

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

**SUBCOMMITTEE ON INTELLIGENCE  
AND SPECIAL OPERATIONS**

SUMMARY OF BILL LANGUAGE.....	1
BILL LANGUAGE.....	5
DIRECTIVE REPORT LANGUAGE .....	24

# **SUMMARY OF BILL LANGUAGE**

# Table Of Contents

## **DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**

### **TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

#### **LEGISLATIVE PROVISIONS**

##### **SUBTITLE B—PROGRAM REQUIREMENTS, RESTRICTIONS, AND LIMITATIONS**

Section 214—Consortium to Study Irregular Warfare

### **TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS**

#### **LEGISLATIVE PROVISIONS**

##### **SUBTITLE C—INDUSTRIAL BASE MATTERS**

Section 821—Modification of Pilot Program for Development of Technology-Enhanced Capabilities with Partnership Intermediaries

### **TITLE XII—MATTERS RELATING TO FOREIGN NATIONS**

#### **LEGISLATIVE PROVISIONS**

##### **SUBTITLE A—ASSISTANCE AND TRAINING**

Section 1201—Extension of Support of Special Operations for Irregular Warfare

### **TITLE XVI—SPACE ACTIVITIES, STRATEGIC PROGRAMS, AND INTELLIGENCE MATTERS**

#### **LEGISLATIVE PROVISIONS**

##### **SUBTITLE B—DEFENSE INTELLIGENCE AND INTELLIGENCE-RELATED ACTIVITIES**

Section 1611—Notification of Certain Threats to United States Armed Forces by Foreign Governments

Section 1612—Strategy and Plan to Implement Certain Defense Intelligence Reforms

## **DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**

### **TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

#### **LEGISLATIVE PROVISIONS**

##### **SUBTITLE B—PROGRAM REQUIREMENTS, RESTRICTIONS, AND LIMITATIONS**

###### **Section 214—Consortium to Study Irregular Warfare**

This section would direct the Under Secretary of Defense for Research and Engineering to establish an academic research consortium to study irregular warfare and responses to irregular threats.

### **TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS**

#### **LEGISLATIVE PROVISIONS**

##### **SUBTITLE C—INDUSTRIAL BASE MATTERS**

###### **Section 821—Modification of Pilot Program for Development of Technology-Enhanced Capabilities with Partnership Intermediaries**

This section would amend the pilot program authorized in section 851 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) to raise the aggregate amount allowed to be spent on the pilot from \$2.0 million to \$20.0 million, to allow for other entities in the Department of Defense that make awards under the Small Business Innovation Research program to transfer funding to the Commander of the U.S. Special Operations Command to use in the pilot, and to extend the activity from September 30, 2021, through September 30, 2025. The annual reporting requirement would be modified to include additional data and information requirements and extended to cover the duration of the pilot program.

### **TITLE XII—MATTERS RELATING TO FOREIGN NATIONS**

#### **LEGISLATIVE PROVISIONS**

##### **SUBTITLE A—ASSISTANCE AND TRAINING**

###### **Section 1201—Extension of Support of Special Operations for Irregular Warfare**

This section would modify section 1202(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91), as most recently

amended by section 1207 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), by striking “2023” and inserting “2025”.

## TITLE XVI—SPACE ACTIVITIES, STRATEGIC PROGRAMS, AND INTELLIGENCE MATTERS

### LEGISLATIVE PROVISIONS

#### SUBTITLE B—DEFENSE INTELLIGENCE AND INTELLIGENCE-RELATED ACTIVITIES

##### Section 1611—Notification of Certain Threats to United States Armed Forces by Foreign Governments

This section would require the Secretary of Defense to notify Congress when the Secretary determines with high confidence that an official of a foreign government plans or takes some other substantive step that is intended to cause the death of, or serious bodily injury to, any member of the United States Armed Forces.

##### Section 1612—Strategy and Plan to Implement Certain Defense Intelligence Reforms

This section would require the Director of National Intelligence, in coordination with the Under Secretary of Defense for Intelligence and Security, to develop and implement a strategy and plan to support the priorities of the combatant commanders, including efforts to counter the malign activities of adversaries of the United States.

# **BILL LANGUAGE**

1 **SEC. 214 [Log 72923]. CONSORTIUM TO STUDY IRREGULAR**  
2 **WARFARE.**

3 (a) ESTABLISHMENT.—The Secretary of Defense,  
4 acting through the Under Secretary of Defense for Re-  
5 search and Engineering, shall establish a research consor-  
6 tium of institutions of higher education to study irregular  
7 warfare and the responses to irregular threats.

8 (b) PURPOSES.—The purposes of the consortium  
9 under subsection (a) are as follows:

10 (1) To shape the formulation and application of  
11 policy through the conduct of research and analysis  
12 regarding irregular warfare.

13 (2) To maintain open-source databases on  
14 issues relevant to understanding terrorism, irregular  
15 threats, and social and environmental change.

16 (3) To serve as a repository for datasets re-  
17 garding research on security, social change, and ir-  
18 regular threats developed by institutions of higher  
19 education that receive Federal funding.

20 (4) To support basic research in social science  
21 on emerging threats and stability dynamics relevant  
22 to irregular threat problem sets.

23 (5) To transition promising basic research—

24 (A) to higher stages of research and devel-  
25 opment, and

1 (B) into operational capabilities, as appro-  
2 priate, by supporting applied research and de-  
3 veloping tools to counter irregular threats.

4 (6) To facilitate the collaboration of research  
5 centers of excellence relating to irregular threats to  
6 better distribute expertise to specific issues and sce-  
7 narios regarding such threats.

8 (7) To enhance educational outreach and teach-  
9 ing at professional military education schools to im-  
10 prove—

11 (A) the understanding of irregular threats;

12 and

13 (B) the integration of data-based responses  
14 to such threats.

15 (8) To support classified research when nec-  
16 essary in appropriately controlled physical spaces.

17 (c) COORDINATION.—The Under Secretary of De-  
18 fense for Research and Engineering shall coordinate ac-  
19 tivities conducted under this section with the Commander  
20 of the United States Special Operations Command.

21 (d) PARTNERSHIPS.—The Under Secretary of De-  
22 fense for Research and Engineering shall encourage part-  
23 nerships between the consortium and university-affiliated  
24 research centers and other research institutions.



1           (e) INSTITUTION OF HIGHER EDUCATION DE-  
2 FINED.—In this section, the term “institution of higher  
3 education” has the meaning given that term in section 101  
4 of the Higher Education Act of 1965 (20 U.S.C. 1001).

1           **Subtitle C—Industrial Base**  
2                           **Matters**

3   **SEC. 821. [Log 73179]. MODIFICATION OF PILOT PROGRAM**  
4                           **FOR DEVELOPMENT OF TECHNOLOGY-EN-**  
5                           **HANCED CAPABILITIES WITH PARTNERSHIP**  
6                           **INTERMEDIARIES.**

7           Section 851 of the National Defense Authorization  
8   Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.  
9   1510; 10 U.S.C. 2283 note) is amended to read as follows:

10   **“SEC. 851. PILOT PROGRAM FOR DEVELOPMENT OF TECH-**  
11                           **NOLOGY-ENHANCED    CAPABILITIES    WITH**  
12                           **PARTNERSHIP INTERMEDIARIES.**

13           “(a) ESTABLISHMENT.—The Secretary of Defense  
14   may authorize the Commander of the United States Spe-  
15   cial Operations Command to use funds described in sub-  
16   section (b) for a pilot program under which the Com-  
17   mander shall make, through the use of a partnership  
18   intermediary, covered awards to small business concerns  
19   to develop technology-enhanced capabilities for special op-  
20   erations forces.

21           “(b) FUNDS.—

22                   “(1) IN GENERAL.—The funds described in this  
23   subsection are funds transferred to the Commander  
24   of the United States Special Operations Command  
25   to carry out the pilot program established under this

1 section from funds available to be expended by each  
2 covered entity pursuant to section 9(f) of the Small  
3 Business Act.

4 “(2) LIMITATIONS.—

5 “(A) FISCAL YEAR.—A covered entity may  
6 not transfer to the Commander an amount  
7 greater than 10 percent of the funds available  
8 to be expended by such covered entity pursuant  
9 to section 9(f) of the Small Business Act for a  
10 fiscal year.

11 “(B) AGGREGATE AMOUNT.—The aggre-  
12 gate amount of funds to be transferred to the  
13 Commander may not exceed \$20,000,000.

14 “(c) PARTNERSHIP INTERMEDIARIES.—

15 “(1) AUTHORIZATION.—The Commander may  
16 modify an existing agreement with a partnership  
17 intermediary to assist the Commander in carrying  
18 out the pilot program under this section, including  
19 with respect to the award of contracts and agree-  
20 ments to small business concerns.

21 “(2) LIMITATION.—None of the funds described  
22 in subsection (b) may be used to pay a partnership  
23 intermediary for any costs associated with the pilot  
24 program.

1           “(3) DATA.—With respect to a covered award  
2           made under this section, the Commander shall gather  
3           data on the role of the partnership intermediary  
4           to include the—

5                   “(A) staffing structure;

6                   “(B) funding sources; and

7                   “(C) methods for identifying and evalu-  
8           ating small business concerns eligible for a cov-  
9           ered award.

10          “(d) REPORT.—

11           “(1) ANNUAL REPORT.—Not later than October  
12          1 of each year until October 1, 2026, the Com-  
13          mander of the United States Special Operations  
14          Command, in coordination with the Under Secretary  
15          of Defense for Research and Engineering, shall sub-  
16          mit to the congressional defense committees, the  
17          Committee on Small Business of the House of Rep-  
18          resentatives, and the Committee on Small Business  
19          and Entrepreneurship of the Senate a report includ-  
20          ing—

21                   “(A) a description of each agreement with  
22           a partnership intermediary entered into pursu-  
23           ant to this section;

24                   “(B) for each covered award made under  
25           this section—

1                   “(i) a description of the role served by  
2 the partnership intermediary;

3                   “(ii) the amount of funds obligated;

4                   “(iii) an identification of the small  
5 business concern that received such cov-  
6 ered award;

7                   “(iv) a description of the use of such  
8 covered award;

9                   “(v) a description of the role served  
10 by the program manager (as defined in  
11 section 1737 of title 10, United States  
12 Code) of the covered entity with respect to  
13 the small business concern that received  
14 such covered award, including a descrip-  
15 tion of interactions and the process of the  
16 program manager in producing a past per-  
17 formance evaluation of such concern; and

18                   “(vi) the benefits achieved as a result  
19 of the use of a partnership intermediary  
20 for the pilot program established under  
21 this section as compared to previous efforts  
22 of the Commander to increase participa-  
23 tion by small business concerns in the de-  
24 velopment of technology-enhanced capabili-  
25 ties for special operations forces; and

1           “(C) a plan detailing how each covered en-  
2           tity will apply lessons learned from the pilot  
3           program to improve processes for directly work-  
4           ing with and supporting small business con-  
5           cerns to develop technology-enhanced capabili-  
6           ties for special operations forces.

7           “(2) FINAL REPORT.—The final report required  
8           under this subsection shall include, along with the  
9           requirements of paragraph (1), a recommendation  
10          regarding—

11           “(A) whether and for how long the pilot  
12          program established under this section should  
13          be extended; and

14           “(B) whether to increase funding for the  
15          pilot program, including a justification for such  
16          an increase.

17          “(e) TERMINATION.—The authority to carry out a  
18          pilot program under this section shall terminate on Sep-  
19          tember 30, 2025.

20          “(f) DEFINITIONS.—In this section:

21           “(1) The term ‘covered award’ means an award  
22          made under the Small Business Innovation Research  
23          Program.

24           “(2) The term ‘covered entity’ means—

25           “(A) the Army;

1                   “(B) the Navy;  
2                   “(C) the Air Force;  
3                   “(D) the Marine Corps;  
4                   “(E) the Space Force; and  
5                   “(F) any element of the Department of  
6            Defense that makes awards under the Small  
7            Business Innovation Research Program or  
8            Small Business Technology Transfer Program.  
9            “(3) The term ‘partnership intermediary’ has  
10           the meaning given the term in section 23(c) of the  
11           Stevenson-Wydler Technology Innovation Act of  
12           1980 (15 U.S.C. 3715(c)).  
13           “(4) The term ‘small business concern’ has the  
14           meaning given the term under section 3 of the Small  
15           Business Act (15 U.S.C. 632).  
16           “(5) The term ‘Small Business Innovation Re-  
17           search Program’ has the meaning given the term in  
18           section 9(e)(4) of the Small Business Act (15 U.S.C.  
19           638(e)).  
20           “(6) The term ‘technology-enhanced capability’  
21           means a product, concept, or process that improves  
22           the ability of a member of the Armed Forces to  
23           achieve an assigned mission.”.

1           **Subtitle A—Assistance and**  
2                           **Training**

3   **SEC. 1201. [LOG 72922] EXTENSION OF SUPPORT OF SPE-**  
4                           **CIAL OPERATIONS FOR IRREGULAR WAR-**  
5                           **FARE.**

6           Section 1202(a) of the National Defense Authoriza-  
7   tion Act for Fiscal Year 2018 (Public Law 115–91; 131  
8   Stat. 1639) is amended by striking “2023” and inserting  
9   “2025”.



1       **Subtitle B—Defense Intelligence**  
2       **and Intelligence-Related Activities**

3       **SEC. 1611.[Log 73300] NOTIFICATION OF CERTAIN THREATS**  
4                       **TO UNITED STATES ARMED FORCES BY FOR-**  
5                       **EIGN GOVERNMENTS.**

6           (a) DETERMINATION THAT FOREIGN GOVERNMENT  
7 INTENDS TO CAUSE THE DEATH OF OR SERIOUS BODILY  
8 INJURY TO MEMBERS OF THE ARMED FORCES.—The  
9 Secretary of Defense shall carry out the notification re-  
10 quirements under subsection (b) whenever the Secretary,  
11 in consultation with the Director of National Intelligence,  
12 determines with high confidence that, on or after the date  
13 of the enactment of this Act, an official of a foreign gov-  
14 ernment plans or takes some other substantial step that  
15 is intended to cause the death of, or serious bodily injury  
16 to, any member of the United States Armed Forces,  
17 whether through direct means or indirect means, including  
18 through a promise or agreement by the foreign govern-  
19 ment to pay anything of pecuniary value to an individual  
20 or organization in exchange for causing such death or in-  
21 jury.

22           (b) NOTICE TO CONGRESS.—

23               (1) NOTIFICATION.—Except as provided in  
24 paragraph (3), not later than 14 days after making  
25 a determination under subsection (a), the Secretary

1 shall notify the congressional leadership, the con-  
2 gressional intelligence committees and, consistent  
3 with the protection of sources and methods, the ap-  
4 propriate congressional committees of such deter-  
5 mination. Such notification shall include, at a min-  
6 imum, the following:

7 (A) A description of the nature and extent  
8 of the effort by the foreign government to tar-  
9 get members of the United States Armed  
10 Forces.

11 (B) An assessment of what specific offi-  
12 cials, agents, entities, and departments within  
13 the foreign government ordered, authorized, or  
14 had knowledge of the effort.

15 (C) An assessment of the motivations of  
16 the foreign government for undertaking such an  
17 effort.

18 (D) An assessment of whether the effort of  
19 the foreign government was a substantial factor  
20 in the death or serious bodily injury of any  
21 member of the United States Armed Forces.

22 (E) Any other information the Secretary  
23 determines appropriate.

24 (2) OPTION FOR BRIEFING.—Upon the request  
25 of a congressional recipient specified in paragraph

1 (1) after being notified of a determination under  
2 such paragraph, the Secretary shall provide to the  
3 recipient a briefing on the contents of the notifica-  
4 tion.

5 (3) PROTECTION OF SOURCES AND METH-  
6 ODS.—This subsection shall be carried out in a man-  
7 ner that is consistent with the protection of sources  
8 and methods.

9 (c) DEFINITIONS.—In this section:

10 (1) The term “anything of pecuniary value” has  
11 the meaning given that term in section 1958(b)(1)  
12 of title 18, United States Code.

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

15 (A) The Committee on Armed Services and  
16 the Committee on Foreign Affairs of the House  
17 of Representatives.

18 (B) The Committee on Armed Services and  
19 the Committee on Foreign Relations of the Sen-  
20 ate.

21 (3) The terms “congressional intelligence com-  
22 mittees” and “intelligence community” have the  
23 meaning given those terms in section 3 of the Na-  
24 tional Security Act of 1947 (50 U.S.C. 3003).

1           (4) The term “congressional leadership” in-  
2           cludes the following:

3                   (A) The majority leader of the Senate.

4                   (B) The minority leader of the Senate.

5                   (C) The Speaker of the House of Rep-  
6           resentatives.

7                   (D) The minority leader of the House of  
8           Representatives.

9           (5) The term “determines with high con-  
10          fidence”—

11                   (A) means that the official making the de-  
12          termination—

13                           (i) has concluded that the judgments  
14                           in the determination are based on sound  
15                           analytic argumentation and high-quality,  
16                           consistent reporting from multiple sources,  
17                           including through clandestinely obtained  
18                           documents, clandestine and open source re-  
19                           porting, and in-depth expertise;

20                           (ii) with respect to such judgments,  
21                           has concluded that the intelligence commu-  
22                           nity has few intelligence gaps and few as-  
23                           sumptions underlying the analytic line and  
24                           that the intelligence community has con-

1                   cluded that the potential for deception is  
2                   low; and

3                   (iii) has examined long-standing ana-  
4                   lytic judgments and considered alternatives  
5                   in making the determination; but

6                   (B) does not mean that the official making  
7                   the determination has concluded that the judg-  
8                   ments in the determination are fact or cer-  
9                   tainty.

10                  (6) The term “direct means” means without the  
11                  use of intermediaries.

12                  (7) The term “foreign government” means the  
13                  government of a foreign country with which the  
14                  United States is at peace.

15                  (8) The term “indirect means” means through,  
16                  or with the assistance of, intermediaries.

1 **SEC. 1612.[Log 72988] STRATEGY AND PLAN TO IMPLEMENT**  
2 **CERTAIN DEFENSE INTELLIGENCE REFORMS.**

3 (a) STRATEGY AND PLAN.—The Secretary of De-  
4 fense, in coordination with the Director of National Intel-  
5 ligence, shall develop and implement a strategy and plan  
6 to better support the intelligence priorities of the com-  
7 manders of the combatant commands, including with re-  
8 spect to efforts to counter in the open malign activities  
9 of adversaries of the United States.

10 (b) MATTERS INCLUDED IN PLAN.—The plan under  
11 subsection (a) shall include the following:

12 (1) A plan to adapt policies and procedures to  
13 assemble and release facts about the malign activi-  
14 ties of an adversary described in such subsection in  
15 a timely way and in forms that allow for greater dis-  
16 tribution and release.

17 (2) A plan to develop and publish validated pri-  
18 ority intelligence requirements of the commanders of  
19 the combatant commands.

20 (3) A plan to elevate open-source intelligence to  
21 a foundational intelligence for strategic intelligence  
22 that is treated on par with information collected  
23 from classified means (for example, human intel-  
24 ligence, signals intelligence, and geospatial intel-  
25 ligence).

1           (4) A plan for expanding the use of unclassified  
2 intelligence in order to combat threats from  
3 disinformation and misinformation by foreign adver-  
4 saries.

5           (5) A review by each element of the intelligence  
6 community of the approaches used by that ele-  
7 ment—

8           (A) with respect to intelligence that has  
9 not been processed or analyzed, to separate out  
10 data from the sources and methods by which  
11 the data is obtained (commonly known as  
12 “tearlining”); and

13           (B) with respect to finished intelligence  
14 products that relate to malign activities of an  
15 adversary described in subsection (a), to down-  
16 grade the classification level of the product.

17       (c) CONGRESSIONAL BRIEFING.—Not later than one  
18 year after the date of the enactment of this Act, and annu-  
19 ally thereafter through December 31, 2026, the Secretary  
20 and the Director shall jointly provide to the appropriate  
21 congressional committees a briefing on the strategy and  
22 plan under subsection (a).

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

- 1           (1) The congressional defense committees.
- 2           (2) The Committee on the Judiciary and the
- 3           Permanent Select Committee on Intelligence of the
- 4           House of Representatives.
- 5           (3) The Committee on the Judiciary and the
- 6           Select Committee on Intelligence of the Senate.



# **DIRECTIVE REPORT LANGUAGE**

# Table Of Contents

## DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

### TITLE I—PROCUREMENT

#### PROCUREMENT, DEFENSE-WIDE

##### Items of Special Interest

*Review of Armed Overwatch aircraft systems*

### TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

#### RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE

##### Items of Special Interest

*Prioritizing retrofit of the C-130 with autonomous flight capabilities*

### TITLE III—OPERATION AND MAINTENANCE

#### ITEMS OF SPECIAL INTEREST

##### LOGISTICS AND SUSTAINMENT ISSUES

Ground Tactical Vehicles for Special Operations Forces

### TITLE X—GENERAL PROVISIONS

#### ITEMS OF SPECIAL INTEREST

Deployment to Dwell Ratio of Special Operation Forces

Irregular Warfare Annex Implementation Plan

Report on Invocation of Collective Self-Defense by U.S. Special Operations Forces

Report on Posture of Special Operations Forces in the U.S. Central Command Area of Responsibility

Special Operations Forces Activities in Latin America and the Caribbean

### TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

#### ITEMS OF SPECIAL INTEREST

Special Operations Forces Cooperation with Israel

### TITLE XVI—SPACE ACTIVITIES, STRATEGIC PROGRAMS, AND INTELLIGENCE MATTERS

#### ITEMS OF SPECIAL INTEREST

##### INTELLIGENCE MATTERS

Briefing on Data and Intelligence from Military Operations in Afghanistan

Intelligence Collection Prioritization on Advanced Technologies of Adversaries

Intelligence Sharing Frameworks

Report on Intelligence Collection Capabilities and Activities of U.S. Forces Korea

##### OTHER MATTERS

Chemical Weapons Stockpile Destruction

Strategy for Biological Defense Vaccines

# DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

## TITLE I—PROCUREMENT

### PROCUREMENT, DEFENSE-WIDE

#### Items of Special Interest

##### *Review of Armed Overwatch aircraft systems*

The committee directs the Comptroller General of the United States to assess U.S. Special Operations Command's (USSOCOM's) Armed Overwatch concept. The assessment shall review:

(1) the roles and responsibilities of the Department of Defense organizations involved in the transfer of the Air Force's Light Attack Experimentation program to USSOCOM as the Armed Overwatch concept, and the analysis conducted to execute such a transfer;

(2) the extent to which the Department of Defense, to include those organizations identified in review element (1), has assessed the intended roles and missions of the Armed Overwatch platforms, to include consideration of how such platforms would support the joint force with close air support, precision fires, and armed intelligence, surveillance, and reconnaissance (ISR), if it is intended to do so;

(3) the extent to which Armed Overwatch, as an armed ISR capability, will satisfy USSOCOM's airborne ISR requirements;

(4) the extent to which USSOCOM has prioritized missions and plans, to include evaluating risks, to employ Armed Overwatch independently or with other ISR and operational platforms;

(5) the extent to which alternatives were considered to meet this concept, to include capabilities provided by the joint force; and

(6) any other matters the Comptroller General deems appropriate.

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than March 25, 2022, on the Comptroller General's preliminary findings, and to submit a final report to the Committees on Armed Services of the Senate and the House of Representatives on a date agreed to at the time of the briefing.

## TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

### RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE

#### Items of Special Interest

##### *Prioritizing retrofit of the C-130 with autonomous flight capabilities*

The committee notes the utility of the C-130 aircraft as a critical multi-mission capability for the Department of Defense. As suggested by the House Committee on Armed Services Future of Defense Task Force, the Department should consider ways in which artificial intelligence/machine learning (AI/ML) and autonomous capabilities can be integrated into existing platforms.

The committee is aware of U.S. Special Operations Command's use of AI/ML for predictive maintenance on special operations forces (SOF)-peculiar air platforms, and appreciates the impact such capability can have on the avionics of Air Force Special Operations Command (AFSOC) capabilities to provide autonomous flight in existing capabilities. Integrating AI/ML-enabled autonomous technology into SOF-peculiar platforms, such as the C-130, could greatly enhance operational service time and enable the Department to more effectively utilize current platforms and resources instead of pursuing acquisition of new capabilities. Further, the committee encourages the Department to consider commercially available AI/ML-enabled autonomous technologies, such as those being tested by AFSOC, to lower cost and risk across the Joint Force. The committee also recommends other military services consider how emergent commercial technologies, such as automation, can be included in fixed-wing fleet modernization efforts.

Therefore, the committee directs the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict to provide a briefing to the House Committee on Armed Services not later than December 31, 2021, on the efforts underway by AFSOC to incorporate autonomous capabilities into the SOF-peculiar C-130 platform. The briefing shall include a timeline, milestones, expected final operating capability for development and operational deployment of these capabilities, and whether there are any challenges to integrating commercially available technologies into this platform.

## TITLE III—OPERATION AND MAINTENANCE

### ITEMS OF SPECIAL INTEREST

#### LOGISTICS AND SUSTAINMENT ISSUES

##### Ground Tactical Vehicles for Special Operations Forces

The committee recognizes that commonplace technologies and equipment such as Non-Standard Commercial Vehicles (NSCV) can support special operations forces (SOF) efforts to compete with near-peer adversaries and counter violent extremist organizations. NSCV can also enable SOF to operate safely while blending into the local population as the fleet is based upon globally available, regionally specific commercial vehicle platforms that are enhanced with SOF-specific modifications. The committee recognizes the importance of such a capability, which can enable SOF operations and activities in plain sight. However,

the committee is also aware that the current NSCV fleet is coming to the end of its service life.

Therefore, the committee directs the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict to submit a report to the House Committee on Armed Services not later than February 25, 2022, on the current and future plans for the NSCV fleet. The report must include a strategy for the use of ground tactical vehicles across the spectrum of SOF-specific missions, focusing on great power competition. Further, the report must include an analysis of alternatives to the NSCV fleet, if applicable. The report may contain a classified annex if necessary.

## TITLE X—GENERAL PROVISIONS

### ITEMS OF SPECIAL INTEREST

#### Deployment to Dwell Ratio of Special Operation Forces

The committee understands that special operations forces (SOF) sustained a near 1:1 deployment-to-dwell operational tempo for the last 20 years in support of geographic combatant commands to counter violent extremist organizations. The committee is aware that the 20 years of constant deployments has profoundly challenged SOF culture and readiness, and is encouraged by efforts to increase the time between deployments across the formation.

Therefore, the committee directs the Assistant Secretary of Special Operations and Low Intensity Conflict to provide a report to the congressional defense committees by January 28, 2022, on the current and projected deployment to dwell ratio for special operations forces. The report shall consider the Global Force Management Allocation Plan and any Request for Forces related to SOF. Further, in addition to specifically addressing the deployment to dwell ratio for support forces, the report must include the National Guard and Reserve Components.

#### Irregular Warfare Annex Implementation Plan

The committee recognizes that the shift from countering violent extremism to countering strategic competition necessitates a fully synchronized effort across the Department of Defense. While the Department must always prepare for high-intensity traditional warfare, the future state of strategic competition is more likely to be dominated by irregular warfare. The committee is concerned that a fully integrated and proactive approach to planning for and implementing irregular warfare has not yet been fulsomely adopted by those Department of Defense organizations which are tantamount to the success of such a shift in the conduct of warfare. Thus, the committee believes that, to achieve truly comprehensive national

security, the Department of Defense must pursue the development of capabilities in both the traditional and irregular warfare constructs.

The committee believes that the office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD SO/LIC) commands a unique perspective in the shaping and integration of irregular warfare resourcing, requirements, training, and force posture adjustments across the Department of Defense due to the strategic civilian oversight responsibilities of special operations forces, which are an exemplar force in the conduct of irregular warfare. The committee is aware of ASD SO/LIC's efforts, in partnership with the Joint Staff, to support the Department of Defense's development of an irregular warfare implementation plan for the Joint Force which will undoubtedly facilitate a more thorough understanding of how to expand the competitive space through irregular warfare methodology.

Therefore, the committee directs the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict to provide a briefing to the House Committee on Armed Services not later than February 25, 2022, on its progress supporting the Department of Defense's efforts towards institutionalizing irregular warfare as a core competency for the Joint Force. The briefing shall include how the Department is developing and planning to leverage a Functional Center for Security Studies in Irregular Warfare, as previously directed in the committee report accompanying the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (H. Rept. 116-442).

#### Report on Invocation of Collective Self-Defense by U.S. Special Operations Forces

The committee recognizes that U.S. Special Operations Forces (USSOF) represent a flexible, innovative capability adept at establishing important relationships with foreign partners while serving as a deterrent for malign actors. The committee understands that USSOF have and will continue to provide protection to foreign partners under the notion of collective self-defense of partner forces as a means to justify the use of military force.

Therefore, the committee directs the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict to provide a report to the House Committee on Armed Services by February 4, 2022, on all instances of the use of military force by USSOF under the notion of collective self-defense of foreign partners for the 3 years preceding the due date of the report. The report shall include, at a minimum, the following: date, location, duration, foreign forces involved, capabilities employed, the circumstances which led to use of military force, and operational authorities or execute orders underpinning each incident.

#### Report on Posture of Special Operations Forces in the U.S. Central Command Area of Responsibility

The committee recognizes that U.S. Special Operations Forces (USSOF) are a potent force that is deployed globally and provides critical capability and

tradecraft in locations in and outside of areas of active hostilities. Given the ongoing conflicts in U.S. Central Command's (USCENTCOM) area of responsibility (AOR) and the forthcoming withdrawal from Afghanistan, the committee is interested in understanding SOF posture across the USCENTCOM AOR.

Therefore, the committee directs the the Secretary of Defense to provide a report to the congressional defense committees by January 28, 2022, on any possible special operations forces in the USCENTCOM AOR. The report shall describe:

(1) the location(s), disposition, mission, and rules of engagement for special operations forces in the USCENTCOM AOR, exclusive of Afghanistan and Iraq;

(2) any potential combat engagements within the USCENTCOM AOR, exclusive of Afghanistan and Iraq, within the period of 1 year preceding the date of the submission of the report; and

(3) any plans or anticipated adjustments to force posture of USSOF in the areas described in reporting element (2) within the 1-year period following the date of the submission of the report, to include the Afghanistan retrograde.

The report must be submitted in unclassified form but may contain a classified annex.

#### Special Operations Forces Activities in Latin America and the Caribbean

The committee recognizes that today's threats are globally diffuse and characterized by transnational networks that transcend geographic boundaries. The committee further notes that violent extremist organizations and near peer adversaries often take advantage of regions which have historically been focused on demands for conventional military forces and capabilities, including in Latin America and the Caribbean. The committee recognizes that a whole of government approach can address diffuse threats, including the unique capabilities of U.S. Special Operations Forces (USSOF).

Therefore, the committee directs the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, in coordination with the Commander, U.S. Special Operations Command, to provide a report to the House Committee on Armed Services by January 28, 2022, on the current and projected force posture, assigned capabilities, and related activities by USSOF in Latin America and the Caribbean. The report shall address how USSOF posture, capabilities, and activities advance U.S. national security interests, address evolving threats from state and non-state actors operating in the region, and support the objectives set forth in extant national security strategic guidance. Finally, the report shall identify any capability or capacity gaps and the reasons for those gaps.

## TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

### ITEMS OF SPECIAL INTEREST

#### Special Operations Forces Cooperation with Israel

The committee recognizes that allies and partners are a crucial component of U.S. national security. The committee also recognizes that strong relationships between U.S. Special Operations Forces (USSOF) and the corresponding forces of our allies and partners serve as an important anchor in addressing complex threats. The committee notes that the challenges presented by state and non-state actors in the Middle East and the Levant underscore the need for reliable relationships, including interoperable relationships if feasible, in which USSOF can partner to deter and challenge those threats.

Therefore, the committee directs the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, in coordination with the Commander, U.S. Special Operations Command, to provide a briefing to the House Committee on Armed Services by December 31, 2021, on all current, developing, and planned cooperative and collaborative activities and initiatives between USSOF and Israeli special operations forces.

## TITLE XVI—SPACE ACTIVITIES, STRATEGIC PROGRAMS, AND INTELLIGENCE MATTERS

### ITEMS OF SPECIAL INTEREST

#### INTELLIGENCE MATTERS

#### Briefing on Data and Intelligence from Military Operations in Afghanistan

The committee recognizes that an immense amount of operational data and intelligence has been developed over the past two decades of war in Afghanistan. The committee believes this information is valuable and must be appropriately retained. Therefore, the committee directs the Under Secretary of Defense for Intelligence and Security to provide a briefing to the House Committee on Armed Services not later than December 31, 2021, on how the Department of Defense plans to remove, retain, and assure long-term access to this data across all branches and commands. The briefing should include the manner in which the Department is standardizing and archiving intelligence and operational data from Afghanistan across the myriad of defense information systems, and the manner in which the Department is ensuring access to Afghanistan operational data across the joint force.



## Intelligence Collection Prioritization on Advanced Technologies of Adversaries

The committee recognizes that strategic competitors and adversaries of the United States are innovating rapidly to develop and exploit technology-enabled tools that may harm the United States and allies of the United States. The committee is concerned that the Defense Intelligence Enterprise has not adequately prioritized collection of these emerging scientific and technical developments. The committee believes the Defense Intelligence Enterprise must prioritize collection of emerging technologies of strategic competitors and adversaries of the United States to better understand those capabilities and intentions.

Therefore, the committee directs the Under Secretary of Defense for Intelligence and Security to provide a briefing to the House Committee on Armed Services not later than December 31, 2021, on steps taken within the Defense Intelligence Enterprise to prioritize collection of emerging technologies being pursued by strategic competitors and adversaries of the United States, including developments in biotechnology, artificial intelligence and machine learning, lethal autonomous weapons, hypersonic weapons, and directed energy weapons.

## Intelligence Sharing Frameworks

The committee recognizes the special intelligence sharing relationship that the United States has maintained with Australia, New Zealand, Canada, and the United Kingdom (the Five Eyes) since World War II. The committee also recognizes that this community of trust did not develop overnight but that over decades these countries have developed unique ways to gather and share intelligence, and thereby strengthen the relationship. The committee acknowledges that the threat landscape has vastly changed since the inception of the Five Eyes arrangement, with primary threats now emanating from China and Russia. The committee believes that, in confronting great power competition, the Five Eye countries must work closer together, as well as expand the circle of trust to other like-minded democracies.

The committee directs the Director of National Intelligence, in coordination with the Secretary of Defense, to provide a report to the House Committee on Armed Services, the Senate Committee on Armed Services, and the congressional intelligence committees, not later than May 20, 2022, on current intelligence and resource sharing agreements between the United States and the countries of Australia, Canada, New Zealand, and the United Kingdom; as well as opportunities to expand intelligence sharing with South Korea, Japan, India, and Germany. The review shall include:

- (1) the current state of the Five Eyes sharing agreement, including any potential shortcomings of the agreement, and proposed changes to implement efficiencies and enhance security;

- (2) the current resource sharing efforts among the Five Eyes, to include military and intelligence efforts, and proposed future resource sharing opportunities; and

(3) the benefits of expanding the Five Eyes arrangement to include South Korea, Japan, India, and Germany, including the nature of insights that each of these countries may be in a position to contribute, any technology limitations that prevent closer sharing and actions needed to remediate those technology limitations, identification of the risks associated with expanding intelligence sharing arrangements, and suggestions on how to safely incorporate each country into a closer sharing framework.

#### Report on Intelligence Collection Capabilities and Activities of U.S. Forces Korea

The committee directs the Commander of U.S. Indo-Pacific Command, in consultation with the Commander of U.S. Forces Korea and the Commander of U.S. Special Operations Command, to submit a report to the House Committee on Armed Services not later than February 25, 2022, on intelligence collection capabilities and activities in the U.S. Forces Korea area of operations, including with respect to spaceborne, airborne, ground, maritime, and cyber intelligence, surveillance, and reconnaissance capabilities. The report shall be unclassified but may contain a classified annex. At a minimum, the report shall include:

- (1) validated intelligence requirements, by specific intelligence capability type, and how each intelligence capability type supports such requirements;
- (2) the fulfillment rate for each validated intelligence requirement, by specific intelligence capability type;
- (3) a summary of critical gaps and deficiencies, by specific intelligence capability type;
- (4) additional impediments to efforts to collect, process, analyze, and share intelligence;
- (5) efforts to ensure the joint force and the interagency provide combatant commanders with relevant intelligence capabilities;
- (6) a summary of risk mitigation strategies to address deficiencies and impediments; and
- (7) any other relevant matters that the Commander of U.S. Forces Korea determines should be included.

#### OTHER MATTERS

##### Chemical Weapons Stockpile Destruction

The committee recognizes that, as a signatory to the Chemical Weapons Convention, the United States is obligated to destroy the U.S. inventory of lethal chemical agents and munitions. The committee further recognizes that the Department of Defense is responsible for and working toward destroying 100 percent of the remaining chemical weapons stockpile no later than December 31, 2023, as required by section 1521 of title 50, United States Code, as amended. The committee expects that all necessary efforts will be undertaken to ensure that the United States remains in compliance with this mandatory destruction date.

Therefore, the committee directs the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs to provide a briefing to the House Committee on Armed Services not later than December 31, 2021, on the status and progress of this requirement, and any challenges to meeting the mandatory destruction date.

### Strategy for Biological Defense Vaccines

The committee recognizes the devastating impact that biological threats, whether naturally occurring or deliberate, can have on U.S. national security, as evidenced by the COVID-19 pandemic. The committee believes that advances in science and biotechnology underscore the need for U.S. Food and Drug Administration (FDA) approved vaccines to protect the warfighter.

The committee understands that the Department of Defense defunded two vaccine programs, the botulinum toxin vaccine and plague vaccine, after persistent manufacturing challenges. Nonetheless, the committee recognizes the imperative that the Department of Defense ensure reliable access to safe and effective vaccines to protect U.S. service members against biological agents, including against botulinum toxin and plague.

Therefore, the committee directs the Secretary of Defense to submit a report to the congressional defense committees by December 31, 2021, on the strategy for acquiring vaccines for the Department of Defense. The report shall include the following:

- (1) identification of each vaccine currently being pursued, and for each, an assessment of the time and cost to achieve a viable, FDA-approved product;
- (2) identification of the work completed on botulinum toxin and plague and details on potential courses of action for utilizing the work conducted for those programs, including cost and time;
- (3) countermeasures being developed for each biological agent identified in (1) and (2); and
- (4) an assessment of the collaboration undertaken with partners and allies to develop or otherwise procure vaccines.