



FY24 Senate National Defense Authorization Act (NDAA)

Summary of S. 2226 The National Defense Authorization Act for Fiscal Year 2024



As of August 9th, 2023

	Passed in Committee	Passed in Chamber	Agreement	Final Passage	Signed into Law
House	June 22, 2023	July 14, 2023			
Senate	June 23, 2023	July 27, 2023			

Table of Contents

EXECUTIVE SUMMARY	1 -
ARMY NATIONAL GUARD - AUTHORIZATION OF FUNDING (ALL DOLLARS IN THOUSANDS).....	3 -
AIR NATIONAL GUARD - AUTHORIZATION OF FUNDING (ALL DOLLARS IN THOUSANDS).....	3 -
LEGISLATIVE PROVISIONS.....	3 -
ARMY PROGRAMS	3 -
AIR FORCE PROGRAMS.....	4 -
RESEARCH, DEVELOPMENT, TEST, AND EVALUATION	4 -
OPERATIONS AND MAINTENANCE.....	4 -
MILITARY PERSONNEL AUTHORIZATIONS	5 -
MILITARY PERSONNEL POLICY	7 -
MEMBER EDUCATION, TRAINING, TRANSITION	8 -
DECORATIONS AND OTHER AWARDS, MISCELLANEOUS REPORTS AND OTHER MATTERS.....	8 -
ENHANCED RECRUITING EFFORTS.....	9 -
COMPENSATION AND OTHER PERSONNEL BENEFITS	9 -
HEALTH CARE PROVISIONS.....	10 -
ORGANIZATION AND MANAGEMENT	11 -
GENERAL PROVISIONS	11 -
SPACE FORCE PERSONNEL MANAGEMENT.....	12 -
MILITARY CONSTRUCTION.....	12 -
ADDITIONAL PROVISIONS: PROCUREMENT	18 -
SASC COMMITTEE REPORT REQUIREMENTS / ITEMS OF SPECIAL INTEREST	18 -

Executive Summary

This guide provides a short summary of the Senate Armed Services Committee's Fiscal Year 2024 National Defense Authorization Act (NDAA).

To obtain a complete understanding of any particular provision, users are encouraged to review the actual bill text. Bill text and the conference report can be found on NGB-LL's website: <https://www.nationalguard.mil/leadership/joint-staff/personal-staff/legislative-liaison/>. Beyond the legislative provisions, there are a number of directive reports with specific relevance to the National Guard. Readers are encouraged to review this report language for their own situational awareness.

Status:

On July 27, 2023, the Senate passed the FY24 National Defense Authorization Act. This updated summary reflects the engrossed bill language with added additional amendments or amended language marked using asterisks (*).

On June 23, 2023, the Senate Armed Services Committee passed their FY24 National Defense Authorization Act. The bill authorizes a total of \$886.3 billion in fiscal year 2024 funding for national defense. Within this topline, the legislation authorizes \$844.3 billion for the Department of Defense (DOD) and \$32.4 billion for national security programs within the Department of Energy (DOE).

Highlights:

- Elevates the position of the Vice Chief of the National Guard Bureau to the rank of General (Note, this is a FY 2024 CNGB approved legislative proposal)
- Authorizes the Space Force to become a single-component military service
- Requires SecDef to retain a Federally Funded Research and Development Center (FFRDC) to perform an independent assessment of the feasibility and advisability of moving ANG space assets (personnel, equipment, resources, etc.) into the single-component USSF by 1 FEB 2025. The assessment should analyze three COAs: status quo, move all ANG space assets to the USSF, create a SNG.
- Authorizes SecDef to transfer members of the USAFR and the ANG to the USSF
- Authorizes Dual Basic Allowance for Housing for Training for RC members without dependents (Note, this is a FY 2024 CNGB approved legislative proposal)
- Authorizes ANG membership of the Air Force Reserve Forces Policy Committee (Note, this is a FY 2024 CNGB approved legislative proposal)
- Clarifies the National Guard has access to the Defense Environmental Restoration Program
- Requires the SecDef to alternate appointments of deputy commanders for certain combatant commands between officers of the National Guard and the Reserves no less frequently than every two terms. The provision also authorizes the SECDEF to waive the requirements of this provision when in the national interest
- Requires a plan for modernizing the Air Force fighter force structure
- Requires members of the reserve component to receive special and incentive pay in the same monthly amount that is paid to a member in the regular component when such pay is made for the purpose of maintaining a skill certification or proficiency identical to those required in the regular component, or when such pay is made to compensate reserve

component members for exposure to hazards or risks identical to those that regular component members are exposed

- Directs DOD to pay reserve component pilots sufficient compensation to cover all inactive-duty training periods per month necessary for the pilots to obtain or maintain an aeronautical rating or designation
- Authorizes the SecDef to order the Ready Reserve to active duty to respond to a significant cyber incident
- Reduces minimum quantity of Primary Mission Aircraft Inventory
- Authorizes a 5.2% pay raise for service members
- The following HASC NDAA Provisions were not included:
 - Does NOT include TRICARE Dental Plan for the Selected Reserve
 - Does NOT establish a Space National Guard
 - Does NOT establish the eligibility of the Chief of the National Guard Bureau to be appointed Chairman of the Joint Chiefs of Staff
 - Does NOT include transferring officers between the active and inactive reserve NG (Note, this is a FY 2024 CNGB approved legislative proposal)

National Guard Accounts Overview

RECOMMENDED FUNDING AUTHORIZATIONS DO NOT EQUAL FINAL FUNDING. FINAL FUNDING LEVELS WILL BE DECIDED BY APPROPRIATIONS BILLS



Army National Guard - Authorization of Funding (All Dollars in Thousands)

Army National Guard	FY24 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY24 Delta from PB
O&M	\$8,683,104	\$8,687,104	\$4,000	\$8,681,424	-\$1,680		
MILCON	\$340,186	\$590,942	\$250,756	\$650,567	\$310,381		

Army National Guard End Strength

Army National Guard	FY24 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY24 Delta from PB
End Strength	325,000	325,000	-	325,000	-		
AGR	30,845	30,845	-	30,845	-		
Dual Status Technicians	22,294	22,294	-	22,294	-		
ADOS	17,000	17,000	-	17,000	-		



Air National Guard - Authorization of Funding (All Dollars in Thousands)

Air National Guard	FY24 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY24 Delta from PB
O&M	\$7,253,694	\$7,234,194	-\$19,500	\$7,370,574	\$116,880		
MILCON	\$178,722	\$331,064	\$152,342	\$322,292	\$143,570		

Air National Guard End Strength

Air National Guard	FY24 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY24 Delta from PB
End Strength	108,400	108,400	-	105,000	-3,400		
AGR	25,713	25,713	-	25,333	-380		
Dual Status Technicians	9,830	9,830	-	10,994	1,164		
ADOS	16,000	16,000	-	16,000	-		

LEGISLATIVE PROVISIONS

Army Programs

Sec. 111. Report on Army Requirements and Acquisition Strategy for Night Vision Devices.

This section would require the Secretary of the Army to submit a report on night vision devices no later than February 29, 2024, to the congressional defense committees.

Sec. 112. Army Plan for Ensuring Sources of Cannon Tubes.

This section would direct the Secretary of the Army to update the assessment of the Secretary on the sufficiency of the development, production, procurement, and modernization of the defense industrial base for cannon and large caliber weapons tubes.

Sec. 113. Strategy for Army Tactical Wheeled Vehicle Program.

This section would require after fiscal year 2025, the Secretary of the Army shall include a strategy of the Army for tactical wheeled vehicles.

Air Force Programs

Sec. 133. Modification to Minimum Inventory Requirement for A-10 Aircraft.

This section would amend Fiscal Year 2017 & 2016 NDAA's, as amended by section of the NDAA for Fiscal Year 2023 is further amended by striking "153 A-10 aircraft" and inserting "135 A-10 aircraft."

Sec. 134. Modification to Minimum Requirement for Total Primary Mission Aircraft Inventory of Air Force Fighter Aircraft.

This section would reduce the number of fighter aircraft that the Air Force would be required to maintain from 1,145 fighters to 1,112.

Sec. 135. Modification of Limitation on Divestment of F-15 Aircraft.

This section would modify section 150 of NDAA for Fiscal Year 2023 to include an accounting of remaining service life, upgrades, and other modifications made to each F-15 as part of the required report prior to divestment.

Research, Development, Test, and Evaluation

Sec. 227. Limitation on Availability of Funds for Travel for Office of Under Secretary of Defense for Personnel and Readiness Pending a Plan for Modernizing Defense Travel System.

This section would require that not more than 85 percent of appropriated funds may be obligated or expended until the Secretary of Defense submits to the HASC and SASC supporting justification material underpinning the decision to cease current modernization efforts for the Defense Travel System (DTS), and a plan going forward for modernizing or replacing such system.

Operations and Maintenance

Sec. 313. Modification of Definition of Sustainable Aviation Fuel for Purpose of Pilot Program.

This section would change fuel terms (applicable material) to mean - (A) monoglycerides, diglycerides, and triglycerides; free fatty acids; or fatty acid esters.

Sec. 315. Technical Assistance for Communities and Individuals Potentially Affected by Releases at Current and Former Department of Defense Facilities.

This section would no later than 180 the enactment of this Act direct the Secretary of Defense shall furnish technical assistance through the Technical Assistance for Public Participation (TAPP) Program of the Department of Defense to communities, or individuals who are members thereof, that have been affected by a release of a pollutant affirmatively determined to have originated from a facility under the jurisdiction of, or formerly used by or under the jurisdiction of, the Department.

Sec. 323. Modification of Authority for Environmental Restoration Projects at National Guard Facilities.

This section would amend sections 2700, 2701, 2703, and 2707 of title 10, United States Code, and section 345(f) of the NDAA for Fiscal Year 2022 to clarify that the National Guard has access to the Defense Environmental Restoration Program for the purposes of conducting environmental cleanup rather than having to use its readiness funding out of Operation and Maintenance accounts.

Sec. 325. Dashboard of Funding Relating to Perfluoroalkyl Substances and Polyfluoroalkyl Substances.

This section would require the Secretary of Defense to include with the submission to Congress by the President of the annual budget of the Department of Defense for a fiscal year a separate budget justification document that consolidates all information pertaining to activities of the Department of Defense relating to perfluoroalkyl substances and polyfluoroalkyl substances, including funding for and descriptions of - (1) research and development efforts; (2) testing; (3) remediation; (4) contaminant disposal; and (5) community outreach.

Sec. 326. Report on Schedule and Cost Estimates for Completion of Testing and Remediation of Contaminated Sites and Publication of Cleanup Information.

This section would require the Secretary of Defense to submit a report detailing a proposed schedule for the completion of testing and remediation activities, including remediation of perfluoroalkyl substances and polyfluoroalkyl substances, at military installations, facilities of the National Guard, and formerly used defense sites in the United States where the Secretary obligated funding for environmental restoration activities in fiscal year 2022.

Sec. 328. Government Accountability Office Report on Testing and Remediation of Perfluoroalkyl Substances and Polyfluoroalkyl Substances.

This section would require the Comptroller General of the United States to submit to the congressional defense committees a report assessing the state of ongoing testing and remediation by the Department of Defense of current or former military installations contaminated with perfluoroalkyl substances or polyfluoroalkyl substances.

Military Personnel Authorizations

Sec. 411. End Strength for Selected Reserve.

This provision authorizes 325,000 personnel for the Army National Guard and 105,000 personnel for the Air National Guard.

This provision would authorize Selected Reserve component end strengths in line with the Department of Defense's request for all reserve components except for the Air National Guard. The committee has received regular updates from the Department and the military services on end strength projections for fiscal year 2023, as well as the current state of recruiting in all of the military services, and believes the Department's end strength request for the Selected Reserve in the Air National Guard is unattainable for fiscal year 2024 based on current trends. Statutory end strengths must be both consistent with the National Defense Strategy and attainable by the military services, and this provision would meet both requirements.

The committee believes that it will be a multi-year effort to reverse the downward trend in military recruiting and does not want to encourage the military services to lower recruiting standards in order to attain short-term goals. Legislating unreachable end strength numbers would set the military services up for failure by guaranteeing continued recruiting shortfalls, putting undue strain on recruiting forces, and ultimately compromising readiness by encouraging quantity over quality in recruiting. The committee believes that the United States military is best served by bringing in high numbers of high-quality recruits.

The committee notes that under section 115 of title 10, United States Code, the Secretary of Defense and the Secretaries of the military departments are authorized to increase statutory end strength levels for the Selected Reserve by up to three percent. In the event that the recruiting environment improves more rapidly than expected in fiscal year 2024, the Air National Guard could reach an end strength in excess of 108,000 airmen in the Selected Reserve. Further, the committee notes that, under section 123a of title 10, United States Code, in the event of a war or national emergency, the President is authorized to waive statutory end strengths. Should additional funding be required to support a better than projected recruiting environment, the committee would look favorably upon any request to reprogram funds into military personnel accounts.

This provision would also require the end strengths authorized in this provision to be proportionately adjusted based on units in the Selected Reserve serving on active duty at the end of the fiscal year and individual members not in units in the Selected Reserve who are on active duty without their consent at the end of the fiscal year.

Sec. 412. End Strength for Reserve on Active Duty.

This provision authorizes 30,845 ARNG positions for the Army National Guard and 25,333 positions for the Air National Guard.

The committee once again notes its concern that the Air Force has gone too far in requesting increases in Reserves on Active Duty in support of the Reserves at the expense of military technician positions. The Air Force has yet to provide a sufficient justification to the committee for these conversions. The committee remains concerned about the impact that such conversions would have on the readiness of the Air Force. Therefore, this provision would fix end strengths for Reserves on Active Duty in support of the Reserves for the Air National Guard and Air Force Reserve at fiscal year 2023 levels.

Sec. 413. End Strength for Military Technicians (Dual Status).

This provision authorizes 22,294 dual status technicians for the Army National Guard and 10,994 for the Air National Guard.

The provision would also establish limits on the number of temporary technicians authorized to be employed within the end strengths set forth by this section to not more than 25 percent of the total authorized strength for each component.

The committee once again notes its concern that the Air Force has gone too far in requesting increases in Reserves on Active Duty in support of the Reserves at the expense of decreases in military technician positions. The Air Force has yet to provide a sufficient justification to the committee for these conversions. The committee remains concerned about the impact that such conversions would have on the readiness of the Air Force and therefore this provision would fix the end strength for military technicians in the Air National Guard and Air Force Reserve at fiscal year 2023 levels.

Finally, the provision would also prohibit under any circumstances the coercion of a military technician (dual status) by a State into accepting an offer of realignment or conversion to any other military status, including as a member of the Active, Guard, and Reserve program of a reserve component. The provision would further specify that if a technician declines to participate in such a realignment or conversion, no further action may be taken against the individual or the individual's position.

Sec. 414. Maximum Number of Reserve Personnel Authorized to be on Active Duty for Operational Support.

This provision authorizes 17,000 ADOS positions for the Army National Guard and 16,000 ADOS positions for the Air National Guard.

Military Personnel Policy

Sec. 502. Prohibition on Appointment or Nomination of Certain Officers Who are Subject to Special Selection Review Boards.

This section changes title 10, United States Code, to read as follows - officers on reserve active-status list. United States Code, is amended: “(B) shall not be forwarded for appointment or nomination to the Secretary of Defense, the President, or the Senate, as applicable.”

Sec. 504. Updating Authority to Authorize Promotion Transfers Between Components of the Same Service or a Different Service.

This section would amend sections 578 and 624 of title 10, United States Code, to authorize the Secretary of a military department to transfer the promotion selection of a regular officer or warrant officer to the reserve component and integrate the officer into the corresponding promotion list based upon the officer’s date of rank in his or her current grade.

Sec. 508. Removal of Active-Duty Prohibition for Members of the Air Force Reserve Policy Committee.

Note, this is a FY 2024 CNGB approved legislative proposal. This section would amend section 10305 of title 10, United States Code, to authorize members of the Air National Guard and the Air Force Reserve who are on Active Duty to serve as members of the Air Force Reserve Policy Committee.

Sec. 521. Alternative Promotion Authority for Reserve Officers in Designated Competitive Categories.

This section changes Title 10 by adding chapter 1413 - Alternative Promotion Authority for Officers in Designated Competitive Categories. Authorizes each Secretary of a military department to designate one or more competitive categories for promotion of officers under sec 14005 of this title that are under the jurisdiction of such Secretary as a competitive category of officers whose promotion, retirement, and continuation on the reserve active-status list shall be subject to provisions of this chapter.

Sec. 522. Selected Reserve and Ready Reserve Order to Active Duty to Respond to a Significant Cyber Incident.

This section would amend section 12304 of title 10, United States Code, to: (1) Authorize the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating to order units and members of the Selected Reserve or Individual Ready Reserve, without the consent of the members, to Active Duty to respond to a significant cyber incident; and (2) Remove the requirement that an order to Active Duty to augment the active forces be for a named operational mission.

Sec. 523. Mobilization of Selected Reserve for Preplanned Missions in Support of the Combatant Commands.

This section would change section 12304b(b)(1) of title 10, United States Code by (1) redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively; (2) by striking “Units” and inserting (A) Except as provided under subparagraph (B), “units”; and (3) by adding at the end the following new subparagraph: (B) In the event the President’s budget is delivered later than April 1st in the year prior to the year of the mobilization of one or more units under this section, the Secretary concerned may submit to Congress the information required under subparagraph (A) in a separate notice.

Sec. 524. Alternating Selection of Officers of the National Guard and the Reserves as Deputy Commanders of Certain Combatant Commands.

This section would amend section 164 of title 10, United States Code, to require the Secretary of Defense to alternate appointments of deputy commanders for certain combatant commands

between officers of the National Guard and the Reserves no less frequently than every two terms. The provision would authorize the Secretary of Defense to waive the requirements of this provision when in the national interest.

Sec. 525. Grade of Vice Chief of the National Guard Bureau.

Note, this is a FY 2024 CNGB approved legislative proposal. This section would amend section 10505 of title 10, United States code to require that the Vice Chief of the National Guard Bureau be appointed to serve in the grade of general, and that the Secretary of Defense designate this position as one of the general officer positions to be excluded from the limitations of section 526a of title 10, United States Code.

Sec. 531. Modification of Limitation on Enlistment and Induction of Persons Whose Score on the Armed Forces Qualification Test is Below a Prescribed Level.

This section would amend section 520 of title 10, United States Code, to limit the number of enlistments of people who score between the tenth and thirty first percentile of the Armed Forces Qualification Test to 4 percent of the total number of people who enlist in a fiscal year. The provision would authorize the Secretary of Defense to increase the limitation to 20 percent of the total number of new recruits upon the request of the Secretary of the military department concerned.

Sec. 537. Diversity, Equity, and Inclusion Personnel Grade Cap.

This section would prohibit the Secretary concerned from appointing or employing a military or civilian employee whose annual pay rate exceeds the equivalent of the rate payable for GS-10 to any position with duties solely related to diversity, equity, and inclusion policy.

Member Education, Training, Transition

Sec. 551. Future Servicemember Preparatory Course.

This section would require the Secretary of the military department concerned to establish a future servicemember preparation course if, during a fiscal year within an Armed Force, the number of enlisted recruits who score lower than a 31 on the Armed Forces Qualification Test exceeds 10 percent of the total number of recruits.

Sec. 554. Community College Enlisted Training Corps Demonstration Program.

This section would require the Secretary of each military department to establish an Enlisted Training Corps (ETC) demonstration program at a community or junior college. As part of the demonstration program, the Secretary concerned may provide financial assistance to individuals enrolled in an ETC unit who agree to enlist in the Armed Forces upon completion of, or disenrollment from, the program. The provision would also require the Secretary of Defense to submit an annual report to the Committees on Armed Services of the Senate and the House of Representatives on the status of the demonstration program.

Sec. 557. Army Physical Fitness Test.

This section would designate the Army Physical Fitness Test (APFT) as the physical fitness test of record for the U.S. Army. This provision would expressly authorize the Army to continue using the Army Combat Fitness Test, but not as the official physical fitness test of record. The provision would also authorize the Army to update, replace, or modify the events and scoring standards in the APFT as the needs of the U.S. Army require after a pilot period of at least 24 months.

Decorations and Other Awards, Miscellaneous Reports and Other Matters

Sec. 583. Prohibition on Requiring Listing of Gender or Pronouns in Official Correspondence.

This section would prohibit the Department of Defense (DOD) from requiring members of the Armed Forces or DOD civilian employees to list their gender or pronouns in official correspondence.

Enhanced Recruiting Efforts

Sec. 592. Increased Access to Potential Recruits at Secondary Schools.

This section would provide to military recruiters access to career fairs or similar events upon a request made by military recruiters for military recruiting purposes.

Sec. 593. Increased Access to Potential Recruits at Institutions of Higher Education.

This section would change Section 983(b) of title 10 to increase access to potential recruits.

Compensation and Other Personnel Benefits

Sec. 601. Pay of Members of Reserve Components for Inactive-Duty Training to Obtain or Maintain an Aeronautical Rating or Designation.

This section would amend chapter 3 of title 37, United States Code, to require the Secretaries of the military departments to pay certain members of the Reserve component who receive aviation incentive pay under section 334(a) of title 37, United States Code, such compensation for a number of periods of inactive-duty training each month sufficient for the member to obtain or maintain aeronautical rating or designation.

Sec. 602. Modification of Calculation Method for Basic Allowance for Housing to More Accurately Assess Housing Costs of Junior Members of Uniformed Services.

This section would de-link Basic Allowance for Housing rates for junior enlisted members in the grades of E-1 through E-4 to specific housing types. This modification would give the Secretary of Defense additional flexibility to ensure equitable housing rates can be calculated in markets with limited housing inventory.

Sec. 604. Dual Basic Allowance for Housing for Training for Certain Members of Reserve Components.

Note, this is a FY 2024 CNGB approved legislative proposal. This section would amend section 403(g) of title 37, United States Code, to authorize reserve component members without dependents who would normally have to permanently change station for attendance at a school for a duration between 140 and 365 days to be paid basic allowance for housing at both the location of the school as well as their permanent residence, if they are returning to that residence after completion of the school.

Sec. 621. Modification of Special and Incentive Pay Authorities for Members of Reserve Components.

This section would amend section 357 of title 37, United States Code, to require the Secretaries of the military departments to pay a member of the reserve component a special and incentive pay in the same monthly amount paid to a member in the regular component of such Armed Force when the special and incentive pay is made for the purpose of maintaining a skill certification or proficiency identical to a skill certification or proficiency required of the member in the regular component, or when such pay is made to compensate the member of the reserve component for exposure to hazards or risks identical to hazards or risks to which the member of the regular component was exposed.

The provision would also amend section 602(d) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) to require the Secretaries concerned to evaluate each type or category of special and incentive pay separately for the purposes of certifying whether

implementing such section would have a detrimental effect on the force structure of the Armed Forces affected by implementation of section 357 of title 37, United States code.

Sec. 623. One-year Extension of Certain Expiring Bonus and Special Pay Authorities.

This section would change authorities Relating to Reserve Forces.--Section 910(g) of title 37, United States Code, relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service by extending to December 31, 2024.

Sec. 631. Modification of Requirements for Approval of Foreign Employment by Retired and Reserve Members of the Uniformed Services.

This section would amend section 908 of title 37, United States Code, to: (1) Authorize the Secretary of the military department concerned to delegate approval authority for foreign employment of retired and reserve members of the Armed Forces only to an official of the military department at or above the level of an Assistant Secretary or, in the event of a vacancy in the position of such an official, a civilian official performing the duties of that position; and (2) Require additional information in annual reports on approvals for retired general and flag officers.

Sec. 632. Restrictions on Retired and Reserve Members of the Armed Forces Receiving Employment and Compensation Indirectly from Foreign Governments Through Private Entities.

This section would amend section 908 of title 37, United States Code, to prohibit a retired or Reserve member of the Army, Navy, Air Force, Marine Corps, or Space Force from receiving employment and related compensation for work performed for a foreign government through a private entity unless approved by the Secretary of the military department concerned and the Secretary of State.

Health Care Provisions

Sec. 701. Extension of Period of Eligibility for Health Benefits Under TRICARE Reserve Select for Survivors of a Member of the Selected Reserve.

This section would amend section 1076d of title 10, United States Code, to extend eligibility for TRICARE Reserve Select from 6 months to 3 years for survivors of deceased members of the reserve components who were enrolled in TRICARE Reserve Select at the time of their deaths. The provision would be effective on October 1, 2025.

Sec. 707. Sense of Congress on Access to Mental Health Services Through Tricare.

This section would establish the sense of Congress that the Secretary of Defense should take all necessary steps to ensure members of the National Guard and the members of their families who are enrolled in TRICARE have timely access to mental and behavioral health care services through the TRICARE program.

Sec. 713. Department of Defense Overdose Data Act of 2023.

This section would require the Secretary of Defense to submit an annual report to the congressional defense committees on the number of annual overdoses among servicemembers. The annual reporting requirement would begin one year after the date of enactment of this Act and sunset five years after the date of enactment of this Act.

Sec. 724. Report on Mental and Behavioral Health Services Provided by Department of Defense.

This section would require the Director of the Defense Health Agency to submit to HASC and SASC a report that contains the current wait times for members of the Armed Forces, including members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed

Forces who are enrolled in TRICARE Reserve Select under section 1076d of title 10, United States Code, to receive mental and behavioral health services, disaggregated by State.

Organization and Management

Sec. 928. Limitation on Establishment of New Diversity, Equity, and Inclusion Positions; Hiring Freeze.

This section would prohibit the Secretary of Defense in establishing any new positions within the Department of Defense with responsibility for matters relating to diversity, equity, and inclusion; or fill any vacancies in positions in the Department with responsibility for such matters.

General Provisions

Sec. 1053. Report on use of Tactical Fighter Aircraft and Bomber Aircraft for Deployments and Homeland Defense Missions.

This section would require the Secretary of Defense to conduct a study on the use of tactical fighter aircraft and bomber aircraft for deployments and homeland defense missions.

Sec. 1081. Comprehensive Strategy for Talent Development and Management Department of Defense Computer Programming Workforce.

This section would make a policy of the Armed Forces, including the reserve components, to establish appropriate and effective talent development and management policies and practices that allow for the military departments to present an adaptable, qualified workforce training and education standard with respect to computer programming skill needs for the workforce of the Department of Defense, including technical and nontechnical skills related to artificial intelligence and software coding.

Sec. 1087. 9/11 Responder and Survivor Health Funding Correction Act of 2023.

This section would amend Public Health Service Act (42 U.S.C. 300mm et seq.) to include the following: “was an employee of the Department of Defense or any other Federal agency, worked during the period beginning on September 11, 2001, and ending on September 18, 2001, for a contractor of the Department of Defense or any other Federal agency, or was a member of a regular or reserve component of the uniformed services; and performed rescue, recovery, demolition, debris cleanup, or other related services at the Pentagon site of the terrorist-related aircraft crash of September 11, 2001, during the period beginning on September 11, 2001, and ending on the date on which the cleanup of the site was concluded, as determined by the WTC Program Administration.”

Sec. 1090. Briefing on Air National Guard Active Associations.

This section would require the Secretary of the Air Force to brief the HASC and SASC on the potential increase in air refueling capacity and cost savings, including manpower, to be achieved by making all Air National Guard KC-135 units active associations.

Sec. 1313. Report on Coordination with Private Entities and State Governments with Respect to the State Partnership Program.

This section would require The Secretary of Defense to submit a report on the feasibility of coordinating with private entities and State governments to provide resources and personnel to support technical exchanges under the Department of Defense State Partnership Program established under section 341 of title 10, United States Code.

Sec. 1399CCCC. Promoting Security and the Rule of Law in the Western Hemisphere.

This section would establish the sense of Congress that the United States should strengthen security cooperation with democratic partner nations in the Western Hemisphere. This includes enhancing the institutional capacity and technical capabilities of defense and security institutions in

democratic partner nations to conduct national or regional security missions, including expanding the National Guard State Partnership Programs.

Space Force Personnel Management

Sec. 1802. Space Force Personnel Management Act Transition Plan.

This section would prohibit a transition plan under this section until the SecAf certifies any State National Guard affected by the transfer of units, personnel billets, equipment, and resources into the Space Force will be made whole by the transfer of additional assets under the control of the SecAf into the affected State National Guard and submits a report that includes a transition plan to move all units, personnel billets, equipment, and resources performing core Space Force functions, under the operational control of the Space Force, or otherwise integral to the Space Force mission that may exist in the reserve components of the Department of the Air Force into the Space Force.

Sec. 1803. Comprehensive Assessment of Space Force Equities in the National Guard.

This section would Require the SecDef to conduct an independent study to assess the feasibility and advisability of moving all units, personnel billets, equipment, and resources performing core Space Force functions, under the operational control of the Space Force, or otherwise integral to the Space Force mission that may exist in the National Guard and into a single-component Space Force.

Sec. 1844. Placement of Officers on the Space Force Officer List.

This provision authorizes officers of the Space Force who transferred in accordance with section 1743 from the Air Force Reserve or the Air National Guard shall be placed on the Space Force officer list in an order determined by their respective grades and dates or rank.

Sec. 1843. Transfer to the Space Force of Members of the Air Force Reserve and the Air National Guard.

This section would allow officers and enlisted during the transition period, the Secretary of Defense may, with their consent, transfer a covered officer of the Air Force Reserve or the Air National Guard to, and appoint the officer in, the Space Force.

Military Construction

Sec. 2406. Extension of Authority to Carry Out Certain Fiscal Year 2021 Projects.

This section would extend the authorization of certain fiscal year 2021 Environmental Resilience and Conservation Investment Program projects until October 1, 2024.

ERCIP Projects: Extension of 2021 Project Authorizations			
State	Installation	Project	Original Authorized Amount
Arkansas	Ebbing ANG Base	PV Arrays and Battery Storage	\$2,600

Sec. 2601. Authorized Army National Guard Construction and Land Acquisition Projects.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard

State	Location	FY2024 Request	Senate Agreement
Alabama	Fort McClellan; Cost to Complete: Enlisted Barracks, TT	--	\$7,000
Alabama	Huntsville; Cost to Complete: NG Readiness Center	--	\$4,650
Arizona	Surprise Readiness Center	\$15,000	\$15,000
Arkansas	Fort Chaffee; Cost to Complete: NG Readiness Center	--	\$610
California	Bakersfield; Cost to Complete: Vehicle Maintenance Shop	--	\$1,000
California	Camp Roberts; Cost to Complete: Automated Multipurpose Machine Gun (MPMG) Range	--	\$5,000
Colorado	Peterson Space Force Base; Cost to Complete: NG Readiness Center	--	\$3,000
Connecticut	Putnum; Cost to Complete: NG Readiness Center	--	\$6,125
Florida	Camp Blanding, Automated Multipurpose Machine Gun Range	--	\$11,000
Guam	Barrigada; Cost to Complete: NG Readiness Center	--	\$6,900
Idaho	Jerome; Cost to Complete: NG Readiness Center	--	\$1,250
Idaho	Jerome County Regional Site, NG Vehicle Maintenance Shop	\$17,000	\$17,000
Illinois	Bloomington; Cost to Complete: NG Vehicle Maintenance Shop	--	\$5,250
Illinois	North Riverside NG Maintenance Center, NG Vehicle Maintenance Shop	\$24,000	\$24,000
Indiana	Shelbyville; Cost to Complete: NG Readiness Center Add/Alt	--	\$5,000
Kansas	Topeka; Cost to Complete: NG/Reserve Center Building	--	\$5,856
Kentucky	Burlington, Vehicle Maintenance Shop	--	\$16,400
Kentucky	Frankfort; Cost to Complete: NG/Reserve Center Building	--	\$2,000
Louisiana	Camp Beauregard; Collective Training Unaccompanied Housing Open-Bay (P&D)	--	\$2,400
Louisiana	Camp Beauregard; Cost to Complete: NG Readiness Center	--	\$2,000
Louisiana	Camp Minden; Cost to Complete: Collective Training Unaccompanied Housing, Open Bay	--	\$3,718
Maine	Northern Maine Range Complex; Automated Multipurpose Machine Gun Range (P&D)	--	\$2,800
Maine	Saco; Cost to Complete: National Guard Vehicle Maintenance Shop	--	\$7,420
Massachusetts	Camp Edwards; Cost to Complete: Automated Multipurpose Machine Gun (MPMG) Range	--	\$3,000
Mississippi	Camp Shelby; JFTC Railhead Expansion (P&D)	--	\$2,200
Mississippi	Camp Shelby; Cost to Complete: Maneuver Area Training Equipment Site Addition	--	\$5,425

Mississippi	Southaven; NG Readiness Center		\$22,000
Missouri	Belle Fontaine, NG Readiness Center	\$28,000	\$28,000
Nebraska	Bellevue; Cost to Complete: NG Readiness Center	--	\$9,090
Nebraska	Greenlief Training Site; Collective Training Unaccompanied Housing Open-Bay (P&D)	--	\$1,200
Nebraska	Mead Training Site; Cost to Complete: Collective Training Unaccompanied House, Open Bay	--	\$1,913
Nebraska	North Platte; Cost to Complete: NG Vehicle Maintenance Shop	--	\$400
New Hampshire	Concord; Cost to Complete: NG Readiness Center	--	\$200
New Hampshire	Littleton, NG Vehicle Maintenance Shop Add	\$23,000	\$23,000
New Jersey	Joint Base McGuire-Dix-Lakehurst; Cost to Complete: NG Readiness Center	--	\$605
New Mexico	Rio Rancho Training Site, NG Vehicle Maintenance Shop Add	\$11,000	\$11,000
New York	Lexington Avenue Armory, NG Readiness Center	--	\$70,000 ¹
North Carolina	Salisbury; Army Aviation Support Facility (P&D)	--	\$2,200
North Dakota	Camp Grafton; Institutional Post-Initial Military Training, Unaccompanied Housing (P&D)	--	\$1,950
North Dakota	Dickinson; Cost to Complete: NG Readiness Center	--	\$5,425
Ohio	Camp Perry Joint Training Center, NG Readiness Center	\$19,200	\$19,200
Ohio	Columbus; Cost to Complete: NG Readiness Center	--	\$4,000
Oklahoma	Ardmore; Cost to Complete: Vehicle Maintenance Shop	--	\$400
Oregon	Washington County; NG Readiness Center	\$26,000	\$26,000
Pennsylvania	Hermitage; NG Readiness Center	\$13,600	\$13,600
Pennsylvania	Moon Township; Cost to Complete: Combined Support Maintenance Shop	--	\$3,100
Puerto Rico	Fort Allen; Cost to Complete: NG Readiness Center	--	\$3,676
Rhode Island	Camp Fogarty Training Site; Collective Training Unaccompanied Housing Open-Bay (P&D)	--	\$1,990
Rhode Island	North Kingstown		\$30,000
South Carolina	Aiken County Readiness Center	\$20,000	\$20,000
South Carolina	Joint Base Charleston; Cost to Complete: NG Readiness Center	--	\$4,373
South Carolina	McCrary Training Center, Auto MPMG Range	\$7,900	\$7,900
South Dakota	Sioux Falls, RTC	--	5,250 ²
Tennessee	Campbell Army Airfield, Army Air Traffic Control Towers (P&D)	--	\$2,500
Tennessee	McMinnville; Cost to Complete: NG Readiness Center	--	\$500
Texas	Fort Cavazos, General Purpose Instruction Bldg (P&D)	--	\$2,685
Texas	Fort Worth; Cost to Complete: Aircraft	--	\$6,489

	Maintenance Hangar Add/Alt		
Texas	Fort Worth; Cost to Complete: NG Vehicle Maintenance Shop	--	\$381
Utah	Camp Williams; Collective Training Unaccompanied Housing, Senior NCO and Officer (P&D)	--	\$2,875
Vermont	Bennington; Cost to Complete: NG Readiness Center	--	\$3,415
Virgin Islands	St. Croix; Cost to Complete: Army Aviation Support Facility	--	\$4,200
Virgin Islands	St. Croix; Cost to Complete: Ready Bldg	--	\$1,710
Virginia	Sandston RC & FMS 1, Aircraft Maintenance Hangar	\$20,000	\$20,000
Virginia	Troutville; Cost to Complete: Combined Support Maintenance Shop Addition	--	\$2,415
Virginia	Troutville; Cost to Complete: NG Readiness Center Addition	--	\$2,135
West Virginia	Parkersburg; NG Readiness Center (P&D)	--	\$3,300
Wisconsin	Viroqua, NG Readiness Center	\$18,200	\$18,200
Worldwide Unspecified	Planning and Design	\$34,286	\$34,286
Worldwide Unspecified	Unspecified Minor Construction	\$63,000	\$63,000
Military Construction, Army National Guard Total		\$340,186	\$650,567

1. Appropriations authorization discrepancy exists between SEC. 2601 and Sec. 4601 for New York NG Readiness Center:

Sec. 2601 lists \$90M and Sec. 4601 lists \$70M.

2. New SD Project listed in Engrossed Bill.

Sec. 2604. Authorized Air National Guard Construction and Land Acquisition Projects.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard			
State	Location	FY2024 Request	House Agreement
Alabama	Montgomery Regional Airport, F35 ADAL SQ OPS	\$7,000	\$7,000
Alaska	Eielson Air Force Base; AMC Standard Dual Bay Hangar (P&D)	--	\$3,700
Alaska	Joint Base Elmendorf Richardson, ADAL Alert Crew Facility Hgr 18	--	\$7,000
Arizona	Tucson, Mcca: Aircraft Arresting System (New Rwy)	\$11,600	\$11,600
Arkansas	Ebbing Air National Guard Base; 3-Bay Hangar	--	\$54,000
Arkansas	Ebbing Air National Guard Base; Aircrew Flight Equipment/Step	--	\$9,300
Arkansas	Ebbing Air National Guard Base; Special Access Program Facility	--	\$12,700
Colorado	Buckley Space Force Base, Aircraft Corrosion	\$12,000	\$12,000

	Control		
Indiana	Fort Wayne International Airport; Fire Station	\$8,900	\$8,900
Mississippi	Field ANG Base; Cost to Compete: 172 nd Airlift Wing Fire/Crash Rescue Station	--	\$8,000
Missouri	Rosecrans ANG Base; 139 th Airlift Wing Entry Control Point (P&D)	--	\$2,000
Missouri	Rosecrans ANG Base; Entry Control Point (P&D)	--	\$2,000
Oregon	Portland International Airport, Special Tactics Complex, Phase 1	\$22,000	\$22,000
Oregon	Portland International Airport, Special Tactics Complex, Phase 2	\$18,500	\$18,500
Oregon	Portland International Airport, Special Tactics Complex, Phase 3	--	\$20,000
Oregon	Portland International Airport, Special Tactics Complex, Phase 4	--	\$11,000
Pennsylvania	Harrisburg International Airport, Entry Control Facility	--	\$8,000
Wisconsin	Truax Field, F-35: MM&I Fac, B701	--	\$5,200
Wisconsin	Volk ANGB; Fire/Crash Rescue Station (P&D)	--	\$670
Worldwide Unspecified	Planning and Design	\$35,600	\$35,600
Worldwide Unspecified	Unspecified Minor Construction	\$63,122	\$63,122
Military Construction, Air National Guard Total		\$178,722	\$322,292

Sec. 2606. Authorization of Appropriations, National Guard and Reserve.

This section would authorize appropriations for the reserve component military construction projects authorized for construction for fiscal year 2024 in this Act. This provision would also provide an overall limit on the amount authorized for military construction projects for each of the reserve components of the military departments. The state list contained in this report is the binding list of the specific projects authorized at each location.

Sec. 2607. Extension of Authority to Carry Out Certain Fiscal Year 2018 Project at Hulman Regional Airport, Indiana.

This section would extend the authorization contained in section 2604 of the Military Construction Authorization Act for Fiscal Year 2018, Division B, Title XXVI, of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) for one project until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

National Guard and Reserve: Extension of 2018 Project Authorization			
State	Installation	Project	Original Authorized Amount
Indiana	Hulman Regional Airport	Construct Small Arms Range	\$8,000

Sec. 2608. Extension of Authority to Carry Out Certain Fiscal Year 2019 Project at Francis S. Gabreski Airport, New York.

This section would extend the authorization contained in section 2604 of the Military Construction Authorization Act for Fiscal Year 2019, Division B, Title XIII, of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) for one project until October

1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

National Guard and Reserve: Extension of 2019 Project Authorization			
State	Installation	Project	Original Authorized Amount
New York	Francis S. Gabreski Airport	Security Forces/ Comm. Training Facility	\$20,000

Sec. 2609. Extension of Authority to Carry Out Certain Fiscal Year 2021 Projects.

Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116-283; 134 Stat. 4294), the authorizations set forth in the table in subsection (b), as provided in sections 2601, 2602, and 2604 of that Act (134 Stat. 4312, 4313, 4314), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

National Guard and Reserve: Extension of 2021 Project Authorization			
State	Installation	Project	Original Authorized Amount
Arkansas	Fort Chaffee	NG Readiness Center	\$15,000
California	Bakersfield	NG Vehicle Maintenance Shop	\$9,300
Colorado	Peterson Space Force Base	NG Readiness Center	\$15,000
Guam	Joint Region Marianas	Space Control Facility #5	\$20,000
Ohio	Columbus	NG Readiness Center	\$15,000
Massachusetts	Devens Reserve Forces Training Area	Automated Multipurpose Machine Gun Range	\$8,700
North Carolina	Asheville	Army Reserve Center/Land	\$24,000
Puerto Rico	Fort Allen	NG Readiness Center	\$37,000
South Carolina	Joint Base Charleston	NG Readiness Center	\$15,000
Texas	Fort Worth	Aircraft Maintenance Hangar Add/Alt	\$6,000
Texas	Joint Base San Antonio	F-16 Mission Training Center	\$10,800
Virgin Islands	St. Croix	Army Aviation Support Facility	\$28,000
Virgin Islands	St. Croix	CST Ready Building	\$11,400

Sec. 2610. Modification of Authority to Carry Out Fiscal Year 2022 Project at Nickell Memorial Armory, Kansas.

This section would recommend a provision that would modify the authorization contained in section 2606 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) for the construction of a sensitive compartmented information facility project at Nickell Memorial Armory, Kansas.

Sec. 2612. Authority to Conduct Restoration and Modernization Projects at the First City Troop Readiness Center in Philadelphia, Pennsylvania.

This section would recommend a provision that would authorize the Army National Guard to repair the roof of the South 23rd Street Readiness Center in Philadelphia, Pennsylvania if certain conditions are met.

The committee notes that due to the arrangement of the leased facility, this authorization is required to conduct this repair project.

Sec. 2702. Prohibition on Conducting Additional Base Realignment and Closure (BRAC) Round.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

Additional Provisions: Procurement

Sec. 5131. Inventory of C-130 Aircraft.

This section would amend the Prohibition on Reduction of C-130 Aircraft Assigned to National Guard listed in FY23 NDAA by striking “2023” and inserting “2024”.

SASC Committee Report Requirements / Items of Special Interest

Aircraft Survivability Equipment.

The committee is concerned about the threats posed to low flying U.S. military aircraft from enemy air defense systems. Department of Defense fixed-wing aircraft and helicopters operating at low altitudes often are exposed to threats. These threat systems are widely proliferated and are a significant risk to our forces.

Additionally, the committee understands that in-aircraft survivability equipment and weapons engagement training aids and opportunities are not as available to the reserve component aviation enterprise as they are to the active component. This creates a disparity in training uniformity that could negatively affect National Guard and reserve aviator readiness, and reduces their capability to assist the active component during conflict operations.

Therefore, the committee directs the Secretaries of the military departments, or their designees, and representatives from the National Guard and reserve components, to provide a briefing to the congressional defense committees, not later than March 1, 2024, on the service strategy for fielding and maintaining aircraft survivability equipment on U.S. military aircraft to counter modern enemy air defense systems and other widely proliferated threats, including identification of commercial off-the-shelf capabilities that would provide threat replication and simulation, and a list of National Guard and reserve aviation training sites where this training could be implemented.

KC-135 Emergency Response Refuel Equipment Kit.

The committee directs the Secretary of the Air Force to provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives, no later than June 1, 2024, on the implications of the National Guard’s KC-135 fleet lacking the Emergency Response Refuel Equipment Kit (ERREK). The briefing should address: (1) If, without ERREK, the National Guard’s KC-135 fleet will be able to meet capability requirements to transfer fuel on and off the aircraft for disaster relief operations where there is no ground power infrastructure available to move fuel to support fuel truck, bladder, or ground fuel tanks; (2) The consequences to the National Guard’s intended missions without this KC-135 capability; and (3) How the National Guard intends to meet these capability requirements.

Modernization of the Air Force Fighter Force Structure.

The committee needs a better understanding of the U.S. Air Force long range plans for modernizing the fighter force. The Air Force is currently operating several series of aircraft in the inventory, including A-10, F-15, F-16, F-22, and F-35. Adding the Next Generation Air Dominance (NGAD) and the Collaborative Combat Aircraft (CCA) platforms to the force is in the Air Force's longer-term plans.

The committee understands that the Air Force now has specific force structure modernization plans for at least 10 of its 29 fighter squadrons in the Air Reserve Component (ARC) through fiscal year 2031. The committee believes that this time horizon is too close to provide adequate information about the future of the total fighter force. Questions that remain unanswered include whether the U.S. Air Force planning to recapitalize all of the other 19 ARC fighter squadrons or shift one or more squadrons to other high priority missions and whether the U.S. Air Force is planning to shift missions for any of the active duty fighter squadrons. A longer-term assessment could help clarify Air Force plans and could help as well to:

- (1) Provide the Congress with a clear understanding of the U.S. Air Force's plans and the ability to provide more informed oversight;
- (2) Mitigate recruitment and retention challenges in skilled and experienced manpower that are associated with the uncertainty associated with looming divestments; and
- (3) Avoid hindering recruitment/retention of servicemembers transitioning from Active Duty to the Reserve components.

Therefore, the committee directs the Secretary of the Air Force to produce a plan for long-term support of fighter force structure in the active and reserve components. The Secretary shall provide a report on that plan to the Committees on Armed Services of the Senate and the House of Representatives not later than April 1, 2024.

That report shall detail plans for force structure, recapitalization, and sustainment for the next 20 years. The report shall address specific year-by-year plans for procurement and unit activation or deactivation. Finally, the report shall also address the following:

- (1) The appropriate mix of fighter force structure for the Active Duty and ARC units;
- (2) The specific plan for modernizing each of the active duty units and the ARC units;
- (3) How the U.S. Air Force will maintain readiness during units' recapitalization or change of missions; and
- (4) Any plans to shift missions of active or reserve component units, and if so, explanation of the shifts and timing of implementation.

Report on Reuse of Modern Equipment from F-16 Aircraft Being Retired

The Air Force plans to divest F-16 Block 30/32 aircraft in the Air National Guard and Air Force Reserve components over the next several years as the fleet is upgraded to post-Block 30/32 F-16 aircraft. Many of these Block 30/32 aircraft contain upgraded and modernized equipment, such as active electronically scanned array radars, multi-function information distribution system/joint tactical radio system communications terminals, upgraded radios, and countermeasures systems, among other equipment.

Many aircraft in the post-Block 30/32 F-16 fleet have not been outfitted with these upgrades. The committee believes that it would be prudent to harvest these upgraded systems from the Block 30/32 aircraft and use these systems to upgrade post-Block 30/32 aircraft.

Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the congressional defense committees, not later than February 28, 2024, on the Air Force's plan to use equipment harvested from retiring aircraft to upgrade the F-16s that will remain in service.

UH-60 Internal Auxiliary Fuel Tank Systems

The committee directs the Secretary of the Army to provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives, not later than June 1, 2024, on the implications of the National Guard's UH-60 Black Hawk fleet lacking crashworthy and ballistically tolerant Internal Auxiliary Fuel Tank Systems (IAFTS). The briefing should address: (1) If, without IAFTS, the National Guard's UH-60 Black Hawks will have the auxiliary fuel capability necessary to accomplish disaster relief, homeland security, and combat missions with added mission flexibility and extended station time; (2) The consequences to the National Guard's intended missions

without this UH-60 capability; and (3) How the National Guard intends to meet these capability requirements.

Locked Shields Exercise

The budget request included \$469.4 million in Research, Development, Test and Evaluation, Defense-wide (RDDW) for PE 3625JCY Cyber Operations Technology Support.

The committee notes that the National Guard Bureau's Army Interagency Training and Education Center (AITEC), through the Defense Information Systems Agency (DISA), has led the United States' team in the North Atlantic Treaty Organization's Cooperative Cyber Defense Center of Excellence Locked Shields exercise, the only international critical infrastructure protection exercise in existence. This exercise is critically important to U.S. national security, and the committee encourages robust interagency participation and solicitation of private industry and academia participation. The committee commends the coordination efforts and expertise of AITEC throughout the foundational years of the Locked Shields exercise, and directs DISA to continue to coordinate the participating organizations and future host locations through AITEC.

To support this effort, the committee recommends an increase of \$4.0 million in RDDW PE 3625JCY for the purposes of facilitating travel, training, and infrastructure preparation for the exercise within the previously established organizational structure of the U.S. team.

Air Force National Guard and Reserve Military Technicians (Dual Status).

The amounts authorized to be appropriated for Air National Guard and Air Force Reserve military technician (dual status) civilian payroll include the following increases from the budget request to accommodate increased military technician end strengths in the Air Force reserve components. The provision underlying these changes in funding levels is discussed in greater detail in title IV of this committee report.

[Changes in millions of dollars]

Air Force Reserve military technician payroll +27.5
Air National Guard military technician payroll +139.7
Total +167.2

Military Service Recruiting And Advertising.

The amounts authorized to be appropriated for recruiting and advertising activities of the military services include the following increases from the budget request:

[Changes in millions of dollars]

Army Active-Duty recruiting and advertising +138.1
Army Reserve recruiting and advertising +6.7
Army National Guard recruiting and advertising +50.7
Navy recruiting and advertising +80.8
Marine Corps recruiting and advertising +49.3
Air Force Active-Duty recruiting and advertising +40.9
Air Force Reserve recruiting and advertising +1.9
Air Force National Guard recruiting and advertising +23.4
Total +391.8

Unobligated Balances.

The budget request included \$329.8 billion across the Operation and Maintenance accounts.

The committee notes that the Government Accountability Office has repeatedly issued recommendations for the Department of Defense to analyze its unobligated balances given historical trends and managerial use of the account.

Accordingly, the committee recommends a decrease of \$129.6 million across Operation and Maintenance, Army; a decrease of \$262.1 million across Operation and Maintenance, Navy; a decrease of \$233.7 million across Operation and Maintenance, Air Force; a decrease of \$75.1 million across Operation and Maintenance, Marine Corps; a decrease of \$73.0 million across Operation and Maintenance, Space Force; a decrease of \$3.4 million across Operation and Maintenance, Army Reserve; a decrease of \$23.4 million across Operation and Maintenance, Army National Guard; a decrease of \$4.2 million across Operation and Maintenance, Navy Reserve; a decrease of \$34.2 million across Operation and Maintenance, Air Force Reserve; a decrease of \$21.9 million across Operation and Maintenance, Air National Guard; a decrease of \$1.0 million across Operation and Maintenance, Marine Corps Reserve; and a decrease of \$15.0 million across Operation and Maintenance, Defense-wide (OMDW). The committee also recommends a decrease of \$3.6 million in OMDW SAG 1PL1 Joint Chiefs of Staff; a decrease of \$22.4 million in OMDW SAG 4GTA Defense Legal Services Agency; a decrease of \$2.5 million in OMDW SAG 4GT3 Civil Military Programs; a decrease of \$2.7 million in OMDW SAG 4GT6 Defense Contract Audit Agency; a decrease of \$15.5 million in OMDW SAG 4GTO Defense Contract Management Agency; and a decrease of \$9.9 million in OMDW SAG 4GT9 Defense Information Systems Agency.

Feasibility of Co-locating 214th Attack Group MQ-9 Elements.

The committee notes that, with the advent of auto takeoff and landing capability in the MQ-9, maintaining line of sight is no longer a basing requirement for remotely piloted aircraft launch and recovery elements. The committee encourages the Air Force to consider whether geographically separated units can be restructured to a single location in order to provide operational efficiencies and eliminate adverse impacts to servicemembers currently required to report to multiple duty stations.

Therefore, the committee directs the Secretary of the Air Force, in coordination with the Chief of the National Guard Bureau, to review those remotely piloted aircraft units with launch and recovery elements that are geographically separated from their mission control elements and provide the Committees on Armed Services of the Senate and the House of Representatives with a report, not later than January 31, 2024, with recommendations on the feasibility of co-locating those activities. The report should address anticipated reduction of operational costs and operational efficiencies gained.

Multi-domain Operations Training Ranges.

The committee is aware that the Army's multi-domain operations concept includes the combined arms employment of joint and Army capabilities to create and exploit relative advantages that achieve objectives, defeat enemy forces, and consolidate gains on behalf of joint force commanders. The committee notes that the Army will need necessary adversarial components to present a realistic threat training capability for joint forces. The committee believes that the Department of the Army should seek more opportunities to provide realistic intelligence community-certified threat environments to new range areas in support of multi-domain operations training.

The committee directs the Secretary of the Army to provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives, not later than January 31, 2024, that assesses the potential need for expansion of threat environment training. The briefing shall include: (1) Identification of the limitations of current multi-domain operations training ranges; (2) Identification of the Army's training range needs in support of multi-domain operations; and (3) An assessment of additional range site locations to provide collective training to active, reserve, and National Guard soldiers.

National Guard Medical Training.

The committee is aware of existing programs that provide state-of-the-art trauma, critical care, behavioral health, public health, and other ancillary direct medical training at academic medical centers for Air National Guard and Army National Guard medical and non-medical personnel and State Partnership Program/Global Health Engagement international partners. The programs provide both critical training to support the readiness of participating National Guard units and additional opportunities to deepen State Partnership Program relationships with international partners while offering these partners valuable training. This joint training minimizes medical operational gaps and promotes interoperability between civilian, military, and international coalition partners, all at a significantly reduced cost compared to comparable in-house Department of Defense training.

For all these reasons, the committee supports these programs and encourages the Chief of the National Guard Bureau to continue delivering these preparedness programs through direct training services to include advanced trauma, public health, and combat lifesaver curriculums that prioritize critical life-saving procedures, epidemiology of public health diseases, prevention and treatment, mass casualty triage, and psychological health.

Briefing on Indo-Pacific Command Contested Logistics Requirements.

The committee believes that a robust logistics system, providing both sufficient capacity to support major combat operations and resilience to operate under severe and sustained kinetic and non-kinetic attack, is vital to the Department of Defense's (DOD) core missions of deterrence and warfighting. The committee is encouraged by recent DOD efforts to address contested logistics challenges, but remains concerned with the pace and scale of such efforts, as well as the resilience of such efforts in the face of attrition of equipment, logistics platforms, or prepositioned supplies.

Therefore, the committee directs the Secretary of Defense to provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives, not later than March 29, 2024, on the current ability of the joint force to conduct contested logistics in the Indo-Pacific Command (INDOPACOM) area of responsibility, and DOD efforts to improve contested logistics capabilities and capacity including:

- (1) Current concepts for sustaining each service component in a conflict scenario;
- (2) Total lift capacity requirements to complete combatant commander plans, to include force deployment, bulk fuel, munitions, and all other relevant classes of supply;
- (3) Current and planned lift capacity in theater;
- (4) Current and planned lift capacity out of theater that would be available to the combatant commander in a conflict scenario within relevant time frames;
- (5) A vulnerability assessment of current and planned concepts for sustaining combat operations in INDOPACOM;
- (6) An assessment of existing port infrastructure to support joint force peacetime and contingency operations, including the sufficiency of bilateral agreements to support contingency access to such infrastructure;
- (7) Any relevant support contracts in the region expected to mitigate sustainment requirements in a contingency;
- (8) Actions that can be undertaken and completed by each of the military departments within the next 4 years that would have the greatest impact on sustaining combat operations across all domains in INDOPACOM, both constrained and unconstrained by costs, accesses, policy, and statute;
- (9) An assessment of the extent to which deployed forces could meet logistical support requirements locally for consumables other than munitions and spare parts;
- (10) A net assessment of U.S. capabilities to sustain prolonged combat operations in INDOPACOM in the 2027 time frame based on current projections of fielded capabilities;
- (11) A report on which Army logistics capabilities reside within the Active Army component compared with the Army National Guard and the Army Reserve; and, an assessment of the

risk incurred by that mix, to include potential delays to Joint Force employment as a result of mobilization delays; and

(12) Any other matters deemed relevant by the Secretary.

Review of Unfunded Priorities Lists.

The military services, combatant commands, the Missile Defense Agency, and the Chief of the National Guard Bureau are required by statute to provide the congressional defense committees with a report that contains a list of unfunded priorities with several associated justifications.

Congress has used these reports to evaluate the Department of Defense's (DOD) budget request and make changes. The committee notes that these annual lists of unfunded programs and activities have varied significantly over time.

Therefore, the committee directs the Comptroller General of the United States to review: (1) The extent to which the officers specified under sections 222(a) and 222(b) of title 10, United States Code, have policies, procedures, and criteria in place to develop unfunded priorities lists; (2) The extent to which the type, quantity, or total dollar amount of unfunded priorities lists have changed over the last 10 years; (3) The extent to which Congress has appropriated funding for the unfunded priorities submitted over the last 10 years; (4) The extent to which appropriations made for unfunded priorities in fiscal year 2023 affected DOD's long-term budget plan, requirements planning, or major defense acquisition programs; and (5) Any other matters deemed appropriate by the Comptroller General.

The committee directs the Comptroller General to provide a briefing to the congressional defense committees on the preliminary findings of this review by April 30, 2024, with a final report to be submitted by a mutually agreed upon date.

National Guard State Partnership Program in the Indo-Pacific.

The committee strongly supports the National Guard State Partnership Program (SPP) as a means to strengthen U.S. alliances and partnerships with foreign counterparts in the Indo-Pacific region. The committee notes that the SPP currently maintains relationships with 16 foreign partners in the Indo-Pacific region. The committee supports efforts to leverage existing capacity in the National Guard to deepen cooperation with existing allies and partners in the Indo-Pacific and to expand efforts to include additional foreign partners, as appropriate.

Therefore, not later than November 1, 2023, the Assistant Secretary of Defense for Strategies, Plans, and Capabilities, in coordination with the Commander, United States Indo-Pacific Command, the Director, Defense Security Cooperation Agency, and the Chief of the National Guard Bureau, shall provide a briefing to the congressional defense committees summarizing ongoing SPP activities in the Indo-Pacific and identifying opportunities to expand such efforts to include new foreign partners, including an identification of any additional resources or authorities necessary to support such activities.

Nationwide Integration of Time Resiliency for Operations.

The committee recognizes the need for resilient Position Navigation, and Timing (PNT), as PNT is integral to Department of Defense operations, continuity of operations and mission assurance, and other national critical functions. The committee remains concerned that there is insufficient redundancy in PNT, and therefore in the event of PNT disruption, continuity of operations would be at risk, including the operations of the National Guard and other federal, state, and local agencies tasked with emergency services response and civil support whom National Guard forces may interact with in the course of their duties.

Therefore, the committee directs the Secretary of the Army and the Secretary of the Air Force, in coordination with the Chief of the National Guard Bureau, to provide a briefing to the congressional

defense committees, not later than February 1, 2024, assessing the utility of the Nationwide Integration of Time Resiliency for Operations (NITRO) program for providing assured PNT for continuity of operations in responding to military contingencies and supporting civil authorities. The briefing shall include an assessment of: (1) Performance of NITRO in relation to PNT requirements; (2) Survivability of NITRO including to cyber, electromagnetic, and radiological threats; (3) Costs associated with manning, fielding, deploying, and maintaining NITRO; (4) Existing deployments of NITRO as well as currently planned future deployments; (5) Potential for nationwide and territorial deployment of NITRO to include timelines and costs; (6) Current coordination related to NITRO between the National Guard Bureau and the National Executive Committee for Space-Based PNT; and (7) Policies, regulations, guidance, and federal statutes governing the communicating of NITRO data with state, local, tribal, and territorial partners.

Army National Guard Mission Assurance Program.

The committee remains concerned about the prospect of degradation of defense critical infrastructure from disruption that would affect the mobilization and movement of military forces and supplies in support of global and homeland operations.

For this reason, the committee directs the Secretary of Defense, in coordination with the Secretaries of the military departments, the Commander of United States Northern Command, and the Assistant Secretary of Defense for Homeland Defense and Global Security, to establish a mission assurance program to acquire and maintain all-domain awareness of threats posed to such defense critical infrastructure, and offer assistance to those entities in conducting all-domain threat assessments and remedial actions within their operational and information technology systems.

Additionally, the committee encourages the Secretary to work through existing assistance programs and organizations within the Department of Defense, such as the National Guard Bureau's Army Interagency Training and Education Command (AITEC), to establish relationships with defense critical infrastructure operators to maintain awareness and ensure rapid response to adverse events.

Report on Critical Infrastructure Supporting National Security and Force Projection Activities.

The committee commends the Department of Defense (DOD) on efforts to address cyber vulnerabilities of servicemembers, military installations, the defense industrial base, and other key components of the national security enterprise. The committee remains concerned, however, about the potential for cyberattacks against the homeland to impede the ability of the DOD to conduct operations and functions.

The committee believes that the DOD must do more to address domain awareness gaps to ensure that vulnerabilities to military installations, which stem from dependence on critical infrastructure located in surrounding communities, do not present an attack vector which adversaries can exploit. Therefore, the committee directs the Secretary of Defense, in coordination with the Secretaries of the military departments, and the Chief of the National Guard Bureau, and in consultation with the Secretary of Homeland Security, to provide a report to the Committees on Armed Services of the Senate and the House of Representatives, not later than February 1, 2024, on vulnerabilities of military installations related to critical infrastructure supporting national security and force projection activities. The report shall be submitted in an unclassified form but may include a classified annex. The report shall include the following elements:

- (1) Development of potential models for establishing processes, relationships, and command structures for proactively identifying vulnerabilities, responding to cyber incidents involving DOD installations, and providing synchronized reporting to higher authorities;
- (2) An assessment of the feasibility of designing and establishing a data repository within the DOD for resources and data related to potential cyber incidents involving DOD installations;

tailored responses; impacts; and exercises to facilitate the sharing of policies, procedures, best practices, data, and emerging issues; and

(3) An assessment of the need for utilizing the planning and execution of integrated campaigning (as defined in the Joint Chiefs of Staff Joint Concept for Integrated Campaigning) at multiple echelons to understand potential adversary actions against U.S. Government and non-government partners and to better inform campaign plan assumptions.

Space Force Personnel Management (Secs. 1701-1752)

The committee recommends a set of provisions that would amend title 10, United States Code, by adding a new subtitle F, titled "Alternative Military Personnel Systems," and establishing thereunder a military personnel system for the Space Force. The provision would also make various technical and conforming amendments to provisions in title 10, 19, 28, 38, and 50, United States Code, to account for the creation of the Space Force personnel system.

Under the recommended provision, the U.S. Space Force would become a single-component military service, incorporating elements of personnel policy from existing authority in title 10, United States Code, pertaining to both active and reserve components from other Armed Forces. Of note, the single component Space Force personnel system would allow for greater flexibility in career management and progression for U.S. Space Force members, who would be allowed to go back and forth between full-time military service and part-time service throughout their careers.

Implementation of the military personnel system for the U.S. Space Force would be contingent upon a certification from the Secretary of the Air Force that any State National Guard affected by the transfer of units, personnel billets, equipment, and resources into the U.S. Space Force would be made whole by the transfer of additional assets under the control of the Secretary of the Air Force into the affected State National Guard. The Secretary concerned would also be required to submit to the congressional defense committees a report that includes a transition plan to move all units, personnel billets, equipment, and resources that perform core Space Force missions, are under the operational control of the U.S. Space Force, or are otherwise integral to the U.S. Space Force mission that may exist in the reserve components of the Department of the Air Force into the U.S. Space Force. The provision would also require protections for affected members of the reserve components of the U.S. Air Force to ensure they would be able to remain in the reserve components without a negative impact on their careers if they chose not to transfer to the U.S. Space Force.

Under this title, the Secretary of Defense would also be required to enter into an agreement with a federally funded research and development center to conduct an independent study to assess the advisability and feasibility of moving personnel billets, equipment, and resources performing core space functions into the U.S. Space Force, as well as an analysis of the possibility of maintaining the current model in which the Air National Guard has units and personnel performing core space functions; transitioning such units and personnel to the U.S. Space Force; and creating a new National Guard component of the U.S. Space Force. Such study shall be due to the Secretary of the Air Force not later than February 1, 2025.

The committee notes that the transfer of capabilities from the National Guard to the U.S. Space Force is a unique requirement and based on the strategic importance of maintaining unified Federal control of space assets and capabilities under the new U.S. Space Force personnel management system. Should the Department of Defense ever seek to incorporate elements of the U.S. Space Force military personnel system into the personnel systems of the Army or Air Force, the committee would not support any large-scale transfer of units, personnel billets, equipment, or resources of the State National Guards into single-component Army or Air Force services under such unified personnel management systems. The Army National Guard and Air National Guard provide critical capabilities for the Armed Services and the States, and must be maintained as standing reserve components of the Armed Forces.