

(4) the status of current and planned contract awards for remaining investigation and cleanup work.

Water Banking to Support Installation Resiliency

The committee is concerned about the threat of drought and water insecurity, particularly for military installations in the western United States that are wholly or in part west of the Continental Divide. The committee contends that resiliency planning, particularly installation resiliency master planning, must be a key priority for the military departments to ensure that wise investments are made to ensure efficient management and storage of this resource and to model future requirements. Accordingly, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services not later than April 1, 2022, that shall at a minimum contain the following:

- (1) the results of a survey of water resources in the western United States providing water to military installations;
- (2) the amount of water purchased on behalf of military installations in the western United States by the Department annually;
- (3) a description of how such water (total) is stored and by what means (surface, subsurface, or by other means) by military installations;
- (4) the amount of such purchased water that is stored as emergency reserve for the installation;
- (5) risk factors that could contribute to the loss of such purchased water resources;
- (6) a discussion of alternative storage methods that could provide additional resiliency; and
- (7) the potential for regional transfers of purchased water to mitigate water insecurity or achieve resiliency.

TITLE X—GENERAL PROVISIONS

ITEMS OF SPECIAL INTEREST

OTHER MATTERS

Defense Counterintelligence and Security Agency Working Capital Fund Operations

The committee notes that when it was responsible for Federal background investigations, the Office of Personnel Management (OPM) struggled to manage its working capital fund in accordance with best practices, project its workload, and set appropriate and transparent rates for its customers. The Defense Counterintelligence and Security Agency (DCSA) became the Government's primary investigative service provider in October 2020, and also intends to finance its background investigation activities using a working capital fund. It is critical that appropriate controls, processes, and procedures be established from the onset to ensure that DCSA management of the working capital fund amounts is in accordance with best practices.

Therefore, the committee directs the Comptroller General of the United States to review the processes, procedures, and operations of DCSA's defense working capital fund. This review should address the following elements:

- (1) the transfer of funds from OPM's working capital fund to DCSA's working capital fund and the effect the loss of revenue from background investigations has had on OPM's operations;
- (2) DCSA's use of different revenue streams to fund its operations and the controls, processes, and procedures it has put in place to ensure working capital fund amounts are used only for eligible activities;

(3) the extent to which DCSA has maintained its working capital fund cash balance within appropriate upper and lower thresholds and the drivers behind increases or decreases in the DCSA working capital fund cash balance;

(4) DCSA's efforts to effectively manage its working capital fund by applying lessons learned and using best practices for working capital fund operations; and

(5) DCSA's efforts to plan for changes in costs as Trusted Workforce 2.0 and continuous vetting are implemented, as well as the effect this is expected to have on rates charged to customers, including administrative overhead costs.

The committee further directs the Comptroller General to provide a briefing on the review to the House Committee on Armed Services not later than March 1, 2022, and to submit a final report on a date agreed to at the time of the briefing.

National Background Investigation Services

The committee notes that the Defense Counterintelligence and Security Agency (DCSA) is developing the National Background Investigation Services (NBIS) system, which will be the Federal Government's primary information technology system for end-to-end personnel vetting and will replace the suite of legacy background investigation and case management systems previously operated by the Office of Personnel Management. The NBIS system will be the centerpiece of the Federal Government's transformation to a modernized personnel vetting system and will functionalize critical innovations such as continuous vetting as the background investigations enterprise moves from periodic reinvestigations to real-time automated record checks. However, the committee is concerned by the NBIS system's cost, delayed delivery schedule, potential security vulnerabilities, and information sharing challenges with key stakeholders.

Therefore, the committee directs the Comptroller General of the United States to review the NBIS system. This review should address the following elements:

(1) the amount of funding requested, expended, and projected thus far for the NBIS system and the associated capabilities that have been delivered;

(2) the extent to which DCSA has planned for and implemented cybersecurity controls for both the NBIS system and legacy background investigation systems;

(3) the extent to which DCSA is engaging stakeholders in the development of NBIS requirements and capabilities; and

(4) any other related matters the Comptroller General considers appropriate.

The committee further directs the Comptroller General to provide preliminary observations to the House Committee on Armed Services not later than March 1, 2022, and to submit a final report on a date agreed to at the time of the briefing.

TITLE XI—CIVILIAN PERSONNEL MATTERS

ITEMS OF SPECIAL INTEREST

Civilian Personnel in the Office of the Secretary of Defense

The committee notes that civilian oversight and control of the Armed Forces is essential to ensure accountability, readiness, and the deployment of the Armed Forces in the national interest. A strong civilian workforce in the Office of the Secretary of Defense (OSD), particularly in the Office of the Under Secretary of Defense for Policy (OUSDP), is essential to maintain this principle of civilian control of the military. However, hiring freezes and attrition in OUSDP have led to a manpower reduction of almost 27 percent over the last 11 years. This has resulted in an inappropriate reliance on contractors and undermined OUSDP's ability to carry out robust civilian control and oversight of the Armed Forces. The committee encourages the Department of Defense to undertake an assessment of the civilian billets in OUSDP and consider increasing the size of the OUSDP civilian workforce to better reflect mission needs and reduce reliance on contracted personnel.

Further, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services not later than January 31, 2022, that includes the following:

- (1) the number of military and civilian personnel assigned to or employed by each OSD component in each of the previous 10 fiscal years;
- (2) the number of contractor personnel supporting each OSD component, including contractor personnel performing “inherently governmental functions,” “closely associated with inherently governmental functions,” “critical functions” (as defined in sections 129a and 2463 of title 10, United States Code), as well as the number of staff augmentation contractors supporting each component in each of the previous 10 fiscal years;
- (3) the share of civilian OSD personnel allocated to OUSDP in each of the previous 10 fiscal years; and
- (4) an assessment of whether the number of civilian billets has kept pace with changes in OUSDP's mission over time and whether an increase to the personnel cap established by section 143 of title 10, United States Code, is necessary to ensure sufficient civilian staffing in OUSDP and enable corrective action for any inappropriate contracting.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

ITEMS OF SPECIAL INTEREST

Air Purification Assessment

The committee remains concerned about airborne environmental and public health hazards inside buildings on military installations. The committee notes that there is a wide range of potential hazards including infectious diseases, mold spores, and other airborne pollutants. The committee believes that some commercial, off-the-shelf air purification devices are capable of capturing and destroying viruses, bacteria, mold spores, and other microscopic airborne pollutants, such as volatile organic compounds, and these positive attributes have recently been highlighted as part of an effective response to COVID-19. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by February 1, 2022, on an assessment of the Unified Facilities Criteria with respect to air purification standards and whether more widespread deployment of portable air purification technology should be considered to improve the air quality of base housing and other on-base facilities.

Arresting Further Science and Technology Infrastructure Decline

The committee notes that the science and technology sector of the Department of Defense is facing an accelerating infrastructure degradation and that these increasingly inadequate facilities require frequent updates to keep pace with modern standards, increase secure processing capability, and ensure safe operation. The committee further notes that in the last 5 years there have been several authorities including the ability to use up to \$6.0 million in operations and maintenance funding for available military construction not otherwise authorized by law. The committee observes that these authorities have been underutilized.

The committee encourages the Secretary of Defense to develop policies, guidelines, and procedures for authorized innovative alternative financing mechanisms to share construction and maintenance costs with the private sector to reduce risks, provide greater flexibility, generate cost savings; and, to leverage the existing lease authorities in section 2667 of title 10, United States Code, for potential out-lease of existing property on Federal land to the private sector.

Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by December 1, 2022, that addresses the use of existing authorities to prevent further degradation of laboratory facilities. The report should address at a minimum the following:

- (1) the potential increase in funding streams for maintenance by charging a 4 percent fee for service under section 2363 of title 10, United States Code, by service;
- (2) the amount of projects obligated using operations and maintenance funds through section 2805 of title 10, United States Code, over the last 5 years, by service;
- (3) opportunities to out-lease defense real estate to generate further funds for recapitalization;

- (4) an assessment of statutory and policy impediments to executing leasing options to arrest further decline of the science and technology sector; and
- (5) an assessment of the existing science and technology sector facilities condition and the impact of that condition on mission requirements, by service.

Assessment of Childcare Facilities Needs

The committee is cognizant of the critical need among service men and women and Department of Defense civilians for child care. The committee notes that a lack of child care can impact retention and therefore is an important readiness issue. With approximately 200,000 children under the Department's purview, availability of child care is a topic that impacts families around the globe. Further, the committee is aware of reports that a significant number of children on childcare waitlists are age 3 and under. Therefore, the committee directs the Assistant Secretary of Defense for Energy, Installations, and Environment to submit a report to the House Committee on Armed Services not later than February 15, 2022, assessing at a minimum the following:

- (1) a list of domestic installation childcare facilities including the average size of facility waitlist over a previous 3-year period;
- (2) an assessment of efforts by the Department of Defense to identify solutions to improve childcare availability and reduce waitlist time;
- (3) a review of the extent to which childcare facility staffing availability is a factor for childcare availability; and
- (4) an assessment of whether including childcare facilities and their administration in agreements for new privatized military family housing projects would be a viable solution.

Conditions of Unaccompanied Personnel Housing

The committee is concerned that the military services have not allocated sufficient resources to the sustainment of unaccompanied personnel housing such as barracks and dormitories. The committee notes that for the last two decades the military services have taken risk in the the sustainment of their infrastructure portfolios writ large, and that quality of life infrastructure such as unaccompanied personnel housing has suffered considerable degradation. The committee is concerned that the military services do not have a plan to budget for the mounting costs of remedying the deficiencies in unaccompanied housing and that this will in turn have a detrimental impact on the retention of our best and brightest service members.

The committee notes that the Army has announced a 10-year, nearly \$10.0 billion plan to renovate or replace barracks so that none are in poor (Q3) or failing (Q4) condition. However, the other military services have not provided a similarly detailed assessment of the unaccompanied housing. Accordingly, the committee directs the Secretary of the Air Force, the Secretary of the Navy, and the Secretary

of the Army to each submit a report to the House Committee on Armed Services by June 1, 2022, that includes at a minimum the following:

- (1) a listing of unaccompanied personnel housing facilities that are in a poor (Q3) or failing (Q4) condition;
- (2) the cost to renovate or replace each facility to bring it up to a good (Q1) condition; and
- (3) the service's 10-year plan to address its unaccompanied personnel housing discrepancies.

Dillingham Airfield Water System

The committee is aware of ongoing negotiations between the Army, U.S. Department of Transportation, and Hawaii Department of Transportation regarding the long-term lease of Dillingham Airfield. The committee is aware that Dillingham Airfield is primarily used for rotary-wing aircraft, but could serve as an emergency redirect airfield for Honolulu International Airport. The committee is aware that there is a water system co-located with the airfield that provided potable water to the airfield as well as certain city- and county-operated locations and several private residences. The committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services by December 1, 2021, on the current status and potential long-term options for Dillingham Airfield. This briefing shall include options that would facilitate establishment of a water utility cooperative or other regime to manage the water system on the airfield.

Emergency Generators for Energy Resiliency

The committee continues to have concerns regarding the resiliency and efficiency of the Department of Defense's critical infrastructure, and specifically the slow pace at which the military departments are leveraging existing authority to improve their energy efficiency and improve resiliency, including the use of energy savings contracts such as those authorized under section 2913 of title 10, United States Code. The committee commends the military departments for expanding their use of technologies such as microgrids to reduce demand for backup generators, but remains concerned that the military departments continue to exclude consideration of more efficient and emerging technologies.

Given the concerns, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services, not later than February 1, 2022, that includes at a minimum the following elements:

- (1) a summary of current Department of Defense, military department, and Defense Agency guidance regarding the procurement of backup generators for military installations as part of a standalone procurement or as part of an Energy Savings Performance Contract;
- (2) a list of the backup generators purchased by the military departments and Defense Agencies during the last 5 years, broken down by installation, with a

breakdown of whether the purchased generators were powered by diesel, natural gas, propane, or some other alternative fuel; and

(3) business case analysis of assessment of various backup generator technologies as a means of improving efficiency.

Energy Infrastructure at Former Naval Air Station Barbers Point

The committee recalls that Naval Air Station Barbers Point was closed as a result of recommendations of the 1993 Base Closure and Realignment Commission. The committee notes that of the total 3,833 acres of land, the Navy retained 1,238 acres which included utilities infrastructure impacting the local community. The committee further notes that in the years following the initial land transfer in 1999, the Navy has worked with private entities to transfer the water and sewer infrastructure but continues to retain the electrical infrastructure. The committee is concerned that the electrical infrastructure in the Kalaeloa area has degraded over time and now requires significant and costly upgrades. Therefore, the committee directs the Secretary of the Navy to provide a briefing to the House Committee on Armed Services not later than February 1, 2022, that at minimum addresses the following:

(1) a cost estimate of the design costs and required electrical utility infrastructure upgrades;

(2) the nature of the upgrades required, to include improvement in resiliency, reliability, and necessary upgrades to bring existing infrastructure up to current code requirements;

(3) a summary of stakeholder engagement with local governments and utility providers;

(4) a description of funding mechanisms that have been explored to include third-party financing and in-kind contributions; and

(5) any statutory changes that would be required to support these upgrades.

Innovative Building Technologies

The committee is encouraged by innovative building techniques and materials that have the potential to provide enhanced resiliency and cost savings in military construction. The committee is particularly interested in the potential these techniques and materials have for building in polar regions and other challenging locations as well as lowering the cost of replacing degraded quality of life infrastructure. The committee is aware of precision manufactured building kits, three-dimensional printed concrete buildings, and materials such as mass timber that could help to reduce the number of unaccompanied housing facilities in poor and failing condition while at the same time enhancing installation resiliency.

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 April 1, 2022, on the potential these materials and techniques

have for military construction applications. The briefing shall include at a minimum the following:

(1) the results of the Department of Defense's review of innovative building techniques and materials to include the potential for cost savings, use in remote or challenging environments, and potential to increase installation resiliency;

(2) any materials or techniques that have been or will be reviewed by the Environmental Security Technology Certification Program; and

(3) should these materials and techniques prove promising, whether changes to the unified facilities code are planned.

Installation Security Improvements

The committee recognizes that the physical security of Department of Defense permanent domestic installations and forward operating bases is critical to the safety of our service members, and our national security. The committee believes it is imperative that Department entry control points be properly manned and monitored and that they should work diligently to fill any holes in coverage and awareness that might exist. Furthermore, the Department must keep domain awareness at the forefront and consider a diverse set of options when considering technological advances and other investments that will help secure installations including, but not limited to, counter unmanned aerial vehicle technology, sentry towers, and advanced cameras.

Therefore, the committee directs the Assistant Secretary of Defense for Energy, Installations, and Environment to submit a report to the House Committee on Armed Services by February 15, 2022, on viable options to increase the security of Department facilities, both domestic and forward deployed, and provide recommendations on possible enhancements. This report shall include at a minimum the following:

(1) a review of the standard security infrastructure currently in place at our domestic facilities and forward-operation bases;

(2) a discussion of both traditional and technologically advanced multi-domain counter intrusion security options that the Department believes will improve security;

(3) a description of the manpower needs for each option and whether technological solutions can alleviate manpower shortages;

(4) a description of any concerns related to the surrounding domestic civilian communities and solutions for mitigating any civil liberty issues that might arise;

(5) a cost comparison of the improvements considered; and

(6) a list of recommended security improvements and estimated timeline for installation.

Intergovernmental Support Agreements

The committee is concerned about the continued degradation of Department of Defense facilities and tremendous backlog of current mission military construction requirements across the Department. The committee is also aware of the risk the Department has taken in infrastructure funding over the last 20 years and does not believe that facility risk will diminish. The committee further notes that many service members and civilian employees work in substandard and potentially unsafe facilities. This phenomenon has a significant impact on the Department's ability to recruit and retain the best and brightest talent and to accomplish the mission. The committee observes that section 2809 of title 10, United States Code, was initially included in the Military Construction Authorization Act, 1986 (Public Law 99-167) but due to Office of Management and Budget scoring implications has not been used to its fullest potential. This authority provides the Department with a much-needed alternative to military construction that could be used to upgrade facilities.

Therefore, the committee directs the Secretary of Defense, after consultation with the Director of the Office of Management and Budget, to provide a briefing to the House Committee on Armed Services by January 15, 2022, that assesses options to use the authority of section 2809, to include use limited to first-year operation and maintenance payment with termination liability, as an alternative method to accelerate military construction.

The briefing shall contain at a minimum an assessment of the operability and effect for achieving the aforementioned goals via the statutory language contained in sections 2809(c)(1)-(3) of title 10, United States Code, relating to obligations of the United States relating to requirements associated with the obligation of funds for long-term facilities contracts for certain activities and services.

Land Exchange with the Nisqually Tribe of Indians

The committee commends the Army and Nisqually Tribe of Indians for restarting discussions to facilitate a mutually acceptable land exchange and mend an important relationship. The committee encourages continued good-faith negotiations to resolve this issue swiftly, and facilitate an improved relationship between the Army and the Nisqually Tribe of Indians. To that end, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services not later than February 1, 2022, on the status of the negotiations, and, if agreed, a specific timeline for the exchange of land.

Lualualei Naval Road/Kolekole Pass

The committee commends the Navy for entering into a memorandum of understanding with the State of Hawaii for emergency access to Lualualei Naval Road/Kolekole Pass. The committee is concerned that portions of the Navy-controlled road are in a hazardous condition that presents risk to both service members and emergency responders. Accordingly, the committee directs the

Secretary of the Navy to provide a briefing to the House Committee on Armed Services not later than March 1, 2022, which shall include at a minimum the following:

- (1) the result of engineering assessment of the hazards present on the Navy-controlled portions of the road to include potential rockfall areas;
 - (2) an assessment of the cost and feasibility of mitigating these hazards;
 - (3) the timeline for executing the mitigation measures for these hazards;
- and
- (4) a description of how these efforts have been coordinated with local authorities including the Hawaii Department of Transportation.

Naval Air Weapons Station China Lake Modernization

The committee recognizes the significance of Naval Air Weapons Station (NAWS) China Lake and the important research, development, acquisition, test, and evaluation of U.S. military weapon systems conducted throughout the base. The committee understands that as threats develop, NAWS China Lake faces obstacles in fulfilling its mission. These challenges include funding for maintenance and repair of critical research, test facilities, and ranges to maintain mission effectiveness; key sustainment, restoration, and modernization of research and test capabilities and equipment; effectively supporting multiple tenants and their applicable missions; development and growth of manned and unmanned aerial system capabilities; the installation's water security efforts; and increasing workforce recruitment, retention, and expertise. The committee notes that in addition to these challenges, NAWS China Lake is recovering from the 2019 earthquake that caused significant damage to the installation. As NAWS China Lake continues its reconstruction process, the committee acknowledges the close coordination with supporting communities to maximize these rebuilding efforts and continues to encourage open communication with the supporting communities to ensure the projects stay on track for timely completion.

The committee believes that given the current growth of requirements, the extensive reconstruction efforts, and the need for state-of-the-art weapon systems development capabilities, an assessment is necessary to provide relevant information on the challenges confronting NAWS China Lake. Therefore, the committee directs the Secretary of the Navy to submit a report to the House Committee on Armed Services by February 1, 2022, that details at a minimum the following related to NAWS China Lake:

- (1) projected mission growth requirements;
- (2) anticipated personnel and facilities plan to meet these requirements;
- (3) water security planning;
- (4) anticipated construction milestones to complete earthquake recovery efforts; and
- (5) a description of any other challenges that NAWS China Lake faces in the next 5 years.

Three Rivers Levee Authority

The committee commends the Air Force for working with the Three Rivers Levee Authority to provide an easement to help facilitate their Goldfields 200-year levee project for southern Yuba County. The committee understands that the easement is associated with a 0.218 acre parcel of land that is geographically separated from Beale Air Force Base and is not currently being used by the Air Force nor is there any planned use for this parcel. Given that the levee project is a life-safety project, and fee simple ownership would allow the Three Rivers Levee Authority maximum flexibility in conducting their flood control mandate, the committee encourages the Air Force to continue to work expeditiously with the Three Rivers Levee Authority to explore the possibility of a public benefit land transfer of this parcel. Accordingly, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services on November 1, 2021, January 1, 2022, and March 1, 2022, to provide detailed updates on the progress being made toward a transfer of this parcel.

Update on Tenant's Bill of Rights Implementation

The committee is aware that full implementation of the tenant's bill of rights by Department of Defense's privatized military family housing partners is expected in fiscal year 2021. The committee considers full implementation a major step toward ensuring safe and quality housing for our service men and women as well as their families. The committee views safe and quality housing as a critical component to the readiness, morale, and retention of the entire force. As such, 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 February 15, 2022, on the implementation of the tenant's bill of rights across the privatized military family enterprise. The report shall include at a minimum the following:

- (1) a description of how the tenant's bill of rights implementation functioned during the summer 2021 permanent change of station season;
- (2) a description of any barriers to full implementation or executability challenges observed;
- (3) a review of the next steps privatized military family housing partners can take toward improving tenant satisfaction; and
- (4) a discussion on the feasibility of privatized military family housing partners voluntarily providing 7-year histories to all prospective tenants.