

House provision while removing the Space Force from the Moving Target Indication Working Group membership since it is a co-chair of the group.

*Sec. 1685 - Positioning, navigation, and timing*

The House bill contained a provision (sec. 1684) that would require the Chairs of the Positioning, Navigation, and Timing Oversight Council to provide quarterly briefings to the congressional defense committees on the status of Military code (M-Code) implementation, including the status of Military Global Positioning System User Equipment Increments 1 and 2, with details on expected dates of M-Code compliance for all sea-, air-, and land-based terminals across the services' platforms.

The Senate amendment contained a provision (sec. 1607) that would require Program Element 0604201F to be an acquisition category (ACAT) 1D program.

The Senate recedes with an amendment that strikes the findings of the House provision and requires the program to be a ACAT 1D program.

*Sec. 1686 - Actions to address serious deficiencies in electronic protection of systems that operate in the radio frequency spectrum*

The Senate amendment contained a provision (sec. 1645) that would require the Secretary of Defense to address deficiencies in the electronic protection of systems that operate in the federal radio frequency (RF) spectrum. Recent exercises and assessments reveal that a broad array of military systems that transmit and receive in the federal RF spectrum, including radars and signals intelligence sensors, navigation systems, data links, and other communications systems, lack sufficient protection against adversary jamming and spoofing, as well as against interference from systems operated by friendly forces within that federal spectrum.

The House bill contained no similar provision.

The House recedes.

*Sec. 1687 - Limitation on use of funds for certain unreported programs*

The Senate amendment contained a provision (sec. 1646) that would prohibit the obligation or expenditure of funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 on any classified program

involving unidentified anomalous phenomena that has not been briefed to the appropriate committees of Congress, congressional leadership, and the Director of the All-domain Anomaly Resolution Office.

The House bill contained no similar provision.

The House recedes with an amendment that would: (1) Remove the direction to provide information to the All-domain Anomaly Resolution Office; and (2) Summarize the prohibition on spending for any unreported activities involving unidentified anomalous phenomena (UAP) protected under any form of special access or restricted access limitations.

The conferees agree that this prohibition on spending on unreported UAP programs could cover:

(1) Recruiting, employing, training, equipping, and operations of, and providing security for, Government or contractor personnel with a primary, secondary, or contingency mission of capturing, recovering, and securing unidentified anomalous phenomena craft or pieces and components of such craft;

(2) Analyzing such craft, or pieces or components thereof, including for the purpose of determining properties, material composition, method of manufacture, origin, characteristics, usage and application, performance, operational modalities, or reverse engineering of such craft or component technology;

(3) Managing and providing security for protecting activities and information relating to unidentified anomalous phenomena from disclosure or compromise;

(4) Actions relating to reverse engineering or replicating unidentified anomalous phenomena technology or performance based on analysis of materials or sensor and observational information associated with unidentified anomalous phenomena;

(5) The development of propulsion technology, or aerospace craft that uses propulsion technology, systems, or subsystems that is based on or derived from or inspired by inspection, analysis, or reverse engineering of recovered unidentified anomalous phenomena craft or materials; and

(6) Any aerospace craft that uses propulsion technology other than chemical propellants, solar power, and electric ion thrust.

#### *Sec. 1688 - Indo-Pacific missile strategy*

The House bill contained a provision (sec. 1688) that would require the Secretary of Defense to submit to the

industrial base, we believe it is important for the Department to provide clear, timely implementation guidance, no later than the October 1, 2024 deadline, when signing any such contracts will be banned. Additionally, the conferees direct the Secretary of Defense to provide to the congressional defense committees a briefing, not later than 90 days after the enactment of this Act. That briefing should include the results of an evaluation of the impact that continued use of prohibited drones for non-defense applications by defense contractors may have on the security of the Department and its contractors.

## **SUBTITLE C—UNIDENTIFIED ANOMALOUS PHENOMENA**

### *Secs. 1841 - 1843 - Unidentified Anomalous Phenomena*

The Senate amendment contained a set of provisions (sections 9001 - 9015) under Division G that constituted the Unidentified Anomalous Phenomena Disclosure Act of 2023. Closely modeled on the President John F. Kennedy Assassination Records Collection Act of 1992, this Act would establish under the National Archives a government-wide collection of Unidentified Anomalous Phenomena (UAP) records and a mandate to declassify and publicly release these records; grounds for postponement of disclosure; a government-wide records Review Board, composed of qualified and impartial citizens nominated by the President and confirmed by the Senate, with the authority to review and approve, or postpone, the public release of records; a process and structure for supporting the Review Board with competent staff under an Executive Director; a requirement for the Review Board to develop a Controlled Disclosure Campaign plan for records the release of which have been postponed, wherein the President retains ultimate authority over the disclosure of records; and a mandate that the Federal Government exercise eminent domain over any and all recovered UAP physical and biological material that may be held by private persons or entities.

The House bill contained no similar provisions.

The House recedes with an amendment.

The conference agreement includes only the requirements to establish a government-wide UAP records collection; to transfer records to the collection; and to review the records for disclosure decisions under a set of authorized grounds for postponing disclosure. The agreement does not include the provisions that would establish an independent Review Board, a Review Board staff, eminent domain authority, or a controlled disclosure process.

The conferees note that lack of sufficient reciprocal access between Department of Defense and intelligence community personnel has led to operational inefficiencies and unnecessary risk of disclosures of protected information. Therefore, the conferees direct the Deputy Secretary of Defense and the Director of National Intelligence to brief the congressional defense committees, the Senate Select Committee on Intelligence, the House Permanent Select Committee on Intelligence, and congressional leadership on options to improve reciprocal access and coordination on similar issues.

## **SUBTITLE D—WORLD TRADE CENTER HEALTH PROGRAM**

*Secs. 1851 - 1853 - World Trade Center Health Program*

The Senate amendment contained a provision (sec. 1087) that would amend title XXXIII of the Public Health Service Act (Public Law 78-410) to make changes to the World Trade Center Health Program.

The House bill contained no similar provision.

The House recedes with an amendment.

### **LEGISLATIVE PROVISIONS NOT ADOPTED**

*Report on national security threats of foreign-owned agricultural land near military installments*

The House bill contained a provision (sec. 1868) that would require the Secretary of Defense to submit a report on foreign-owned agricultural land located within 50 miles of a U.S. military installation.

The Senate amendment contained a similar provision (sec. 1086).

The conference agreement does not include either provision.

*Modification of defense sensitive support notification requirement*

The House bill contained a provision (sec. 1802) that would modify the requirement for notifications to Congress regarding Defense Sensitive Support (DSS) provided to non-Department of Defense Federal departments or agencies pursuant to section 1055(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328).