

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

**SUBCOMMITTEE ON MILITARY
PERSONNEL**

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TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

LEGISLATIVE PROVISIONS

SUBTITLE A—ACTIVE FORCES

Section 401—End Strengths for Active Forces

This section would authorize the following end strengths for Active Duty personnel of the Armed Forces as of September 30, 2023:

Service	FY 2022	FY 2023		Change from	
	Authorized	Request	Committee Recommendation	FY 2023 Request	FY 2022 Authorized
Army	485,000	473,000	473,000	0	-12,000
Navy	346,920	346,300	348,220	1,920	1,300
USMC	178,500	177,000	177,000	0	-1,500
Air Force	329,220	323,400	323,400	0	-5,820
Space Force	8,400	8,600	8,600	0	200
DOD Total	1,348,040	1,328,300	1,330,220	1,920	-17,820

Section 402—Revisions in Permanent Active Duty End Strength Minimum Levels

This section would establish new minimum Active Duty end strengths for the Army, Navy, Marine Corps, Air Force, and Space Force as of September 30, 2023. The committee recommends 473,000 as the minimum Active Duty end strength for the Army, 348,220 as the minimum Active Duty end strength for the Navy, 177,000 as the minimum Active Duty end strength for the Marine Corps, 323,400 as the minimum Active Duty end strength for the Air Force, and 8,600 as the minimum Active Duty end strength for the Space Force.

SUBTITLE B—RESERVE FORCES

Section 411—End Strengths for Selected Reserve

This section would authorize the following end strengths for Selected Reserve personnel, including the end strength for Reserves on Active Duty in support of the Reserves, as of September 30, 2023:

Service	FY 2022	FY 2023		Change from	
	Authorized	Request	Committee Recommendation	FY 2023 Request	FY 2022 Authorized
Army National Guard	336,000	336,000	336,000	0	0
Army Reserve	189,500	189,500	189,500	0	0
Navy Reserve	58,600	57,700	57,700	0	-900
Marine Corps Reserve	36,800	33,000	33,000	0	-3,800
Air National Guard	108,300	108,400	108,400	0	100
Air Force Reserve	70,300	70,000	70,000	0	-300
DOD Total	799,500	794,600	794,600	0	-4,900
Coast Guard Reserve	7,000	7,000	7,000	0	0

Section 412—End Strengths for Reserves on Active Duty in Support of the Reserves

This section would authorize the following end strengths for Reserves on Active Duty in support of the Reserves as of September 30, 2023:

Service	FY 2022	FY 2023		Change from	
	Authorized	Request	Committee Recommendation	FY 2023 Request	FY 2022 Authorized
Army National Guard	30,845	30,845	30,845	0	0
Army Reserve	16,511	16,511	16,511	0	0
Navy Reserve	10,293	10,077	10,077	0	-216
Marine Corps Reserve	2,386	2,388	2,388	0	2
Air National Guard	25,333	26,630	26,630	0	1,297
Air Force Reserve	6,003	6,286	6,286	0	283
DOD Total	91,371	92,737	92,737	0	1,366

Section 413—End Strengths for Military Technicians (Dual Status)

This section would authorize the following end strengths for military technicians (dual status) as of September 30, 2023:

Service	FY 2022	FY 2023		Change from	
	Authorized	Request	Committee Recommendation	FY 2023 Request	FY 2022 Authorized
Army National Guard	22,294	22,294	22,294	0	0
Army Reserve	6,492	6,492	6,492	0	0
Air National Guard	10,994	9,892	9,892	0	-1,102
Air Force Reserve	7,111	6,696	6,696	0	-415
DOD Total	46,891	45,374	45,374	0	-1,517

Section 414—Maximum Number of Reserve Personnel Authorized To Be on Active Duty for Operational Support

This section would authorize, as required by section 115(b) of title 10, United States Code, the maximum number of Reserve Component personnel who may be on Active Duty or full-time National Guard duty during fiscal year 2023 to provide operational support. The personnel authorized here do not count against the end strengths authorized by section 401 or section 412 of this Act unless the duration on Active Duty exceeds the limitations in section 115(b)(2) of title 10, United States Code.

Service	FY 2022	FY 2023		Change from	
	Authorized	Request	Committee Recommendation	FY 2023 Request	FY 2022 Authorized
Army National Guard	17,000	17,000	17,000	0	0
Army Reserve	13,000	13,000	13,000	0	0
Navy Reserve	6,200	6,200	6,200	0	0
Marine Corps Reserve	3,000	3,000	3,000	0	0
Air National Guard	16,000	16,000	16,000	0	0
Air Force Reserve	14,000	14,000	14,000	0	0
DOD Total	69,200	69,200	69,200	0	0

TITLE V—MILITARY PERSONNEL POLICY

LEGISLATIVE PROVISIONS

SUBTITLE A—OFFICER PERSONNEL POLICY

Section 501—Distribution of Commissioned Officers on Active Duty in General Officer and Flag Officer Grades

This section would establish the distribution of general and flag officers in the Space Force in section 525 of title 10, United States Code.

Section 502—Authorized Strength after December 31, 2022: General Officers and Flag Officers on Active Duty

This section would amend section 526a of title 10, United States Code, to include United States Space Force general officers on Active Duty.

Section 503—Exclusion of Lead Special Trial Counsel from Limitations on General Officers and Flag Officers on Active Duty

This section would exclude general or flag officers serving as the lead trial special counsel from the general and flag officer limitations in section 526a of title 10, United States Code.

Section 504—Constructive Service Credit for Certain Officers of the Armed Forces: Authorization; Special Pay

This section would authorize constructive service credit for original appointment as a warrant officer in the regular component of an armed force for someone who has advanced education training or special experience.

Section 505—Clarification of Grade of Surgeon General of the Navy

This section would authorize the Surgeon General of the Navy to hold the grade of O-9.

Section 506—Assessments of Staffing in the Office of the Secretary of Defense and Other Department of Defense Headquarters Offices

This section would require a validation of Office of the Secretary of Defense and the Joint Staff staff billets.

Section 507—Independent Review of Army Officer Performance Evaluations

This section would require the Secretary of the Army to evaluate, through an independent entity, the Army's fitness report system.

SUBTITLE B—RESERVE COMPONENT MANAGEMENT

Section 511—Grades of Certain Chiefs of Reserve Components

This section would authorize the Chief of each military service Reserve Component be in the grade of three-star officer.

SUBTITLE C—GENERAL SERVICE AUTHORITIES AND MILITARY RECORDS

Section 521—Notification to Next of Kin upon the Death of a Member of the Armed Forces

This section would update the process of notification of next of kin upon the death of a member of the Armed Forces.

Section 522—Limitation of Extension of Period of Active Duty for a Member Who Accepts a Fellowship, Scholarship, or Grant

This section would implement a 5-year cap on Active Duty service commitments for PhD programs that fall under section 2603(b) of title 10, United States Code.

Section 523—Pilot Program on Remote Personnel Processing in the Army

This section would authorize the creation of an application to permit and expedite virtual in-processing and out-processing of service members.

SUBTITLE D—MILITARY JUSTICE AND OTHER LEGAL MATTERS

Section 531—Special Trial Counsel of the Air Force

This section would provide for one lead special trial counsel for the Air Force and Space Force.

Section 532—Mandatory Notification of Members of the Armed Forces Identified in Certain Records of Criminal Investigations

This section would require military criminal investigative organizations to promptly notify a service member when they have been designated, or have been designated in the past, as a suspect in any official investigative report, and include instructions on how to appeal such designation. This provision would be retroactive for 11 years.

Section 533—Limitation on Availability of Funds for Relocation of Army CID
Special Agent Training Course

This section would prohibit the Army from obligating or expending funds to relocate an Army Criminal Investigation Division Special Agent course until 90 days after the Army provides a briefing to the House Committee on Armed Services on the completion of various overdue reports and the Secretary of the Army certifies the Army's full compliance with section 549C of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81).

Section 534—Report on Sharing Information with Counsel for Victims of Offenses
under the Uniform Code of Military Justice

This section would require the Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces to assess survivors' access to evidence in the military justice system.

SUBTITLE E—MEMBER EDUCATION, TRAINING, AND TRANSITION

Section 541—Authority to Waive Tuition at United States Air Force Institute of
Technology for Certain Private Sector Civilians

This section would authorize the Air Force Institute of Technology Director and Chancellor to waive tuition costs for government civilian employees and contractors attending non-credit, continuing education short courses necessary for the performance of their duties.

Section 542—Terms of Provost and Academic Dean of the United States Air Force
Institute of Technology

This section would authorize the provost and academic dean of the Air Force Institute of Technology to serve more than 5 years.

SUBTITLE F—MILITARY FAMILY READINESS AND DEPENDENTS' EDUCATION

Section 551—Clarification and Expansion of Authorization of Support for Chaplain-
Led Programs for Members of the Armed Forces

This section would allow chaplain-led authorized support programs to cover the cost of transportation, food, lodging, child care, supplies, fees, and training materials for resiliency, suicide prevention, or holistic wellness programs for single service members.

Section 552—Extension of Pilot Program to Expand Eligibility for Enrollment at
Domestic Dependent Elementary and Secondary Schools

This section would extend the pilot program to expand eligibility for enrollment at domestic Department of Defense dependent elementary and secondary schools.

Section 553—Advisory Panel on Community Support for Military Families with Special Needs

This section would expand the advisory panel on community support for military families with special needs.

Section 554—Certain Assistance to Local Educational Agencies That Benefit Dependents of Military and Civilian Personnel

This section would authorize \$53.0 million for the purpose of providing assistance to local educational agencies with military dependent students, and \$22.0 million for local educational agencies eligible to receive a payment for children with severe disabilities.

Section 555—EFMP Grant Program

This section would establish a grant program in support of the Exceptional Family Member Program.

Section 556—Industry Roundtable on Military Spouse Hiring

This section would require the Under Secretary of Defense for Personnel and Readiness to convene a roundtable of private entities to discuss issues and barriers to military spouse hiring.

Section 557—Feasibility Study and Report on Pilot Program to Provide POTFF Services to Separating Members of Special Operations Forces and Certain Family Members

This section would require a study on the feasibility of extending special operations forces Preservation of the Force and Family services.

SUBTITLE G—DECORATIONS AND AWARDS, MISCELLANEOUS REPORTS, AND OTHER MATTERS

Section 561—Authorization for Award of the Medal of Honor to David R. Halbruner for Acts of Valor on September 11-12, 2012

This section would authorize the award of the Medal of Honor to Sergeant Major David R. Halbruner for acts of valor on September 11-12, 2012.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

LEGISLATIVE PROVISIONS

SUBTITLE A—PAY AND ALLOWANCES

Section 601—Exclusion of BAH from Gross Household Income for Purposes of Basic Needs Allowance

This section would remove the Basic Allowance for Housing from the calculation of service member eligibility for the Basic Needs Allowance.

Section 602—Basic Allowance for Housing for a Member Without Dependents Whose Relocation Would Financially Disadvantage Such Member

This section would amend section 403 of title 37, United States Code, to allow the Secretaries of the military departments discretionary authority to authorize a housing allowance based on the old homeport or permanent duty station for single members disadvantaged as a result of a unit's change of homeport or permanent duty station.

Section 603—Revival and Redesignation of Provision Establishing Benefits for Certain Members Assigned to the Defense Intelligence Agency

This section would redesignate the provision for benefits for service members assigned to the Defense Intelligence Agency.

Section 604—Reimbursement of Certain Child Care Costs Incident to a Permanent Change of Station or Assignment

This section would authorize travel payments for service members in need of child care support during a permanent change of station when unable to enroll their children in child care within 30 days of arrival at a new duty station.

Section 605—Expansion of Authority to Reimburse a Member of the Uniformed Services for Spousal Business Costs Arising from a Permanent Change of Station

This section would authorize reimbursement for select moving expenses to assist military spouse entrepreneurs who do want to keep their business when they move.

Section 606—Travel and Transportation Allowances for Certain Members of the Armed Forces Who Attend a Professional Military Education Institution or Training Classes

This section would authorize the Secretary of a military department to authorize temporary duty status for service members assigned to professional military education institutions or training classes for less than 1 year.

Section 607—Extension of One-Time Uniform Allowance for Officers Who Transfer to the Space Force

This section would extend the uniform allowance for officers that transfer to the Space Force for 1 year.

Section 608—Pay for DOD and Coast Guard Child Care Providers: Studies; Adjustment

This section would require the Secretary of Defense to complete a pay study of child development center employees as compared to similarly trained and qualified public elementary school employees for regions with the longest waiting lists for child care.

Section 609—Study on Basic Pay

This section would require the Secretary of Defense to conduct research and analysis to determine the value and validity of the basic pay model for members of the Armed Forces.

Section 609A—Report on Accuracy of Basic Allowance for Housing

This section would require the Secretary of Defense to study and report on a more transparent and modernized option to fairly calculate the Basic Allowance for Housing for service members.

SUBTITLE B—BONUSES AND INCENTIVE PAYS

Section 611—One-Year Extension of Certain Expiring Bonus and Special Pay Authorities

This section would extend, through December 31, 2023, income replacement payments for Reserve Component members experiencing extended and frequent mobilization for Active Duty service; two critical recruitment and retention incentive programs for Reserve Component healthcare professionals; accession and retention incentives for nuclear-qualified officers; and the consolidated special and incentive pay authorities.

Section 612—Special Pay and Allowances for Members of the Armed Forces Assigned to Cold Weather Operations

This section would establish special "arctic pay" and other allowances to incentivize service members whose duties include maintaining critical cold-weather warfighting skills.

SUBTITLE C—FAMILY AND SURVIVOR BENEFITS

Section 621—Expanded Eligibility for Bereavement Leave for Members of the Armed Forces

This section would expand bereavement leave for service members upon the death of a parent.

Section 622—Claims Relating to the Return of Personal Effects of a Deceased Member of the Armed Forces

This section would authorize claims for reimbursement for the personal effects of deceased members of the Armed Forces that were damaged, lost, or destroyed when being returned to designated persons.

Section 623—Expansion of Authorized Assistance for Providers of Child Care Services to Members of the Armed Forces

This section would authorize an expansion of authorized assistance for child care service providers.

SUBTITLE D—MISCELLANEOUS RIGHTS, BENEFITS, AND REPORTS

Section 631—Transitional Compensation and Benefits for the Former Spouse of a Member of the Armed Forces Who Allegedly Committed a Dependent-Abuse Offense during Marriage

This section would modify section 1059 of title 10, United States Code, to clarify the timing for eligibility of transitional compensation for dependent-abuse offenses during marriage to a service member.

Section 632—Authorization of Permissive Temporary Duty for Wellness

This section would authorize up to 2 weeks of permissive temporary duty each year for service members to attend a seminar, retreat, workshop, or outdoor recreational therapy event hosted by a non-profit organization that focuses on psychological, physical, spiritual, or social wellness.

Section 633—Study and Report on Barriers to Home Ownership for Members of the Armed Forces

This section would authorize the Secretary of Defense to study the barriers to home ownership for service members.

TITLE VII—HEALTH CARE PROVISIONS

LEGISLATIVE PROVISIONS

SUBTITLE A—TRICARE AND OTHER HEALTH CARE BENEFITS

Section 701—Clarification of Coverage of Certain Areolar Nipple Tattooing Procedures under TRICARE Program

This section would clarify TRICARE covers 3D, in addition to 2D, nipple-areola tattooing following mastectomy reconstructive breast surgery.

Section 702—Audit of Behavioral Health Care Network Providers Listed in TRICARE Directory

This section requires the Secretary of Defense to conduct an audit of the behavioral health providers listed in the TRICARE directory.

Section 703—Independent Analysis of Quality and Patient Safety Review Process under Direct Care Component of TRICARE Program

This section would require an independent review of the Department of Defense Military Health System Quality Assurance Program to be completed by the National Academies of Sciences, Engineering, and Medicine.

SUBTITLE B—HEALTH CARE ADMINISTRATION

Section 711—Modification of Certain Deadline and Requirement to Transfer Research and Development Functions to Defense Health Agency

This section would allow the Secretary of Defense to consolidate common medical research, development, and acquisition (RDA) programs under the Defense Health Agency and align service-specific medical RDA within each service.

Section 712—Modification of Requirement to Transfer Public Health Functions to Defense Health Agency

This section would allow the Secretary of Defense to consolidate certain public health functions under the Defense Health Agency and would allow the military departments to retain a public health function if the function addresses a need that is unique to the military department and the function is in direct support

of operating forces and necessary to execute national security and defense strategies.

Section 713—Other Transaction Authority for Studies and Demonstration Projects
Relating to Delivery of Health and Medical Care

This section would allow the Secretary of Defense to enter into contracts or transactions (other than contracts, cooperative agreements, and grants) with public or private agencies, institutions, and organizations to conduct studies and demonstration projects.

Section 714—Authority for Department of Defense Program to Promote Early
Literacy among Certain Young Children as Part of Pediatric Primary Care

This section would authorize a program to make available books to young children to promote early childhood literacy as part of pediatric primary care.

Section 715—Clarification of License Portability for Health Care Providers
Providing Services under Reserve Health Readiness Program

This section would expand license portability for individuals who provide medical or dental services under the Reserve Health Readiness program of the Department of Defense (or any successor program).

SUBTITLE C—REPORTS AND OTHER MATTERS

Section 721—Non-Medical Counseling Services for Military Families

This section would authorize license portability for mental health professionals who provide non-medical counseling services.

Section 722—Clarifications Relating to Analysis of Department of Defense
Comprehensive Autism Demonstration Program by National Academies

This section would make certain clarifications related to independent analysis of Department of Defense Comprehensive Autism Care Demonstration program.

Section 723—Clarification of Eligibility for Membership to Independent Suicide
Prevention and Response Review Committee

This section would clarify who can serve on the Suicide Prevention and Response Independent Review Committee.

Section 725—Improvements Relating to Behavioral Health Care Available under Military Health System

This section would expand behavioral health programs at the Uniformed Services University and require reports on the behavioral health workforce.

Section 726—Department of Defense Internship Programs Relating to Civilian Behavioral Health Providers

This section would establish internship programs for civilian behavioral health providers.

Section 727—Brain Health Initiative of Department of Defense

This section would establish and implement a comprehensive strategy and action plan for brain health to be known as the “Warfighter Brain Health Initiative” for the purpose of unifying disparate efforts and programs across the Department of Defense to improve the cognitive performance and brain health of the joint force.

Section 728—Authority to Conduct Pilot Program Relating to Monitoring of Blast Overpressure Exposure

This section would establish a pilot program to test automated commercial-off-the-shelf wearable sensors.

Section 730—Certification Program in Provision of Mental Health Services to Members of the Armed Forces, Veterans, and Military Families

This section would establish a curriculum and certification program to provide civilian mental health professionals and students in mental health-related disciplines with the specialized knowledge to treat service members, veterans, and their families.

Section 731—Pilot Program for Participation by Members of Selected Reserve in Health Professions Scholarship and Financial Assistance Programs

This section would authorize a pilot program for participation in the Health Professions Scholarship Program for individuals who serve in the Selected Reserve.

Section 732—Mandatory Training on Health Effects of Perfluoroalkyl or Polyfluoroalkyl Substances

This section would require medical providers to receive training on the health effects of perfluoroalkyl or polyfluoroalkyl substances.

Section 733—Suicide Cluster: Standardized Definition for Use by Department of Defense; Congressional Notification

This section would define suicide cluster and require a notification process.

Section 734—Limitation on Realignment or Reduction of Military Medical Manning End Strength: Certification Requirement and Other Reforms

This section would limit the realignment or reduction of military medical manning end strength and require analysis of backfilling positions with civilian personnel.

Section 735—Review and Update of Policy Relating to Command Notification Process and Reduction of Mental Health Stigma

This section would require the revision of the Department of Defense Instruction titled "Command Notification Requirements to Dispel Stigma in Providing Mental Health Care to Service Members."

Section 736—GAO Study on Coverage of Mental Health Disorders under TRICARE Program and Relationship to Certain Mental Health Parity Laws

This section would require a Comptroller General of the United States review on whether TRICARE conforms with the requirements of certain mental health parity laws.

Section 737—Report on Composition of Medical Personnel of Each Military Department and Related Matters

This section would require the Secretary of Defense to submit a report on the composition of the medical personnel of each military department.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

LEGISLATIVE PROVISIONS

Section 901—Report on Potential Transition of All Members of Space Force into a Single Component

This section would require the Secretary of Defense to submit a report on the single Space Force component and all the required legislation to execute the changes.

BILL LANGUAGE

1 **Subtitle A—Active Forces**

2 **SEC. 401 [log74817]. END STRENGTHS FOR ACTIVE FORCES.**

3 The Armed Forces are authorized strengths for active
4 duty personnel as of September 30, 2023, as follows:

- 5 (1) The Army, 473,000.
- 6 (2) The Navy, 348,220.
- 7 (3) The Marine Corps, 177,000.
- 8 (4) The Air Force, 323,400.
- 9 (5) The Space Force, 8,600.

1 **SEC. 402 [log74818]. REVISIONS IN PERMANENT ACTIVE**
2 **DUTY END STRENGTH MINIMUM LEVELS.**

3 Section 691(b) of title 10, United States Code, is
4 amended by striking paragraphs (1) through (5) and in-
5 serting the following new paragraphs:

6 “(1) For the Army, 473,000.

7 “(2) For the Navy, 348,220.

8 “(3) For the Marine Corps, 177,000.

9 “(4) For the Air Force, 323,400.

10 “(5) For the Space Force, 8,600.”.

1 **Subtitle B—Reserve Forces**

2 **SEC. 411 [log74819]. END STRENGTHS FOR SELECTED RE-** 3 **SERVE.**

4 (a) IN GENERAL.—The Armed Forces are authorized
5 strengths for Selected Reserve personnel of the reserve
6 components as of September 30, 2023, as follows:

7 (1) The Army National Guard of the United
8 States, 336,000.

9 (2) The Army Reserve, 189,500.

10 (3) The Navy Reserve, 57,700.

11 (4) The Marine Corps Reserve, 33,000.

12 (5) The Air National Guard of the United
13 States, 108,400.

14 (6) The Air Force Reserve, 70,000.

15 (7) The Coast Guard Reserve, 7,000.

16 (b) END STRENGTH REDUCTIONS.—The end
17 strengths prescribed by subsection (a) for the Selected Re-
18 serve of any reserve component shall be proportionately
19 reduced by—

20 (1) the total authorized strength of units orga-
21 nized to serve as units of the Selected Reserve of
22 such component which are on active duty (other
23 than for training) at the end of the fiscal year; and

24 (2) the total number of individual members not
25 in units organized to serve as units of the Selected

1 Reserve of such component who are on active duty
2 (other than for training or for unsatisfactory partici-
3 pation in training) without their consent at the end
4 of the fiscal year.

5 (c) END STRENGTH INCREASES.—Whenever units or
6 individual members of the Selected Reserve of any reserve
7 component are released from active duty during any fiscal
8 year, the end strength prescribed for such fiscal year for
9 the Selected Reserve of such reserve component shall be
10 increased proportionately by the total authorized strengths
11 of such units and by the total number of such individual
12 members.

1 **SEC. 412 [log74820]. END STRENGTHS FOR RESERVES ON AC-**
2 **TIVE DUTY IN SUPPORT OF THE RESERVES.**

3 Within the end strengths prescribed in section
4 411(a), the reserve components of the Armed Forces are
5 authorized, as of September 30, 2023, the following num-
6 ber of Reserves to be serving on full-time active duty or
7 full-time duty, in the case of members of the National
8 Guard, for the purpose of organizing, administering, re-
9 cruiting, instructing, or training the reserve components:

- 10 (1) The Army National Guard of the United
11 States, 30,845.
- 12 (2) The Army Reserve, 16,511.
- 13 (3) The Navy Reserve, 10,077.
- 14 (4) The Marine Corps Reserve, 2,388.
- 15 (5) The Air National Guard of the United
16 States, 26,630.
- 17 (6) The Air Force Reserve, 6,286.

1 **SEC. 413 [log74821]. END STRENGTHS FOR MILITARY TECH-**
2 **NICIANS (DUAL STATUS).**

3 The minimum number of military technicians (dual
4 status) as of the last day of fiscal year 2023 for the re-
5 serve components of the Army and the Air Force (notwith-
6 standing section 129 of title 10, United States Code) shall
7 be the following:

8 (1) For the Army National Guard of the United
9 States, 22,294.

10 (2) For the Army Reserve, 6,492.

11 (3) For the Air National Guard of the United
12 States, 9,892.

13 (4) For the Air Force Reserve, 6,696.

1 **SEC. 414 [log74822]. MAXIMUM NUMBER OF RESERVE PER-**
2 **SONNEL AUTHORIZED TO BE ON ACTIVE**
3 **DUTY FOR OPERATIONAL SUPPORT.**

4 During fiscal year 2023, the maximum number of
5 members of the reserve components of the Armed Forces
6 who may be serving at any time on full-time operational
7 support duty under section 115(b) of title 10, United
8 States Code, is the following:

- 9 (1) The Army National Guard of the United
10 States, 17,000.
- 11 (2) The Army Reserve, 13,000.
- 12 (3) The Navy Reserve, 6,200.
- 13 (4) The Marine Corps Reserve, 3,000.
- 14 (5) The Air National Guard of the United
15 States, 16,000.
- 16 (6) The Air Force Reserve, 14,000.

1 **Subtitle C—Authorization of**
2 **Appropriations**

3 **SEC. 421 [log74824]. MILITARY PERSONNEL.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
5 are hereby authorized to be appropriated for fiscal year
6 2023 for the use of the Armed Forces and other activities
7 and agencies of the Department of Defense for expenses,
8 not otherwise provided for, for military personnel, as spec-
9 ified in the funding table in section 4401.

10 (b) CONSTRUCTION OF AUTHORIZATION.—The au-
11 thorization of appropriations in the subsection (a) super-
12 sedes any other authorization of appropriations (definite
13 or indefinite) for such purpose for fiscal year 2023.

1 **Subtitle A—Officer Personnel**
2 **Policy**

3 **SEC. 501 [log75447]. DISTRIBUTION OF COMMISSIONED OFFI-**
4 **ICERS ON ACTIVE DUTY IN GENERAL OFFI-**
5 **CER AND FLAG OFFICER GRADES.**

6 Section 525 of title 10, United States Code, is
7 amended—

8 (1) in subsection (a)—

9 (A) in the matter preceding paragraph (1),
10 by striking “as follows:” and inserting an em
11 dash;

12 (B) in paragraph (4)(C), by striking the
13 period at the end and inserting “; and”; and

14 (C) by adding at the end the following new
15 paragraph:

16 “(5) in the Space Force, if that appointment
17 would result in more than—

18 “(A) 2 officers in the grade of general;

19 “(B) 7 officers in a grade above the grade
20 of major general; or

21 “(C) 6 officers in the grade of major gen-
22 eral.”;”;

23 (2) in subsection (c)—

1 (A) in paragraph (1)(A), by striking “and
2 Marine Corps” and inserting “Marine Corps,
3 and Space Force”; and

4 (B) in paragraph (2), by striking “or Ma-
5 rine Corps” and inserting “Marine Corps, or
6 Space Force”; and

7 (3) in subsection (d), by striking “or Com-
8 mandant of the Marine Corps” and inserting “Com-
9 mandant of the Marine Corps, or Chief of Space Op-
10 erations”.

1 **SEC. 502 [log75448]. AUTHORIZED STRENGTH AFTER DE-**
2 **CEMBER 31, 2022: GENERAL OFFICERS AND**
3 **FLAG OFFICERS ON ACTIVE DUTY.**

4 Section 526a of title 10, United States Code, is
5 amended—

6 (1) in subsection (a)—

7 (A) in the matter preceding paragraph (1),
8 by striking “and Marine Corps” and inserting
9 “Marine Corps, and Space Force”;

10 (B) in paragraph (1), by striking “220”
11 and inserting “218”;

12 (C) in paragraph (2), by striking “151”
13 and inserting “149”;

14 (D) in paragraph (3), by striking “187”
15 and inserting “170”; and

16 (E) by adding at the end the following new
17 paragraph:

18 “(5) For the Space Force, 21.”; and

19 (2) in subsection (b)(2), by adding at the end
20 the following new subparagraph:

21 “(E) For the Space Force, 6.”.

1 **SEC. 503 [log75424]. EXCLUSION OF LEAD SPECIAL TRIAL**
2 **COUNSEL FROM LIMITATIONS ON GENERAL**
3 **OFFICERS AND FLAG OFFICERS ON ACTIVE**
4 **DUTY.**

5 Section 526a of title 10, United States Code, as
6 amended by section 502, is further amended—

7 (1) by redesignating the second subsection (i)
8 as subsection (j);

9 (2) by redesignating subsections (g), (h), (i),
10 and (j) as subsections (h), (i), (j), and (k), respec-
11 tively; and

12 (3) by inserting after subsection (f) the fol-
13 lowing new subsection:

14 “(g) EXCLUSION OF OFFICERS SERVING AS LEAD
15 SPECIAL TRIAL COUNSEL.—The limitations in subsection
16 (a) do not apply to a general or flag officer serving in
17 the position of lead special trial counsel pursuant to an
18 appointment under section 1044f(a)(2) of this title.”.

1 **SEC. 504 [log75034]. CONSTRUCTIVE SERVICE CREDIT FOR**
2 **CERTAIN OFFICERS OF THE ARMED FORCES:**
3 **AUTHORIZATION; SPECIAL PAY.**

4 (a) CONSTRUCTIVE SERVICE CREDIT FOR WARRANT
5 OFFICERS.—Section 572 of title 10, United States Code,
6 is amended—

7 (1) by inserting “(a)” before “For the pur-
8 poses”; and

9 (2) by adding at the end the following new sub-
10 section:

11 “(b)(1) The Secretary concerned shall credit a person
12 who is receiving an original appointment as a warrant offi-
13 cer in the regular component of an armed force under the
14 jurisdiction of such Secretary concerned, and who has ad-
15 vanced education or training or special experience, with
16 constructive service for such education, training, or experi-
17 ence, as follows:

18 “(A) For special training or experience in a
19 particular warrant officer field designated by the
20 Secretary concerned, if such training or experience is
21 directly related to the operational needs of the
22 armed force concerned, as determined by such Sec-
23 retary concerned.

24 “(B) For advanced education in a warrant offi-
25 cer field designated by the Secretary concerned, if
26 such education is directly related to the operational

1 needs of the armed force concerned, as determined
2 by such Secretary concerned.

3 “(2) The authority under this subsection expires on
4 December 31, 2027.”

5 (b) SPECIAL PAY FOR CERTAIN OFFICERS COMMIS-
6 SIONED OR APPOINTED WITH CONSTRUCTIVE SERVICE
7 CREDIT.—

8 (1) ESTABLISHMENT.—Subchapter II of chap-
9 ter 5 of title 37, United States Code, is amended by
10 inserting after section 336 the following new section:

11 **“§ 337. Special pay: certain officers of the armed**
12 **forces commissioned or appointed with**
13 **constructive service credit**

14 “(a) SPECIAL PAY AUTHORIZED.—The Secretary
15 concerned may pay monthly special pay to an eligible offi-
16 cer under this section.

17 “(b) ELIGIBLE OFFICER DEFINED.—In this section,
18 the term ‘eligible officer’ means an officer who—

19 “(1)(A) received an original appointment in a
20 commissioned grade on or after the date of the en-
21 actment of the National Defense Authorization Act
22 for Fiscal Year 2023; and

23 “(B) was credited by the Secretary of the mili-
24 tary department concerned with constructive service
25 under section 533(b)(1)(D) of title 10; or

1 “(2)(A) was originally appointed in a warrant
2 officer grade on or after the date of the enactment
3 of the National Defense Authorization Act for Fiscal
4 Year 2023; and

5 “(B) was credited by the Secretary concerned
6 with constructive service under section 572(b) of
7 title 10.

8 “(c) AMOUNT OF PAY.—The Secretary concerned
9 shall determine an amount of monthly special pay to pay
10 to an eligible officer under this section. Such amount may
11 not exceed \$5,000 per month.

12 “(d) RELATIONSHIP TO OTHER INCENTIVES.—Spe-
13 cial pay under this section is in addition to any other pay
14 or allowance to which an eligible officer is entitled.

15 “(e) SUNSET.—No special pay may be paid under
16 this section after December 31, 2027.”.

17 (2) CLERICAL AMENDMENT.—The table of sec-
18 tions at the beginning of such chapter is amended
19 by inserting after the item relating to section 336
20 the following:

“337. Special pay: certain officers of the armed forces commissioned or ap-
pointed with constructive service credit.”.

21 (c) REGULATIONS.—The Secretaries concerned shall
22 prescribe regulations to carry out the amendments made
23 by this section not later than 180 days after the date of
24 the enactment of this Act.

1 (d) REPORT.—Not later than February 1, 2027, the
2 Secretary of Defense, in consultation with the Secretary
3 of Homeland Security, shall submit to the appropriate
4 congressional committees a report on the amendments
5 made by this section. Such report shall include—

6 (1) the evaluation of such amendments by the
7 Secretary; and

8 (2) the recommendation of the Secretary wheth-
9 er such amendments should be made permanent.

10 (e) DEFINITIONS.—In this section:

11 (1) The term “appropriate congressional com-
12 mittees” means the following:

13 (A) The congressional defense committees.

14 (B) The Committee on Transportation and
15 Infrastructure of the House of Representatives.

16 (C) The Committee on Commerce, Science,
17 and Transportation of the Senate.

18 (2) The terms “congressional defense commit-
19 tees” and “Secretary concerned” have the meanings
20 given such terms in section 101 of title 10, United
21 States Code.

1 **SEC. 505 [log75213]. CLARIFICATION OF GRADE OF SUR-**
2 **GEON GENERAL OF THE NAVY.**

3 Section 8077 of title 10, United States Code, is
4 amended by adding at the end the following new sub-
5 section:

6 “(c) GRADE.—The Surgeon General, while so serv-
7 ing, shall hold the grade of O-9.”.

1 **SEC. 506 [log75309]. ASSESSMENTS OF STAFFING IN THE OF-**
2 ****OFFICE OF THE SECRETARY OF DEFENSE AND****
3 ****OTHER DEPARTMENT OF DEFENSE HEAD-****
4 ****QUARTERS OFFICES.****

5 (a) OFFICE OF THE SECRETARY OF DEFENSE.—The
6 Secretary of Defense shall conduct an assessment of staff-
7 ing of the Office of the Secretary of Defense. Such assess-
8 ment shall including the following elements:

9 (1) A validation of every military staff billet as-
10 signed to the Office of the Secretary of Defense
11 against existing military personnel requirements.

12 (2) The estimated effect of returning 15 per-
13 cent of such military staff billets to operational ac-
14 tivities of the Armed Forces concerned, over a period
15 of 36 months, would have on the office of the Sec-
16 retary of Defense and other Department of Defense
17 Headquarters Offices.

18 (3) A plan and milestones for how reductions
19 described in paragraph (2) would occur, a schedule
20 for such reductions, and the process by which the
21 billets would be returned to the operational activities
22 of the Armed Forces concerned.

23 (b) OFFICE OF THE JOINT CHIEFS OF STAFF.—The
24 Chairman of the Joint Chiefs of Staff shall conduct an
25 assessment of staffing of the Office of the Joint Chiefs

1 of Staff. Such assessment shall including the following ele-
2 ments:

3 (1) A validation of every military staff billet as-
4 signed to the Office of the Joint Chiefs of Staff
5 against existing military personnel requirements.

6 (2) The estimated effect of returning 15 per-
7 cent of such military staff billets to operational ac-
8 tivities of the Armed Forces concerned, over a period
9 of 36 months, would have on the office of the Joint
10 Staff and the Chairman's Controlled Activities and
11 other related Joint Staff Headquarters Offices.

12 (3) A plan and milestones for how reductions
13 described in paragraph (2) would occur, a schedule
14 for such reductions, and the process by which the
15 billets would be returned to the operational activities
16 of the Armed Forces concerned.

17 (c) INTERIM BRIEFING AND REPORT.—

18 (1) INTERIM BRIEFING.—Not later than April
19 1, 2023, the Secretary shall provide to the Commit-
20 tees on Armed Services of the Senate and House of
21 Representatives an interim briefing on the assess-
22 ments under subsections (a) and (b).

23 (2) FINAL REPORT.—Not later than one year
24 after the date of the enactment of this Act, the Sec-
25 retary shall submit to the Committees on Armed

1 Services of the Senate and House of Representatives
2 a report on the assessments under subsections (a)
3 and (b). Such report shall include the following:

4 (A) A validation of every military staff bil-
5 let assigned to the Office of the Secretary of
6 Defense and the Joint Staff to include the
7 Chairman's Controlled Activities against exist-
8 ing military personnel requirements.

9 (B) The methodology and process through
10 which such validation was performed.

11 (C) Relevant statistical analysis on military
12 billet fill rates against validated requirements.

13 (D) An analysis of unvalidated military bil-
14 lets currently performing staff support func-
15 tions,

16 (E) The rationale for why unvalidated mili-
17 tary billets may be required.

18 (F) The cost of military staff filling both
19 validated and unvalidated billets.

20 (G) Lessons learned through the military
21 billet validation process and statistical analysis
22 under subparagraphs (B) through (F).

23 (H) Any other matters the Secretary deter-
24 mines relevant to understanding the use of mili-

1 tary staff billets described in subsections (a)
2 and (b).

3 (I) Any legislative, policy or budgetary rec-
4 ommendations of the Secretary related to the
5 subject matter of the report.

1 **SEC. 507 [log75356]. INDEPENDENT REVIEW OF ARMY OFFI-**
2 **CER PERFORMANCE EVALUATIONS.**

3 (a) STUDY REQUIRED.—Not later than six months
4 after the enactment of this Act, the Secretary of the Army
5 shall seek to enter into an agreement with a private entity
6 that the Secretary determines appropriate to—

7 (1) study the fitness report system used for the
8 performance evaluation of Army officers; and

9 (2) provide to the Secretary recommendations
10 regarding how to improve such system.

11 (b) ELEMENTS.—The study required under sub-
12 section (a) shall include the following:

13 (1) An analysis of the effectiveness of the fit-
14 ness report system at evaluating and documenting
15 the performance of Army officers.

16 (2) A comparison of the fitness report system
17 for Army officers with best practices for perform-
18 ance evaluations used by public- and private-sector
19 organizations.

20 (3) An analysis of the value of Army fitness re-
21 ports in providing useful information to officer pro-
22 motion boards.

23 (4) An analysis of the value of Army fitness re-
24 ports in providing useful feedback to Army officers
25 being evaluated.

1 (5) Recommendations to improve the Army fit-
2 ness report system to—

3 (A) increase its effectiveness at accurately
4 evaluating and documenting the performance of
5 Army officers;

6 (B) align with best practices for perform-
7 ance evaluations used by public- and private-
8 sector organizations;

9 (C) provide more useful information to of-
10 ficer promotion boards; and

11 (D) provide more useful feedback regard-
12 ing evaluated officers.

13 (c) ACCESS TO DATA AND RECORDS.—The Secretary
14 of the Army shall ensure that the entity selected under
15 subsection (a) has sufficient resources and access to tech-
16 nical data, individuals, organizations, and records nec-
17 essary to complete the study required under this section.

18 (d) SUBMISSION TO DEPARTMENT OF THE ARMY.—
19 Not later than one year after entering into an agreement
20 under subsection (a), the entity that conducts the study
21 under subsection (a) shall submit to the Secretary of the
22 Army a report on the results of the study.

23 (e) SUBMISSION TO CONGRESS.—Not later than 30
24 days after the date on which the Secretary of the Army

1 receives the report under subsection (d), the Secretary
2 shall submit to the congressional defense committees—
3 (1) an unaltered copy of such report; and
4 (2) any comments of the Secretary regarding
5 such report.

1 **Subtitle B—Reserve Component**
2 **Management**

3 **SEC. 511 [log74969]. GRADES OF CERTAIN CHIEFS OF RE-**
4 **SERVE COMPONENTS.**

5 (a) IN GENERAL.—

6 (1) CHIEF OF ARMY RESERVE.—Section
7 7038(b) of title 10, United States Code, is amended
8 by striking paragraph (4) and inserting the fol-
9 lowing:

10 “(4) The Chief of Army Reserve, while so serving,
11 holds the grade of lieutenant general.”.

12 (2) CHIEF OF NAVY RESERVE.—Section
13 8083(b) of such title is amended by striking para-
14 graph (4) and inserting the following:

15 “(4) The Chief of Navy Reserve, while so serving,
16 holds the grade of vice admiral. ”.

17 (3) COMMANDER, MARINE FORCES RESERVE.—
18 Section 8084(b) of such title is amended by striking
19 paragraph (4) and inserting the following:

20 “(4) The Commander, Marine Forces Reserve, while
21 so serving, holds the grade of lieutenant general. ”.

22 (4) CHIEF OF AIR FORCE RESERVE.—Section
23 9038(b) of such title is amended by striking para-
24 graph (4) and inserting the following:

1 “(4) The Chief of Air Force Reserve, while so serving,
2 holds the grade of lieutenant general.”.

3 (b) **EFFECTIVE DATE.**—The amendments made by
4 subsection (a) shall take effect on the day that is one year
5 after the date of the enactment of this Act and shall apply
6 to appointments made after such date.

1 **Subtitle C—General Service**
2 **Authorities and Military Records**

3 **SEC. 521 [log74984]. NOTIFICATION TO NEXT OF KIN UPON**
4 **THE DEATH OF A MEMBER OF THE ARMED**
5 **FORCES.**

6 Subchapter II of chapter 75 of title 10, United States
7 Code, is amended by adding at the end the following new
8 section (and the table of sections at the beginning of such
9 subchapter is amended accordingly):

10 **“§ 1493. Notification to next of kin or other appro-**
11 **priate person: timing; training**

12 “(a) IN GENERAL.—In the event of a death that re-
13 quires the Secretary of the military department concerned
14 to provide a death benefit under this subchapter, such Sec-
15 retary shall notify the next of kin or other appropriate
16 person not later than four hours after such death.

17 “(b) DEATH OUTSIDE THE UNITED STATES.—If a
18 death described in subsection (a) occurs outside the
19 United States, the Secretary of Defense, in coordination
20 with the Secretary of State, shall attempt to delay report-
21 ing, by the media of the country in which such death oc-
22 curs, of the name of the decedent until after the Secretary
23 of the military department concerned has notified the next
24 of kin or other appropriate person pursuant to subsection
25 (a).

1 “(c) TRAINING.—The Secretary of the military de-
2 partment concerned shall include a training exercise re-
3 garding a death described in this section in each major
4 exercise or planning conference conducted by such Sec-
5 retary or the Secretary of Defense.”.

1 **SEC. 522 [log75203]. LIMITATION OF EXTENSION OF PERIOD**
2 **OF ACTIVE DUTY FOR A MEMBER WHO AC-**
3 **CEPTS A FELLOWSHIP, SCHOLARSHIP, OR**
4 **GRANT.**

5 (a) **LIMITATION.**—Subsection (b) of section 2603 of
6 title 10, United States Code, is amended by adding at the
7 end “No such period may exceed five years”.

8 (b) **RETROACTIVE EFFECT.**—An agreement under
9 such subsection, made by a member of the Armed Forces
10 on or before the date of the enactment of this Act, may
11 not require such member to serve on active duty for a pe-
12 riod longer than five years.

1 **SEC. 523 [log75023]. PILOT PROGRAM ON REMOTE PER-**
2 **SONNEL PROCESSING IN THE ARMY.**

3 (a) PILOT PROGRAM.—Not later than January 1,
4 2024, the Secretary of the Army shall implement a pilot
5 program to test the use of a software application to expe-
6 dite in-processing and out-processing at one or more mili-
7 tary installations—

8 (1) under the jurisdiction of such Secretary;
9 and

10 (2) located within the continental United
11 States.

12 (b) APPLICATION REQUIREMENTS.—The software
13 application shall perform the following functions:

14 (1) Enable the remote in-processing and out-
15 processing of covered personnel, including by permit-
16 ting covered personnel to electronically sign forms.

17 (2) Reduce the number of hours required of
18 covered personnel for in-processing and out-pro-
19 cessing.

20 (3) Provide, to covered personnel and the com-
21 mander of a military installation concerned, elec-
22 tronic copies of records related to in-processing and
23 out-processing.

24 (c) SELECTION OF LOCATION.—In selecting a mili-
25 tary installation for the pilot program, the Secretary shall
26 give priority to the military installation that is the least

1 popular according to preferences of Army officers in the
2 Active Duty Officer Assignment Interactive Module.

3 (d) TERMINATION.—The pilot program shall termi-
4 nate on January 1st, 2027.

5 (e) REPORT.—Not later than January 1, 2026, the
6 Secretary shall submit to the Committees on Armed Serv-
7 ices of the Senate and House of Representatives a report
8 regarding the pilot program, including the recommenda-
9 tion of the Secretary whether to make the pilot program
10 permanent.

11 (f) DEFINITIONS.—In this section:

12 (1) The term “covered personnel” includes
13 members of the Army and civilian employees of the
14 Department of the Army.

15 (2) The term “in-processing” means the admin-
16 istrative activities that covered personnel undertake
17 pursuant to a permanent change of station.

18 (3) The term “out-processing” means the ad-
19 ministrative activities that covered personnel under-
20 take pursuant to a permanent change of station,
21 separation from the Army, or end of employment
22 with the Department of the Army.

1 **Subtitle D—Military Justice and**
2 **Other Legal Matters**

3 **SEC. 531 [Log 75505]. SPECIAL TRIAL COUNSEL OF THE AIR**
4 **FORCE.**

5 (a) IN GENERAL.—Section 1044f of title 10, United
6 States Code, is amended—

7 (1) in subsection (a), in the matter preceding
8 paragraph (1), by striking “The policies shall” and
9 inserting “Subject to subsection (c), the policies
10 shall”;

11 (2) by redesignating subsection (c) as sub-
12 section (d); and

13 (3) by inserting after subsection (b) the fol-
14 lowing new subsection:

15 “(c) SPECIAL TRIAL COUNSEL OF DEPARTMENT OF
16 THE AIR FORCE.—In establishing policies under sub-
17 section (a), the Secretary of Defense shall—

18 “(1) in lieu of providing for separate offices for
19 the Air Force and Space Force under subsection
20 (a)(1), provide for the establishment of a single dedi-
21 cated office from which office the activities of the
22 special trial counsel of the Department of the Air
23 Force shall be supervised and overseen; and

24 “(2) in lieu of providing for separate lead spe-
25 cial trial counsels for the Air Force and Space Force

1 under subsection (a)(2), provide for the appointment
2 of one lead special trial counsel who shall be respon-
3 sible for the overall supervision and oversight of the
4 activities of the special trial counsel of the Depart-
5 ment of the Air Force.”.

6 (b) EFFECTIVE DATE.—The amendments made sub-
7 section (a) shall take effect immediately after the coming
8 into effect of the amendments made by section 532 of the
9 National Defense Authorization Act for Fiscal Year 2022
10 (Public Law 117–81) as provided in section 539C of that
11 Act.

1 **SEC. 532 [Log 75020]. MANDATORY NOTIFICATION OF MEM-**
2 **BERS OF THE ARMED FORCES IDENTIFIED IN**
3 **CERTAIN RECORDS OF CRIMINAL INVESTIGA-**
4 **TIONS.**

5 (a) IN GENERAL.—Chapter 80 of title 10, United
6 States Code, is amended by adding at the end the fol-
7 lowing new section:

8 **“§ 1567b. Mandatory notification of members of the**
9 **armed forces and reserve components**
10 **identified in certain records of criminal**
11 **investigations**

12 “(a) NOTIFICATION OF INCLUSION IN MCIO
13 RECORDS.—As soon as practicable after the conclusion of
14 a criminal investigation for which a military criminal in-
15 vestigative organization is the lead investigative agency,
16 the head of such organization shall provide, to any mem-
17 ber or a former member of the armed forces and reserve
18 components who is designated in the records of the organi-
19 zation as a subject of such investigation, written notice
20 of such designation.

21 “(b) INITIAL NOTIFICATION OF PREVIOUS INCLU-
22 SION IN MCIO RECORDS.—Not later than 180 days after
23 the date of the enactment of this section, the head of each
24 military criminal investigative organization shall provide,
25 to any member or former member of the armed forces and
26 reserve components who is designated after January 1,

1 2011 in the records of the organization as a subject of
2 a criminal investigation that is closed as of such date,
3 written notice of such designation.

4 “(c) CONTENTS OF NOTICE.—Each notice provided
5 under subsection (a) and (b) shall include the following
6 information—

7 “(1) The date on which the member was des-
8 ignated as a subject of a criminal investigation in
9 the records of the military criminal investigative or-
10 ganization.

11 “(2) Identification of each crime for which the
12 member was investigated, including a citation to
13 each provision of chapter 47 of this title (the Uni-
14 form Code of Military Justice) that the member was
15 suspected of violating, if applicable.

16 “(3) Instructions on how the member may seek
17 removal of the record in accordance with subsection
18 (d).

19 “(d) REMOVAL OF RECORD.—The Secretary of De-
20 fense shall—

21 “(1) establish a process through which a mem-
22 ber of the armed forces and reserve components who
23 receives a notice under subsection (a) or (b) may re-
24 quest the removal of the record that is the subject
25 of such notice; and

1 “(2) issue uniform guidance, applicable to all
2 military criminal investigative organizations, speci-
3 fying the conditions under which such a record may
4 be removed.

5 “(f) ON-GOING AND SENSITIVE INVESTIGATIONS.—
6 The head of a military criminal investigative organization
7 may waive the notification requirements of this section if
8 such head determines that a notification made pursuant
9 to this section would—

10 “(1) endanger any witness or victim of the of-
11 fense under investigation;

12 “(2) disclose the existence of an intelligence or
13 counterintelligence investigation; or

14 “(3) compromise or reveal any other on-going
15 criminal investigation.

16 “(e) MILITARY CRIMINAL INVESTIGATIVE ORGANIZA-
17 TION DEFINED.—In this section, the term ‘military crimi-
18 nal investigative organization’ means any organization or
19 element of the Department of Defense or an armed force
20 that is responsible for conducting criminal investigations,
21 including—

22 “(1) the Army Criminal Investigation Com-
23 mand;

24 “(2) the Naval Criminal Investigative Service;

1 “(3) the Air Force Office of Special Investiga-
2 tions;

3 “(4) the Coast Guard Investigative Service; and

4 “(5) the Defense Criminal Investigative Serv-
5 ice.”.

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

 “1567b. Mandatory notification of members of the armed forces and reserve
 components identified in certain records of criminal investiga-
 tions.”.

1 **SEC. 533 [Log 75017]. LIMITATION ON AVAILABILITY OF**
2 **FUNDS FOR RELOCATION OF ARMY CID SPE-**
3 **CIAL AGENT TRAINING COURSE.**

4 (a) LIMITATION.—None of the funds authorized to
5 be appropriated by this Act or otherwise made available
6 for fiscal year 2023 for the Army may be obligated or ex-
7 pended to relocate an Army CID special agent training
8 course until—

9 (1)(A) the Secretary of the Army submits to
10 the Committees on Armed Services of the Senate
11 and the House of Representatives—

12 (i) the evaluation and plan required by
13 subsection (a) of section 549C of the National
14 Defense Authorization Act for Fiscal Year 2022
15 (Public Law 117–81; 135 Stat. 1724);

16 (ii) the implementation plan required by
17 subsection (b) of such section; and

18 (iii) a separate report on any plans of the
19 Secretary to relocate an Army CID special
20 agent training course, including an explanation
21 of the business case for any transfer of training
22 personnel proposed as part of such plan;

23 (B) the Secretary provides to the Committee on
24 Armed Services of the House of Representatives a
25 briefing on the contents of each report specified in
26 subparagraph (A); and

1 (C) a period of 90 days has elapsed following
2 the briefing under subparagraph (B); and

3 (2) the Secretary submits a written certification
4 to the Committees on Armed Services of the Senate
5 and the House of Representatives indicating that the
6 Army has fully complied with subsection (c) of sec-
7 tion 549C of the National Defense Authorization
8 Act for Fiscal Year 2022 (Public Law 117–81; 135
9 Stat. 1724) with regard to locations at which mili-
10 tary criminal investigative training is conducted.

11 (b) DEFINITIONS.—In this section:

12 (1) The term “relocate”, when used with re-
13 spect to an Army CID special agent training course,
14 means the transfer of such course to a location dif-
15 ferent than the location used for such course as of
16 the date of the enactment of this Act.

17 (2) The term “Army CID special agent training
18 course” means a training course provided to mem-
19 bers of the Army to prepare such members for serv-
20 ice as special agents in the Army Criminal Investiga-
21 tion Division.

1 **SEC. 534 [Log 75030]. REPORT ON SHARING INFORMATION**
2 **WITH COUNSEL FOR VICTIMS OF OFFENSES**
3 **UNDER THE UNIFORM CODE OF MILITARY**
4 **JUSTICE.**

5 (a) **REPORT REQUIRED.**—Not later than one year
6 after the date of the enactment of this Act, the Defense
7 Advisory Committee on Investigation, Prosecution, and
8 Defense of Sexual Assault in the Armed Forces (referred
9 to in this section as the “Advisory Committee”) shall sub-
10 mit to the appropriate congressional committees and each
11 Secretary concerned a report on the feasibility and advis-
12 ability of establishing a uniform policy for the sharing of
13 the information described in subsection (c) with a Special
14 Victims’ Counsel, Victims’ Legal Counsel, or other counsel
15 representing a victim of an offense under chapter 47 of
16 title 10, United States Code (the Uniform Code of Military
17 Justice).

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

20 (1) An assessment of the feasibility and advis-
21 ability of establishing the uniform policy described in
22 subsection (a), including an assessment of the poten-
23 tial effects of such a policy on—

24 (A) the privacy of individuals;

25 (B) the criminal investigative process; and

26 (C) the military justice system generally.

1 (2) If the Advisory Committee determines that
2 the establishment of such a policy is feasible and ad-
3 visable, a description of—

4 (A) the stages of the military justice proc-
5 ess at which the information described in sub-
6 section (c) should be made available to counsel
7 representing a victim; and

8 (B) any circumstances under which some
9 or all of such information should not be shared.

10 (3) Such recommendations for legislative or ad-
11 ministrative action as the Advisory Committee con-
12 siders appropriate.

13 (c) INFORMATION DESCRIBED.—The information de-
14 scribed in this subsection is the following:

15 (1) Any recorded statements of the victim to in-
16 vestigators.

17 (2) The record of any forensic examination of
18 the person or property of the victim, including the
19 record of any sexual assault forensic exam of the vic-
20 tim that is in possession of investigators or the Gov-
21 ernment.

22 (3) Any medical record of the victim that is in
23 the possession of investigators or the Government.

24 (d) DEFINITIONS.—In this section—

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

3 (A) the congressional defense committees;

4 (B) the Committee on Commerce, Science,
5 and Transportation of the Senate; and

6 (C) the Committee on Transportation and
7 Infrastructure of the House of Representatives.

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

1 **Subtitle E—Member Education,**
2 **Training, and Transition**

3 **SEC. 541 [log75364]. AUTHORITY TO WAIVE TUITION AT**
4 **UNITED STATES AIR FORCE INSTITUTE OF**
5 **TECHNOLOGY FOR CERTAIN PRIVATE SEC-**
6 **TOR CIVILIANS.**

7 Section 9414a(e)(1) of title 10, United States Code,
8 is amended—

9 (1) in by striking “The United” and inserting
10 “Subject to paragraph (3), the United”; and

11 (2) by adding at the end the following:

12 “(3) The Director and Chancellor of the United
13 States Air Force Institute of Technology may waive tui-
14 tion for a student, enrolled under this section, who attends
15 a course for professional continuing education.”.

1 **SEC. 542 [log75216]. TERMS OF PROVOST AND ACADEMIC**
2 **DEAN OF THE UNITED STATES AIR FORCE IN-**
3 **STITUTE OF TECHNOLOGY.**

4 (a) IN GENERAL.—Paragraph (2) of subsection (b)
5 of section 9414b of title 10, United States Code, is amend-
6 ed to read as follows: “An individual selected for the posi-
7 tion of Provost and Chief Academic Officer shall serve in
8 that position for a term of not more than five years and
9 may be continued in that position for an additional term
10 of up to five years”.

11 (b) CONFORMING AMENDMENT.—Paragraph (1) of
12 such subsection is amended by striking “appointed” and
13 inserting “selected”.

1 **SEC. 543 [log75037]. ESTABLISHMENT OF CONSORTIUM FOR**
2 **CURRICULA IN MILITARY EDUCATION.**

3 (a) ESTABLISHMENT.—Not later than one year after
4 the date of the enactment of this Act, the Secretary of
5 Defense, in coordination with the Chairman of the Joint
6 Chiefs of Staff, and in coordination with the Under Sec-
7 retary of Defense for Personnel and Readiness, shall es-
8 tablish a consortium of the institutions of military edu-
9 cation and covered entities.

10 (b) ACTIVITIES.—The duties of the consortium shall
11 be to conduct research and develop common, research-
12 based curricula for the institutions of military education
13 in order to improve military education for students of the
14 consortium members.

15 (c) CURRICULA.—

16 (1) IN GENERAL.—Curricula developed by the
17 consortium shall—

18 (A) be more responsive to new opportuni-
19 ties and challenges in an era of great power
20 competition, and in which security requires
21 knowledge of economics, new technologies, sup-
22 ply chains, and adversarial governments;

23 (B) creatively apply military power to in-
24 form national strategy, conduct globally inte-
25 grated operations, and fight under conditions of
26 disruptive change; and

1 (C) include non-military topics, such as di-
2 plomacy, economics, information, intelligence,
3 and culture.

4 (2) APPLIED DESIGN CENTER FOR INNOVATION
5 OF THE NAVAL POSTGRADUATE SCHOOL.—The Sec-
6 retary may make permanent the curriculum of the
7 Applied Design Center for Innovation of the Naval
8 Postgraduate School.

9 (d) DIRECTOR.—The Director of the consortium shall
10 be the President of National Defense University.

11 (e) MEETINGS.—The consortium shall meet at the
12 call of the Director, in accordance with the following:

13 (1) The consortium and the Chiefs of the
14 Armed Forces shall meet not less than once annually
15 to establish or revise curricula.

16 (2) The consortium shall meet not less than
17 twice annually to establish a plan of action and mile-
18 stones to prepare curricula.

19 (f) REPORTS.—

20 (1) INTERIM REPORT.—Not later than 180
21 days after the date of the enactment of this Act, the
22 Secretary shall submit to the Committees on Armed
23 Services of the Senate and House of Representative
24 an interim report on the organization, activities,
25 funding, actions and milestones of the consortium.

1 (2) ANNUAL REPORT.—Not later than Sep-
2 tember 30 of each year, beginning in 2024 and end-
3 ing in 2028, the Secretary shall submit to the Com-
4 mittees on Armed Services of the Senate and House
5 of Representative a report describing the activities,
6 funding, curricula created, and research conducted
7 by the consortium during the preceding year.

8 (g) TERMINATION.—The consortium shall terminate
9 on September 30, 2028.

10 (h) DEFINITIONS.—In this section:

11 (1) The term “institutions of military edu-
12 cation” means—

13 (A) the professional military education
14 schools;

15 (B) the senior level service schools;

16 (C) the intermediate level service schools;

17 (D) the joint intermediate level service
18 school;

19 (E) the Naval Postgraduate School; and

20 (F) the military service academies.

21 (2) The term “covered entity” means—

22 (A) an institution of higher education that
23 the Secretary determines has an established
24 program of education regarding national secu-

1 rity or technology relevant to the Department
2 of Defense; or

3 (B) an entity that the Secretary deter-
4 mines conducts research in policy relevant to
5 the Department of Defense.

6 (3) The term “institution of higher education”
7 has the meaning given that term in section 101 of
8 the Higher Education Act of 1965 (Public Law 89–
9 329; 20 U.S.C. 1001).

10 (4) The terms “intermediate level service
11 school”, “joint intermediate level service school”,
12 and “senior level service school” have the meaning
13 given such terms in section 2151 of title 10, United
14 States Code.

15 (5) The term “military service academy” means
16 the following:

17 (A) The United States Military Academy.

18 (B) The United States Naval Academy.

19 (C) The United States Air Force Academy.

20 (6) The term “professional military education
21 schools” means the schools specified in section 2162
22 of title 10, United States Code.

1 **SEC. 544 [log75392]. ESTABLISHMENT OF CONSORTIUM OF**
2 **INSTITUTIONS OF MILITARY EDUCATION FOR**
3 **CYBERSECURITY MATTERS.**

4 (a) ESTABLISHMENT.—Not later than one year after
5 the date of the enactment of this Act, the Secretary of
6 Defense, in coordination with the Chairman of the Joint
7 Chiefs of Staff and the Under Secretary of Defense for
8 Personnel and Readiness, shall establish a consortium of
9 the institutions of military education and covered entities.

10 (b) FUNCTIONS.—The functions of the consortium
11 include the following:

12 (1) To provide a forum for members of the con-
13 sortium to share information regarding matters of
14 education on cybersecurity, including—

15 (A) education of cyber mission forces;

16 (B) lessons learned;

17 (C) the intersection of cybersecurity across
18 all warfighting domains; and

19 (D) other matters of cybersecurity related
20 to national security.

21 (2) To develop a cybersecurity research agenda
22 to—

23 (A) identify gaps in cybersecurity of the
24 Department of Defense; and

1 (B) study offensive threats, defensive
2 threats, and active deterrence in the cyber do-
3 main.

4 (3) To provide the Secretary, the consortium
5 members, and other entities determined appropriate
6 by the Secretary, access to the expertise of the mem-
7 bers of the consortium on matters relating to cyber-
8 security.

9 (4) To align the efforts of the members of the
10 consortium to support cybersecurity of the Depart-
11 ment of Defense.

12 (c) DIRECTOR.—The Director of the consortium shall
13 be the President of National Defense University. The Di-
14 rector shall consult and coordinate with representatives of
15 the institutions of military education and covered entities.

16 (d) MEETINGS.—The consortium shall meet at the
17 call of the Director, including—

18 (1) not less than once annually with the Chiefs
19 of the Armed Forces; and

20 (2) not less than once annually to conduct cyber
21 space war games wherein members of the consor-
22 tium compete.

23 (e) COORDINATION WITH OTHER ENTITIES.—The
24 Consortium shall, to the maximum extent practicable, co-
25 ordinate on matters of mutual interest and align its efforts

1 with the consortium established under section 1659 of the
2 National Defense Authorization Act for Fiscal Year 2020
3 (Public Law 116–92; 10 U.S.C. 391 note).

4 (f) REPORTS.—

5 (1) INTERIM REPORT.—Not later than 180
6 days after the date of the enactment of this Act, the
7 Secretary shall submit to the Committees on Armed
8 Services of the Senate and House of Representative
9 an interim report on the organization, activities,
10 funding, actions and milestones of the consortium.

11 (2) ANNUAL REPORT.—Not later than Sep-
12 tember 30 of each year, beginning in 2024 and end-
13 ing in 2028, the Secretary shall submit to the Com-
14 mittees on Armed Services of the Senate and House
15 of Representative a report describing the activities,
16 funding, research conducted by the consortium, and
17 other matters determined by the Secretary, during
18 the preceding year.

19 (g) TERMINATION.—The consortium shall terminate
20 on September 30, 2028.

21 (h) DEFINITIONS.—In this section:

22 (1) The term “institutions of military edu-
23 cation” means—

24 (A) the professional military education
25 schools;

- 1 (B) the senior level service schools;
2 (C) the intermediate level service schools;
3 (D) the joint intermediate level service
4 school;
5 (E) the Naval Postgraduate School; and
6 (F) the military service academies.

7 (2) The term “covered entity” means—

8 (A) an institution of higher education that
9 the Secretary determines has an established
10 program of education regarding cybersecurity
11 or technology relevant to the Department of
12 Defense; or

13 (B) an entity that the Secretary deter-
14 mines conducts research in cybersecurity rel-
15 evant to the Department of Defense.

16 (3) The term “institution of higher education”
17 has the meaning given that term in section 101 of
18 the Higher Education Act of 1965 (Public Law 89–
19 329; 20 U.S.C. 1001).

20 (4) The terms “intermediate level service
21 school”, “joint intermediate level service school”,
22 and “senior level service school” have the meaning
23 given such terms in section 2151 of title 10, United
24 States Code.

1 (5) The term “military service academy” means
2 the following:

3 (A) The United States Military Academy.

4 (B) The United States Naval Academy.

5 (C) The United States Air Force Academy.

6 (6) The term “professional military education
7 schools” means the schools specified in section 2162
8 of title 10, United States Code.

1 **Subtitle F—Military Family Readiness and Dependents’ Education**

2 **SEC. 551 [log74985]. CLARIFICATION AND EXPANSION OF AUTHORIZATION OF SUPPORT FOR CHAPLAIN-LED PROGRAMS FOR MEMBERS OF THE ARMED FORCES.**

3 Section 1789 of title 10, United States Code, is
4 amended—

5 (1) in subsection (a)—

6 (A) by striking “chaplain-led programs”
7 and inserting “a chaplain-led program”;

8 (B) by striking “members of the armed
9 forces” and all that follows through “status and
10 their immediate family members,” and inserting
11 “a covered individual”; and

12 (C) by inserting “, or to support the resiliency,
13 suicide prevention, or holistic wellness of
14 such covered individual” after “structure”;

15 (2) in subsection (b)—

16 (A) by striking “members of the armed
17 forces and their family members” and inserting
18 “a covered individual”;

19 (B) by striking “programs” and inserting
20 “a program”; and

1 (C) by striking “retreats and conferences”
2 and inserting “a retreat or conference”; and
3 (3) by striking subsection (c) and inserting the
4 following:
5 “(c) COVERED INDIVIDUAL DEFINED.—In this sec-
6 tion, the term ‘covered individual’ means—
7 “(1) a member of the armed forces on active
8 duty;
9 “(2) a member of the reserve components in an
10 active status; or
11 “(3) a dependent of an individual described in
12 subparagraph (A) or (B).”.

1 **SEC. 552 [Log 75481]. EXTENSION OF PILOT PROGRAM TO**
2 **EXPAND ELIGIBILITY FOR ENROLLMENT AT**
3 **DOMESTIC DEPENDENT ELEMENTARY AND**
4 **SECONDARY SCHOOLS.**

5 Section 589C(e) of the William M. (Mac) Thornberry
6 National Defense Authorization Act for Fiscal Year 2021
7 (Public Law 116–283; 10 U.S.C. 2164 note) is amended
8 by striking “four years” and inserting “eight years”.

1 **SEC. 553 [log75001]. ADVISORY PANEL ON COMMUNITY SUP-**
2 **PORT FOR MILITARY FAMILIES WITH SPE-**
3 **CIAL NEEDS.**

4 Section 563(d) of the National Defense Authorization
5 Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C.
6 1781c note) is amended—

7 (1) by amending paragraph (2) to read as fol-
8 lows:

9 “(2) MEMBERS.—The advisory panel shall con-
10 sist of the following members, appointed by the Sec-
11 retary of Defense:

12 “(A) Nine individuals from military fami-
13 lies with special needs, with respect to whom
14 the Secretary shall ensure that—

15 “(i) one individual is the spouse of an
16 enlisted member;

17 “(ii) one individual is the spouse of an
18 officer in a grade below O–6;

19 “(iii) one individual is a junior en-
20 listed member;

21 “(iv) one individual is a junior officer;

22 “(v) individuals reside in different ge-
23 ographic regions;

24 “(vi) one individual is a member serv-
25 ing at a remote installation or is a member
26 of the family of such a member; and

1 “(vii) at least two individuals are
2 members serving on active duty, each with
3 a dependent who—

4 “(I) is enrolled in the Excep-
5 tional Family Member Program; and

6 “(II) has an individualized edu-
7 cation program.

8 “(B) One representative of the Defense
9 Health Agency.

10 “(C) One representative of the Department
11 of Defense Education Activity.

12 “(D) One representative of the Office of
13 Special Needs of the Department of Defense.

14 “(E) One or more representatives of advo-
15 cacy groups with missions relating to the Ex-
16 ceptional Family Member Program of the De-
17 partment of Defense.

18 “(F) One or more adult dependents en-
19 rolled in the Exceptional Family Member Pro-
20 gram of the Department of Defense.”; and

21 (2) by adding at the end the following new
22 paragraph:

23 “(5) TRANSPARENCY AND ACCESSIBILITY.—The
24 advisory panel shall—

1 “(A) provide advice that is relevant, objec-
2 tive, and transparent;

3 “(B) ensure that any meetings or other
4 proceedings of the advisory panel are accessible
5 to the public; and

6 “(C) make available on a publicly acces-
7 sible website—

8 “(i) meeting announcements;

9 “(ii) minutes of meetings;

10 “(iii) the names of council representa-
11 tives; and

12 “(iv) regular updates on the progress
13 of the panel in fulfilling the duties speci-
14 fied in paragraph (3).”.

1 **SEC. 554 [Log 75035]. CERTAIN ASSISTANCE TO LOCAL EDU-**
2 **CATIONAL AGENCIES THAT BENEFIT DE-**
3 **PENDENTS OF MILITARY AND CIVILIAN PER-**
4 **SONNEL.**

5 (a) CONTINUATION OF AUTHORITY TO ASSIST LOCAL
6 EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS
7 OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT
8 OF DEFENSE CIVILIAN EMPLOYEES.—Of the amount au-
9 thorized to be appropriated for fiscal year 2023 by section
10 301 and available for operation and maintenance for De-
11 fense-wide activities as specified in the funding table in
12 section 4301, \$53,000,000 shall be available only for the
13 purpose of providing assistance to local educational agen-
14 cies under subsection (a) of section 572 of the National
15 Defense Authorization Act for Fiscal Year 2006 (Public
16 Law 109–163; 20 U.S.C. 7703b).

17 (b) IMPACT AID FOR CHILDREN WITH SEVERE DIS-
18 ABILITIES.—Of the amount authorized to be appropriated
19 for fiscal year 2023 pursuant to section 301 and available
20 for operation and maintenance for Defense-wide activities
21 as specified in the funding table in section 4301,
22 \$22,000,000 shall be available for payments under section
23 363 of the Floyd D. Spence National Defense Authoriza-
24 tion Act for Fiscal Year 2001 (as enacted into law by Pub-
25 lic Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

1 (c) LOCAL EDUCATIONAL AGENCY DEFINED.—In
2 this section, the term “local educational agency” has the
3 meaning given that term in section 7013(9) of the Ele-
4 mentary and Secondary Education Act of 1965 (20 U.S.C.
5 7713(9)).

1 **SEC. 555 [log74997]. EFMP GRANT PROGRAM.**

2 (a) ESTABLISHMENT.—The Secretary of Defense
3 shall establish a program to award grants to, and enter
4 into agreements with, eligible entities under which partici-
5 pating eligible entities shall provide, to covered members
6 assigned to PRIs, services described in subsection (b).

7 (b) SERVICES.—Services described in this subsection
8 are the provision of—

9 (1) training and information that help a cov-
10 ered dependent—

11 (A) meet developmental, functional, and
12 academic goals; and

13 (B) prepare to lead a productive and inde-
14 pendent adult life;

15 (2) training and information that help a cov-
16 ered member—

17 (A) better understand the disabilities and
18 educational, developmental, and transitional
19 needs of the covered dependent of such covered
20 member;

21 (B) participate in the development of an
22 individualized education program for the cov-
23 ered dependent;

24 (C) communicate effectively and work col-
25 laboratively with individuals responsible for pro-
26 viding, to covered dependents, special education,

1 early intervention services, transition services,
2 and related services; and

3 (D) resolve a dispute, regarding education
4 or services described in subparagraph (C), as
5 expeditiously and effectively as possible, includ-
6 ing encouraging the use, and explaining the
7 benefits, of alternative methods of dispute reso-
8 lution; and

9 (3) if an eligible entity is not a PTI—

10 (A) information regarding services offered
11 by the local PTI (about which the eligible entity
12 shall consult with the local PTI not less than
13 once each quarter year); and

14 (B) referrals of covered members to the
15 local PTI.

16 (c) CO-LOCATION.—To the extent practical, the Sec-
17 retary shall ensure that an eligible entity that participates
18 in the program under this section shall provide services
19 described in subsection (b) at a location on the military
20 installation concerned where the Secretary furnishes other
21 services under the EFMP.

22 (d) IMPLEMENTATION.—The Secretary shall imple-
23 ment the program under this section at—

1 (1) six PRIs (one PRI for each covered Armed
2 Force and one joint PRI) not later than two years
3 after the date of the enactment of this Act; and

4 (2) all PRIs not later than four years after the
5 date of the enactment of this Act.

6 (e) PLAN.— Not later than one year after the date
7 of the enactment of this Act, the Secretary shall submit
8 to the appropriate congressional committees the plan of
9 the Secretary to implement the program under this sec-
10 tion.

11 (f) REPORT.—Not later than two years after the Sec-
12 retary implements the program under this section, the
13 Secretary shall submit to the appropriate congressional
14 committees a report on implementation of the program.
15 Such report shall include evaluations of the following:

16 (1) Satisfaction of covered members and cov-
17 ered dependents who receive services under such
18 program.

19 (2) Adherence of schools, with respect to cov-
20 ered dependents described in paragraph (1), to—

21 (A) individualized education programs; and

22 (B) plans under section 504 of the Reha-
23 bilitation Act of 1973 (Public Law 93–112; 29
24 U.S.C. 794).

25 (g) DEFINITIONS.—In this section:

1 (1) The term “appropriate congressional com-
2 mittees” means the following:

3 (A) The congressional defense committees.

4 (B) The Committee on Transportation and
5 Infrastructure of the House of Representatives.

6 (C) The Committee on Commerce, Science,
7 and Transportation of the Senate.

8 (2) The term “congressional defense commit-
9 tees” has the meaning given such term in section
10 101 of title 10, United States Code.

11 (3) The term “covered Armed Force” means an
12 Armed Force under the jurisdiction of the Secretary
13 of a military department.

14 (4) The term “covered dependent” means a de-
15 pendent—

16 (A) of a member of a covered Armed
17 Force;

18 (B) who is a minor; and

19 (C) who is enrolled in the EFMP.

20 (5) The term “covered member” means a mem-
21 ber—

22 (A) of a covered Armed Force; and

23 (B) with a covered dependent.

24 (6) The term “EFMP” means an Exceptional
25 Family Member Program of the Department of De-

1 fense under section 1781c(e) of title 10, United
2 States Code.

3 (7) The term “eligible entity” means a private,
4 nonprofit entity, or an institution of higher edu-
5 cation, that the Secretary of Defense determines ap-
6 propriate to provide services described in subsection
7 (b).

8 (8) The term “individualized education pro-
9 gram” has the meaning given such term in section
10 614 of the Individuals with Disabilities Education
11 Act (20 U.S.C. 1414).

12 (9) The term “institution of higher education”
13 has the meaning given such term in section 101 of
14 the Higher Education Act of 1965 (20 U.S.C.
15 1001).

16 (10) The term “PRI” means a primary receiv-
17 ing installation, as that term is used in section 582
18 of the William M. (Mac) Thornberry National De-
19 fense Authorization Act for Fiscal Year 2021 (Pub-
20 lic Law 116–283; 10 U.S.C. 1781c note).

21 (11) The term “PTI” means a parent training
22 and information center, as that term is defined in
23 section 602 of the Individuals with Disabilities Edu-
24 cation Act (Public Law 91–230; 20 U.S.C. 1401).

1 **SEC. 556 [log75504]. INDUSTRY ROUNDTABLE ON MILITARY**
2 **SPOUSE HIRING.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of the enactment of this Act, the Under Secretary
5 of Defense for Personnel and Readiness shall seek to con-
6 vene an industry roundtable to discuss the hiring of mili-
7 tary spouses. Such discussion shall include the following
8 elements:

9 (1) The value of, and opportunities to, private
10 entities that hire military spouses.

11 (2) Career opportunities for military spouses.

12 (3) Understanding the challenges that military
13 spouses encounter in the labor market.

14 (4) Gaps and opportunities in the labor market
15 for military spouses.

16 (5) Best hiring practices from industry leaders
17 in human resources.

18 (b) PARTICIPANTS.—The participants in the round-
19 table shall include the following:

20 (1) The Under Secretary.

21 (2) The Assistant Secretary for Manpower and
22 Reserve Affairs of each military department.

23 (3) The Director of the Defense Human Re-
24 sources Activity.

1 (4) Other officials of the Department of De-
2 fense the Secretary of Defense determines appro-
3 priate.

4 (5) Private entities that elect to participate.

5 (c) NOTICE.—The Under Secretary shall publish no-
6 tice of the roundtable in multiple private sector forums
7 and the Federal Register to encourage participation in the
8 roundtable by private entities and entities interested in the
9 hiring of military spouses.

10 (d) BRIEFING.—Not later than one year after the
11 date of the enactment of this Act, the Secretary of Defense
12 shall provide a briefing to the Committees on Armed Serv-
13 ices of the Senate and House of Representatives on the
14 lessons learned from the roundtable, including the rec-
15 ommendation of the Secretary whether to convene the
16 roundtable annually.

1 **SEC. 557 [log75333]. FEASIBILITY STUDY AND REPORT ON**
2 **PILOT PROGRAM TO PROVIDE POTFF SERV-**
3 **ICES TO SEPARATING MEMBERS OF SPECIAL**
4 **OPERATIONS FORCES AND CERTAIN FAMILY**
5 **MEMBERS.**

6 (a) REPORT REQUIRED.—Not later than March 1,
7 2023, the Secretary shall submit to the Committees on
8 Armed Services of the Senate and House of Representa-
9 tives a report on the feasibility of a pilot program to pro-
10 vide, to covered individuals, services under POTFF. The
11 report shall include the following elements:

12 (1) An outline of the tools, resources, and per-
13 sonnel the Secretary determines necessary to carry
14 out the pilot program.

15 (2) An assessment of the potential benefits, im-
16 plications, and effects of the pilot program.

17 (3) The POTFF services that the Secretary
18 could provide to covered individuals under the pilot
19 program.

20 (4) An assessment of how best to carry out the
21 separation of covered members, including any addi-
22 tional resources the Secretary determines necessary.

23 (5) Any legislative or administrative action that
24 the Secretary determines necessary to carry the such
25 pilot program.

1 (6) Any other information the Secretary deter-
2 mines appropriate.

3 (b) DEFINITIONS.—In this section:

4 (1) The term “covered individual” means—

5 (A) a covered member;

6 (B) an immediate family of a covered
7 member; or

8 (C) an individual eligible for a gold star
9 lapel button under section 1126 of title 10,
10 United States Code, on the basis of the rela-
11 tionship of such individual to a deceased mem-
12 ber of special operations forces.

13 (2) The term “covered member” means mem-
14 bers of the Armed Forces—

15 (A) assigned to special operations forces;

16 and

17 (B) who are separating from the Armed
18 Forces.

19 (3) The term “immediate family member” has
20 the meaning given that term in section 1789 of title
21 10, United States Code.

22 (4) The term “POTFF” means the Preserva-
23 tion of the Force and Family Program of United
24 States Special Operations Command under section
25 1788a of title 10, United States Code.

1 (5) The term “special operations forces” means
2 the forces described in section 167(j) of title 10,
3 United States Code.

1 **Subtitle G—Decorations and**
2 **Awards, Miscellaneous Reports,**
3 **and Other Matters**

4 **SEC. 561 [log74968]. AUTHORIZATION FOR AWARD OF THE**
5 **MEDAL OF HONOR TO DAVID R. HALBRUNER**
6 **FOR ACTS OF VALOR ON SEPTEMBER 11-12,**
7 **2012.**

8 (a) AUTHORIZATION.—Notwithstanding the time lim-
9 itations specified in section 7274 of title 10, United States
10 Code, or any other time limitation with respect to the
11 awarding of certain medals to persons who served in the
12 Armed Forces, the President may award the Medal of
13 Honor under section 7272 of such title to David R.
14 Halbruner for the acts of valor described in the subsection
15 (b).

16 (b) ACTS OF VALOR DESCRIBED.—The acts of valor
17 described in this subsection are the actions of David R.
18 Halbruner as a master sergeant in the Army on Sep-
19 tember 11-12, 2012, for which he was previously awarded
20 the Distinguished-Service Cross.

1 **Subtitle A—Pay and Allowances**

2 **SEC. 601 [log75021]. EXCLUSION OF BAH FROM GROSS**
3 **HOUSEHOLD INCOME FOR PURPOSES OF**
4 **BASIC NEEDS ALLOWANCE.**

5 Section 402b(k)(1) of title 37, United States Code,
6 is amended by striking subparagraph (B) and inserting
7 the following:

8 “(B) the basic allowance for housing under
9 section 403 of this title paid to such member.”.

1 **SEC. 602 [log75308]. BASIC ALLOWANCE FOR HOUSING FOR**
2 **A MEMBER WITHOUT DEPENDENTS WHOSE**
3 **RELOCATION WOULD FINANCIALLY DIS-**
4 **ADVANTAGE SUCH MEMBER.**

5 Section 403(o) of title 37, United States Code, is
6 amended—

7 (1) by inserting “(1)” before “In the case of a
8 member who is assigned”; and

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

11 “(2) In the case of a member without dependents who
12 is assigned to a unit that undergoes a change of home
13 port or a change of permanent duty station, the Secretary
14 concerned may, if the Secretary concerned determines that
15 it would be inequitable to base the member’s entitlement
16 to, and amount of, a basic allowance for housing on the
17 new home port or permanent duty station, treat such
18 member, for the purposes of this section, as if the unit
19 to which the member is assigned did not undergo such
20 a change.”.

1 **SEC. 603 [log75454]. REVIVAL AND REDESIGNATION OF PRO-**
2 **VISION ESTABLISHING BENEFITS FOR CER-**
3 **TAIN MEMBERS ASSIGNED TO THE DEFENSE**
4 **INTELLIGENCE AGENCY.**

5 (a) REVIVAL.—Section 491 of title 37, United States
6 Code—

7 (1) is revived to read as it did immediately be-
8 fore its repeal under section 604 of the National De-
9 fense Authorization Act for Fiscal Year 2022 (Pub-
10 lic Law 117–81); and

11 (2) is redesignated as section 431 of such title.

12 (b) CLERICAL AMENDMENT.—The table of sections
13 at the beginning of chapter 7 of such title is amended by
14 inserting, after the item relating to section 427, the fol-
15 lowing new item:

“431. Benefits for certain members assigned to the Defense Intelligence Agen-
cy.”.

1 **SEC. 604 [log75206]. REIMBURSEMENT OF CERTAIN CHILD**
2 **CARE COSTS INCIDENT TO A PERMANENT**
3 **CHANGE OF STATION OR ASSIGNMENT.**

4 (a) DESIGNATED CHILD CARE PROVIDER: DEFINI-
5 TION; INCLUSION AS AUTHORIZED TRAVELER.—Section
6 451(a) of title 37, United States Code, is amended—

7 (1) in paragraph (2)(C), by inserting “, or as
8 a designated child care provider if child care is not
9 available to a member of the armed forces at a mili-
10 tary child development center (as that term is de-
11 fined in section 1800 of title 10) at the permanent
12 duty location of such member not later than 30 days
13 after the member arrives at such location” before
14 the period; and

15 (2) by adding at the end the following new
16 paragraph:

17 “(4) The term ‘designated child care provider’
18 means an adult selected by a member of the armed
19 forces to provide child care to a dependent child of
20 such member.”.

21 (b) AUTHORIZATION OF REIMBURSEMENT.—Section
22 453 of title 37, United States Code, is amended by adding
23 at the end the following new subsection:

24 “(h) REIMBURSEMENT OF CERTAIN CHILD CARE
25 COSTS INCIDENT TO A MEMBER’S PERMANENT CHANGE
26 OF STATION OR ASSIGNMENT.—(1) From amounts other-

1 wise made available for a fiscal year to provide travel and
2 transportation allowances under this chapter, the Sec-
3 retary concerned may reimburse a member of the armed
4 forces for travel expenses for a designated child care pro-
5 vider when—

6 “(A) the member is reassigned, either as a per-
7 manent change of station or permanent change of
8 assignment, to a new duty station;

9 “(B) the movement of the member’s dependents
10 is authorized at the expense of the United States
11 under this section as part of the reassignment;

12 “(C) child care is not available at a military
13 child development center (as that term is defined in
14 section 1800 of title 10) at such duty station not
15 later than 30 days after the member arrives at such
16 duty station; and

17 “(D) the dependent child is on the wait list for
18 child care at such military child development center.

19 “(2) Reimbursement provided to a member under
20 this subsection may not exceed—

21 “(A) \$500 for a reassignment between duty sta-
22 tions within the continental United States; and

23 “(B) \$1,500 for a reassignment involving a
24 duty station outside of the continental United
25 States.

1 “(3) A member may not apply for reimbursement
2 under this subsection later than one year after a reassign-
3 ment described in paragraph (1).

4 “(4) In the event a household contains two or more
5 members eligible for reimbursement under this subsection,
6 reimbursement may be paid to one member among such
7 members as such members shall jointly elect.”.

1 **SEC. 605 [log75063]. EXPANSION OF AUTHORITY TO REIM-**
2 **BURSE A MEMBER OF THE UNIFORMED SERV-**
3 **ICES FOR SPOUSAL BUSINESS COSTS ARIS-**
4 **ING FROM A PERMANENT CHANGE OF STA-**
5 **TION.**

6 Subsection (g) of section 453 of title 37, United
7 States Code, as amended by section 604, is further amend-
8 ed—

9 (1) in the heading, by inserting “OR BUSINESS
10 COSTS” after “RELICENSING COSTS”;

11 (2) in paragraph (1), by inserting “or qualified
12 business costs” after “qualified relicensing costs”;

13 (3) in paragraph (2)—

14 (A) by inserting “(A)” before “Reimburse-
15 ment”;

16 (B) by inserting “for qualified relicensing
17 costs” after “subsection”;

18 (C) by striking “\$1000” and inserting
19 “\$1,000”; and

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

22 “(B) Reimbursement provided to a member under
23 this subsection for qualified business costs may not exceed
24 \$2,000 in connection with each reassignment described in
25 paragraph (1).”;

1 (4) in paragraph (3), by inserting “or qualified
2 business costs” after “qualified relicensing costs”;

3 (5) in paragraph (4)—

4 (A) in the matter preceding subparagraph
5 (A), by inserting “business license, permit,”
6 after “courses,”;

7 (B) in subparagraph (A)—

8 (i) by inserting “, or owned a busi-
9 ness,” before “during”;

10 (ii) by inserting “professional” before
11 “license”; and

12 (iii) by inserting “, or business license
13 or permit,” after “certification”; and

14 (C) in subparagraph (B)—

15 (i) by inserting “professional” before
16 “license”; and

17 (ii) by inserting “, or business license
18 or permit,” after “certification”; and

19 (6) by adding at the end the following new
20 paragraph:

21 “(5) In this subsection, the term ‘qualified business
22 costs’ means costs, including moving services for equip-
23 ment, equipment removal, new equipment purchases, in-
24 formation technology expenses, and inspection fees, in-
25 curred by the spouse of a member if—

1 “(A) the spouse owned a business during the
2 member’s previous duty assignment and the costs re-
3 sult from a movement described in paragraph (1)(B)
4 in connection with the member’s change in duty lo-
5 cation pursuant to reassignment described in para-
6 graph (1)(A); and

7 “(B) the costs were incurred or paid to move
8 such business to a new location in connection with
9 such reassignment.”.

1 **SEC. 606 [log75024]. TRAVEL AND TRANSPORTATION ALLOW-**
2 **ANCES FOR CERTAIN MEMBERS OF THE**
3 **ARMED FORCES WHO ATTEND A PROFES-**
4 **SIONAL MILITARY EDUCATION INSTITUTION**
5 **OR TRAINING CLASSES.**

6 Section 453 of title 37, United States Code, as
7 amended by sections 604 and 605, is further amended by
8 adding at the end the following new subsection:

9 “(i) ATTENDANCE AT PROFESSIONAL MILITARY
10 EDUCATION INSTITUTION OR TRAINING CLASSES.—

11 “(1) The Secretary of the military department
12 concerned may authorize temporary duty status, and
13 travel and transportation allowances payable to a
14 member in such status, for a member under the ju-
15 risdiction of such Secretary who is reassigned—

16 “(A) between duty stations located within
17 the United States;

18 “(B) for a period of not more than one
19 year;

20 “(C) for the purpose of participating in
21 professional military education or training
22 classes,

23 “(D) with orders to return to the duty sta-
24 tion where the member maintains primary resi-
25 dence and the dependents of such member re-
26 side.

1 “(2) If the Secretary of the military department
2 concerned assigns permanent duty status to a mem-
3 ber described in paragraph (1), such member shall
4 be eligible for travel and transportation allowances
5 including the following:

6 “(A) Transportation, including mileage at
7 the same rate paid for a permanent change of
8 station.

9 “(B) Per diem while traveling between the
10 permanent duty station and professional mili-
11 tary education institution or training site.

12 “(C) Per diem paid in the same manner
13 and amount as temporary lodging expenses.

14 “(D) Per diem equal to the amount of the
15 basic allowance for housing under section 403
16 of this title paid to a member—

17 “(i) in the grade of such member;

18 “(ii) without dependents;

19 “(iii) who resides in the military hous-
20 ing area in which the professional military
21 education institution or training site is lo-
22 cated.

23 “(E) Movement of household goods in an
24 amount determined under applicable regula-
25 tions.”.

1 **SEC. 607 [log75450]. EXTENSION OF ONE-TIME UNIFORM AL-**
2 **LOWANCE FOR OFFICERS WHO TRANSFER TO**
3 **THE SPACE FORCE.**

4 Subsection (d)(1) of section 606 of the William M.
5 (Mac) Thornberry National Defense Authorization Act for
6 Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3672;
7 37 U.S.C. 416 note) is amended by striking “September
8 30, 2022” and inserting “September 30, 2023”.

1 **SEC. 608 [log75016]. PAY FOR DOD AND COAST GUARD**
2 **CHILD CARE PROVIDERS: STUDIES; ADJUST-**
3 **MENT.**

4 (a) DOD CHILD CARE EMPLOYEE COMPENSATION
5 REVIEW.—

6 (1) REVIEW REQUIRED.—The Secretary of De-
7 fense shall, for each geographic area in which the
8 Secretary of a military department operates a mili-
9 tary child development center, conduct a study—

10 (A) comparing the total compensation, in-
11 cluding all pay and benefits, of child care em-
12 ployees of each military child development cen-
13 ter in the geographic area to the total com-
14 pensation of similarly credentialed employees of
15 public elementary schools in such geographic
16 area; and

17 (B) estimating the difference in average
18 pay and the difference in average benefits be-
19 tween such child care employees and such em-
20 ployees of public elementary schools.

21 (2) SCHEDULE.—The Secretary of Defense
22 shall complete the studies required under paragraph
23 (1)—

24 (A) for the geographic areas containing the
25 military installations with the 25 longest wait
26 lists for child care services at military child de-

1 velopment centers, not later than one year after
2 the date of the enactment of this Act; and

3 (B) for geographic areas other than geo-
4 graphic areas described in subparagraph (A),
5 not later than two years after the date of the
6 enactment of this Act.

7 (3) REPORTS.—

8 (A) INTERIM REPORT.—Not later than one
9 year after the date of the enactment of this Act,
10 the Secretary of Defense shall submit to the
11 congressional defense committees and the Coast
12 Guard committees a report summarizing the re-
13 sults of the studies required under paragraph
14 (1) that have been completed as of the date of
15 the submission of such report.

16 (B) FINAL REPORT.—Not later than 120
17 days after the completion of all the studies re-
18 quired under paragraph (1), the Secretary shall
19 submit to the congressional defense committees
20 and the Coast Guard committees a report sum-
21 marizing the results of such studies.

22 (b) COAST GUARD CHILD DEVELOPMENT CENTER
23 EMPLOYEE COMPENSATION REVIEW.—

24 (1) REVIEW REQUIRED.—The Secretary of
25 Homeland Security shall, for each geographic area

1 in which the Secretary operates a Coast Guard child
2 development center, conduct a study—

3 (A) comparing the total compensation (in-
4 cluding all pay and benefits) of child develop-
5 ment center employees of each Coast Guard
6 child development center in such geographic
7 area, to the total compensation of similarly
8 credentialed employees of public elementary
9 schools in such geographic area; and

10 (B) estimating the difference in average
11 pay and the difference in average benefits be-
12 tween such child development center employees
13 and such employees of public elementary
14 schools.

15 (2) SCHEDULE.—The Secretary of Homeland
16 Security shall complete the studies required under
17 paragraph (1)—

18 (A) for the geographic areas containing the
19 Coast Guard installations with the 10 longest
20 wait lists for child development services at
21 Coast Guard child development centers, not
22 later than one year after the date of the enact-
23 ment of this Act; and

24 (B) for geographic areas other than geo-
25 graphic areas described in subparagraph (A),

1 not later than two years after the date of the
2 enactment of this Act.

3 (3) REPORTS.—

4 (A) INTERIM REPORT.—Not later than one
5 year after the date of the enactment of this Act,
6 the Secretary of Homeland Security shall sub-
7 mit to the Coast Guard committees and the
8 congressional defense committees a report sum-
9 marizing the results of the respective studies re-
10 quired under paragraph (1) that the Secretary
11 has completed as of the date of the submission
12 of such report.

13 (B) FINAL REPORT.—Not later than 120
14 days after the completion of all respective stud-
15 ies required under paragraph (1), the Secretary
16 of Homeland Security shall submit to the Coast
17 Guard committees and the congressional de-
18 fense committees a report summarizing the re-
19 sults of such studies.

20 (c) COMPENSATION ADJUSTMENT.—

21 (1) IN GENERAL.—

22 (A) DEPARTMENT OF DEFENSE.—Not
23 later than 90 days after the date on which the
24 Secretary of Defense completes the study for a
25 geographic area under subsection (a), the Sec-

1 retary of each military department that oper-
2 ates a military child development center in such
3 geographic area shall ensure that the dollar
4 value of the total compensation, including the
5 pay and benefits, of child care employees is not
6 less than the average dollar value of the total
7 compensation of similarly credentialed employ-
8 ees of public elementary schools in such geo-
9 graphic area.

10 (B) COAST GUARD.—Not later than 90
11 days after the date on which the Secretary of
12 Homeland Security completes the study for a
13 geographic area under subsection (b), the Com-
14 mandant of the Coast Guard shall ensure that
15 the dollar value of the total compensation, in-
16 cluding the pay and benefits, of child develop-
17 ment center employees in such geographic area
18 is not less than the average dollar value of the
19 total compensation of similarly credentialed em-
20 ployees of public elementary schools in such ge-
21 ographic area.

22 (2) ADJUSTMENT LIMIT.—No child care em-
23 ployee or child development center employee may
24 have his or her pay or benefits decreased pursuant
25 to paragraph (1).

1 (3) REPORTS.—

2 (A) DEPARTMENT OF DEFENSE.—Not
3 later than one year after the date of the enact-
4 ment of this Act, and annually thereafter for
5 five years, each Secretary of a military depart-
6 ment shall submit to the congressional defense
7 committees and the Coast Guard committees a
8 report detailing the effects of changes in the
9 total compensation under this subsection, in-
10 cluding the effects on the hiring and retention
11 of child care employees and on the number of
12 children for which military child development
13 centers provide child care services.

14 (B) COAST GUARD.—Not later than one
15 year after the date of the enactment of this Act,
16 and annually thereafter for five years, the Com-
17 mandant of the Coast Guard shall submit to
18 the Coast Guard committees and the congress-
19 sional defense committees a report detailing the
20 effects of changes in the total compensation
21 under this subsection, including the effects on
22 the hiring and retention of child development
23 center employees and on the number of children
24 for which Coast Guard child development cen-
25 ters provide child development services.

1 (d) DEFINITIONS.—In this section:

2 (1) The term “benefits” includes—

3 (A) retirement benefits;

4 (B) any insurance premiums paid by an
5 employer;

6 (C) education benefits, including tuition re-
7 imbursement and student loan repayment; and

8 (D) any other compensation an employer
9 provides to an employee for service performed
10 as an employee (other than pay), as determined
11 appropriate by the Secretary of Defense or Sec-
12 retary of Homeland Security, as applicable.

13 (2) The terms “child care employee” and “mili-
14 tary child development center” have the meanings
15 given such terms in section 1800 of title 10, United
16 States Code.

17 (3) The terms “child development center em-
18 ployee” and “Coast Guard child development center”
19 have the meanings given such terms in section 2921
20 of title 14, United States Code.

21 (4) The term “Coast Guard committees”
22 means—

23 (A) the Committee on Commerce, Science,
24 and Transportation of the Senate;

1 (B) the Committee on Transportation and
2 Infrastructure of the House of Representatives;
3 and

4 (C) the Committees on Appropriations of
5 the Senate and the House of Representatives.

6 (5) The term “congressional defense commit-
7 tees” has the meaning given such term in section
8 101 of title 10, United States Code.

9 (6) The term “elementary school” means a day
10 or residential school which provides elementary edu-
11 cation, as determined under State law.

12 (7) The term “pay” includes the basic rate of
13 pay of an employee and any additional payments an
14 employer pays to an employee for service performed
15 as an employee.

1 **SEC. 609 [log75271]. STUDY ON BASIC PAY.**

2 (a) IN GENERAL.—The Secretary of Defense shall
3 seek to enter into an agreement with a nonprofit entity
4 or a federally funded research and development center to
5 conduct research and analysis on the value of basic pay
6 for members of the Armed Forces. The Secretary may in-
7 clude such research and analysis in the next quadrennial
8 review of military compensation.

9 (b) ELEMENTS.—The research and analysis con-
10 ducted under subsection (a) shall include the following:

11 (1) An assessment of the model used to deter-
12 mine the basic pay in the current basic pay tables,
13 including—

14 (A) an analysis of whether to update the
15 current model to meet the needs of the 2023
16 employment market;

17 (B) a historical understanding of when the
18 current model was established and how fre-
19 quently it has been during the last 10 years;

20 (C) an understanding of the assumptions
21 on which the model is based and how such as-
22 sumptions are validated;

23 (D) an analysis of time-in-grade require-
24 ments and how they may affect retention and
25 promotion; and

1 (E) an assessment of how recruiting and
2 retention information is used to adjust the
3 model.

4 (2) An assessment of whether to modify current
5 basic pay tables to consider higher rates of pay for
6 specialties the Secretary determines are in critical
7 need of personnel.

8 (3) An analysis of—

9 (A) how basic pay has compared with civil-
10 ian pay since the 70th percentile benchmark for
11 basic pay was established; and

12 (B) whether to change the 70th percentile
13 benchmark.

14 (4) An assessment of whether—

15 (A) to adjust the annual increase in basic
16 pay, currently guided by changes in the Em-
17 ployment Cost Index as a measure of the
18 growth in private-sector employment costs; or

19 (B) to use a different index, such as the
20 Defense Employment Cost Index.

21 (5) Legislative and policy recommendations re-
22 garding basic pay table based on analyses and as-
23 sessments under paragraphs (1) through (4).

24 (c) BRIEFINGS AND PROGRESS REPORT.—

1 (1) INTERIM BRIEFING.—Not later than April
2 1, 2023, the Secretary shall provide to the appro-
3 priate congressional committees an interim briefing
4 on the elements described in subsection (b).

5 (2) PROGRESS REPORT.—Not later than one
6 year after the date of the enactment of this Act, the
7 Secretary shall submit to the appropriate congress-
8 sional committees a progress report on the study
9 under this section.

10 (3) FINAL BRIEFING.—Not later than two years
11 after the date of the enactment of this Act, the Sec-
12 retary shall submit to the appropriate congressional
13 committees a final briefing on the study under this
14 section.

15 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
16 DEFINED.—In this section, the term “appropriate con-
17 gressional committees” means the following:

18 (1) The Committee on Armed Services of the
19 House of Representatives.

20 (2) The Committee on Armed Services of the
21 Senate.

22 (3) The Committee on Transportation and In-
23 frastructure of the House of Representatives.

24 (4) The Committee on Commerce, Science, and
25 Transportation of the Senate.

1 **SEC. 609A [log75064]. REPORT ON ACCURACY OF BASIC AL-**
2 **LOWANCE FOR HOUSING.**

3 (a) REPORT; ELEMENTS.—Not later than one year
4 after the date of the enactment of this Act, the Secretary
5 of Defense, in consultation with the Secretary of the de-
6 partment in which the Coast Guard is operating, shall pre-
7 pare and submit to the appropriate congressional commit-
8 tees a report on BAH. Such report shall contain the fol-
9 lowing elements:

10 (1) The evaluation of the Secretary—

11 (A) of the efficiency and accuracy of the
12 current system used to calculate BAH;

13 (B) the appropriateness of using mean and
14 median housing costs in such calculation;

15 (C) of existing MHAs, in relation to
16 choices in, and availability of, housing to
17 servicemembers;

18 (D) of the suitability of the six standard
19 housing profiles in relation to the average fam-
20 ily sizes of servicemembers, disaggregated by
21 uniformed service, rank, and MHA;

22 (E) of the flexibility of BAH to respond to
23 changes in real estate markets; and

24 (F) of residential real estate processes to
25 determine rental rates.

26 (2) The recommendation of the Secretary—

1 (A) regarding the feasibility of including
2 information, furnished by Federal entities, re-
3 garding school districts, in calculating BAH;

4 (B) whether to calculate BAH more fre-
5 quently, including in response to a sudden
6 change in the housing market;

7 (C) whether to enter into an agreement
8 with a covered entity, to compile data and de-
9 velop an enterprise grade, objective, data-driven
10 algorithm to calculate BAH;

11 (D) whether to publish the methods used
12 by the Secretary to calculate BAH on a publicly
13 accessible website of the Department of De-
14 fense; and

15 (E) whether BAH calculations appro-
16 priately account for increased housing costs as-
17 sociated with Coast Guard facilities.

18 (b) DEFINITIONS.—In this section:

19 (1) The term “appropriate congressional com-
20 mittees” means the following:

21 (A) The Committee on Armed Services of
22 the House of Representatives.

23 (B) The Committee on Armed Services of
24 the Senate.

1 (C) The Committee on Transportation and
2 Infrastructure of the House of Representatives.

3 (D) The Committee on Commerce, Science,
4 and Transportation of the Senate.

5 (2) The term “BAH” means the basic allow-
6 ance for housing for members of the uniformed serv-
7 ices under section 403 of title 37, United States
8 Code.

9 (3) The term “covered entity” means a nation-
10 ally recognized entity in the field of commercial real
11 estate that has data on local rental rates in real es-
12 tate markets across the United States.

13 (4) The term “MHA” means military housing
14 area.

15 (5) The term “servicemember” has the meaning
16 given such term in section 101 of the
17 Servicemembers Civil Relief Act (50 U.S.C. 3911).

1 **Subtitle B—Bonus and Incentive**
2 **Pays**

3 **SEC. 611 [log74825]. ONE-YEAR EXTENSION OF CERTAIN EX-**
4 **PIRING BONUS AND SPECIAL PAY AUTHORI-**
5 **TIES.**

6 (a) AUTHORITIES RELATING TO RESERVE
7 FORCES.—Section 910(g) of title 37, United States Code,
8 relating to income replacement payments for reserve com-
9 ponent members experiencing extended and frequent mo-
10 bilization for active duty service, is amended by striking
11 “December 31, 2022” and inserting “December 31,
12 2023”.

13 (b) TITLE 10 AUTHORITIES RELATING TO HEALTH
14 CARE PROFESSIONALS.—The following sections of title
15 10, United States Code, are amended by striking “Decem-
16 ber 31, 2022” and inserting “December 31, 2023”:

17 (1) Section 2130a(a)(1), relating to nurse offi-
18 cer candidate accession program.

19 (2) Section 16302(d), relating to repayment of
20 education loans for certain health professionals who
21 serve in the Selected Reserve.

22 (c) AUTHORITIES RELATING TO NUCLEAR OFFI-
23 CERS.—Section 333(i) of title 37, United States Code, is
24 amended by striking “December 31, 2022” and inserting
25 “December 31, 2023”.

1 (d) AUTHORITIES RELATING TO TITLE 37 CONSOLI-
2 DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-
3 THORITIES.—The following sections of title 37, United
4 States Code, are amended by striking “December 31,
5 2022” and inserting “December 31, 2023”:

6 (1) Section 331(h), relating to general bonus
7 authority for enlisted members.

8 (2) Section 332(g), relating to general bonus
9 authority for officers.

10 (3) Section 334(i), relating to special aviation
11 incentive pay and bonus authorities for officers.

12 (4) Section 335(k), relating to special bonus
13 and incentive pay authorities for officers in health
14 professions.

15 (5) Section 336(g), relating to contracting
16 bonus for cadets and midshipmen enrolled in the
17 Senior Reserve Officers’ Training Corps.

18 (6) Section 351(h), relating to hazardous duty
19 pay.

20 (7) Section 352(g), relating to assignment pay
21 or special duty pay.

22 (8) Section 353(i), relating to skill incentive
23 pay or proficiency bonus.

1 (9) Section 355(h), relating to retention incen-
2 tives for members qualified in critical military skills
3 or assigned to high priority units.

4 (e) **AUTHORITY TO PROVIDE TEMPORARY INCREASE**
5 **IN RATES OF BASIC ALLOWANCE FOR HOUSING.**—Section
6 403(b) of title 37, United States Code, is amended—

7 (1) in paragraph (7)(E), by striking “December
8 31, 2022” and inserting “December 31, 2023”; and

9 (2) in paragraph (8)(C), by striking “Sep-
10 tember 30, 2022” and inserting “December 31,
11 2023”.

1 **SEC. 612 [log75059]. SPECIAL PAY AND ALLOWANCES FOR**
2 **MEMBERS OF THE ARMED FORCES ASSIGNED**
3 **TO COLD WEATHER OPERATIONS.**

4 (a) SPECIAL PAY.—

5 (1) ESTABLISHMENT.—Subchapter II of chap-
6 ter 5 of title 37, United States Code, is amended by
7 inserting after section 336 the following new section:

8 **“§ 337. Special pay: members of the armed forces as-**
9 **signed to cold weather operations**

10 “(a) SPECIAL PAY AUTHORIZED.—The Secretary
11 concerned shall pay monthly special pay (to be known as
12 ‘arctic pay’) to a member of the armed forces—

13 “(1) assigned to perform cold weather oper-
14 ations; or

15 “(2) required to maintain proficiency through
16 frequent operations in cold weather.

17 “(b) AMOUNT OF PAY.—Special pay under this sec-
18 tion shall equal \$300 per month.

19 “(c) RELATIONSHIP TO OTHER PAY OR ALLOW-
20 ANCES.—Special pay under this section is in addition to
21 any other pay or allowance to which a member is entitled.

22 “(d) SUNSET.—No special pay may be paid under
23 this section after December 31, 2023.”.

24 (2) CLERICAL AMENDMENT.—The table of sec-
25 tions at the beginning of such chapter is amended

1 by inserting after the item relating to section 336
2 the following:

“337. Special pay: members of the armed forces assigned to permanent duty stations in Alaska.”.

3 (3) REGULATIONS.—The Secretary of Defense
4 shall prescribe regulations for the payment of arctic
5 pay under section 337 of such title, as added by sub-
6 section (a).

7 (b) PILOT ALLOWANCE FOR BROADBAND.—

8 (1) ESTABLISHMENT.—Chapter 7 of title 37,
9 United States Code, is amended by inserting after
10 section 425 the following new section:

11 **“§ 426. Allowance for broadband for members of the**
12 **armed forces assigned to permanent duty**
13 **stations in Alaska**

14 “(a) ALLOWANCE AUTHORIZED.—The Secretary con-
15 cerned shall pay, to a member of the armed forces as-
16 signed to a permanent duty station in Alaska, a monthly
17 allowance for broadband.

18 “(b) AMOUNT.—The monthly allowance to a member
19 under this section shall be—

20 “(1) \$125 during calendar year 2023; and

21 “(2) in subsequent calendar years, an amount
22 determined by the Secretary of Defense based on the
23 difference between the average costs of unlimited

1 broadband plans in Alaska and in the continental
2 United States.

3 “(c) SUNSET.—No allowance may be paid under this
4 section after December 31, 2028.”.

5 (2) CLERICAL AMENDMENT.—The table of sec-
6 tions at the beginning of such chapter is amended
7 by inserting after the item relating to section 425
8 the following:

“426. Allowance for broadband for members of the armed forces assigned to
permanent duty stations in Alaska.”.

9 (3) EFFECTIVE DATE.—Section 426 of such
10 title, as added by this subsection, shall take effect on
11 the day the Secretary of Defense prescribes regula-
12 tions under paragraph (4).

13 (4) REGULATIONS.—Not later than six months
14 after the date of the enactment of this Act, the Sec-
15 retary of Defense shall prescribe regulations to carry
16 out section 426 of such title, as added by this sub-
17 section.

18 (5) REPORT.—Not later than December 31,
19 2027, the Secretary of Defense shall submit to the
20 Committees on Armed Services of the Senate and
21 House of Representatives a report containing—

22 (A) the evaluation of the Secretary of the
23 allowance under section 426 of such title, as
24 added by this subsection; and

1 (B) any recommendation of the Secretary
2 regarding whether such allowance should be
3 amended, extended, or made permanent.

4 (c) TRAVEL AND TRANSPORTATION ALLOWANCE.—

5 (1) ENTITLEMENT.—Not later than 90 days
6 after the date of the enactment of this Act, the Sec-
7 retary of Defense shall prescribe regulations and
8 guidance that entitle a member of the Armed
9 Forces, assigned to a permanent duty station in
10 Alaska, to a one-time allowance for air travel for the
11 member and dependents of such member.

12 (2) AMOUNTS.—If the air travel is to the per-
13 manent residence of the member, the amount of the
14 allowance shall equal the total costs of such air trav-
15 el. If such air travel is to another destination within
16 the United States, amount of the allowance shall be
17 equal to the lesser of the following:

18 (A) The rate for such air travel under the
19 City Pair Program of the General Services Ad-
20 ministration (or successor program) in effect at
21 the time of such air travel.

22 (B) The actual costs of such air travel.

23 (3) TIMING.—Air travel reimbursed under such
24 regulation may not commence later than 30 months

1 after the member is assigned to a permanent duty
2 station in Alaska.

3 (4) ADDITIONAL AUTHORIZATION.—The Sec-
4 retary concerned may authorize an additional allow-
5 ance for a member who has used the allowance to
6 which such member is entitled under this subsection.

1 **Subtitle C—Family and Survivor**
2 **Benefits**

3 **SEC. 621 [log75060]. EXPANDED ELIGIBILITY FOR BEREAVE-**
4 **MENT LEAVE FOR MEMBERS OF THE ARMED**
5 **FORCES.**

6 (a) EXPANSION.—Section 701(m) of title 10, United
7 States Code, is amended in paragraph (3) by striking sub-
8 paragraphs (A) and (B) and inserting the following:

9 “(A) a spouse;

10 “(B) a son or daughter; or

11 “(C) a parent.

12 “(4) In this section, the term ‘son or daughter’
13 means—

14 “(A) a biological, adopted, step, or foster son or
15 daughter of the individual;

16 “(B) a person who is a legal ward of the mem-
17 ber, or was a legal ward of the individual when the
18 person was a minor or otherwise required a legal
19 guardian; or

20 “(C) a person for whom the member stands in
21 loco parentis or stood in loco parentis when the per-
22 son was a minor or otherwise required the individual
23 to stand in loco parentis.

24 “(5) In this section, the term ‘parent’ means—

1 “(A) a biological, adoptive, step, or foster par-
2 ent of the individual, or a person who was a foster
3 parent of the individual when the individual was a
4 minor;

5 “(B) a legal guardian of the individual, or per-
6 son who was a legal guardian of the individual when
7 the individual was a minor or otherwise required a
8 legal guardian; or

9 “(C) a person who stands in loco parentis to
10 the member or stood in loco parentis when the indi-
11 vidual was a minor or otherwise required a person
12 to stand in loco parentis.”.

13 (b) EFFECTIVE DATE.—The amendment made by
14 subsection (a) shall take effect on the latter of July 3,
15 2022, and the date of the enactment of this Act.

1 **SEC. 622 [log75076]. CLAIMS RELATING TO THE RETURN OF**
2 **PERSONAL EFFECTS OF A DECEASED MEM-**
3 **BER OF THE ARMED FORCES.**

4 Section 1482(a) of title 10, United States Code, is
5 amended by adding at the end the following new para-
6 graph:

7 “(11)(A) Delivery of personal effects of a dece-
8 dent to the next of kin or other appropriate person.

9 “(B) If the Secretary concerned enters into an
10 agreement with an entity to carry out subparagraph
11 (A), the Secretary concerned shall pursue a claim
12 against such entity that arises from the failure of
13 such entity to substantially perform such subpara-
14 graph.

15 “(C) If an entity described in subparagraph (B)
16 fails to substantially perform subparagraph (A) by
17 damaging, losing, or destroying the personal effects
18 of a decedent, the Secretary concerned shall reim-
19 burse the person designated under subsection (c) the
20 greater of \$1,000 or the fair market value of such
21 damage, loss, or destruction. The Secretary con-
22 cerned may request from, the person designated
23 under subsection (c), proof of fair market value and
24 ownership of the personal effects.”.

1 **SEC. 623 [log75215]. EXPANSION OF AUTHORIZED ASSIST-**
2 **ANCE FOR PROVIDERS OF CHILD CARE SERV-**
3 **ICES TO MEMBERS OF THE ARMED FORCES.**

4 (a) **EXPANSION.**—Section 1798 of title 10, United
5 States Code, is amended—

6 (1) by striking “financial assistance” each place
7 it appears and inserting “covered assistance”; and

8 (2) by adding at the end the following new sub-
9 section:

10 “(d) **COVERED ASSISTANCE DEFINED.**—In this sec-
11 tion, the term ‘covered assistance’ includes—

12 “(1) financial assistance; and

13 “(2) free or reduced-cost child care services fur-
14 nished by the Secretary.”.

15 (b) **TECHNCIAL AND CONFORMING AMENDMENTS.**—

16 (1) **SECTION HEADING.**—The heading of such
17 section is amended by striking “**financial**”.

18 (2) **TABLE OF SECTIONS.**—The table of sections
19 at the beginning of subchapter II of chapter 88 of
20 such title is amended by striking the item relating
21 to section 1798 and inserting the following:

“1798. Child care services and youth program services for dependents: assist-
ance for providers.”.

1 **Subtitle D—Miscellaneous Rights,**
2 **Benefits, and Reports**

3 **SEC. 631** [log75136]. **TRANSITIONAL COMPENSATION AND**
4 **BENEFITS FOR THE FORMER SPOUSE OF A**
5 **MEMBER OF THE ARMED FORCES WHO AL-**
6 **LEGEDLY COMMITTED A DEPENDENT-ABUSE**
7 **OFFENSE DURING MARRIAGE.**

8 (a) **IN GENERAL.**—Section 1059 of title 10, United
9 States Code, is amended—

10 (1) in the heading—

11 (A) by striking “**separated for**” and in-
12 serting “**who commit**”; and

13 (B) by inserting “**; health care**” after
14 “**exchange benefits**”;

15 (2) in subsection (b)—

16 (A) in the heading, by striking “**PUNITIVE**
17 **AND OTHER ADVERSE ACTIONS COVERED**” and
18 inserting “**COVERED MEMBERS**”;

19 (B) in paragraph (2), by striking “of-
20 fense.” and inserting “offense; or”; and

21 (C) by adding at the end the following new
22 paragraph:

23 “(3) who is not described in paragraph (1) or
24 (2) and whose former spouse alleges that the mem-
25 ber committed a dependent-abuse offense—

1 “(A) during the marriage to the former
2 spouse;

3 “(B) for which the applicable statute of
4 limitations has not lapsed; and

5 “(C) that an incident determination com-
6 mittee determines meets the criteria for
7 abuse.”;

8 (3) in subsection (e)(1)—

9 (A) in subparagraph (A)(ii), by striking “;
10 and” and inserting a semicolon;

11 (B) in subparagraph (B), by striking the
12 period at the end and inserting “; and”; and

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

15 “(C) in the case of a member described in sub-
16 section (b)(3), shall commence upon the date of the
17 final decree of divorce, dissolution, or annulment of
18 that member from the former spouse described in
19 such subsection.”; and

20 (4) by adding at the end the following new sub-
21 section:

22 “(n) HEALTH CARE FOR CERTAIN FORMER
23 SPOUSES.—The Secretary concerned shall treat a former
24 spouse described in subsection (b)(3) as an abused de-
25 pendent described in section 1076(e) of this title.”.

1 (b) TECHNICAL AMENDMENT.—The table of sections
2 at the beginning of chapter 53 of such title is amended
3 by striking the item relating to section 1059 and inserting
4 the following:

“1059. Dependents of members who commit dependent abuse: transitional compensation; commissary and exchange benefits; health care.”.

5 (c) EFFECTIVE DATE.—The amendments made by
6 this Act shall apply to a former spouse described in sub-
7 section (b)(3) of such section 1059, as added by subsection
8 (a)(2) of this section, whose final decree of divorce, dis-
9 solution, or annulment described in subsection (e)(1)(C)
10 of such section 1059, as added by subsection (a)(3) of this
11 section, is issued on or after the date of the enactment
12 of this Act.

1 **SEC. 632 [log75303]. AUTHORIZATION OF PERMISSIVE TEM-**
2 **PORARY DUTY FOR WELLNESS.**

3 In order to reduce the rate of suicides in the Armed
4 Forces, the Secretary of each military department may
5 prescribe regulations that authorize a member of an
6 Armed Force under the jurisdiction of such Secretary to
7 take not more than two weeks of permissive temporary
8 duty each year to attend a seminar, retreat, workshop, or
9 outdoor recreational therapy event—

10 (1) hosted by a non-profit organization; and

11 (2) that focuses on psychological, physical, spir-
12 itual, or social wellness.

1 **SEC. 633 [log75073]. STUDY AND REPORT ON BARRIERS TO**
2 **HOME OWNERSHIP FOR MEMBERS OF THE**
3 **ARMED FORCES.**

4 (a) IN GENERAL.—Not later than one year after the
5 date of the enactment of this Act, the Secretary of Defense
6 shall seek to enter into an agreement with a federally
7 funded research and development center or non-profit en-
8 tity to conduct a study on the barriers to home ownership
9 for members of the Armed Forces. At the conclusion of
10 such study, the Secretary shall submit, to the appropriate
11 congressional committees, a report containing the fol-
12 lowing elements:

13 (1) Potential barriers to such home ownership,
14 including down payments, concerns about home
15 maintenance, and challenges in selling a home.

16 (2) The percentage of members who use the
17 basic allowance for housing to pay for a mortgage,
18 disaggregated by Armed Force, rank, and military
19 housing area.

20 (3) Any identified differences in home owner-
21 ship rates among members correlated with race or
22 gender.

23 (4) What percentage of members own a home
24 before separating from the Armed Forces.

1 (b) APPROPRIATE CONGRESSIONAL COMMITTEES

2 DEFINED.—In this section, the term “appropriate con-
3 gressional committees” means the following:

4 (1) The Committee on Armed Services of the
5 House of Representatives.

6 (2) The Committee on Armed Services of the
7 Senate.

8 (3) The Committee on Transportation and In-
9 frastructure of the House of Representatives.

10 (4) The Committee on Commerce, Science, and
11 Transportation of the Senate.

1 **Subtitle A—TRICARE and Other**
2 **Health Care Benefits**

3 **SEC. 701 [Log 75175]. CLARIFICATION OF COVERAGE OF**
4 **CERTAIN AREOLAR NIPPLE TATTOOING PRO-**
5 **CEDURES UNDER TRICARE PROGRAM.**

6 (a) **COVERAGE UNDER TRICARE PROGRAM.**—Sec-
7 tion 1079(a)(11)(A) of title 10, United States Code, is
8 amended by inserting “(including two-dimensional and
9 three-dimensional areolar nipple tattooing)” after “breast
10 reconstructive surgery”.

11 (b) **APPLICABILITY.**—The amendments made by sub-
12 section (a) shall apply with respect to breast reconstruc-
13 tive surgeries provided on or after the date of the enact-
14 ment of this Act.

1 **SEC. 702 [Log 75427]. AUDIT OF BEHAVIORAL HEALTH CARE**
2 **NETWORK PROVIDERS LISTED IN TRICARE**
3 **DIRECTORY.**

4 (a) **AUDIT REQUIRED.**—The Secretary of Defense
5 shall conduct an audit of the behavioral health care pro-
6 viders listed in the TRICARE directory.

7 (b) **REPORT.**—Not later than one year after the date
8 of the enactment of this Act, the Secretary shall submit
9 to the congressional defense committees a report on the
10 findings of the audit under subsection (a). Such report
11 shall include the following:

12 (1) An identification of the following,
13 disaggregated by provider specialty and TRICARE
14 region:

15 (A) The number of such behavioral health
16 care providers with respect to which there are
17 duplicate listings in the TRICARE directory.

18 (B) The number of such behavioral health
19 care providers that, as of the commencement of
20 the audit, were listed in the TRICARE direc-
21 tory as available and accepting new TRICARE
22 patients.

23 (C) The number of such behavioral health
24 care providers that, as a result of the audit, the
25 Secretary determines are no longer available or
26 accepting new TRICARE patients.

1 (D) The number of such behavioral health
2 care providers that were not previously listed in
3 the TRICARE directory as available and ac-
4 cepting new TRICARE patients but that, as a
5 result of the audit, the Secretary determines
6 are so available and accepting.

7 (E) The number of behavioral health care
8 providers listed in the TRICARE directory that
9 are no longer practicing.

10 (F) The number of behavioral health care
11 providers that, in conducting the audit, the Sec-
12 retary of Defense could not reach for purposes
13 of verifying information relating to availability
14 or status.

15 (2) An identification of the number of
16 TRICARE beneficiaries in each TRICARE region,
17 disaggregated by beneficiary category.

18 (3) A description of the methods by which the
19 Secretary measures the following:

20 (A) The accessibility and accuracy of the
21 TRICARE directory, with respect to behavioral
22 health care providers listed therein.

23 (B) The adequacy of behavioral health care
24 providers under the TRICARE program.

1 (4) A description of the efforts of the Secretary
2 to recruit and retain behavioral health care pro-
3 viders.

4 (5) Recommendations by the Secretary, based
5 on the findings of the audit, on how to improve the
6 availability of behavioral health care providers that
7 are network providers under the TRICARE pro-
8 gram, including through the inclusion of specific re-
9 quirements in the next generation of TRICARE con-
10 tracts.

11 (c) DEFINITIONS.—In this section:

12 (1) The term “TRICARE directory” means the
13 directory of network providers under the TRICARE
14 program.

15 (2) The term “TRICARE program” has the
16 meaning given such term in section 1072 of title 10,
17 United States Code.

1 **SEC. 703 [Log 74998]. INDEPENDENT ANALYSIS OF QUALITY**
2 **AND PATIENT SAFETY REVIEW PROCESS**
3 **UNDER DIRECT CARE COMPONENT OF**
4 **TRICARE PROGRAM.**

5 (a) AGREEMENT.—

6 (1) IN GENERAL.—The Secretary of Defense
7 shall seek to enter into an agreement with the Na-
8 tional Academies of Sciences, Engineering, and Med-
9 icine (in this section referred to as the “National
10 Academies”) for the National Academies to carry
11 out the activities described in subsections (b) and
12 (c).

13 (2) TIMING.—The Secretary shall seek to enter
14 into the agreement described in paragraph (1) not
15 later than 60 days after the date of the enactment
16 of this Act.

17 (b) ANALYSIS BY THE NATIONAL ACADEMIES.—

18 (1) ANALYSIS.—Under an agreement between
19 the Secretary and the National Academies entered
20 into pursuant to subsection (a), the National Acad-
21 emies shall conduct an analysis of the quality and
22 patient safety review process for health care pro-
23 vided under the direct care component of the
24 TRICARE program and develop recommendations
25 for the Secretary based on such analysis.

1 (2) ELEMENTS.—The analysis conducted and
2 recommendations developed under paragraph (1)
3 shall include, with respect to the direct care compo-
4 nent, the following:

5 (A) An assessment of the procedures under
6 such component regarding credentialing and
7 privileging for health care providers (and an as-
8 sessment of compliance with such procedures).

9 (B) An assessment of the processes under
10 such component for quality assurance, standard
11 of care, and incident review (and an assessment
12 of compliance with such processes).

13 (C) An assessment of the accountability
14 processes under such component for health care
15 providers who are found to have not met a re-
16 quired standard of care.

17 (3) INFORMATION ACCESS AND PRIVACY.—

18 (A) ACCESS TO RECORDS.—Notwith-
19 standing section 1102 of title 10, United States
20 Code, the Secretary shall provide the National
21 Academies with access to such records of the
22 Department of Defense as the Secretary may
23 determine necessary for purposes of the Na-
24 tional Academies conducting the analysis and

1 developing the recommendations under para-
2 graph (1).

3 (B) PRIVACY OF INFORMATION.—In con-
4 ducting the analysis and developing the rec-
5 ommendations under paragraph (1), the Na-
6 tional Academies—

7 (i) shall maintain any personally iden-
8 tifiable information in records accessed by
9 the National Academies pursuant to sub-
10 paragraph (A) in accordance with applica-
11 ble laws, protections, and best practices re-
12 garding the privacy of information; and

13 (ii) may not permit access to such in-
14 formation by any individual or entity not
15 engaged in conducting such analysis or de-
16 veloping such recommendations.

17 (c) REPORT.—Under an agreement entered into be-
18 tween the Secretary and the National Academies under
19 subsection (a), the National Academies, not later than one
20 year after the date of the execution of the agreement,
21 shall—

22 (1) submit to the congressional defense commit-
23 tees and (with respect to any findings concerning the
24 Coast Guard when it is not operating as a service
25 in the Department of the Navy) the Committee on

1 Transportation and Infrastructure of the House of
2 Representatives and the Committee on Commerce,
3 Science, and Transportation of the Senate a report
4 on the findings of the National Academies with re-
5 spect to the analysis conducted and recommenda-
6 tions developed under subsection (b); and

7 (2) make such report available on a public
8 website in unclassified form.

9 (d) TRICARE PROGRAM DEFINED.—In this section,
10 the term “TRICARE program” has the meaning given
11 such term in section 1072 of title 10, United States Code.

1 **Subtitle B—Health Care**
2 **Administration**

3 **SEC. 711 [Log 75182]. MODIFICATION OF CERTAIN DEAD-**
4 **LINE AND REQUIREMENT TO TRANSFER RE-**
5 **SEARCH AND DEVELOPMENT FUNCTIONS TO**
6 **DEFENSE HEALTH AGENCY.**

7 Section 1073c of title 10, United States Code, is
8 amended—

9 (1) in subsection (e)—

10 (A) in the matter preceding paragraph (1),
11 by striking “September 30, 2022” and inserting
12 “September 30, 2023”; and

13 (B) in paragraph (1)(B), by striking “the
14 Army Medical Research and Materiel Com-
15 mand” and inserting “such elements and func-
16 tions of the Army Medical Research and Mate-
17 riel Command as the Secretary determines ap-
18 propriate”;

19 (2) by redesignating subsections (g) and (h) as
20 subsections (h) and (i); and

21 (3) by inserting after subsection (f) the fol-
22 lowing new subsection:

23 “(g) **REPORT REQUIREMENT.**—The Secretary of De-
24 fense may not take any action to exclude an element or
25 function of the Army Medical Research and Materiel Com-

1 mand from organization under or transfer to the Defense
2 Health Agency Research and Development pursuant to a
3 determination referred to in subsection (e)(1)(B) unless—

4 “(1) the Secretary submits to the Committees
5 on Armed Services of the House of Representatives
6 and the Senate a report containing an explanation of
7 the determination and a plan for the proposed exclu-
8 sion; and

9 “(2) a period of 90 days has elapsed following
10 the date on which the Secretary submits such re-
11 port.”.

1 **SEC. 712 [Log 75183]. MODIFICATION OF REQUIREMENT TO**
2 **TRANSFER PUBLIC HEALTH FUNCTIONS TO**
3 **DEFENSE HEALTH AGENCY.**

4 Section 1073c(e)(2) of title 10, United States Code,
5 is amended—

6 (1) in the matter preceding subparagraph (A),
7 by striking “A subordinate” and inserting “(A) A
8 subordinate”;

9 (2) by redesignating subparagraphs (A) and
10 (B) as clauses (i) and (ii);

11 (3) in clause (ii), as so redesignated—

12 (A) by striking “comprised of” and insert-
13 ing “except as provided in subparagraph (B),
14 comprised of”; and

15 (B) by striking “Command” each place it
16 appears and inserting “Center”; and

17 (4) by adding at the end the following new sub-
18 paragraph:

19 “(B) At the discretion of the Secretary of De-
20 fense, the Secretary of a military department may
21 retain an element or function that would otherwise
22 be organized under or transferred to the Defense
23 Health Agency Public Health pursuant to subpara-
24 graph (A)(ii) if the Secretary of Defense determines
25 such element or function—

1 “(i) addresses a need that is unique to that
2 military department; and

3 “(ii) is in direct support of operating
4 forces and necessary to implement national se-
5 curity or defense strategies.

6 “(C) The Secretary of a military department
7 may not take any action to retain an element or
8 function pursuant to a determination by the Sec-
9 retary of Defense referred to in subparagraph (B)
10 unless—

11 “(i) the Secretary of Defense submits to
12 the Committees on Armed Services of the
13 House of Representatives and the Senate a re-
14 port containing an explanation of such deter-
15 mination and a plan for the proposed retention;
16 and

17 “(ii) a period of 90 days has elapsed fol-
18 lowing the date on which the Secretary submits
19 such report.”.

1 **SEC. 713 [Log 75000]. OTHER TRANSACTION AUTHORITY**
2 **FOR STUDIES AND DEMONSTRATION**
3 **PROJECTS RELATING TO DELIVERY OF**
4 **HEALTH AND MEDICAL CARE.**

5 Section 1092(b) of title 10, United States Code, is
6 amended by inserting “or transactions (other than con-
7 tracts, cooperative agreements, and grants)” after “con-
8 tracts”.

1 **SEC. 714 [Log 75204]. AUTHORITY FOR DEPARTMENT OF DE-**
2 **FENSE PROGRAM TO PROMOTE EARLY LIT-**
3 **ERACY AMONG CERTAIN YOUNG CHILDREN**
4 **AS PART OF PEDIATRIC PRIMARY CARE.**

5 (a) PROGRAM.—Chapter 55 of title 10, United States
6 Code, is amended by inserting after section 1109 the fol-
7 lowing new section (and conforming the table of sections
8 at the beginning of such chapter accordingly):

9 **“§ 1109A. Authority for program to promote early lit-**
10 **eracy among certain young children as**
11 **part of pediatric primary care**

12 “(a) AUTHORITY.—The Secretary of Defense may
13 carry out a program to promote early literacy among
14 young children the caregivers of whom are members of the
15 armed forces as part of the pediatric primary care of such
16 children.

17 “(b) ACTIVITIES.—Activities under the program
18 under subsection (a) shall be evidence-informed and in-
19 clude the following:

20 “(1) The provision to pediatric primary care
21 providers and other appropriate personnel of the De-
22 partment of training on early literacy promotion.

23 “(2) The purchase and distribution of age-ap-
24 propriate books to covered caregivers.

25 “(3) The modification of waiting rooms in mili-
26 tary medical treatment facilities, including in spe-

1 cific clinics within such facilities, to ensure such
2 waiting rooms include materials that reinforce lan-
3 guage-rich interactions between young children and
4 their covered caregivers, including a full selection of
5 literature for young children.

6 “(4) The dissemination to covered caregivers of
7 education materials on pediatric early literacy.

8 “(5) Such other activities as the Secretary de-
9 termines appropriate.

10 “(c) LOCATIONS.—In carrying out the program
11 under subsection (a), the Secretary may conduct the ac-
12 tivities under subsection (b) at any military medical treat-
13 ment facility.

14 “(d) DEFINITIONS.—In this section:

15 “(1) The term ‘covered caregiver’ means a
16 member of the armed forces who is a caregiver of a
17 young child.

18 “(2) The term ‘young child’ means any child
19 from birth to the age of five years old, inclusive.”.

20 “(b) REPORT.—Not later than one year after the date
21 of the enactment of this Act, the Secretary of Defense
22 shall submit to the Committees on Armed Services of the
23 House of Representatives and the Senate a report on the
24 extent to which the authority under section 1109A(a) of
25 title 10, United States Code, (as added by subsection (a))

- 1 is used, including a description of any activities carried
- 2 out under the program so authorized.

1 **SEC. 715 [Log 74974]. CLARIFICATION OF LICENSE PORT-**
2 **ABILITY FOR HEALTH CARE PROVIDERS PRO-**
3 **VIDING SERVICES UNDER RESERVE HEALTH**
4 **READINESS PROGRAM.**

5 For purposes of license portability under paragraph
6 (1) of section 1094(d) of title 10, United States Code, a
7 health care provider who provides medical or dental serv-
8 ices under the Reserve Health Readiness program of the
9 Department of Defense (or any successor program) and
10 meets the requirements specified in subparagraphs (A)
11 and (B) of paragraph (2) of such section shall be consid-
12 ered a health-care professional described in such para-
13 graph.

1 **Subtitle C—Reports and Other**
2 **Matters**

3 **SEC. 721 [Log 74982]. NON-MEDICAL COUNSELING SERV-**
4 **ICES FOR MILITARY FAMILIES.**

5 Section 1781 of title 10, United States Code, is
6 amended by adding at the end the following new sub-
7 sections:

8 “(d) NON-MEDICAL COUNSELING SERVICES.—(1) In
9 carrying out the duties of the Office under subsection (b),
10 the Director of Military Family Readiness Policy may co-
11 ordinate programs and activities for the provision of non-
12 medical counseling services to military families through
13 the Military and Family Counseling Program.

14 “(2) Notwithstanding any law regarding the licensure
15 or certification of mental health professionals, a mental
16 health professional described in paragraph (3) may pro-
17 vide non-medical counseling services through the Military
18 and Family Counseling Program at any location in a
19 State, the District of Columbia, or a Commonwealth, terri-
20 tory or possession of the United States, without regard
21 to where the provider or recipient of such services is lo-
22 cated or the mode of the delivery of such services, if the
23 provision of such services is within the scope of the author-
24 ized Federal duties of the professional.

1 “(3) A mental health professional described in this
2 paragraph is an individual who is—

3 “(A) a mental health professional who holds a
4 current license or certification that is—

5 “(i) issued by a State, the District of Co-
6 lumbia, or a Commonwealth, territory, or pos-
7 session of the United States; and

8 “(ii) recognized by the Secretary of De-
9 fense;

10 “(B) a member of the uniformed services, a ci-
11 vilian employee of the Department of Defense, or a
12 contractor designated by the Secretary of Defense;
13 and

14 “(C) performing authorized duties for the De-
15 partment of Defense under a program or as part of
16 an activity referred to in paragraph (1).

17 “(e) DEFINITIONS.—In this section:

18 “(1) The term ‘Military and Family Counseling
19 Program’ means the Military and Family Counseling
20 Program of the Department of Defense, or any suc-
21 cessor program.

22 “(2) The term ‘non-medical counseling services’
23 means mental health care services that—

24 “(A) are non-clinical, short-term, and solu-
25 tion-focused; and

1 “(B) address topics related to personal
2 growth, development, and positive func-
3 tioning.”.

1 **SEC. 722 [Log 74991]. CLARIFICATIONS RELATING TO ANAL-**
2 **YSIS OF DEPARTMENT OF DEFENSE COM-**
3 **PREHENSIVE AUTISM DEMONSTRATION PRO-**
4 **GRAM BY NATIONAL ACADEMIES.**

5 (a) CLARIFICATIONS.—Section 737 of the National
6 Defense Authorization Act for Fiscal Year 2022 (Public
7 Law 117–81; 135 Stat. 1800) is amended—

8 (1) in subsection (b)(2)—

9 (A) in subparagraph (A), by inserting
10 “broadly” after “disorder”;

11 (B) in subparagraph (C), by inserting “pa-
12 rental involvement in applied behavior analysis
13 treatment, and” after “including”;

14 (C) by amending subparagraph (D) to read
15 as follows:

16 “(D) A review of the health outcomes, in-
17 cluding mental health outcomes, for individuals
18 who have received applied behavioral analysis
19 treatments over time.”;

20 (D) in subparagraph (E), by inserting “,
21 since the inception of such program,” after
22 “demonstration program”;

23 (E) in subparagraph (F), by striking “ef-
24 fectiveness” and inserting “cost effectiveness,
25 program effectiveness, and clinical effective-
26 ness”;

1 (F) in subparagraph (G), by inserting
2 “than in the general population” after “military
3 families”;

4 (G) by redesignating subparagraph (H) as
5 subparagraph (I); and

6 (H) by inserting after subparagraph (G),
7 as amended by subparagraph (F) of this para-
8 graph, the following new subparagraph:

9 “(H) An analysis on whether the diagnosis
10 and treatment of autism is more prevalent
11 among the children of military families than in
12 the general population.”; and

13 (2) in subsection (c), by striking “nine months”
14 and inserting “two years and seven months”.

15 (b) TECHNICAL AND CONFORMING AMENDMENT.—
16 Such section is further amended by striking “demonstra-
17 tion project” each place it appears and inserting “dem-
18 onstration program”.

1 **SEC. 723 [Log 75423]. CLARIFICATION OF ELIGIBILITY FOR**
2 **MEMBERSHIP TO INDEPENDENT SUICIDE**
3 **PREVENTION AND RESPONSE REVIEW COM-**
4 **MITTEE.**

5 Section 738(b)(3) of the National Defense Authoriza-
6 tion Act for Fiscal Year 2022 (Public Law 117–81; 135
7 Stat. 1801) is amended by inserting “, unless the indi-
8 vidual is a retired member of the Armed Forces or a
9 former civilian employee of the Department, or the indi-
10 vidual is hired for the purpose of serving on such com-
11 mittee” after “Department of Defense”.

1 **SEC. 724 [Log 75558]. IMPROVEMENT TO WOUNDED WAR-**
2 **RIOR SERVICE DOG PROGRAM.**

3 Section 745 of the William M. (Mac) Thornberry Na-
4 tional Defense Authorization Act for Fiscal Year 2021
5 (134 Stat. 3710; Public Law 10 U.S.C. 1071 note) is
6 amended—

7 (1) by redesignating subsection (b) as sub-
8 section (c); and

9 (2) by inserting after subsection (a) the fol-
10 lowing new subsection:

11 “(b) GRANTS.—

12 “(1) IN GENERAL.—In carrying out the Wound-
13 ed Warrior Service Dog Program, the Secretary of
14 Defense may award grants to nonprofit organiza-
15 tions to provide assistance dogs under such program.

16 “(2) APPLICATIONS.—An applicant for a grant
17 under paragraph (1) shall submit an application at
18 such time, in such manner, and containing such in-
19 formation as the Secretary determines.

20 “(3) SELECTION.—The Secretary shall select
21 nonprofit organizations that submit applications for
22 the award of grants under the Wounded Warrior
23 Service Dog Program using a competitive process.

24 “(4) CONSIDERATIONS FOR GRANT AMOUNT.—
25 In determining the amount of a grant to award to

1 a nonprofit organization selected under paragraph
2 (3), the Secretary shall consider the following:

3 “(A) The merits of the application sub-
4 mitted by the nonprofit organization.

5 “(B) Whether, and to what extent, there is
6 demand by covered members or covered vet-
7 erans for assistance dogs provided by the non-
8 profit organization.

9 “(C) The capacity and capability of the
10 nonprofit organization to raise and train assist-
11 ance dogs to meet such demand.

12 “(D) Such other factors as the Secretary
13 may determine appropriate.

14 “(5) LIMITATION ON GRANT AMOUNTS.—The
15 amount of a grant awarded to a nonprofit organiza-
16 tion selected under paragraph (3) may not exceed
17 \$2,000,000.”.

1 **SEC. 725 [Log 74996]. IMPROVEMENTS RELATING TO BE-**
2 **HAVIORAL HEALTH CARE AVAILABLE UNDER**
3 **MILITARY HEALTH SYSTEM.**

4 (a) EXPANSION OF CERTAIN BEHAVIORAL HEALTH
5 PROGRAMS AT THE UNIFORMED SERVICES UNIVERSITY
6 OF THE HEALTH SCIENCES.—

7 (1) ESTABLISHMENT OF GRADUATE PRO-
8 GRAMS.—The Secretary of Defense shall establish
9 graduate degree-granting programs in counseling
10 and social work at the Uniformed Services Univer-
11 sity of the Health Sciences.

12 (2) EXPANSION OF CLINICAL PSYCHOLOGY
13 GRADUATE PROGRAM.—The Secretary of Defense
14 shall take such steps as may be necessary to expand
15 the clinical psychology graduate program of the Uni-
16 formed Services University of the Health Sciences.

17 (3) POST-AWARD EMPLOYMENT OBLIGATION.—

18 (A) AGREEMENT WITH SECRETARY.—Sub-
19 ject to subparagraph (B), as a condition of en-
20 rolling in a degree-granting program in clinical
21 psychology, social work, or counseling at the
22 Uniformed Services University of the Health
23 Sciences, a civilian student shall enter into an
24 agreement with the Secretary of Defense pursu-
25 ant to which the student agrees that, if the stu-
26 dent does not become a member of a uniformed

1 service upon graduating such program, the stu-
2 dent shall work on a full-time basis as a covered
3 civilian behavioral health provider for a period
4 of a duration that is at least equivalent to the
5 period during which the student was enrolled in
6 such program.

7 (B) OTHER TERMS AND CONDITIONS.—An
8 agreement entered into pursuant to subpara-
9 graph (A) may include such other terms and
10 conditions as the Secretary of Defense may de-
11 termine necessary to protect the interests of the
12 United States or otherwise appropriate for pur-
13 poses of this section, including terms and condi-
14 tions providing for limited exceptions from the
15 employment obligation specified in such sub-
16 paragraph.

17 (C) REPAYMENT.—A civilian graduate who
18 does not complete the employment obligation
19 required under the agreement entered into pur-
20 suant to subparagraph (A) shall repay to the
21 Secretary of Defense a prorated portion of the
22 student's costs of attendance in the program
23 described in such paragraph. The amount of
24 such prorated portion shall be determined by
25 the Secretary.

1 (D) APPLICABILITY.—This subsection shall
2 apply to civilian students who enroll in the first
3 year of a degree-granting program in clinical
4 psychology, social work, or counseling at the
5 Uniformed Services University of the Health
6 Sciences on or after the date of the enactment
7 of this Act.

8 (4) IMPLEMENTATION PLAN.—Not later than
9 one year after the date of the enactment of this Act,
10 the Secretary shall submit to the congressional de-
11 fense committees a plan for the implementation of
12 this subsection. Such plan shall include—

13 (A) a determination as to the resources for
14 personnel and facilities required for such imple-
15 mentation;

16 (B) estimated timelines for such implemen-
17 tation; and

18 (C) a projection of the number of grad-
19 uates from the programs specified in paragraph
20 (1) upon the completion of such implementa-
21 tion.

22 (b) SCHOLARSHIP-FOR-SERVICE PROGRAM FOR CI-
23 VILIAN BEHAVIORAL HEALTH PROVIDERS.—

24 (1) IN GENERAL.—Beginning not later than
25 two years after the date of the enactment of this

1 Act, the Secretary of Defense shall carry out a pro-
2 gram under which—

3 (A) the Secretary may provide—

4 (i) direct grants to cover tuition, fees,
5 living expenses, and other costs of attend-
6 ance at an institution of higher education
7 to an individual enrolled in a program of
8 study leading to a graduate degree in clin-
9 ical psychology, social work, counseling, or
10 a related field (as determined by the Sec-
11 retary); and

12 (ii) student loan repayment assistance
13 to a credentialed behavioral health provider
14 who has a graduate degree in clinical psy-
15 chology, social work, counseling, or a re-
16 lated field (as determined by the Sec-
17 retary); and

18 (B) in exchange for such assistance, the
19 recipient shall commit to work as a covered ci-
20 vilian behavioral health provider in accordance
21 with paragraph (2).

22 (2) POST-AWARD EMPLOYMENT OBLIGA-
23 TIONS.—

24 (A) IN GENERAL.—Subject to subpara-
25 graph (B), as a condition of receiving assistance

1 under paragraph (1), the recipient of such as-
2 sistance shall enter into an agreement with the
3 Secretary of Defense pursuant to which the re-
4 cipient agrees to work on a full-time basis as a
5 covered civilian behavioral health provider for a
6 period of a duration that is at least equivalent
7 to the period during which the recipient re-
8 ceived assistance under such paragraph.

9 (B) OTHER TERMS AND CONDITIONS.—An
10 agreement entered into pursuant to subpara-
11 graph (A) may include such other terms and
12 conditions as the Secretary of Defense may de-
13 termine necessary to protect the interests of the
14 United States or otherwise appropriate for pur-
15 poses of this section, including terms and condi-
16 tions providing for limited exceptions from the
17 post-award employment obligation specified in
18 such subparagraph.

19 (3) REPAYMENT.—An individual who receives
20 assistance under paragraph (1) and does not com-
21 plete the employment obligation required under the
22 agreement entered into pursuant to paragraph (2)
23 shall repay to the Secretary of Defense a prorated
24 portion of the financial assistance received by the in-
25 dividual under paragraph (1). The amount of such

1 prorated portion shall be determined by the Sec-
2 retary.

3 (4) IMPLEMENTATION PLAN.—Not later than
4 one year after the date of the enactment of this Act,
5 the Secretary of Defense shall submit to the con-
6 gressional defense committees a plan for the imple-
7 mentation of this subsection. Such plan shall in-
8 clude—

9 (A) a determination as to the resources re-
10 quired for such implementation;

11 (B) estimated timelines for such implemen-
12 tation; and

13 (C) a projection of the number of recipi-
14 ents of assistance under paragraph (1) upon
15 the completion of such implementation.

16 (c) REPORT ON BEHAVIORAL HEALTH WORK-
17 FORCE.—

18 (1) REPORT.—Not later than 90 days after the
19 date of enactment of this Act, the Secretary of De-
20 fense shall conduct an analysis of the behavioral
21 health workforce under the direct care component of
22 the TRICARE program and submit to the congress-
23 sional defense committees a report containing the re-
24 sults of such analysis. Such report shall include,
25 with respect to such workforce, the following:

1 (A) The number of positions authorized for
2 military behavioral health providers within such
3 workforce, and the number of such positions
4 filled, disaggregated by the professions de-
5 scribed in paragraph (2).

6 (B) The number of positions authorized for
7 civilian behavioral health providers within such
8 workforce, and the number of such positions
9 filled, disaggregated by the professions de-
10 scribed in paragraph (2).

11 (C) For each military department, the
12 ratio of military behavioral health providers as-
13 signed to military medical treatment facilities
14 compared to civilian behavioral health providers
15 so assigned, disaggregated by the professions
16 described in paragraph (2).

17 (D) For each military department, the
18 number of military behavioral health providers
19 authorized to be embedded within an oper-
20 ational unit, and the number of such positions
21 filled, disaggregated by the professions de-
22 scribed in paragraph (2).

23 (E) Data on the historical demand for be-
24 havioral health services by members of the
25 Armed Forces.

1 (F) An estimate of the number of health
2 care providers necessary to meet the demand by
3 such members for behavioral health care serv-
4 ices under the direct care component of the
5 TRICARE program, disaggregated by provider
6 type.

7 (G) An identification of any shortfall be-
8 tween the estimated number under subpara-
9 graph (F) and the total number of positions for
10 behavioral health providers filled within such
11 workforce.

12 (H) Such other information as the Sec-
13 retary may determine appropriate.

14 (2) PROVIDER TYPES.—The professions de-
15 scribed in this paragraph are as follows:

16 (A) Clinical psychologists.

17 (B) Social workers.

18 (C) Counselors.

19 (D) Such other professions as the Sec-
20 retary may determine appropriate.

21 (d) PLAN TO ADDRESS SHORTFALLS IN BEHAVIORAL
22 HEALTH WORKFORCE.—Not later than 180 days after the
23 date of enactment of this Act, the Secretary shall submit
24 to the congressional defense committees a plan to address
25 any shortfall of the behavioral health workforce identified

1 under subsection (c)(1)(G). Such plan shall address the
2 following:

3 (1) With respect to any such shortfall of mili-
4 tary behavioral health providers (addressed sepa-
5 rately with respect to such providers assigned to
6 military medical treatment facilities and such pro-
7 viders assigned to be embedded within operational
8 units), the recruitment, accession, retention, special
9 pay and other aspects of compensation, workload,
10 role of the Uniformed Services University of the
11 Health Sciences and the Armed Forces Health Pro-
12 fessions Scholarship Program under chapter 105 of
13 title 10, United States Code, any additional authori-
14 ties or resources necessary for the Secretary to in-
15 crease the number of such providers, and such other
16 considerations as the Secretary may consider appro-
17 priate.

18 (2) With respect to addressing any such short-
19 fall of civilian behavioral health providers, the re-
20 cruitment, hiring, retention, pay and benefits, work-
21 load, educational scholarship programs, any addi-
22 tional authorities or resources necessary for the Sec-
23 retary to increase the number of such providers, and
24 such other considerations as the Secretary may con-
25 sider appropriate.

1 (3) A recommendation as to whether the num-
2 ber of military behavioral health providers in each
3 military department should be increased, and if so,
4 by how many.

5 (4) A plan to ensure that remote installations
6 are prioritized for the assignment of military behav-
7 ioral health providers.

8 (5) Updated access standards for behavioral
9 health care under the military health system, taking
10 into account—

11 (A) the duration of time between a patient
12 receiving a referral for such care and the pa-
13 tient receiving individualized treatment (fol-
14 lowing an initial intake assessment) from a be-
15 havioral health provider; and

16 (B) the frequency of regular follow-up ap-
17 pointments subsequent to the first appointment
18 at which a patient receives such individualized
19 treatment.

20 (e) DEFINITIONS.—In this section:

21 (1) The term “behavioral health” includes psy-
22 chiatry, clinical psychology, social work, counseling,
23 and related fields.

1 (2) The term “civilian behavioral health pro-
2 vider” means a behavioral health provider who is a
3 civilian employee of the Department of Defense.

4 (3) The term “cost of attendance” has the
5 meaning given that term in section 472 of the High-
6 er Education Act of 1965 (20 U.S.C. 1087ll).

7 (4) The term “counselor” means an individual
8 who holds—

9 (A) a master’s or doctoral degree from an
10 accredited graduate program in—

11 (i) marriage and family therapy; or

12 (ii) clinical mental health counseling;

13 and

14 (B) a current license or certification from
15 a State that grants the individual the authority
16 to provide counseling services as an independent
17 practitioner in the respective field of the indi-
18 vidual.

19 (5) The term “covered civilian behavioral health
20 provider” means a civilian behavioral health provider
21 whose employment by the Secretary of Defense in-
22 volves the provision of behavioral health services at
23 a military medical treatment facility.

24 (6) The term “institution of higher education”
25 has the meaning given that term in section 101 of

1 the Higher Education Act of 1965 (20 U.S.C.
2 1001).

3 (7) The term “military behavioral health pro-
4 vider” means a behavioral health provider who is a
5 member of the Armed Forces.

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

9 (9) The term “military medical treatment facil-
10 ity” means a facility specified in section 1073d of
11 such title.

12 (10) The term “remote installation” means a
13 military installation that the Secretary determines to
14 be in a remote location.

15 (11) The term “State” means each of the sev-
16 eral States, the District of Columbia, and each com-
17 monwealth, territory or possession of the United
18 States.

19 (12) The term “TRICARE program” has the
20 meaning given that term in section 1072 of title 10,
21 United States Code.

1 **SEC. 726 [Log 75421]. DEPARTMENT OF DEFENSE INTERN-**
2 **SHIP PROGRAMS RELATING TO CIVILIAN BE-**
3 **HAVIORAL HEALTH PROVIDERS.**

4 (a) INTERNSHIP PROGRAMS FOR CIVILIAN BEHAV-
5 IORAL HEALTH.—

6 (1) ESTABLISHMENT OF PROGRAMS.—The Sec-
7 retary of Defense shall establish paid pre-doctoral
8 and post-doctoral internship programs for the pur-
9 pose of training clinical psychologists to work as cov-
10 ered civilian behavioral health providers.

11 (2) EMPLOYMENT OBLIGATION.—

12 (A) IN GENERAL.—Subject to subpara-
13 graph (B), as a condition of participating in an
14 internship program under paragraph (1), the
15 participant shall enter into an agreement with
16 the Secretary of Defense pursuant to which the
17 participant agrees to work on a full-time basis
18 as a covered civilian behavioral health provider
19 for a period of a duration that is at least equiv-
20 alent to the period of participation in such in-
21 ternship program.

22 (B) OTHER TERMS AND CONDITIONS.—An
23 agreement entered into pursuant to subpara-
24 graph (A) may include such other terms and
25 conditions as the Secretary of Defense may de-
26 termine necessary to protect the interests of the

1 United States or otherwise appropriate for pur-
2 poses of this section, including terms and condi-
3 tions providing for limited exceptions from the
4 employment obligation specified in such sub-
5 paragraph.

6 (3) REPAYMENT.—An individual who partici-
7 pates in an internship program under paragraph (1)
8 and does not complete the employment obligation re-
9 quired under the agreement entered into pursuant to
10 paragraph (2) shall repay to the Secretary of De-
11 fense a prorated portion of the cost of administering
12 such program with respect to such individual and of
13 any payment received by the individual under such
14 program. The amount of such prorated portion shall
15 be determined by the Secretary.

16 (4) IMPLEMENTATION PLAN.—Not later than
17 one year after the date of the enactment of this Act,
18 the Secretary of Defense shall submit to the con-
19 gressional defense committees a plan for the imple-
20 mentation of this subsection. Such plan shall include
21 an explanation of how the Secretary will adjust the
22 workload and staffing of behavioral health providers
23 in military medical treatment facilities to ensure suf-
24 ficient capacity to supervise participants in the in-
25 ternship programs under paragraph (1).

1 (b) DEFINITIONS.—In this section:

2 (1) The term “behavioral health” includes psy-
3 chiatry, clinical psychology, social work, counseling,
4 and related fields.

5 (2) The term “covered civilian behavioral health
6 provider” means a civilian behavioral health provider
7 whose employment by the Secretary of Defense in-
8 volves the provision of behavioral health services at
9 a military medical treatment facility.

10 (3) The term “civilian behavioral health pro-
11 vider” means a behavioral health provider who is a
12 civilian employee of the Department of Defense.

13 (4) The term “military medical treatment facil-
14 ity” means a facility specified in section 1073d of
15 such title.

1 **SEC. 727 [Log 74973]. BRAIN HEALTH INITIATIVE OF DE-**
2 **PARTMENT OF DEFENSE.**

3 (a) IN GENERAL.—The Secretary of Defense, in con-
4 sultation with the Secretaries concerned, shall establish a
5 comprehensive initiative for brain health to be known as
6 the “Warfighter Brain Health Initiative” (in this section
7 referred to as the “Initiative”) for the purpose of unifying
8 efforts and programs across the Department of Defense
9 to improve the cognitive performance and brain health of
10 members of the Armed Forces.

11 (b) OBJECTIVES.—The objectives of the Initiative
12 shall be the following:

13 (1) To enhance, maintain, and restore the cog-
14 nitive performance of members of the Armed Forces
15 through education, training, prevention, protection,
16 monitoring, detection, diagnosis, treatment, and re-
17 habilitation, including through the following activi-
18 ties:

19 (A) The establishment of a program to
20 monitor cognitive brain health across the De-
21 partment of Defense, beginning upon the acces-
22 sion of a member to the Armed Forces and re-
23 peated at regular intervals thereafter, with the
24 goal of detecting any need for cognitive en-
25 hancement or restoration resulting from poten-
26 tial brain exposures of the member, to mitigate

1 possible evolution of injury or disease progres-
2 sion.

3 (B) The identification and dissemination of
4 thresholds for blast pressure safety and associ-
5 ated emerging scientific evidence.

6 (C) The modification of high-risk training
7 and operational activities to mitigate the nega-
8 tive effects of repetitive blast exposure.

9 (D) The identification of individuals who
10 perform high-risk training or occupational ac-
11 tivities, for purposes of increased monitoring of
12 the brain health of such individuals.

13 (E) The development and operational field-
14 ing of non-invasive, portable, point-of-care med-
15 ical devices, to inform the diagnosis and treat-
16 ment of traumatic brain injury.

17 (F) The establishment of a standardized
18 monitoring program that documents and ana-
19 lyzes blast exposures that may affect the brain
20 health of members of the Armed Forces.

21 (G) The development of a resource that
22 would set forth specific criteria used in the
23 awarding of potential grants for research
24 projects relating to the direct correlation of en-

1 vironmental exposures and brain injuries to the
2 brain health of members of the Armed Forces.

3 (H) The incorporation of the findings and
4 recommendations of the report of the National
5 Academies of Science, Engineering, and Medi-
6 cine titled “Traumatic Brain Injury: A Road-
7 map for Accelerating Progress” and published
8 in 2022 (relating to the acceleration of progress
9 in traumatic brain injury research and care), or
10 any successor report, into activities of the De-
11 partment relating to brain health, as applicable.

12 (2) To harmonize and prioritize the efforts of
13 the Department of Defense into a single approach to
14 brain health, to produce more efficient and effective
15 results.

16 (c) STRATEGY AND IMPLEMENTATION PLAN.—Not
17 later than one year after the date of the enactment of this
18 Act, the Secretary of Defense shall submit to the congres-
19 sional defense committees a report setting forth a strategy
20 and implementation plan of the Department of Defense
21 to achieve the objectives of the Initiative under subsection
22 (b).

23 (d) ANNUAL BUDGET JUSTIFICATION DOCU-
24 MENTS.—In the budget justification materials submitted
25 to Congress in support of the Department of Defense

1 budget for each of fiscal years 2025 through 2029 (as sub-
2 mitted with the budget of the President under section
3 1105(a) of title 31, United States Code), the Secretary
4 of Defense shall include a budget justification display that
5 includes all activities of the Department relating to the
6 Initiative.

7 (e) ANNUAL REPORTS.—Not later than January 31,
8 2024, and annually thereafter until January 31, 2030, the
9 Secretary of Defense shall submit to the congressional de-
10 fense committees a report on the Initiative that includes
11 the following:

12 (1) A description of the activities taken under
13 the Initiative and resources expended under the Ini-
14 tiative during the prior fiscal year.

15 (2) A summary of the progress made during the
16 prior fiscal year with respect to the objectives of the
17 Initiative under subsection (b).

18 (f) SECRETARY CONCERNED DEFINED.—In this sec-
19 tion, the term “Secretary concerned” has the meaning
20 given that term in section 101 of title 10, United States
21 Code.

1 **SEC. 728 [Log 75322]. AUTHORITY TO CONDUCT PILOT PRO-**
2 **GRAM RELATING TO MONITORING OF BLAST**
3 **OVERPRESSURE EXPOSURE.**

4 (a) **AUTHORITY.**—The Director of the Defense
5 Health Agency may conduct, as part of the initiative of
6 the Department of Defense known as the “Warfighter
7 Brain Initiative” (or any successor initiative), a pilot pro-
8 gram under which the Director shall monitor blast over-
9 pressure exposure through the use of commercially avail-
10 able, off-the-shelf, wearable sensors, and document and
11 evaluate data collected as a result of such monitoring.

12 (b) **LOCATIONS.**—Monitoring activities under a pilot
13 program conducted pursuant to subsection (a) shall be
14 carried out in each training environment that the Director
15 determines poses a risk for blast overpressure exposure.

16 (c) **DOCUMENTATION AND SHARING OF DATA.**—If
17 the Director conducts a pilot program pursuant to sub-
18 section (a), the Director shall—

19 (1) ensure that any data collected pursuant to
20 such pilot program that is related to the health ef-
21 fects of the blast overpressure exposure of a member
22 of the Armed Forces who participated in the pilot
23 program is documented and maintained by the Sec-
24 retary of Defense in an electronic health record for
25 the member; and

1 (2) to the extent practicable, and in accordance
2 with applicable provisions of law relating to data pri-
3 vacy, make data collected pursuant to such pilot pro-
4 gram available to other academic and medical re-
5 searchers for the purpose of informing future re-
6 search and treatment options.

1 **SEC. 729 [Log 75562]. STANDARDIZATION ACROSS DEPART-**
2 **MENT OF DEFENSE OF POLICIES RELATING**
3 **TO SERVICE BY INDIVIDUALS DIAGNOSED**
4 **WITH HBV.**

5 (a) IN GENERAL.—The Secretary of Defense, in co-
6 ordination with the Secretaries concerned, shall—

7 (1) review regulations, establish policies, and
8 issue guidance relating to service by individuals di-
9 agnosed with HBV, consistent with the health care
10 standards and clinical guidelines of the Department
11 of Defense; and

12 (2) identify areas where regulations, policies,
13 and guidance of the Department relating to individ-
14 uals diagnosed with HBV (including with respect to
15 enlistments, assignments, deployments, and reten-
16 tion standards) may be standardized across the
17 Armed Forces.

18 (b) AWARENESS, EDUCATION, AND TRAINING.—

19 (1) REVIEWS AND RECOMMENDATIONS.—The
20 Secretary of Defense shall—

21 (A) conduct a review of the education,
22 training, and resources furnished to members of
23 the Armed Forces regarding the regulations
24 and policies of the Department of Defense that
25 govern the screening, documentation, treatment,
26 management, and practice standards for indi-

1 individuals diagnosed with HBV, including a review
2 of the awareness and understanding of such
3 policies within clinical settings;

4 (B) conduct a review of the resources and
5 support services furnished to members of the
6 Armed Forces diagnosed with HBV, including
7 any resources containing information on—

8 (i) the health care options of the
9 member; or

10 (ii) regulations or policies of the De-
11 partment relating to such diagnosed mem-
12 bers; and

13 (C) identify recommendations, based on
14 the findings of the reviews conducted under
15 subsections (A) and (B), to improve the aware-
16 ness and understanding of regulations and poli-
17 cies of the Department for individuals diag-
18 nosed with HBV.

19 (2) PROVISION OF EDUCATION, TRAINING, RE-
20 SOURCES, AND SUPPORT.—The Secretary of De-
21 fense, taking into account the recommendations
22 under paragraph (1)(C), shall provide to members of
23 the Armed Forces—

24 (A) education, training, and resources to
25 increase awareness and understanding of the

1 regulations and policies of the Department of
2 Defense that govern the screening, documenta-
3 tion, treatment, management, and practice
4 standards for individuals diagnosed with HBV,
5 including in health care settings; and

6 (B) in the case of members of the Armed
7 Forces diagnosed with HBV, education, re-
8 sources, and support services regarding the reg-
9 ulations and policies of the Department relating
10 to such diagnosed members, including with re-
11 spect to enlistments, assignments, deployments,
12 retention standards, and health care services
13 available to such members.

14 (c) DEFINITIONS.—In this section:

15 (1) The term “HBV” means the Hepatitis B
16 Virus.

17 (2) The term “Secretary concerned” has the
18 meaning given that term in section 101 of title 10,
19 United States Code.

1 **SEC. 730 [Log 75432]. CERTIFICATION PROGRAM IN PROVI-**
2 **SION OF MENTAL HEALTH SERVICES TO**
3 **MEMBERS OF THE ARMED FORCES, VET-**
4 **ERANS, AND MILITARY FAMILIES.**

5 (a) IN GENERAL.—The Secretary of Defense, in con-
6 sultation with the Secretary of Veterans Affairs and the
7 President of the Uniformed Services University of the
8 Health Sciences, shall develop a curriculum and certifi-
9 cation program to provide civilian mental health profes-
10 sionals and students in mental health-related disciplines
11 with the specialized knowledge and skills necessary to ad-
12 dress the unique mental health needs of members of the
13 Armed Forces, veterans, and military families.

14 (b) IMPLEMENTATION.—Not later than 90 days after
15 completing the development of the curriculum and certifi-
16 cation program under subsection (a), the Secretary of De-
17 fense shall implement such curriculum and certification
18 program in the Uniformed Services University of the
19 Health Sciences.

20 (c) AUTHORITY TO DISSEMINATE BEST PRAC-
21 TICES.—The Secretary of Defense may disseminate best
22 practices based on the curriculum and certification pro-
23 gram developed and implemented under this section to
24 other institutions of higher education.

25 (d) TERMINATION.—The authority to carry out the
26 curriculum and certification program under this section

1 shall terminate on the date that is five years after the date
2 of the enactment of this Act.

3 (e) REPORT.—Not later than 180 days after the ter-
4 mination date specified in subsection (d), the Secretary
5 of Defense shall submit to the appropriate congressional
6 committees a report on the results of the curriculum and
7 certification program developed and implemented under
8 this section.

9 (f) DEFINITIONS.—In this section:

10 (1) The term “appropriate congressional com-
11 mittees” means—

12 (A) the Committee on Armed Services and
13 the Committee on Energy and Commerce of the
14 House of Representatives; and

15 (B) the Committee on Armed Services and
16 the Committee on Health, Education, Labor,
17 and Pensions of the Senate.

18 (2) The term “institution of higher education”
19 has the meaning given that term in section 102 of
20 the Higher Education Act of 1965 (20 U.S.C.
21 1002).

1 **SEC. 731 [Log 75444]. PILOT PROGRAM FOR PARTICIPATION**
2 **BY MEMBERS OF SELECTED RESERVE IN**
3 **HEALTH PROFESSIONS SCHOLARSHIP AND**
4 **FINANCIAL ASSISTANCE PROGRAMS.**

5 (a) PILOT PROGRAM.—Notwithstanding section 2123
6 of title 10, United States Code, and in accordance with
7 such regulations as may be prescribed by the Secretary
8 of Defense for the purpose of carrying out this section,
9 each Secretary of a military department shall carry out
10 a pilot program under which that Secretary may modify
11 service obligations for certain individuals under the health
12 professions scholarship and financial assistance program
13 of that military department, to expand participation in
14 such program to such individuals.

15 (b) ELIGIBILITY.—To be eligible for participation in
16 the pilot program under subsection (a), in addition to
17 meeting the eligibility requirements under section 2122 of
18 title 10, United States Code, an individual may not have
19 previously been a member of the health professions schol-
20 arship and financial assistance program.

21 (c) CONDITIONS ON PARTICIPATION.—

22 (1) IN GENERAL.—As a condition of partici-
23 pating in the pilot program under subsection (a), an
24 individual eligible under subsection (b) shall enter
25 into an agreement with the Secretary of the military

1 department concerned pursuant to which the indi-
2 vidual agrees—

3 (A) to participate as a member of the
4 health professions scholarship and financial as-
5 sistance program of that military department;

6 (B) to complete courses of study and spe-
7 cialized training under such program in a
8 health profession discipline designated by that
9 Secretary as a critically needed wartime dis-
10 cipline; and

11 (C) upon completion of participation in
12 such program, to satisfy, in lieu of the active
13 duty obligation under section 2123 of title 10,
14 United States Code, a service obligation in the
15 Selected Reserve of the Ready Reserve of that
16 military department for the period described in
17 paragraph (2).

18 (2) LENGTH OF PERIOD OF SERVICE.—The pe-
19 riod described in this paragraph is a period of time
20 of a length determined by the Secretary of the mili-
21 tary department concerned, except that such period
22 may not be shorter than a period equal to—

23 (A) each year of participation in the health
24 professions scholarship and financial assistance

1 program pursuant to paragraph (1)(A) multi-
2 plied by two and a half; plus

3 (B) if such participation was for a period
4 of two years or fewer, an additional two and a
5 half years.

6 (3) DETAILS OF SERVICE OBLIGATION.—Unless
7 otherwise specified by the Secretary of the military
8 department concerned—

9 (A) any period of time spent in intern or
10 residency training shall not be creditable in sat-
11 isfying the service obligation under paragraph
12 (1)(C);

13 (B) any period of time used to satisfy an-
14 other military service obligation shall not be
15 creditable in satisfying the service obligation
16 under paragraph (1)(C); and

17 (C) the period described in paragraph (2)
18 shall be a consecutive period of time.

19 (4) FAILURE TO COMPLETE.—

20 (A) ALTERNATIVE OBLIGATIONS.—A par-
21 ticipant in the pilot program under subsection
22 (a) who is relieved of the service obligation
23 under paragraph (1)(C) before the completion
24 of that service obligation may be given, with or
25 without the consent of the participant, either of

1 the following alternative obligations, as deter-
2 mined by the Secretary of the military depart-
3 ment concerned:

4 (i) A service obligation in the Selected
5 Reserve of the Ready Reserve of another
6 military department for a period of time
7 not less than the remaining service obliga-
8 tion of the participant.

9 (ii) Repayment to the Secretary of
10 Defense of a percentage of the total cost
11 incurred by the Secretary under such pilot
12 program on behalf of the member pursuant
13 to the repayment provisions of section
14 303a(e) or 373 of title 37, United States
15 Code.

16 (B) CIVILIAN EMPLOYEE ALTERNATIVE.—
17 In addition to the alternative obligations speci-
18 fied in subparagraph (A), if a participant in the
19 pilot program under subsection (a) is relieved of
20 the service obligation under paragraph (1)(C)
21 by reason of the separation of the participant
22 because of a physical disability, the Secretary of
23 the military department concerned may give the
24 participant a service obligation as a civilian em-
25 ployee employed as a health care professional in

1 a facility of the uniformed services for a period
2 of time determined by that Secretary, but not
3 to exceed the remaining service obligation of the
4 participant.

5 (d) METRICS AND EVALUATIONS.—The Secretary of
6 Defense shall establish metrics, and carry out evaluations
7 using such metrics, to determine the effectiveness of the
8 pilot program under subsection (a).

9 (e) TERMINATION.—The authority to carry out the
10 pilot program under subsection (a) shall terminate on Oc-
11 tober 1, 2027.

12 (f) BRIEFINGS.—Not later than 180 days prior to the
13 date on which the pilot program under subsection (a) ter-
14 minates, each Secretary of a military department shall
15 provide to the Committees on Armed Services of the
16 House of Representatives and the Senate a briefing on the
17 effectiveness of the pilot program.

18 (g) DEFINITIONS.—In this section:

19 (1) The terms “course of study” and “special-
20 ized training” have the meaning given those terms
21 in section 2120 of title 10, United States Code.

22 (2) The term “health professions scholarship
23 and financial assistance program” has the meaning
24 given the term “program” under such section.

1 (3) The term “member of the health professions
2 scholarship and financial assistance program” has
3 the meaning given the term “member of the pro-
4 gram” under such section.

1 **SEC. 732 [Log 74995]. MANDATORY TRAINING ON HEALTH**
2 **EFFECTS OF PERFLUOROALKYL OR**
3 **POLYFLUOROALKYL SUBSTANCES.**

4 The Secretary of Defense shall provide to each med-
5 ical provider of the Department of Defense mandatory
6 training with respect to the potential health effects of
7 perfluoroalkyl or polyfluoroalkyl substances.

1 **SEC. 733 [Log 75336]. SUICIDE CLUSTER: STANDARDIZED**
2 **DEFINITION FOR USE BY DEPARTMENT OF**
3 **DEFENSE; CONGRESSIONAL NOTIFICATION.**

4 (a) STANDARDIZATION OF DEFINITION.—Not later
5 than one year after the date of the enactment of this Act,
6 the Secretary of Defense, in consultation with the Secre-
7 taries concerned, shall develop, for use across the Armed
8 Forces, a standardized definition for the term “suicide
9 cluster”.

10 (b) NOTIFICATION REQUIRED.—Beginning not later
11 than one year after the date of the enactment of this Act,
12 whenever the Secretary determines the occurrence of a sui-
13 cide cluster (as that term is defined pursuant to sub-
14 section (a)) among members of the Armed Forces, the
15 Secretary shall submit to the appropriate congressional
16 committees a notification of such determination.

17 (c) COORDINATION REQUIRED.—In developing the
18 definition under subsection (a) and the process for submit-
19 ting required notifications under subsection (b), the Sec-
20 retary of Defense shall coordinate with the Secretaries
21 concerned.

22 (d) BRIEFING.—Not later than April 1, 2023, the
23 Secretary of Defense shall provide to the appropriate con-
24 gressional committees a briefing on the following:

25 (1) The methodology being used in the develop-
26 ment of the definition under subsection (a).

1 (2) The progress made towards the development
2 of the process for submitting required notifications
3 under subsection (b).

4 (3) An estimated timeline for the implementa-
5 tion of this section.

6 (e) DEFINITIONS.—In this section:

7 (1) The term “appropriate congressional com-
8 mittees” means the following:

9 (A) The Committee on Armed Services of
10 the House of Representatives.

11 (B) The Committee on Armed Services of
12 the Senate.

13 (C) The Committee on Transportation and
14 Infrastructure of the House of Representatives.

15 (D) The Committee on Commerce, Science,
16 and Transportation of the Senate.

17 (2) The term “Secretary concerned” has the
18 meaning given that term in section 101 of title 10,
19 United States Codes.

1 **SEC. 734 [Log 74981]. LIMITATION ON REALIGNMENT OR**
2 **REDUCTION OF MILITARY MEDICAL MAN-**
3 **NING END STRENGTH; CERTIFICATION RE-**
4 **QUIREMENT AND OTHER REFORMS.**

5 (a) LIMITATION.—

6 (1) IN GENERAL.—In addition to the limitation
7 under section 719 of the National Defense Author-
8 ization Act for Fiscal Year 2020 (Public Law 116–
9 92; 133 Stat. 1454), as most recently amended by
10 section 731 of the National Defense Authorization
11 Act for Fiscal Year 2022 (Public Law 117–81; 135
12 Stat. 1795), the Secretary of Defense and the Secre-
13 taries concerned may not realign or reduce military
14 medical end strength authorizations during the pe-
15 riod described in paragraph (2), and after such pe-
16 riod, may not realign or reduce such authorizations
17 unless—

18 (A) the report is submitted under sub-
19 section (b); and

20 (B) the certification is submitted under
21 subsection (c).

22 (2) COVERED PERIOD.—The period described in
23 this paragraph is a period of at least three years
24 that begins on the date of the enactment of this Act.

25 (b) REPORT ON COMPOSITION OF MILITARY MED-
26 ICAL WORKFORCE REQUIREMENTS.—The Secretary of

1 Defense, in coordination with the Secretaries of the mili-
2 tary departments, shall conduct an assessment of military
3 medical manning requirements and submit to Committees
4 on Armed Services of the House of Representatives and
5 the Senate a report containing the findings of such assess-
6 ment. Such assessment shall be informed by the following:

7 (1) The National Defense Strategy submitted
8 under section 113(g) of title 10, United States Code.

9 (2) The National Military Strategy prepared
10 under section 153(b) of such title.

11 (3) The campaign plans of the combatant com-
12 mands.

13 (4) Theater strategies.

14 (5) The joint medical estimate under section
15 732 of the John S. McCain National Defense Au-
16 thorization Act for Fiscal Year 2019 (Public Law
17 115–232; 132 Stat. 1817).

18 (6) The plan of the Department of Defense on
19 integrated medical operations, as updated pursuant
20 to paragraph (1) of section 724(a) of the National
21 Defense Authorization Act for Fiscal Year 2022
22 (Public Law 117–81; 135 Stat. 1793; 10 U.S.C.
23 1096 note).

1 (7) The plan of the Department of Defense on
2 global patient movement, as updated pursuant to
3 paragraph (2) of such section.

4 (8) The biosurveillance program of the Depart-
5 ment of Defense established pursuant to Depart-
6 ment of Defense Directive 6420.02 (relating to bio-
7 surveillance).

8 (9) Requirements for graduate medical edu-
9 cation.

10 (10) The report of the COVID–19 Military
11 Health System Review Panel under section 731 of
12 the William M. (Mac) Thornberry National Defense
13 Authorization Act for Fiscal Year 2021 (Public Law
14 116–283; 134 Stat. 3698).

15 (11) The report of the Inspector General of the
16 Department of Defense titled “Evaluation of De-
17 partment of Defense Military Medical Treatment
18 Facility Challenges During the Coronavirus Disease-
19 2019 (COVID-19) Pandemic in Fiscal Year 2021
20 (DODIG-2022-081)” and published on April 5,
21 2022.

22 (12) Such other reports as may be determined
23 appropriate by the Secretary of Defense.

24 (c) CERTIFICATION.—The Secretary of Defense shall
25 submit to the Committees on Armed Services of the House

1 of Representatives and the Senate a certification con-
2 taining the following:

3 (1) A certification of the completion of a com-
4 prehensive review of military medical manning, in-
5 cluding with respect to the medical corps (or other
6 health- or medical-related component of a military
7 department), designator, profession, occupation, and
8 rating of medical personnel.

9 (2) A justification for any proposed increase,
10 realignment, reduction, or other change to the spe-
11 cialty and occupational composition of military med-
12 ical end strength authorizations, which may include
13 compliance with a requirement or recommendation
14 set forth in a strategy, plan, or other matter speci-
15 fied in subsection (b).

16 (3) A certification that, in the case that any
17 change to such specialty or occupational composition
18 is required, a vacancy resulting from such change
19 may not be filled with a position other than a
20 health- or medical-related position until such time as
21 there are no military medical billets remaining to fill
22 the vacancy.

23 (4) A risk analysis associated with the potential
24 realignment or reduction of any military medical end
25 strength authorizations.

1 (5) An identification of any plans of the De-
2 partment to backfill military medical personnel posi-
3 tions with civilian personnel.

4 (6) A plan to address persistent vacancies for
5 civilian personnel in health- or medical-related posi-
6 tions, and a risk analysis associated with the hiring,
7 onboarding, and retention of such civilian personnel,
8 taking into account provider shortfalls across the
9 United States.

10 (7) A comprehensive plan to mitigate any risk
11 identified pursuant to paragraph (4) or (6), includ-
12 ing with respect to funding necessary for such miti-
13 gation across fiscal years.

14 (d) INTERIM BRIEFINGS AND FINAL REPORT.—

15 (1) INITIAL BRIEFING.—Not later than April 1,
16 2023, the Secretary of Defense shall provide to the
17 Committees on Armed Services of the House of Rep-
18 resentatives and the Senate a briefing on how the
19 Secretary plans to meet the report requirement
20 under subsection (b) and the certification require-
21 ment under subsection (c).

22 (2) BRIEFING ON PROGRESS.—Not later than
23 two years after the date of the enactment of this
24 Act, the Secretary of Defense shall provide to the
25 Committees on Armed Services of the House of Rep-

1 representatives and the Senate a briefing on the
2 progress made towards completion of such require-
3 ments.

4 (3) FINAL REPORT.—Not later than three years
5 after the date of the enactment of this Act, the Sec-
6 retary of Defense shall submit to the Committees on
7 Armed Services of the House of Representatives and
8 the Senate a final report on the completion of such
9 requirements. Such final report shall be in addition
10 to the report required under subsection (b) and the
11 certification required under subsection (c).

12 (e) DEFINITIONS.—In this section:

13 (1) The term “medical personnel” has the
14 meaning given such term in section 115a(e) of such
15 title.

16 (2) The term “theater strategy” means an over-
17 arching construct outlining the vision of a combatant
18 commander for the integration and synchronization
19 of military activities and operations with other na-
20 tional power instruments to achieve the strategic ob-
21 jectives of the United States.

1 **SEC. 735 [Log 75431]. REVIEW AND UPDATE OF POLICY RE-**
2 **LATING TO COMMAND NOTIFICATION PROC-**
3 **ESS AND REDUCTION OF MENTAL HEALTH**
4 **STIGMA.**

5 (a) REVIEW AND UPDATE.—

6 (1) IN GENERAL.—Not later than October 1,
7 2023, the Secretary of Defense, in coordination with
8 the Secretaries of the military departments, shall re-
9 view and update the Department of Defense Instruc-
10 tion 6490.08, titled “Command Notification Re-
11 quirements to Dispel Stigma in Providing Mental
12 Health Care to Service Members”, or any successor
13 instruction.

14 (2) ELEMENTS.—In carrying out the review
15 and update of the instruction under paragraph (1),
16 the Secretary shall ensure the updated version—

17 (A) provides health care providers with
18 clear guidance on the process and timeline for
19 making a required command notification;

20 (B) provides for the protection of the pri-
21 vacy of mental health information shared
22 through such notification process, including
23 by—

24 (i) restricting access to such informa-
25 tion to personnel for whom such specific

1 knowledge is necessary for the conduct of
2 official duties;

3 (ii) requiring that military com-
4 manders, and any other personnel with ac-
5 cess to such information, treat such infor-
6 mation as any other health information, in-
7 cluding with respect to applicable privacy
8 laws; and

9 (iii) setting forth updated training re-
10 quirements for military commanders on the
11 treatment of such information; and

12 (C) directs military commanders to take
13 steps to further reduce the stigma of mental
14 health among members of the Armed Forces,
15 including by promoting mental health care as
16 equivalent to other types of health care.

17 (b) REPORT.—Not later than April 1, 2023, the Sec-
18 retary of Defense shall submit to the Committees on
19 Armed Services of the House of Representatives and the
20 Senate a report on the progress made towards the comple-
21 tion of the review and update under subsection (a).

1 **SEC. 736 [Log 75177]. GAO STUDY ON COVERAGE OF MEN-**
2 **TAL HEALTH DISORDERS UNDER TRICARE**
3 **PROGRAM AND RELATIONSHIP TO CERTAIN**
4 **MENTAL HEALTH PARITY LAWS.**

5 (a) STUDY AND REPORT REQUIRED.—Not later than
6 180 days after the date of the enactment of this Act, the
7 Comptroller General of the United States shall—

8 (1) conduct a study to identify and assess the
9 similarities and differences with respect to coverage
10 of mental health disorders under the TRICARE pro-
11 gram and coverage requirements under mental
12 health parity laws; and

13 (2) submit to the Secretary of Defense, the con-
14 gressional defense committees, and (with respect to
15 any findings concerning the Coast Guard when it is
16 not operating as a service in the Department of the
17 Navy), the Secretary of Homeland Security, the
18 Committee on Transportation and Infrastructure of
19 the House of Representatives, and the Committee on
20 Commerce, Science, and Transportation of the Sen-
21 ate a report containing the findings of such study.

22 (b) MATTERS.—The report under subsection (a) shall
23 include the following:

24 (1) A description of any overlaps or gaps be-
25 tween coverage requirements under the TRICARE
26 program and under the mental health parity laws,

1 with respect to treatment for the continuum of men-
2 tal health disorders (including substance use dis-
3 order).

4 (2) An identification of any existing or antici-
5 pated effects of any such overlaps or gaps on access
6 to care by TRICARE beneficiaries.

7 (3) An identification of denial rates under the
8 TRICARE program for requests by TRICARE bene-
9 ficiaries for coverage of mental or behavioral health
10 care services, and the overturn rates of appeals for
11 such requests, disaggregated by type of health care
12 service.

13 (4) A list of each mental or behavioral health
14 care provider type that is not an authorized provider
15 type under the TRICARE program.

16 (5) An identification of any anticipated effects
17 of modifying coverage requirements under the
18 TRICARE program to bring such requirements into
19 conformity with mental health parity laws, including
20 an assessment of the following:

21 (A) Potential costs to the Department of
22 Defense, the Department of Homeland Security
23 (with respect to matters concerning the Coast
24 Guard when it is not operating as a service in

1 the Department of the Navy), and TRICARE
2 beneficiaries as a result of such modification.

3 (B) The adequacy of the TRICARE pro-
4 gram network to support such modification.

5 (C) Potential effects of such modification
6 on access to care by TRICARE beneficiaries.

7 (D) Such other matters as may be deter-
8 mined appropriate by the Comptroller General.

9 (c) BRIEFING.—Not later than 90 days after the date
10 on which the Secretaries receives the report submitted
11 under subsection (a), the Secretaries shall provide to the
12 congressional defense committees a briefing on any statu-
13 tory changes the Secretaries determine necessary to close
14 gaps in the coverage of mental health disorders under the
15 TRICARE program, including any such gaps identified in
16 the report, to bring such coverage into conformity with
17 requirements under mental health parity laws.

18 (d) DEFINITIONS.—In this section:

19 (1) The term “mental health parity laws”
20 means—

21 (A) section 2726 of the Public Health
22 Service Act (42 U.S.C. 300gg–26);

23 (B) section 712 of the Employee Retirement
24 Income Security Act of 1974 (29 U.S.C.
25 1185a);

1 (C) section 9812 of the Internal Revenue
2 Code of 1986 (26 U.S.C. 9812); or

3 (D) any other Federal law that applies the
4 requirements under any of the sections de-
5 scribed in subparagraph (A), (B), or (C), or re-
6 quirements that are substantially similar to
7 those provided under any such section, as deter-
8 mined by the Comptroller General.

9 (2) The term “TRICARE program” has the
10 meaning given such term in section 1072 of title 10,
11 United States Code.

1 **SEC. 737 [Log 75214]. REPORT ON COMPOSITION OF MED-**
2 **ICAL PERSONNEL OF EACH MILITARY DE-**
3 **PARTMENT AND RELATED MATTERS.**

4 (a) REPORT.—Not later than 180 days after the date
5 of the enactment of this Act, and annually thereafter for
6 five years, the Secretary of Defense, in coordination with
7 the Secretaries of the military departments, shall submit
8 to the Committees on Armed Services of the House of
9 Representatives and the Senate a report on the composi-
10 tion of the medical personnel of each military department
11 and related matters.

12 (b) MATTERS.—The report under subsection (a) shall
13 include the following:

14 (1) With respect to each military department,
15 the following:

16 (A) An identification of the total number
17 of medical personnel of the military depart-
18 ment.

19 (B) An identification of the number of
20 such medical personnel who are officers in a
21 grade above O–6.

22 (C) An identification of the number of
23 such medical personnel who are officers in a
24 grade below O–7.

1 (D) An identification of the number of
2 such medical personnel who are enlisted mem-
3 bers.

4 (E) An assessment of potential issues re-
5 lating to the composition of such medical per-
6 sonnel.

7 (F) A description of any plans of the Sec-
8 retary to—

9 (i) reduce the total number of such
10 medical personnel; or

11 (ii) eliminate any covered position for
12 such medical personnel.

13 (G) A recommendation by the Secretary
14 for the number of covered positions for such
15 medical personnel that should be required for
16 purposes of maximizing medical readiness
17 (without regard to current statutory limitations,
18 or potential future statutory limitations, on
19 such number), presented as a total number for
20 each military department and disaggregated by
21 grade.

22 (2) An assessment of the advisability of estab-
23 lishing within the Department of the Air Force, by
24 not later than five years after the date of the enact-
25 ment of this Act, a position of the Medical Officer

1 of the Space Force with the responsibilities of advis-
2 ing the Chief of Space Operations on all matters re-
3 lating to health care for members of the Space Force
4 and serving as the expert on such matters in work-
5 ing with the heads of other Federal departments and
6 agencies on related issues.

7 (3) An assessment of the necessity of maintain-
8 ing the position of the Medical Officer of the Marine
9 Corps, including—

10 (A) a comparison of the effects of filling
11 such position with an officer in the grade of O-
12 6 versus an officer in the grade of O-7;

13 (B) an assessment of potential issues asso-
14 ciated with the elimination of such position; and

15 (C) a description of any potential effects of
16 such elimination with respect to medical readi-
17 ness.

18 (c) DISAGGREGATION OF CERTAIN DATA.—The data
19 specified in subparagraphs (A) through (D) of subsection
20 (b)(1) shall be presented as a total number and
21 disaggregated by each medical component of the respective
22 military department.

23 (d) CONSIDERATIONS IN ASSESSING CERTAIN SPACE
24 FORCE MATTER.—In conducting the assessment pursuant
25 to subsection (b)(2), the Secretary of Defense shall take

1 into consideration the tasks, operations, and specific
2 health care considerations that accompany the space
3 warfighting mission of the Space Force.

4 (e) DEFINITIONS.—In this section:

5 (1) The term “covered position” means a posi-
6 tion for an officer in a grade above O–6.

7 (2) The terms “enlisted member” and “officer”
8 have the meanings given those terms in section
9 101(b) of title 10, United States Code.

10 (3) The term “medical component” means—

11 (A) in the case of the Army, the Medical
12 Corps, Dental Corps, Nurse Corps, Medical
13 Service Corps, Veterinary Corps, and Army
14 Medical Specialist Corps;

15 (B) in the case of the Air Force, members
16 designated as medical officers, dental officers,
17 Air Force nurses, medical service officers, and
18 biomedical science officers; and

19 (C) in the case of the Navy, the Medical
20 Corps, Dental Corps, Nurse Corps, and Medical
21 Service Corps.

22 (4) The term “medical personnel” has the
23 meaning given such term in section 115a(e) of title
24 10, United States Code.

1 (5) The term “military department” has the
2 meaning given that term in section 101(a) of such
3 title.

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DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE V—MILITARY PERSONNEL POLICY

ITEMS OF SPECIAL INTEREST

B-21 Total Force Integration

The committee notes the success of the Total Force Integration models between the Air Force's 509th Bomb Wing and the Missouri National Guard's 131st Bomb Wing at Whiteman Air Force Base (AFB) and the Air Force Reserve Command 307th Bomb Wing at Barksdale and Dyess AFBs. The Total Force Integration model improves the Air Force's ability to conduct its mission through the sharing of resources between the Active Duty and the Reserve Components, including aircraft, crews, maintenance, training and support. The combined employment of manpower between the Active Duty and Reserve Components provides surge capacity and maximizes efficiency to ensure mission success.

Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the Committee on Armed Services of the House of Representatives not later than March 1, 2023, on the plans to pursue Total Force Integration with the B-21 fleet. This briefing shall include an updated Air Force bomber roadmap and the Air Force's plans for the integration of the Guard and Reserve Component personnel in the organizational structure of the B-21 enterprise.

Cyber Mission Force Manning

The committee understands the critical importance of the Cyber Mission Force to national security. Moreover, the committee understands the Cyber Mission Force is U.S. Cyber Command's action arm, and its teams execute the command's mission to direct, synchronize, and coordinate cyberspace operations in defense of U.S. national interests. The committee also understands that some of the military services have had challenges in recruiting and retaining service member personnel within their component of the Cyber Mission Force.

Therefore, the committee directs the Secretary of Defense to submit a report to the Senate Committee on Armed Services and the House Committee on Armed Services not later than June 1, 2023, that includes the following:

(1) each military service's manning requirements in 2022, to include authorizations on hand for each Cyber Mission Force specialty. This should include historical analysis of the increases or decrease of the Cyber Mission Force since its inception in 2012;

(2) an analysis of the accession and retention challenges to each military service's contribution to the Cyber Mission Force to include recommendations to mitigate these challenges;

(3) an assessment of the training and education requirements to each military service's contribution to the Cyber Mission Force, to include an inventory of any certifications required;

(4) an analysis of the competitive market forces affecting the accession and retention of service members in the Cyber Mission Force;

(5) an assessment of the main drivers that lead cyber-qualified service members to separate from the military;

(6) recommendations on methods to attract and retain individuals for cyber-related positions to include pay and compensation, career intermission, education and training, reimbursement for certifications, training with industry, and any other recommendations that should be considered; and

(7) the feasibility of a career, capability, and certification forum that would increase cyber career competency and career progression and potentially standardize certifications required for the cyber-related career fields in the military services.

GAO Review of Military Justice Criminal Litigation Resourcing, Manning, Training, and Career Progression

The military services' Judge Advocate General's (JAG) Corps provide new lawyers the opportunity to practice law in a wide variety of assignments and to gain a significant amount of trial experience earlier in their career than their private sector counterparts. However, the committee is concerned about the extent to which the services' current approach to training and managing judge advocates helps ensure that they are optimally positioned to meet the increasingly complex legal demands of today's military justice practice.

Therefore, the committee directs the Comptroller General of the United States to review the Army, Navy, Marine Corps, and Air Force training, resourcing, and management of Active Duty JAG military justice practitioners. The review should address the following elements:

(1) the structure and assignment process for the military services' military justice litigation positions, including defense counsel, trial counsel, special trial counsel, and military judges;

(2) the type and content of training required for and provided to all military justice litigators as they progress throughout their career;

(3) the amount and type of experience, if any, required for military justice litigators prior to assignment as defense counsel, trial counsel, special trial counsel, and military judge;

(4) the degree to which each military service utilizes a military justice career track or other related career progression management tool for judge advocates; and

(5) the extent to which the Department of Defense and the military services have addressed the manning, resourcing, training, and career progression

requirements for special trial counsel established in section 824a of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81).

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services by March 31, 2023, with the Comptroller General's preliminary findings and present final results in a format and timeframe agreed to at the time of the briefing.

Gold Star Family Notifications and Definition

The committee sincerely appreciates the sacrifices of the Gold Star families that have faced loss due to a loved one's death in the line of duty while serving in the United States military. The committee understands that some of these families may desire further contact with a unit or command with which their loved ones served.

Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services not later than January 31, 2023, that addresses the following:

- (1) any challenges on establishing a Department of Defense next-of-kin database;
- (2) a rough order of magnitude on what a potential database may cost and how long it would take to put in place;
- (3) the feasibility of offering an opt-in option for next of kin desiring further contact with units, commands, and military organizations;
- (4) the feasibility and implications of defining Gold Star to exclusively refer to survivors of service members killed as a result of enemy action as defined in section 1126 of title 10, United States Code; and
- (5) any other recommendation or policy changes that should be considered with the potential establishment of a next-of-kin database and further refining the definition of the term "Gold Star."

Increasing the Talent Pool of Aviators for the Air Force

The committee recognizes the lack of diversity among aviators in the Air Force and the long-term national security implications of a diminishing pool of qualified aviators. Reaching beyond the existing talent pool to find new pilots by using resources like Minority Serving Institutions (MSI) is critical to recruitment and readiness for the Air Force. Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services not later than February 28, 2023, on how the Air Force can engage with MSIs on developing innovative programs aimed at recruiting and training future pilots.

Individual Ready Reserve Management

The committee understands that Individual Ready Reserve (IRR) management was one of the leading issues from the Reserve Forces Policy Board's

2020, “Improving the Total Force Report.” The committee also understands the 200,000 service members in the Individual Ready Reserve constitute roughly one-fifth of the U.S. military’s Selected Reserve. Members of the IRR have previously served on Active Duty or in drilling Reserve units and are serving out the remainder of their military service obligation. They are a body of trained soldiers, sailors, Marines, and airmen who can be mobilized in the event of emergency or war. However, the Department of Defense struggles to maintain current contact information for members of the IRR despite annual “muster” requirements. In 2004, as the Army attempted to mobilize members of the IRR in support of Operation Iraqi Freedom, it found that it had impartial or incorrect contact information for 40,000 of 114,000 IRR members. These issues have continued and span the military services. The Army has 77,454 IRR members and it lacks phone numbers for 10,740 and emails for 55,569. Only 33 percent of IRR members comply with requests to update contact information and attend mandatory musters. Only 20-30 percent of the Navy’s IRR members respond to the annual screening questionnaire. The Marine Corps only screen contact information for 55-60 percent of their population via email, phone, or text annually. The Air Force makes contact with approximately 44 percent of its IRR members each year.

Therefore, the committee directs the Secretary of Defense, in coordination with the Secretaries of the military departments, to provide a report to the Senate Committee on Armed Services and the House Committee on Armed Services, not later than March 1, 2023, on the plan to ensure the Department of Defense and the military services are maintaining and updating IRR service member contact information on a frequent basis, the requirements to provide the best technological solution for the services, the security risks, costs, and timeline to include the potential benefits of a commercial portal option.

Joint Assignment Credit Reform

The committee appreciates that Department of Defense Instruction 1300.19 (Department of Defense Joint Officer Management (JOM) Program) recognizes certain civilian experiences and other assignments that have relevance to joint matters as applicable for joint duty assignment credit. However, the current process for officers to apply for and receive joint credit from valuable civilian or military experiences carrying out duties pertaining to national military strategy, multi-service acquisitions, or integrated force operations, is lengthy and requires approval from the Under Secretary of Defense for Personnel and Readiness through the Combined Joint Chiefs of Staff. The lengthy time for this process and lack of standardization for which of these experiences meet the criteria for joint matters as defined in section 668 of title 10, United States Code, and section 6, Department of Defense Instruction 1300.19, can hinder officer career advancement and prevent uniquely qualified officers from obtaining positions that require a joint qualified officer designation.

Therefore, the committee directs the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, to provide a briefing to the House Committee on Armed Services not later than March 1, 2023, on whether a policy should be established to provide a O-8 in a service member's chain of command (Active or Reserve Component) the authority to approve joint experiences for joint duty assignment credit, provided that all documentation is submitted in accordance with Department of Defense Instruction 1300.19 and that the experience meets the statutory definition of joint matters in chapter 38 of title 10, United States Code.

Joint Staff Congressional Requests for Information Staffing

The committee is concerned about extended delays in staffing by the Joint Staff in processing requests for information from Members of Congress with direct oversight responsibilities of the Department of Defense, including the Joint Staff. Therefore, the committee directs the Chairman of the Joint Chiefs of Staff to submit a report to the House Committee on Armed Services not later than April 1, 2023, on the processes, procedures, regulations, directives, measure of effectiveness, and timelines that govern the staffing of requests for information from Members of Congress.

Marine Corps Reserve Joint Officer Qualification

The committee understands the value of joint qualification for general and flag officers across the military. Moreover, the committee strongly supports the requirement for joint qualified officers to be educated, trained, and experienced in joint matters to enhance the joint warfighting capability and lethality of the United States through a heightened awareness of joint requirements, including multi-service, interagency, international, and non-governmental perspectives.

Therefore, the committee directs the Commandant of the Marine Corps to provide a briefing to the House Committee on Armed Services not later than February 1, 2023, that provides the plan for a general officer of the Marine Corps Reserve to be designated as a joint qualified officer and how that plan will be sustained over time.

National Guard and Reserve Community Outreach Program

The committee understands the importance of community engagement for all components of the military. The committee also acknowledges the recommendation from the National Commission on Military, National, and Public Service to improve military outreach around the country. Expanded community-building efforts, including greater access to military bases and facilities via public tours, partnerships between National Guard and Reserve units and local schools, and enhanced promotion of military service by Members of Congress, will significantly increase engagement between the military and the broader American public, shatter myths, and provide a new generation of Americans with firsthand

information about military life. Moreover, recent data from the Department of Defense indicates the propensity to serve for young adults has declined over the last 10 years.

Therefore, the committee directs the Secretary of Defense, in coordination with the Director of the National Guard Bureau, to submit a report to the House Committee on Armed Services not later than March 1, 2023, that includes the following:

- (1) ongoing National Guard and service Reserve Component outreach efforts in local communities and whether these efforts are codified as programs of record;
- (2) any targeted recruiting efforts in underrepresented markets in terms of geographic location, academic institutions, fields of study, and other segments of the population eligible for recruitment;
- (3) activities that build awareness and potential recruitment opportunities of the military in local communities;
- (4) partnership activities with school districts, schools, and community service organizations that would help build enduring relationships in the local community;
- (5) the cost of these outreach efforts, activities, and programs, to include those that have dedicated funding over the Future Years Defense Plan; and
- (6) recommendations from the Department of Defense, National Guard, and service Reserve Components on steps needed to improve local community outreach efforts intended to build awareness of the military and positively increase the propensity to service to include funding, personnel, policy, and legislation.

National Guard Federal Tuition Assistance

The committee notes the challenges with approving and disbursing Federal Tuition Assistance funding since the adoption of the new Army Educational Services system ArmyIgnitED, in March 2021. Despite the committee's requests for additional information and an expedited resolution, the system has still not reached full functionality. National Guard and Reserve Component service members, who are more likely to be enrolled in college while serving, are disproportionately impacted by these challenges.

Therefore, the committee directs the Secretary of the Army to submit a report to the House Committee on Armed Services not later than March 1, 2023, that includes an evaluation of:

- (1) whether it is feasible to permit States to administer and disburse Federal Tuition Assistance funding for National Guard and Reserve Component service members;
- (2) how the Secretary plans to mitigate the backlog of tuition assistance requests while making sure that service members are not disadvantaged;

(3) how the States would have the ability to approve requests for obligations that are verified by the educational services support personnel and the respective educational institutions; and

(4) if States could be granted the option to opt-in or opt-out of using the ArmyIgnitED system for requesting, approving, and disbursing Federal Tuition Assistance funding.

National Guard State Active Duty Missions Report

The committee is interested in the effect of State Active Duty missions on overall readiness and availability of the National Guard in the event of the need for title 32, United States Code, or title 10, United States Code, activation of a National Guard unit. Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services not later than January 31, 2023, detailing how the Department of Defense evaluates the readiness, retention, and other factors of National Guard readiness in light of the requirement to support State Active Duty missions.

Public Service at Military Academies

The committee believes that fostering closer ties between civilian and military service is important for cross-agency collaboration and effectively carrying out the national security mission at the Department of Defense. Expanding civil service training opportunities will help to fill the numerous civilian and career placements to ensure that the Department has the employees it needs to continue to innovate and achieve its objectives. Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services not later than June 1, 2023, detailing what would be needed to implement a public service cadet program at each military service academy. Such a program would provide a path for civilians interested in a career in Federal service similar to that of Reserve Officers' Training Corps and military academy prospects. Upon graduation, cadets from the Federal service program would be required to serve for 5 years in the Federal Government in a civilian capacity. The program will help bridge the divide between civil and military servants.

The report shall include, but not be limited to, a study of the funding necessary to create the program, impacts on current enrollment of cadets at military academies, resources needed for recruitment, and expected outcomes for the Department's investment in civil service recruitment.

Report on Feasibility of Remotely Piloted Aircraft Crew Preservation of the Force and Family Pilot Program

The committee continues to be concerned about the health and welfare of remotely piloted aircraft crews who are actively supporting combat operations from domestic locations and their access to a program directly comparable to the U.S.

Special Operations Command (USSOCOM) Preservation of the Force and Family (POTFF) program. Therefore, the committee directs the Chief of Staff of the U.S. Air Force to submit a report to the House Committee on Armed Services not later than April 1, 2023, that:

- (1) determines the health and welfare needs of the remotely piloted aircraft crews engaged in direct support of combat operations;
- (2) assesses the services offered to special operations personnel under the USSOCOM Preservation of the Force and Family program and develop a plan to offer comparable services and facilities to eligible service members;
- (3) works collaboratively with USSOCOM to understand the intent of the POTFF program and lessons learned from implementation in USSOCOM to determine applicability to the remotely piloted aircraft aircrew community; and
- (4) contains an assessment of the need and feasibility of such a program and the cost of establishment.

Report on Navy End Strength Request Process

The committee remains concerned that persistent shortfalls in the required number of personnel on board Navy ships poses risks to the safe and effective operation of ships and submarines. The committee is encouraged by the Navy's efforts to address these shortfalls through ongoing improvements to its end strength request process. The committee directs the Chief of Naval Operations to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than February 1, 2023, on the process and any changes. The report should include the following elements:

- (1) the results of the Navy-wide review and refinement of mission requirements;
- (2) changes to the Manpower Requirements Determination process, and improvements to fleet and shore manpower modeling capabilities;
- (3) assessments of unfunded manpower requirements and long-term gapped billets, the resources required for filling them, and feasible timeframes for doing so;
- (4) the actions taken to implement and optimize personnel distribution processes; and
- (5) the status of personnel fit and fill by unit using manpower requirements.

Report on Sharing of Information on Domestic Violence Incidents

The committee notes that the Incident Determination Committees established at military installations are responsible for reviewing reported incidents of domestic violence and determining whether such incidents constitute serious harm to the victim according to the applicable criteria of the Department of Defense.

The committee directs the Comptroller General of the United States to submit a report to the House Committee on Armed Services by May 1, 2023,

reviewing the policies and regulations governing the Incident Determination Committees and incident determination notification letters. The review should address the following elements:

- (1) how incident determination letters are used by commanders;
- (2) if, and to what extent, incident determination letters are used by subjects and victims; and
- (3) recommendations on how the process could be improved.

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services by March 31, 2023, on the Comptroller General's preliminary findings.

Reserve Officers' Training Corps Programs at Hispanic Serving Institutions

The committee notes the importance of the Reserve Officers' Training Corps (ROTC) and the potential need to increase the number of ROTC programs offered at Hispanic Serving Institutions. This increase in ROTC detachments will help increase the opportunity of Hispanics from currently underserved minority institutions to serve and assist in increasing the diversity of military officers, which will present the opportunity to increase diversity in high-ranking leadership positions. Visibly increasing access to ROTC programs for Hispanic youth will result in an increase of Hispanics in the officer corps. Therefore, the committee directs the Secretary of Defense to submit a report to the Committee on Armed Service of the House of Representatives not later than March 1, 2023, that includes an assessment of:

- (1) The feasibility of expanding the ROTC program to Hispanic Serving Institutions.
- (2) The number of institutions qualifying as Hispanic Serving.
- (3) The number of Hispanic Serving Institutions that qualify for an ROTC program.
- (4) The cost of such an expansion to Hispanic Serving Institutions.
- (5) The estimated total throughput of qualifying institutions.
- (6) Any other elements that the Secretary deems relevant.

Study and Report on the Use of the Vessel Exception under the Uniform Code of Military Justice

The committee notes that Article 15, Uniform Code of Military Justice (UCMJ), which authorizes non-judicial punishment, states that the right to demand a trial by court-martial does not apply to a member who is attached to or embarked on a vessel. The committee directs the Comptroller General of the United States to review the Department of the Navy's use of the vessel exception and policies related to legal review of non-judicial punishment. The review should address the following elements:

- (1) the process that the Department of the Navy uses to determine whether a service member is attached to or embarked on a vessel for the purpose of

determining whether the service member may decline non-judicial punishment and demand a court-martial;

(2) the use of legal review of proposed non-judicial punishment by the Department of the Navy;

(3) the availability of defense counsel for sailors and Marines subject to non-judicial punishment; and

(4) any other matters the Comptroller General deems necessary.

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than March 31, 2023, on the Comptroller General's preliminary findings and present final results in a format and timeframe agreed to at the time of the briefing.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

ITEMS OF SPECIAL INTEREST

Assessing Implementation of the Blended Retirement System

The committee recognizes that fiscal year 2023 will mark the fifth anniversary of the Department of Defense's implementation of the Blended Retirement System as enacted in title VI, subtitle D, part I of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92). The committee commends the Department for its efforts to ensure younger service members the proper access to robust financial security training for retirement and directs the Secretary of Defense to submit a report to the Committee on Armed Services of the House of Representatives not later than April 1, 2023, on the status of the Blended Retirement System implementation. Such report shall analyze any data collected on the impacts of current training modules, include quantifiable outcomes that assess the impact of the Department's current financial security training from the year prior to implementation through fiscal year 2023, and detail an action plan that outlines additional tools and/or resources needed by the Department to further increase positive outcomes in enhancing financial literacy training for our service members.

Childcare Providers at Department of Defense Facilities

The committee is aware of the challenge of attracting sufficient childcare providers at Department of Defense installations, specifically the Child Development Centers, and that the Department is facing a challenge in having adequate facilities as well as sufficient numbers of childcare providers. Additionally, the significant backlog at many military installations for on-installation childcare for service members and their families is a concern. The COVID crisis has only exacerbated the challenge of finding enough childcare providers at both Department of Defense installations and in the surrounding community. Long waitlists for

childcare have been cited by many service members as a major quality-of-life challenge and, in some cases, has forced families to choose between work or providing childcare themselves. Given that the lack of childcare providers is also evident in many communities, these service members and their families don't have alternative options. The committee is concerned that the Department of Defense has not taken any action to address the lack of childcare providers in several areas. The committee is aware that Department of Defense policy allows installation commanders to offer childcare providers up to a 20 percent discount if they have their children enrolled in that childcare center. It is unclear if that policy is a sufficient incentive to attract additional childcare providers.

Therefore, the committee directs the Secretary of Defense to submit a report to the Committee on Armed Services of the House of Representatives not later than March 1, 2023, on how the Department of Defense intends to address the lack of childcare providers. Specifically, the report should include an analysis of the potential benefit of increasing the authority of installation commanders to offer a childcare discount of up to 100 percent, including potential budgetary impacts compared to the ability to attract additional childcare providers. The report shall also include additional incentive options that the Department of Defense could consider to attract additional childcare providers, including the budgetary impact of those additional incentives and whether additional authorities are needed to execute those recommendations. The report shall also include whether the Department of Defense would make any incentives Department-wide or whether they should be utilized by local installation commanders depending on local conditions.

Military Childcare Partnerships

The committee continues to be concerned about the availability of childcare for service members across the United States and therefore directs the Secretary of Defense to submit a report to the Committee on Armed Services of the House of Representatives not later than June 1, 2023, that examines the feasibility of entering into grant agreements, cooperative agreements, or contracts with one or more public or private entities to build and operate childcare facilities to provide childcare to members of the Armed Forces and civilian employees of the Department of Defense. The report shall include a recommendation on whether to proceed with the establishment of a military childcare partnership and include an analysis of:

- (1) public or private entities that have the capacity to build and operate childcare facilities to provide childcare to members of the Armed Forces and civilian employees of the Department of Defense;
- (2) financial arrangements that could support a military childcare partnership, including agreements to fill a certain number of childcare slots with military or Department of Defense civilian children with the support of the fee

assistance program, as applicable, or other approaches as considered by the Secretary concerned;

(3) timeframes for establishing such partnerships and projected number of children who could be served, and the potential impact on childcare waitlists at installations with unmet demand;

(4) means to ensure that Department of Defense standards for safety and quality in childcare programs are met or exceeded by any military childcare partnership;

(5) initial cost estimates to the Department for a military childcare partnership;

(6) cost comparison of a potential military childcare partnership compared to a Department constructed and operated military child development center to include initial construction costs, staffing, and building maintenance costs over the life cycle of the project;

(7) any changes to statutory authorities needed to enable the military departments to enter into military childcare partnerships; and

(8) any changes to regulation needed to enable the military departments to enter into military childcare partnerships.

Remotely Piloted Aircraft Crew Management

The committee continues to be concerned about the overall management of remotely piloted aircraft (RPA) crews, not only long-term career management but increasingly whether they are provided with or have access to respite, mental health, and family support. Considering most of the crews have largely been deployed in place for the last 10 years, the committee believes the Air Force should have addressed the issues of work-life balance in this community, similar to a deploy-to-dwell tempo that is applicable for deployed forces. Also of concern is the characterization of the combat operations performed by these crews and the consideration of having been in combat for the purposes of recognition and access to combat-related benefits.

Therefore, the committee directs the Secretary of the Air Force to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than April 1, 2023, on programs and services provided to personnel performing the duties of RPA aircrew. The report shall include;

(1) the number of officers and enlisted members performing duties as RPA aircrew (remotely piloted aircraft pilots, combat systems operators, and sensor operators) during the past 5 fiscal years;

(2) the retention rate of such officers and enlisted members during the past 5 fiscal years;

(3) the promotion rate of such officers and enlisted members during the past 5 fiscal years;

(4) the total amount of combat time in flight hours logged by officers and enlisted members performing RPA aircrew duties during the past 5 fiscal years;

(5) a description of the structure of incentive pay for officers and enlisted members performing RPA aircrew duties during the past 5 fiscal years;

(6) a description of the types of mental health support and benefits to all total force RPA operators and crew engaging in active combat operations;

(7) the current level of mental health services resourcing available at each major RPA operating location, specifically: (a) describe military treatment facility (MTF), non-MTF, and embedded resource; (b) describe the MTF wait times to receive care; (c) describe the availability or wait time to receive services from embedded care providers; (d) describe the availability of non-MTF and non-embedded care resources (i.e., chaplains, military family life counselors); (e) describe any resourcing successes and challenges;

(8) define the frequency of required mental health visits/appointments for RPA aircrew. When the frequency isn't defined, what drives optional and mandatory mental health appointments or assessments;

(9) a description of all combat-related recognitions available to RPA aircrew members compared to combat-related recognitions available to aircrew members of traditionally piloted aircraft; and

(10) such other matters as the Secretary considers appropriate to inform the congressional defense committees with respect to programs and services provided to Air Force personnel performing duties of RPA aircrew.

Report on Expansion of the Military Child Care in Your Neighborhood Program

The committee commends the Department of Defense for its work to expand the Military Child Care in Your Neighborhood Plus initiative. This initiative represents an important effort to expand access to community-based and family child care for military families, particularly in States with high concentrations of childcare need. As noted in the Department of Defense's 2022 report to the committee on childcare best practices, only 9 percent of childcare centers and 2 percent of family childcare homes are accredited, while 63 percent of center-based programs and 52 percent of family childcare providers participate in the States' Quality Rating and Improvement System. Despite progress expanding the initiative since its launch, the committee understands that specific challenges may delay or prevent expansion to certain States. Therefore, the committee directs the Secretary of Defense to provide a briefing to the Committee on Armed Services of the House of Representatives not later than January 31, 2023, detailing the expansion of the Military Child Care in Your Neighborhood Plus program. The briefing shall outline progress and challenges expanding the program with a particular focus on States with high concentrations of childcare need among military families. Further, the committee recognizes that access to child care remains an urgent need for military families across the country. Therefore, the committee encourages the Department of Defense to continue to explore new strategies to expand access to child care for military families both on military bases and within communities with high concentrations of military families.

Report on Military Spouse Employment Program Effectiveness

The committee is concerned about barriers to military spouse employment and therefore directs the Secretary of Defense to submit a report to the Committee on Armed Services of the House of Representatives not later than April 1, 2023, that considers a standardized process to assess the performance of Military Spouse Employment programming and includes:

(1) a comprehensive assessment of the performance of the Department of Defense Military Spouse Employment programs, pilot programs, and initiatives meant to address military spouse unemployment.

(2) an identification of costs and resources to maintain and sustain Military Spouse Employment programs, pilot programs, and initiatives meant to address military spouse unemployment.

(3) an assessment of Military Spouse Employment programs' performance on employment rates by credentialed professionals requiring State licensing and other certifications.

(4) an identification of State, local, and commercial partnerships within Military Spouse Employment programs and metrics on the number of spouses hired, broken down by entity and year.

(5) an assessment on the rate or prevalence of military spouses who are enrolled in a Military Spouse Employment program who remain unemployed for more than 30 days following enrollment into a program, categorized by rank of sponsor, installation, and location.

(6) an assessment on the impact of military spouses' ability to retain and seek new employment following a permanent change of station within the continental United States and overseas.

(7) an assessment on the impact of military spouses' ability to participate in retirement contribution and employer matching opportunities following a permanent change of station.

(8) an assessment of military spouse employment programs' ability to match spouses with employment opportunities that align with their level of education and professional background.

(9) an assessment of barriers to military spouse employment program utilization.

The report shall also include information on barriers preventing the evaluation of military spouse employment program effectiveness such as availability of necessary data required to assess military spouse employment program effectiveness.

Report on Navy Tactical Air Control Squadron Flight Pay

The committee notes that operational training department heads assigned to Tactical Air Control Squadrons (TACRONs) chronically run into Aviation Incentive Pay (AvIP) gate issues that require a waiver granted by the Secretary of the Navy. The committee is concerned that every AvIP gate waiver request

submitted by a TACRON aviator has been summarily denied by the Deputy Assistant Secretary of the Navy, irrespective of individual qualifications or previously established AvIP gate waiver practices. There are no other examples of a class of aviators being denied AvIP gate waivers based solely on the unit in which they currently serve. Using an applicant's present assignment as a discriminator for waiver decisions is incompatible with current policy.

Therefore, the committee directs the Secretary of the Navy to submit a report to the Committee on Armed Services of the House of Representatives not later than March 1, 2023, evaluating the merit of denying TACRON aviators AvIP and the effect that will have on manning TACRONs in the future.

The committee further recommends the Secretary of the Navy return to the practice of evaluating each record in accordance with written policies, rather than relying on the requestor's current tour as a disapproval criterion. The committee additionally recommends reevaluating all denied AvIP gate waivers for officers who submitted packages while serving at a TACRON during the affected timeframe and authorize back pay to the date of their original gate waiver request in accordance with appropriate Department of the Navy instructions.

Report on Student Services at Department of Defense Education Activity Schools

The committee continues to be interested in providing a safe and supportive learning environment for all students and considers this a priority for Department of Defense Education Activity (DODEA) schools. In the DODEA's Blueprint for Continuous School Improvement, one of the critical success factors for achieving the goal of educating, engaging, and empowering students is to offer support for social and emotional learning by delivering comprehensive programming and supportive skills. An adequate number of school psychologists and student support staff in every DODEA school will permit the achievement of this goal. The National Association of School Psychologists recommends a ratio of 1 psychologist for every 500 students. However, DODEA's school psychologist staffing ratio is 1:1,000. In an effort to sustain ongoing support to our military-connected students and schools, DODEA must continue providing a comprehensive student support services team of internal, external, and ancillary student support personnel. Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services not later than March 1, 2023, on findings of a review by the DODEA Inspector General of the quality and availability of school psychological services that includes a parent survey addressing these concerns. The review should explore student-to-staff ratios of student support services in accordance with national recommendations including school psychologists, school counselors, and trauma informed care supports.

Report on Transition from Overseas Housing Allowance to Basic Allowance for Housing on Guam

The committee directs the Secretary of Defense to submit a report to the Committee on Armed Services of the House of Representatives not later than April 28, 2023, regarding the recommendation of the Secretary whether members of the uniformed services located in Guam and who receive the Overseas Housing Allowance should instead receive the Basic Allowance for Housing to ensure the most appropriate housing compensation for such members and their families.

Tuition Assistance for Doctoral Programs

The committee is aware that some of the military services do not allow the use of tuition assistance funds for the pursuit of doctoral degrees. The committee understands that tuition assistance funds are limited but that in some cases a doctoral degree may serve both the needs of the service member and the military service. Therefore, the committee directs the Secretary of Defense, in coordination with the Secretaries of the military departments, to provide a briefing to the House Committee on Armed Services not later than March 1, 2023, on the tuition assistance policies of each military service regarding doctoral education along with a rationale for these policies and a recommendation on whether the services should modify their policies regarding tuition assistance and doctoral education.

Value of Service Member Compensation

The committee understands that pay and compensation are vital elements of service member recruitment and retention. The committee also understands the goals of military compensation include recompense for service, retention, the reward of effective work, assignability, transition, separation and retirement. However, the committee is concerned that current value of compensation and benefits is not keeping pace with inflation and geographic differences in the prices of goods, services, and housing in some locations. Therefore, the committee directs the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives, not later than June 1, 2023, that includes the following:

- (1) an assessment of the formulation of the Cost-of-Living Allowance and a discussion on whether that should be considered for expensive continental United States locations;
- (2) an assessment of the Basic Allowance for Housing and how it adjusts to inflation and cost fluctuations in local rental markets;
- (3) an assessment of the Supplemental Nutrition Assistance Program and the Basic Needs Allowance to ensure they are appropriately targeting service members in the appropriate pay grades and geographic locations;

- (4) an assessment of whether a more expansive view of military compensation to include regular military compensation plus special and incentive pays targeted toward recruiting and retention should be conducted;
- (5) an analysis of service member use of the Blended Retirement System and its value as a retention incentive;
- (6) an analysis of the data that exists to track service member and family member satisfaction with military compensation and benefits; and
- (7) any recommendations that include legislative or policy changes regarding Department of Defense compensation and benefits.

TITLE VII—HEALTH CARE PROVISIONS

ITEMS OF SPECIAL INTEREST

Alternative Behavioral Health Options

The committee understands the value of alternative behavioral health options when treating post-traumatic stress disorder (PTSD). Some of these alternative options may include the use of chaplain programs, non-profit post-traumatic growth programs, and eye movement desensitization and reprocessing (EMDR) programs. The committee wants to ensure these programs remain an important component of military mental behavioral programs.

Therefore, the committee directs the Secretary of Defense to provide a briefing to the Committee on Armed Services of the House of Representatives not later than February 1, 2023, that addresses the following:

- (1) the use of chaplain programs to promote spiritual fitness as part of the holistic approach to reducing service member suicide and improving behavioral healthcare for military service members and their families;
- (2) the use of non-profit post-traumatic growth programs as an alternative approach to traditional models of mental healthcare; and
- (3) an analysis of the Department’s utilization of eye movement desensitization and reprocessing as a behavioral health treatment to include how many EMDR certified providers are in the direct care system, relative frequency of EMDR application compared to more traditional treatment options, and the level of effectiveness EMDR has shown in treating beneficiaries experiencing depression, PTSD, traumatic brain injury, suicidal ideation, and whether EMDR should be covered as a TRICARE benefit.

Autism Care Demonstration Program Extension

The committee understands that Autism Spectrum Disorder (ASD) affects essential human behaviors such as social interaction, the ability to communicate ideas and feelings, imagination and the establishment of relationships with others. The committee also understands the Autism Care Demonstration Program offers a

full array of medically necessary services to fulfill the needs of all TRICARE beneficiaries with an ASD diagnosis. The committee notes the Department of Defense extended the Autism Care Demonstration until December 31, 2023, in Federal Register Vol. 82, No. 236 on Monday, December 11, 2017.

However, the committee is concerned about the upcoming expiration of the of this demonstration and encourages the Secretary of Defense to extend the Autism Care Demonstration for an additional 5 years following December 31, 2023, to ensure the findings and recommendations of the National Academy of Science, Engineering and Medicine study from NDAA 2022 Section 737, are fully evaluated. The committee directs the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than February 1, 2023, on its consideration of this policy extension that includes:

- (1) the timeline considered to extend the Autism Care Demonstration;
- (2) the cost of extending the Autism Care Demonstration; and
- (3) any other policy consideration the Secretary deems appropriate.

Civilian Debt Owed for Medical Care Provided at Military Treatment Facilities

The committee understands the value of military/civilian partnerships and the potential they have in facilitating military provider readiness and honing critical skills through access to a wide range of patient populations in varying locations. However, the clinical benefits provided to individual patients are sometimes outweighed by debt that is accrued during these procedures.

Therefore, the committee directs the Secretary of Defense to provide a briefing to the Committee on Armed Services of the House of Representatives not later than February 1, 2023, that addresses the following:

- (1) an analysis of how the civilian partnerships support the military medical readiness required for a future conflict by increasing knowledge, skills, and abilities;
- (2) a historical analysis of how medical readiness has lagged behind overall readiness as the United States enters a conflict;
- (3) a breakdown of how civilian debt is processed and a description of what the biggest problems are with the current process, including statutory limitations;
- (4) the amount of debt that is owed to the Department of Defense by civilians who received trauma care at military treatment facilities (MTFs) broken down by year to include a breakdown of how much of the debt is not collected or needs to be sent to collections;
- (5) a detailed analysis of the Secretarial Designee (SECDES) program and how it has been utilized to waive expenses and how this program strengthens the military/civilian partnership;
- (6) opportunities to expand the SECDES program and the potential impact of increasing its utilization for trauma care;

- (7) any scenarios in which the SECDES program was mandated to be utilized for certain levels of trauma care that provide knowledge, skills, and abilities for military personnel in treating similar wounds and injuries that they would experience in a deployed environment;
- (8) a description of debt collection practices used by the MTFs;
- (9) a suggested plan on how to improve civilian care at MTFs and any challenges faced when working with civilian insurance providers;
- (10) an analysis of how reduced medical manning has limited the Department's ability to engage in civilian partnerships; and
- (11) a description of any threats that would jeopardize military/civilian partnerships.

Digitization of Department of Defense Pathology Slides

The Department of Defense Joint Pathology Center (JPC) has begun an effort to digitize millions of pathology slides that, if leveraged to its fullest potential, could advance the diagnosis and treatment of thousands of illnesses that directly impact the health readiness of the Armed Forces and its beneficiaries. The committee is concerned that the process by which the JPC has chosen to digitize may not fully incorporate advances in technology to scale this effort in a timely manner, nor will the current process allow for the swift digitization of these deteriorating slides. In order to move this effort forward, we encourage the Department to apply advancements already developed, such as through the use of an augmented reality microscope developed by the Joint Artificial Intelligence Center and the Defense Innovation Unit. In addition, the committee believes that stronger integration between the JPC and the Department of Defense Chief Data Officer (CDO) needs to occur. The committee directs the CDO, in consultation with the JPC, to conduct a comprehensive assessment of the current JPC pathology digitization effort, to include whether the current strategy and contract provide for the level of image quality and technical requirements necessary to fully utilize available advanced technology, including the use of artificial intelligence, to develop deep learning algorithms that can be used to help assist in predictive health models and assessments, and whether this capability is required by the military.

The committee further directs the Secretary of Defense to provide a briefing to the Committee on Armed Services of the House of Representatives not later than April 1, 2023, on the results of the comprehensive assessment.

Discharges Related to COVID-19

The committee notes that the Department of Defense's COVID-19 vaccine policy has resulted in service members either involuntarily or voluntarily leaving the Armed Forces. The separation of service members could have a negative impact on readiness at a time when recruitment rates are low and threats from adversaries are high. To better understand the readiness impacts of the Department's COVID-19 vaccine policy, the committee directs the Secretary of Defense to provide a

briefing to the Committee on Armed Services of the House of Representatives by September 5, 2022, on the number of discharges due to the mandate. The briefing shall include:

- (1) the number of service members that have been involuntarily discharged over the vaccine mandate,
- (2) the number of service members that have been granted medical exemptions,
- (3) the number of service members that have been granted religious exemptions, and
- (4) whether the Department of Defense and the military services are tracking what impact the COVID-19 vaccine policy may be having on recruiting and retention.

Electronic Health Record System Interoperability

The committee is concerned about the findings in the recent Department of Defense Inspector General report "Joint Audit of the Department of Defense and the Department of Veterans Affairs Efforts to Achieve Electronic Health Record System Interoperability."

Therefore, the committee directs the Secretary of Defense, in coordination with the Secretary of Veterans Affairs, to provide a briefing to the House Committee on Armed Services not later than December 31, 2022, on the status of addressing the following:

- (1) what are the elements to determine the type of healthcare information that constitutes a complete electronic health record;
- (2) how will the Departments develop and implement a plan for migrating legacy patient healthcare information needed for a patient's complete electronic health record once the Federal Electronic Health Record Modernization office determines the type of patient healthcare information that constitutes a complete patient electronic health record;
- (3) how will the Department of Defense mitigate the impact on providers caused by lapses or errors in the data included;
- (4) the development and implementation of a plan for creating interfaces that would allow medical devices to connect and transfer patient healthcare information to Cerner Millennium;
- (5) the development and implementation of a plan to modify Cerner Millennium user roles to ensure that users are granted access to only the patient healthcare information necessary to perform their job responsibilities;
- (6) any oversight or policy challenges the Federal Electronic Health Record Modernization office may have in implementing these recommendations; and
- (7) any legislative authorities that may be needed to effectively implement the recommendations.

Evaluation of Suicide Prevention Efforts

The committee notes that a 2021 Government Accountability Office (GAO) review (GAO-21-300) of the Department of Defense's service member suicide prevention efforts found that "Department of Defense Needs to Fully Assess Its Non-Clinical Suicide Prevention Efforts and Address Any Impediments to Effectiveness." The Department concurred with the following three recommendations made by GAO to address the findings of the report:

(1) the Under Secretary of Defense for Personnel and Readiness should require the Defense Suicide Prevention Office (DSPO) to collaborate with the military services to develop a process to ensure that individual non-clinical suicide prevention efforts are assessed for effectiveness in the military population;

(2) the Under Secretary of Defense for Personnel and Readiness should require DSPO to collaborate with the military services to develop consistent suicide-related definitions to be used Department-wide and require them to be used in the updated Department and military service policies; and

(3) the Under Secretary of Defense for Personnel and Readiness should enhance collaboration between DSPO and the Psychological Health Center of Excellence on the production of their annual suicide reports to minimize duplication of efforts.

According to GAO, recommendations 2 and 3 have been implemented by the Department. Recommendation 2 was also addressed by section 726 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81). The committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services not later than March 1, 2023, on the Defense Suicide Prevention Office's progress in implementing all three of these GAO recommendations and section 726 of Public Law 117-81.

Heparin Supply Chain

The committee recognizes the importance of heparin for military service members as an essential blood product used in the field, at other operational locations, and at hospitals. The committee is concerned about the overreliance on pigs from foreign sources. As prolonged field care and other operational settings continues to increase, the Department of Defense must ensure heparin remains available and invest in the development of heparin sourced in the United States and independent of animal sources. The committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by March 1, 2023, on opportunities to expand the heparin supply chain for the Department and how investments in research of artificially made heparin can assist military readiness.

Holistic Health and Fitness and Musculoskeletal Injuries

The committee notes the success of the United States Army's Holistic Health and Fitness (H2F) program in developing academic partnerships with

institutions that already have existing injury prevention and human performance programs to engage in research and data collection regarding musculoskeletal injuries to improve health and force readiness. The committee encourages the relevant parties to continue these partnerships in an expanded capacity to include additional areas of physical fitness and injury prevention, mental health and cognitive performance, and nutrition. The committee further encourages research collaborations to develop more refined predictive analytics of force readiness through both virtual simulation programs and field testing. The committee notes that non-combat injuries greatly impact soldier health and readiness and are the leading cause of outpatient medical encounters (more than 2 million annually) among Active Component soldiers. In addition, non-combat musculoskeletal injuries (MSKIs) may account for nearly 60 percent of soldiers' limited duty days and 65 percent of soldiers who cannot deploy for medical reasons and an increased reason for medical separations. MSKIs are also responsible for exorbitant medical costs to the U.S. Government, including service-connected disability compensation. A significant subset of soldiers develop chronic pain or long-term disability after injury; this may increase their risk for chronic disease or secondary health deficits potentially associated with MSKIs.

Therefore, the committee directs the Secretary of the Army to submit a report to the Committees on Armed Services of the Senate and the House of Representatives by March 1, 2023, on the opportunities to develop pilot graduate degree and certificate programs necessary to staff and sustain the H2F performance teams and the feasibility of developing a pilot program for Army personnel to address musculoskeletal injuries.

Mental Health Access Standards

The committee is concerned that service members have not been able to receive a consistent standard of care with specialty behavioral healthcare services in the direct or purchased care system. Further, service members and their families have experienced delays in obtaining necessary behavioral health services. The committee seeks to evaluate service member and beneficiary access standards for behavioral health services.

Therefore, the committee directs the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than March 1, 2023, focused on service members' and their families' behavioral health access to care standards for direct and purchased care systems. The report shall also include information on the following:

(1) the current process for measuring access to care standards for behavioral health in the direct care system and by managed care support contractors;

(2) the process for tracking follow-on appointments after the initial intake visit with a behavioral health provider in the direct care system and by managed care support contractors; and

(3) the criteria for how the access to care standards will be managed in the next TRICARE contract.

National Disaster Medical System Surge Program

The committee understands the importance of the National Disaster Medical System (NDMS) pilot program authorized by the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92) and reauthorized by the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283). Moreover, the specifics of the NDMS pilot will address the potential national security ramifications of limited medical surge capacity to care for casualties returning from an overseas wartime contingency. The committee is also waiting on an updated integrated medical operations plan from the Department of Defense and remains concerned about the ability of the Military Health System to treat casualties during major contingency operations or in support of a potential widescale public health support operation.

Therefore, the committee directs the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, to submit a report to the Committee on Armed Services of the House of Representatives not later than March 1, 2023, that includes the following:

(1) the status and overview of any capability-based assessments that were completed or are being conducted on medical surge capacity related to the NDMS pilot;

(2) the status of the development of potential services and Joint Staff requirements for the NDMS surge capacity;

(3) the status of the Military-Civilian NDMS Interoperability Study which was initiated in December 2020 by the National Center for Disaster Medicine and Public Health, a component of the Uniformed Services University of the Health Sciences;

(4) a plan of action and milestones required in the NDMS pilot to include a funding plan across the Future Years Defense Program that will support the pilot to include the potential development of a full-scale prototype medical surge capability;

(5) recommendations related to the establishment of a potential Joint Center for Emergency Medical Training, Readiness, and Coordination in partnership with the Department of Health and Human Services;

(6) actions taken at each of the five NDMS pilot locations; and

(7) a description of planning events, exercises, signed agreements between the Department and civilian medical partnership locations, and any additional capacity provided to the Department through the NDMS partnership.

Negative Pressure Wound Therapy Review

The committee commends the Department of Defense for its continued research and development activities related to treating injuries sustained by service members in austere environments. The committee understands the importance of

providing lifesaving technologies to treat combat-related wounds and encourages the Department to continue pursuing the development and fielding of critical technologies supporting wound healing. Given the injury patterns and medical logistical burdens anticipated in future combat operations, the committee is concerned with the potential obsolescence of existing negative pressure wound therapy devices. Therefore, the committee directs the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than March 1, 2023, on the Department's plans for continued use of negative pressure wound therapy in managing combat-related wounds. At a minimum, the report should include the following:

(1) a review of existing negative pressure wound therapy devices currently used across the Department including an assessment of their utility in supporting wound treatment in future combat operations;

(2) a comprehensive Department of Defense strategy providing joint direction to the Military Health System outlining requirements, key performance parameters, and specifications for negative pressure wound therapy devices for use in future combat casualty care scenarios; and

(3) a strategy that incorporates research, development, and procurement management of next-generation negative pressure wound therapy devices.

On-Demand Blood Program

The committee recognizes the importance of on-demand blood technologies in providing military service members access to quality, uncontaminated, and fresh blood supplies anywhere in the world. The committee acknowledges that this program is run by the Uniformed Services University Center for Biotechnology. On-demand blood could help provide blood to service members in conflicts and natural disasters. Blood developed using advanced cellular biomanufacturing techniques has the potential to revolutionize both military and civilian healthcare sectors. The committee also recognizes that in a potential conflict with a near-peer competitor, there will be significant challenges in sustaining the readiness of forward-deployed military forces. This challenge being significantly more difficult in the United States Indo-Pacific Command area of responsibility due to the tyranny of distance. On-demand blood will be a critical factor in supporting the Department's ability to sustain our military in these forward-deployed locations. However, the committee notes that the COVID-19 pandemic and the increasing medical research requirements across all Department components may challenge the consistent resourcing of this program.

Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services not later than December 31, 2022, on the processes it will employ to coordinate the Defense Health Program and Defense Health Agency research, development, test, and evaluation efforts to ensure that on-demand blood technology research and development is resourced to adequately support requirements of the military departments and combatant

commands. The report should include the anticipated funding for the on-demand blood project over the Future Years Defense Program as well as information on whether this program is identified to be utilized in any upcoming training exercises and the plan for this to become a program of record.

Review of Medical Quality Assurance Process in Operational Environments

The committee understands the importance of ensuring quality healthcare is delivered both at military treatment facilities as well as in operational environments. At the same time, the committee recognizes there may be unique challenges in operational settings that may make the provision of healthcare more difficult.

Therefore, the committee directs the Comptroller General of the United States to conduct an assessment that examines the following:

(1) whether the Defense Health Agency (DHA) has established an effective and efficient credentialing and privileging process for providers performing medical or dental care in the operational environment;

(2) is the DHA adhering to the same standards and timelines for credentialing and privileging regardless of the healthcare setting, i.e. across the continuum of care from the field to the military treatment facility;

(3) once a provider is granted privileges, how does the DHA continue to monitor the care provided;

(4) is the reporting process for patient safety events that occur in operational settings;

(5) are the timelines and reporting requirements being met;

(6) how are clinical quality management procedures implemented and monitored in operational settings;

(7) what are the unique challenges of providing care in operational environments and how are those being mitigated; and

(8) any recommendations for process or policy improvements.

The committee further directs the Comptroller General to provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives not later than March 1, 2023, on the Comptroller General's preliminary findings and to submit a report with the final results at a deadline agreed to at the time of the briefing.

T-5 TRICARE Contract Awards

The committee understands the importance of the T-5 TRICARE contracts that will be awarded later this year to supplement existing Defense Health Agency (DHA) resources with contracted networks of healthcare providers. Furthermore, the committee believes that contracts of this magnitude deserve transparency and collaboration with congressional oversight.

Therefore, the committee directs the Director of the Defense Health Agency to submit a report to the Committees on Armed Services of the Senate and the

House of Representatives not later than February 1, 2023, on an extensive review of the process used in awarding the contracts. The report shall include the following:

- (1) an analysis of how the DHA evaluated each contract bid for T-5 TRICARE against each offeror's technical rating and technical risk rating, past performance, price and cost, and small business participation;
- (2) a description of how the DHA plans to improve coordination between TRICARE East and TRICARE West and how that coordination was considered when awarding the contracts;
- (3) a strategy for how the DHA will plan to improve coordination for TRICARE beneficiaries who are traveling between TRICARE regions;
- (4) a detailed plan for what an alternative award structure of merging TRICARE East and TRICARE West would look like with a single provider; and
- (5) a detailed plan for what actions the DHA is taking to avoid potential bid protests after awarding the T-5 TRICARE contracts.

TRICARE Beneficiary and Provider Customer Satisfaction Collection

The committee is concerned that beneficiaries and providers in the direct care system and private sector are not able to communicate issues regarding access to care challenges for behavioral health.

The committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services not later than March 3, 2023, on the method, collection, and process for addressing the customer satisfaction of TRICARE beneficiaries. The briefing shall include information on the collection and resolution of:

- (1) beneficiary complaints and issues with accessing the behavioral health care system;
- (2) the process for monitoring and responding to beneficiary complaints that remain unresolved;
- (3) the process for monitoring and responding to beneficiary complaints related to coverage, access, denials, incorrect provider directory listings, network adequacy, access to specialized care within a reasonable distance from their homes, overdue or consistently inaccurate payments, and other related issues;
- (4) the process for managing timelines for responding to beneficiary complaints;
- (5) how customer satisfaction measurements and communications with beneficiaries will be managed as the Defense Health Agency assumes authority, direction, and control of military treatment facilities; and
- (6) how customer satisfaction measurements and communications with beneficiaries will be managed and monitored in the next TRICARE contract.

TRICARE Dialysis Reimbursement

The committee understands the TRICARE program covers dialysis and hemodialysis and services for end-stage renal disease. The committee notes that the

TRICARE Reimbursement Manual changes the reimbursement rates on a regular basis. However, there are concerns that the reimbursement rates for dialysis services for TRICARE beneficiaries do not match those provided for Veterans Affairs patients in outpatient dialysis facilities.

Therefore, the committee directs the Secretary of Defense to submit a report to the Committee on Armed Services of the House of Representatives not later than March 1, 2023, on whether dialysis reimbursement rates differ between the Department of Defense and the Department of Veterans Affairs, how Department of Defense dialysis reimbursement rates compare to the Federal Employees Health Benefits Program and leading insurance companies, and whether Department of Defense reimbursement rates differ from those provided by the Centers for Medicare and Medicaid Services.

TRICARE Qualifying Life Events

The committee recognizes the unique challenges that service members can face when leaving Active Duty service and seeking to enroll in their new TRICARE health plan. Currently, requests for enrollment in a TRICARE health plan based on a Qualifying Life Event (QLE) may be received up to 90 days before and not later than 90 days after the date of the QLE. While this provides greater flexibility than the civilian sector, the committee believes that every effort should be made to ease the burden experienced by a service member when they are coming off Active Duty and beginning the next phase of their professional life. Increasing the flexibility for a TRICARE beneficiary may ease the overall burden placed on service members and their families.

Therefore, the committee directs the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than March 1, 2023, that includes the following:

- (1) specific information regarding the current outreach that is done to service members as they approach and pass a QLE;
- (2) a plan to improve notifications to service members about their upcoming QLE with suggestions on how to best make changes to their healthcare plan;
- (3) a strategy to improve the TRICARE-eligible beneficiaries experience as they approach their QLE;
- (4) an analysis of the impact that increasing the time before and after a QLE that a retiring service member can enroll in a TRICARE health plan would have; and
- (5) detailed statistics collected through a survey on the number of service members who have faced challenges when transitioning their healthcare needs at the time they are leaving Active Duty service.