

1 **SEC. 1003. PLAN FOR CONSOLIDATION OF INFORMATION**
2 **TECHNOLOGY SYSTEMS USED IN DEPART-**
3 **MENT OF DEFENSE PLANNING, PROGRAM-**
4 **MING, BUDGETING, AND EXECUTION PROC-**
5 **ESS.**

6 Not later than 180 days after the date of the enact-
7 ment of this Act, the Under Secretary of Defense (Comp-
8 troller), in consultation with the Chief Information Officer
9 and the Chief Data Officer of the Department of Defense,
10 shall submit to the congressional defense committees a
11 plan to consolidate the information technology systems
12 used to manage data and support the planning, program-
13 ming, budgeting, and execution process of the Department
14 of Defense. The plan shall include the consolidation of
15 such systems used by each of the military departments
16 and such systems used by the Defense Agencies, and shall
17 address the retirement or elimination of such systems.

18 **SEC. 1004. COMMISSION ON PLANNING, PROGRAMMING,**
19 **BUDGETING, AND EXECUTION REFORM.**

20 (a) ESTABLISHMENT.—

21 (1) IN GENERAL.—There is hereby established
22 an independent commission in the legislative branch
23 to be known as the “Commission on Planning, Pro-
24 gramming, Budgeting, and Execution Reform” (in
25 this section referred to as the “Commission”).

1 (2) DATE OF ESTABLISHMENT.—The Commis-
2 sion shall be established not later 30 days after the
3 date of the enactment of this Act.

4 (b) MEMBERSHIP.—

5 (1) NUMBER AND APPOINTMENT.—The Com-
6 mission shall be composed of 14 civilian individuals
7 not employed by the Federal Government who are
8 recognized experts and have relevant professional ex-
9 perience one or more of the following:

10 (A) Matters relating to the planning, pro-
11 gramming, budgeting, and execution process of
12 the Department of Defense.

13 (B) Innovative budgeting and resource al-
14 location methods of the private sector.

15 (C) Iterative design and acquisition proc-
16 ess.

17 (D) Budget or program execution data
18 analysis.

19 (2) MEMBERS.—The members shall be ap-
20 pointed as follows:

21 (A) The Secretary of Defense shall appoint
22 two members.

23 (B) The Majority Leader and the Minority
24 Leader of the Senate shall each appoint one
25 member.

1 (C) The Speaker of the House of Rep-
2 resentatives and the Minority Leader shall each
3 appoint one member.

4 (D) The Chair and the Ranking Member
5 of the Committee on Armed Services of the
6 Senate shall each appoint one member.

7 (E) The Chair and the Ranking Member of
8 the Committee on Armed Services of the House
9 of Representatives shall each appoint one mem-
10 ber.

11 (F) The Chair and the Ranking Member of
12 the Committee on Appropriations of the Senate
13 shall each appoint one member.

14 (G) The Chair and the Ranking Member of
15 the Committee on Appropriations of the House
16 of Representatives shall each appoint one mem-
17 ber.

18 (3) DEADLINE FOR APPOINTMENT.—Not later
19 than 30 days after the date described in subsection
20 (a)(2), members shall be appointed to the Commis-
21 sion.

22 (4) EXPIRATION OF APPOINTMENT AUTHOR-
23 ITY.—The authority to make appointments under
24 this subsection shall expire on the date described in
25 subsection (a)(2), and the number of members of the

1 Commission shall be reduced by the number equal to
2 the number of appointments so not made.

3 (c) CHAIR AND VICE CHAIR.—The Commission shall
4 elect a Chair and Vice Chair from among its members.

5 (d) PERIOD OF APPOINTMENT AND VACANCIES.—
6 Members shall be appointed for the term of the Commis-
7 sion. A vacancy in the Commission shall not affect its pow-
8 ers and shall be filled in the same manner as the original
9 appointment was made.

10 (e) PURPOSE.—The purpose of the Commission is
11 to—

12 (1) examine the effectiveness of the planning,
13 programming, budgeting, and execution process and
14 adjacent practices of the Department of Defense,
15 particularly with respect to facilitating defense mod-
16 ernization;

17 (2) consider potential alternatives to such proc-
18 ess and practices to maximize the ability of the De-
19 partment of Defense to respond in a timely manner
20 to current and future threats; and

21 (3) make legislative and policy recommenda-
22 tions to improve such process and practices in order
23 to field the operational capabilities necessary to out-
24 pace near-peer competitors, provide data and analyt-

1 ical insight, and support an integrated budget that
2 is aligned with strategic defense objectives.

3 (f) SCOPE AND DUTIES.—The Commission shall per-
4 form the following duties:

5 (1) Compare the planning, programming, budg-
6 eting, and execution process of the Department of
7 Defense, including the development and production
8 of documents including the Defense Planning Guid-
9 ance (described in section 113(g) of title 10, United
10 States Code), the Program Objective Memorandum,
11 and the Budget Estimate Submission, with similar
12 processes of private industry, other Federal agencies,
13 and other countries.

14 (2) Conduct a comprehensive assessment of the
15 efficacy and efficiency of all phases and aspects of
16 the planning, programming, budgeting, and execu-
17 tion process, which shall include an assessment of—

18 (A) the roles of Department officials and
19 the timelines to complete each such phase or as-
20 pect;

21 (B) the structure of the budget of Depart-
22 ment of Defense, including the effectiveness of
23 categorizing the budget by program, appropria-
24 tions account, major force program, budget ac-
25 tivity, and line item, and whether this structure

1 supports modern warfighting requirements for
2 speed, agility, iterative development, testing,
3 and fielding;

4 (C) a review of how the process supports
5 joint efforts, capability and platform lifecycles,
6 and transitioning technologies to production;

7 (D) the timelines, mechanisms, and sys-
8 tems for presenting and justifying the budget of
9 Department of Defense, monitoring program
10 execution and Department of Defense budget
11 execution, and developing requirements and
12 performance metrics;

13 (E) a review of the financial management
14 systems of the Department of Defense, includ-
15 ing policies, procedures, past and planned in-
16 vestments, and recommendations related to re-
17 placing, modifying, and improving such systems
18 to ensure that such systems and related proc-
19 esses of the Department result in—

20 (i) effective internal controls;

21 (ii) the ability to achieve auditable fi-
22 nancial statements; and

23 (iii) the ability to meet other financial
24 management and operational needs; and

1 (F) a review of budgeting methodologies
2 and strategies of near-peer competitors to un-
3 derstand if and how such competitors can ad-
4 dress current and future threats more or less
5 successfully than the United States.

6 (3) Develop and propose recommendations to
7 improve the effectiveness of the planning, program-
8 ming, budgeting, and execution process.

9 (g) COMMISSION REPORT AND RECOMMENDA-
10 TIONS.—

11 (1) INTERIM REPORT.—Not later than Feb-
12 ruary 6, 2023, the Commission shall submit to the
13 Secretary of Defense and the congressional defense
14 committees an interim report including the fol-
15 lowing:

16 (A) An examination of the development of
17 the documents described in subsection (f)(1).

18 (B) An analysis of the timelines involved in
19 developing an annual budget request and the
20 future-years defense program (as described in
21 section 221 of title 10, United States Code), in-
22 cluding the ability to make changes to such re-
23 quest or such program within those timelines.

24 (C) A review of the sufficiency of the civil-
25 ian personnel workforce in the Office of the

1 Secretary of Defense and the Office of Cost As-
2 sessment and Program Evaluation to conduct
3 budgetary and program evaluation analysis.

4 (D) An examination of efforts by the De-
5 partment of Defense to develop new and agile
6 programming and budgeting to enable the
7 United States to more effectively counter near-
8 peer competitors.

9 (E) A review of the frequency and suffi-
10 ciency of budget and program execution anal-
11 ysis, to include any existing data analytics tools
12 and any suggested improvements.

13 (F) Recommendations for internal reform
14 to the Department relating to the planning,
15 programming, budgeting, and execution process
16 for the Department of Defense to make inter-
17 nally.

18 (G) Recommendations for reform to the
19 planning, programming, budgeting, and execu-
20 tion process that require statutory changes.

21 (H) Any other matters the Commission
22 considers appropriate.

23 (2) FINAL REPORT.—Not later than September
24 1, 2023, the Commission shall submit to the Sec-
25 retary of Defense and the congressional defense

1 committees a final report that includes the elements
2 required under paragraph (1).

3 (3) BRIEFINGS.—Not later than 180 days after
4 the date specified in subsection (a)(2), and not later
5 than 30 days after each of the interim and final re-
6 ports are submitted, the Commission shall provide to
7 the congressional defense committees a briefing on
8 the status of the review and assessment conducted
9 under subsection (f) and include a discussion of any
10 interim or final recommendations.

11 (4) FORM.—The reports submitted to Congress
12 under paragraphs (1) and (2) shall be submitted in
13 unclassified form but may include a classified annex.

14 (h) GOVERNMENT COOPERATION.—

15 (1) COOPERATION.—In carrying out its duties,
16 the Commission shall receive the full and timely co-
17 operation of the Secretary of Defense in providing
18 the Commission with analysis, briefings, and other
19 information necessary for the fulfillment of its re-
20 sponsibilities.

21 (2) LIAISON.—The Secretary shall designate at
22 least one officer or employee of the Department of
23 Defense to serve as a liaison between the Depart-
24 ment and the Commission.

1 (3) DETAILEES AUTHORIZED.—The Secretary
2 may provide, and the Commission may accept and
3 employ, personnel detailed from the Department of
4 Defense, without reimbursement.

5 (4) FACILITATION.—

6 (A) INDEPENDENT, NON-GOVERNMENT IN-
7 STITUTE.—Not later than 45 days after the
8 date specified in subsection (a)(2), the Sec-
9 retary of Defense shall make available to the
10 Commission the services of an independent,
11 nongovernmental organization, described under
12 section 501(c)(3) of the Internal Revenue Code
13 of 1986 and which is exempt from taxation
14 under section 501(a) of such Code, which has
15 recognized credentials and expertise in national
16 security and military affairs, in order to facili-
17 tate the discharge of the duties of the Commis-
18 sion under this section.

19 (B) FEDERALLY FUNDED RESEARCH AND
20 DEVELOPMENT CENTER.—On request of the
21 Commission, the Secretary of Defense shall
22 make available the services of a federally fund-
23 ed research and development center in order to
24 enhance the discharge of the duties of the Com-
25 mission under this section.

1 (i) STAFF.—

2 (1) STATUS AS FEDERAL EMPLOYEES.—Not-
3 withstanding the requirements of section 2105 of
4 title 5, United States Code, including the required
5 supervision under subsection (a)(3) of such section,
6 the members of the commission shall be deemed to
7 be Federal employees.

8 (2) EXECUTIVE DIRECTOR.—The Commission
9 shall appoint and fix the rate of basic pay for an Ex-
10 ecutive Director in accordance with section 3161(d)
11 of title 5, United States Code.

12 (3) PAY.—The Executive Director, with the ap-
13 proval of the Commission, may appoint and fix the
14 rate of basic pay for additional personnel as staff of
15 the Commission in accordance with section 3161(d)
16 of title 5, United States Code.

17 (j) PERSONAL SERVICES.—

18 (1) AUTHORITY TO PROCURE.—The Commis-
19 sion may—

20 (A) procure the services of experts or con-
21 sultants (or of organizations of experts or con-
22 sultants) in accordance with the provisions of
23 section 3109 of title 5, United States Code; and

24 (B) pay in connection with such services
25 the travel expenses of experts or consultants,

1 including transportation and per diem in lieu of
2 subsistence, while such experts or consultants
3 are traveling from their homes or places of
4 business to duty stations.

5 (2) MAXIMUM DAILY PAY RATES.—The daily
6 rate paid an expert or consultant procured pursuant
7 to paragraph (1) may not exceed the daily rate paid
8 a person occupying a position at level IV of the Ex-
9 ecutive Schedule under section 5315 of title 5,
10 United States Code.

11 (k) AUTHORITY TO ACCEPT GIFTS.—The Commis-
12 sion may accept, use, and dispose of gifts or donations
13 of services, goods, and property from non-Federal entities
14 for the purposes of aiding and facilitating the work of the
15 Commission. The authority in this subsection does not ex-
16 tend to gifts of money. Gifts accepted under this authority
17 shall be documented, and conflicts of interest or the ap-
18 pearance of conflicts of interest shall be avoided. Subject
19 to the authority in this section, commissioners shall other-
20 wise comply with rules set forth by the Select Committee
21 on Ethics of the Senate and the Committee on Ethics of
22 the House of Representatives governing Senate and House
23 employees.

24 (l) LEGISLATIVE ADVISORY COMMITTEE.—The Com-
25 mission shall operate as a legislative advisory committee

1 and shall not be subject to the provisions of the Federal
2 Advisory Committee Act (Public Law 92–463; 5 U.S.C.
3 App) or section 552b, United States Code (commonly
4 known as the Government in the Sunshine Act).

5 (m) CONTRACTING AUTHORITY.—The Commission
6 may acquire administrative supplies and equipment for
7 Commission use to the extent funds are available.

8 (n) USE OF GOVERNMENT INFORMATION.—The
9 Commission may secure directly from any department or
10 agency of the Federal Government such information as the
11 Commission considers necessary to carry out its duties.
12 Upon such request of the chair of the Commission, the
13 head of such department or agency shall furnish such in-
14 formation to the Commission.

15 (o) POSTAL SERVICES.—The Commission may use
16 the United States mail in the same manner and under the
17 same conditions as departments and agencies of the
18 United States.

19 (p) SPACE FOR USE OF COMMISSION.—Not later
20 than 30 days after the establishment date of the Commis-
21 sion, the Administrator of General Services, in consulta-
22 tion with the Commission, shall identify and make avail-
23 able suitable excess space within the Federal space inven-
24 tory to house the operations of the Commission. If the Ad-
25 ministrator is not able to make such suitable excess space

1 available within such 30-day period, the Commission may
2 lease space to the extent the funds are available.

3 (q) REMOVAL OF MEMBERS.—A member may be re-
4 moved from the Commission for cause by the individual
5 serving in the position responsible for the original appoint-
6 ment of such member under subsection (b)(1), provided
7 that notice has first been provided to such member of the
8 cause for removal and voted and agreed upon by three
9 quarters of the members serving. A vacancy created by
10 the removal of a member under this subsection shall not
11 affect the powers of the Commission, and shall be filled
12 in the same manner as the original appointment was
13 made.

14 (r) TERMINATION.—The Commission shall terminate
15 180 days after the date on which it submits the final re-
16 port required by subsection (g)(2).

17 **Subtitle B—Counterdrug Activities**

18 **SEC. 1007. EXTENSION OF AUTHORITY TO SUPPORT A UNI-** 19 **FIED COUNTERDRUG AND COUNTERTER-** 20 **RORISM CAMPAIGN IN COLOMBIA.**

21 Section 1021 of the Ronald W. Reagan National De-
22 fense Authorization Act for Fiscal Year 2005 (Public Law
23 108–375; 118 Stat. 2042), as most recently amended by
24 section 1021 of the National Defense Authorization Act