

118TH CONGRESS
1ST SESSION

S. 3353

To accelerate the identification of solutions to the challenges of the Joint Force by assigning to specific components of the Department of Defense certain responsibilities for the delivery of essential integrated joint warfighting capabilities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 28, 2023

Ms. ERNST introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To accelerate the identification of solutions to the challenges of the Joint Force by assigning to specific components of the Department of Defense certain responsibilities for the delivery of essential integrated joint warfighting capabilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “JADC2 Implementa-
5 tion Act”.

1 **SEC. 2. ROLES AND RESPONSIBILITIES FOR COMPONENTS**
2 **OF OFFICE OF SECRETARY OF DEFENSE FOR**
3 **JOINT ALL-DOMAIN COMMAND AND CONTROL**
4 **IN SUPPORT OF INTEGRATED JOINT**
5 **WARFIGHTING.**

6 (a) IN GENERAL.—The Secretary of Defense shall es-
7 tablish the roles and responsibilities of components of the
8 Office of the Secretary of Defense for development and
9 delivery to combatant commands of capabilities that are
10 essential to integrated joint warfighting capabilities, as
11 follows:

12 (1) The Deputy Chief Technology Officer for
13 Mission Capabilities of the Office of the Under Sec-
14 retary of Defense for Research and Engineering (in
15 this section referred to as the “Deputy Chief”) shall
16 be responsible for—

17 (A) identifying new technology and oper-
18 ational concepts for experimentation and proto-
19 typing for delivery to the Joint Force to ad-
20 dress key operational challenges;

21 (B) providing technical support for the
22 Joint Force in exploring and analyzing new ca-
23 pabilities, operational concepts, and systems-of-
24 systems composition, including through ad-
25 vanced modeling and simulation; and

1 (C) executing associated experimentation,
2 through the Rapid Defense Experimentation
3 Reserve (RDER) or another mechanism.

4 (2) The Executive Director for Acquisition, In-
5 tegration, and Interoperability of the Office of the
6 Under Secretary of Defense for Acquisition and
7 Sustainment shall be responsible for—

8 (A) enabling the acquisition of cross-do-
9 main, joint, and cross-system kill chains and
10 mission capabilities, including resourcing of
11 modifications necessary for integration and
12 interoperability among kill chain and mission
13 components; and

14 (B) ensuring the effectiveness of cross-do-
15 main, joint, and cross-system kill chains and
16 mission capabilities through analysis and test-
17 ing.

18 (3) The Chief Digital and Artificial Intelligence
19 Officer shall be responsible for creating and oper-
20 ating a factory-based approach for software develop-
21 ment that allows for iterative, secure, and contin-
22 uous deployment of developmental, prototype, and
23 operational tools and capabilities from multiple ven-
24 dors to test networks and operational networks for
25 combatant commanders to—

1 (A) gain operational awareness, make deci-
2 sions, and take actions;

3 (B) integrate relevant data sources to sup-
4 port target selection, target prioritization, and
5 weapon-target pairing; and

6 (C) prosecute targets through military
7 service and combat support agency networks,
8 tools, and systems.

9 (b) ADDITIONAL DEPUTY CHIEF AUTHORITIES.—

10 (1) IN GENERAL.—The Deputy Chief may exer-
11 cise the authorities described in paragraph (2) in ac-
12 cordance with this subsection to carry out the re-
13 sponsibilities of the Deputy Chief described in sub-
14 section (a)(1).

15 (2) AUTHORITIES DESCRIBED.—The authorities
16 described in this paragraph are—

17 (A) the authority to enter contracts to ac-
18 quire goods and services; and

19 (B) except as otherwise provided by this
20 subsection, the authority to appoint, prescribe
21 rates of pay for, and provide additional pay to
22 highly qualified experts.

23 (3) ACQUISITION AUTHORITY.—The laws and
24 regulations applicable to acquisitions of goods and
25 services by the Secretary of Defense shall apply to

1 the acquisition of goods and services by the Deputy
2 Chief pursuant to paragraph (2)(A).

3 (4) HIRING AUTHORITIES.—

4 (A) APPOINTMENT LIMITS.—When exer-
5 cising the authority described in paragraph
6 (2)(B), the Deputy Chief may—

7 (i) appoint only individuals with dem-
8 onstrated expertise in the development,
9 testing, production, and delivery or inte-
10 gration of modular systems and major sys-
11 tem components (as defined in section
12 4401(b) of title 10, United States Code),
13 including autonomous vehicles, advanced
14 sensors and radio systems, and software
15 systems; and

16 (ii) appoint individuals to not more
17 than 12 positions as program managers in
18 the Office of the Under Secretary of De-
19 fense for Research and Engineering.

20 (B) TERM EXTENSION.—The Deputy Chief
21 may extend the period which an employee ap-
22 pointed pursuant to paragraph (2)(B) may
23 serve by up to seven additional years.

24 (C) EXCEPTED SERVICE POSITIONS.—
25 Each position to which the Deputy Chief may

1 appoint an individual pursuant to paragraph
2 (2)(B) shall be in the excepted service.

3 (c) COORDINATION.—The officials referred to in
4 paragraphs (1), (2), and (3) of subsection (a) shall coordi-
5 nate and align their plans and activities to implement sub-
6 section (a) among themselves and with the combatant
7 commanders.

8 (d) INITIAL PRIORITIZATION.—In developing an ini-
9 tial set of capabilities described in subsection (a), the offi-
10 cials referred to in paragraphs (1), (2), and (3) of that
11 subsection shall prioritize the requirements of the United
12 States Indo-Pacific Command.

13 (e) BRIEFINGS REQUIRED.—Not later than 90 days
14 after the date of the enactment of this Act, and every 180
15 days thereafter through December 31, 2026, the officials
16 referred to in paragraphs (1), (2), and (3) of subsection
17 (a) shall provide briefings to the congressional defense
18 committees on their plans and activities to implement sub-
19 section (a).

20 (f) REPORT REQUIRED.—Not later than March 1,
21 2024, the Chief Data and Artificial Intelligence Officer,
22 in consultation with the Deputy Chief and the Executive
23 Director for Acquisition, Integration, and Interoperability
24 of the Office of the Under Secretary of Defense for Acqui-

1 sition and Sustainment, shall submit to the congressional
2 defense committees a report that includes—

3 (1) a plan and associated timelines for deploy-
4 ing and demonstrating a joint data integration layer
5 prototype in the United States Indo-Pacific Com-
6 mand area of operations;

7 (2) a plan and associated timelines for
8 transitioning such a prototype, upon its successful
9 demonstration, to fielding as soon as practicable
10 given the urgent need for a joint all-domain com-
11 mand and control (commonly referred to as
12 “JADC2”) capability;

13 (3) a plan and associated timelines for reaching
14 initial operational capability for a joint data integra-
15 tion layer within the United States Indo-Pacific
16 Command area of operations;

17 (4) a plan and associated timelines for scaling
18 that capability to future areas of operation across
19 the combatant commands;

20 (5) an assessment of the required type and
21 number of personnel at the United States Indo-Pa-
22 cific Command to enable sustained growth in
23 JADC2 capabilities; and

24 (6) a plan and associated timelines for—

1 (A) identifying specific critical effects
2 chains necessary to overcome anti-access and
3 area denial capabilities and offensive military
4 operations of foreign adversaries; and

5 (B) creating, demonstrating, deploying,
6 and sustaining such chains.

○