# BENS Summary of the FY23 National Defense Authorization Act (NDAA)

President Biden signed the FY23 NDAA into law on December 23, 2022, which authorized $858B for national defense ($45B over the FY23 budget request and $62B more than FY22 enacted). The FY23 Omnibus Bill also appropriated $858B for defense spending. Summarized below are key legislative provisions of relevance to BENS.

## Understanding the health of the Defense Industrial Base (DIB) and its capacity for sustaining a protracted military conflict

1.  Requires a report on the military rotary wing aircraft industrial base. (Sec. 153)

2.  Requires an annual plan for maintenance and modernization of naval vessels. (Sec. 352)

3.  Requires a nonprofit entity or a FFRDC to submit a report on the capacity and capability of private U.S. shipyards to ensure fleet readiness. (Sec. 359)

4.  Requires a national tabletop exercise to assess the resiliency of domestic infrastructure supporting U.S. military requirements in the event of a military contingency involving Taiwan. Special emphasis is placed on economic and financial measures. (Sec. 1088)

5.  Requires several studies and reports on the strategic materials (including electronic components) required to sustain combat operations against China for one year. (Sec. 1415)

6.  Requires an independent assessment of DoD's process for implementing the Out-Year Unconstrained Total Munitions Requirement and the extent to which it properly accounts for current and future requirements. (Sec. 1705)

## Using data to drive informed decisions for military operations and business management

7.  Requires a study on costs associated with underperforming software and information technology. (Sec. 241)

8.  Establishes a DoD joint working group to determine joint requirements for future operational energy needs. The USAF would serve as the group's executive agent. (Sec. 320)

9.  Includes important implications for DoD's Joint All Domain Command and Control (JADC2) effort (Sec. 915). Directs DoD (with a particular focus on the Indo-Pacific Command) to:

    a.  identify a prioritized list of difficult mission critical operational challenges;

    b.  design and recommend resourcing options for a series of mission threads to solve the operational challenges. *A mission thread consists of the end-to-end tasks or activities to accomplish a mission within a scenario or vignette;*

    c.  demonstrate the ability to execute the integrated mission threads;

d.  create a plan to deploy the mission threads; and

e.  designate transition partners and mission managers for each of the mission threads.

10. Requires DoD to demonstrate a strategic management dashboard, i.e., a system for dynamically displaying management metrics, performance goals, and other information using modern commercial practices for data visualization. (Sec. 916)

11. Establishes priority enterprise-level projects for data management, AI, and digital solutions for both business efficiency and capabilities intended to accelerate decision advantage. (Sec. 1513)

## Developing the future workforce and better utilizing social media to improve recruiting

12. Requires a review of DoD marketing and recruiting efforts including an analysis of how to utilize social media and other technology platforms more effectively. (Sec. 534)

13. Report language calls for the Acquisition Innovation Research Center to serve a leading role in developing and deploying a civilian leader training curriculum designed to improve acquisition outcomes. (Sec. 833)

14. Requires recommendations for acquisition workforce training curricula on the financing and operations of start-up businesses. The legislation also establishes a pilot program to test the feasibility of innovative approaches to negotiating and establishing intellectual property and data rights in agreements with start-up businesses. (Sec. 834)

15. Calls on the Industrial Base Analysis and Sustainment program to prioritize workforce development programs that can train workers faster and at scale compared to traditional workforce development training programs. (Sec. 836)

## Accelerating innovation and expanding outreach to the commercial sector

16. Requires DoD to prescribe procedures for the urgent acquisition and deployment of capabilities needed in response to urgent operational needs (Sec. 804). This includes developing a:

a.  process for the commanders of the combatant commands and the Chairman of the Joint Chiefs of Staff to communicate their needs to the acquisition community and the research and development community;

b.  process for the acquisition community and the research and development community to propose capabilities that meet the needs communicated by the combatant commands and the Chairman of the Joint Chiefs of Staff; and

c.  an acquisition and funding strategy for the deployment of related capabilities.

17. Requires a description of methods to increase opportunities for non-traditional defense contractors to develop end items of critical technologies for major weapon systems, rapidly prototype such end items, and conduct activities that would support the transition of such end items into major weapon systems and programs of record (Sec. 861)

18. Establishes a small business integration working group to synchronize the activities of the military departments and other components of the DoD with respect to small business concerns. (Sec. 874)

19. Requires DoD to demonstrate by 2027 a commercial due diligence tool that helps small businesses identify attempts by malicious foreign actors trying to gain undue access, ownership, control, or influence. (Sec. 875)

20. Requires a study on the metrics necessary to assess the effectiveness of the Small Business Innovation Research (SBIR) and the Small Business Technology Transfer (STTR) programs in meeting the mission needs of DoD. (Sec. 876)

## Important Studies Related to the Service Branches

21. Requires the Army to submit a report with a status update on recommendations from a [2022 National Academy of Sciences Report on Army Futures Command Research Program Realignment](). (Sec. 239). The NAS report recommended that the Army:

    a. look for methods to make it easier for those not familiar with the Army to do work with the Army, citing [ERDCWERX]() as a prime example of this sort of initiative;

    b. investigate and implement industry-proven best practices to drive innovation, including leadership commitment to innovation, incentives for implementing novel methods to solve problems, and clear lines of responsibility and accountability beyond simply the allocation of more funds; and

    c. develop a central Army resource website to allow partnerships with external organizations that provide information and points of engagement.

22. Establishes a National Commission on the Future of the Navy that will provide a comprehensive report on U.S. Naval force structure, shipbuilding and innovation, and an evaluation of the needs of the Navy. (Sec. 1092)