

1 **SEC. ___. CLARIFICATION OF AUTHORITY TO ORDER TO ACTIVE-DUTY**
2 **CERTAIN PERSONS SUBJECT TO THE UNIFORM CODE OF**
3 **MILITARY JUSTICE FOR MATTERS RELATING TO OFFENSES**
4 **DURING SPECIFIED PERIODS INCIDENT TO INACTIVE-DUTY**
5 **TRAINING.**

6 (a) PERSONS SUBJECT TO UCMJ.—Section 802(d)(2)(B) of title 10, United States Code
7 (article 2(d)(2)(B) of the Uniform Code of Military Justice), is amended by inserting “or during a
8 period specified in subsection (a)(3)(B)” after “on inactive-duty training”.

9 (b) JURISDICTION TO TRY CERTAIN PERSONNEL.— Section 803(d) of such title (article
10 3(d) of the Uniform Code of Military Justice) is amended—

11 (1) by inserting “or a period specified in section 802(a)(3)(B) of this title (article
12 2(a)(3)(B))” after “a period of active duty or inactive-duty training”; and

13 (2) by striking “of active-duty or inactive-duty training” before the period at the
14 end.

**[Note: The “Changes to Existing Law” section below sets out in red-line
format how the legislative text would amend existing law.]**

Section-by-Section Analysis

Section 802 of title 10, United States Code (article 2 of the Uniform Code of Military Justice (UCMJ)), establishes the categories of persons who are subject to the UCMJ. Article 2(a)(3)(A) of the UCMJ specifies that members of a reserve component or the Space Force, members of the Army National Guard when in Federal service, and members of the Air National Guard when in Federal service are subject to the UCMJ “while on inactive-duty training and during any of the periods specified in subparagraph (B).” The periods specified in subparagraph (B) are: 1) during “[t]ravel to and from the inactive-duty training site of the member, pursuant to orders or regulations;” 2) during “[i]ntervals between consecutive periods of inactive-duty training on the same day, pursuant to orders or regulations;” and 3) during [i]ntervals between inactive-duty training on consecutive days, pursuant to orders or regulations.”

Section 5102 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) expanded UCMJ jurisdiction over members of the reserve component, members of the Army National Guard of the United States when in Federal service, and members of the

Air National Guard of the United States when in Federal service to include the periods specified in article 2(a)(3)(B) of the UCMJ. This proposal would amend article 2(d)(2)(B) to provide the authority to involuntarily order to active duty members of a reserve component or the Space Force, members of the Army National Guard of the United States when in Federal service, and members of the Air National Guard of the United States when in Federal service for the purposes of a preliminary hearing, trial by court-martial, or nonjudicial punishment with respect to offenses committed during the periods specified in article 2(a)(3)(B) of the UCMJ.

This proposal would also amend article 3(d) to provide continuing jurisdiction over members of a reserve component or the Space Force for the periods specified in article 2(a)(3)(B) of the UCMJ, even if those periods have terminated.

Resource Information: This proposal has no significant impact on the use of resources requested within the Fiscal Year (FY) 2027 President’s Budget.

Changes to Existing Law: This proposal would amend section 802 and 803 of title 10, United States Code (articles 2 and 3 of the Uniform Code of Military Justice), as follows:

§802. Art. 2. Persons subject to this chapter

(a) The following persons are subject to this chapter:

(1) ***

(2) ***

(3)(A) While on inactive-duty training and during any of the periods specified in subparagraph (B)—

(i) members of a reserve component or the Space Force; and

(ii) members of the Army National Guard of the United States or the Air National Guard of the United States, but only when in Federal service.

(B) The periods referred to in subparagraph (A) are the following:

(i) Travel to and from the inactive-duty training site of the member, pursuant to orders or regulations.

(ii) Intervals between consecutive periods of inactive-duty training on the same day, pursuant to orders or regulations.

(iii) Intervals between inactive-duty training on consecutive days, pursuant to orders or regulations.

(4) ***

* * * * *

(d)(1) A member of a reserve component or the Space Force who is not on active duty and who is made the subject of proceedings under section 815 (article 15) or section 830 (article 30) with respect to an offense against this chapter may be ordered to active duty involuntarily for the purpose of—

(A) a preliminary hearing under section 832 of this title (article 32);

(B) trial by court-martial; or

(C) nonjudicial punishment under section 815 of this title (article 15).

(2) A member of a reserve component or the Space Force may not be ordered to active duty under paragraph (1) except with respect to an offense committed while the member was—

(A) on active duty; or

(B) on inactive-duty training or during a period specified in subsection (a)(3)(B),

but in the case of members of the Army National Guard of the United States or the Air National Guard of the United States only when in Federal service.

(3) Authority to order a member to active duty under paragraph (1) shall be exercised under regulations prescribed by the President.

(4) A member may be ordered to active duty under paragraph (1) only by a person empowered to convene general courts-martial in a regular component of the armed forces or the Space Force.

(5) A member ordered to active duty under paragraph (1), unless the order to active duty was approved by the Secretary concerned, may not—

(A) be sentenced to confinement; or

(B) be required to serve a punishment consisting of any restriction on liberty during a period other than a period of inactive-duty training or active duty (other than active duty ordered under paragraph (1)).

(e) The provisions of this section are subject to section 876b(d)(2) of this title (article 76b(d)(2)).

§803. Art. 3. Jurisdiction to try certain personnel

(a) Subject to section 843 of this title (article 43), a person who is in a status in which the person is subject to this chapter and who committed an offense against this chapter while formerly in a status in which the person was subject to this chapter is not relieved from amenability to the jurisdiction of this chapter for that offense by reason of a termination of that person's former status.

(b) Each person discharged from the armed forces who is later charged with having fraudulently obtained his discharge is, subject to section 843 of this title (article 43), subject to trial by court-martial on that charge and is after apprehension subject to this chapter while in the custody of the armed forces for that trial. Upon conviction of that charge he is subject to trial by court-martial for all offenses under this chapter committed before the fraudulent discharge.

(c) No person who has deserted from the armed forces may be relieved from amenability to the jurisdiction of this chapter by virtue of a separation from any later period of service.

(d) A member of a reserve component or the Space Force who is subject to this chapter is not, by virtue of the termination of a period of active duty or inactive-duty training or a period specified in section 802(a)(3)(B) of this title (article 2(a)(3)(B)), relieved from amenability to the jurisdiction of this chapter for an offense against this chapter committed during such period-of ~~active duty or inactive duty training~~.

1 **SEC. ____ . DELEGATION OF AUTHORITY FOR CORRECTIVE ACTION FOR**
2 **NONAPPROPRIATED FUND EMPLOYEES IN CASES OF COMPLAINT**
3 **OF REPRISAL.**

4 Section 1587(d) of title 10, United States Code, is amended by striking the second
5 sentence.

[Note: The “Changes to Existing Law” section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal would provide the Secretary of Defense with the authority to delegate corrective action on complaints of reprisal against nonappropriated fund employees to subordinate officials within the Military Departments. It would also remove the reference to the Assistant Secretary of Defense for Manpower and Logistics (a position that does not exist).

Due to the current prohibition, resolution of complaints of reprisal must come up to the Office of the Secretary of Defense (OSD) level, which is significantly higher than what would be an objective, effective, or efficient level. This proposal would allow the resolution of complaints to be handled at a much lower and more appropriate level (pushing decision making down into the Military Departments). Currently, the Director of Administration and Management, in OSD, must adjudicate corrective action decisions across the Military Departments. While, representing an objective level for decisions, this is a significant and unnecessary burden on the Secretary’s staff that could be handled at a much lower level (e.g., base commander level). If approved, the avoidance of conflict of interest would be handled in updated policy (e.g., ensuring no conflict of interest, or establishing decision making at a specific level above the complainant’s supervisor).

Resource Information: This proposal has no impact on the use of resources requested within the Fiscal Year (FY) 2027 President’s Budget.

Changes to Existing Law: This proposal would amend title 10, U.S.C., as follows:

§ 1587. Employees of nonappropriated fund instrumentalities: reprisals.

(a) ***

(b) Any civilian employee or member of the armed forces who has authority to take, direct others to take, recommend, or approve any personnel action shall not, with respect to such authority, take or fail to take, or threaten to take or fail to take, a personnel action with respect to any nonappropriated fund instrumentality employee (or any applicant for a position as such an employee) as a reprisal for—

(1) a disclosure of information by such an employee or applicant which the employee or applicant reasonably believes evidences—

(A) a violation of any law, rule, or regulation; or

(B) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;
if such disclosure is not specifically prohibited by law and if the information is not specifically required by or pursuant to executive order to be kept secret in the interest of national defense or the conduct of foreign affairs; or

(2) a disclosure by such an employee or applicant to any civilian employee or member of the armed forces designated by law or by the Secretary of Defense to receive disclosures described in clause (1), of information which the employee or applicant reasonably believes evidences—

(A) a violation of any law, rule, or regulation; or

(B) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

(c) This section does not apply to an employee in a position excluded from the coverage of this section by the President based upon a determination by the President that the exclusion is necessary and warranted by conditions of good administration.

(d) The Secretary of Defense shall be responsible for the prevention of actions prohibited by subsection (b) and for the correction of any such actions that are taken. ~~The authority of the Secretary to correct such actions may not be delegated to the Secretary of a military department or to the Assistant Secretary of Defense for Manpower and Logistics.~~

(e) The Secretary of Defense, after consultation with the Director of the Office of Personnel Management and the Special Counsel of the Merit Systems Protection Board, shall prescribe regulations to carry out this section. Such regulations shall include provisions to protect the confidentiality of employees and applicants making disclosures described in clauses (1) and (2) of subsection (b) and to permit the reporting of alleged violations of subsection (b) directly to the Inspector General of the Department of Defense.

1 **SEC. ___. AUTHORITY FOR EXEMPTION OF DEPARTMENT OF DEFENSE LAW**
2 **ENFORCEMENT OFFICERS FROM COMMON ACCESS CARD LAW**
3 **ENFORCEMENT DESIGNATOR REQUIREMENT.**

4 (a) **WAIVER AUTHORITY.**—Section 1104 of the James M. Inhofe National Defense
5 Authorization Act for Fiscal Year 2023 (Public Law 117-263; 10 U.S.C. 2672 note) is
6 amended—

7 (1) by redesignating subsection (b) as subsection (c); and

8 (2) by inserting after subsection (a) the following new subsection (b):

9 “(b) **WAIVER AUTHORITY.**—The Secretary of Defense may waive the requirement in
10 subsection (a)(3) if the Secretary determines that the waiver is necessary for a substantial
11 Government interest relating to officer safety or investigative effectiveness.”.

12 (b) **TECHNICAL AMENDMENT.**—Such section is further amended by striking “Not later
13 than” in subsection (a) and all that follows through “the Secretary of Defense” and inserting
14 “The Secretary of Defense”.

**[Note: The “Changes to Existing Law” section below sets out in red-line
format how the legislative text would amend existing law.]**

Section-by-Section Analysis

This proposal would allow the Secretary of Defense to waive the requirement under section 1104 of the James M. Inhofe National Defense Authorization Act (NDAA) for Fiscal Year 2023 (Public Law 117-263; 10 U.S.C. 2672 note) (Section 1104) that Department of Defense (DoD) law enforcement (LE) officers obtain a Common Access Card (CAC) that identifies the holder as law enforcement. Such a waiver could be made if necessary for a substantial Government interest relating to officer safety or investigative effectiveness, as determined by the Secretary.

Section 1104 requires all DoD LE officers to receive standardized credentials by their military services, as well as hold a CAC with an LE designator. This requirement has the potential to pose significant concerns for officer safety, the conduct of law enforcement and counterintelligence investigations, the expeditious movement of military personnel overseas, and military facilities.

The head of each Military Criminal Investigative Organization (MCIO) has authority to accredit agents, authorize the issue of MCIO badges, credentials, identification (ID) cards and to decertify or disqualify agents from MCIO duty. In addition, each MCIO has an office of primary responsibility for issuing governing badges, credentials and ID cards, and is responsible for managing the issuance and control of MCIO badges, credentials, and ID cards. MCIOs also have procedures in place for situations when agents turn their badge and credentials in or when agents have their credentials revoked during personal situations such as issues affecting duty performance, and agent decertification/removal. Adding the LE designator to CACs removes MCIO's ability to ensure the status of its members is properly tracked and documented.

Law enforcement officers are often targeted for revenge and retribution due solely to their law enforcement affiliation. Numerous situations exist when members are required to verify their military affiliation which is done via the CAC. Placing a law enforcement designator on the CAC, which must be displayed for many non-law enforcement reasons, could potentially place officers at risk. In addition, MCIO officers often travel with witnesses and/or victims, potentially compromising their safety and the integrity of ongoing investigations. All MCIO law enforcement officers carry a badge and credentials to identify themselves as such during official business, eliminating the need for additional LE designation on non-law enforcement credentials, and omitting unnecessary risk to officer safety.

Providing the Secretary of Defense the ability to waive the requirement to display an LE designator on CAC cards for certain personnel when there is a substantial Government interest, as determined by the Secretary, meets the general intent of Section 1104 while allowing the Secretary to grant a deviation.

DoD Interest includes: Air Force Office of Special Investigations, US Army Criminal Investigative Division, Naval Criminal Investigative Service, Coast Guard Investigative Service, Defense Criminal Investigative Service, Defense Intelligence Agency Police, Defense Logistics Agency Police, National Geospatial-Intelligence Agency Police, National Security Agency Police, Office of Naval Intelligence Police, Pentagon Force Protection Agency, Department of the Air Force Police, Department of the Army Police, Department of the Navy Police and United States Marine Corps Civilian Police.

Resource Information: This proposal has no significant impact on the use of resources requested within the Fiscal Year (FY) 2027 President's Budget.

Changes to Existing Law: This proposal would amend section 1104 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117-263; 10 U.S.C. 2672 note) as follows:

SEC. 1104. STANDARDIZED CREDENTIALS FOR LAW ENFORCEMENT OFFICERS OF THE DEPARTMENT OF DEFENSE.

(a) STANDARDIZED CREDENTIALS REQUIRED.—~~Not later than 180 days after the date of the enactment of this Act, the~~ The Secretary of Defense shall ensure that—

(1) the Secretary of each military department develops standardized credentials for Defense law enforcement officers under their respective authority;

(2) the Secretary of each military department issues such credential to each such officer at no cost to such officer; and

(3) any Department of Defense common access card issued to such an officer clearly identifies the officer as a Defense law enforcement officer.

(b) WAIVER AUTHORITY.—The Secretary of Defense may waive the requirement in subsection (a)(3) if the Secretary determines that the waiver is necessary for a substantial Government interest related to officer safety or investigative effectiveness.

(bc) DEFENSE LAW ENFORCEMENT OFFICER DEFINED.—In this section, the term “Defense law enforcement officer” means a member of the Armed Forces or civilian employee of the Department of Defense who—

(1) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law;

(2) has statutory powers of arrest or apprehension under section 807(b) of title 10, United States Code (article 7(b) of the Uniform Code of Military Justice); and

(3) is authorized by the Department to carry a firearm.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

- Sec. 2001. Short title.
- Sec. 2002. Expiration of authorizations and amounts required to be specified by law.
- Sec. 2003. Effective date.

TITLE XXI—ARMY MILITARY CONSTRUCTION

- Sec. 2101. Authorized Army construction and land acquisition projects.
- Sec. 2102. Family housing.
- Sec. 2103. Authorization of appropriations, Army.
- Sec. 2104. Extension of authority to carry out fiscal year 2021 project at Fort Gillem, Georgia.
- Sec. 2105. Extension of authority to carry out certain fiscal year 2022 projects.
- Sec. 2106. Modification of authority to carry out fiscal year 2022 project at Fort Stewart, Georgia.
- Sec. 2107. Extension of authority to carry out certain fiscal year 2023 projects.
- Sec. 2108. Extension of authority to carry out certain fiscal year 2024 projects.
- Sec. 2109. Modification of authority to carry out fiscal year 2025 project at Grafenwoehr, Germany.
- Sec. 2110. Modification of authority to carry out fiscal year 2026 project at Joint Region Marianas, Guam.

TITLE XXII—NAVY MILITARY CONSTRUCTION

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
- Sec. 2203. Authorization of appropriations, Navy.
- Sec. 2204. Extension of authority to carry out certain fiscal year 2023 projects.
- Sec. 2205. Extension of authority to carry out certain fiscal year 2024 projects.
- Sec. 2206. Extension and Modification of authority to carry out fiscal year 2024 project at Marine Corps Base Quantico, Virginia.
- Sec. 2207. Modification of authority to carry out fiscal year 2026 project at Pacific Missile Range Facility Barking Sands, Hawaii.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
- Sec. 2303. Authorization of appropriations, Air Force.
- Sec. 2304. Extension of authority to carry out certain fiscal year 2019 projects.
- Sec. 2305. Extension of authority to carry out certain fiscal year 2020 projects.
- Sec. 2306. Extension of authority to carry out certain fiscal year 2023 projects.
- Sec. 2307. Extension of authority to carry out certain fiscal year 2024 projects.
- Sec. 2308. Authority to carry out project at Eglin Air Force Base, Florida.
- Sec. 2309. Authority to carry out Family Housing Improvement Projects.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
- Sec. 2402. Authorized Energy Resilience and Conservation Investment Program projects.
- Sec. 2403. Authorization of appropriations, Defense Agencies.
- Sec. 2404. Extension of authority to carry out certain fiscal year 2023 projects.
- Sec. 2405. Extension of authority to carry out certain fiscal year 2024 projects.

TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

Sec. 2501. Authorized NATO construction and land acquisition projects.

Sec. 2502. Authorization of appropriations, NATO.

Subtitle B—Host Country In-kind Contributions

Sec. 2511. Republic of Korea funded construction projects.

Sec. 2512. Republic of Poland funded construction projects.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Sec. 2601. Authorized Army National Guard construction and land acquisition projects.

Sec. 2602. Authorized Army Reserve construction and land acquisition projects.

Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition project.

Sec. 2604. Authorized Air National Guard construction and land acquisition projects.

Sec. 2605. Authorized Air Force Reserve construction and land acquisition project.

Sec. 2606. Authorization of appropriations, National Guard and Reserve.

Sec. 2607. Extension of authority to carry out certain fiscal year 2023 projects.

Sec. 2608. Extension of authority to carry out certain fiscal year 2024 projects.

Sec. 2609. Modification of authority to carry out fiscal year 2026 project at Colonie, New York.

Sec. 2610. Authority to carry out project at Black River Falls, Wisconsin.

Sec. 2611. Authority to carry out project at Peoria, Illinois.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense base closure account.

DIVISION D—FUNDING TABLES

Sec. 4001. Authorization of amounts in funding tables.

TITLE XLVI—MILITARY CONSTRUCTION

Sec. 4601. Military construction.

1 **DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

2 **SEC. 2001. SHORT TITLE.**

3 This division may be cited as the “Military Construction Authorization Act for Fiscal
4 Year 2027”.

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

3 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in
4 subsection (b), all authorizations contained in titles XXI through XXVII for military construction
5 projects, land acquisition, family housing projects and facilities, and contributions to the North
6 Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations
7 therefor) shall expire on the later of—

8 (1) October 1, 2029; or

9 (2) the date of the enactment of an Act authorizing funds for military construction
10 for fiscal year 2030.

11 (b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military
12 construction projects, land acquisition, family housing projects and facilities, and contributions
13 to the North Atlantic Treaty Organization Security Investment Program (and authorizations of
14 appropriations therefor), for which appropriated funds have been obligated before the later of—

15 (1) October 1, 2029; or

16 (2) the date of the enactment of an Act authorizing funds for fiscal year 2030 for
17 military construction projects, land acquisition, family housing projects and facilities, or
18 contributions to the North Atlantic Treaty Organization Security Investment Program.

19 **SEC. 2003. EFFECTIVE DATE.**

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

21 (1) October 1, 2026; or

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

23 **TITLE XXI—ARMY MILITARY CONSTRUCTION**

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

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

Army: Inside the United States

State	Installation or Location	Amount
Hawaii	Schofield Barracks	\$30,000,000
	Wheeler Army Air Field	\$380,000,000
New York	Fort Drum	\$25,000,000
Texas	Fort Bliss	\$35,000,000
	Joint Base San Antonio	\$918,000,000

8 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
 9 authorization of appropriations in section 2103(a) and available for military construction projects
 10 outside the United States as specified in the funding table in section 4601, the Secretary of the
 11 Army may acquire real property and carry out military construction projects for the installations
 12 or locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or Location	Amount
Guam	Joint Region Marianas	\$184,000,000
Italy	Caserma Renato Del Din	\$17,000,000

13 **SEC. 2102. FAMILY HOUSING.**

14 (a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the
 15 authorization of appropriations in section 2103(a) and available for military family housing
 16 functions as specified in the funding table in section 4601, the Secretary of the Army may

1 construct or acquire family housing units (including land acquisition and supporting facilities) at
2 the installations or locations, in the number of units, and in the amounts set forth in the following
3 table:

Army: Family Housing

Country	Installation	Units	Amount
Germany	South Camp Vilseck	FH Replacement Construction (44 units)	\$95,060,000
Kwajalein	Kwajalein Atoll	FH Replacement Construction (30 Units)	\$146,359,000

4 (b) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2825 of
5 title 10, United States Code, and using amounts appropriated pursuant to the authorization of
6 appropriations in section 2103(a) and available for military family housing functions as specified
7 in the funding table in section 4601, the Secretary of the Army may improve existing military
8 family housing units in an amount not to exceed \$194,006,000.

9 (c) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization
10 of appropriations in section 2103(a) and available for military family housing functions as
11 specified in the funding table in section 4601, the Secretary of the Army may carry out
12 architectural and engineering services and construction design activities with respect to the
13 construction or improvement of family housing units in an amount not to exceed \$90,557,000.

14 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

15 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be
16 appropriated for fiscal years beginning after September 30, 2026, for military construction, land
17 acquisition, and military family housing functions of the Department of the Army as specified in
18 the funding table in section 4601.

19 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost
20 variations authorized by section 2853 of title 10, United States Code, and any other cost variation

1 authorized by law, the total cost of all projects carried out under sections 2101 and 2102 of this
2 Act may not exceed the total amount authorized to be appropriated under subsection (a), as
3 specified in the funding table in section 4601.

4 **SEC. 2104. EXTENSION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2021**

5 **PROJECT AT FORT GILLEM, GEORGIA.**

6 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction
7 Authorization Act for Fiscal Year 2021 (division B of Public Law 116-283; 134 Stat. 4294), the
8 authorization set forth in the table in subsection (b) , as provided in section 2101(a) of that Act
9 (134 Stat. 4295) and most recently extended by section 2104 of the Military Construction
10 Authorization Act for Fiscal Year 2026 (division B of Public Law 119-60; 139 Stat. 1266), shall
11 remain in effect until October 1, 2027, or the date of the enactment of an Act authorizing funds
12 for military construction for fiscal year 2028, whichever is later.

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

Army: Extension of 2021 Project Authorization

State	Installation or Location	Project	Original Authorized Amount
Georgia	Fort Gillem	Forensic Laboratory	\$71,000,000

14 **SEC. 2105. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR**

15 **2022 PROJECTS.**

16 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction
17 Authorization Act for Fiscal Year 2022 (division B of Public Law 117–81; 135 Stat. 2161), the
18 authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (135
19 Stat. 2163) and most recently extended by section 2105 of the Military Construction
20 Authorization Act for Fiscal Year 2026 (division B of Public Law 119-60; 139 Stat. 1267), shall

1 remain in effect until October 1, 2027, or the date of the enactment of an Act authorizing funds
2 for military construction for fiscal year 2028, whichever is later.

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

Army: Extension of 2022 Project Authorizations			
State/ Country	Installation or Location	Project	Original Authorized Amount
Georgia	Fort Stewart	Barracks	\$105,000,000
Germany	Smith Barracks	Live Fire Exercise Shoothouse	\$16,000,000

4 **SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2022**

5 **PROJECT AT FORT STEWART, GEORGIA**

6 In the case of the authorization contained in the table in section 2101 of the Military
7 Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–81; 135
8 Stat. 2161) for Fort Stewart, Georgia for construction of a barracks, the Secretary of the Army
9 may construct a facility of 193,347 square feet.

10 **SEC. 2107. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
11 **YEAR 2023 PROJECTS.**

12 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization
13 Act for Fiscal Year 2023 (division B of Public Law 117–263; 136 Stat. 2970), the authorizations
14 set forth in the table in subsection (b), as provided in section 2101 of that Act (136 Stat.
15 2971), and extended by section 2106 of the Military Construction Authorization Act for Fiscal Year
16 2026 (division B of Public Law 119-60; 139 Stat. 1267), shall remain in effect until October 1,
17 2027, or the date of the enactment of an Act authorizing funds for military construction for
18 fiscal year 2028, whichever is later.

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

Army: Extension of 2023 Project Authorizations

State/ Country	Installation or Location	Project	Original Authorized Amount
Germany	East Camp Grafenwoehr	EDI: Battalion Trng Cplx2 (OPS/Veh Maint)	\$64,000,000
Hawaii	Fort Shafter	Water System Upgrade	\$33,000,000
	Tripler Army Medical Center	Upgrade Potable Water System	\$38,000,000
Japan	Kadena Air Force Base	Vehicle Maintenance Shop	\$80,000,000

1 **SEC. 2108. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
2 **YEAR 2024 PROJECTS.**

3 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction
4 Authorization Act for Fiscal Year 2024 (division B of Public Law 118-31; 137 Stat. 709), the
5 authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act
6 (137 Stat. 710), shall remain in effect until October 1, 2027, or the date of the enactment of an
7 Act authorizing funds for military construction for fiscal year 2028, whichever is later.

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

Army: Extension of 2024 Project Authorizations

State/ Country	Installation or Location	Project	Original Authorized Amount	
Germany	Grafenwoehr	Automated Multi-Purpose Machine Gun Range	\$10,400,000	
Hawaii	Hohenfels	Simulations Center	\$88,000,000	
	Aliamanu Military Reservation	Water Storage Tank	\$20,000,000	
	Fort Shafter	Clearwell and Booster Pump	\$80,000,000	
	Helemano Military Reservation	Wells and Storage Tanks	\$90,000,000	
Kentucky	Fort Campbell	Schofield Barracks	Elevated Tank and Distribution Lines	\$35,000,000
			Water Storage Tank	\$35,000,000
			Multipurpose Training Range	\$39,000,000

North Carolina	Fort Liberty	Aircraft Maintenance Hangar	\$61,000,000
		Barracks (Facility Prototyping)	\$85,000,000
Texas	Red River Army Depot	Component Rebuild Shop	\$113,000,000

1 **SEC. 2109. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2025**
2 **PROJECT AT GRAFENWOEHR, GERMANY.**

3 In the case of the authorization contained in the table in section 2101 of the Military
4 Construction Authorization Act for Fiscal Year 2025 (Division B of Public Law 118-159; 138
5 Stat. 2211) for U.S. Garrison Bavaria, Germany, for construction of an Operational Readiness
6 Training Complex (ORTC) underground electric line as specified in the funding table in section
7 4601 of such Act, the Secretary of the Army may construct an Operational Readiness Training
8 Complex (ORTC) underground electric line at Grafenwoehr, Germany.

9 **SEC. 2110. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2026**
10 **PROJECT AT JOINT REGION MARIANAS, GUAM.**

11 In the case of the authorization contained in the table in section 2101 of the Military
12 Construction Authorization Act for Fiscal Year 2026 (division B of Public Law 119-60; 139 Stat.
13 1265) for Joint Region Marianas, Guam, for construction of PDI: Guam Defense System,
14 EIAMD, Phase 2 (Inc), at that location, the Secretary of the Army may construct a 2,496 square
15 foot pump house and 648,000 gallon non-portable water storage tank.

16 **TITLE XXII—NAVY MILITARY CONSTRUCTION**

17 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION**
18 **PROJECTS.**

19 (a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
20 authorization of appropriations in section 2203(a) and available for military construction projects

1 inside the United States as specified in the funding table in section 4601, the Secretary of the
 2 Navy may acquire real property and carry out military construction projects for the installations
 3 or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
California	Camp Pendleton	\$53,150,000
Florida	Cape Canaveral Space Force Station	\$60,990,000
Georgia	Albany	\$86,350,000
	Kings Bay	\$490,550,000
Hawaii	Ford Island	\$183,760,000
	Kaneohe Bay	\$210,640,000
Nevada	Fallon	\$387,570,000
North Carolina	Camp Lejeune	\$391,910,000
Virginia	Joint Expeditionary Base Little Creek - Ft Story	\$65,640,000
	Norfolk	\$177,980,000
	Oceana Naval Air Station	\$104,340,000
Washington	Bangor	\$558,530,000
	Bremerton	\$195,227,000
	Puget Sound	\$14,759,360,000

4 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
 5 authorization of appropriations in section 2203(a) and available for military construction projects
 6 outside the United States as specified in the funding table in section 4601, the Secretary of the
 7 Navy may acquire real property and carry out military construction projects for the installations
 8 or locations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Guam	Joint Region Marianas	\$1,346,763,000
Japan	Kadena Air Base	\$31,780,000
Spain	Rota	\$64,080,000

9 **SEC. 2202. FAMILY HOUSING.**

10 (a) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2825 of
 11 title 10, United States Code, and using amounts appropriated pursuant to the authorization of

1 appropriations in section 2203(a) and available for military family housing functions as specified
2 in the funding table in section 4601, the Secretary of the Navy may improve existing military
3 family housing units in an amount not to exceed \$511,837,000.

4 (b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization
5 of appropriations in section 2203(a) and available for military family housing functions as
6 specified in the funding table in section 4601, the Secretary of the Navy may carry out
7 architectural and engineering services and construction design activities with respect to the
8 construction or improvement of family housing units in an amount not to exceed \$57,371,000.

9 **SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

10 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be
11 appropriated for fiscal years beginning after September 30, 2026, for military construction, land
12 acquisition, and military family housing functions of the Department of the Navy, as specified in
13 the funding table in section 4601.

14 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost
15 variations authorized by section 2853 of title 10, United States Code, and any other cost variation
16 authorized by law, the total cost of all projects carried out under sections 2201 and 2202 of this
17 Act may not exceed the total amount authorized to be appropriated under subsection (a), as
18 specified in the funding table in section 4601.

19 **SEC. 2204. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
20 **YEAR 2023 PROJECTS.**

21 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization
22 Act for Fiscal Year 2023 (division B of Public Law 117–263; 136 Stat. 2970), the authorizations
23 set forth in the table in subsection (b), as provided in section 2201 of that Act (136 Stat. 2975)

1 and extended by section 2206 of the Military Construction Authorization Act for Fiscal Year
 2 2026 (division B of Public Law 119-60; 139 Stat. 1271), shall remain in effect until October 1,
 3 2027, or the date of the enactment of an Act authorizing funds for military construction for
 4 fiscal year 2028, whichever is later.

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

Navy: Extension of 2023 Project Authorizations

State/ Country	Installation or Location	Project	Original Authorized Amount
Florida	Naval Air Station Jacksonville	Engine Test Cells Modifications	\$100,570,000
Hawaii	Joint Base Pearl Harbor-Hickam	Missile Magazines	\$142,783,000
North Carolina	Marine Corps Air Station Cherry Point	CH-53K Gearbox Repair and Test Facility	\$44,830,000
South Carolina	Marine Corps Recruit Depot Parris Island	Recruit Barracks	\$81,690,000
Spain	Naval Station Rota	Recruit Barracks EDI: Missile Magazines	\$85,040,000 \$92,323,000

6 **SEC. 2205. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
 7 **YEAR 2024 PROJECTS.**

8 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization
 9 Act for Fiscal Year 2024 (division B of Public Law 118–31; 137 Stat. 709), the authorizations set
 10 forth in the table in subsection (b), as provided in section 2201 of that Act (137 Stat. 714),
 11 shall remain in effect until October 1, 2027, or the date of the enactment of an Act authorizing
 12 funds for military construction for fiscal year 2028, whichever is later.

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

Navy: Extension of 2024 Project Authorizations

State/ Country	Installation or Location	Project	Original Authorized Amount
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California	Marine Corps Air Ground Combat Center Twentynine Palms	Communications Towers	\$55,341,000
Connecticut	Naval Submarine Base New London	Weapons Magazine & Ordnance Operations Fac	\$219,200,000
District of Columbia	Marine Barracks Washington (8th Street and I)	Bachelor Enlisted Quarters & Support Facility	\$131,800,000
Guam	Naval Base Guam	PDI: Consolidated MEB HQ/NCIS Phase II	\$19,740,000
		PDI: Satellite Communications Facility (INC)	\$595,100,000
Hawaii	Marine Corps Base Kaneohe Bay	Water Reclamation Facility Compliance Upgrade	\$318,845,000
Italy	Naval Air Station Sigonella	EDI: Ordnance Magazines	\$90,348,000
Maryland	Fort Meade	Cybersecurity Operations Facility	\$186,480,000
		Aircraft Development and Maintenance Facilities	\$141,700,000
North Carolina	Marine Corps Base Camp Lejeune	10th Marines Maintenance & Operations Complex	\$117,550,000
Virginia	Marine Corps Base Quantico	Water Treatment Plant	\$127,120,000
		Naval Station Norfolk	MQ-25 Aircraft Laydown Facility
Washington	Naval Weapons Station Yorktown	Weapons Magazines	\$283,500,000
		Naval Base Kitsap	Alternate Power Transmission Line

1 **SEC. 2206. EXTENSION AND MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **FISCAL YEAR 2024 PROJECT AT MARINE CORPS BASE QUANTICO,**
3 **VIRGINIA.**

4 (a) MODIFICATION.—In the case of the authorization contained in the table in section 2201
5 of the Military Construction Authorization Act for Fiscal Year 2024 (division B of Public Law
6 118-31; 137 Stat. 714) for construction of a Water Treatment Plant at Marine Corps Base

1 Quantico, Virginia, the Secretary of the Navy may construct 20,000 linear feet of water supply
2 lines, three pump houses (non-occupied), and one 2,300-square foot pump station/multi-purpose
3 building (occupied) in lieu of a water treatment plant at the installation.

4 (b) EXTENSION.—Such authorization shall remain in effect until October 1, 2027, or the
5 date of the enactment of an Act authorizing funds for military construction for fiscal year 2028,
6 whichever is later.

7 **SEC. 2207. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2026**

8 **PROJECT AT PACIFIC MISSILE RANGE FACILITY BARKING SANDS,**
9 **HAWAII.**

10 In the case of the authorization contained in the table in section 2201 of the Military
11 Construction Authorization Act for Fiscal Year 2026 (division B of Public Law 119-60; 139 Stat.
12 1268) for construction of PDI: Airfield Pavement Upgrades at Pacific Missile Range Facility
13 Barking Sands, Hawaii, the Secretary of the Navy may expand airfield pavement areas to
14 280,000 square meters to mitigate the risk of aircraft hydroplane.

15 **TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION**

16 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION**
17 **PROJECTS.**

18 (a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
19 authorization of appropriations in section 2303(a) and available for military construction projects
20 inside the United States as specified in the funding table in section 4601, the Secretary of the Air
21 Force may acquire real property and carry out military construction projects for the installations
22 or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
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Alabama	Redstone Arsenal	\$2,050,000,000
Alaska	Eielson Air Force Base	\$91,000,000
	Joint Base Elmendorf-Richardson	\$2,066,050,000
Arkansas	Little Rock Air Force Base	\$27,000,000
Colorado	Schriever Space Force Base	\$250,000,000
Florida	Cape Canaveral Space Force Station	\$409,800,000
	Tyndall Air Force Base	\$160,000,000
Mississippi	Columbus Air Force Base	\$11,800,000
Missouri	Whiteman Air Force Base	\$169,000,000
Montana	Malmstrom Air Force Base	\$1,390,000,000
Nevada	Nellis Air Force Base	\$730,700,000
New Mexico	Kirtland Air Force Base	\$250,000,000
North Dakota	Grand Forks Air Force Base	\$250,000,000
	Minot Air Force Base	\$232,000,000
Texas	Dyess Air Force Base	\$386,000,000
	Joint Base San Antonio	\$180,000,000
	Lackland Air Force Base	\$96,000,000
Virginia	Joint Base Langley-Eustis	\$49,000,000
Wyoming	F.E. Warren Air Force Base	\$171,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
2 authorization of appropriations in section 2303(a) and available for military construction projects
3 outside the United States as specified in the funding table in section 4601, the Secretary of the
4 Air Force may acquire real property and carry out military construction projects for the
5 installations or locations outside the United States, and in the amounts, set forth in the following
6 table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Djibouti	Chabelley Airfield	\$27,000,000
Japan	Kadena Air Base	\$99,000,000
Spain	Moron	\$156,000,000
Wake Island	Wake Island	\$335,000,000

7 **SEC. 2302. FAMILY HOUSING.**

8 (a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the
9 authorization of appropriations in section 2303(a) and available for military family housing

1 functions as specified in the funding table in section 4601, the Secretary of the Air Force may
2 construct or acquire family housing units (including land acquisition and supporting facilities) at
3 the installations or locations, in the number of units, and in the amounts set forth in the following
4 table:

Air Force: Family Housing

Country	Installation	Units	Amount
United Kingdom	Croughton Royal Air Force	Croughton (Replacement) (12 Units)	\$24,104,000

5 (b) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2825 of
6 title 10, United States Code, and using amounts appropriated pursuant to the authorization of
7 appropriations in section 2303(a) and available for military family housing functions as specified
8 in the funding table in section 4601, the Secretary of the Air Force may improve existing military
9 family housing units in an amount not to exceed \$329,064,000.

10 (c) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization
11 of appropriations in section 2303(a) and available for military family housing functions as
12 specified in the funding table in section 4601, the Secretary of the Air Force may carry out
13 architectural and engineering services and construction design activities with respect to the
14 construction or improvement of family housing units in an amount not to exceed \$125,854,000.

15 **SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.**

16 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be
17 appropriated for fiscal years beginning after September 30, 2026, for military construction, land
18 acquisition, and military family housing functions of the Department of the Air Force, as
19 specified in the funding table in section 4601.

20 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost
21 variations authorized by section 2853 of title 10, United States Code, and any other cost variation

1 authorized by law, the total cost of all projects carried out under sections 2301 and 2302 of this
2 Act may not exceed the total amount authorized to be appropriated under subsection (a), as
3 specified in the funding table in section 4601.

4 **SEC. 2304. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR**
5 **2019 PROJECTS.**

6 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction
7 Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the
8 authorizations set forth in the table in subsection (b), as provided in section 2903 of that Act (132
9 Stat. 2287) and most recently extended by section 2305 of the Military Construction
10 Authorization Act for Fiscal Year 2026 (division B of Public Law 119-60; 139 Stat. 1274),
11 shall remain in effect until October 1, 2027, or the date of the enactment of an Act authorizing
12 funds for military construction for fiscal year 2028, whichever is later.

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

Air Force: Extension of 2019 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
United Kingdom	Royal Air Force Fairford	EDI: Construct DABS-FEV Storage	\$87,000,000
		EDI: Munitions Holding Area	\$19,000,000

14 **SEC. 2305. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR**
15 **2020 PROJECTS.**

16 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction
17 Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92; 133 Stat. 1862), the
18 authorizations set forth in the table in subsection (b), as provided in sections 2301(a) and 2912(a)
19 of that Act (133 Stat. 1867, 1913), and most recently extended by section 2306 of the Military

1 Construction Authorization Act for Fiscal Year 2026 (division B of Public Law 119-60; 139
 2 Stat. 1275), shall remain in effect until October 1, 2027, or the date of the enactment of an Act
 3 authorizing funds for military construction for fiscal year 2028, whichever is later.

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

Air Force: Extension of 2020 Project Authorizations

State	Installation or Location	Project	Original Authorized Amount
Florida	Tyndall Air Force Base	Deployment Center/Flight Line Dining/AAFES	\$43,000,000
Georgia	Moody Air Force Base	41 RQS HH-60W Apron	\$12,500,000

5 **SEC. 2306. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
 6 **YEAR 2023 PROJECTS.**

7 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization
 8 Act for Fiscal Year 2023 (division B of Public Law 117-263; 136 Stat. 2970), the authorizations
 9 set forth in the table in subsection (b), as provided in section 2301 of that Act (136 Stat.
 10 2978), and extended by section 2308 of the Military Construction Authorization Act for Fiscal
 11 Year 2026 (division B of Public Law 119-60; 139 Stat. 1272), shall remain in effect until
 12 October 1, 2027, or the date of the enactment of an Act authorizing funds for military
 13 construction for fiscal year 2028, whichever is later.

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

Air Force: Extension of 2023 Project Authorizations

State/ Country	Installation or Location	Project	Original Authorized Amount
Florida	Patrick Space Force Base	Consolidated Communications Center	\$97,000,000
Norway	Rygge Air Station	EDI: Base Perimeter Security Fence	\$8,200,000

Texas	Joint Base San Antonio-Randolph	Child Development Center	\$29,000,000
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1 **SEC. 2307. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR**
2 **2024 PROJECTS.**

3 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction
4 Authorization Act for Fiscal Year 2024 (division B of Public Law 118-31; 137 Stat. 709), the
5 authorizations set forth in the table in subsection (b), as provided in sections 2301 and 2302 of
6 that Act (136 Stat. 719), shall remain in effect until October 1, 2027, or the date of the enactment
7 of an Act authorizing funds for military construction for fiscal year 2028, whichever is later.

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

Air Force: Extension of 2024 Project Authorizations

State/ Country	Installation or Location	Project	Original Authorized Amount
Alabama	Maxwell Air Force Base	MHPI Restructure AETC Group II	\$65,000,000
Colorado	U.S. Air Force Academy	Construction Improvement	\$9,282,000
Florida	Eglin Air Force Base	LRSO Hardware Software Development & Test Facility	\$15,500,000
		KC-46A ADAL Aircraft Corrosion Control	\$25,000,000
		KC-46A ADAL Aircraft Maintenance Hangar	\$27,000,000
		KC-46A ADAL Apron & Hydrant Fueling Pits	\$78,000,000
		KC-46A ADAL Fuel System Maintenance Dock	\$18,000,000
Guam	Joint Region Marianas	PDI: North Aircraft Parking Ramp (INC)	\$411,000,000
Hawaii	Joint Base Pearl Harbor-Hickam	MHPI Restructure – Joint Base Pearl Harbor-Hickam	\$75,000,000
Massachusetts	Hanscom Air Force Base	Child Development Center	\$37,000,000

Mississippi	Keesler Air Force Base	MHPI Restructure-Southern Group	\$80,000,000
Montana	Malmstrom Air Force Base	Fire Station Bay/Storage Area	\$10,300,000
Norway	Rygge Air Station	EDI: DABS-FEV Storage	\$96,000,000
		EDI: Munitions Storage Area	\$40,000,000
Spain	Morón Air Base	EDI: Munitions Storage	\$34,000,000
Texas	Joint Base San Antonio-Lackland	BMT-Chapel For America's Airmen	\$90,000,000
United Kingdom	Royal Air Force Fairford	EDI: RADR Storage Facility	\$67,000,000
	Royal Air Force Lakenheath	EDI: RADR Storage Facility	\$51,000,000
Wyoming	F.E. Warren Air Force Base	GBSD Integrated Training Center	\$85,000,000

1 **SEC. 2308. AUTHORITY TO CARRY OUT PROJECT AT EGLIN AIR FORCE BASE,**
2 **FLORIDA.**

3 The Secretary of the Air Force may carry out a military construction project to construct
4 a 6,934 square meter Joint All-Domain Command and Control (JADC2) and Air Battle
5 Management Systems (ABMS) Test Facility at Eglin Air Force Base, Florida, in the amount of
6 \$87,800,000 using funds available for research, development, test, and evaluation.

7 **SEC. 2309. AUTHORITY TO CARRY OUT FAMILY HOUSING IMPROVEMENT**
8 **PROJECTS.**

9 (a) AUTHORIZATION.—The Secretary of the Air Force may carry out family housing
10 improvement projects to restructure the Military Housing Privatization Initiative agreements at –

11 (1) Dover Air Force Base, Delaware in the amount of \$25,000,000,

12 (2) Tyndall Air Force Base, Florida in the amount of \$150,685,000,

13 (3) Scott Air Force Base, Illinois in the amount of \$52,000,000, and

14 (4) Offutt Air Force Base, Nebraska in the amount of \$50,000,000.

(b) USE OF UNOBLIGATED PRIOR-YEAR FUNDS.—The Secretary of the Air Force may use available, unobligated Air Force Family Housing Construction Improvements appropriated for a fiscal year before fiscal year 2027 for the projects described in subsection (a).

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND

ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alabama	Maxwell Air Force Base	\$44,000,000
Colorado	Def Reutil and Mktg Ofc-Colorado Springs	\$85,000,000
Florida	Jacksonville	\$40,000,000
Kentucky	Fort Knox	\$117,000,000
Maryland	Bethesda Naval Hospital	\$415,739,000
	Fort Meade	\$1,393,465,000
Nevada	Creech Air Force Base	\$25,381,000
North Carolina	Camp Lejeune	\$72,000,000
	Fort Bragg	\$50,000,000
Utah	Camp Williams	\$471,000,000
Virginia	Joint Expeditionary Base Little Creek - Ft Story	\$36,000,000
Washington	Joint Base Lewis-McChord	\$35,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects

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

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Belgium	Brussels	\$33,000,000
Germany	Baumholder	\$140,000,000
	Ramstein Air Base	\$20,500,000
Guam	Joint Region Marianas	\$315,286,000
Japan	Camp Butler	\$37,900,000
	Yokota Air Base	\$88,200,000
Korea	Kunsan Air Base	\$65,000,000
United Kingdom	Menwith Hill Station	\$35,000,000
Wake Island	Def Fuel Spt Point Wake Island	\$1,652,000,000

5 **SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CONSERVATION**

6 **INVESTMENT PROGRAM PROJECTS.**

7 (a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the
 8 authorization of appropriations in section 2403(a) and available for the Energy Resilience and
 9 Conservation Investment Program as specified in the funding table in section 4601, the Secretary
 10 of Defense may carry out energy resilience and conservation projects under chapter 173 of title
 11 10, United States Code, for the installations or locations inside the United States, and in the
 12 amounts, set forth in the following table:

ERCIP Projects: Inside the United States

State	Installation or Location	Project	Amount
Alabama	Redstone Arsenal	Power Generation and Microgrid	\$90,000,000
California	Camp Roberts	Power Generation and Microgrid	\$79,000,000
Florida	Eglin Air Force Base	Power Generation and Microgrid	\$43,000,000

Pennsylvania	Defense Distribution Center, Susquehanna	Microgrid	\$58,000,000
Puerto Rico	Fort Buchanan	Emergency Water Treatment System	\$33,500,000
Texas	Fort Sam Houston, Brooks Army Medical Center	Power Generation and Energy Upgrades	\$55,500,000
Washington	Joint Base Lewis-McChord, Yakima Training Center	Power Generation and Microgrid	\$73,000,000
	Naval Base Kitsap	Power Generation and Microgrid	\$132,690,000
Wyoming	F.E. Warren Air Force Base	Power Generation and Microgrid with Geothermal Heating and Cooling	\$51,717,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
2 authorization of appropriations in section 2403(a) and available for the Energy Resilience and
3 Conservation Investment Program as specified in the funding table in section 4601, the Secretary
4 of Defense may carry out energy resilience and conservation projects under chapter 173 of title
5 10, United States Code, for the installations or locations outside the United States, and in the
6 amounts, set forth in the following table:

ERCIP Projects: Outside the United States

Country	Installation or Location	Project	Amount
Bahrain	Naval Support Activity Bahrain	Power Generation	\$5,900,000
Germany	United States Army Garrison Ansbach	Power Generation and Microgrid	\$72,000,000

7 (c) IMPROVEMENT OF CONVEYED UTILITY SYSTEMS.—In the case of a utility system that
8 is conveyed under section 2688 of title 10, United States Code, and that only provides utility
9 services to a military installation, notwithstanding subchapters I and III of chapter 169 and
10 chapters 221 and 223 of title 10, United States Code, and chapter 11 of title 40, United States
11 Code, the Secretary of Defense or the Secretary of a military department may authorize a

1 contract with the conveyee of the utility system to carry out the military construction projects set
2 forth in the following table:

Improvement of Conveyed Utility Systems		
State	Installation or Location	Project
California	Travis Air Force Base	Power Generation and Microgrid
Florida	Eglin Air Force Base	Power Generation and Microgrid
North Carolina	Fort Bragg	Power Generation and Microgrid
Wyoming	F.E. Warren Air Force Base	Microgrid and Battery Storage

3 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be
5 appropriated for fiscal years beginning after September 30, 2026, for military construction, land
6 acquisition, and military family housing functions of the Department of Defense (other than the
7 military departments), as specified in the funding table in section 4601.

8 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost
9 variations authorized by section 2853 of title 10, United States Code, and any other cost variation
10 authorized by law, the total cost of all projects carried out under sections 2401 and 2402 of this
11 Act may not exceed the total amount authorized to be appropriated under subsection (a), as
12 specified in the funding table in section 4601.

13 **SEC. 2404. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR**
14 **2023 PROJECTS.**

15 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction
16 Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263; 136 Stat. 2970), the
17 authorizations set forth in the table in subsection (b), as provided in section 2402 of that Act (136
18 Stat. 2983) and most recently extended by section 2406 of the Military Construction

1 Authorization Act for Fiscal Year 2026 (division B of Public Law 119-60; 139 Stat. 1281), shall
 2 remain in effect until October 1, 2027, or the date of the enactment of an Act authorizing funds
 3 for military construction for fiscal year 2028, whichever is later.

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

ERCIP Projects: Extension of 2023 Project Authorizations

State/ Country	Installation or Location	Project	Original Authorized Amount
California	Marine Corps Mountain Warfare Training Center	Microgrid and Backup Power	\$25,560,000
Florida	Naval Air Station Jacksonville	Facility Energy Operations Center Renovation	\$2,400,000
Georgia	Fort Stewart-Hunter Army Airfield	Power Generation and Microgrid	\$25,400,000
	Naval Submarine Base Kings Bay	SCADA Modernization	\$11,200,000
Texas	Fort Hood	Power Generation and Microgrid	\$31,500,000

5 **SEC. 2405. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
 6 **YEAR 2024 PROJECTS.**

7 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization
 8 Act for Fiscal Year 2024 (division B of Public Law 118–31; 137 Stat. 709), the authorizations set
 9 forth in the table in subsection (b), as provided in sections 2401 and 2402 of that Act (137
 10 Stat. 726, 727), shall remain in effect until October 1, 2027, or the date of the enactment of an
 11 Act authorizing funds for military construction for fiscal year 2028, whichever is later.

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

Defense Agencies and ERCIP Projects: Extension of 2024 Project Authorizations

State/ Country	Installation or Location	Project	Original Authorized Amount
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California	Marine Corps Air Station Miramar	Electrical Infrastructure, On-Site Generation, and Microgrid Improvements	\$30,550,000
Georgia	Naval Submarine Base Kings Bay	Electrical Transmission and Distribution Improvements, Phase 2	\$74,500,000
Kansas	Forbes Field	Microgrid and Backup Power	\$5,850,000
Missouri	Lake City Army Ammunition Plant	Microgrid and Backup Power	\$80,100,000
Nebraska	Offutt Air Force Base	Microgrid and Backup Power	\$41,000,000
North Carolina	Fort Bragg (Camp Mackall)	Microgrid and Backup Power	\$10,500,000
Oklahoma	Fort Sill	Microgrid and Backup Power	\$76,650,000
Puerto Rico	Fort Buchanan	Microgrid and Backup Power	\$56,000,000
Spain	Naval Station Rota	Bulk Tank Farm, Phase 1	\$80,000,000
Texas	Fort Hood	Microgrid and Backup Power	\$18,250,000
Wyoming	F.E. Warren Air Force Base	Microgrid and Battery Storage	\$25,000,000

TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment

Program

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States, and in the amounts, set forth in the following table:

North Atlantic Treaty Organization Security Investment Program

Country	Installation or Location	Amount
Worldwide Unspecified	NATO Security Investment Program	\$604,270,000

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

1 Funds are hereby authorized to be appropriated for fiscal years beginning after September
 2 30, 2026, for contributions by the Secretary of Defense under section 2806 of title 10, United
 3 States Code, for the share of the United States of the cost of projects for the North Atlantic
 4 Treaty Organization Security Investment Program authorized by section 2501 as specified in the
 5 funding table in section 4601.

6 **Subtitle B—Host Country In-kind Contributions**

7 **SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS.**

8 Pursuant to agreement with the Republic of Korea for required in-kind contributions, the
 9 Secretary of Defense may accept military construction projects for the installations or locations
 10 in the Republic of Korea, and in the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

Component	Installation or Location	Project	Amount
Air Force	Osan Air Base	Consolidated Aircraft Maintenance Facility, Phase 1	\$78,000,000
Air Force	Osan Air Base	Upgrade Electrical Distribution, East, Phase 2	\$103,000,000
Army	Camp Walker	Elementary School	\$91,000,000
Army	USAG Humphreys	POL Pipeline	\$35,000,000
Marine Corps	Camp Mujuk	Administrative District Access Control Point	\$18,500,000
Marine Corps	Yecheon Air Base	Replace Concrete Apron	\$47,000,000
Navy	CFA Chinhae	Enlisted Unaccompanied Personnel Housing	\$44,000,000

11 **SEC. 2512. REPUBLIC OF POLAND FUNDED CONSTRUCTION PROJECTS.**

12 Pursuant to agreement with the Republic of Poland for required in-kind contributions, the
 13 Secretary of Defense may accept military construction projects for the installations or locations
 14 in the Republic of Poland, and in the amounts, set forth in the following table:

Republic of Poland Funded Construction Projects

Component	Installation or Location	Project	Amount
Air Force	Wroclaw	Dormitory and Multi-Use Support Building	\$32,000,000
Army	Powidz	Rotary Wing Maintenance Hangers	\$102,000,000

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard		
State	Installation or Location	Amount
Florida	Camp Blanding	\$28,000,000
Idaho	Orchard Training Area	\$27,000,000
Illinois	Peoria	\$8,000,000
Louisiana	Abbeville	\$23,000,000
Massachusetts	Camp Edwards	\$43,000,000
Oklahoma	Tulsa	\$18,500,000
Washington	Yakima	\$18,000,000
West Virginia	Martinsburg	\$20,000,000
Wisconsin	Black River Falls	\$20,000,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military

1 construction projects for the Army Reserve locations inside the United States, and in the
 2 amounts, set forth in the following table:

Army Reserve		
State	Installation or Location	Amount
Colorado	Fort Carson	\$92,000,000
Illinois	Fort Sheridan	\$38,000,000
Virginia	Richmond	\$48,000,000

3 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE**
 4 **CONSTRUCTION AND LAND ACQUISITION PROJECT.**

5 Using amounts appropriated pursuant to the authorization of appropriations in section
 6 2606 and available for the National Guard and Reserve as specified in the funding table in
 7 section 4601, the Secretary of the Navy may acquire real property and carry out military
 8 construction project for the Navy Reserve and Marine Corps Reserve location inside the United
 9 States, and in the amount, set forth in the following table:

Navy Reserve and Marine Corps Reserve		
State	Installation or Location	Amount
Florida	Jacksonville	\$47,000,000

10 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND**
 11 **ACQUISITION PROJECTS.**

12 Using amounts appropriated pursuant to the authorization of appropriations in section
 13 2606 and available for the National Guard and Reserve as specified in the funding table in
 14 section 4601, the Secretary of the Air Force may acquire real property and carry out military
 15 construction projects for the Air National Guard locations inside the United States, and in the
 16 amounts, set forth in the following table:

Air National Guard		
State	Installation or Location	Amount
Michigan	Selfridge Air National Guard Base	\$162,000,000

Texas	Fort Worth	\$27,000,000
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1 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND**
2 **ACQUISITION PROJECT.**

3 Using amounts appropriated pursuant to the authorization of appropriations in section
4 2606 and available for the National Guard and Reserve as specified in the funding table in
5 section 4601, the Secretary of the Air Force may acquire real property and carry out military
6 construction project for the Air Force Reserve location inside the United States, and in the
7 amount, set forth in the following table:

Air Force Reserve		
State	Location	Amount
Pennsylvania	Pittsburgh International Airport	\$19,500,000

8 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND**
9 **RESERVE.**

10 Funds are hereby authorized to be appropriated for fiscal years beginning after September
11 30, 2026, for the costs of acquisition, architectural and engineering services, and construction of
12 facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of
13 title 10, United States Code (including the cost of acquisition of land for those facilities), as
14 specified in the funding table in section 4601.

15 **SEC. 2607. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
16 **YEAR 2023 PROJECTS.**

17 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization
18 Act for Fiscal Year 2023 (division B of Public Law 117-263; 136 Stat. 2970), the authorizations set
19 forth in the table in subsection (b), as provided in sections 2601, 2602, 2603 and 2604 of that Act (136
20 Stat. 2986-2987) and extended by section 2607 of the Military Construction Authorization Act

1 for Fiscal Year 2026 (division B of Public Law 119-60; 139 Stat. 1287), shall remain in effect
 2 until October 1, 2027, or the date of the enactment of an Act authorizing funds for military
 3 construction for fiscal year 2028, whichever is later.

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

National Guard and Reserve: Extension of 2023 Project Authorizations

State/ Country	Installation or Location	Project	Original Authorized Amount
Alaska	Joint Base Elmendorf- Richardson	Aircraft Maintenance Hangar	\$63,000,000
Arizona	Morris Air National Guard Base	Base Entry Complex	\$12,000,000
	Tucson International Airport	Land Acquisition	\$11,700,000
Arkansas	Camp Robinson	Automated Multipurpose Machine Gun Range	\$9,500,000
Florida	Gainesville	National Guard Readiness Center	\$21,000,000
	Perrine	Army Reserve Center/AMSA	\$46,000,000
Hawaii	Marine Corps Base Kaneohe Bay	C-40 Aircraft Maintenance Hangar	\$116,964,000
Indiana	Fort Wayne International Airport	Munitions Maintenance & Storage Complex	\$16,500,000
Puerto Rico	Camp Santiago Joint Maneuver Training Center	Engineering/Housing Maintenance Shops (DPW)	\$14,500,000
West Virginia	McLaughlin Air National Guard Base	C-130J Apron Expansion	\$12,500,000

5 **SEC. 2608. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
 6 **YEAR 2024 PROJECTS.**

7 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization
 8 Act for Fiscal Year 2024 (division B of Public Law 118-31; 137 Stat. 709), the authorizations set forth
 9 in the table in subsection (b), as provided in sections 2601, 2602, 2604, and 2605 of that Act (137

1 Stat. 735-737), shall remain in effect until October 1, 2027, or the date of the enactment of an Act
 2 authorizing funds for military construction for fiscal year 2028, whichever is later.

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

National Guard and Reserve: Extension of 2024 Project Authorizations

State/ Country	Installation or Location	Project	Original Authorized Amount
Alabama	Birmingham	Army Reserve Center/AMSA/ Land	\$57,000,000
Arizona	Davis-Monthan Air Force Base	Guardian Angel POTFF Facility	\$8,500,000
Arkansas	Ebbing Air National Guard Base	3-Bay Hangar	\$54,000,000
		Special Access Program Facility	\$21,989,000
Florida	Camp Blanding	Multipurpose Machine Gun Range	\$11,000,000
Indiana	Fort Wayne International Airport	Fire Station	\$8,900,000
New Mexico	Rio Rancho Training Site	National Guard Vehicle Maintenance Shop Addition	\$11,000,000
Oregon	Portland International Airport	Special Tactics Complex, Phase 1	\$23,000,000
		Special Tactics Complex, Phase 2	\$21,000,000
		Special Tactics Complex, Phase 3	\$24,000,000
		Special Tactics Complex, Phase 4	\$11,000,000
Pennsylvania	Hermitage Readiness Center	National Guard Readiness Center	\$13,600,000
Rhode Island	Quonset Point	National Guard Readiness Center	\$41,000,000
South Carolina	Aiken County Readiness Center	National Guard Readiness Center	\$20,000,000
	McCrary Training Site	Automated Multipurpose Machine Gun Range	\$7,900,000
Texas	Naval Air Station Joint Reserve Base Fort Worth	LRS Warehouse	\$16,000,000

1 **SEC. 2609. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2026**

2 **PROJECT AT COLONIE, NEW YORK.**

3 In the case of the authorization contained in the table in section 2601 of the Military
4 Construction Authorization Act for Fiscal Year 2026 (Division B of Public Law 119-60; 139
5 Stat. 1264) for Albany, New York, for construction of a readiness center as specified in the
6 funding table in section 4601 of such Act, the Secretary of the Army may construct a readiness
7 center at Colonie, New York.

8 **SEC. 2610. AUTHORITY TO CARRY OUT PROJECT AT BLACK RIVER FALLS,**
9 **WISCONSIN.**

10 (a) AUTHORIZATION.—The Secretary of the Army may carry out a military construction
11 project to construct an 45,400 square foot National Guard Readiness Center at Black River Falls,
12 Wisconsin, in the amount of \$20,000,000.

13 (b) USE OF PRIOR-YEAR FUNDS.—The Secretary may use available, unobligated
14 Army National Guard military construction funds appropriated for a fiscal year before fiscal year
15 2027 for the project described in subsection (a).

16 **SEC. 2611. AUTHORITY TO CARRY OUT PROJECT AT PEORIA, ILLINOIS.**

17 (a) AUTHORIZATION.—The Secretary of the Army may carry out a military
18 construction project to construct a 73,578 square foot National Guard Readiness Center at
19 Peoria, Illinois in the amount of \$8,000,000.

20 (b) USE OF PRIOR-YEAR FUNDS.—The Secretary may use available, unobligated
21 Army National Guard military construction funds appropriated for a fiscal year before fiscal year
22 2027 for the project described in subsection (a).

23 **TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES**

1 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT**
2 **AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF**
3 **DEFENSE BASE CLOSURE ACCOUNT.**

4 Funds are hereby authorized to be appropriated for fiscal years beginning after September
5 30, 2026, for base realignment and closure activities, including real property acquisition and
6 military construction projects, as authorized by the Defense Base Closure and Realignment Act
7 of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through
8 the Department of Defense Base Closure Account established by section 2906 of such Act (as
9 amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013
10 (division B of Public Law 112–239; 126 Stat. 2140), as specified in the funding table in section
11 4601.

12 *****

13 **DIVISION D—FUNDING TABLES**

14 **SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.**

15 (a) IN GENERAL.—Whenever a funding table in this title specifies a dollar amount
16 authorized for a project, program, or activity, the obligation and expenditure of the specified
17 dollar amount for the project, program, or activity is hereby authorized, subject to the availability
18 of appropriations.

19 (b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or
20 to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

21 (1) be based on merit-based selection procedures in accordance with the
22 requirements of sections 3201 and 4024 of title 10, United States Code, or on competitive
23 procedures; and

1 (2) comply with other applicable provisions of law.

2 (c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified
3 in the funding tables in this title may be transferred or reprogrammed under a transfer or
4 reprogramming authority provided by another provision of this Act or by other law. The transfer
5 or reprogramming of an amount specified in such funding tables shall not count against a ceiling
6 on such transfers or reprogrammings under any other provision of this Act or any other provision
7 of law, unless such transfer or reprogramming would move funds between appropriation
8 accounts.

9 (d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex
10 that accompanies this Act.

11 (e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication
12 concerning any amount specified in the funding tables in this division shall supersede the
13 requirements of this section.

14 *****

15 **TITLE XLVI—MILITARY CONSTRUCTION**

16 **SEC. 4601. MILITARY CONSTRUCTION.**

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
MILITARY CONSTRUCTION			
ARMY			
	Alaska		
Army	Fort Wainwright	Barracks, Incr2	24,000
	Florida		
Army	Key West	Command and Control Facility, Incr2	160,000
	Germany		

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
Army	Grafenwoehr	Underground Electric Lines	12,800
	Guam		
Army	Joint Region Marianas	PDI: Guam Def Sys, EIAMD, Ph 2, Incr2	190,000
Army	Joint Region Marianas	PDI: Guam Def Sys, EIAMD, Ph 3	155,000
Army	Joint Region Marianas	PDI: Land Acquisition	29,000
	Hawaii		
Army	Fort Shafter	CTC: Clearwell and Booster Pump	71,000
Army	Helemano	CTC: Wells and Storage Tanks	72,000
Army	Schofield Barracks	CTC: Elevated Tank and Distribution Lines	26,000
Army	Schofield Barracks	CTC: Water Storage Tank	21,000
Army	Schofield Barracks	Fire Station	30,000
Army	Wheeler Army Air Field	Aircraft Maintenance Hangar, Incr1	90,000
	Italy		
Army	Caserma Renato Del Din	Access Control Point	17,000
	Japan		
Army	Kadena Air Base	CTC: Vehicle Maintenance Shop	69,000
	New York		
Army	Fort Drum	Automated Record Fire Plus Range	25,000
	North Carolina		
Army	Fort Bragg	CTC: Aircraft Maintenance Hangar	31,000
	Texas		
Army	Fort Bliss	Shipping and Receiving Building	35,000
Army	Joint Base San Antonio	Adv Ind Training Barracks-METC (Inc)	303,000
	Washington		
Army	Joint Base Lewis-McChord	Airfield Fire and Rescue Station	89,000
	Worldwide Unspecified		
Army	Unspecified Worldwide Locations	Design	173,421
Army	Unspecified Worldwide Locations	Host Nation Support	53,521
Army	Unspecified Worldwide Locations	Minor Construction	178,626
Army	Unspecified Worldwide Locations	PDI: Minor Construction	76,270
Subtotal Military Construction, Army			1,931,638
NAVY & MARINE CORPS			
	Australia		
Navy & Marine Corps	Darwin	PDI: Aircraft Maintenance Hangar (INC)	46,958

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
Navy & Marine Corps	Darwin	PDI: Maintenance Support Facs (INC)	33,955
	California		
Navy & Marine Corps	Camp Pendleton	Fire/Emergency Response Station (53 Area) Replace	43,000
Navy & Marine Corps	Camp Pendleton	Landfill Liner Phase III and IV	53,150
Navy & Marine Corps	Coronado	Ford Class CVN Infrastructure Upg., Pier Lima(INC)	33,000
Navy & Marine Corps	Lemoore	Strike Fighter Center of Excellence Pacific (INC)	155,939
Navy & Marine Corps	Monterey	Naval Innovation Center (INC)	50,000
Navy & Marine Corps	Point Mugu	Community & Airfield Area Flood Protection	164,000
	Connecticut		
Navy & Marine Corps	New London	Submarine Pier 8 Replacement (INC)	142,124
Navy & Marine Corps	New London	Weapons Magazine & Ordnance Operations Fac. (INC)	79,600
	District Of Columbia		
Navy & Marine Corps	Anacostia	Biomolecular Science & Synthetic Biology Lab	157,000
	Federated States of Micronesia		
Navy & Marine Corps	Yap	PDI: Yap Port and Harbor Improvements (INC)	142,235
	Florida		
Navy & Marine Corps	Blount Island	Communications Infrastructure (INC)	46,075
Navy & Marine Corps	Cape Canaveral Space Force Station	Cape Canaveral Railhead & Transfer Facilities	60,990
	Georgia		

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
Navy & Marine Corps	Albany	Consolidated Communication Facility	86,350
Navy & Marine Corps	Kings Bay	Transit Protection Program Facility (Inc)	100,000
Navy & Marine Corps	Kings Bay	Trident Refit Fac. Expansion (Columbia Sub) (INC)	30,000
	Guam		
Navy & Marine Corps	Andersen AFB	PDI: Joint Consol. Comm. Center (INC)	132,416
Navy & Marine Corps	Apra Heights	PDI: Inner Apra Harbor Resiliency (INC)	13,400
Navy & Marine Corps	Joint Region Marianas	PDI: Joint Communication Upgrade (INC)	60,000
Navy & Marine Corps	Joint Region Marianas	PDI: Polaris Point Submarine Pier (Inc)	171,800
Navy & Marine Corps	Joint Region Marianas	PDI: Polaris Point Electrical Capacity Upgrade	122,000
	Hawaii		
Navy & Marine Corps	Ford Island	Pacific Warfighting Center Expansion	183,760
Navy & Marine Corps	Joint Base Pearl Harbor-Hickam	Dry Dock 3 Replacement (INC)	507,453
Navy & Marine Corps	Joint Base Pearl Harbor-Hickam	Water Treatment Plant (INC)	248,170
Navy & Marine Corps	Kaneohe Bay	3D MLR Armory Expansion	76,550
Navy & Marine Corps	Kaneohe Bay	ATC CO M Compound	134,090
Navy & Marine Corps	Kaneohe Bay	Main Gate Entry Control Point	49,260
Navy & Marine Corps	Kauai	PDI: Airfield Pavement Upgrades (INC)	142,470

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
	Japan		
Navy & Marine Corps	Kadena Air Base	Aircraft Intermediate Maintenance Facility	31,780
	Maine		
Navy & Marine Corps	Kittery	Multi-Mission Drydock #1 Extension (INC)	50,755
Navy & Marine Corps	Kittery	Power Reliability & Water Resilience Upgrade (INC)	138,875
	Nevada		
Navy & Marine Corps	Fallon	Range Training Complex Improvements	387,570
	North Carolina		
Navy & Marine Corps	Camp Lejeune	10th Marines Operational Complex (INC)	77,520
Navy & Marine Corps	Camp Lejeune	Ammunition Supply Point Upgrade Phase II (INC)	15,451
Navy & Marine Corps	Camp Lejeune	Combat Water Survival Training Facility	141,880
Navy & Marine Corps	Cherry Point Marine Corps Air Station	CTC: Aircraft Maintenance Hangar	47,560
Navy & Marine Corps	Cherry Point Marine Corps Air Station	CTC: CH-53K Gearbox Repair and Test Facility	17,941
Navy & Marine Corps	Cherry Point Marine Corps Air Station	F-35 Aircraft Sustainment Ctr (INC)	89,181
Navy & Marine Corps	Cherry Point Marine Corps Air Station	Maintenance Facility & Marine Air Group HQs (INC)	62,575
	Palau		
Navy & Marine Corps	Palau - Micronesia	PDI: Palau Port and Harbor Improvements (INC)	384,560
	Pennsylvania		
Navy & Marine Corps	Mechanicsburg	Machinery Control Development Center (INC)	79,140
	Rhode Island		

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
Navy & Marine Corps	Newport	Consolidated RDT&E Integration Laboratory	40,000
Navy & Marine Corps	Newport	Next Generation Submarine Platform Facility	73,000
Navy & Marine Corps	Newport	Submarine Payload Integration Laboratory	40,000
	South Carolina		
Navy & Marine Corps	Charleston Air Force Base	Nuclear Power Training Fac Simulation Expan (INC)	161,700
	Spain		
Navy & Marine Corps	Rota	UH for Permanent Party	64,080
	Virginia		
Navy & Marine Corps	Joint Expeditionary Base Little Creek - Ft Story	Child Development Center	65,640
Navy & Marine Corps	Norfolk	Child Development Center	84,940
Navy & Marine Corps	Norfolk	Child Development Center	93,040
Navy & Marine Corps	Norfolk	Electrical Distribution System Upgrades (INC)	124,965
Navy & Marine Corps	Norfolk	MQ-25 Aircraft Laydown Facilities (INC)	54,622
Navy & Marine Corps	Oceana Naval Air Station	Child Development Center	104,340
Navy & Marine Corps	Portsmouth	Dry Dock 3 Modernization (INC)	189,353
Navy & Marine Corps	Yorktown	CTC: Containerized Long Weapons Storage Magazine	16,170
Navy & Marine Corps	Yorktown	CTC: Conventional Prompt Strike Test Facility	13,710

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
Navy & Marine Corps	Yorktown	Weapons Magazines (Inc)	100,782
	Washington		
Navy & Marine Corps	Bangor	Columbia Submarine Repair Facility Expansion (INC)	64,000
Navy & Marine Corps	Bangor	Columbia Submarine Training Facility Expansion	90,900
Navy & Marine Corps	Bremerton	Missile Assembly Building Replacement	195,227
Navy & Marine Corps	Puget Sound	Multi-Mission Dry Dock (INC)	245,000
Navy & Marine Corps	Whidbey Island	EA-18G Aircraft Regional Service Facility	202,000
	Worldwide Unspecified		
Navy & Marine Corps	Unspecified Worldwide Locations	Design	1,163,477
Navy & Marine Corps	Unspecified Worldwide Locations	Unspecified Minor Construction	289,224
Subtotal Military Construction, Navy & Marine Corps			8,266,703
AIR FORCE			
	Alabama		
Air Force	Redstone Arsenal	Space Force Operational Facility- Redstone Arsenal	250,000
Air Force	Redstone Arsenal	USSPACECOM HQ	450,000
	Alaska		
Air Force	Eielson Air Force Base	JPARC Range Operations Center	91,000
Air Force	Joint Base Elmendorf-Richardson	FTR- ADAL Field Training Detachment (FTD)	56,000
Air Force	Joint Base Elmendorf-Richardson	FTR- Conventional Munitions Complex	132,300
Air Force	Joint Base Elmendorf-Richardson	FTR- Dormitory	451,500
Air Force	Joint Base Elmendorf-Richardson	FTR- Flight Simulator	93,800
Air Force	Joint Base Elmendorf-Richardson	FTR- Fuel Cell Maintenance	31,250
Air Force	Joint Base Elmendorf-Richardson	FTR- Infrastructure & Utilities	422,100
Air Force	Joint Base Elmendorf-Richardson	FTR- Low Observable Aircraft Structural Maintenance	63,250
Air Force	Joint Base Elmendorf-Richardson	FTR- Operations and Generation Hangar	127,500

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
Air Force	Joint Base Elmendorf-Richardson	FTR- PGM Relocation	359,100
Air Force	Joint Base Elmendorf-Richardson	FTR- Public Traffic Route Realignment	50,000
Air Force	Joint Base Elmendorf-Richardson	FTR- Squadron 1-1 Airfield Pavements	125,250
Air Force	Joint Base Elmendorf-Richardson	FTR- Squadron 1-1 Flowthrough Hangars	154,000
Air Force	Joint Base Elmendorf-Richardson	Joint Integrated Test and Training Ctr, INC	42,000
	Arizona		
Air Force	Davis-Monthan Air Force Base	Hangar/Aircraft Maintenance Unit	15,000
	Arkansas		
Air Force	Little Rock Air Force Base	Child Development Center	27,000
	California		
Air Force	Beale Air Force Base	Multi-Domain Operations Complex	126,000
	Colorado		
Air Force	Schriever Space Force Base	Space Force Operational Facility- Schriever	250,000
	Djibouti		
Air Force	Chabelley Airfield	Chabelley Power Plant and Primary Dist	27,000
	Federated States of Micronesia		
Air Force	Yap Airfield	PDI: Runway Extension, Inc	27,000
	Florida		
Air Force	Cape Canaveral Space Force Station	Base Support Warehouse	64,000
Air Force	Cape Canaveral Space Force Station	Command Facility	85,000
Air Force	Cape Canaveral Space Force Station	Communications Plant Warehouse	48,400
Air Force	Cape Canaveral Space Force Station	Launch Support Facility	84,000
Air Force	Cape Canaveral Space Force Station	LRS Vehicle Maintenance Facility	80,400
Air Force	Cape Canaveral Space Force Station	Security Forces Operations Facility	48,000
Air Force	Tyndall Air Force Base	AFCEC RDT&E Facilities and Gate	160,000
	Hawaii		
Air Force	Maui	Secure Integration Support Lab w/ land Acq	3,600
	Japan		
Air Force	Kadena Air Base	Theater Strategic Communications Hub	99,000
	Mississippi		
Air Force	Columbus Air Force Base	T-7A Allied Support	11,800
	Missouri		
Air Force	Whiteman Air Force Base	B-21 ADAL Field Training Detachment, B152	89,000
Air Force	Whiteman Air Force Base	B-21 Weapons Loader Trainer	80,000
	Montana		

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
Air Force	Malmstrom Air Force Base	Sentinel Land Acquisition, Inc	43,500
Air Force	Malmstrom Air Force Base	Sentinel Operations & Maint. Complex, Inc	95,000
	Nevada		
Air Force	Nellis Air Force Base	F-47 2-Bay Fuel Cell (F-35)	52,000
Air Force	Nellis Air Force Base	F-47 AGE Washrack	500
Air Force	Nellis Air Force Base	F-47 Aircraft Washrack & Support Facility	4,000
Air Force	Nellis Air Force Base	F-47 Apron Complex	192,500
Air Force	Nellis Air Force Base	F-47 Combined Operations Maintenance Hangar (COMH)	177,800
Air Force	Nellis Air Force Base	F-47 Consolidated Maintenance Facility	32,000
Air Force	Nellis Air Force Base	F-47 Fuel Cell	28,000
Air Force	Nellis Air Force Base	F-47 Fuel Station	10,000
Air Force	Nellis Air Force Base	F-47 Low Observable Corrosion Repair Facility	38,700
Air Force	Nellis Air Force Base	F-47 Maintenance Training Facility	29,000
Air Force	Nellis Air Force Base	F-47 R-11 East Side Shade Structure	1,800
Air Force	Nellis Air Force Base	F-47 Repair Munitions Admin Facility	4,600
Air Force	Nellis Air Force Base	F-47 Re-Programming Lab	61,000
Air Force	Nellis Air Force Base	F-47 Simulator Facility	62,000
Air Force	Nellis Air Force Base	F-47 Weapons Load Training Facility	34,000
Air Force	Nellis Air Force Base	F-47 Weapons Storage Facility	2,800
	New Mexico		
Air Force	Cannon Air Force Base	Dormitory	10,000
Air Force	Kirtland Air Force Base	Space Force Operational Facility- Kirtland	250,000
	North Dakota		
Air Force	Grand Forks Air Force Base	Space Force Operational Facility- Grand Forks	250,000
Air Force	Minot Air Force Base	Sentinel Consolidated Vehicle Maint. Complex	124,000
Air Force	Minot Air Force Base	Sentinel Security Forces Operations Complex	108,000
	Oklahoma		
Air Force	Tinker Air Force Base	Bomber Agile Common Hangar, INC	112,000
	Oregon		
Air Force	Mountain Home Air Force Base	HOMELAND DEFENSE OVER-THE-HORIZON RADAR, INC	33,650
	Spain		
Air Force	Moron	Parking Apron	75,500
	Texas		
Air Force	Dyess Air Force Base	B-21 Flight Simulator Facility	63,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
Air Force	Dyess Air Force Base	B-21 Low Observable Corrosion Control Fac	74,000
Air Force	Dyess Air Force Base	B-21 Utilities Site Improvements Electric	23,000
Air Force	Fort Sam Houston	METC - Barracks/Ships/Dorms #1, Inc	308,000
Air Force	Goodfellow Air Force Base	Pipeline Student Dormitory	12,000
Air Force	Joint Base San Antonio	MWD Large Capacity Kennel	180,000
Air Force	Lackland Air Force Base	91 Cyber Operations Center	96,000
	Utah		
Air Force	Hill Air Force Base	F-35 Maintenance Facility, Phase 1, INC	100,000
Air Force	Hill Air Force Base	T-7A Depot Maintenance Complex, INC	72,000
	Virginia		
Air Force	Joint Base Langley-Eustis	Fuel System Maintenance Dock	49,000
	Wake Island		
Air Force	Wake Island	PDI: Aircraft Park. Apron (Wake) Phase 1, Inc	129,000
	Worldwide Unspecified		
Air Force	Unspecified Worldwide Locations	Design	2,490,612
Air Force	Unspecified Worldwide Locations	Unspecified Minor Construction	315,810
	Wyoming		
Air Force	F.E. Warren Air Force Base	GBSD Operations Group Facility	171,000
Air Force	F.E. Warren Air Force Base	GBSD Utility Corridor, INC	461,158
Subtotal Military Construction, Air Force			10,688,980
DEFENSE-WIDE			
	Alabama		
Defense-Wide	Maxwell Air Force Base	Maxwell Elementary/Middle School Addition	44,000
	Belgium		
Defense-Wide	Brussels	Brussels Unit School Annex	33,000
	Colorado		
Defense-Wide	Def Reutil and Mktg Ofc-Colorado Springs	General Purpose Warehouse	85,000
	Florida		
Defense-Wide	Homestead Air Force Station	SOF Climate Controlled Tactical Storage Warehouse	33,000
Defense-Wide	Jacksonville	Ambulatory Care Center Substance Abuse Rehabilitation Program (SARP) Replacement	40,000
	Germany		
Defense-Wide	Baumholder	Baumholder Middle/High School	140,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
Defense-Wide	Ramstein Air Base	Vehicle Fueling Facility	20,500
Defense-Wide	Rhine Ordnance Barracks	Medical Center Replacement, Increment 13	95,002
	Guam		
Defense-Wide	Joint Region Marianas	PDI: GDS, Command Center (Inc)	99,700
Defense-Wide	Joint Region Marianas	PDI: GDS, EIAMD, Ph1 (Inc)	75,113
Defense-Wide	Joint Region Marianas	PDI: GDS, EIAMD, PH3	179,446
	Japan		
Defense-Wide	Camp Butler	PDI: Truck Offload Facilities	37,900
Defense-Wide	Yokota Air Base	PDI: Bulk Storage Tanks PH 2	88,200
	Kentucky		
Defense-Wide	Fort Knox	Scott Middle School	117,000
	Korea		
Defense-Wide	Kunsan Air Base	Ambulatory Care Center Replacement	65,000
	Maryland		
Defense-Wide	Bethesda Naval Hospital	MEDCEN Addition/Alteration, Increment 10	87,275
Defense-Wide	Bethesda Naval Hospital	Support Facilities Replacement (INC)	55,000
Defense-Wide	Fort Meade	Cyber National Mission Force Mission Operations Facility (INC)	98,411
Defense-Wide	Fort Meade	NSAW East Campus Building #5, INC 2	180,000
Defense-Wide	Fort Meade	NSAW East Campus Site Infrastructure	52,000
	Nevada		
Defense-Wide	Creech Air Force Base	Ambulatory Care Center Addition/Alteration	25,381
	North Carolina		
Defense-Wide	Camp Lejeune	SOF Marine Raider Battalion Operations Facility	80,000
Defense-Wide	Camp Lejeune	SOF Operational Support Facility	72,000
Defense-Wide	Fort Bragg	SOF Operational Training Facility	50,000
	Oregon		
Defense-Wide	Mountain Home Air Force Base	Homeland Defense Over-The-Horizon Radar, INC	217,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
	United Kingdom		
Defense-Wide	Menwith Hill Station	Fire Station Replacement	35,000
Defense-Wide	Royal Air Force Lakenheath	Hospital Replacement, Phase 2 (INC)	78,000
	Utah		
Defense-Wide	Camp Williams	NSAU Consolidation	50,000
	Virginia		
Defense-Wide	Joint Expeditionary Base Little Creek - Ft Story	SOF Launch & Recovery Facility	36,000
	Wake Island		
Defense-Wide	Def Fuel Spt Point Wake Island	PDI: Fueling Facilities	100,000
	Washington		
Defense-Wide	Joint Base Lewis-McChord	SOF Tactical Equipment Maintenance Facility	35,000
	Worldwide Unspecified		
Defense-Wide	Unspecified Worldwide Locations	Design (DEFENSE-WIDE)	41,783
Defense-Wide	Unspecified Worldwide Locations	Design (DHA)	45,813
Defense-Wide	Unspecified Worldwide Locations	Design (DLA)	100,511
Defense-Wide	Unspecified Worldwide Locations	Design (DODEA)	26,625
Defense-Wide	Unspecified Worldwide Locations	Design (ERCIP)	39,346
Defense-Wide	Unspecified Worldwide Locations	Design (MDA)	42,846
Defense-Wide	Unspecified Worldwide Locations	Design (NSA)	33,700
Defense-Wide	Unspecified Worldwide Locations	Design (SOCOM)	81,628
Defense-Wide	Unspecified Worldwide Locations	Design (WHS)	5,000
Defense-Wide	Unspecified Worldwide Locations	Energy Resilience and Conservation Investment Program	694,307
Defense-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction (TJS)	13,328
Defense-Wide	Unspecified Worldwide Locations	INDOPACOM Military Construction Pilot Program (SOCOM)	27,740
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction (DEFW)	3,000
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction (DLA)	14,237

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction (DODEA)	10,000
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction (MDA)	2,659
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction (NSA)	9,000
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction (OSD)	190,000
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction (SOCOM)	24,500
Subtotal Military Construction, Defense-Wide			3,809,951
ARMY NATIONAL GUARD			
	Florida		
Army National Guard	Camp Blanding	Automated Multi Purpose Training Range	28,000
	Idaho		
Army National Guard	Orchard Training Area	Mission Training Complex (Small)	27,000
	Louisiana		
Army National Guard	Abbeville	National Guard Readiness Center	23,000
	Massachusetts		
Army National Guard	Camp Edwards	National Guard Readiness Center	43,000
	New York		
Army National Guard	Colonie	National Guard Readiness Center	90,000
	Oklahoma		
Army National Guard	Tulsa	Aircraft Maintenance Bay	18,500
	Washington		
Army National Guard	Yakima	Dining Facility	18,000
	West Virginia		
Army National Guard	Martinsburg	National Guard Readiness Center Add/Alt	20,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
	Worldwide Unspecified		
Army National Guard	Unspecified Worldwide Locations	Design	71,909
Army National Guard	Unspecified Worldwide Locations	Unspecified Minor Construction	19,500
Subtotal Military Construction, Army National Guard			358,909
ARMY RESERVE			
	Colorado		
Army Reserve	Fort Carson	Equipment Concentration Site	92,000
	Illinois		
Army Reserve	Fort Sheridan	Area Maintenance Support Activity	38,000
	Virginia		
Army Reserve	Richmond	Army Reserve Center	48,000
	Worldwide Unspecified		
Army Reserve	Unspecified Worldwide Locations	Design	10,413
Army Reserve	Unspecified Worldwide Locations	Unspecified Minor Construction	21,500
Subtotal Military Construction, Army Reserve			209,913
NAVY RESERVE & MARINE CORPS RESERVE			
	Florida		
Navy Reserve & Marine Corps Reserve	Jacksonville	Ramp Expansion & RTC	47,000
	Texas		
Navy Reserve & Marine Corps Reserve	Fort Worth	Hangar 1050 Modernization (INC)	56,870
	Worldwide Unspecified		
Navy Reserve & Marine Corps Reserve	Unspecified Worldwide Locations	MCNR Design	6,578

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
Navy Reserve & Marine Corps Reserve	Unspecified Worldwide Locations	MCNR Unspecified Minor Construction	2,522
Navy Reserve & Marine Corps Reserve	Unspecified Worldwide Locations	USMCR Design	19,302
Subtotal Military Construction, Naval Reserve & Marine Corps Reserve			132,272
AIR NATIONAL GUARD			
Michigan			
Air National Guard	Selfridge Air National Guard Base	Mitigate Runway Encroachment	110,000
Air National Guard	Selfridge Air National Guard Base	Taxiway Alpha Extension	28,000
Air National Guard	Selfridge Air National Guard Base	Taxiway Bravo Extension	24,000
Oregon			
Air National Guard	Klamath Falls International Airport	F-35 FTU Academic Training Center	80,000
Texas			
Air National Guard	Fort Worth	C-130J ADAL Maintenance Hangar B1676	27,000
Worldwide Unspecified			
Air National Guard	Unspecified Worldwide Locations	Design	247,221
Air National Guard	Unspecified Worldwide Locations	Unspecified Minor Construction	9,000
Subtotal Military Construction, Air National Guard			525,221
Pennsylvania			
Air Force Reserve	Pittsburgh International Airport	Communications Facility	19,500
Worldwide Unspecified			
Air Force Reserve	Unspecified Worldwide Locations	Design	1,347
Air Force Reserve	Unspecified Worldwide Locations	Unspecified Minor Construction	1,325
Subtotal Military Construction, Air Force Reserve			22,172
NATO SECURITY INVESTMENT PROGRAM			
Worldwide Unspecified			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
NATO	NATO Security Investment Program	NATO Security Investment Program	604,270
Subtotal NATO Security Investment Program			604,270
TOTAL MILITARY CONSTRUCTION			26,550,029
FAMILY HOUSING			
FAMILY HOUSING CONSTRUCTION, ARMY			
	Germany		
Fam Hsg Con, Army	South Camp Vilseck	FH Replacement Construction (44 units)	95,060
	Italy		
Fam Hsg Con, Army	Vicenza	CTC: FH, Junior NCO/Enlisted (130 Units)	60,000
	Japan		
Fam Hsg Con, Army	Camp Zama	FH Improvement Construction (68 units)	106,356
	Kwajalein		
Fam Hsg Con, Army	Kwajalein Atoll	FH Replacement Construction (30 Units)	146,359
	Virginia		
Fam Hsg Con, Army	Joint Base Myer-Henderson	FH Improvement Construction (13 Units)	87,650
	Worldwide Unspecified		
Fam Hsg Con, Army	Unspecified Worldwide Locations	Family Housing Design	90,557
Family Housing Construction, Army Total			585,982
FAMILY HOUSING O&M, ARMY			
	Worldwide Unspecified		
Fam Hsg O&M, Army	Unspecified Worldwide Locations	Furnishings	18,177
Fam Hsg O&M, Army	Unspecified Worldwide Locations	Leased Housing	132,820
Fam Hsg O&M, Army	Unspecified Worldwide Locations	Maintenance of Real Property Facilities	688,981

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
Fam Hsg O&M, Army	Unspecified Worldwide Locations	Management Account	42,802
Fam Hsg O&M, Army	Unspecified Worldwide Locations	Military Housing Privatization Initiative	42,026
Fam Hsg O&M, Army	Unspecified Worldwide Locations	Miscellaneous	92
Fam Hsg O&M, Army	Unspecified Worldwide Locations	Services	10,130
Fam Hsg O&M, Army	Unspecified Worldwide Locations	Utilities	49,494
Subtotal Family Housing Operation and Maintenance, Army			984,522
FAMILY HOUSING CONSTRUCTION, NAVY & MARINE CORPS			
District Of Columbia			
Fam Hsg Con, Navy & Marine Corps	8th St and I	CTC: W/H REVITALIZATION, QUARTERS #1 (1 UNITS)	1,532
Guam			
Fam Hsg Con, Navy & Marine Corps	Joint Region Marianas	CTC: Replace Andersen Housing PH V (74 UNITS)	25,876
Fam Hsg Con, Navy & Marine Corps	Joint Region Marianas	CTC: Replace Andersen Housing PH VI (52 UNITS)	44,920
Fam Hsg Con, Navy & Marine Corps	Joint Region Marianas	CTC: Replace Andersen Housing Phase 8 (62 UNITS)	33,771
Fam Hsg Con, Navy & Marine Corps	Joint Region Marianas	Replace Andersen Housing PH 9 (149 UNITS) (INC)	144,495
Fam Hsg Con, Navy &	Joint Region Marianas	Whole House Revitalize Lockwood Terrace (44 units)	79,154

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
Marine Corps	Cuba		
Fam Hsg Con, Navy & Marine Corps	Guantanamo Bay Naval Station	Whole House Revitalize Caribbean Circle (12 units)	10,301
Fam Hsg Con, Navy & Marine Corps	Guantanamo Bay Naval Station	Whole House Revitalize Nob Hill (20 units)	17,168
Fam Hsg Con, Navy & Marine Corps	Guantanamo Bay Naval Station	Whole House Revitalize Old Villamar (61 units)	52,361
	Japan		
Fam Hsg Con, Navy & Marine Corps	Atsugi	Whole House Revitalize Dragon Vale THs (25 units)	28,346
Fam Hsg Con, Navy & Marine Corps	Atsugi	Whole House Revitalize Kiri Tower (68 units)	45,000
Fam Hsg Con, Navy & Marine Corps	Atsugi	Whole House Revitalize SOQs Bldgs 451-456 (6 units)	9,013
Fam Hsg Con, Navy & Marine Corps	Atsugi	Whole House Revitalize THs 3027-3028 (8 units)	9,219
Fam Hsg Con, Navy & Marine Corps	Iwakuni	Iwakuni Housing and Neighborhood Revitalization (176 UNITS)	105,000
Fam Hsg Con, Navy & Marine Corps	Sasebo	Whole House Revitalize Kiku Tower (68 units)	45,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
Fam Hsg Con, Navy & Marine Corps	Sasebo	Whole House Revitalize THs Bldg 5007 (8 units)	13,438
Fam Hsg Con, Navy & Marine Corps	Yokosuka	W/H & UTILITY REVIT, IKEGO TH PH6 (32 UNITS)	44,128
	Worldwide Unspecified		
Fam Hsg Con, Navy & Marine Corps	Unspecified Worldwide Locations	Design	57,371
Fam Hsg Con, Navy & Marine Corps	Unspecified Worldwide Locations	Navy Southeast MHPI (2nd Restructure) (100 units)	52,177
Subtotal Family Housing Construction, Navy & Marine Corps			818,270
FAMILY HOUSING O&M, NAVY & MARINE CORPS			
	Worldwide Unspecified		
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	Furnishings	17,252
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	Housing Privatization Support	60,997
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	Leasing	66,242
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	Maintenance	388,016
Fam Hsg O&M, Navy &	Unspecified Worldwide Locations	Management	54,612

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
Marine Corps Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	Miscellaneous	445
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	Services	14,394
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	Utilities	52,515
Subtotal Family Housing Operation & Maintenance, Navy & Marine Corps			654,473
FAMILY HOUSING CONSTRUCTION, AIR FORCE			
Alaska			
Fam Hsg Con, Air Force	Joint Base Elmendorf-Richardson	MHPI Restructure - JBER Phase II (1,194 Units)	156,964
Japan			
Fam Hsg Con, Air Force	Misawa Air Base	Misawa Main Tower 117 (68 Units)	60,000
Fam Hsg Con, Air Force	Yokota Air Base	Yokota East Tower 4300 (70 Units)	76,000
Fam Hsg Con, Air Force	Yokota Air Base	Yokota PAIP 10 Ph 1 (32 Units)	36,100
United Kingdom			
Fam Hsg Con, Air Force	Croughton Royal Air Force	Croughton (Replacement) (12 Units)	24,104
Worldwide Unspecified			
Fam Hsg Con, Air Force	Unspecified Worldwide Locations	Design	125,854
Subtotal Family Housing Construction, Air Force			479,022
FAMILY HOUSING O&M, AIR FORCE			
Worldwide Unspecified			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	Furnishings	28,691
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	Housing Privatization	40,627
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	Leasing	5,523
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	Maintenance	615,295
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	Management	64,841
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	Miscellaneous	2,492
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	Services	12,957
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	Utilities	51,097
Subtotal Family Housing Operations and Maintenance, Air Force			821,523
FAMILY HOUSING O&M, DEFENSE-WIDE			
Worldwide Unspecified			
Fam Hsg O&M, Defense- Wide	Unspecified Worldwide Locations	Furnishings, DIA	566
Fam Hsg O&M, Defense- Wide	Unspecified Worldwide Locations	Furnishings, NSA	93
Fam Hsg O&M, Defense- Wide	Unspecified Worldwide Locations	Leasing, DIA	34,693
Fam Hsg O&M, Defense- Wide	Unspecified Worldwide Locations	Leasing, DSCA	8,792
Fam Hsg O&M, Defense- Wide	Unspecified Worldwide Locations	Leasing, NSA	14,320

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
Fam Hsg O&M, Defense- Wide	Unspecified Worldwide Locations	Maintenance, NSA	37
Fam Hsg O&M, Defense- Wide	Unspecified Worldwide Locations	Utilities, DIA	4,548
Fam Hsg O&M, Defense- Wide	Unspecified Worldwide Locations	Utilities, NSA	15
Subtotal Family Housing Operations and Maintenance, Defense-Wide			63,064
FAMILY HOUSING IMPROVEMENT FUND			
Worldwide Unspecified			
Family Housing Improvem ent Fund	Unspecified Worldwide Locations	Administrative Expenses - FHIF	8,412
Subtotal Family Housing Improvement Fund			8,412
UNACCOMPANIED HOUSING IMPROVEMENT FUND			
Worldwide Unspecified			
Unaccompa nied Housing Improvem ent Fund	Unspecified Worldwide Locations	Administrative Expenses - UHIF	501
Subtotal Unaccompanied Housing Improvement Fund			501
TOTAL FAMILY HOUSING			4,415,769
DEFENSE BASE REALIGNMENT AND CLOSURE			
BASE REALIGNMENT AND CLOSURE, ARMY			
Worldwide Unspecified			
BRAC, Army	Unspecified Worldwide Locations	Base Realignment and Closure	151,293
Subtotal Base Realignment and Closure—Army			151,293
BASE REALIGNMENT AND CLOSURE, NAVY			
Worldwide Unspecified			
BRAC, Navy	Unspecified Worldwide Locations	Base Realignment & Closure	108,325
Subtotal Base Realignment and Closure—Navy			108,325
BASE REALIGNMENT AND CLOSURE, AIR FORCE			
Worldwide Unspecified			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2027 Budget Request
BRAC, Air Force	Unspecified Worldwide Locations	DoD BRAC Activities – Air Force	111,381
Subtotal Base Realignment and Closure—Air Force			111,381
BASE REALIGNMENT AND CLOSURE, DEFENSE-WIDE			
	Worldwide Unspecified		
BRAC, Defense-Wide	Unspecified Worldwide Locations	Int-4: DLA Activities	1,318
Subtotal Base Realignment and Closure Account—Defense-Wide			1,318
TOTAL DEFENSE BASE REALIGNMENT AND CLOSURE			372,317
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			31,338,115-

1 **SEC. ____ . IMPROVEMENTS TO ADMINISTRATION OF MILITARY**
2 **COMMISSIONS.**

3 (a) REPEAL OF STATUTE RELATING TO UNLAWFULLY INFLUENCING ACTION OF MILITARY
4 COMMISSIONS AND UNITED STATES COURT OF MILITARY COMMISSION REVIEW.—Section 949b of
5 title 10, United States Code, is repealed.

6 (b) CLARIFICATION OF AUTHORITY OF MILITARY COMMISSIONS TO PUNISH CONTEMPT.—

7 (1) CLARIFICATION.—Subchapter IV of chapter 47A of title 10, United States
8 Code, is amended by adding at the end the following new section:

9 **“§ 949o-1. Contempt**

10 “(a) AUTHORITY TO PUNISH.—(1) With respect to any proceeding under this chapter, a
11 judicial officer specified in paragraph (2) may punish for contempt any person who—

12 “(A) uses any menacing word, sign, or gesture in the presence of the judicial
13 officer during the proceeding;

14 “(B) disturbs the proceeding by any riot or disorder; or

15 “(C) willfully disobeys a lawful writ, process, order, rule, decree, or command
16 issued with respect to the proceeding.

17 “(2) A judicial officer referred to in paragraph (1) is any of the following:

18 “(A) Any judge of the United States Court of Military Commission Review.

19 “(B) Any military judge detailed to a military commission or any other
20 proceeding under this chapter.

21 “(b) PUNISHMENT.—The punishment for contempt under subsection (a) may not exceed
22 confinement for 30 days, a fine of \$1,000, or both.

23 “(c) REVIEW.—(1) A punishment under this section—

1 “(A) is not reviewable by the convening authority of a military commission under
2 this chapter;

3 “(B) if imposed by a military judge, shall constitute a judgment, subject to review
4 in the first instance only by the United States Court of Military Commission Review and
5 then only by the United States Court of Appeals for the District of Columbia Circuit; and

6 “(C) if imposed by a judge of the United States Court of Military Commission
7 Review, shall constitute a judgment of the court subject to review only by the United
8 States Court of Appeals for the District of Columbia Circuit.

9 “(2) In reviewing a punishment for contempt imposed under this section, the reviewing
10 court shall affirm such punishment unless the court finds that imposing such punishment was an
11 abuse of the discretion of the judicial officer who imposed such punishment.

12 “(3) A petition for review of punishment for contempt imposed under this section shall be
13 filed not later than 60 days after the date on which the authenticated record upon which the
14 contempt punishment is based and any contempt proceedings conducted by the judicial officer
15 are served on the person punished for contempt.

16 “(d) PUNISHMENT NOT CONVICTION.—Punishment for contempt is not a conviction or
17 sentence within the meaning of section 949m of this title. The imposition of punishment for
18 contempt is not governed by other provisions of this chapter applicable to military commissions,
19 except that the Secretary of Defense may prescribe procedures for contempt proceedings and
20 punishments, pursuant to the authority provided in section 949a of this title.”.

21 (2) CONFORMING AMENDMENTS.—Section 950t of title 10, United States Code, is
22 amended—

23 (A) by striking paragraph (31); and

1 (B) by redesignating paragraph (32) as paragraph (31).

2 (3) APPLICABILITY.—The amendments made by paragraphs (1) and (2) shall take
3 effect on the date of the enactment of this Act and shall apply with respect to conduct by
4 a person that occurs on or after that date.

5 (4) RULE OF CONSTRUCTION.—The amendments made by paragraphs (1) and (2)
6 shall not be construed to affect the lawfulness of any punishment for contempt adjudged
7 before the effective date of those amendments.

8 (c) INAPPLICABILITY OF ABATEMENT AB INITIO DOCTRINE TO CONVICTIONS UNDER
9 MILITARY COMMISSION PROCEEDINGS.—

10 (1) Subsection (b)(3) of section 950c of title 10, United States Code, is amended
11 by striking “must be filed” and all that follows in that subsection and inserting “may be
12 filed at any time after referral of charges.”.

13 (2) Such section is further amended by adding at the end the following new
14 subsection:

15 “(e) INAPPLICABILITY OF ABATEMENT AB INITIO DOCTRINE UPON DEATH OF CONVICTED
16 ACCUSED.—(1) The death of a convicted accused does not negate, invalidate, affect, or otherwise
17 result in abatement ab initio of any finding or sentence as pronounced by a military commission,
18 even if such finding or sentence has not been approved by the convening authority. If a convicted
19 accused who has been sentenced by a military commission dies before the convening authority
20 approves the findings and sentence, the convening authority may nevertheless review such
21 findings and sentence pursuant to section 950b of this title, but may not disapprove any finding
22 or sentence on the sole basis that the accused is deceased.

1 “(2)(A) The death of a convicted accused bars review under sections 950f and 950g of
2 this title.

3 “(B) If a convicted accused dies after review under section 950f or 950g of this title has
4 begun but before such review is completed, the death terminates such review.

5 “(C) Upon the death of a convicted accused, neither the Court of Military Commissions
6 Review nor any other court shall have jurisdiction to review the findings and sentence as
7 approved by the convening authority, nor shall they have jurisdiction to review any collateral
8 proceedings or petitions for extraordinary relief, regarding any findings or sentence as
9 pronounced by a military commission, even if such findings or sentence have not yet been
10 approved by the convening authority.

11 “(3) This subsection applies when a convicted accused dies—

12 “(A) regardless of whether the conviction occurred before or after the date of the
13 enactment of this subsection; and

14 “(B) regardless of whether the accused pleaded guilty to an offense under this
15 chapter or was found guilty of any offense under this chapter contrary to the plea of the
16 accused.

17 “(4) Nothing in this subsection grants an accused the right to appellate review if the
18 accused has waived the right to appellate review.

19 “(5) In this subsection, the term ‘convicted accused’ means an accused who has been
20 found guilty of any offense under this chapter.”.

21 (d) CLARIFICATION OF JURISDICTION OF MILITARY COMMISSIONS UNDER RULES
22 PRESCRIBED BY SECRETARY OF DEFENSE.— Section 948d of title 10, United States Code, is
23 amended by inserting “or the Secretary of Defense” after “President”.

**[Note: The “Changes to Existing Law” section below sets out in red-line
format how the legislative text would amend existing law.]**

Section-by-Section Analysis

This proposal would make four changes in the statute relating to the administration of military commissions.

Subsection (a) of this proposal would repeal the section in the Military Commissions Act (MCA), chapter 47A of title 10, United States Code, regarding the military justice concept of “unlawful influence” or UI. The MCA prohibits any person from coercing or by unauthorized means attempting to influence the commission, the United States Court of Military Commission Review, or the prosecution and defense. The MCA provision is modeled after, but much larger than, the Uniform Code of Military Justice prohibition on unlawful command influence (UCI). That prohibition is intended to protect servicemembers facing criminal charges from the prejudicial effect of the chain of command. It is a paternalistic protection intended to relieve servicemembers from punishment based on the actual or perceived favored outcome of military leadership. The principle does not make sense in the prosecution of alien, legally unprivileged, enemy, belligerents. This provision has extensive litigation in the military commissions, leading to extended delay. So much so that the Circuit Court of Appeals for the District of Columbia Circuit recently opined, “In these proceedings [military commissions] Respondents have asserted numerous unlawful influence challenges against various government officials, including the Secretary of Defense.” *In Re United States, slip opinion* at 49, Case No. 25-1009 (D.C. Circuit July 11 2025). Similarly, the defense has filed various motions alleging UI by Senators and Members of the House of Representatives for expressing their views about the efficacy of the military commission process and its judicial decisions. There is no similar provision in Federal law, and it is an unnecessary litigation distraction in these cases.

Subsection (b) of this proposal would amend chapter 47A of title 10, United States Code to clarify the authority of military judges presiding over military commissions to unilaterally punish contempt, to enforce judicial orders, and to punish violations of those orders as contempt. The proposal would also bring the contempt authority and review process of chapter 47A into accord with the Uniform Code of Military Justice (chapter 47 of title 10). The MCA includes contempt in section 950(t) of title 10 as a “crime triable by military commission.” This is a departure from the UCMJ, which includes contempt in subchapter VII (Trial Procedure) and not subchapter X (Punitive Articles). This disparity has proven problematic in military commissions.

Currently, in order for a military commission judge to hold contempt proceedings, the judge must convene a panel of jurors and conduct a hearing before that panel. This is the result of a federal district court interpretation of the MCA by Judge Royce Lamberth in a habeas proceeding, wherein he held that the military judge who convicted a defense counsel of contemptuous conduct for ignoring a court order, lacked the authority to conduct a judge-alone contempt proceeding. *See Baker v. Spath*, No. 17-cv-2311, 2018 U.S. Dist. LEXIS 101622 at 2 (D.D.C. June 18, 2018). Therein, J. Lamberth determined that the term “military commission” as used in 10 U.S.C. 950t(31) does not refer to the military judge presiding over a military commission.

Subsection (a)—Authority To Punish. Subsection (a)(1) of proposed section 949o-1 is identical to 10 U.S.C. 848 after the amendments from the NDAA for FY2017 take effect (10 U.S.C. 848 as amended). Subsection (a)(2) of proposed section 949o-1 is not substantively different from 10 U.S.C. 848 as amended. The proposed differences are conforming in nature. The conforming changes are in recognition of the fact that the United States Court of Military

Commission Review is the intermediate appellate court for military commissions and military commissions are presided over by the military judges detailed to them. The proposed amendment removes references to the statutory rules of procedure governing the United States Court of Military Commission Review (10 U.S.C. 950f), which do not contemplate review of punishments for contempt. Finally, military commission procedures do not contemplate the use of military magistrates, and courts of inquiry are not governed by chapter 47A of title 10. Therefore, the paragraphs of 10 U.S.C. 848 as amended that reference military magistrates and courts of inquiry are not included in the proposed new section.

Subsection (b)—Punishment. Subsection (b) of proposed section 949o-1 is identical to 10 U.S.C. 848 as amended.

Subsection (c)—Review. Subsection (c) of proposed section 949o-1 is not substantively different from 10 U.S.C. 848. The proposed changes are conforming in nature. The conforming changes are in recognition of the fact that the United States Court of Military Commission Review is the intermediate appellate court for military commissions and the United States Court of Appeals for the District of Columbia Circuit is designated as the review authority for their final judgments. The proposed amendment removes references to the statutory rules of procedure governing (1) the United States Court of Military Commission Review (10 U.S.C. 950f) and (2) review by the United States Court of Appeals for the District of Columbia Circuit (10 U.S.C. 950g), which do not contemplate review of punishments for contempt. Finally, courts of inquiry are not governed by chapter 47A of title 10. Therefore, the paragraph of 10 U.S.C. 848 that references courts of inquiry is not included in the proposed new section.

Subsection (d)—Punishment Not Conviction. Subsection (d) of proposed section 949o-1 is substantively different from 10 U.S.C. 848. The proposed section includes language that would make clear that punishment for contempt is not a trial by military commission subject to the same procedural requirements as military commissions convened to try alien unprivileged enemy belligerents for violations of the law of war and other offenses triable by military commission. This change is necessary in light of a ruling of the United States District Court for the District of Columbia. *See Baker v. Spath*, No. 17-cv-2311, 2018 U.S. Dist. LEXIS 101622, at *32–40 (D.D.C. June 18, 2018) (Lamberth, J.) (ECF No. 25). As discussed above, the district court determined that “one can only be convicted by a military commission of contempt by concurrence of two-thirds of the primary members (except as provided in § 949i(b), which concerns plea bargains and is of no relevance to this case).” *Id.* at *36. The proposed new section would bring the military commission practice into conformance with longstanding court-martial procedure, which has treated punishment for contempt differently than court-martial convictions.

Subsection (c) of this proposal would amend chapter 47A of title 10, United States Code (“U.S.C.”), to ensure that no conviction of any offense under chapter 47A, whether pursuant to or contrary to an accused’s pleas, would be abated ab initio if the accused were to die between the date of conviction and any final appellate review, unless such appellate review has been waived.

The Military Commissions Act of 2009 (“M.C.A.”) provided for appellate review of military commissions convictions, unless an accused waived such appellate review. Jurisdiction for non-waived appellate review would vest in the U.S. Court of Military Commission Review (“U.S.C.M.C.R.”) and then at the U.S. Court of Appeals for the District of Columbia Circuit (“Court of Appeals”). *See* 10 U.S.C. 950c, 950f, 950g.

The doctrine of abatement ab initio holds that “the death of a criminal defendant following conviction, but before an appeal can be made, is a ground for abatement. The effect of abatement is to discontinue all proceedings ab initio—dismiss the appeal as moot, overturn the conviction, and dismiss the indictment. Essentially, the defendant is left as if he or she had never been charged.” Timothy A. Razel, *Dying To Get Away With It: How the Abatement Doctrine Thwarts Justice--And What Should Be Done Instead*, 75 *FORDHAM L. REV.* 2193, 2196 (2007). See also Rosanna Cavallaro, *Better Off Dead: Abatement, Innocence and the Evolving Right of Appeal*, 73 *U. COLO. L. REV.* 943, 951 (2002).

Courts have applied the doctrine in high profile cases in recent years, for instance in the federal prosecution of Ken Lay (regarding financial improprieties at Enron). In that case, a federal district judge applied precedent of the U.S. Court of Appeals for the Fifth Circuit and abated Mr. Lay’s prosecution ab initio after his post-conviction death. *United States v. Lay*, 456 F. Supp. 2d 869, 875 (S.D. Tex. 2006) (concluding that “Lay’s conviction must be vacated and that this action against him must be dismissed”). As the military commission accused age, the risk of death before completion of appellate proceedings (if they are convicted) suggests that statutory revisions may be warranted to preserve any convictions.

The M.C.A. does not make provision for what occurs to appellate or collateral review if an accused were to die between the conclusion of trial, after findings and sentencing, and the completion of any appellate proceedings to which an accused may be entitled. If any accused were to succumb to disease, or if previously released accused who have returned to the battlefield were killed in armed conflict, extant case law does not guarantee that convictions would survive that accused’s death.

The proposed amendment to the M.C.A. would ensure that no conviction would be overturned, or abated ab initio, as a result of the death of an accused. It would also strip the U.S.C.M.C.R. and Court of Appeals of jurisdiction to continue with any appeals on behalf of the accused, and it would prevent those two courts from exercising jurisdiction over any collateral proceedings to attack the finality of any findings or sentence as announced by a military commission.

Subsection (d): Subsection (d) of this proposal would amend section 948d of title 10, United States Code (“U.S.C.”), to clarify that a military commission may “adjudge . . . the penalty of death” in accordance with regulations prescribed by either the President *or the Secretary of Defense*. Under current law, only the Secretary of Defense is statutorily authorized to prescribe rules for military commissions convened pursuant to chapter 47A of title 10. See 10 U.S.C. 949a(a). Pursuant to that authority, the Secretary of Defense prescribed the current Manual for Military Commissions on January 12, 2017, which includes rules governing capital sentences. See Manual for Military Commissions, Foreword (2016 rev. ed.); *id.*, Rule for Military Commissions (“R.M.C.”) 1004. However, if a military commission were to adjudge the death penalty pursuant to rules prescribed by the Secretary of Defense, it would be unclear whether such a sentence would be valid under 10 U.S.C. 948d because that section, at present, only explicitly authorizes a military commission to adjudge a death sentence “under such limitations as *the President* may prescribe.” (emphasis added).

The proposed amendment would thus give military commissions convened under chapter 47A of title 10 express statutory authority to adjudge a death sentence in instances where the Secretary of Defense has prescribed the rules governing capital sentences, including the rules

establishing the aggravating factors that a military commission must find as a predicate to adjudging a death sentence.

The proposed amendment will accomplish these purposes without impairing the President’s oversight of capital sentences, and it will not affect prior convictions. All adjudged sentences of death must be reviewed by the President, and the proposed amendment does not affect that section of chapter 47A. *See* 10 U.S.C. 950i(b) (“If the sentence of a military commission under this chapter extends to death, that part of the sentence providing for death may not be executed until approved by the President.”). Additionally, the proposed amendment will not impact prior convictions because only the pending cases of *United States v. Al Nashiri* and *United States v. Mohammad, et al.* carry the possibility of such a sentence.

This proposed amendment will also enhance the Government’s ability to defend any capital sentences adjudged on appeal against a claim that Congress did not intend to delegate the promulgation of aggravating factors to the Secretary of Defense. *See Loving v. United States*, 517 U.S. 748, 769 (1996) (finding statute defining jurisdiction of courts-martial, 18 U.S.C. 818, evinced congressional intent to delegate its authority to prescribe aggravating factors to the President). This issue has not yet been raised in any military commission.

In addition to enacting the proposed amendment, it may be necessary for the President to prescribe (or ratify) the rules governing capital cases that have already been prescribed by the Secretary of Defense. The Supreme Court’s opinion in *Loving* casts doubt on the authority of an official other than the President to prescribe aggravating factors for capital crimes tried by military tribunals. *See Loving*, 517 U.S. at 772–73 (“The President’s duties as Commander in Chief, however, require him to take responsible and continuing action to superintend the military, including the courts-martial. The delegated duty, then, is interlinked with duties already assigned to the President by express terms of the Constitution, and the same limitations on delegation do not apply ‘where the entity exercising the delegated authority itself possesses independent authority over the subject matter.’” (quoting *United States v. Mazurie*, 419 U.S. 544, 556–57 (1975))).

Resource Information: This proposal has no impact on the use of resources requested within the Fiscal Year (FY) 2027 President’s Budget.

Changes to Existing Law: This proposal would add a new section 949o-1 to title 10, United States Code, which is set out in full in the legislative text above.

The proposal would also amend chapter 47A of title 10, United States Code, as follows:

CHAPTER 47A—MILITARY COMMISSIONS

* * * * *

§948d. Jurisdiction of military commissions

A military commission under this chapter shall have jurisdiction to try persons subject to this chapter for any offense made punishable by this chapter, sections 904 and 906 of this title (articles 104 and 106 of the Uniform Code of Military Justice), or the law of war, whether such offense was committed before, on, or after September 11, 2001, and may, under such limitations as the President **or the Secretary of Defense** may prescribe, adjudge any punishment not forbidden by this chapter, including the penalty of death when specifically authorized under this

chapter. A military commission is a competent tribunal to make a finding sufficient for jurisdiction.

* * * * *

~~§949b. Unlawfully influencing action of military commission and United States Court of Military Commission Review~~

~~(a) MILITARY COMMISSIONS.—(1) No authority convening a military commission under this chapter may censure, reprimand, or admonish the military commission, or any member, military judge, or counsel thereof, with respect to the findings or sentence adjudged by the military commission, or with respect to any other exercises of its or their functions in the conduct of the proceedings.~~

~~(2) No person may attempt to coerce or, by any unauthorized means, influence—~~

~~(A) the action of a military commission under this chapter, or any member thereof, in reaching the findings or sentence in any case;~~

~~(B) the action of any convening, approving, or reviewing authority with respect to their judicial acts; or~~

~~(C) the exercise of professional judgment by trial counsel or defense counsel.~~

~~(3) The provisions of this subsection shall not apply with respect to—~~

~~(A) general instructional or informational courses in military justice if such courses are designed solely for the purpose of instructing members of a command in the substantive and procedural aspects of military commissions; or~~

~~(B) statements and instructions given in open proceedings by a military judge or counsel.~~

~~(b) UNITED STATES COURT OF MILITARY COMMISSION REVIEW.—(1) No person may attempt to coerce or, by any unauthorized means, influence—~~

~~(A) the action of a judge on the United States Court of Military Commissions Review in reaching a decision on the findings or sentence on appeal in any case; or~~

~~(B) the exercise of professional judgment by trial counsel or defense counsel appearing before the United States Court of Military Commission Review.~~

~~(2) No person may censure, reprimand, or admonish a judge on the United States Court of Military Commission Review, or counsel thereof, with respect to any exercise of their functions in the conduct of proceedings under this chapter.~~

~~(3) The provisions of this subsection shall not apply with respect to—~~

~~(A) general instructional or informational courses in military justice if such courses are designed solely for the purpose of instructing members of a command in the substantive and procedural aspects of military commissions; or~~

~~(B) statements and instructions given in open proceedings by a judge on the United States Court of Military Commission Review, or counsel.~~

~~(4) No appellate military judge on the United States Court of Military Commission Review may be reassigned to other duties, except under circumstances as follows:~~

~~(A) The appellate military judge voluntarily requests to be reassigned to other duties and the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, approves such reassignment.~~

~~(B) The appellate military judge retires or otherwise separates from the armed forces.~~

~~(C) The appellate military judge is reassigned to other duties by the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, based on military necessity and such reassignment is consistent with service rotation regulations (to the extent such regulations are applicable).~~

~~(D) The appellate military judge is withdrawn by the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, for good cause consistent with applicable procedures under chapter 47 of this title (the Uniform Code of Military Justice).~~

~~(e) PROHIBITION ON CONSIDERATION OF ACTIONS ON COMMISSION IN EVALUATION OF FITNESS.—In the preparation of an effectiveness, fitness, or efficiency report or any other report or document used in whole or in part for the purpose of determining whether a commissioned officer of the armed forces is qualified to be advanced in grade, or in determining the assignment or transfer of any such officer or whether any such officer should be retained on active duty, no person may—~~

~~(1) consider or evaluate the performance of duty of any member of a military commission under this chapter; or~~

~~(2) give a less favorable rating or evaluation to any commissioned officer because of the zeal with which such officer, in acting as counsel, represented any accused before a military commission under this chapter.~~

* * * * *

§ 950c. Appellate referral; waiver or withdrawal of appeal

(a) ~~AUTOMATIC REFERRAL FOR APPELLATE REVIEW.—~~Except as provided in subsection (b), in each case in which the final decision of a military commission under this chapter (as approved by the convening authority) includes a finding of guilty, the convening authority shall refer the case to the United States Court of Military Commission Review. Any such referral shall be made in accordance with procedures prescribed under regulations of the Secretary.

(b) ~~WAIVER OF RIGHT OF REVIEW.—~~(1) Except in a case in which the sentence as approved under section 950b of this title extends to death, an accused may file with the convening authority a statement expressly waiving the right of the accused to appellate review by the United States Court of Military Commission Review under section 950f of this title of the final decision of the military commission under this chapter

(2) A waiver under paragraph (1) shall be signed by both the accused and a defense counsel.

(3) ~~A waiver under paragraph (1) must be filed, if at all, within 10 days after notice of the action is served on the accused or on defense counsel under section 950b(c)(4) of this title. The convening authority, for good cause, may extend the period for such filing by not more than 30 days may be filed at any time after referral of charges.~~

(c) ~~WITHDRAWAL OF APPEAL.—~~Except in a case in which the sentence as approved under section 950b of this title extends to death, the accused may withdraw an appeal at any time.

(d) ~~EFFECT OF WAIVER OR WITHDRAWAL.—~~A waiver of the right to appellate review or the withdrawal of an appeal under this section bars review under section 950f of this title.

(e) INAPPLICABILITY OF ABATEMENT AB INITIO DOCTRINE UPON DEATH OF CONVICTED ACCUSED.—(1) The death of a convicted accused does not negate, invalidate, affect, or otherwise result in abatement ab initio of any finding or sentence as pronounced by a military commission, even if such finding or sentence has not been approved by the convening authority. If a convicted accused who has been sentenced by a military commission dies before the convening authority approves the findings and sentence, the convening authority may nevertheless review such findings and sentence pursuant to section 950b of this title, but may not disapprove any finding or sentence on the sole basis that the accused is deceased.

(2)(A) The death of a convicted accused bars review under sections 950f and 950g of this title.

(B) If a convicted accused dies after review under section 950f or 950g of this title has begun but before such review is completed, the death terminates such review.

(C) Upon the death of a convicted accused, neither the Court of Military Commissions Review nor any other court shall have jurisdiction to review the findings and sentence as approved by the convening authority, nor shall they have jurisdiction to review any collateral proceedings or petitions for extraordinary relief, regarding any findings or sentence as pronounced by a military commission, even if such findings or sentence have not yet been approved by the convening authority.

(3) This subsection applies when a convicted accused dies—

(A) regardless of whether the conviction occurred before or after the date of the enactment of this subsection; and

(B) regardless of whether the accused pleaded guilty to an offense under this chapter or was found guilty of any offense under this chapter contrary to the plea of the accused.

(4) Nothing in this subsection grants an accused the right to appellate review if the accused has waived the right to appellate review.

(5) In this subsection, the term “convicted accused” means an accused who has been found guilty of any offense under this chapter.

1 **SEC. __. INCREASE IN CAP FOR SUPPORT OF SMALL SCALE CONSTRUCTION**
2 **PROJECTS OF FOREIGN PARTNERS IN SUPPORT OF**
3 **COUNTERDRUG ACTIVITIES AND ACTIVITIES TO COUNTER**
4 **TRANSNATIONAL ORGANIZED CRIME.**

5 (a) INCREASE IN CAP.—Subsection (i)(3) of section 284 of title 10, United States Code, is
6 amended by striking “\$1,000,000” and inserting “\$2,000,000”.

7 (b) TECHNICAL CORRECTION RELATING TO CONGRESSIONAL NOTIFICATION
8 REQUIREMENTS.—Subsection (h)(1)(B) of such section is amended by inserting “minor military
9 construction or” after “any”.

[Note: The “Changes to Existing Law” section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal would enhance the ability of the Department of Defense (DoD) to support the counterdrug (CD) small-scale construction (SSC) projects of foreign partners. The current cap for these projects, established in 2024, is \$1,000,000. Since that time, continued inflation and the increasing cost of materials have challenged the ability of the U.S. Government to provide meaningful SSC support to foreign CD partners. By increasing DoD’s authority to assist foreign CD partners with SSC, this proposal, if enacted, would enable DoD to ensure foreign partners do not turn to competitors, such as Russia and the People’s Republic of China, for this support. Additionally, this proposal includes a technical correction to Congressional notification requirements for minor military construction projects in support of agencies of the United States.

Presently, the statutory language for the Congressional notification requirements for small scale construction projects indicates that small scale construction is executable as support to agencies of the United States under subsection (b). However, small scale construction is only authorized as support to foreign law enforcement agencies under subsection (c). The technical correction clarifies that the congressional notification is for minor military construction projects to be executed in support of agencies of the United States, as is authorized by subsection (b).

Resource Information: This proposal has no impact on the use of resources requested within the Fiscal Year (FY) 2027 President’s Budget. This proposal requests an increase to the statutory cap for individual small-scale construction projects, not additional resources.

Changes to Existing Law: This proposal would amend section 284 of title 10, United States Code, as follows:

§ 284. Support for counterdrug activities and activities to counter transnational organized crime

(a) SUPPORT TO OTHER AGENCIES.—The Secretary of Defense may provide support for the counterdrug activities or activities to counter transnational organized crime of any other department or agency of the Federal Government or of any State, local, tribal, or foreign law enforcement agency for any of the purposes set forth in subsection (b) or (c), as applicable, if—

(1) in the case of support described in subsection (b), such support is requested—

(A) by the official who has responsibility for the counterdrug activities or activities to counter transnational organized crime of the department or agency of the Federal Government, in the case of support for other departments or agencies of the Federal Government; or

(B) by the appropriate official of a State, local, or tribal government, in the case of support for State, local, or tribal law enforcement agencies; or

(2) in the case of support described in subsection (c), such support is requested by an appropriate official of a department or agency of the Federal Government, in coordination with the Secretary of State, that has counterdrug responsibilities or responsibilities for countering transnational organized crime.

(b) TYPES OF SUPPORT FOR AGENCIES OF UNITED STATES.—The purposes for which the Secretary may provide support under subsection (a) for other departments or agencies of the Federal Government or a State, local, or tribal law enforcement agencies, are the following:

(1) The maintenance and repair of equipment that has been made available to any department or agency of the Federal Government or to any State, local, or tribal government by the Department of Defense for the purposes of—

(A) preserving the potential future utility of such equipment for the Department of Defense; and

(B) upgrading such equipment to ensure compatibility of that equipment with other equipment used by the Department.

(2) The maintenance, repair, or upgrading of equipment (including computer software), other than equipment referred to in paragraph (1) for the purpose of—

(A) ensuring that the equipment being maintained or repaired is compatible with equipment used by the Department of Defense; and

(B) upgrading such equipment to ensure the compatibility of that equipment with equipment used by the Department.

(3) The transportation of personnel of the United States and foreign countries (including per diem expenses associated with such transportation), and the transportation of supplies and equipment, for the purpose of facilitating counterdrug activities or activities to counter transnational organized crime within or outside the United States.

(4) The establishment (including an unspecified minor military construction project) and operation of bases of operations or training facilities for the purpose of facilitating counterdrug activities or activities to counter transnational organized crime of the Department of Defense or any Federal, State, local, or tribal law enforcement agency within or outside the United States.

(5) Counterdrug or counter-transnational organized crime related training of law enforcement personnel of the Federal Government, of State, local, and tribal governments, including associated support expenses for trainees and the provision of materials necessary to carry out such training.

(6) The detection, monitoring, and communication of the movement of—

(A) air and sea traffic within 25 miles of and outside the geographic boundaries of the United States; and

(B) surface traffic outside the geographic boundary of the United States and within the United States not to exceed 25 miles of the boundary if the initial detection occurred outside of the boundary.

(7) Construction of roads and fences and installation of lighting to block drug smuggling corridors across international boundaries of the United States.

(8) Establishment of command, control, communications, and computer networks for improved integration of law enforcement, active military, and National Guard activities.

(9) The provision of linguist, intelligence analysis, and planning services.

(10) Aerial and ground reconnaissance.

(c) TYPES OF SUPPORT FOR FOREIGN LAW ENFORCEMENT AGENCIES.—

(1) PURPOSES.—The purposes for which the Secretary may provide support under subsection (a) for foreign law enforcement agencies are the following:

(A) The transportation of personnel of the United States and foreign countries (including per diem expenses associated with such transportation), and the transportation of supplies and equipment, for the purpose of facilitating counterdrug activities or activities to counter transnational organized crime within or outside the United States.

(B) The establishment (including small scale construction) and operation of bases of operations or training facilities for the purpose of facilitating counterdrug activities or activities to counter transnational organized crime of a foreign law enforcement agency outside the United States.

(C) The detection, monitoring, and communication of the movement of—

(i) air and sea traffic within 25 miles of and outside the geographic boundaries of the United States; and

(ii) surface traffic outside the geographic boundaries of the United States.

(D) Establishment of command, control, communications, and computer networks for improved integration of United States Federal and foreign law enforcement entities and United States Armed Forces.

(E) The provision of linguist and intelligence analysis services.

(F) Aerial and ground reconnaissance.

(2) COORDINATION WITH SECRETARY OF STATE.—In providing support for a purpose described in this subsection, the Secretary shall coordinate with the Secretary of State.

(d) CONTRACT AUTHORITY.—In carrying out subsection (a), the Secretary may acquire services or equipment by contract for support provided under that subsection if the Department of Defense would normally acquire such services or equipment by contract for the purpose of

conducting a similar activity for the Department.

(e) LIMITED WAIVER OF PROHIBITION.—Notwithstanding section 276 of this title, the Secretary may provide support pursuant to subsection (a) in any case in which the Secretary determines that the provision of such support would adversely affect the military preparedness of the United States in the short term if the Secretary determines that the importance of providing such support outweighs such short-term adverse effect.

(f) CONDUCT OF TRAINING OR OPERATION TO AID CIVILIAN AGENCIES.—In providing support pursuant to subsection (a), the Secretary may plan and execute otherwise valid military training or operations (including training exercises undertaken pursuant to section 1206(a) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189; 103 Stat. 1564)) for the purpose of aiding civilian law enforcement agencies.

(g) RELATIONSHIP TO OTHER SUPPORT AUTHORITIES.—

(1) ADDITIONAL AUTHORITY.—The authority provided in this section for the support of counterdrug activities or activities to counter transnational organized crime by the Department of Defense is in addition to, and except as provided in paragraph (2), not subject to the other requirements of this chapter.

(2) EXCEPTION.—Support under this section shall be subject to the provisions of section 275 and, except as provided in subsection (e), section 276 of this title.

(h) CONGRESSIONAL NOTIFICATION.—

(1) IN GENERAL.—Not less than 15 days before providing support for an activity under subsection (a), the Secretary of Defense shall submit to the appropriate committees of Congress a written and electronic notice of the following:

(A) In the case of support for a purpose described in subsection (c)—

(i) the country the capacity of which will be built or enabled through the provision of such support;

(ii) the budget, implementation timeline with milestones, anticipated delivery schedule for support, and completion date for the purpose or project for which support is provided;

(iii) the source and planned expenditure of funds provided for the project or purpose;

(iv) a description of the arrangements, if any, for the sustainment of the project or purpose and the source of funds to support sustainment of the capabilities and performance outcomes achieved using such support, if applicable;

(v) a description of the objectives for the project or purpose and evaluation framework to be used to develop capability and performance metrics associated with operational outcomes for the recipient;

(vi) information, including the amount, type, and purpose, about the support provided the country during the three fiscal years preceding the fiscal year for which the support covered by the notice is provided under this section under—

(I) this section;

(II) section 23 of the Arms Export Control Act (22 U.S.C.

2763);

(III) peacekeeping operations;

(IV) the International Narcotics Control and Law Enforcement program under section 481 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291);

(V) Nonproliferation, Anti-Terrorism, Demining, and Related Programs;

(VI) counterdrug activities authorized by section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85); or

(VII) any other significant program, account, or activity for the provision of security assistance that the Secretary of Defense and the Secretary of State consider appropriate;

(vii) an evaluation of the capacity of the recipient country to absorb the support provided; and

(viii) an evaluation of the manner in which the project or purpose for which the support is provided fits into the theater security cooperation strategy of the applicable geographic combatant command.

(B) In the case of support for a purpose described in subsection (b) or (c), a description of any minor military construction or small scale construction project for which support is provided.

(2) COORDINATION WITH SECRETARY OF STATE.—In providing notice under this subsection for a purpose described in subsection (c), the Secretary of Defense shall coordinate with the Secretary of State.

(3) QUARTERLY REPORTS.—

(A) IN GENERAL.—Not less frequently than once each quarter, the Secretary shall submit to the appropriate committees of Congress a report on Department of Defense support provided under subsection (b) during the quarter preceding the quarter during which the report is submitted. Each such report shall be submitted in written and electronic form and shall include—

(i) an identification of each recipient of such support;

(ii) a description of the support provided and anticipated duration of such support; and

(iii) a description of the sources and amounts of funds used to provide such support;

(B) APPROPRIATE COMMITTEES OF CONGRESS.—Notwithstanding subsection (i)(1), for purposes of a report under this paragraph, the appropriate committees of Congress are—

(i) the congressional defense committees; and

(ii) any committee with jurisdiction over the department or agency that receives support covered by the report.

(i) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Appropriations,

and the Committee on Foreign Relations of the Senate.

(2) The term “Indian tribe” means a Federally recognized Indian tribe.

(3) The term “small scale construction” means construction at a cost not to exceed ~~\$1,000,000~~ \$2,000,000 for any project.

(4) The term “tribal government” means the governing body of an Indian tribe, the status of whose land is “Indian country” as defined in section 1151 of title 18 or held in trust by the United States for the benefit of the Indian tribe.

(5) The term “tribal law enforcement agency” means the law enforcement agency of a tribal government.

(6) The term “transnational organized crime” means self-perpetuating associations of individuals who operate transnationally for the purpose of obtaining power, influence, monetary, or commercial gains, wholly or in part by illegal means, while protecting their activities through a pattern of corruption or violence or through a transnational organization structure and the exploitation of transnational commerce or communication mechanisms.

1 **SEC. ___. MODIFICATION TO CERTAIN READINESS REPORTING**
2 **REQUIREMENTS.**

3 (a) ADDITION OF TOTAL FORCE READINESS IN THE ANNUAL RISK ASSESSMENT.—

4 Paragraph (2)(B) of section 153(b) of title 10, United States Code, is amended by adding at the
5 end the following new clause:

6 “(viii) Identify and assess risk resulting from, or likely to result from,
7 current or projected military readiness of the Total Force, including the medical
8 readiness of the armed forces and the Defense Health Agency.”.

9 (b) CONTENT OF RISK MITIGATION PLAN.—Paragraph (4)(B) of such section is
10 amended—

11 (1) in the matter preceding clause (i), by striking “risk or deficiency. A plan for
12 mitigating such risk of deficiency under this subparagraph” and inserting “risk, to be
13 known as a Risk Mitigation Plan. Each Risk Mitigation Plan shall be submitted in
14 writing, with a copy provided to the Chairman of the Joint Chiefs of Staff. A Risk
15 Mitigation Plan for a year”;

16 (2) by striking “and” at the end of clause (i);

17 (3) by striking the period at the end of clause (ii) and inserting “; and”; and

18 (4) by adding at the end the following new clause:

19 “(iii) include an annex with a description of readiness issues or
20 deficiencies (and associated mitigations) that affect the ground, sea, air, space,
21 cyber, or special operations forces, and any other area determined appropriate by
22 the Secretary of Defense, including, for each identified issue or deficiency, the

1 key contributing factors and indicators and other relevant information related to
2 the issue or deficiency.”.

3 (c) ELIMINATION OF SEMIANNUAL READINESS REPORT.—Section 482 of such title is
4 amended—

5 (1) by amending subsection (a) to read as follows:

6 “(a) COORDINATION WITH RISK MITIGATION PLANS.—In any Risk Mitigation Plan
7 submitted to Congress pursuant to section 153(b)(4) of this title, the Secretary of Defense shall
8 include information on military readiness of the Total Force.”;

9 (2) by striking subsection (b);

10 (3) by redesignating subsections (c), (d), and (e) as subsections (b), (c), and (d),
11 respectively;

12 (4) in subsection (b), as so redesignated—

13 (A) by striking “under subsection (b)” and inserting “under subsection
14 (a)”;

15 (B) by striking “in the report for a quarter” and inserting “in a Risk
16 Mitigation Plan for a year”; and

17 (C) by striking “during that quarter” and inserting “during that year”; and

18 (5) in paragraph (2) of subsection (c), as so redesignated, by striking “quarterly
19 reports” and inserting “information on readiness”.

**[Note: The “Changes to Existing Law” section below sets out in red-line
format how the legislative text would amend existing law.]**

Section-by-Section Analysis

This proposal would streamline and improve the effectiveness of Department of Defense (DoD) readiness reporting to Congress. Currently, the DoD submits multiple reports, including the Semiannual Readiness Report to Congress (SRRC) and the Risk Mitigation Plan (RMP),

which have overlapping information. This proposal would eliminate the outdated SRRC, which has limited strategic value, and enhances the RMP to provide a more focused and useful assessment of DoD readiness. Additionally, it aligns the periodicity of Readiness reporting to the Fiscal Year to support essential budgetary processes.

This streamlined approach offers several key benefits. It improves Congressional oversight by providing more relevant information tied to strategic challenges and resourcing decisions. It also reduces redundancy and administrative burden on DoD staff, resulting in estimated annual savings of \$240,800. The shift to a fiscal year timeline for the RMP further enables more effective resource alignment with budget processes and allocation for critical readiness needs. This change promotes greater transparency and efficiency in communicating DoD readiness to Congress, ultimately leading to better-informed decisions regarding national security.

Resource Information: This proposal has no significant impact on the use of resources requested within the Fiscal Year (FY) 2027 President's Budget. This proposal will decrease staff workload and coordination and yield approximately \$240,800 (\$233,700-expenses and \$7,100-DoD labor) in savings per year, which is the assessed cost of the SRRC.

Changes to Existing Law: This proposal would amend sections 153 and 482 of title 10, United States Code, as follows:

§ 153. Chairman: functions

(a) PLANNING; ADVICE; POLICY FORMULATION.—Subject to the authority, direction, and control of the President and the Secretary of Defense, the Chairman of the Joint Chiefs of Staff shall be responsible for the following:

(1) ***

(b) NATIONAL MILITARY STRATEGY.—

(1) ***

(2) RISK ASSESSMENT.—(A) The Chairman shall prepare each year an assessment of the risks associated with the most current National Military Strategy (or update) under paragraph (1). The risk assessment shall be known as the "Risk Assessment of the Chairman of the Joint Chiefs of Staff". The Chairman shall complete preparation of the Risk Assessment in time for transmittal to Congress pursuant to paragraph (3), including in time for inclusion in the report of the Secretary of Defense, if any, under paragraph (4).

(B) The Risk Assessment shall do the following:

(i) As the Chairman considers appropriate, update any changes to the strategic environment, threats, objectives, force planning and sizing constructs, assessments, and assumptions that informed the National Military Strategy (or update) required by this section.

(ii) Identify and define the military strategic risks to United States interests and military risks in executing the National Military Strategy (or update).

(iii) Identify and define levels of risk, including an identification of what constitutes "significant" risk in the judgment of the Chairman.

(iv)(I) Identify and assess risk in the National Military Strategy (or update) by category and level and the ways in which risk might manifest itself, including how risk is projected to increase, decrease, or remain stable over time; and

(II) for each category of risk, assess the extent to which current or future risk increases, decreases, or is stable as a result of budgetary priorities, tradeoffs, or fiscal constraints or limitations as currently estimated and applied in the current future-years defense program under section 221 of this title.

(v) Identify and assess risk associated with the assumptions or plans of the National Military Strategy (or update) about the contributions of external support, as appropriate.

(vi) Identify and assess the critical deficiencies and strengths in force capabilities (including manpower, logistics, intelligence, and mobility support) identified during the preparation and review of the contingency plans of each unified combatant command, and identify and assess the effect of such deficiencies and strengths for the National Military Strategy (or update).

(vii) Identify and assess risk resulting from, or likely to result from, current or projected effects on military installation resilience.

(viii) Identify and assess risk resulting from, or likely to result from, current or projected military readiness of the Total Force, including the medical readiness of the armed forces and the Defense Health Agency.

(3) SUBMITTAL OF NATIONAL MILITARY STRATEGY AND RISK ASSESSMENT TO CONGRESS.—(A) Not later than February 15 of each even-numbered year, the Chairman shall, through the Secretary of Defense, submit to the Committees on Armed Services of the Senate and the House of Representatives the National Military Strategy or update, if any, prepared under paragraph (1) in such year.

(B) Not later than February 15 each year, the Chairman shall, through the Secretary of Defense, submit to the Committees on Armed Services of the Senate and the House of Representatives the Risk Assessment prepared under paragraph (2) in such year.

(C) The National Military Strategy (or update) and Risk Assessment submitted under this subsection shall be classified in form, but shall include an unclassified summary.

(4) SECRETARY OF DEFENSE REPORTS TO CONGRESS.—(A) In transmitting a National Military Strategy (or update) or Risk Assessment to Congress pursuant to paragraph (3), the Secretary of Defense shall include in the transmittal such comments of the Secretary thereon, if any, as the Secretary considers appropriate.

(B) If the Risk Assessment transmitted under paragraph (3) in a year includes an assessment that a risk or risks associated with the National Military Strategy (or update) are significant, or that critical deficiencies in force capabilities exist for a contingency plan described in paragraph (2)(B)(vi), the Secretary shall include in the transmittal of the Risk Assessment the plan of the Secretary for mitigating such risk or deficiency. ~~A plan for mitigating risk of deficiency under this subparagraph~~, to be known as a Risk Mitigation Plan. Each Risk Mitigation Plan shall be submitted in writing, with a copy

provided to the Chairman of the Joint Chiefs of Staff. A Risk Mitigation Plan for a year shall—

(i) address the risk assumed in the National Military Strategy (or update) concerned, and the additional actions taken or planned to be taken to address such risk using only current technology and force structure capabilities; ~~and~~

(ii) specify, for each risk addressed, the extent of, and a schedule for expected mitigation of, such risk, and an assessment of the potential for residual risk, if any, after mitigation.; and

(iii) include an annex with a description of readiness issues or deficiencies (and associated mitigations) that affect the ground, sea, air, space, cyber, or special operations forces, and any other area determined appropriate by the Secretary of Defense. This should include the key contributing factors, indicators, and other relevant information related to each identified problem or deficiency.

(c) ***

§ 482. Readiness reports

~~(a) REPORTS AND BRIEFINGS.—(1) Not later than 30 days after the end of the second and fourth quarter of each calendar year, the Secretary of Defense shall submit to Congress a report regarding the military readiness of the active and reserve components and the Space Force. The Secretary of Defense shall submit each such report in writing and shall also submit a copy of each such report to the Chairman of the Joint Chiefs of Staff.~~

~~(2) Not later than 30 days after the end of the first and third quarter of each calendar year, the Secretary of Defense shall provide to Congress a briefing regarding the military readiness of the active and reserve components and the Space Force.~~

~~(3) Each report under this subsection shall contain the elements required by subsection (b) for the quarter covered by the report, and each briefing shall address any changes to the elements described in subsection (b) since the submittal of the most recently submitted report.~~

(a) COORDINATION WITH RISK MITIGATION PLANS.—In any Risk Mitigation Plan submitted to Congress pursuant to section 153(b)(4) of this title, the Secretary of Defense shall include information on military readiness of the Total Force.

~~(b) REQUIRED ELEMENTS.—The elements described in this subsection are each of the following:~~

~~(1) A description of each readiness problem or deficiency that affects the ground, sea, air, space, cyber, or special operations forces, and any other area determined appropriate by the Secretary of Defense.~~

~~(2) The key contributing factors, indicators, and other relevant information related to each identified problem or deficiency.~~

~~(3) The short term mitigation strategy the Department will employ to address each readiness problem or deficiency until a resolution is in place, as well as the timeline, cost, and any legislative remedies required to support the resolution.~~

~~(4) A summary of combat readiness ratings for the key force elements assessed, including specific information on personnel, supply, equipment, and training problems or deficiencies that affect the combat readiness ratings for each force element.~~

~~(5) The total number of upgrades and the total number of downgrades of the combat readiness of a unit that were issued by the commander of the unit, disaggregated by armed force.~~

~~(6) A summary of the readiness of supporting capabilities, including infrastructure, prepositioned equipment and supplies, and mobility assets, and other supporting logistics capabilities.~~

~~(7) A summary of the readiness of the combat support and related agencies, any readiness problem or deficiency affecting any mission essential tasks of any such agency, and actions recommended to address any such problem or deficiency.~~

~~(8) A list of all Class A, Class B, and Class C mishaps that occurred in operations related to combat support and training events involving aviation, ground, or naval platforms, weapons, space, or Government vehicles, as defined by Department of Defense Instruction 6055.07, or a successor instruction.~~

~~(9) Information on the extent to which units of the armed forces have removed serviceable parts, supplies, or equipment from one vehicle, vessel, or aircraft in order to render a different vehicle, vessel, or aircraft operational.~~

~~(10) Information regarding the extent to which any member of the armed forces is assigned or detailed outside the member's unit or away from training in order to perform any function that had previously been performed by civilian employees of the Federal Government.~~

~~(11) A summary of the joint medical estimate under section 732(b)(1) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1817) prepared by the Joint Staff Surgeon, with a mitigation plan to correct any readiness problem or deficiency and the timeline, cost, and any legislative action required to correct any such problem or deficiency.~~

~~(12) Such other information as determined necessary or appropriate by the Secretary of Defense.~~

~~(e) (b) CONSIDERATION OF READINESS ASSESSMENTS.—The information required under subsection (b) (a) to be included in the report for a quarter in a Risk Mitigation Plan for a year shall be based on readiness assessments that are provided during that quarter year—~~

~~(1) to any council, committee, or other body of the Department of Defense—~~

~~(A) that has responsibility for readiness oversight; and~~

~~(B) whose membership includes at least one civilian officer in the Office of the Secretary of Defense at the level of Assistant Secretary of Defense or higher;~~

~~(2) by senior civilian and military officers of the military departments and the commanders of the unified and specified commands; and~~

~~(3) as part of any regularly established process of periodic readiness reviews for the Department of Defense as a whole.~~

~~(d) (c) SEMI-ANNUAL JOINT FORCE READINESS REVIEW.—(1) Not later than 30 days after the last day of the first and third quarter of each calendar year, the Chairman of the Joint Chiefs of Staff shall submit to Congress a written report on the capability of the armed forces, the combat support and related agencies, operational contract support, and the geographic and~~

functional combatant commands to execute their wartime missions based upon their posture and readiness as of the time the review is conducted.

(2) The Chairman shall produce the report required under this subsection using information derived from the ~~quarterly reports~~ information on readiness required by subsection (a).

(3) Each report required by this subsection shall include an assessment by each commander of a geographic or functional combatant command of the readiness of the command to conduct operations in a multidomain battle that integrates ground, sea, air, space, cyber, and special operations forces.

(4) The Chairman shall submit to the Secretary of Defense a copy of each report under this subsection.

~~(e)~~ (d) CLASSIFICATION OF REPORTS.—A report under this section shall be submitted in unclassified form. To the extent the Secretary of Defense determines necessary, the report may also be submitted in classified form.

1 **SEC. ____ . MODERNIZATION OF JOINT PROFESSIONAL MILITARY EDUCATION.**

2 (a) MODERNIZATION.—Chapter 107 of title 10, United States Code, is amended to read as
3 follows:

4 **“CHAPTER 107—JOINT PROFESSIONAL MILITARY EDUCATION**

“Sec.

“2151. Joint professional military education: general provisions.

“2152. Joint professional military education: requirements.

“2153. Joint professional military education: three-phase approach

“2154. JPME credit and program accreditation; Joint Learning Areas

“2155. Joint acculturation through joint professional military education

“2156. Phase III program of instruction: capstone course.

“2157. Enlisted joint professional military education: requirements and resources.

“2158. Professional military education programs: admission of private sector civilians.

5 **“§2151. Joint professional military education: general provisions**

6 “(a) JOINT PROFESSIONAL MILITARY EDUCATION.—Joint Professional Military Education
7 is professional military education that progressively develops knowledge, skills, and abilities of
8 members of the armed forces and other authorized participants to synchronize joint forces and
9 capabilities into integrated strategies, campaigns, and operations.

10 “(b) JPME PROGRAMS.—Military educational institutions offering joint professional
11 military education programs are the following:

12 “(1) The Army War College.

13 “(2) The Army Command and General Staff College.

14 “(3) The Naval War College.

15 “(4) The Air University.

16 “(5) The Air War College.

17 “(6) The Air Command and Staff College.

18 “(7) The Air Force Global College.

19 “(8) The Marine Corps University.

1 “(9) The Marine Corps War College.
2 “(10) The Marine Corps Command and Staff College.
3 “(11) The College of Distance Education and Training.
4 “(12) Space Force Delta 13.
5 “(13) The National Defense University.
6 “(14) The National War College.
7 “(15) The Dwight D. Eisenhower School for National Security and Resource
8 Strategy.

9 “(16) The College of Information and Cyberspace.
10 “(17) The College of International Security Affairs.
11 “(18) The Joint Forces Staff College.
12 “(19) The National Intelligence University.

13 “(c) CHAIRMAN OF THE JOINT CHIEFS OF STAFF.—The Secretary of Defense shall carry
14 out this chapter with the advice and assistance of the Chairman of the Joint Chiefs of Staff.

15 **“§ 2152. Joint professional military education: requirements**

16 “(a) GENERAL REQUIREMENT.—The Secretary of Defense shall implement a
17 comprehensive framework for the rigorous joint professional military education of officers to
18 prepare officers for joint duty assignments and joint responsibilities within the armed forces.

19 “(b) QUADRENNIAL EFFECTIVENESS REVIEW.—

20 “(1) REVIEW.—The Secretary of Defense at least once every four years shall
21 assess the effectiveness of the joint professional military education system in helping to
22 generate officer and enlisted performance outcomes required by the armed forces.

1 “(2) REPORT.—The Secretary shall submit to Congress a report on each
2 assessment under paragraph (1). The first such report shall be submitted not later than
3 December 31 of the year following the year in which this paragraph is enacted.

4 **“§ 2153. Joint professional military education: three-phase approach**

5 “(a) THREE-PHASE APPROACH.—The Secretary of Defense shall implement a
6 comprehensive three-phase approach for the joint professional military education of officers
7 focused on creating proficiency in those officers in joint matters and the capability for joint
8 warfighting. The three phases shall be designated as JPME Phase I, JPME Phase II, and JPME
9 Phase III.

10 “(b) JPME PHASE I.—

11 “(1) PURPOSE.—JPME Phase I shall be designed primarily but not exclusively to
12 develop captains and majors and, in the case of the Navy, lieutenants and lieutenant
13 commanders with warfighting expertise in service-specific and joint subject matter.

14 “(2) CRITERIA.—Such a program shall consist of a course of instruction,
15 designated and certified by the Secretary of Defense as Phase I instruction, consisting of
16 all the elements of a joint professional military education (as specified in section 2154 of
17 this title), in addition to the principal curriculum taught to all officers in intermediate-
18 level education programs.

19 “(c) JPME PHASE II.—

20 “(1) TWO PATHWAYS.—JPME Phase II shall be comprised of two distinct, non-
21 sequential pathways, designated as Phase IIA and Phase IIB, either of which may be
22 completed by an officer to receive JPME Phase II credit. Each pathway shall be

1 implemented to allow officers to develop relationships across the joint, interagency, and
2 combined communities to identify and manage shared interests.

3 “(2) PHASE IIA.—

4 “(A) PURPOSE.—Phase IIA shall be designed primarily but not exclusively
5 to develop majors and lieutenant colonels and, in the case of the Navy, lieutenant
6 commanders and commanders with—

7 “(i) expertise in joint planning in support of joint warfighting at the
8 operational to strategic levels of war; and

9 “(ii) the ability to perform effectively in an assignment to a joint,
10 multiservice organization.

11 “(B) CRITERIA.—Such a program may be taught in residence at, or offered
12 through, a senior-level educational program that has been designated and certified
13 by the Secretary of Defense as a joint professional military education institution
14 with not less than 10 weeks of full-time instruction or the equivalent amount of
15 part-time instruction.

16 “(3) PHASE IIB.—

17 “(A) PURPOSE.—Phase IIB shall be designed primarily but not exclusively
18 to develop colonels and senior lieutenant colonels and, in the case of the Navy,
19 captains and senior commanders with expertise in—

20 “(i) creating and leading joint warfighting approaches at the
21 operational and strategic levels of war; and

22 “(ii) integrating service-specific contributions.

1 “(B) CRITERIA.—A Phase IIB program consists of a senior-level education
2 program of at least ten months that has been designated and certified by the
3 Secretary of Defense as a joint professional military education course.

4 “(4) PREREQUISITE FOR JPME PHASE II.—An officer may not be accepted for, or
5 assigned to, a program of instruction designated by the Secretary of Defense as a JPME
6 Phase II program unless the officer has successfully completed a program of instruction
7 designated by the Secretary as a JPME Phase I program.

8 “(d) JPME PHASE III (CAPSTONE).—JPME Phase III shall be a capstone military
9 education course through which newly selected general and flag officers achieve educational
10 objectives developed by the Chairman of the Joint Chiefs of Staff that are unique to the further
11 development of senior officers’ joint knowledge and skills. Phase III shall include learning to
12 work and coordinate with members of other uniformed services, and personnel from allied and
13 partner nations.

14 **“§ 2154. JPME credit and program accreditation; Joint Learning Areas**

15 “(a) AUTHORIZATION TO GRANT JPME CREDIT.—The Secretary of Defense shall
16 designate those joint professional military education programs that are authorized to grant joint
17 professional military education credit to graduates who are members of the armed forces. Such a
18 designation may only be made for a program that is accredited by the Chairman of the Joint
19 Chiefs of Staff.

20 “(b) ACCREDITATION OF PROGRAMS.—The Chairman of the Joint Chiefs of Staff shall
21 accredit programs for JPME Phases I, IIA, IIB, and III that regularly demonstrate they attain joint
22 professional military education outcomes to the satisfaction of the Chairman.

23 “(c) JOINT LEARNING AREAS.—

1 “(1) The Chairman of the Joint Chiefs of Staff shall develop Joint Learning Areas
2 and policy guidelines to ensure joint professional military education outcomes represent
3 the learning necessary to create officer warfighting expertise across the phases of joint
4 professional military education.

5 “(2) Joint Learning Areas are categories of knowledge and capabilities that
6 officers are expected to acquire over their careers through joint education, training, and
7 experience. They are to be derived from high-level guidance including strategies for
8 national security and defense and concepts for joint warfighting. They provide joint
9 professional military education programs with a building block approach for designing,
10 developing, and delivering the education necessary to attain prescribed joint professional
11 military education outcomes.

12 “(3) The development of Joint Learning Areas may be informed by subjects such
13 as the following:

14 “(A) National military strategy.

15 “(B) Joint planning at all levels of war.

16 “(C) Joint doctrine.

17 “(D) Joint command and control.

18 “(E) Joint force and joint requirements development.

19 “(F) Operational contract support.

20 “(G) National security strategy.

21 “(H) Theater strategy and campaigning.

22 “(I) Joint planning processes and systems.

1 “(J) Joint, interagency, and multinational capabilities and the integration
2 of those capabilities.

3 “(d) STUDENT MIX.—To foster joint, interagency, and multinational perspectives, the
4 enrollment of students in joint professional military education resident programs shall include a
5 officers from several of the armed forces. Where relevant to the topics of a program of
6 instruction, enrollment may also include enlisted members, Department of Defense employees,
7 employees of other Federal agencies, officers from the military services of other nations, and
8 private sector employees.

9 **“§ 2155. Joint acculturation through joint professional military education**

10 “(a) JOINT ACCULTURATION.—

11 “(1) The Secretary of Defense shall endeavor to enroll enough officers as students
12 in service and JPME Phase II resident programs, and provide military faculty for those
13 programs, to build and sustain a high level of joint acculturation.

14 “(2) The quadrennial effectiveness report required in section 2152(b) of this title
15 shall include information on the extent to which each of the armed forces is providing
16 military students and faculty to other service and JPME resident programs.

17 “(b) STUDENT AND FACULTY RATIOS.—For a course of instruction in a JPME Phase IIB
18 program that is offered by one of the armed forces—

19 “(1) the number of members of the armed forces enrolled in the course who are
20 officers of the armed force offering the program may not exceed 60 percent of the entire
21 student body; and

1 “(2) of the faculty in the program who are officers of the armed force providing
2 who provide instruction in joint professional military education courses, the percentage
3 who are officers of the armed force offering the program may not exceed 60 percent.

4 **“§ 2156. Phase III program of instruction: capstone course**

5 “(a) REQUIREMENT.—Each officer selected for promotion to the grade of brigadier
6 general or, in the case of the Navy or the commissioned officer corps of the National Oceanic
7 and Atmospheric Administration, rear admiral (lower half) shall be required to attend a course,
8 after such selection, designated by the Secretary as meeting joint professional military education,
9 Phase III, requirements.

10 “(b) EXCEPTIONS.—Subsection (a) does not apply to the following:

11 “(1) An officer whose proposed selection for promotion is based primarily upon
12 scientific and technical qualifications for which joint requirements do not exist (as
13 determined under regulations prescribed under section 619(e)(4) of this title).

14 “(2) An officer who is a medical officer, dental officer, veterinary officer, medical
15 service or specialist officer, nurse, biomedical science officer, or chaplain.

16 **“§ 2157. Enlisted joint professional military education: requirements and resources**

17 “(a) IN GENERAL.—The Secretary of Defense shall carry out a program of joint
18 professional military education for enlisted members of the armed forces (in this section referred
19 to as the ‘EJPME program’). The EJPME program shall be designed to progressively develop the
20 knowledge, skills, and abilities of enlisted members of the armed force to operate effectively in
21 joint, interagency, and multinational environments.

22 “(b) EJPME EDUCATIONAL LEVELS.—The EJPME program shall be conducted using the
23 following four educational levels, which form the core of the EJPME program:

1 “(1) EJPME I.

2 “(2) Gateway.

3 “(3) EJPME II.

4 “(4) Keystone.

5 “(c) DELIVERY AND MAINTENANCE.—The EJPME I and EJPME II programs shall be
6 delivered online and shall be maintained by a designated professional military education
7 institution to ensure that the curriculum and content are regularly updated and maintained.

8 “(d) CURRICULUM AND CONTENT.—

9 “(1) The curriculum for EJPME programs shall be regularly reviewed and
10 updated to reflect current joint, interagency, and multinational operational requirements.

11 “(2) The designated professional military education institution responsible for the
12 EJPME I and EJPME II programs shall collaborate with the Joint Special Operations
13 University and National Defense University to ensure consistency and coherence across
14 all EJPME programs.

15 “(e) IMPLEMENTATION AND OVERSIGHT.—

16 “(1) The Secretary of Defense shall implement a comprehensive framework for
17 the rigorous joint professional military education of enlisted members.

18 “(2) The Secretary of Defense shall include the status and effectiveness of the
19 EJPME program, including funding levels, participation rates, and curriculum updates, in
20 the quadrennial report required by section 2152(b) of this title.”.

21 (b) ADMISSION OF PRIVATE SECTOR CIVILIANS TO PROFESSIONAL MILITARY EDUCATION
22 PROGRAMS.—Section 2167 of title 10, United States Code, is transferred to chapter 107 of such

1 title (as amended by subsection (a)), inserted after section 2157, redesignated as section 2158,
2 and amended—

3 (1) in subsection (a)—

4 (A) in the first sentence, by striking “the National Defense University” and
5 inserting “a military educational institution offering joint professional military
6 education programs”; and

7 (B) in the second sentence, by inserting “in resident courses and an
8 additional 35 full-time equivalent student positions in other than resident courses
9 per institution” after “full-time student positions”;

10 (2) in subsection (b), by striking “the National Defense University” and inserting
11 “a military educational institution”;

12 (3) in subsection (c)—

13 (A) by striking “ANNUAL CERTIFICATION” in the subsection heading and
14 inserting “DETERMINATION”;

15 (B) by striking “at the National Defense University” and all that follows
16 through “of Representatives” and inserting “in a joint professional military
17 educational program only if the Secretary of Defense determines”; and

18 (C) by striking “during that year”;

19 (4) in subsection (d)(2), by striking “at the National Defense University” and
20 inserting “of a military educational institution offering joint professional military
21 education programs”;

22 (5) in subsection (e), by striking “The President of the National Defense
23 University” and inserting “The Secretary of Defense”;

1 (6) in subsection (f), by striking “the National Defense University” and inserting
2 “a military educational institution offering joint professional military education
3 programs”;

4 (7) in subsection (g), by striking “National Defense University” and inserting
5 “Professional military education programs”; and

6 (8) in the section heading—

7 (A) by striking “**National Defense University**” and inserting

8 “**Professional military education programs**”; and

9 (B) by striking the last five words.

10 (c) JOINT DUTY ASSIGNMENTS AFTER COMPLETION OF JOINT PROFESSIONAL MILITARY
11 EDUCATION.—Section 663 of such title is amended to read as follows:

12 “**§ 663. Joint duty assignments after completion of joint professional military education**

13 “(a) EDUCATION BEFORE JOINT ASSIGNMENTS.—To ensure a systematic, progressive,
14 career-long development of officers who have the requisite experience and education to be highly
15 proficient in joint matters, the Secretary of Defense shall ensure that a proportion of the officers
16 on active duty of each of the armed forces (including full-time Guard and Reserve officers when
17 feasible) graduating from a resident program of 10 months or longer designated as joint
18 professional military education, Phase IIB, shall be assigned to a joint duty assignment (or, as
19 authorized by the Secretary in an individual case, to a joint assignment other than a joint duty
20 assignment)—

21 “(1) as their next duty assignment after such graduation; or

22 “(2) to the extent authorized in subsection (b), as their second duty assignment
23 after such graduation.

1 “(b) PROCEDURES FOR INITIAL JOINT DUTY ASSIGNMENTS FOLLOWING JPME PHASE IIB
2 GRADUATION.—The Secretary of Defense may, if the Secretary determines that it is necessary to
3 do so for the efficient management of officer personnel, establish procedures to allow up to one-
4 half of the officers subject to the assignment requirement in subsection (a)(2) to be assigned to
5 such an assignment as their second (rather than first) assignment after graduation from a program
6 referred to in that subsection.

7 “(c) THE MILITARY DEPARTMENTAL ANNUAL REPORT REQUIREMENT.—The Secretary of
8 each military department shall report annually to the Secretary of Defense and the Chairman of
9 the Joint Chiefs of Staff the ratio of—

10 “(1) the number of officers assigned to Joint Duty Assignment List billets during
11 the period covered by the report; and

12 “(2) of those officers, the number who had completed JPME II before that
13 assignment.

14 “(d) PRIORITIZED JOINT DUTY ASSIGNMENTS REQUIRING JPME PHASE IIA AS
15 PREREQUISITE.—The Secretary of Defense shall prioritize by organization a list of the joint duty
16 assignments requiring joint professional military education Phase IIA as a prerequisite. The
17 Secretary shall endeavor to fill these prioritized assignments with officers who have completed
18 joint professional military education Phase IIA before beginning that assignment.

19 “(e) ANNUAL REPORT TO CONGRESS.—

20 “(1) REPORT REQUIRED.—The Secretary of Defense shall submit to Congress an
21 annual report on compliance with this section.

22 “(2) MATTER TO BE INCLUDED.—The report shall include the following (shown in
23 the aggregate and separately for each of the armed forces):

1 “(A) The number of officers beginning service in a joint duty assignment
2 during the period covered by the report without having completed joint
3 professional military education Phase I.

4 “(B) The percentage of officers who during the period covered by the
5 report qualify under subsection (a)(2) who are given a joint duty assignment as
6 their first assignment or as their second assignment after graduation.

7 “(C) The number of officers during the period covered by the report
8 encumbering the prioritized assignments described in subsection (e) without
9 having completed joint professional military education Phase IIA or IIB.

10 “(3) REMEDIATION OF SHORTFALLS.—If in any report under this subsection
11 shortfalls are identified in any of the measures specified in paragraph (2), the report shall
12 include the Secretary’s recommendations to remediate them.”.

13 (f) TRANSITIONS AND EFFECTIVE DATE.—The implementation of requirements under this
14 chapter shall be completed not later than December 31 of the third year following the year in
15 which this Act is enacted.

[Note: The “Changes to Existing Law” section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal would modernize the Department of Defense (DoD) Joint Professional Military Education (JPME) framework to ensure it remains relevant and effective in preparing military officers for joint duty assignments. The proposed changes address inefficiencies in the current statute and policy, enhance the alignment of JPME with contemporary military needs, and introduce a more structured and phased approach to joint education. The proposal includes revisions to title 10, U.S. Code, chapters 107 and 38 to refine definitions, update curriculum requirements, and establish new guidelines for the accreditation and delivery of JPME programs.

The current statute governing JPME is outdated and has lost relevance over time. It mandates specific subject matter without providing associated standards or outcomes, limiting the flexibility needed to adapt to evolving military needs. The existing law is also dotted with

piecemeal modifications, resulting in a loss of comprehensive guidance and inhibiting innovation in education. Furthermore, the current system does not sufficiently promote joint acculturation and the development of joint perspectives among officers, nor does it make any mention of Enlisted Joint Professional Military Education (EJPME).

The proposal would introduce several key changes to address the identified issues. Firstly, it establishes a three-phase approach to JPME, with distinct learning outcomes for each phase. Phase I is tailored to develop O-3 and O-4 officers with warfighting expertise in Service-specific and joint constructs. Phase IIA is tailored to develop O-4 and O-5 officers with expertise in joint planning and the ability to perform effectively in joint assignments. Phase IIB is tailored to develop senior O-5 and O-6 officers with expertise to lead joint warfighting approaches at the operational and strategic levels. Phase III is a Capstone course for new general and flag officers to learn to work with other uniformed Services, allies, and partners.

The proposal would also refine definitions and provides purpose statements for each phase, improving understanding across the enterprise and with Congress. It eliminates the mandated subject matter and instead directs the use of Joint Learning Areas (JLAs) prescribed in the Chairman of the Joint Chief of Staff's (CJCS's) policy as guidance for curriculum development and learning outcomes. Previously mandated subject matter will instead inform the CJCS in developing the JLAs. To ensure regular updates on the effectiveness and return-on-investment of JPME, the proposal establishes a DoD quadrennial review of JPME effectiveness with a Secretary of Defense report to Congress.

To promote joint acculturation, the proposal would ensure a mix of students from multiple Services in resident programs and maintains a maximum of 60 percent host Service officers in the student body and faculty.

Finally, the proposal would create a new section establishing a EJPME program. The section includes information on EJPME requirements and resources, delivery and maintenance, curriculum and content, and implementation and oversight.

The proposal would provide several revisions to title 10, U.S. Code, chapter 107. It refines and clarifies existing wording, lists the military education institutions providing JPME, and deletes terms such as "senior level school" and "intermediate level school." It requires a quadrennial review of JPME effectiveness with a Secretary of Defense report to Congress and aligns JPME II into Alpha and Bravo tracks. The proposal removes the requirement for JPME I to be part of a staff college program and allows all JPME programs to accept private sector students. It also requires the Secretary of Defense to periodically review the JPME system on a quadrennial basis. It recharacterizes directed content as expected outcomes and competencies.

The proposal would amend title 10, U.S. Code, chapter 38, to require a proportion of officers graduating from a resident program of 10 months or longer designated as JPME Phase IIB to receive a joint duty assignment as their next duty assignment. The proposal prioritizes joint duty assignments requiring JPME Phase IIA as a prerequisite and mandates an annual report to Congress on the number of officers receiving joint duty assignments without completing JPME Phase I and II and the percentage of officers given joint duty assignments after

graduation.

By implementing these changes, the proposal aims to enhance the relevance and effectiveness of JPME, ensuring that officers are better prepared for joint assignments and capable of leading joint warfighting efforts.

Resource Information: This proposal has no impact on the use of resources requested within the Fiscal Year 2027 President's Budget.

Changes to Existing Law: This proposal would amend chapter 107, chapter 108, and chapter 38 of title 10, U.S. Code, as follows:

Chapter 107 is restated in full as shown above. Current statute to be replaced is shown below.

§2151. Definitions

~~(a) JOINT PROFESSIONAL MILITARY EDUCATION. — Joint professional military education consists of the rigorous and thorough instruction and examination of officers of the armed forces in an environment designed to promote a theoretical and practical in-depth understanding of joint matters and, specifically, of the subject matter covered. The subject matter to be covered by joint professional military education shall include at least the following:~~

- ~~(1) National Military Strategy.~~
- ~~(2) Joint planning at all levels of war.~~
- ~~(3) Joint doctrine.~~
- ~~(4) Joint command and control.~~
- ~~(5) Joint force and joint requirements development.~~
- ~~(6) Operational contract support.~~

~~(b) OTHER DEFINITIONS. — In this chapter:~~

~~(1) The term "senior level service school" means any of the following:~~

- ~~(A) The Army War College.~~
- ~~(B) The College of Naval Warfare.~~
- ~~(C) The Air War College.~~
- ~~(D) The Marine Corps War College.~~
- ~~(E) The Space Force Senior Level Education Program.~~

~~(2) The term "intermediate level service school" means any of the following:~~

- ~~(A) The United States Army Command and General Staff College.~~
- ~~(B) The College of Naval Command and Staff.~~
- ~~(C) The Air Command and Staff College.~~
- ~~(D) The Marine Corps Command and Staff College.~~
- ~~(E) The Space Force Intermediate Level Education Program.~~

~~(3) The term "joint intermediate level school" includes the National Intelligence University.~~

§2152. Joint professional military education: general requirements

~~(a) IN GENERAL.—The Secretary of Defense shall implement a comprehensive framework for the joint professional military education of officers, including officers nominated under section 661 of this title for the joint specialty.~~

~~(b) JOINT MILITARY EDUCATION SCHOOLS.—The Secretary of Defense, with the advice and assistance of the Chairman of the Joint Chiefs of Staff, shall periodically review and revise the curriculum of each school of the National Defense University (and of any other joint professional military education school) to enhance the education and training of officers in joint matters. The Secretary shall require such schools to maintain rigorous standards for the military education of officers with the joint specialty.~~

~~(c) OTHER PROFESSIONAL MILITARY EDUCATION SCHOOLS.—The Secretary of Defense shall require that each Department of Defense school concerned with professional military education periodically review and revise its curriculum for senior and intermediate grade officers in order to strengthen the focus on—~~

- ~~(1) joint matters; and~~
- ~~(2) preparing officers for joint duty assignments.~~

§2153. Capstone course: newly selected general and flag officers

~~(a) REQUIREMENT.—Each officer selected for promotion to the grade of brigadier general or, in the case of the Navy or the commissioned officer corps of the National Oceanic and Atmospheric Administration, rear admiral (lower half) shall be required, after such selection, to attend a military education course designed specifically to prepare new general and flag officers to work with the other uniformed services.~~

~~(b) WAIVER AUTHORITY.—(1) Subject to paragraph (2), the Secretary of Defense or the Secretary of Commerce, as applicable, may waive subsection (a)—~~

~~(A) in the case of an officer whose immediately previous assignment was in a joint duty assignment and who is thoroughly familiar with joint matters;~~

~~(B) when necessary for the good of the service;~~

~~(C) in the case of an officer whose proposed selection for promotion is based primarily upon scientific and technical qualifications for which joint requirements do not exist (as determined under regulations prescribed under section 619(e)(4)[±] of this title); and~~

~~(D) in the case of a medical officer, dental officer, veterinary officer, medical service officer, nurse, biomedical science officer, or chaplain.~~

~~(2) The authority of the Secretary of Defense to grant a waiver under paragraph (1) may only be delegated to the Deputy Secretary of Defense, an Under Secretary of Defense, or an Assistant Secretary of Defense. Such a waiver may be granted only on a case by case basis in the case of an individual officer.~~

§2154. Joint professional military education: three phase approach

~~(a) THREE PHASE APPROACH.—The Secretary of Defense shall implement a three phase approach to joint professional military education, as follows:~~

~~(1) There shall be a course of instruction, designated and certified by the Secretary of Defense with the advice and assistance of the Chairman of the Joint Chiefs of Staff as Phase I instruction, consisting of all the elements of a joint professional military education (as specified in section 2151(a) of this title), in addition to the principal curriculum taught to all officers at an intermediate level service school or at a joint intermediate level school.~~

~~(2) There shall be a course of instruction, designated and certified by the Secretary of Defense with the advice and assistance of the Chairman of the Joint Chiefs of Staff as Phase II instruction, consisting of—~~

~~(A) a joint professional military education curriculum taught in residence at, or offered through, the Joint Forces Staff College or a senior level service school that has been designated and certified by the Secretary of Defense as a joint professional military education institution; or~~

~~(B) a senior level service course of at least ten months that has been designated and certified by the Secretary of Defense as a joint professional military education course.~~

~~(3) There shall be a course of instruction, designated and certified by the Secretary of Defense with the advice and assistance of the Chairman of the Joint Chiefs of Staff as the Capstone course, for officers selected for promotion to the grade of brigadier general or, in the case of the Navy, rear admiral (lower half) and offered in accordance with section 2153 of this title.~~

~~(b) SEQUENCED APPROACH.—The Secretary shall require the sequencing of joint professional military education so that the standard sequence of assignments for such education requires an officer to complete Phase I instruction before proceeding to Phase II instruction, as provided in section 2155(a) of this title.~~

~~(c) DISTANCE EDUCATION.—(1) Any distance education program offered to satisfy Phase I or Phase II instruction under paragraph (1) or (2) of subsection (a) shall include a pathway for a student who is a member of a reserve component to fully complete the course of instruction asynchronously while physically separated from the course instructors and without any in-person attendance required to graduate from such program.~~

~~(2) In this subsection, the term "distance education" has the meaning given such term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).~~

§2155. Joint professional military education Phase II program of instruction

~~(a) PREREQUISITE OF COMPLETION OF JOINT PROFESSIONAL MILITARY EDUCATION PHASE I PROGRAM OF INSTRUCTION.—(1) After September 30, 2009, an officer of the armed forces may not be accepted for, or assigned to, a program of instruction designated by the Secretary of Defense as joint professional military education Phase II unless the officer has successfully completed a program of instruction designated by the Secretary of Defense as joint professional military education Phase I.~~

~~(2) The Chairman of the Joint Chiefs of Staff may grant exceptions to the requirement under paragraph (1). Such an exception may be granted only on a case-by-case basis under exceptional circumstances, as determined by the Chairman. An officer selected to receive such an exception shall have knowledge of joint matters and other aspects of the Phase I curriculum that, to the satisfaction of the Chairman, qualifies the officer to meet the minimum requirements established for entry into Phase II instruction without first completing Phase I instruction. The number of officers selected to attend an offering of the principal course of instruction at the Joint Forces Staff College or a senior level service school designated by the Secretary of Defense as a joint professional military education institution who have not completed Phase I instruction should comprise no more than 10 percent of the total number of officers selected.~~

~~(b) PHASE II REQUIREMENTS.—The Secretary shall require that the curriculum for Phase II joint professional military education at any school—~~

~~(1) focus on developing joint operational expertise and perspectives and honing joint warfighting skills; and~~

~~(2) be structured—~~

~~(A) so as to adequately prepare students to perform effectively in an assignment to a joint, multiservice organization; and~~

~~(B) so that students progress from a basic knowledge of joint matters learned in Phase I instruction to the level of expertise necessary for successful performance in the joint arena.~~

~~(c) CURRICULUM CONTENT.—In addition to the subjects specified in section 2151(a) of this title, the curriculum for Phase II joint professional military education shall include the following:~~

~~(1) National security strategy.~~

~~(2) Theater strategy and campaigning.~~

~~(3) Joint planning processes and systems.~~

~~(4) Joint, interagency, and multinational capabilities and the integration of those capabilities.~~

~~(d) STUDENT RATIO; FACULTY RATIO.—Not later than September 30, 2009, for courses of instruction in a Phase II program of instruction that is offered at senior level service school that has been designated by the Secretary of Defense as a joint professional military education institution—~~

~~(1) the percentage of students enrolled in any such course who are officers of the armed force that administers the school may not exceed 60 percent, with the remaining services proportionally represented; and~~

~~(2) of the faculty at the school who are active-duty officers who provide instruction in such courses, the percentage who are officers of the armed force that administers the school may not exceed 60 percent, with the remaining services proportionally represented.~~

§2156. Joint Forces Staff College: duration of principal course of instruction

~~(a) DURATION.—The duration of the principal course of instruction offered at the Joint Forces Staff College may not be less than 10 weeks of resident instruction.~~

~~(b) DEFINITION.—In this section, the term "principal course of instruction" means any course of instruction offered at the Joint Forces Staff College as Phase II joint professional military education.~~

Chapter 38 Section 663 is amended to read as follows:

§ 663. Joint duty assignments after completion of joint professional military education

~~(a) JOINT QUALIFIED OFFICERS.—The Secretary of Defense shall ensure that each officer designated as a joint qualified officer who graduates from a school within the National Defense University specified in subsection (c) shall be assigned to a joint duty assignment for that officer's next duty assignment after such graduation (unless the officer receives a waiver of that requirement by the Secretary in an individual case).~~

~~(b) OTHER OFFICERS.—(1) The Secretary of Defense shall ensure that a high proportion (which shall be greater than 50 percent) of the officers graduating from a school within the~~

National Defense University specified in subsection (c) who are not designated as a joint qualified officer shall receive assignments to a joint duty assignment (or, as authorized by the Secretary in an individual case, to a joint assignment other than a joint duty assignment) as their next duty assignment after such graduation or, to the extent authorized in paragraph (2), as their second duty assignment after such graduation.

(2) The Secretary may, if the Secretary determines that it is necessary to do so for the efficient management of officer personnel, establish procedures to allow up to one half of the officers subject to the assignment requirement in paragraph (1) to be assigned to such an assignment as their second (rather than first) assignment after such graduation from a school referred to in paragraph (1).

(c) COVERED SCHOOLS WITHIN THE NATIONAL DEFENSE UNIVERSITY.—For purposes of this section, a school within the National Defense University specified in this subsection is one of the following:

- (1) The National War College.
- (2) The Dwight D. Eisenhower School for National Security and Resource Strategy.
- (3) The Joint Forces Staff College.

(a) EDUCATION BEFORE JOINT ASSIGNMENTS.—To ensure a systematic, progressive, career-long development of officers who have the requisite experience and education to be highly proficient in joint matters, the Secretary of Defense shall ensure that a proportion of the officers on active duty of each of the armed forces (including full-time Guard and Reserve officers when feasible) graduating from a resident program of 10 months or longer designated as joint professional military education, Phase IIB, shall be assigned to a joint duty assignment (or, as authorized by the Secretary in an individual case, to a joint assignment other than a joint duty assignment)—

(1) as their next duty assignment after such graduation; or

(2) to the extent authorized in subsection (b), as their second duty assignment after such graduation.

(b) PROCEDURES FOR INITIAL JOINT DUTY ASSIGNMENTS FOLLOWING JPME PHASE IIB GRADUATION.—The Secretary of Defense may, if the Secretary determines that it is necessary to do so for the efficient management of officer personnel, establish procedures to allow up to one-half of the officers subject to the assignment requirement in subsection (a)(2) to be assigned to such an assignment as their second (rather than first) assignment after graduation from a program referred to in that subsection.

(c) THE MILITARY DEPARTMENTAL ANNUAL REPORT REQUIREMENT.—

(1) The Secretary of each military department shall report annually to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff the ratio of—

(A) the number of officers assigned to Joint Duty Assignment List billets during the period covered by the report; and

(B) of those officers, the number who had completed JPME II before that assignment.

(d) PRIORITIZED JOINT DUTY ASSIGNMENTS REQUIRING JPME PHASE IIA AS PREREQUISITE.—The Secretary of Defense shall prioritize by organization a list of the joint duty assignments requiring joint professional military education Phase IIA as a prerequisite. The Secretary shall endeavor to fill these prioritized assignments with officers who have completed joint professional military education Phase IIA before beginning that assignment.

(e) ANNUAL REPORT TO CONGRESS.—

(1) REPORT REQUIRED.—The Secretary of Defense shall submit to Congress an annual report on compliance with this section.

(2) MATTER TO BE INCLUDED.—The report shall include the following (shown in the aggregate and separately for each of the armed forces):

(A) The number of officers beginning service in a joint duty assignment during the period covered by the report without having completed joint professional military education Phase I.

(B) The percentage of officers who during the period covered by the report qualify under subsection (a)(2) who are given a joint duty assignment as their first assignment or as their second assignment after graduation.

(C) The number of officers during the period covered by the report encumbering the prioritized assignments described in subsection (e) without having completed joint professional military education Phase IIA or IIB.

(3) REMEDIATION OF SHORTFALLS.—If in any report under this subsection shortfalls are identified in any of the measures specified in paragraph (2), the report shall include the Secretary's recommendations to remediate them.

Chapter 108

Section 2167 is transferred to chapter 107 (as amended by subsection (a)), inserted after section 2157, redesignated as section 2158, and amended as shown below—

§ ~~2167~~ 2158. ~~National Defense University: admission of private sector civilians to professional military education program~~ Professional military education programs: admission of private sector civilians

(a) AUTHORITY FOR ADMISSION.—The Secretary of Defense may permit eligible private sector employees who work in organizations relevant to national security to receive instruction at the National Defense University any military educational institution offering joint professional military education programs in accordance with this section. No more than the equivalent of 35 full-time student positions in resident courses and an additional 35 full-time equivalent student positions in other than resident courses per institution may be filled at any one time by private sector employees enrolled under this section. Upon successful completion of the course of instruction in which enrolled, any such private sector employee may be awarded an appropriate diploma or degree under section 2165 of this title.

(b) ELIGIBLE PRIVATE SECTOR EMPLOYEES.—For purposes of this section, an eligible private sector employee is an individual employed by a private firm that is engaged in providing to the Department of Defense or other Government departments or agencies significant and substantial defense-related systems, products, or services or whose work product is relevant to national security policy or strategy. A private sector employee admitted for instruction at the National Defense University a military educational institution remains eligible for such instruction only so long as that person remains employed by the same firm.

(c) ANNUAL CERTIFICATION DETERMINATION BY SECRETARY OF DEFENSE.—Private sector employees may receive instruction at the National Defense University in a joint professional military education program only if before the start of that academic year, the Secretary of Defense determines and certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, that providing

instruction to private sector employees under this section ~~during that year~~ will further national security interests of the United States.

(d) PROGRAM REQUIREMENTS.—The Secretary of Defense shall ensure that—

(1) the curriculum for the professional military education program in which private sector employees may be enrolled under this section is not readily available through other schools and concentrates on national security relevant issues; and

(2) the course offerings ~~at the National Defense University~~ of military educational institutions offering joint professional military education programs continue to be determined solely by the needs of the Department of Defense.

(e) TUITION.— ~~The President of the National Defense University~~ The Secretary of Defense shall charge students enrolled under this section a rate—

(1) that is at least the rate charged for employees of the United States outside the Department of Defense, less infrastructure costs, and

(2) that considers the value to the school and course of the private sector student.

(f) STANDARDS OF CONDUCT.—While receiving instruction at ~~the National Defense University~~ a military educational institution offering joint professional military education programs, students enrolled under this section, to the extent practicable, are subject to the same regulations governing academic performance, attendance, norms of behavior, and enrollment as apply to Government civilian employees receiving instruction at the institution.

(g) USE OF FUNDS. —Amounts received by ~~the National Defense University~~ the Secretary of Defense for instruction of students enrolled under this section shall be retained by the institution to defray the costs of such instruction. The source, and the disposition, of such funds shall be specifically identified in records of the institution.

1 **SEC. ____. NATIONAL GUARD MILITARY TECHNICIAN (DUAL STATUS)**
2 **CONVERSIONS AND PHASE-OUT.**

3 (a) **CONVERSION AUTHORITY.**—The Secretary of Defense may convert a National Guard
4 military technician (dual status) position filled by an individual employed under section 709 of
5 title 32, United States Code, to either of the following:

6 (1) A position filled by an individual employed under section 3101 of title 5,
7 United States Code, or sections 1601, 1762, and 10508 of title 10, United States Code.

8 (2) A position filled by an individual who is performing Active Guard and
9 Reserve duty under section 328 of title 32, United States Code, unless prohibited by
10 section 101(d)(6)(B)(iv) of title 10, United States Code.

11 (b) **TRANSFER AUTHORITY.**—In addition to the conversion authority under subsection (a),
12 the Secretary of Defense may, with agreement by the applicable State Governor, for the purpose
13 of reducing the number of National Guard military technician (dual status) positions, provide a
14 State with funding for a non-Federal position for an individual employed in such position. Any
15 such funding shall be provided through a cooperative agreement entered into with the State
16 Governor under section 6305 of title 31, United States Code.

17 (c) **CONSENT OF EMPLOYEE TO CONVERSION OR TRANSFER.**—The Secretary of Defense
18 may not convert a position under subsection (a) or transfer a position under subsection (b) that is
19 not vacant without the written consent of the individual filling the position being converted or
20 transferred.

21 (d) **RE-EMPLOYMENT.**—An individual filling a military technician (dual status) position
22 that is converted to Active Guard and Reserve duty under subsection (a)(2), waives any re-
23 employment entitlement under section 4314 of title 38, United States Code, to another National

24 Guard military technician (dual status) position but may assert re-employment rights to a civilian
25 position employed under section 3101 of title 5, United States Code, or sections 1601, 1762, and
26 10508 of title 10, United States Code if a similar position is reasonably available.

27 (e) ADJUSTMENT TO END STRENGTH REQUIREMENTS.—(1) Whenever a military
28 technician (dual status) position is converted under the authority in subsection (a)(2), the
29 applicable statutory annual end strength limitation for Active Guard and Reserve personnel
30 within the Army and Air National Guards of the United States in accordance with section 115 of
31 title 10, United States Code, shall be increased accordingly.

32 (2) Whenever a military technician (dual status) position converted under subsection
33 (a)(2), the applicable statutory annual minimum end strength required for National Guard
34 military technician (dual status) within the Army and Air National Guards of the United States in
35 accordance with section 115 of title 10, United States Code, shall be decreased accordingly.

36 (f) NATIONAL GUARD BUREAU PERSONNEL.—Section 10508(b)(1) of title 10, United
37 States Code, is amended by inserting “sections 1601 and 1762 of title 10,” before “or section 328
38 of title 32,”.

39 (g) MAINTENANCE AND REPAIR DUTIES.—Section 328(b) of title 32, United States Code,
40 is amended by inserting “maintaining and repairing supplies issued to the National Guard or the
41 Armed Forces,” before “and training the reserve components”.

42 (h) HIRING FREEZE.—Beginning on October 1, 2028, no individual may be newly hired or
43 employed, or rehired or reemployed, as a National Guard military technician (dual status) under
44 section 709 of title 32, United States Code.

45 (i) TERMINATION OF AUTHORITY.—

46 (1) Section 709 of title 32, United States Code, is amended by adding at the end
47 the following subsection:

48 “(k) TERMINATION OF AUTHORITY.—This section shall cease to be in effect, as of October
49 1, 2038.”.

50 (2) Section 115(d) of title 10, United States Code, is amended—

51 (A) by striking “each reserve component of the Army and Air Force” and
52 inserting “the Army Reserve and the Air Force Reserve”; and

53 (B) the amendment made by subparagraph (A) shall take effect on October
54 1, 2038.

55 (3) Section 10216(a)(1)(A) of title 10, United States Code, is amended by striking
56 “or section 709(b) of title 32” before the semicolon.

57 (4) Funds appropriated for the Department of Defense may not be used for
58 compensation of any individual employed as a National Guard military technician (dual
59 status) after October 1, 2038.

60 (j) DEFINITIONS.—In this section:

61 (1) The term “military technician (dual status)” has the meaning given such term
62 in section 709(a) of title 32, United States Code.

63 (2) The term “State” includes the District of Columbia, the Commonwealth of
64 Puerto Rico, Guam, and the Virgin Islands.

Section-by-Section Analysis

This proposal would phase out the National Guard’s Military Technician program under section 709 of title 32, United States Code, (Section 709) and is informed by lessons learned from the National Guard Bureau’s (NGB) and Adjutants General’s implementation of the Dual Status Technician (DST) program, established in 1968. Phasing out the DST program would increase efficiency by enabling the Chief of the National Guard Bureau (CNGB) and the Adjutants General of the 54 National Guards from States, Territories, the Commonwealth of

Puerto Rico, and the District of Columbia to best shape the workforce to ensure the right personnel are available for the National Guard’s critical, no-fail missions. The force composition mix at the end of the conversion would be 89 percent AGR and 11 percent title 5 employees.

The DST program, while intending to provide continuity and specialized expertise to the National Guard, faces several inherent challenges. The dual-status nature, requiring individuals to be both civilian employees and members of the National Guard, can lead to difficulties in maintaining military proficiency while fulfilling civilian duties often placing a significant burden on the technician, potentially impacting job performance in both roles. Furthermore, the DST program suffers from rigid career progression and a perceived lack of opportunities compared to either Active Guard and Reserve (AGR) or Title 5 civilian career paths. Finally, the need to simultaneously navigate civilian and military personnel systems creates administrative complexities and can lead to inconsistencies in pay, benefits, and career advancement.

In contrast to DSTs, Active Guard and Reserve (AGR) duty status and traditional Title 5 positions offer more streamlined and focused career paths. For those who wish to maintain a military membership, AGR personnel are full-time members of the National Guard or Reserve, dedicated to supporting the unit’s readiness and operational requirements. Their single status eliminates the burden associated with balancing civilian employment and military obligations. AGR soldiers and airmen are typically integrated into the active duty military personnel system, affording them access to the same career development opportunities, training, and benefits as their active-duty counterparts. For those DSTs who want to continue to serve in support of National Guard missions but face challenges maintaining military standards or balancing the commitments, which include the possibility of deployment, a traditional Title 5 position can be another desirable career option.

Resource Information: The table below reflects the best estimate of resources requested within the Fiscal Year (FY) 2027 President’s Budget that are impacted by this proposal.

RESOURCE IMPACT (\$MILLIONS)									
Program	FY 2028	FY 2029	FY 2030	FY 2031	FY 2032	Appropriation	Budget Activity	BLI/SAG	Program Element (for all RDT&E programs)
ARNG - CIVILIAN PAY	-243	-495	-758	-1032	-1318	Operation & Maintenance, ARNG			
ARNG - AGR	319	654	1007	1377	1766	National Guard Pay & Allowance – ARNG			
ARNG – M-DAY	-56	-114	-175	-240	-308	National Guard Pay & Allowance – ARNG			

ANG - CIVILIAN PAY	-148	-303	-464	-632	-806	Operation & Maintenance, ANG			
ANG - AGR	168	344	529	724	928	National Guard Pay & Allowance - ANG			
ANG M-DAY	-30	-61	-93	-128	-164	National Guard Pay & Allowance - ANG			
ARNG Net Impact	20	45	74	105	140				
ANG Net Impact	-10	-20	-28	-36	-42				
Net Impact	10	25	46	69	98				

Changes to Existing Law: This proposal would amend sections 115(d), 10216(a)(1)(A), and 10508(b)(1) of title 10 and 328(b) and 709 of title 32, United States Code, as follows:

§115. Personnel strengths: requirement for annual authorization

(a) ***

(d) Military Technician (Dual Status) End Strengths To Be Authorized by Law.-Congress shall authorize for each fiscal year both the minimum end strength for non-temporary military technicians (dual status) and the end strength for temporary military technicians (dual status) for each reserve component of the Army and Air Force. Funds available to the Department of Defense for any fiscal year may not be used for the pay of a military technician (dual status) during that fiscal year unless the technician fills a position that is within the number of such positions authorized by law for that fiscal year for the reserve component of that technician. This subsection applies without regard to section 129 of this title. In each budget submitted by the President to Congress under section 1105 of title 31, the minimum end strength for non-temporary military technicians (dual status), and the end strength for temporary military technicians (dual status), requested for each ~~reserve component of the Army and Air Force~~ the Army and Air Force Reserve shall be specifically set forth.

§10216. Military technicians (dual status)

(a) In General.-(1) For purposes of this section and any other provision of law, a military technician (dual status) is a Federal civilian employee who-

(A) is employed under section 3101 of title 5 or ~~section 709(b) of title 32;~~

(B) is required as a condition of that employment to maintain membership in the Selected Reserve; and

(C) is assigned to a civilian position as a technician in the organizing, administering, instructing, or training of the Selected Reserve or in the maintenance and repair of supplies or equipment issued to the Selected Reserve or the armed forces.

(2) Military technicians (dual status) shall be authorized and accounted for as a separate category of civilian employees.

(3) A military technician (dual status) who is employed under section 3101 of title 5 may perform the following additional duties to the extent that the performance of those duties does not interfere with the performance of the primary duties described in paragraph (1):

(A) Supporting operations or missions assigned in whole or in part to the technician's unit.

(B) Supporting operations or missions performed or to be performed by-

(i) a unit composed of elements from more than one component of the technician's armed force; or

(ii) a joint forces unit that includes-

(I) one or more units of the technician's component; or

(II) a member of the technician's component whose reserve component assignment is in a position in an element of the joint forces unit.

(C) Instructing or training in the United States or the Commonwealth of Puerto Rico or possessions of the United States of-

(i) active-duty members of the armed forces;

(ii) members of foreign military forces (under the same authorities and restrictions applicable to active-duty members providing such instruction or training);

(iii) Department of Defense contractor personnel; or

(iv) Department of Defense civilian employees.

§10508. National Guard Bureau: general provisions

(a) ***

(b)(1) PERSONNEL FOR FUNCTIONS OF NATIONAL GUARD BUREAU.-

(1) IN GENERAL.-The Chief of the National Guard Bureau may program for, appoint, employ, administer, detail, and assign persons under sections 2102, 2103, 2105, and 3101 of title 5, subchapter IV of chapter 53 of title 5, sections 1601 and 1762 of title 10, or section 328 of title 32, within the National Guard Bureau and the National Guard of each State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the Virgin Islands to execute the functions of the National Guard Bureau and the missions of the National Guard, and missions as assigned by the Chief of the National Guard Bureau.

§328. Active Guard and Reserve duty: Governor's authority

(a)***

(b) DUTIES.-A member of the National Guard performing duty under subsection (a) may perform the additional duties specified in section 502(f)(2) of this title to the extent that the performance of those duties does not interfere with the performance of the member's primary Active Guard and Reserve duties of organizing, administering, recruiting, instructing, maintaining and repairing supplies issued to the National Guard or the Armed Forces, and training the reserve components.

§709. Technicians: employment, use, status

(a)***

(j) In this section:

(1) The term "military pay status" means a period of service where the amount of pay payable to a technician for that service is based on rates of military pay provided for under title 37.

(2) The term "fitness for duty in the reserve components" refers only to military-unique service requirements that attend to military service generally, including service in the reserve components or service on active duty.

(k) TERMINATION OF AUTHORITY.—This section shall cease to be in effect, as of October 1, 2038.

1 **SEC. ____ . PILOT PROGRAM TO PROVIDE AUTHORITY TO OBTAIN**
2 **RECRUITING-RELATED ADVERTISING AND MARKETING**
3 **SERVICES THROUGH MULTIYEAR CONTRACTS.**

4 (a) ESTABLISHMENT.—The Secretary of the Army may conduct a pilot program to obtain
5 recruiting-related advertising and marketing services through the use of the multiyear contracting
6 authority under section 3531 of title 10, United States Code. The Secretary may enter into such a
7 contract for those services only if the Secretary finds that cost savings are achievable compared
8 to the cost of annual contracts for those services.

9 (b) BRIEFING.—(1) Not later than 18 months after the date of enactment of this Act, the
10 Secretary shall provide to the congressional defense committees a briefing on the pilot program
11 authorized by subsection (a). The briefing shall include the following:

12 (A) A description of the contracts entered into under the pilot program.

13 (B) The anticipated cost savings achieved by those contracts compared to the cost
14 of annual contracts for such services.

15 (C) The anticipated effects on recruiting resulting from the pilot program.

16 (2) Not later than 3 years after the date of enactment of this Act, the Secretary shall
17 provide to the congressional defense committees a briefing on the pilot program authorized by
18 subsection (a). The briefing shall include the following:

19 (A) An update to the information provided under paragraph (1).

20 (B) The realized cost savings achieved by the contracts entered into under the
21 pilot program compared to the cost of annual contracts for such services.

22 (C) The effects on recruiting resulting from the pilot program.

1 (c) SUNSET.—The authority to enter into a contract under subsection (a) shall terminate
2 on September 30, 2031.

Section-by-Section Analysis

This proposal would provide authority to conduct a pilot program to enter into contracts for periods of not more than five years for recruiting related advertising and marketing services in support of recruiting efforts beginning on the date of enactment and ending on September 30, 2031. If adopted, this proposal would result in significant cost avoidance for the Army as compared to single year contracting.

Currently, the Army struggles to compete within the Upfront advertising market. The Upfronts are the primary buying period in the commercial media marketplace, typically occurring once a year (May of every year in New York City). During this window, major advertisers, like the Army, commit to media placements for the coming broadcasting year, and in some cases, multiple years, before inventory sells out or prices rise. By participating in the Upfronts, the Army would be able to:

- Secure premium ad placements in digital, linear TV, streaming platforms, and live sports
- Lock in lower, fixed rates before prices increase
- Receive bonus media value (additional ads at no cost)
- Guarantee access to high-demand inventory in a crowded marketplace

This proposal would provide flexible authority with respect to advertising and marketing services to improve the Army’s competitiveness in the advertising market resulting in cost savings and more effective use of marketing and advertising funds.

If adopted, the proposed legislation will authorize the Army to employ the use of multiyear contracts that will procure advertising and marketing services in fiscal year (FY) 2027-2031. The Army estimates cost avoidance through the use of this temporary authority.

Resource Information: This proposal has no impact on the use of resources requested within the FY 2027 President’s Budget.

Changes to Existing Law: This proposal would not amend existing law.

1 **SEC. ____ . POST-GOVERNMENT EMPLOYMENT RESTRICTIONS APPLICABLE TO**
2 **CERTAIN SENIOR MILITARY OFFICERS AND SENIOR CIVILIAN**
3 **EMPLOYEES OF THE DEPARTMENT OF DEFENSE.**

4 (a) IN GENERAL.—Section 1045 of the National Defense Authorization Act for Fiscal
5 Year 2018 (Public Law 115-91; 10 U.S.C. 971 note prec.) is amended to read as follows:

6 **“SEC. 1045. TWO-YEAR POST-GOVERNMENT EMPLOYMENT RESTRICTIONS ON**
7 **CERTAIN SENIOR MILITARY OFFICERS AND SENIOR**
8 **DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL.**

9 “(a) RESTRICTION.—In addition to the restrictions set forth in section 207 of title 18,
10 United States Code, an individual who is an officer or employee described in subsection (b) may
11 not, within 2 years after the termination of the individual’s service or employment as such officer
12 or employee, knowingly make, with the intent to influence, any communication to or appearance
13 before any officer or employee of the department or agency in which such individual served
14 within 1 year before such termination, on behalf of any other person (except the United States),
15 in connection with any matter on which such individual seeks official action by any officer or
16 employee of such department or agency.

17 “(b) COVERED INDIVIDUALS.—Subsection (a) shall apply to any individual—

18 “(1) employed as an active duty commissioned officer of the Armed Forces
19 serving in a grade or rank for which the pay grade (as specified in section 201 of title 37,
20 United States Code) is O-9 or higher; or

21 “(2) employed as a civilian officer or employee of the Department of Defense in a
22 civilian grade equivalent to a military grade specified in paragraph (1).

1 “(c) APPLICABILITY OF CERTAIN PROVISIONS OF 18 U.S.C. 207.—The provisions of
2 subsections (h), (j), and (k) of section 207 of title 18, United States Code, shall apply to the
3 restriction contained in subsection (a) of this section in the same manner as to the restrictions
4 contained in subsection (c) of such section 207.”.

5 (b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the
6 date of the enactment of this Act and shall apply to activities taking place on or after such date,
7 without regard to the termination date of an individual’s service or employment as such an
8 officer or employee.

[Note: The “Changes to Existing Law” section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal would implement findings provided by a congressionally mandated¹ independent report² (Report) by harmonizing section 1045 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2018 (Public Law 115-91; 10 U.S.C. 971 note prec.) with the existing criminal post-government employment statute³ while still maintaining the extended post-Government employment “cooling off period” restriction for the Department’s most senior personnel. The Report found that section 1045—

(1) may restrict the Department’s access to the knowledge and expertise of its former personnel and result in an adverse effect on recruitment and retention;

(2) creates a significant risk of reducing government access to the knowledge and expertise of former Department of Defense officials and more generally to private-sector expertise in support of technology development, supply chain security, and other national security matters;

(3) creates an acute risk of confusion that could undermine compliance and enforcement by using slightly different language that has no direct counterpart in executive-branch-wide ethics laws; and

(4) results in inconsistency and overlap with executive-branch-wide ethics provisions that address the same issues.

As explained in detail in the Report, most of these issues stem from the use of terms of art contained in the Lobbying Disclosure Act (LDA), a statute that is outside of the extensive

¹Section 1073 of the James M. Inhofe NDAA for FY 2023 (P.L. 117-263)

²“Effects of Certain Ethics Requirements on DOD Hiring, Retention, and Operations” (April 2024)

<https://www.ida.org/research-and-publications/publications/all/e/ef/effects-of-certain-ethics-requirements-on-dod-hiring-retention-and-operations>

³ Section 207 of title 18, United States Code

legal framework that governs Executive Branch ethics restrictions. The Report found that the section 1045 restrictions on “behind the scenes” activities and representations to executive branch officials outside of DoD were particularly problematic and did not have a strong nexus to the core purpose of preventing former officials from exerting improper influence within their former agency. The Report found that restrictions on behind-the-scenes activities, in particular, have the potential to severely limit the employment opportunities available to departing DoD officials and the Department’s access to their knowledge and expertise. Additionally, in 2008 and 2021, GAO found that having former DoD personnel transition to industry is mutually beneficial, with DoD benefitting from the improved communication that stems from contractors acquiring this knowledge and skill.⁴ The Report also found that there does not appear to be a strong reason to treat former DoD officials more stringently than officials in other federal agencies who make decisions that have a comparable financial impact on the private sector. This amendment aims to preserve the intent of the original legislation in extending the cooling off period for certain former senior DoD officials while eliminating redundancies, inconsistencies, and potential barriers to DoD communications with industry necessary to build a more modern defense ecosystem.

To ameliorate the concerns highlighted in the Report, this proposal would replace LDA terminology with language that is consistent with the existing criminal post-government employment statute. These changes would eliminate the restrictions on “behind the scenes” activities, which the report found are largely incapable of identification and enforcement, and restrictions on representations to executive branch officials outside of DoD. The proposal would bring section 1045 into alignment with the criminal restrictions and the applicable interpretive guidance. This proposal would also remove the redundancy between the section 1045 one-year restriction on O-7/O-8 military officers and their civilian equivalents and the one-year restriction on all senior officials in the criminal post-government employment statute. However, the more stringent two-year restriction on the Department’s most senior personnel in O-9/O-10 grades and equivalent civilian levels would remain.

Recently, language in the Joint Explanatory Statement that accompanied the NDAA for FY 2026, expressed concern over a proposal to extend the time limits under section 1045 citing to the findings of the Report and acknowledging that violations of post-government employment restrictions are rare.⁵

Resource Information: This proposal has no impact on the use of resources requested within the Fiscal Year (FY) 2027 President’s Budget.

Changes to Existing Law: This proposal would provide a new text for section 1045 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 10 U.S.C. 971 note prec.). The new text is shown in full in the legislative text above. The text of current section 1045 is as follows:

⁴ Post-Government Employment of Former DOD Officials Needs Greater Transparency (April 2008) <https://www.gao.gov/assets/gao-08-485.pdf>; DOD Could Further Enhance Its Compliance Efforts Related to Former Employees Working for Defense Contractors (Sept. 2021) <https://www.gao.gov/assets/720/716461.pdf>

⁵ Joint Explanatory Statement to Accompany NDAA for FY 2026 (P.L. 119-60) at 243.

~~SEC. 1045. PROHIBITION ON LOBBYING ACTIVITIES WITH RESPECT TO THE DEPARTMENT OF DEFENSE BY CERTAIN OFFICERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT FOLLOWING SEPARATION FROM MILITARY SERVICE OR EMPLOYMENT WITH THE DEPARTMENT.~~

~~(a) TWO-YEAR PROHIBITION.—~~

~~(1) PROHIBITION.— An individual described in paragraph (2) may not engage in lobbying activities with respect to the Department of Defense during the two-year period beginning on the date of retirement or separation from service in the Armed Forces or the date of retirement or separation from service with the Department, as applicable.~~

~~(2) COVERED INDIVIDUALS.— An individual described in this paragraph is the following:~~

~~(A) An officer of the Armed Forces in grade O-9 or higher at the time of retirement or separation from the Armed Forces.~~

~~(B) A civilian employee of the Department of Defense who had a civilian grade equivalent to a military grade specified in subparagraph (A) at the time of the employee's retirement or separation from service with the Department.~~

~~(b) ONE-YEAR PROHIBITION.—~~

~~(1) PROHIBITION.— An individual described in paragraph (2) may not engage in lobbying activities with respect to the Department of Defense during the one-year period beginning on the date of retirement or separation from service in the Armed Forces or the date of retirement or separation from service with the Department, as applicable.~~

~~(2) COVERED INDIVIDUALS.— An individual described in this paragraph is the following:~~

~~(A) An officer of the Armed Forces in grade O-7 or O-8 at the time of retirement or separation from the Armed Forces.~~

~~(B) A civilian employee of the Department of Defense who had a civilian grade equivalent to a military grade specified in subparagraph (A) at the time of the employee's retirement or separation from service with the Department.~~

~~(c) DEFINITIONS.— In this section:~~

~~(1) The term "lobbying activities with respect to the Department of Defense" means the following:~~

~~(A) Lobbying contacts and other lobbying activities with covered executive branch officials with respect to the Department of Defense.~~

~~(B) Lobbying contacts with covered executive branch officials described in subparagraphs (C) through (F) of section 3(3) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602(3)) in the Department of Defense.~~

~~(2) The terms "lobbying activities" and "lobbying contacts" have the meaning given such terms in section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602).~~

~~(3) The term "covered executive branch official" has the meaning given that term in section 3(3) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602(3)).~~

1 **SEC. ____ . PROGRAM TO ASSIST MEMBERS IN OBTAINING PERSONAL DRIVER’S**
2 **LICENSES.**

3 Chapter 101 of title 10, United States Code, is amended by inserting after section 2015
4 the following new section:

5 **“§2015a. Authority to assist members in obtaining State drivers licenses**

6 **“(a) AUTHORITY.—**The Secretary of Defense may provide assistance to a member of the
7 armed forces for expenses of obtaining, while serving in the armed forces, a personal driver’s
8 license under the laws of a State.

9 **“(b) DEFINITIONS.—**In this section:

10 **“(1) EXPENSES.—**The term ‘expenses’ has the meaning given such term in section
11 2015(e) of this title.

12 **“(2) STATE.—**The term ‘State’ has the meaning given such term in section
13 183a(h)(10) of this title.”.

Section-by-Section Analysis

This proposal would authorize the Secretary of Defense to assist members of the Armed Forces with expenses for obtaining a driver’s license.

Section 5757 of title 5, United States Code (U.S.C.), (Section 5757) allows Federal agencies to use appropriated funds for employees to obtain professional credentials. Payments for professional credentials under this authority are limited to reimbursement (not proactive payment) by the DoD FMR, Volume 10, Chapter 11, paragraph 2.6. Section 2015 of title 10, U.S.C., (Section 2015) allows Secretary of Defense to carry out a program to enable service members to obtain professional credentials that translate into civilian occupations. This authority was implemented in a 16 July 2009 OUSD(P&R) memo, and the Department of Defense (DoD)/Service Credentialing Opportunities On-Line (COOL) websites.

- (1) Although Congress has given limited authority to reimburse for professional licenses, this authority does not extend to individual (non-commercial) State driver’s licenses. Both Section 5757 and Section 2015 are specifically limited to professional credentials. Because Congress has affirmatively weighed in on this matter, the negative implication principle of statutory construction (the expression of one thing implies the exclusion of others) holds that we are precluded from using appropriated funds for non-professional

personal credentials.

- (2) Section 2015 authority allows for the payment of expenses of members of the Armed Forces for professional accreditation, Federal occupational licenses, State-imposed and professional licenses, professional certification, and related expenses. A driver's license is a personal State legal authorization not a professional license or certification.
- (3) The authority under Section 2015 may not be used to pay the expenses of a member to obtain professional credentials that are a prerequisite for appointment in the Armed Forces. A driver's license is not a prerequisite for appointment in the Armed Forces, however it is a skill-level requirement for many occupations within the Armed Forces, many of them critical.

Quality Assurance of Professional Certification Programs and Standards

The existing Section 2015 requirements for a professional credentialing program is that the credentialing program be accredited by a nationally-recognized, third-party personnel certification program accreditor and meet one or more of the following criteria:

1. Is sought or accepted by employers within the industry or sector involved as a recognized, preferred, or required credential for recruitment, screening, hiring, retention, or advancement purposes.
2. Where appropriate, is endorsed by a nationally-recognized trade association or organization representing a significant part of the industry or sector.
3. Grants licenses that are recognized by the Federal Government or a State government.
4. Meets credential standards of a Federal agency.

Challenge/opportunity addressed:

Presidential and OSD leadership's emphasis on military readiness and lethality and being strategically aligned with missions under sections 7013(b), 8013(b), and 9013(b) of title 10, U.S.C., which include equipping, training, and mobilizing the force.

In Fiscal Year 2024, 17 to 24-year-olds accounted for 79 percent of total non-prior service enlisted accessions.¹ Teenagers with driver's license in the 16-19 age group declined from 64 percent in 1995 to just under 40 percent in 2021. The share of licensed drivers ages 20-24 dipped from 87 percent in 1995 to 81 percent in 2021.

¹<https://hedgescompany.com/blog/2024/01/number-of-licensed-drivers-us/>
<https://pmc.ncbi.nlm.nih.gov/articles/PMC8136290/#:~:text=Recent%20studies%20show%20that%20more,9%2C17%2C18%5D>

Driver Demographics and Statistics [2025]: Number of Drivers in The US
30 percent of civilian jobs require some driving in 2016 : The Economics Daily: U.S. Bureau of Labor Statistics
Highway Statistics 2023 (Jan 25) Table DL-20:
<https://www.fhwa.dot.gov/policyinformation/statistics/2023/dl20.cfm>

In the U.S, 60.5 percent of the 19 and younger population and 19 percent of 20- to 24-year-olds do not have a driver’s license. The average age of drivers is 40+ years old, representing 72 percent of the population; 9 percent are ages 20-30 years and 19 percent are 30-40 years old. Licensure among the 19 and younger population is estimated to decline by 1 percent each year as we approach a demographic cliff.

There is a projected decrease in youth ages 18-24 over the next decade at a time when propensity has remained relatively stable. The shrinking pool of eligible recruits (>15 percent) compounds existing accessions requirements leaving a potential gap in Qualified Military Available (QMA)² and accessions requirements to meet readiness.

Potential impact/Benefits *(include measurable/metric-based impacts):*

In Fiscal Years 2021-2025, the Department of the Air Force alone experienced a 47 percent increase in members enlisting without a driver’s license, nearly four times the rate of the 12.5 percent increase in total number of accessions during that same period. Authority to assist members of the Armed Forces with expenses for obtaining a driver’s license is a strategic imperative to help offset falling youth licensure rates (~57 percent youth ages 16-24) which impacts eligibility for select military occupations. By expanding licensure, we directly strengthen warfighter readiness, ensuring that our forces remain agile, resilient, and capable of meeting mission requirements in any environment.

The ability to operate vehicles across diverse environments equips members with critical skills that extend beyond their primary duties. Whether transporting personnel, safeguarding assets, or responding rapidly to emerging threats, licensed operators provide the flexibility and adaptability essential to modern combat operations.

Resource Information: The table below reflects the best estimate of resources requested within the Fiscal Year (FY) 2027 President’s Budget that are impacted by this proposal.

RESOURCE IMPACT (\$MILLIONS)									
Program	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031	Appropriation	Budget Activity	BLI/SAG	Program Element (for all RDT&E programs)
Military Departments	6	6	6	6	6	Operation and Maintenance,	TBD	TBD	N/A
Total	6	6	6	6	6				N/A

Changes to Existing Law: This proposal would add a new section to title 10, United States Code, as set forth in the legislative text above.

² QMA represents the proportion of youth who are both eligible and available for service without a waiver (i.e., qualified and not currently enrolled in college).

1 **SEC. ____ . REMOTE ONLINE NOTARIZATION AND WITNESSES FOR MEMBERS**
2 **OF THE ARMED FORCES.**

3 (a) **AUTHORITY FOR REMOTE ONLINE NOTARIZATION.**—Section 1044a of title 10, United
4 States Code, is amended by adding at the end the following new subsection:

5 “(e)(1) A person named in subsection (b) may exercise the powers described in
6 subsection (a) through remote online means, including under circumstances where the individual
7 with respect to whom such person is performing the notarial act is not physically present in the
8 same location as such person.

9 “(2) A determination of the authenticity of a notarial act authorized in this section shall
10 be made without regard to whether the notarial act was performed through remote online means.

11 “(3) A log or journal of a notarial act authorized in this section shall be considered for
12 evidentiary purposes without regard to whether the log or journal is in electronic form.”.

13 (b) **AUTHORITY FOR REMOTE ONLINE WITNESSING OF MILITARY TESTAMENTARY**
14 **INSTRUMENTS.**—Section 1044d of title 10, United States is amended—

15 (1) in subsection (c)(3), by inserting “(either personally or remotely)” after
16 “witnessing”;

17 (2) in subsection (f), by adding at the end the following new sentence: “Such
18 regulations shall provide for the administration of electronic notarial acts in a manner that
19 ensures sufficient verification of identity for the notarial act.”; and

20 (3) by adding at the end of subsection (g) the following new paragraph:

21 “(4) The term ‘signature’ includes an electronic signature, as such term is defined
22 in section 106(5) of the Electronic Signatures in Global and National Commerce Act (15
23 U.S.C. 7006(5)).”.

[Note: The “Changes to Existing Law” section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal would amend Title 10, United States Code, Section 1044a, to authorize remote online notarization and remote witnessing, significantly improving access to notarial services and estate planning for service members and other eligible legal assistance clients.

Currently, many Service members, particularly those stationed overseas or deployed, face significant challenges accessing notarial services, often requiring travel of 30 to 300 miles to the nearest legal assistance office. During the COVID-19 emergency, many Service members, their dependents, and other persons eligible for legal assistance under Title 10, United States Code, Section 1044, were unable to receive needed notary services due to the limited number of available staff and safety precautions militating against in-person notary services. Lack of access to notaries hinders the execution of critical legal readiness documents, such as powers of attorney, impacting service members' ability to focus on their mission. This is especially true for National Guard and Reserve personnel who may not reside near military installations. Remote online notarization offers increased agility and accessibility, particularly for these personnel, allowing them to complete essential legal tasks without sacrificing valuable training time.

Remote online notarizations and witness acts would adhere to existing service rules governing paper-based or electronically signed notarial acts, except for the physical presence requirement. Signers would appear via real-time audio-video conference or other approved technology.

This legislation is crucial because it mandates state acceptance of remote online notarizations performed under 10 U.S.C. § 1044a and estate planning using remote witnesses. While some states permit remote notarization and electronic signatures, no uniform process exists. The Electronic Signatures in Global and National Commerce Act, while authorizing electronic signatures and records, doesn't require state acceptance. The Uniform Electronic Transactions Act only allows electronic signatures with the notary physically present. The proposed amendment to 10 U.S.C. §§ 1044a and 1044d ensures nationwide acceptance of remotely notarized documents, regardless of state-specific procedures.

The military services would establish guidelines for secure electronic notary logs and remote witnessing procedures, including requirements for password protection, tamper-evidence, backup records, and electronic/biometric signature capture, through electronic signatures. "Electronic signature" is defined in accordance with Section 2-9 of the Model Electronic Notary Act: “An electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the record.”

The proposed legislation would not mandate the purchase of specific technology or require additional manning.

Resource Information: This proposal has no impact on the use of resources requested within the Fiscal Year (FY) 2027 President’s Budget.

Changes to Existing Law: This proposal would: 1) add a new subsection to section 1044a of title 10, and 2) amend section 1044d of title 10, as follows:

§1044a. Authority to act as notary

(a) The persons named in subsection (b) have the general powers of a notary public and of a consul of the United States in the performance of all notarial acts to be executed by any of the following:

- (1) Members of any of the uniformed services.
- (2) Other persons eligible for legal assistance under the provisions of section 1044 of this title or regulations of the Department of Defense.
- (3) Persons serving with, employed by, or accompanying the armed forces outside the United States and outside the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.
- (4) Other persons subject to the Uniform Code of Military Justice (chapter 47 of this title) outside the United States.

(b) Persons with the powers described in subsection (a) are the following:

- (1) All judge advocates, including reserve judge advocates when not in a duty status.
- (2) All civilian attorneys serving as legal assistance attorneys.
- (3) All adjutants, assistant adjutants, and personnel adjutants, including reserve members when not in a duty status.
- (4) All other members of the uniformed services, including reserve members when not in a duty status, who are designated by regulations of the uniformed services or by statute to have those powers.
- (5) For the performance of notarial acts at locations outside the United States, all employees of a military department or the Coast Guard who are designated by regulations of the Secretary concerned or by statute to have those powers for exercise outside the United States.
- (6) All civilian paralegals serving at military legal assistance offices, supervised by a military legal assistance counsel (as defined in section 1044d(g) of this title).

(c) No fee may be paid to or received by any person for the performance of a notarial act authorized in this section.

(d) The signature of any such person acting as notary, together with the title of that person's offices, is prima facie evidence that the signature is genuine, that the person holds the designated title, and that the person is authorized to perform a notarial act.

(e)(1) A person named in subsection (b) may exercise the powers described in subsection (a) through remote online means, including under circumstances where the individual with respect to whom such person is performing the notarial act is not physically present in the same location as such person.

(2) A determination of the authenticity of a notarial act authorized in this section shall be made without regard to whether the notarial act was performed through remote online means.

(3) A log or journal of a notarial act authorized in this section shall be considered for evidentiary purposes without regard to whether the log or journal is in electronic form.

* * * * *

§1044d. Military testamentary instruments: requirement for recognition by States

(a) TESTAMENTARY INSTRUMENTS TO BE GIVEN LEGAL EFFECT.-A MILITARY TESTAMENTARY INSTRUMENT.—

(1) is exempt from any requirement of form, formality, or recording before probate that is provided for testamentary instruments under the laws of a State; and

(2) has the same legal effect as a testamentary instrument prepared and executed in accordance with the laws of the State in which it is presented for probate.

(b) MILITARY TESTAMENTARY INSTRUMENTS.-For purposes of this section, a military testamentary instrument is an instrument that is prepared with testamentary intent in accordance with regulations prescribed under this section and that—

(1) is executed in accordance with subsection (c) by (or on behalf of) a person, as a testator, who is eligible for military legal assistance;

(2) makes a disposition of property of the testator; and

(3) takes effect upon the death of the testator.

(c) REQUIREMENTS FOR EXECUTION OF MILITARY TESTAMENTARY INSTRUMENTS.-An instrument is valid as a military testamentary instrument only if—

(1) the instrument is executed by the testator (or, if the testator is unable to execute the instrument personally, the instrument is executed in the presence of, by the direction of, and on behalf of the testator);

(2) the execution of the instrument is notarized by—

(A) a military legal assistance counsel;

(B) a person who is authorized to act as a notary under section 1044a of this title who—

(i) is not an attorney; and

(ii) is supervised by a military legal assistance counsel; or

(C) a State-licensed notary employed by a military department or the Coast Guard who is supervised by a military legal assistance counsel;

(3) the instrument is executed in the presence of at least two disinterested witnesses (in addition to the person notarizing the instrument in accordance with paragraph (2)), each of whom attests to witnessing (either personally or remotely) the testator's execution of the instrument by signing it; and

(4) the instrument is executed in accordance with such additional requirements as may be provided in regulations prescribed under this section.

(d) SELF-PROVING MILITARY TESTAMENTARY INSTRUMENTS.—(1) If the document setting forth a military testamentary instrument meets the requirements of paragraph (2), then the signature of a person on the document as the testator, an attesting witness, a notary, or the presiding attorney, together with a written representation of the person's status as such and the person's military grade (if any) or other title, is prima facie evidence of the following:

(A) That the signature is genuine.

(B) That the signatory had the represented status and title at the time of the execution of the will.

(C) That the signature was executed in compliance with the procedures required under the regulations prescribed under subsection (f).

(2) A document setting forth a military testamentary instrument meets the requirements of this paragraph if it includes (or has attached to it), in a form and content required under the regulations prescribed under subsection (f), each of the following:

(A) A certificate, executed by the testator, that includes the testator's acknowledgment of the testamentary instrument.

(B) An affidavit, executed by each witness signing the testamentary instrument, that attests to the circumstances under which the testamentary instrument was executed.

(C) A notarization, including a certificate of any administration of an oath required under the regulations, that is signed by the notary or other official administering the oath.

(e) STATEMENT TO BE INCLUDED.—***

(f) REGULATIONS.—Regulations for the purposes of this section shall be prescribed jointly by the Secretary of Defense and by the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Department of the Navy. Such regulations shall provide for the administration of electronic notarial acts in a manner that ensures sufficient verification of identity for the notarial act.

(g) DEFINITIONS.—In this section:

(1) The term "person eligible for military legal assistance" means a person who is eligible for legal assistance under section 1044 of this title.

(2) The term "military legal assistance counsel" means—

(A) a judge advocate (as defined in section 801(13) of this title); or

(B) a civilian attorney serving as a legal assistance officer under the provisions of section 1044 of this title.

(3) The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and each possession of the United States.

(4) The term "signature" includes an electronic signature, as such term is defined in section 106(5) of the Electronic Signatures in Global and National Commerce Act (15 U.S.C. 7006(5)).

1 **SEC. ____ . REPEAL OF LIMITATIONS ON BAHRAIN’S INVENTORY OF STINGER**
2 **MISSILES.**

3 (a) PREVIOUSLY TRANSFERRED STINGERS.—Subsection (a) of section 581 of the Foreign
4 Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-
5 167; 103 Stat. 1250) is amended—

- 6 (1) by striking paragraph (2); and
- 7 (2) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3),
8 respectively.

9 (b) SALE OF STINGERS UNDER ARMS EXPORT CONTROL ACT OR FOREIGN ASSISTANCE
10 ACT OF 1961.—Subsection (b) of such section is amended—

- 11 (1) in the matter preceding paragraph (1), by striking “REPLACEMENT” and all that
12 follows through “otherwise destroyed” and inserting “STINGERS.—Notwithstanding
13 section 580, Stingers may be made available to Bahrain under the Arms Export Control
14 Act or the Foreign Assistance Act of 1961”;
- 15 (2) in paragraph (1), by striking “Replacement”; and
- 16 (3) in paragraph (2), by striking “replacement”.

[Note: The “Changes to Existing Law” section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal would allow the United States to transfer Stinger missiles to Bahrain to expand Bahrain’s inventory of Stinger missiles only to the extent necessary to counter an immediate air threat or to contribute to the protection of U.S. personnel, facilities, equipment, or operations. Under section 581 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-167) (Section 581), the U.S. government is not permitted to support expanding Bahrain’s inventory of Stinger missiles beyond the quantity of missiles that Bahrain possessed in 1989. As a result, current U.S. sales of Stinger missiles to Bahrain are limited to attrition replacements of missiles which have been returned to the U.S. government for disposal.

In 1989, Congress enacted section 580 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988 (Public Law 100-102) to limit Stinger exports to countries that border the Persian Gulf. While Congress was opposed to new Stinger exports to this region, Congress also recognized the need for the U.S. government to support Bahrain's efforts to maintain its inventory of Stinger missiles to defend itself from air threats. Section 581 allows the U.S. government to continue to export replacement missiles to Bahrain because of the importance of ensuring Bahrain's ability to counter immediate air threats. This decision assumed that the nature and extent of the air threat to Bahrain would remain constant or decrease.

Currently, potential air threats to Bahrain have increased due to both the development of unmanned aerial vehicles and the increased instability in the region. As a result, the assumption in Section 581 that Bahrain would be able to defend itself from air threats with the same quantity of Stinger missiles that Bahrain possessed in 1989 is no longer the case. In order for the U.S. government to meet the Section 581 objective of allowing Bahrain to protect itself from air threats, Section 581 must be revised to allow Bahrain to increase its inventory of Stinger missiles to counter the current threat environment. While this proposal removes the one-for-one limit on the number of Stingers Bahrain can have, the U.S. government would not be allowed to sell Bahrain more Stinger missiles than Bahrain needs to counter an immediate air threat or to contribute to the protection of U.S. personnel, facilities, equipment, or operations.

An amended Section 581 would more effectively support current U.S. policies in the region as well as the evolved security condition since the original legislation was enacted over 30 years ago. The proposed amendment further advances U.S. interests in regional security by increasing the defensive capabilities of Bahrain, a designated Major Security Partner and Non-NATO Ally. The proposed amendment also supports U.S. government efforts to strengthen the Comprehensive Security Integration and Prosperity Agreement.

Resource Information: This proposal would have no budgetary impact.

Changes to Existing Law: This proposal would make the following changes to section 581 of Public Law 101-167, the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990:

**Foreign Operations, Export Financing, and Related
Programs Appropriations Act, 1990 (P.L. 101-167)**

SEC. 581. (a) PREVIOUSLY TRANSFERRED STINGERS.—Notwithstanding section 580, section 573(b)(4) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988, and section 566(b)(4) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989, shall cease to apply with respect to Stingers made available to Bahrain under those sections if the President determines, and notifies the Committees on Appropriations and the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate, that—

(1) the Stingers are needed by Bahrain to counter an immediate air threat or to contribute to the protection of United States personnel, facilities, equipment, or operations;

~~(2) no other appropriate system is available from the United States;~~

(23) Bahrain has agreed, in writing, to such safeguards to protect against diversion of the Stingers as may be required by the United States; and

(34) Bahrain has agreed in writing to return to the possession and control of the United States all Stingers made available under those sections and subsection (b) of this section, other than Stingers which have been fired or otherwise destroyed, at any time the United States determines, subject to subsection (c).

(b) ~~REPLACEMENT STINGERS.—After September 30, 1989, in order to replace, on a one-for-one basis, Stingers previously made available under this subsection, section 573 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988, or section 566 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989, that have been fired or otherwise destroyed~~ Notwithstanding section 580, Stingers may be made available to Bahrain under the Arms Export Control Act or the Foreign Assistance Act of 1961, subject to the following conditions:

(1) DETERMINATIONS.—~~Replacement~~ Stingers may be made available to Bahrain pursuant to this subsection only if the President makes the determinations specified in paragraphs (1) through (4) of subsection (a).

(2) NOTICE TO CONGRESS BEFORE STINGERS ARE TRANSFERRED.—At least 30 days before making any ~~replacement~~ Stingers available to Bahrain pursuant to this subsection, the President shall notify the committees designated in subsection (a) that he has made the determinations required by paragraph (1). Any such notification shall include the information required in a certification under section 36(b) of the Arms Export Control Act. This paragraph applies without regard to the value of the Stingers to be made available.

(c) RETURN OF STINGERS TO THE UNITED STATES.—All Stingers made available to Bahrain pursuant to subsections (a) and (b), other than those fired or otherwise destroyed, shall be returned to the possession and control of the United States not later than September 30, 1991, unless the President—

(1) determines that each of the conditions specified in subsection (a) continues to apply; and

(2) notifies the committees designated in subsection (a) not later than September 15, 1991, in accordance with the regular reprogramming procedures of such committees, that the United States intends to waive the requirement that the Stingers be returned to the United States by the date specified in the subsection.

* * * * *

1 **SEC. ____ . REVISION TO CERTAIN AUTHORITIES RELATING TO UNSPECIFIED**
2 **MINOR MILITARY CONSTRUCTION.**

3 (a) COST THRESHOLD.—

4 (1) GENERAL THRESHOLD.—Subsection (a)(2) of section 2805 of title 10, United
5 States Code, is amended by striking “\$9,000,000” and inserting “\$15,000,000”.

6 (2) LINKAGE OF LABORATORY REVITALIZATION THRESHOLD TO GENERAL
7 THRESHOLD.—Subsection (d)(1) of such section is amended by striking “\$9,000,000”
8 both places it appears and inserting “the amount specified in subsection (a)(2)”.

9 (3) LINKAGE OF PERIODIC ADJUSTMENT OF DOLLAR LIMITATIONS FOR LOCATION TO
10 GENERAL THRESHOLD.—Subsection (f)(1) of such section is amended by striking
11 “\$14,000,000” and inserting “150 percent of the amount specified in (a)(2)”.

12 (b) PERMANENT AUTHORITY TO USE WORKING CAPITAL FUNDS.—Section 2208(u) of
13 such title is amended by striking paragraph (4).

**[Note: The “Changes to Existing Law” section below sets out in red-line format
how the legislative text would amend existing law.]**

Section-by-Section Analysis

Subsection (a) of this proposal would increase several statutory thresholds under section 2805 of title 10, United States Code. That section provides the Department of Defense (DoD) authority to carry out unspecified minor military construction (UMMC) projects below specified dollar cost limits not otherwise authorized by law.

Paragraph (1) of subsection (a) would increase the general statutory threshold under 10 U.S.C. 2805(a)(2) from \$9,000,000 to \$15,000,000. This adjustment to the current cost limit is needed to address fiscal pressure resulting from rapidly increasing inflation within the global construction market. Because of this reality, UMMC projects once falling within the current \$9,000,000 cost limit now exceed that limit and are outside the use of this authority, resulting in an inability to quickly and satisfactorily meet increasing, dynamic mission demands.

Paragraph (2) of subsection (a) would change the statutory threshold under 10 U.S.C. 2805(d)(1), from \$9,000,000 to the amount specified in 10 U.S.C. 2805(a)(2). Like other UMMC projects, Laboratory Revitalization (LR) projects once falling within the current

\$9,000,000 cost limit now exceed that limit and are outside the use of this authority resulting in their inability to meet mission requirements.

Paragraph (3) of subsection (a) would change the statutory threshold under 10 U.S.C. 2805(f)(1) for location cost adjustment from a maximum of \$14,000,000 to 150 percent of the amount specified in 10 U.S.C. 2805(a)(2). With the proposed change in subsection (a)(2), this will increase the dollar limitation under 10 U.S.C. 2805(f)(1) to \$22,500,000. Changing the statutory threshold to reference 10 U.S.C. 2805(a)(2), as proposed in paragraph (3), automatically adjusts the limitation of 10 U.S.C. 2805(f)(1) when the amount in 10 U.S.C. 2805(a)(2) changes.

Viable UMMC and LR programs provide a responsive construction capability. This capability is critical for bases and LR locations to implement modernization projects needed for rapidly evolving requirements. Example requirements include replacement of aged and degraded facilities, theater-specific infrastructure (INDOPACOM, EUCOM, and AFAFRICA), child development center additions, base entry control points, dining facility additions, and other construction projects supporting vital missions. Example LR requirements include activities such as Rapid Phototyping, Integration & Interoperability, Common Systems and Systems of Systems Development, Systems Integration, Cyber, Unmanned Capabilities, and Directed Energy projects. Increasing the UMMC and LR statutory cost limit to \$15,000,000 will provide the Secretary concerned continued flexibility to fully exercise the intended benefit of the authorities in section 2805 of title 10, United States Code, in support of mission requirements into the future.

Subsection (b) of the proposal would make the authority to use Depot Working Capital Funds (DWCF) for UMMC projects permanent. This authority, which had expired on September 30, 2025, was renewed and extended through September 30, 2027, by section 333 of National Defense Authorization Act for Fiscal Year 2026 (P.L. 119-60), enacted on Dec. 18, 2025. This authority was provided to the military departments pursuant to the FY 2019 National Defense Authorization Act (P.L. 115-232, section 321) to support the need to modernize defense industrial base facilities (DIBF) by providing the ability to quickly adapt to changing needs and requirements, especially since depots and other industrial facilities historically face difficulty in competition for military construction funds. Making the authority permanent will allow future revitalization and recapitalization projects at DoD depots, shipyards, and arsenals to be funded without requiring military construction fundings.

Resource Implications: This proposal has no impact on the use of resources requested within the Fiscal Year (FY) 2027 President's Budget. There are no general budgetary impacts expected with the proposed changes to section 2805 of title 10, U.S.C. Rather, projects that fall within the new project thresholds will be able to compete for existing UMMC funding. The DWCF proposal impacts the use of resources; the magnitude of the impact will be mitigated with standard financial/budgeting practices such as Rate Setting, Capital Budgeting, and Reinvestment Planning. Resources affected by this proposal shall be included within the approved Fiscal Year (FY) President's Budget request prior to beginning the specific UMMC project. This would be authority within the existing 8 percent reinvestment program and thus

included within the depot maintenance rate structure as worked in the Air Force budget planning process.

Changes to Existing Law: This proposal would amend sections 2805 and 2208 of title 10, United States Code, as follows:

Title 10, United States Code

§2208. Working-capital funds

(a) ***

* * * * *

(u) USE FOR UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECTS TO REVITALIZE AND RECAPITALIZE DEFENSE INDUSTRIAL BASE FACILITIES.—(1) The Secretary of a military department may use a working capital fund of the department under this section to fund an unspecified minor military construction project under section 2805 of this title for the revitalization and recapitalization of a defense industrial base facility owned by the United States and under the jurisdiction of the Secretary.

(2)(A) Except as provided in subparagraph (B), section 2805 of this title shall apply with respect to a project funded using a working capital fund under the authority of this subsection in the same manner as such section applies to any unspecified minor military construction project under section 2805 of this title.

(B) For purposes of applying subparagraph (A), the dollar limitation specified in subsection (a)(2) of section 2805 of this title, subject to adjustment as provided in subsection (f) of such section, shall apply rather than the dollar limitation specified in subsection (c) of such section.

(3) In this subsection, the term "defense industrial base facility" means any Department of Defense depot, arsenal, shipyard, or plant located within the United States.

~~(4) The authority to use a working capital fund to fund a project under the authority of this subsection expires on September 30, 2027.~~

* * * * *

§ 2805. Unspecified minor construction

(a) AUTHORITY TO CARRY OUT UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECTS.—(1) Within an amount equal to 125 percent of the amount authorized by law for such purpose, the Secretary concerned may carry out unspecified minor military construction projects not otherwise authorized by law.

(2) An unspecified minor military construction project is a military construction project or a demolition project that has an approved cost equal to or less than ~~\$9,000,000~~ \$15,000,000.

(3) Notwithstanding the requirements of this section, the Secretary concerned may use amounts authorized pursuant to another law or regulation to carry out a demolition project described in paragraph (2).

* * * * *

(d) LABORATORY REVITALIZATION.-(1) For the revitalization and recapitalization of laboratories owned by the United States and under the jurisdiction of the Secretary concerned, the Secretary concerned may obligate and expend-

(A) from appropriations available to the Secretary concerned for operation and maintenance, amounts necessary to carry out an unspecified minor military construction project costing not more than ~~\$9,000,000~~ the amount specified in (a)(2), notwithstanding subsection (c); or

(B) from appropriations available to the Secretary concerned for military construction not otherwise authorized by law or from funds authorized to be made available under section 4123(a) of this title, amounts necessary to carry out an unspecified minor military construction project costing not more than ~~\$9,000,000~~ the amount specified in (a)(2).

(e) ***

(f) ADJUSTMENT OF DOLLAR LIMITATIONS FOR LOCATION.—

(1) ADJUSTMENT OF LIMITATIONS.—Each fiscal year, the Secretary concerned shall adjust the dollar limitations specified in this section applicable to an unspecified minor military construction project to reflect the area construction cost index for military construction projects published by the Department of Defense during the prior fiscal year for the location of the project, except that no limitation specified in this section may exceed ~~\$14,000,000~~ 150 percent of the amount specified in (a)(2) as the result of any adjustment made under this paragraph.

(2) ***

* * * * *