



FY21 House National Defense Authorization Act (NDAA)

Summary of H.R. 6395

The National Defense Authorization Act for Fiscal Year 2021



As of January 1st, 2021

	Passed in Committee	Passed in Chamber	Agreement	Final Passage	Signed into Law
House	July 1 st , 2020	July 21 st , 2020	December 3 rd , 2020	December 11 th , 2020	Passed over Veto January 1 st , 2021
Senate	June 11 th , 2020	July 23 rd , 2020		December 11 th , 2020	

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Executive Summary

This guide provides a short summary of the House and Senate Armed Services Fiscal Year 2021 National Defense Authorization Act (NDAA) conference agreement.

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: www.nationalguard.mil/ll. 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 December 3rd, 2020, the House of Representatives and U.S. Senate released the conference agreement for the FY21 National Defense Authorization Act. The bill authorizes a topline of \$732 billion for FY21 national defense activities, including \$69 billion of Overseas Contingency Operations (OCO).

Highlights:

- Provides for a 3% pay raise for service members
- Adds the Chief of the National Guard Bureau to the list of officers providing reports of unfunded priorities but only for items exclusively related to the role of non-federalized National Guard forces in support of the homeland defense or civil support missions
- Requires a minimum end strength authorization for non-temporary technicians and a separate end strength authorization for temporary dual status military technicians
- Increases the amount which may be paid to members of the Selected Reserve under the Student Loan Repayment Program
- Standardizes payment of Hazardous Duty Incentive Pay for members of the Guard and Reserve components
- Amends authorities to ensure that all National Guard installations are eligible for funding under the Defense Environmental Restoration Account for PFAS remediation
- Establishes eligibility for residence at the Armed Forces Retirement Home to include National Guardsmen with at least 20 years of service
- Requires the Joint Requirements Oversight Council (JROC) to seek the views of the Chief of the National Guard Bureau on Non-Federalized National Guard capabilities in support of Homeland Defense and Civil support missions
- Authorizes basic pay for each 6 day period during which a member of the reserve component is on maternity leave and counts maternity leave toward the member's entitlement to retired pay
- Provides transitional healthcare benefits to National Guard members serving under title 32 orders for COVID support operations

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	FY21 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY21 Delta from PB
O&M	\$7,420,014	\$7,416,336	\$3,678	\$7,397,862	\$22,152	\$7,368,636	\$51,378
OCO O&M	\$79,792	\$79,792	-	\$79,792	-	\$79,792	-
MILCON	\$321,437	\$337,172	\$15,735	\$371,272	\$49,835	\$371,272	\$49,835

Army National Guard End Strength

Army National Guard	FY21 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY21 Delta from PB
End Strength	336,500	336,500	-	336,500	-	336,500	-
AGR	30,595	30,595	-	30,595	-	30,595	-
Dual Status Technicians	22,294	22,294	-	22,294	-	22,294	-
ADOS	17,000	17,000	-	17,000	-	17,000	-



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

Air National Guard	FY21 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY21 Delta from PB
O&M	\$6,753,642	\$6,791,335	\$37,693	\$6,734,690	\$18,952	6,745,242	\$8,400
OCO O&M	\$175,642	\$175,642	-	\$175,642	-	\$175,642	-
MILCON	\$64,214	\$64,214	-	\$93,714	\$29,500	\$93,714	\$29,500

Air National Guard End Strength

Air National Guard	FY21 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY21 Delta from PB
End Strength	108,100	108,100	-	108,100	-	108,100	-
AGR	25,333	25,333	-	25,333	-	25,333	-
Dual Status Technicians	10,994	10,994	-	10,994	-	10,994	-
ADOS	16,000	16,000	-	16,000	-	16,000	-

BILL TEXT

Procurement

SEC. 135. Inventory Requirements for Certain Air Refueling Tanker Aircraft.

This section would prohibit the use of funds authorized to be appropriated in fiscal year 2021 to 2023 for the retirement of any KC-135 aircraft, or reduce the number of primary mission KC-135 aircraft.

SEC. 143. RC-26B MANNED INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE AIRCRAFT.

This section would prohibit funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Air Force to be obligated or expended to retire, divest, realign, or place in storage or on backup aircraft inventory status, or prepare to retire, divest, realign, or place in storage or on backup aircraft inventory status any RC-26B aircraft.

Operations and Maintenance

SEC. 314. MODIFICATION OF AUTHORITY FOR ENVIRONMENTAL RESTORATION PROJECTS OF NATIONAL GUARD.

This provision amends authorities related to environmental restoration projects to include facilities where military activities are conducted by the National Guard of a State under Title 32. The Secretary concerned may use the authority 4 under section 2701(d) of this title to carry out environmental restoration projects.

SEC. 318. INCREASED TRANSPARENCY THROUGH REPORTING ON USAGE AND SPILLS OF AQUEOUS FILM-FORMING FOAM AT MILITARY INSTALLATIONS.

This section would amend chapter 160 of title 10, United States Code, to require the Department of Defense to provide congressional notification of all releases of PFOS- and PFOA-containing fire-fighting foam.

SEC. 327. REQUIREMENT TO UPDATE DEPARTMENT OF DEFENSE ADAPTATION ROADMAP.

This section would require the Secretary of Defense to update the 2014 Department of Defense Adaptation Roadmap by February 1, 2022.

SEC. 335. NOTIFICATION TO AGRICULTURAL OPERATIONS LOCATED IN AREAS EXPOSED TO DEPARTMENT OF DEFENSE PFAS USE.

This section would require the Secretary of Defense, in consultation with the Secretary of Agriculture, to provide notifications to any agricultural operation located within one mile down gradient of a military installation or National Guard facility where covered PFAS (1) has been detected in groundwater; (2) has been hydrologically linked to a local agricultural or drinking water source, including well water; and (3) is suspected to be, or known to be, the result of the use of PFAS at an installation of the Department of Defense located in the United States or any State-owned facility of the National Guard.

SEC. 370. COMMISSION ON THE NAMING ITEMS OF THE DEPARTMENT OF DEFENSE THAT COMMEMORATE THE CONFEDERATE STATES OF AMERICA OR ANY PERSON WHO SERVED VOLUNTARILY WITH THE CONFEDERATE STATES OF AMERICA.

This section would establish a commission regarding the removal and renaming of certain assets of the Department of Defense that commemorate the Confederate States of America or any person who served voluntarily with the Confederate States of America. Further this section requires the

Secretary of Defense to implement the plan submitted by the commission and remove all names, symbols, displays, monuments, and paraphernalia that honor or commemorate the Confederate States of America or any person who served voluntarily with the Confederate States of America.

Military Personnel Authorizations

SEC. 411 END STRENGTH FOR SELECTED RESERVE.

This provision authorizes 336,500 personnel for the Army National Guard and 108,100 personnel for the Air National Guard.

SEC. 412 END STRENGTH FOR RESERVE ON ACTIVE DUTY.

This provision authorizes 30,595 ARNG positions for the Army National Guard and 25,333 positions for the Air National Guard.

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. Additionally, this section would 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 for the Air National Guard.

SEC. 415. SEPARATE AUTHORIZATION BY CONGRESS OF MINIMUM END STRENGTHS FOR NON-TEMPORARY MILITARY TECHNICIANS (DUAL STATUS) AND END STRENGTHS FOR TEMPORARY MILITARY TECHNICIANS (DUAL STATUS).

This provision requires a minimum end strength authorization for non-temporary technicians and a separate end strength authorization for temporary dual status military technicians.

Military Personnel Policy

SEC. 501. AUTHORIZED STRENGTHS OF GENERAL AND FLAG OFFICERS ON ACTIVE DUTY.

This section would require the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives on the allocation of general and flag officer billets and positions between the military departments and joint assignments. The required report will also include the Secretary's final plan to meet authorized strengths of general and flag officers on Active Duty after December 31, 2022, as required by section 526a of title 10, United States Code.

The provision would also amend section 525 of title 10, United States Code, to authorize the Army to appoint up to 8 Active Duty officers to the grade of general. To maintain a consistent overall number of four-star officer authorizations, the provision would amend section 526 of title 10, United States Code, to reduce the authorized number of officers serving in joint assignments in the grade of general or admiral to a maximum of 19.

SEC. 502. TEMPORARY EXPANSION OF AVAILABILITY OF ENHANCED CONSTRUCTIVE SERVICE CREDIT IN A PARTICULAR CAREER FIELD UPON ORIGINAL APPOINTMENT AS A COMMISSIONED OFFICER.

This provision provides temporary authority for the Secretaries of the military departments to award constructive service credit upon original appointment in particular officer career fields for advanced education.

SEC. 509A. PERMANENT PROGRAMS ON DIRECT COMMISSIONS TO CYBER POSITIONS.

Would amend section 509 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) to make permanent a direct commission program for cyber positions.

SEC. 511. TEMPORARY AUTHORITY TO ORDER RETIRED MEMBERS TO ACTIVE DUTY IN HIGH-DEMAND, LOW-DENSITY ASSIGNMENTS DURING WAR OR NATIONAL EMERGENCY.

This section would authorize the Secretary of a military department to recall more than 1,000 retirees to Active Duty during a war or national emergency and also recall or reinstate retired medical officers.

SEC. 513. GRANTS TO SUPPORT STEM EDUCATION IN THE JUNIOR RESERVE OFFICERS' TRAINING CORPS.

This section would authorize the Secretary of Defense, in consultation with the Secretary of Education, may establish a grant program for science, technology, engineering, and mathematics education in Junior Reserve Officers' Training Corps units at the Secretary's discretion.

SEC. 514. PERMANENT SUICIDE PREVENTION AND RESILIENCE PROGRAM FOR THE RESERVE COMPONENTS.

This section removes the sunset date and makes permanent the Suicide Prevention and Resilience Program.

SEC. 515. MODIFICATION OF EDUCATION LOAN REPAYMENT PROGRAM FOR MEMBERS OF SELECTED RESERVE.

This section contains a provision that would authorize the Secretary of Defense to pay up to \$1,000 per year as part of the education loan repayment program for members of the Selected Reserve.

SEC. 516. INCLUSION OF DRILL OR TRAINING FOREGONE DUE TO EMERGENCY TRAVEL OR DUTY RESTRICTIONS IN COMPUTATIONS OF ENTITLEMENT TO AND AMOUNTS OF RETIRED PAY FOR NON-REGULAR SERVICE.

This section would authorize the Secretary of Defense to provide points for Reserve retirement purposes if a Reserve servicemember is prevented from participating in required drills or training during the emergency period beginning on March 1, 2020, which coincides with the COVID-19 pandemic. The provision would also require the Secretary of Defense to provide a report to Congress on the use of this authority.

SEC. 517. QUARANTINE LODGING FOR MEMBERS OF THE RESERVE COMPONENTS WHO PERFORM CERTAIN SERVICE IN RESPONSE TO THE COVID-19 EMERGENCY.

This section would authorize the Secretary of Defense to provide at least 14 days of housing for members of the Reserve Components ordered to active service in response to the COVID-19 national emergency.

SEC. 518. DIRECT EMPLOYMENT PILOT PROGRAM FOR CERTAIN MEMBERS OF THE RESERVE COMPONENTS.

This section would authorize the Secretary of Defense to create a pilot program to collaborate with States in establishing or expanding job placement programs, and related employment services, for unemployed Guardsmen or Reservists. Additionally, the section would require States to provide at least 50 percent of the funds required to establish or expand the pilot program.

SEC. 519A. REPORT REGARDING FULL-TIME NATIONAL GUARD DUTY IN RESPONSE TO THE COVID-19 PANDEMIC.

This section requires the Secretary of Defense to submit a report to the congressional defense committees on the decision to authorize full-time National Guard duty at the request of the States in response to the COVID-19 pandemic.

SEC. 519B. STUDY AND REPORT ON NATIONAL GUARD SUPPORT TO STATES AND RESPONDING TO MAJOR DISASTERS.

This section requires the Secretary of Defense to conduct a study and provide a report to the Committees on Armed Services of the Senate and the House of Representatives on the process by which the National Guard provides support to other Federal agencies and to States during major disasters.

SEC. 519C. REPORT ON GUIDANCE FOR USE OF UNMANNED AIRCRAFT SYSTEMS BY THE NATIONAL GUARD.

This section would require the Secretary of Defense to conduct a comprehensive review of all current Department of Defense guidance and directives governing the use of unmanned aircraft systems by the National Guard for covered activities within the United States and submit to the Congress a report detailing recommendations to improve current processes in order to expedite the review of such requests.

SEC. 522. SUNSET AND TRANSFER OF FUNCTIONS OF THE PHYSICAL DISABILITY BOARD OF REVIEW.

This section authorizes the Secretary of Defense to sunset the PDBR and to transfer any remaining pending requests for review to the board for the correction of military records.

SEC. 524. EXCLUSION OF OFFICIAL PHOTOGRAPHS OF MEMBERS FROM RECORDS FURNISHED TO PROMOTION SELECTION BOARDS.

Would require the Secretary of Defense to include in regulations governing the active and reserve component officer and enlisted promotion selection board processes a prohibition on the inclusion of an official photograph in the information furnished to the board.

SEC. 539A. SAFE-TO-REPORT POLICY APPLICABLE ACROSS THE ARMED FORCES.

This section would require the Secretary of Defense, in consultation with the Secretaries of the military departments, to prescribe regulations for a safe-to- report policy that would allow alleged victims of sexual assault who may have committed minor collateral misconduct to report sexual assault without fear of receipt of discipline for such collateral misconduct, absent aggravating circumstance. This section would also require the Secretary of Defense to develop and implement a process to track incidents of minor collateral misconduct that are subject to the safe-to-report policy.

SEC. 539D. REPORT ON ABILITY OF SEXUAL ASSAULT RESPONSE COORDINATORS AND SEXUAL ASSAULT PREVENTION AND RESPONSE VICTIM ADVOCATES TO PERFORM DUTIES.

This section requires the Secretary of Defense to conduct a survey of sexual assault response coordinators and sexual assault prevention and response victims' advocates on their experiences in assisting victims of sexual assault by June 30, 2021. The provision would require the Secretary to submit a report on the results of the survey, including any actions to be taken based on the results, to the Committees on Armed Services of the Senate and the House of Representatives.

SEC. 551. DIVERSITY AND INCLUSION REPORTING REQUIREMENTS.

This section would require the Secretary of Defense to submit a report accompanying each National Defense Strategy setting forth current diversity and inclusion demographics across the Armed Forces.

SEC. 552. NATIONAL EMERGENCY EXCEPTION FOR TIMING REQUIREMENTS WITH RESPECT TO CERTAIN SURVEYS OF MEMBERS OF THE ARMED FORCES.

This section authorizes the Secretary of Defense to postpone the conduct of several surveys when conducting these surveys is not practicable due to a war or national emergency declared by the President or the Congress.

SEC 557. EVALUATION OF BARRIERS TO MINORITY PARTICIPATION IN CERTAIN UNITS OF THE ARMED FORCES.

This provision requires the study to update both the 1999 RAND Corporation report entitled "Barriers to Minority Participation in Special Operations Forces" and the 2018 RAND report entitled "Understanding Demographic Differences in Undergraduate Pilot Training Attrition," and provide follow-up recommendations. Further, the Under Secretary of Defense for Personnel and Readiness is required to provide interim briefings on the progress of the study to Congress.

SEC. 583. SUPPORT SERVICES FOR MEMBERS OF SPECIAL OPERATIONS FORCES AND IMMEDIATE FAMILY MEMBERS.

This section would modify the care and recipients of the family support services provided by U.S. Special Operations Command's Preservation of the Force and Family program under section 1788a of title 10, United States Code. Eligibility is expanded beyond immediate family members of the special operations forces member receiving support services, as well as extended to members of the Reserve Components of the Armed Forces. Covered family support services will include psychological support and spiritual support services.

SEC. 588. 24-HOUR CHILD CARE.

Would require the Secretary of Defense to provide childcare to a member of the Armed Forces or civilian employee of the Department of Defense while working a rotating shift at a military installation, if determined feasible.

SEC. 592. DEPARTMENT OF DEFENSE STARBASE PROGRAM.

This section adds the Commonwealth of the Northern Mariana Islands and American Samoa to the Department of Defense STARBASE program.

SEC. 596. PLAN ON PERFORMANCE OF FUNERAL HONORS DETAILS BY MEMBERS OF OTHER ARMED FORCES WHEN MEMBERS OF THE ARMED FORCE OF THE DECEASED ARE UNAVAILABLE.

This section requires the Secretary of Defense to provide a briefing to Congress on a plan for the performance of funeral honor details when members from the deceased member's service are unavailable.

SEC. 598. LIMITATION ON IMPLEMENTATION OF THE ARMY COMBAT FITNESS TEST.

This section prohibits the implementation of the ACFT until the Secretary of the Army receives the results of a study determining if the ACFT would adversely impact service members stationed in specific climates and the extent to which the test would affect recruitment and retention, and if the test would affect recruitment and retention in critical support military occupational specialties of the Army, such as medical personnel. The Army may continue to train for and administer the ACFT to gather data to be shared with an independent entity conducting the study but the results shall not be recorded in any personnel record or system of records.

Military Compensation

SEC. 601. INCREASE IN BASIC PAY.

This section would increase military basic pay by 3.0 percent.

SEC. 602. COMPENSATION AND CREDIT FOR RETIRED PAY PURPOSES FOR MATERNITY LEAVE TAKEN BY MEMBERS OF THE RESERVE COMPONENTS.

This section would authorize basic pay for a member of a uniformed service for each 6 day period during which a member of the reserve component is on maternity leave. The provision would also require that each period of maternity leave taken by a member of the reserve component in connection with the birth of a child shall count toward the member's entitlement to retired pay.

SEC. 603. PROVISION OF INFORMATION REGARDING SCRA TO MEMBERS WHO RECEIVE BASIC ALLOWANCE FOR HOUSING.

Would require the Secretary concerned to provide information on the Servicemembers Civil Relief Act when a servicemember first receives a Basic Allowance for Housing and each time a servicemember receives a permanent change of station.

SEC. 605. EXPANSION OF TRAVEL AND TRANSPORTATION ALLOWANCES TO INCLUDE FARES AND TOLLS.

Would amend section 206 of title 37, United States Code, to authorize the Department of Defense to reimburse authorized travelers for fares and tolls incurred in connection with official travel.

SEC. 606. ONE-TIME UNIFORM ALLOWANCE FOR OFFICERS WHO TRANSFER TO THE SPACE FORCE.

Allowance of not more than \$400 as reimbursement for the purchase of required uniforms and equipment.

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AND SPECIAL PAY AUTHORITIES.

This section would extend special pay and bonus authority for reserve personnel, military healthcare professionals, and nuclear officers and consolidated pay authorities for officer and enlisted personnel. The provision would also extend the authority to provide temporary increases in the rate of Basic Allowance for Housing in certain circumstances.

SEC. 612. INCREASE IN SPECIAL AND INCENTIVE PAYS FOR OFFICERS IN HEALTH PROFESSIONS.

This section authorizes an increase in the maximum amounts of special and incentive pays for military health professions officers.

SEC. 613. INCREASE IN CERTAIN HAZARDOUS DUTY INCENTIVE PAY FOR MEMBERS OF THE UNIFORMED SERVICES.

This section would increase certain hazardous duty pay for members of the uniformed services from \$250 to \$275.

SEC. 614. PAYMENT OF HAZARDOUS DUTY INCENTIVE PAY FOR MEMBERS OF THE UNIFORMED SERVICES.

This section authorizes the Secretary to pay hazardous duty pay on a prorated monthly basis.

SEC. 621. MODERNIZATION AND CLARIFICATION OF PAYMENT OF CERTAIN RESERVES WHILE ON DUTY.

This section would modify existing priority payments so that a Reservist, who is entitled to retired or retainer pay and who performs paid reserve duty, would receive compensation for the reserve duty unless the Reservist elects to waive that compensation to receive the retired or retainer pay.

SEC. 622. RESTATEMENT AND CLARIFICATION OF AUTHORITY TO REIMBURSE MEMBERS FOR SPOUSE RELICENSING COSTS PURSUANT TO A PERMANENT CHANGE OF STATION.

This section authorizes the Secretaries of the military departments to reimburse a servicemember of the Armed Forces for the qualified relicensing or credentialing costs of his or her spouse.

SEC. 641. APPROVAL OF CERTAIN ACTIVITIES BY RETIRED AND RESERVE MEMBERS OF THE UNIFORMED SERVICES.

This section would authorize retired members of the uniformed services, members of a reserve component of the Armed Forces not on Active Duty for more than 30 days, and members of the Commissioned Reserve Corps of the Public Health Service to accept payment for speeches, travel, meals, lodging, or registration fees, if approved by the Secretary.

Health Care Provisions

SEC. 711. REPEAL OF ADMINISTRATION OF TRICARE DENTAL PLANS THROUGH FEDERAL EMPLOYEES DENTAL AND VISION INSURANCE PROGRAM.

This section repeals section 8951(8) of Title 5, United States Code, and section 1076a(b) of Title 10, United States Code, to repeal the administration of the TRICARE Dental Program (TDP) through Federal Employees Dental and Vision Insurance Program (FEDVIP.)

SEC. 712. PROTECTION OF THE ARMED FORCES FROM INFECTIOUS DISEASES.

This section would require the Secretary of Defense to ensure that the Armed Forces have the diagnostic equipment, testing capabilities, and personal protective equipment necessary to protect members of the Armed Forces from the threat of infectious diseases and to treat members who contract infectious diseases. This section would also require the Department of Defense to maintain a 30-day supply of personal protective equipment in a quantity sufficient for each member of the active and reserve components and to have the capability to re-supply such equipment rapidly.

SEC. 713. INCLUSION OF DRUGS, BIOLOGICAL PRODUCTS, AND CRITICAL MEDICAL SUPPLIES IN NATIONAL SECURITY STRATEGY FOR NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

This section would amend section 2501(a) of title 10, United States Code, to require inclusion of drugs, biological products, and critical medical supplies in the national security strategy for the national technology and industrial base. The provision would require the Secretary of Defense to submit a report to Congress on the vulnerabilities to drugs, biological products, vaccines, and critical medical supplies of the DoD.

SEC. 715. MODIFICATION TO LIMITATION ON THE REALIGNMENT OR REDUCTION OF MILITARY MEDICAL MANNING END STRENGTH.

This section would amend section 719 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) to prohibit the realignment or reduction of authorized military medical end strength during the 180 days following the date of the enactment.

SEC. 717. MODIFICATION TO LIMITATION ON THE REALIGNMENT OR REDUCTION OF MILITARY MEDICAL MANNING END STRENGTH.

This section would prohibit the realignment or reduction of military medical end strength authorizations during the 180 days following the date of the enactment of this Act.

SEC. 720. ADDITION OF BURN PIT REGISTRATION AND OTHER INFORMATION TO ELECTRONIC HEALTH RECORDS OF MEMBERS OF THE ARMED FORCES.

This section would require, the Secretary of Defense, within 1 year of the date of the enactment of this Act, to ensure that the Department of Defense's electronic health records contain: (1) Updated information related to each servicemember in the Airborne Hazards and Open Burn Pit Registry; and (2) A link to any servicemember's occupational or environmental exposure recorded in the Defense Occupational and Environmental Health Readiness System (or successor system).

SEC. 732. COVID-19 GLOBAL WAR ON PANDEMICS.

This section would require the Secretary of Defense to develop a strategy for pandemic preparedness and response and to conduct a study on the response of the military health system to the coronavirus disease 2019 (COVID-19).

SEC. 733. TRANSITIONAL HEALTH BENEFITS FOR CERTAIN MEMBERS OF THE NATIONAL GUARD SERVING UNDER ORDERS IN RESPONSE TO THE CORONAVIRUS (COVID-19).

This section requires the Secretary of Defense to provide to a National Guard (NG) member separating from active service after serving on full-time duty pursuant to section 502(f) of title 32, United States Code, the health benefits authorized under section 1145 of title 10, United States Code, for a member of a reserve component separating from Active Duty, if the active service from which the NG member is separating was in support of the whole of government response to the COVID-19 pandemic.

SEC. 734. REGISTRY OF TRICARE BENEFICIARIES DIAGNOSED WITH COVID-19.

This section would require the Secretary of Defense to establish and maintain a registry of TRICARE beneficiaries who have been diagnosed or treated with COVID-19 at a military medical treatment facility not later than June 1, 2021.

SEC. 736. COMPTROLLER GENERAL STUDY ON DELIVERY OF MENTAL HEALTH SERVICES TO MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

This section requires the Comptroller General of the United States to conduct a study on the delivery of Federal, State, and private mental health services to members of the Armed Forces during the COVID-19 pandemic.

SEC. 741. MODIFICATIONS TO PILOT PROGRAM ON CIVILIAN AND MILITARY PARTNERSHIPS TO ENHANCE INTEROPERABILITY AND MEDICAL SURGE CAPABILITY AND CAPACITY OF NATIONAL DISASTER MEDICAL SYSTEM.

This section would amend section 740 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92) to modify the requirements for the pilot program on civilian and military partnerships to enhance interoperability and medical surge capability and capacity of the National Disaster Medical System.

SEC. 742—REPORTS ON SUICIDE AMONG MEMBERS OF THE ARMED FORCES AND SUICIDE PREVENTION PROGRAMS AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

This section would amend section 741(a)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92) by including a requirement in the report to determine if a member was deployed within 1 year of the suicide, as well as the number of suicides where the member was prescribed a medication to treat a mental health or behavioral health diagnosis during the 1-year period preceding the death. This section also would add a new requirement to describe programs carried out by the military departments to reduce stigma associated with seeking assistance for mental health or suicidal thoughts.

SEC. 750. STUDY ON INCIDENCE OF CANCER DIAGNOSIS AND MORTALITY AMONG MILITARY AVIATORS AND AVIATION SUPPORT PERSONNEL.

This section require the Secretary of Defense to conduct a two-phased study on cancer among aviators and aviation support personnel who served in the Armed Forces on or after February 28, 1961, and who receive benefits under chapter 55, United States Code.

SEC. 752. REVIEW AND REPORT ON PREVENTION OF SUICIDE AMONG MEMBERS OF THE ARMED FORCES STATIONED AT REMOTE INSTALLATIONS OUTSIDE THE CONTIGUOUS UNITED STATES.

This section would the Comptroller General of the United States to conduct a review of efforts by the Department of Defense to prevent suicide among servicemembers stationed at remote installations outside the contiguous United States. The provision would also require the Comptroller General to brief Congress on preliminary observations relating to the review and a final report containing the results.

SEC. 755. REPORT ON LAPSES IN TRICARE COVERAGE FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE COMPONENTS.

This section would require each Secretary of a military department to submit to Congress a report analyzing the factors that may contribute to lapses in TRICARE coverage for members of the National Guard and the reserve component.

SEC. 757. STUDY ON FORCE MIX OPTIONS AND SERVICE MODELS TO ENHANCE READINESS OF MEDICAL FORCE OF THE ARMED FORCES.

This section requires the Secretary of Defense to enter into an agreement with a federally funded research and development center or other independent entity to conduct a study on force mix options and service models to optimize readiness of the medical force to deliver combat casualty care.

SEC. 762. EXPANSION OF ELIGIBILITY FOR READJUSTMENT COUNSELING AND RELATED OUTPATIENT SERVICES FROM DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

This section would expand eligibility for readjustment counseling and related outpatient services from the Department of Veterans Affairs to certain members of the reserve components of the Armed Forces.

SEC. 763. PROVISION OF MENTAL HEALTH SERVICES FROM DEPARTMENT OF VETERANS AFFAIRS TO MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

This section would authorize the Secretary of Veterans Affairs, in consultation with the Secretary of Defense, to furnish mental health services to members of the Reserve Components of the Armed Forces.

SEC. 764. INCLUSION OF MEMBERS OF RESERVE COMPONENTS IN MENTAL HEALTH PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS.

This section would include reserve components members in the mental health programs of the Department of Veterans Affairs.

Department of Defense Organization and Management

SEC. 901. REPEAL OF POSITION OF CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE.

This section repeals and amendments made by this subsection shall take effect on the date of the enactment of this Act

SEC. 912. LIMITATION ON REDUCTION OF CIVILIAN WORKFORCE.

This section would amend section 129a of title 10, United States Code, to prohibit the Secretary of Defense from reducing the civilian workforce unless the Department of Defense assesses the impact of such a reduction on workload, military force structure, lethality, readiness, operational effectiveness, stress on the military force, and costs.

SEC. 913. CHIEF DIVERSITY OFFICER AND SENIOR ADVISORS FOR DIVERSITY AND INCLUSION.

This section would require the Secretary of Defense to appoint a Chief Diversity Officer of the Department of Defense from among persons who have an extensive management or business background and experience with diversity and inclusion. The Chief Diversity Officer would report directly to the Secretary of Defense and be responsible for providing advice on policy, oversight, guidance, and coordination for all matters of the Department of Defense related to diversity and inclusion. Further, the amendment would require the Secretary of each military department and the Commandant of the Coast Guard to appoint a Senior Advisor for Diversity and Inclusion.

SEC. 906. INPUT FROM THE VICE CHIEF OF THE NATIONAL GUARD BUREAU TO THE JOINT REQUIREMENTS OVERSIGHT COUNCIL.

This section would require the Joint Requirements Oversight Council to seek the views of the Vice Chief of the National Guard Bureau on nonfederalized National Guard capabilities in support of homeland defense and civil support missions.

SEC. 931. ORGANIZATION OF THE SPACE FORCE.

This section directs the Secretary of Defense to provide to Congress legislative recommendations that would consider the preferred organizational structure and integration of the reserve components and a consideration of the full time and part-time permeability that may best leverage the human capital of the Space Force, including a single integrated force.

General Provisions

SEC. 1006. ADDITION OF CHIEF OF THE NATIONAL GUARD BUREAU TO THE LIST OF OFFICERS PROVIDING REPORTS OF UNFUNDED PRIORITIES.

This section clarifies the Chief of the National Guard Bureau's addition to the list of covered officers is only in that position's capacity and responsibilities as defined in section 10502(c)(1) of title 10, United States Code. The provision further adds restrictions on the new unfunded requirements list, including exclusion of items that have appeared on existing unfunded requirements lists over the past 5 years or those items not exclusively related to the role of non-federalized National Guard forces in support of the homeland defense or civil support missions.

SEC. 1011. QUARTERLY REPORTS ON DEPARTMENT OF DEFENSE SUPPORT PROVIDED TO OTHER UNITED STATES AGENCIES FOR COUNTERDRUG ACTIVITIES AND ACTIVITIES TO COUNTER TRANSNATIONAL ORGANIZED CRIME.

This section would require the Secretary to provide quarterly reports to Congress on support provided.

SEC. 1056. MODIFICATION AND TECHNICAL CORRECTION TO DEPARTMENT OF DEFENSE AUTHORITY TO PROVIDE ASSISTANCE ALONG THE SOUTHERN LAND BORDER OF THE UNITED STATES.

This section would authorize the Secretary of Defense to provide assistance to United States Customs and Border Protection for purposes of increasing ongoing efforts to secure the southern land border of the United States. Additionally, this section would add notification and reporting requirements.

SEC. 1064. REQUIREMENTS FOR USE OF FEDERAL LAW ENFORCEMENT PERSONNEL, ACTIVE DUTY MEMBERS OF THE ARMED FORCES, AND NATIONAL GUARD PERSONNEL IN SUPPORT OF FEDERAL AUTHORITIES TO RESPOND TO CIVIL DISTURBANCES.

This section amends chapter 41 of Title 10, United States Code, to require each member of the Federal law enforcement agency, the Armed Forces, or National Guard who provides support to Federal authorities to respond to a civil disturbance to display visibly: The individual's name or other identifier unique to the individual and name of Federal law enforcement agency, Armed

Force, or other organization. Individuals who do not wear a uniform or other distinguishing clothing or equipment in the regular performance of official duties or engaged in undercover operations are exempt.

SEC. 1085. DEPLOYMENT OF REAL-TIME STATUS OF SPECIAL USE AIRSPACE.

This section would require the Administrator of the FAA to enable the automated public dissemination of information on the real-time status of the activation or deactivation of military operations areas and restricted areas in a manner that is similar to the manner that temporary flight restrictions are published and disseminated. Further the Secretary of Defense is required to submit a report to Congress regarding air space utilization.

SEC. 1088. CONGRESSIONAL EXPRESSION OF SUPPORT FOR THE DESIGNATION OF NATIONAL BORINQUEÑERS DAY.

This section provides the sense of congress and expresses support for the designation of “National Borinqueneers Day” and recognizes the bravery, service, and sacrifice of the Puerto Rican soldiers of the 65th Infantry Regiment in the armed conflicts of the United States in the 20th and 21st centuries.

Matters Relating to Foreign Nations

SEC. 1201. AUTHORITY TO BUILD CAPACITY FOR ADDITIONAL OPERATIONS.

This section amends 10 USC 333 authorities to include “Cyberspace Operations”. NOTE: This is relevant as SPP authorities are sometimes paired with Sec 333 authorities in coordination with Combatant Commands.

SEC. 1251. PACIFIC DETERRENCE INITIATIVE.

This section would direct the Secretary of Defense to carry out the Pacific Deterrence Initiative to prioritize activities in support of enhancing U.S. deterrence and defense posture, reassuring allies and partners, and increasing readiness and capability in the Indo-Pacific region, primarily west of the International Date Line.

Other Authorizations

SEC. 1412. EXPANSION OF ELIGIBILITY FOR RESIDENCE AT THE ARMED FORCES RETIREMENT HOME.

This section would expand eligibility for residence at the Armed Forces Retirement Home to include National Guardsmen with at least 20 years of service.

Overseas Contingency Operations

SEC. 1512. Special Transfer Authority.

This section would authorize the transfer of up to \$2.0 billion of additional war-related authorizations which includes funding from the National Guard and Reserve Equipment Account.

Strategic Programs, Cyber and Intelligence

SEC. 1725. PILOT PROGRAM ON REMOTE PROVISION BY NATIONAL GUARD TO NATIONAL GUARDS OF OTHER STATES OF CYBERSECURITY TECHNICAL ASSISTANCE IN TRAINING, PREPARATION, AND RESPONSE TO CYBER INCIDENTS.

This section authorizes the Secretary of Defense to conduct a pilot program to assess the feasibility and advisability of the development of a capability in support of DoD missions within the National Guard through which a National Guard of a State remotely provides State governments and National Guards of other States (whether or not in the same Armed Force as the providing

National Guard) with cybersecurity technical assistance in training, preparation and response to cyber incidents.

SEC. 1729. REVIEW OF REGULATIONS AND PROMULGATION OF GUIDANCE RELATING TO NATIONAL GUARD RESPONSES TO CYBER ATTACKS.

This section would require the Secretary of Defense to review, in consultation with the Secretary of Homeland Security and if necessary update, regulations and guidance relevant to the National Guard's responsibilities and available capabilities in cyber incident response.

SEC. 1730. EVALUATION OF NON-TRADITIONAL CYBER SUPPORT TO THE DEPARTMENT OF DEFENSE.

This section would direct the Principle Cyber Advisor to the Secretary of Defense to assess the feasibility and need for a cyber-reserve force, the composition of a reserve force, and the structure of a reserve force (e.g., traditional uniformed, a non-traditional reserve, non-traditional civilian cyber reserve, Hybrid, and Models of reserve support used by international allies and partners).

SEC. 1743. EXTENSION OF SUNSET FOR PILOT PROGRAM ON REGIONAL CYBERSECURITY TRAINING CENTER FOR THE ARMY NATIONAL GUARD.

This section amends 1651(e) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 32 U.S.C. 501 note) to extend through August 31, 2022, a pilot program for the regional provision of cybersecurity training to members of the Army National Guard.

MILITARY CONSTRUCTION

Sec. 2402. AUTHORIZED ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROGRAM PROJECTS.

Arkansas.....	Ebbing Air National Guard Base.....	\$2,600,000
Tennessee.....	Memphis Air National Guard Base.....	\$4,780,000

Sec. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Arizona.....	Tucson.....	\$18,100,000
Arkansas.....	Fort Chaffee.....	\$15,000,000
California.....	Bakersfield.....	\$9,300,000
Colorado.....	Peterson Air Force Base.....	\$15,000,000
Indiana.....	AASF Shelbyville.....	\$12,000,000
Kentucky.....	Frankfort.....	\$15,000,000
Mississippi.....	Brandon.....	\$10,400,000
Nebraska.....	North Platte.....	\$9,300,000
New Jersey.....	Joint Base McGuire-Dix-Lakehurst.....	\$15,000,000
Ohio.....	Columbus.....	\$15,000,000
Oklahoma.....	Ardmore.....	\$9,800,000
Oregon.....	Hermiston.....	\$25,035,000
Puerto Rico.....	Fort Allen.....	\$37,000,000
South Carolina.....	Joint Base Charleston.....	\$15,000,000
Tennessee.....	McMinnville.....	\$11,200,000
Texas.....	Fort Worth.....	\$13,800,000
Utah.....	Nephi.....	\$12,000,000
Virgin Islands.....	St. Croix	\$39,400,000
Wisconsin.....	Appleton.....	\$11,600,000
Worldwide Unspecified (Planning and Design/Minor Construction)		\$62,337,000

Sec. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Alabama.....	Montgomery Regional Airport.....	\$23,600,000
Guam.....	Joint Region Marianas.....	\$20,000,000
Maryland.....	Joint Base Andrews.....	\$9,400,000
North Dakota.....	Hector International Airport.....	\$17,500,000
Texas.....	Joint Base San Antonio.....	\$10,800,000
Worldwide Unspecified (Planning and Design/Minor Construction)		\$12,414,000

SEC. 2831. LAND CONVEYANCE, CAMP NAVAJO, ARIZONA.

This section would authorize the Secretary of the Army to convey not more than 3,000 acres at Camp Navajo, Arizona to the State of Arizona Department of Emergency and Military Affairs.

Conference Report Language / Items of Interest

ADDITION OF CHIEF OF THE NATIONAL GUARD BUREAU TO THE LIST OF OFFICERS PROVIDING REPORTS OF UNFUNDED PRIORITIES (SEC. 1006).

The conferees strongly urge the Chief of the National Guard Bureau to use this unfunded requirements list judiciously in support of non-warfighting domestic support missions, such as disaster response. While the National Guard's performance in support of such missions represents a significant contribution to broader national security needs, the conferees also note that the U.S. Air National Guard and the U.S. Army National Guard are components of the U.S. Air Force and the U.S. Army and, as such, their nominations of items for unfunded priorities lists are already considered in the unfunded priorities lists submitted by the chiefs of those services.

HASC Committee Report Requirements / Items of Interest

UH-60M ARMY NATIONAL GUARD FIELDING STRATEGY

The committee understands the UH-60M Black Hawk is the most modernized utility helicopter in the Army's inventory. The UH-60M is a digital networked platform that provides greater range and lift in order to support maneuver forces through air assault, general support command and control, and aeromedical evacuations. The committee notes the UH-60M Black Hawk is also a critical dual-use item for Army National Guard forces performing Title 32 missions. Therefore, the committee directs the Secretary of the Army, in conjunction with the Chief of the National Guard Bureau and the Director of the Army National Guard, to provide a briefing to the House Committee on Armed Services by March 1, 2021, on the Army's fielding strategy and plans to accelerate fielding of UH-60M helicopters to the Army National Guard.

IMPACT OF U.S. POPULATION TRENDS ON NATIONAL GUARD FORCE STRUCTURE

The committee notes the implementation guidance for the National Guard's National Defense Strategy states, "Demographic and economic trends within the U.S. will challenge our ability to recruit and retain quality Guardsmen over the next several years. Meeting this challenge is fundamental to our long-term success... However, we must also be prepared to reposition National Guard force structure to the parts of the nation where we can successfully recruit to fill it." Therefore, the committee directs the Chief of the National Guard Bureau to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than December 1, 2020, to determine if population, demographic, and economic trends are impacting the ability of the National Guard to recruit and retain qualified individuals to fulfill mission requirements as well as support the citizens of States with respect to title 32 National Guard civil support missions. The report shall include recommendations to address these concerns as well as force structure changes to address these vulnerabilities. The study should include Air and Army National Guard units and historical and projected population growth.

NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

The budget request contained no funding for a National Guard and Reserve Component equipment account. The committee has long been concerned about the availability of modern equipment needed to ensure the relevance and readiness of the National Guard and Reserve Components as an operational reserve and for their domestic support missions. The committee notes that the annual National Guard and Reserve Equipment Reports over the last several years identify continuing shortages in modernized equipment and challenges associated with efficiently fulfilling combat readiness training requirements.

The committee believes additional funds would help manage strategic risk and eliminate identified critical dual-use equipment shortfalls. The committee expects these funds to be used for the purposes of, but not limited to, the procurement and modernization of High Mobility Multipurpose Wheeled Vehicles; Family of Medium Tactical Vehicles trucks; fighter pilot helmet mounted display modernization; F-16 Active Electronically Scanned Array radar; C-130J and C-130 Air National Guard recapitalization; C-130 propeller upgrades; C-130 firefighting system upgrades; radar warning receivers for F/A-18 aircraft; UH-60 conversions and UH-60M Black Hawk helicopters; UH-72 Lakota helicopters; and other critical dual-use, unfunded procurement items for the National Guard and Reserve Components.

The committee recommends \$150.0 million for National Guard and Reserve equipment.

CYBER MISSION ASSURANCE TEAM PILOT PROGRAM

The committee applauds the National Guard Bureau for its Cyber Mission Assurance Teams (CMAT) pilot program, an effort designed to harness the cyber talent of the National Guard for the protection of critical infrastructure connected to military installations. Efforts such as the nascent CMAT program are important as the military services seek to better understand the operational risks, to include cybersecurity, of domestic installations. The capability developed can assist the National Guard, when utilized for operations under both title 32 and title 10, United States Code. The committee directs the Chief of the National Guard Bureau to present a comprehensive report to the House Committee on Armed Services not later than May 31, 2021, on the CMAT pilot program as well as the future direction of the effort. More specifically, the committee seeks greater fidelity on how the CMAT program will align to the Federal Emergency Management Agency's regional construct, as well as work with the Cybersecurity and Infrastructure Security Agency's Critical Infrastructure Vulnerability Assessments program and the Protective Security Advisors program.

NATIONAL GUARD ACCESS TO CLASSIFIED INFORMATION

The committee recognizes the growing importance of ensuring National Guard members who require access to classified information to carry out their official duties have timely access to both classified and unclassified information remotely. The committee notes the necessity in ensuring that policies related to the remote access of classified information is consistent with those for the active and reserve forces. To this end, the committee directs the Chief of the National Guard Bureau to submit a report to the congressional defense committees no later than April 30, 2021, on the programs and systems it uses, or plans to use, to allow authorized National Guard members to access classified information remotely.

DISPOSITION OF BUILDING 158 AT JOINT BASE CAPE COD

The Committee is aware of the efforts being undertaken by the Commonwealth of Massachusetts and various stakeholders, including academia, various private sector firms, and public entities in the region to support a range of requirements for the Department of Defense. In particular, the Committee is aware of the value of harnessing this region's innovation and industries supporting the maritime sector. The Committee is encouraged by the scope of research, development, testing and prototyping of unmanned underwater vehicles occurring in the region. Further, the Committee

is aware of the potential value of utilizing building 158 on Joint Base Cape Cod to provide greater access to testing of these systems in a controlled environment. The Committee urges the Commonwealth of Massachusetts and the Air National Guard to continue their planning to leverage Building 158 in support of these opportunities. The Committee directs the Director, Air National Guard to report to the congressional defense committees by December 1, 2020 on the status of the discussions with the Commonwealth of Massachusetts and options for the disposition of building 158.

SASC Committee Report Requirements / Items of Interest

State Partnership Program foreign travel expenses

The committee is aware that a January 14, 2020, report published by the United States Property and Fiscal Office for Hawaii (report no. 19-002) found that, when the Financial Management Regulation Chapter 18 of Volume 12 was repealed by the Department of Defense, it may have resulted in the removal of a positive legal authority for the National Guard State Partnership Program to fund travel and allowances for members of foreign countries under the State Partnership Program.

Therefore, the committee directs the Department to coordinate with the National Guard Bureau to review the issue and provide a report to the committee no later than December 30, 2020, identifying any potential discrepancies discovered and specifying the resolution.