

118TH CONGRESS
1ST SESSION

H. R. 3168

To establish a Joint Autonomy Office in the Department of Defense, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 9, 2023

Mr. WITTMAN (for himself and Mr. RUPPERSBERGER) introduced the
following bill; which was referred to the Committee on Armed Services

A BILL

To establish a Joint Autonomy Office in the Department
of Defense, 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. ESTABLISHMENT OF THE JOINT AUTONOMY**

4 **OFFICE.**

5 (a) ESTABLISHMENT.—Not later than 120 days after
6 the date of the enactment of this Act, the Secretary of
7 Defense, in consultation with the Chief Digital and Artifi-
8 cial Intelligence Officer, shall establish an Office in the
9 Department of Defense to coordinate and accelerate the

1 delivery of all-domain autonomous systems to operational
2 users.

3 (b) DESIGNATION.—The office established under sub-
4 section (a) shall be known as the “Joint Autonomy Office”
5 (in this Act referred to as the “Office”).

6 (c) HEAD OF OFFICE.—The head of the Office shall
7 be a Director appointed by the Secretary of Defense from
8 among individuals with management experience and tech-
9 nical expertise in all-domain autonomous system tech-
10 nologies.

11 (d) DUTIES.—The duties of the Joint Autonomy Of-
12 fice are following:

13 (1) Utilize commercial and defense best prac-
14 tices and existing investments in defense cloud infra-
15 structure to accelerate the delivery of autonomous
16 systems to the operational user.

17 (2) Implement an all-domain enterprise autono-
18 mous systems software development and testing
19 platform across classification levels of the Depart-
20 ment of Defense.

21 (3) Provide access to defense programs with au-
22 tonomy requirements to accelerate the development
23 and testing of all-domain autonomous systems.

24 (4) Implement an enterprise all-domain data ac-
25 quisition and curation process to build, manage, and

1 sustain datasets from all available autonomy pro-
2 grams of the Department in order to develop and
3 test all-domain autonomous systems.

4 (5) Provide access to existing and future service
5 and joint autonomous system development and ac-
6 quisition programs, including such programs as the
7 Optionally Manned Fighting Vehicle, Robotic Com-
8 bat Vehicles, Collaborative Combat Aircraft, and
9 Large Unmanned Surface Vehicle, as development
10 and testing datasets mature.

11 (6) Accelerate the Department's development
12 and testing of all-domain autonomous system proto-
13 types to scaled production in conjunction with serv-
14 ice and joint autonomous system development and
15 acquisition and the combatant commands.

16 (7) Accelerate the Department's development
17 and operational test and evaluation of all-domain au-
18 tonomous systems in conjunction with service and
19 joint test community and the combatant commands.

20 (8) Continuously solicit and utilize joint
21 warfighter feedback on requirements and capability
22 progress in the development process.

23 (9) Ensure that the development environments,
24 generated data for autonomous system development,
25 and any prototype all-domain autonomous system

1 technologies, are designed to transition to full
2 sustainment within the programs of the military de-
3 partments.

4 (10) Ensure that knowledge of proper autono-
5 mous system program design and execution, includ-
6 ing software development, test, and acquisition best
7 practices, is transitioned to service program execu-
8 tive offices with unmanned and autonomous system
9 requirements.

10 (11) Carry out such other activities relating to
11 the coordination, development, and delivery of auton-
12 omous systems as the Secretary of Defense deter-
13 mines appropriate.

14 (e) HIRING AUTHORITIES.—

15 (1) HIGHLY QUALIFIED EXPERTS.—Pursuant
16 to the authority provided under section 9903 of title
17 5, United States Code, the Secretary of Defense may
18 establish within the Office up to 12 Highly Qualified
19 Expert positions to facilitate the rapid hiring of
20 technical program managers with experience in the
21 development, test, production, and delivery of all-do-
22 main autonomous systems. The Secretary may ex-
23 tend the term of each such Highly Qualified Expert
24 for a period of not more than seven years.

1 (2) EXCEPTED SERVICE HIRING AUTHORITY.—

2 Each position in the Joint Autonomy Office shall be
3 a position in the excepted service, and the Secretary
4 may appoint individuals to such positions in the
5 same manner as provided under section 1599f of
6 title 10, United States Code.

7 (f) DATA ACCESS AND RELATED AUTHORITIES.—

8 (1) DATA ACCESS.—The Secretary of Defense
9 shall ensure that the Joint Autonomy Office—

10 (A) subject to the implementation of the
11 security protocols described in paragraph (2),
12 has unlimited access to existing datasets within
13 service and joint autonomous system, artificial
14 intelligence, and legacy platform and sensor
15 programs regardless of classification level; and

16 (B) has the authority to centralize access
17 to such data and information, as required to
18 carry out the duties of the Office.

19 (2) SECURITY PROTOCOLS.—The Secretary of
20 Defense shall implement appropriate security proto-
21 cols to protect any data and other information
22 shared with or maintained by the Office under para-
23 graph (1).

24 (g) CONTRACTING AUTHORITIES AND LIMITA-
25 TIONS.—

1 (1) IN GENERAL.—The Director of the Office—

2 (A) subject to paragraph (2), may enter
3 into contracts with private sector, non-Govern-
4 ment entities, as appropriate, for the purposes
5 of leveraging innovative commercial technologies
6 to aid and facilitate the execution of the duties
7 of the Office; and

8 (B) shall ensure that all programs admin-
9 istered by the Office are carried out in accord-
10 ance with section 3453 of title 10, United
11 States Code.

12 (2) LIMITATION.—The Office may coordinate
13 with other offices of the Department of Defense with
14 contracting authority as required to carry out the
15 duties described in subsection (d).

16 (h) COORDINATION.—The Director of the Office shall
17 ensure that the activities of the Office are conducted in
18 accordance with Department of Defense policies and in co-
19 ordination with the research and development programs
20 of the Department.

21 (i) BRIEFING.—Not later than 90 days after the date
22 of the enactment of this Act, the Secretary of Defense
23 shall provide to the Committees on Armed Services of the
24 Senate and House of Representatives a briefing on the

1 status of the establishment of the Office under this sec-
2 tion.

3 (j) TERMINATION.—

4 (1) IN GENERAL.—Except as provided in para-
5 graph (2), the Office shall terminate on the date
6 that is seven years after the date of the enactment
7 of this Act.

8 (2) EXTENSION.—The Secretary may extend
9 the termination date under paragraph (1) for one or
10 more additional periods of seven years if—

11 (A) if the Secretary determines that such
12 an extension is in the best interest of the De-
13 partment of Defense; and

14 (B) submits to the Committees on Armed
15 Services of the Senate and House of Represent-
16 atives notice of the Secretary's intent to make
17 such an extension.

18 (k) DEFINITIONS.—In this section:

19 (1) The term “all-domain”, when used with re-
20 spect to an autonomous system, means interoper-
21 ability across one or more of the ground, aerial,
22 maritime, and space domains.

23 (2) The term “autonomous system” means a
24 system with the ability to conduct integrated sens-
25 ing, perception, communication, decision-making,

1 and action within specific boundaries and independ-
2 ently from a human operator’s instruction.

3 (3) The term “Chief Digital and Artificial Intel-
4 ligence Officer” has the meaning given that term in
5 section 846(b) of the James M. Inhofe National De-
6 fense Authorization Act for Fiscal Year 2023 (Pub-
7 lic Law 117–263).

8 (4) The term “operational test and evaluation”
9 has the meaning given that term in section 4171(h)
10 of title 10, United States Code.

11 (l) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated to the Department of
13 Defense \$55,000,000 for fiscal year 2024 to carry out this
14 section.

15 **SEC. 2. FRAMEWORK FOR CLASSIFICATION OF AUTONO-**
16 **MOUS CAPABILITIES.**

17 (a) IN GENERAL.—Not later than 180 days after the
18 date on which Joint Autonomy Office is established pursu-
19 ant to section 1, the Director of the Office, in consultation
20 with the Under Secretary of Defense for Policy, the Under
21 Secretary of Defense for Research and Engineering, the
22 commanders of the combatant commands, and the Secre-
23 taries of the military departments, shall establish a De-
24 partment-wide classification framework for autonomous
25 capabilities.

1 (b) PURPOSE.—The purpose of the framework re-
2 quired under subsection (a) shall be to facilitate the devel-
3 opment of a common understanding within the Depart-
4 ment of Defense of autonomous capabilities and related
5 operational requirements to better plan for, resource, and
6 integrate appropriate autonomy-enabling hardware and
7 software into current and future systems across the De-
8 partment.

9 (c) AUTONOMY CLASSIFICATION FRAMEWORK.—At a
10 minimum, the framework required under subsection (a)
11 shall—

12 (1) include multiple levels of increasingly com-
13 plex autonomous maneuver capability with a focus
14 on classifying necessary levels of human supervision
15 or control during operational use;

16 (2) apply to current and future autonomous
17 systems operating across land, air, maritime, and
18 space domains;

19 (3) include estimates of costs necessary to
20 achieve specific levels of autonomous capability; and

21 (4) include—

22 (A) operational requirements including
23 necessary levels of survivability in GPS- or com-
24 munications-denied environments;

1 (B) specific operational or engagement sce-
2 narios; and

3 (C) necessary levels of teaming with other
4 autonomous systems.

5 (d) PROGRESS REPORT.—Not later than 30 days
6 after the establishment of the framework under subsection
7 (a), the Director of the Joint Autonomy Office shall sub-
8 mit to the congressional defense committees a report that
9 includes a description of the framework and the specific
10 methodologies, criteria, and operational requirements used
11 to develop the classifications under the framework.

12 (e) REGULAR REASSESSMENT.—

13 (1) IN GENERAL.—Not less frequently than
14 once every two years, Director of the Joint Auton-
15 omy Office shall reassess and update the classifica-
16 tion framework required under subsection (a) to en-
17 sure the framework incorporates recent develop-
18 ments in technology, standards, and operational re-
19 quirements relating to autonomous capabilities.

20 (2) BRIEFING.—Not later than 30 days of the
21 completion of each reassessment under paragraph
22 (1), the Director of the Joint Autonomy Office shall
23 provide to the congressional defense committees a
24 briefing on the results of the reassessment and any

1 resulting revisions to the classification framework
2 under subsection (a).

3 (f) IMPLEMENTATION.—Not later than 90 days after
4 the establishment of the framework under subsection (a),
5 the Under Secretary of Defense for Policy shall issue in-
6 structions to the military services to implement such
7 framework by operationalizing the use of the framework
8 in the planning and budgeting processes of individual pro-
9 gram offices.

10 **SEC. 3. PLAN FOR INTEGRATION OF AUTONOMOUS CAPA-**
11 **BILITIES INTO SYSTEMS OF THE DEPART-**
12 **MENT OF DEFENSE.**

13 (a) PLAN REQUIRED.—Not later than one year after
14 the date on which Joint Autonomy Office is established
15 pursuant to section 1, the Director of the Joint Autonomy
16 Office shall develop and implement a plan and procedures
17 to standardize the planning, resourcing, and integration
18 efforts with respect to autonomous capabilities for current
19 and future systems across the Department.

20 (b) ELEMENTS.—The plan required under subsection
21 (a) shall include the following:

22 (1) A Department-wide assessment of the sta-
23 tus of efforts to resource and integrate autonomy
24 software into current and future systems, includ-
25 ing—

1 (A) the identification of current and future
2 systems across the Department which can be
3 integrated with autonomy software to enable
4 continuous operational capability of such sys-
5 tems in GPS- or communications-denied envi-
6 ronments, including those systems identified in
7 the report required by section 246 of the Na-
8 tional Defense Authorization Act for Fiscal
9 Year 2022 (Public Law 117–81; 135 Stat.
10 1622); and

11 (B) an assessment of gaps in—

12 (i) program funding related to the ac-
13 quisition of autonomy software;

14 (ii) acquisition processes, including
15 the planning, programming, budgeting,
16 and execution process for acquiring and in-
17 tegrating autonomy-enabling capabilities
18 across relevant programs of record;

19 (iii) training capabilities;

20 (iv) testing, evaluation, verification,
21 and validation capabilities in all environ-
22 ments, including virtual and real world en-
23 vironments; and

24 (v) efforts to test, resource, and scale
25 commercially available technologies.

1 (2) A plan to address, to the maximum extent
2 practicable, the gaps assessed in paragraph (1), in-
3 cluding—

4 (A) updated procedures to plan for auton-
5 omy software costs at the onset of the acquisi-
6 tion life cycle;

7 (B) plans to include in greater detail the
8 projected autonomy software costs for applica-
9 ble programs of record within period covered by
10 the Future Years Defense Program; and

11 (C) plans to standardize the acquisition of
12 autonomy software for programs of record
13 across the military services including the use of
14 the capability classification framework required
15 in section 2 of this Act.

16 (c) CONSULTATION.—The Director of the Joint Au-
17 tonomy Office shall develop the plan under subsection (a)
18 in consultation with—

19 (1) the Under Secretary of Defense for Acquisi-
20 tion and Sustainment;

21 (2) the Chief Digital and Artificial Intelligence
22 Officer;

23 (3) the Joint Chiefs of Staff;

24 (4) the senior acquisition executive of each mili-
25 tary service;

1 (5) the commanders of the combatant com-
2 mands; and

3 (6) such other organizations and elements of
4 the Department of Defense as the Director deter-
5 mines appropriate.

6 (d) REPORT.—

7 (1) IN GENERAL.—Not later than 90 days after
8 the completion of the plan under subsection (a), the
9 Director of the Joint Autonomy Office shall submit
10 to the congressional defense committees a report
11 that describes the specific elements of the plan.

12 (2) FORM.—The report under paragraph (1)
13 shall be submitted in unclassified form but may con-
14 tain a classified annex.

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