



FY21 House National Defense Authorization Act (NDAA)



Summary of H.R. 6395 The National Defense Authorization Act for Fiscal Year 2021



As of July 10, 2020

	Passed in Committee	Passed in Chamber	Agreement	Final Passage	Signed into Law
House	July 1 st , 2020				
Senate	June 11 th , 2020				

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Executive Summary

This guide provides a short summary of the House Armed Services Fiscal Year 2021 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 committee 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 July 1st, 2020, the House Armed Services Committee marked up its version of the FY21 National Defense Authorization Act. The bill authorizes a topline of \$732 billion for FY21 national defense activities.

Highlights:

- Provides for a 3% pay raise for service members
- Authorizes \$150M for National Guard & Reserve Equipment
- Authorizes \$892.2M for ARNG FSRM, an increase of \$16.2M over the FY21 President's Budget Request
- Authorizes \$359.5M for ANG FSRM, an increase of \$35.9M over the FY21 President's Budget Request
- Authorizes \$48.6M for ANG Recruiting and Advertising
- Authorizes \$20M for STARBASE
- Authorizes \$94M for the National Guard Counter-Drug Program
- Authorizes \$5.5M for National Guard Counter-Drug Schools
- Requires the Chief of the National Guard Bureau to submit an annual unfunded priorities list to the Congressional Defense Committees
- 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
- Requires the Joint Requirements Oversight Council (JROC) to seek the views of the Chief of the National Guard Bureau on matters regarding the Non-Federalized National Guard capabilities in support of Homeland Defense and Civil support missions

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	\$7,360,062	\$59,952		
OCO O&M	\$79,792	\$79,792	-	\$79,792	-		
MILCON	\$321,437	\$337,172	\$15,735	\$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	-		
AGR	30,595	30,595	-	30,595	-		
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	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	\$6,628,490	\$125,152		
OCO O&M	\$175,642	\$175,642	-	\$175,642	-		
MILCON	\$64,214	\$64,214	-	\$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	-		
AGR	25,333	25,333	-	25,333	-		
Dual Status Technicians	10,994	10,994	-	10,994	-		
ADOS	16,000	16,000	-	16,000	-		

BILL TEXT

Procurement

SEC. 125. 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.

Research, Development, Test, and Evaluation

SEC. 214. PILOT PROGRAM ON TALENT OPTIMIZATION

This section would direct the Under Secretary of Defense for Research and Engineering, acting through the Director of the Defense Innovation Unit, to conduct a pilot program to develop a talent optimization marketplace for military personnel in the Reserve and Guard Components.

Operations and Maintenance

SEC. 314. MODIFICATION OF DEPARTMENT OF DEFENSE ENVIRONMENTAL RESTORATION AUTHORITIES TO INCLUDE FEDERAL GOVERNMENT FACILITIES USED BY NATIONAL GUARD.

This section would amend section 2707(e) of title 10, United States Code, to modify defense environmental restoration authorities to allow them to be used by the National Guard at locations where military activities are conducted by state National Guard under title 32.

SEC. 315. 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. 322. REQUIREMENT TO UPDATE DEPARTMENT OF DEFENSE CLIMATE CHANGE ROADMAP.

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

SEC. 332. STANDARDS FOR REMOVAL OR REMEDIAL ACTIONS WITH RESPECT TO PFOS OR PFOA CONTAMINATION.

This section would require the Secretary of Defense to meet or exceed the most stringent standards between an enforceable State standard under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), an enforceable Federal standard under CERCLA, or a health advisory under the Safe Drinking Water Act when performing removal or remediation actions of PFOS or PFOA contamination from Department of Defense or National Guard activities found in drinking water or in groundwater that is not currently used for drinking water.

SEC. 334. 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 10 square miles of a location where covered PFAS has been detected in groundwater, hydrologically linked to a local water source, and is suspected to be, or due to a positive test known to be, the result of the use of

PFAS at any installation of the Department of Defense located in the United States or any State-owned facility of the National Guard.

Military Personnel

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.

Sec. 414 MAXIMUM 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. 501. AUTHORIZED STRENGTH: EXCLUSION OF CERTAIN GENERAL AND FLAG OFFICERS OF THE RESERVE COMPONENTS ON ACTIVE DUTY

This section would amend section 526a (b) of title 10, United States Code, to reinstate the exclusions of certain reserve officers from limitations of section 526a (b).

SEC. 511. GRANTS TO SUPPORT STEM EDUCATION IN THE JUNIOR RESERVE OFFICERS' TRAINING CORPS

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

SEC. 512. MODIFICATION OF EDUCATION LOAN REPAYMENT PROGRAM FOR MEMBERS OF SELECTED RESERVE.

This section would increase the amount which may be paid to members of the Selected Reserve under the education loan repayment program.

SEC. 513. REQUIREMENT OF CONSENT OF THE CHIEF EXECUTIVE OFFICER FOR CERTAIN FULLTIME NATIONAL GUARD DUTY PERFORMED IN A STATE, TERRITORY, OR THE DISTRICT OF COLUMBIA.

This section would amend section 502(f)(2)(A) of title 32, United States Code, to require the consent of the chief executives of both the sending State and the receiving State should the President deploy National Guard members under title 32, United States Code, authority.

SEC. 514. CONSTRUCTIVE CREDIT FOR CERTAIN MEMBERS OF THE RESERVE COMPONENTS WHO CANNOT COMPLETE MINIMUM ANNUAL TRAINING REQUIREMENTS AS A RESULT OF THE COVID-19 PANDEMIC.

This section would authorize the Secretary of Defense to prescribe regulations that grant constructive credit towards retirement for a member of the Reserve Components who cannot complete minimum annual training requirements due to the COVID-19 pandemic.

SEC. 515. GUIDANCE FOR USE OF UNMANNED AIRCRAFT SYSTEMS BY THE NATIONAL GUARD.

This section would require the Secretary of Defense to issue new guidance that provides for the expedited review of requests for the use of unmanned aircraft systems by the National Guard for covered activities within the United States.

SEC. 516. DIRECT EMPLOYMENT PILOT PROGRAM FOR CERTAIN MEMBERS OF THE RESERVE COMPONENTS.

This section would enable the Secretary of Defense to create a pilot program that would allow States to establish or expand job placement programs, and related employment services, for unemployed guardsmen or reservists.

SEC. 517. TEMPORARY LIMITATION ON AUTHORITY TO TRANSFER, RELOCATE, OR DISSOLVE ELEMENTS OF THE RESERVE COMPONENTS OF THE AIR FORCE.

This section would prohibit the Secretary of the Air Force from transferring or relocating any personnel or asset, or dissolving any unit, of the Air National Guard or Air Force Reserve until 180 days after the Secretary submits the required report.

SEC. 548. 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. 562. 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. 572. ESTABLISHMENT OF DIVERSITY AND INCLUSION ADVISORY COUNCIL OF THE DEPARTMENT OF DEFENSE.

This section would amend chapter 7 of title 10, United States Code, by adding a new section that would require the Secretary of Defense to establish a council to be known as the "Diversity and Inclusion Advisory Council of the Department of Defense."

SEC. 576. PLANS TO INCREASE FEMALE AND MINORITY REPRESENTATION IN THE ARMED FORCES

This section would require the Secretary of Defense and each Secretary of a military department to develop plans to increase, with respect to female and minority members of the Armed Forces under the jurisdiction of that Secretary, the recruitment, retention, and representation in grades above E-7. This section would also require that a copy of each plan developed by each Secretary, not later than 180 days after the date of the enactment of this Act, be submitted to the Committees on Armed Services of the Senate and the House of Representatives.

Compensation and Other Personnel Benefits

SEC. 601. INCREASE IN BASIC PAY

This section would increase military basic pay by 3.0 percent.

SEC. 602. BASIC NEEDS ALLOWANCE FOR LOW-INCOME REGULAR MEMBERS

This section would amend section 402 of title 37, United States Code, to authorize the Secretary of Defense to pay a basic needs allowance to a qualified service member.

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

This section would extend, through December 31, 2021, income replacement payments for Reserve Component members experiencing extended and frequent mobilization for Active Duty service; would extend two critical recruitment and retention incentive programs for Reserve Component healthcare professionals; would extend accession and retention incentives for nuclear-qualified officers; and would extend the consolidated special and incentive pay authorities.

SEC. 612. 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. 613. STANDARDIZATION OF PAYMENT OF HAZARDOUS DUTY INCENTIVE PAY FOR MEMBERS OF THE UNIFORMED SERVICES

This section would amend title 37, United States Code, to standardize payment of hazardous duty incentive pay for members of the Guard and Reserve Components of the Armed Forces.

Health Care Provisions

SEC. 702. MANDATORY REFERRAL FOR MENTAL HEALTH EVALUATION

This section would amend section 1090a of title 10, United States Code, to require regulations to establish a phrase that enables a member of the Armed Forces to trigger a referral of the member by a commanding officer or supervisor for a mental health evaluation. This section would also require a commanding officer or supervisor to make such referral as soon as practicable following disclosure by the member to the commanding officer or supervisor of the phrase established.

SEC. 703. ASSESSMENTS AND TESTING RELATING TO EXPOSURE TO PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES

This section would require the Secretary of Defense to ensure that any periodic health assessment provided to a member of the Armed Forces includes an evaluation of whether the member has been stationed at an installation or exposed to suspected release of perfluoroalkyl substances or polyfluoroalkyl substances. This section would also amend section 1145(a) (5) of title 10, United States Code, to ensure that each physical examination includes an assessment of whether the member has been stationed at an installation or exposed to suspected release of perfluoroalkyl substances or polyfluoroalkyl substances. This section would also amend section 1074f(b)(2) of title 10, United States Code, adding the above questions to the deployment assessment as well as ensure that a member of the Armed Forces is provided a blood test and it is included in the health records of the individual.

SEC. 711. PROTECTION OF THE ARMED FORCES FROM INFECTIOUS DISEASES

This section would amend chapter 55 of title 10, United States Code, by inserting a new section after 1073d that 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 Secretary to include with the

defense budget materials for a fiscal year a plan to research and develop vaccines for infectious diseases and to ensure that the medical laboratories of the Department of Defense are equipped with the technology needed to facilitate rapid research in the case of a pandemic.

SEC. 712. 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, by adding a new paragraph to include providing for the provision of drugs, biological products, vaccines, and critical medical supplies (including personal protective equipment, diagnostic and testing capabilities, and lifesaving breathing apparatuses required for the treatment of severe respiratory illness and respiratory distress) required to enable combat readiness and protect the health of the Armed Forces in the national security strategy for the national technology and industrial base. This section would also require the Secretary of Defense to submit a report to the congressional defense committees, not later than 1 year after the date of the enactment of this Act, on the vulnerabilities to the medicine supply chain of the United States.

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 for 1 year after the date of the enactment of this Act. The section would also add to the required review of medical manpower requirements scenarios to include homeland defense missions and pandemic influenza.

SEC. 718. ADDITION OF BURN PIT REGISTRATION TO ELECTRONIC HEALTH RECORDS OF MEMBERS OF THE ARMED FORCES AND VETERANS

This section would require, not later than 1 year after the date of the enactment of this Act, the Secretary of Defense to ensure that the electronic health record maintained by such Secretary of a member of the Armed Forces registered with the burn pit registry is updated with any information contained in such registry, and the Secretary of Veterans Affairs shall ensure that the electronic health record maintained by such Secretary of a veteran registered with the burn pit registry is updated with any information contained in such registry.

SEC. 722. COVID–19 GLOBAL WAR ON PANDEMICS.

This section would require the Secretary of Defense to develop a strategy for pandemic preparedness and response. This section would also require the Secretary to conduct a study on the response of the military health system to the coronavirus disease 2019. The Secretary shall submit a report on the strategy and the study by June 1, 2021.

SEC. 723. 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 with COVID–19 not later than June 1, 2021. This section would also require the Secretary to submit to the Committees on Armed Services of the Senate and the House of Representatives a report on establishing the registry not later than 180 days after the date of the enactment of this Act.

SEC. 731. 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 require the Secretary of Defense, not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, to carry out

the pilot program that was authorized. This section would also require the Secretary to collaborate with the Administrator of the Federal Emergency Management Agency.

SECTION 732—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. 738. PILOT PROGRAM ON PARENTS SERVING AS CERTIFIED NURSING ASSISTANTS FOR CHILDREN UNDER TRICARE PROGRAM

This section would authorize the Director of the Defense Health Agency to carry out a pilot program under which an eligible parent serves as a certified nursing assistant under the TRICARE program with respect to providing personal care services to a covered child.

SEC. 739. STUDY ON INCIDENCE OF CANCER DIAGNOSIS AND MORTALITY AMONG PILOTS IN THE ARMED FORCES

This section would require the Secretary of Defense to seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to conduct a study to determine the incidence of cancer diagnosis and mortality among members, and former members, of the Armed Forces who serve as pilots compared to members who do not serve as pilots. This section would also require the Secretary of Defense to submit a report to the Committees on Armed Services and Veterans' Affairs of the Senate and the House of Representatives on the findings of the study not later than 2 years after entering into an agreement.

SEC. 744. REPORT ON INTEGRATED DISABILITY EVALUATION SYSTEM.

This section would require the Secretary of Defense to submit to Congress a report, not later than one year after the date of the enactment of this Act, on the findings of a study conducted by the Secretary on the implementation and application of the Integrated Disability Evaluation System.

SEC. 752. 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 amend section 1712A of title 38, United States Code, to authorize the Secretary of Veterans Affairs, in consultation with the Secretary of Defense, to furnish to any member of the Reserve Components of the Armed Forces who has a behavioral health condition or psychological trauma, counseling to a member of the Reserve Components of the Armed Forces.

SEC. 753. PROVISION OF MENTAL HEALTH SERVICES FROM DEPARTMENT OF VETERANS AFFAIRS TO MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

This section would add a new section to subchapter VIII of chapter 17 title 38, United States Code, to 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. 754. INCLUSION OF MEMBERS OF RESERVE COMPONENTS IN MENTAL HEALTH PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS.

This section would amend section 1720f of title 38, United States Code, to include in the term 'covered individual' a member of the Reserve Components of the Armed Forces. The section would

also amend 1720h of title 38, United States Code, to include treatment for individuals who served in classified missions.

Department of Defense Organization and Management

SEC. 915. INPUT FROM CHIEF OF NATIONAL GUARD BUREAU TO THE JOINT REQUIREMENTS OVERSIGHT COUNCIL.

This section would amend section 181 of title 10, United States Code, to require the Joint Requirements Oversight Council to seek the views of the Chief of the National Guard Bureau regarding non-Federalized National Guard capabilities in support of homeland defense and civil support missions.

General Provisions

SEC. 1011. SUPPORT FOR COUNTERDRUG ACTIVITIES AND ACTIVITIES TO COUNTER TRANSNATIONAL ORGANIZED CRIME AFFECTING FLOW OF DRUGS INTO THE UNITED STATES

This section would modify the authority to provide support to other agencies for counterdrug activities and activities to counter transnational organized crime.

SEC. 1012. CONGRESSIONAL NOTIFICATION WITH RESPECT TO DEPARTMENT OF DEFENSE SUPPORT PROVIDED TO OTHER UNITED STATES AGENCIES FOR COUNTERDRUG ACTIVITIES AND ACTIVITIES TO COUNTER TRANSNATIONAL ORGANIZED CRIME

This section would clarify notification requirements for subsection (b) of the authority to provide support to other agencies for counterdrug activities and activities to counter transnational organized crime.

SEC. 1044. MODIFICATION AND TECHNICAL CORRECTION TO DEPARTMENT OF DEFENSE AUTHORITY TO PROVIDE ASSISTANCE ALONG THE SOUTHERN LAND BORDER OF THE UNITED STATES.

This section would modify the authority under section 1059 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) to require the Secretary of Defense to fully consider readiness, mission, and task alignment to requested support from Custom and Border Protection, when determining the Department of Defense's ability to provide assistance to secure the United States southern land border. Additionally, this section would add reporting requirements.

MATTERS RELATING TO FOREIGN NATIONS

SEC. 1266. EXPANDING THE STATE PARTNERSHIP PROGRAM IN AFRICA.

This section would require the Secretary of Defense, in coordination with the Chief of the National Guard Bureau, to seek to build partner capacity and interoperability in the United States Africa Command area of responsibility through increased partnerships with countries on the African continent, military-to-military engagements, and traditional activities of the combatant commands.

Overseas Contingency Operations

SEC. 1512. Special Transfer Authority.

This section would limit the authority to transfer any amount of funding from the National Guard and Reserve Equipment Account.

STRATEGIC PROGRAMS, CYBER AND INTELLIGENCE

SEC. 1628. CYBER CAPABILITIES AND INTEROPERABILITY OF THE NATIONAL GUARD.

This section would direct the Department of Defense to update existing policies to consider National Guard activities that could be performed and reimbursed under title 32, United States Code.

SEC. 1629. EVALUATION OF NON-TRADITIONAL CYBER SUPPORT TO THE DEPARTMENT OF DEFENSE.

This section would direct 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., a retainer model, a non-traditional reserve, auxiliary model).

SEC. 1742. ADDITION OF CHIEF OF THE NATIONAL GUARD BUREAU TO THE LIST OF OFFICERS PROVIDING REPORTS OF UNFUNDED PRIORITIES.

This section would add the Chief of the National Guard Bureau to the list of individuals required to submit an annual unfunded priorities list to Congress.

SEC. 1749. PROHIBITION OF PUBLIC DISPLAY OF CONFEDERATE BATTLE FLAG ON DEPARTMENT OF DEFENSE PROPERTY.

This section would require the Secretary of Defense to prohibit the public display of the Confederate battle flag at all Department of Defense property with certain exceptions.

SEC. 1750. DEPLOYMENT OF REAL-TIME STATUS OF SPECIAL USE AIRSPACE.

This section would require the Secretary of Defense to consult with the Administrator of the Federal Aviation Administration to enable public dissemination of real-time activation or deactivation of military operations areas and restricted areas.

MILITARY CONSTRUCTION

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

Arkansas	Fort Smith Air National Guard Base	\$2,600,000
Tennessee	Memphis International Airport	\$4,780,000

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

Arizona	Tucson	\$18,100,000
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
Oregon	Hermiston	(\$15,735) \$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

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

Alabama	Montgomery Regional Airport	\$11,600,000
Guam	Joint Region Marianas	\$20,000,000
Maryland	Joint Base Andrews	\$9,400,000
Texas	Joint Base San Antonio	\$10,800,000

SEC. 2829. RENAMING CERTAIN MILITARY INSTALLATIONS AND OTHER DEFENSE PROPERTY.

This section would require the Secretary of Defense and the Secretaries of the military departments to identify and rename certain military installations and other defense property within one-year.

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.

Report Language / 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.

UH-60V TOTAL FORCE FIELDING STRATEGY

The committee believes the Army's UH-60V modernization program is critical for ensuring legacy Blackhawk helicopters remain safe and relevant for multi-domain operations. The committee supports the Army's current plan to field the UH-60V across all components in order to maintain fleet and mission parity within the Army. Further, the Committee is aware that the Army's UH-60V acquisition strategy indicates 48 UH-60Vs to be delivered per year once the program enters full rate production. Given the importance of this modernization effort, the committee believes the Army may want to consider options to accelerate production and fielding to include the potential of supplemental industry support or expanding capacity at Corpus Christi Army Depot. Therefore, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services by March 1, 2021 on the advisability and feasibility of accelerating fielding of UH-60Vs to both the active and reserve components and address potential courses of action that would be required for this acceleration.

UH-72 LAKOTA HELICOPTER COMMERCIAL-OFF-THE-SHELF MODIFICATIONS

The committee understands the UH-72A Lakota helicopter performs a variety of missions including flight training, medical evacuation, border security, VIP transport, and disaster response. The committee understands there are commercial-off-the-shelf (COTS) technologies that could potentially improve UH-72A communications and health monitoring systems by providing a digital, lightweight, beyond-line-of-sight, push-to-talk radio, with Voice over Internet and real-time fleet health monitoring, recording, and next-generation satellite communications. The committee believes that these same COTS solutions could also potentially improve training on the UH-72A. The committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services by October 30, 2020, on the status of UH-72A health monitoring capabilities and

an assessment of existing COTS solutions that could improve the effectiveness and lifecycle sustainment of the UH-72A fleet.

ALL-TERRAIN CRANES

The budget request contained \$70.5 million for all-terrain cranes. The family of all-terrain cranes (Type I medium and Type II heavy) are critical logistic systems necessary for large-scale combat operations and provide the ability to assemble, disassemble, and maintain bridges for wet or dry gap crossings, as well as provide capabilities to rapidly offload critical supplies such as weapons, ammunition, artillery pieces, fuel, and water. The committee notes these systems are also considered critical dual-use systems supporting both the Active and Reserve Components in title 10 and title 32 operations. The committee supports the budget request; however, the committee does have concerns over the projected funding levels for these critical logistical systems across the Future Years Defense Program. The committee directs the Program Executive Officer for Combat Support and Combat Service Support to provide a briefing to the House Committee on Armed Services not later than October 30, 2020, on the long-term acquisition strategy for all-terrain crane systems. The committee recommends \$70.5 million, the full amount requested, for all-terrain cranes.

C-130H PROPELLER/ENGINE UPGRADES

The committee notes again that the C-130H aircraft that are flown primarily by the Air National Guard and Air Force Reserve continue to provide critical tactical airlift capabilities and will continue to support this mission for years to come. The committee is again disappointed with the amount of time it has taken for the Air Force to address a safety of flight issue with the legacy propeller system of the C-130H.

Procurement of new composite propeller blades is the obvious solution to this serious safety of flight and readiness issue. The Air Force has moved slowly in addressing the issue and still refers to the propeller upgrade as a capability improvement and not a safety requirement. A new composite blade would also decrease maintenance time and improve logistics support, which will result in increased readiness. Delays are unacceptable considering the inherent safety of flight and readiness risks surrounding this issue.

Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services by January 31, 2021, updating the acquisition strategy for procuring new blades. This plan should include updated estimated costs, timelines, and a unit upgrade schedule. The briefing should also include the Air Force plan to incorporate C-130H T-56 Series 3.5 Engine Enhancement Packages. Congress has repeatedly added additional funds for these upgrades and the Air Force has yet to budget for them despite the demonstrated performance benefits and fuel efficiencies.

TACTICAL TRAINING RANGE INSTRUMENTATION

The committee understands that existing Air Force and Navy air combat training systems are nearing the end of their service-life. There exists a common requirement to develop and field replacement technologies that ensures combat aircrew training remains uninterrupted for Active, Guard, and Reserve Component aviation forces during the transition to next generation aircraft and data-relay technologies.

The committee notes that air combat training systems and associated technologies provide combat air forces with the opportunity to improve their readiness by providing experience through advanced simulation techniques prior to actual combat. The committee believes the next generation of air combat training systems needs to support Department of Defense and foreign partner air forces with collaborative training for both fourth and fifth generation aircraft representing high fidelity combat environments. Training systems should also integrate capabilities that provide aircrews with real-time, threat-representative training and efficient post-mission debriefing that

enables aircrews to reconstruct training events in less time and provides higher fidelity modeling to assess weapons fly-out data for simulated air-to-air and air-to-ground weapons employed during training.

The committee is aware that the Air Force and Navy recently conducted a joint assessment of future training capability requirements and entered into a memorandum of understanding to begin the design and development of a joint training system. As part of this ongoing collaboration, the committee encourages the Air Force and Navy to consider leveraging, fielding, and integrating new training aid systems at land or over-water training ranges utilized by Active, Guard, or Reserve Component forces with an assigned mission to provide friendly or threat representative training capabilities to combat air forces.

EXERCISE NORTHERN STRIKE

The committee notes that Northern Strike is an accredited 21-day exercise sponsored by the National Guard Bureau. This Joint Combined Arms Live Fire Exercise brings together nearly 7,000 participants annually from the United States and North Atlantic Treaty Organization partner countries. In the committee report accompanying the National Defense Authorization Act for Fiscal Year 2020 (H.Rept. 116-120), the committee directed the Chief of the National Guard Bureau to provide a report and the cost of Exercise Northern Strike and the anticipated funding programmed for the exercise over the Future Years Defense Program (FYDP). According to the report provided to the committee on October 2, 2019, anticipated funding for future Northern Strike exercises was \$20.7 million per year over the FYDP. Furthermore, the committee notes that the budget request for fiscal year 2021 includes funding for Exercise Northern Strike. The committee is supportive of exercises, such as Northern Strike, that bring together United States and international partners to train together and build readiness and interoperability.

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.

REVIEW ON THE EXISTING DEPARTMENT OF DEFENSE CAPABILITIES TO OPERATE, MAINTAIN, AND TRANSPORT STERILE CLINICAL, SURGICAL, AND RESUSCITATIVE CAPABILITIES

The committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by December 31, 2020, including a review on the existing Department of Defense capabilities to operate, maintain, and transport sterile clinical, surgical, and resuscitative capability assets. The review should include:

1. An assessment of the Department's assets can be transported by existing land, sea, air capabilities anywhere in the United States or the world;
2. An assessment of whether the Department's assets have an integrated power solution that does not require location-based fuel or sourcing;
3. An assessment on if the Department can provide Geographic Combatant Commands and US Special Operations Command with transportable capabilities to train, equip and support Host

Nation and friendly medical forces through regular Medical Exercises and Humanitarian Assistance;

4. An assessment of whether the Department can provide National Guard and Reserve units the capability to respond to domestic "Acts of God" or man consistent with the Department's Active, Reserve and/or National Guard authorities; and

5. An assessment of whether the Department's treatment and recovery capabilities can allow multiple patients to be stabilized and transported while providing continuous treatment and recovery in a temperature controlled and noise resistant environment.

RESERVE COMPONENTS AND NATIONAL GUARD UNITS SUPPORTING SPECIAL OPERATIONS COMMAND OPERATIONAL AND TRAINING REQUIREMENTS

The committee notes U.S. Special Operations Command (USSOCOM) continues to make strides in identifying causes of and establishing mitigation strategies for high operational tempo, impacts on air and ground platforms, and the resulting readiness challenges affecting special operations forces (SOF). The January 2020 release of USSOCOM's Comprehensive Review of SOF Culture and Ethics indicated that USSOCOM has established conditions for a culture focused on SOF employment and mission accomplishment, which in some instances occurs at the expense of disciplined, predictable, and reliable SOF force generation. The committee is concerned that the heavy emphasis on SOF employment in support of geographic combatant command and joint force requirements places excessive burden on Active Duty military personnel and capabilities assigned to USSOCOM.

The committee is aware the Services' Reserve Components and Air and Army National Guard units provide support to the operational and training requirements of USSOCOM. The committee believes that as processes and procedures are implemented to improve readiness and increase dwell time for Active Duty SOF personnel, regular and transparent dialog with the chiefs of the armed services, the National Guard Bureau, and service components of USSOCOM is critical to ensure that all associated elements of the Reserve Components and National Guard are considered for relevant operational and training opportunities.

Therefore, the committee directs the Commander, USSOCOM, to submit a report to the House Committee on Armed Services by December 1, 2020, on the current utilization strategy of the Services' Reserve Component and Air and Army National Guard units in support of USSOCOM.

The report shall include:

- (1) for units, the type and associated component, including numbers of personnel and associated occupational specialties;
- (2) for individual personnel, the occupational specialty, parent organization, and associated component;
- (3) associated air or ground platforms, capabilities, and maintenance status;
- (4) dates of utilization for operational or training requirements in the past 5 years;
- (5) location where each unit or individual supported USSOCOM;
- (6) training to validate the operational capability and readiness of the supporting unit or individual; and
- (7) intent for future utilization of each unit.

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.

REPORT ON SPECIAL OPERATIONS COMMAND ARMED OVERWATCH CONCEPT

As the Department of Defense continues to refine the personnel and capability contributions and disposition of the U.S. Special Operations Command Armed Overwatch program, the committee encourages the Department to actively consider and include the robust capabilities of the Reserves and National Guard as critical components of the program's development and implementation. A trained and participatory Reserve and National Guard force ensures readiness, operational mobility, resiliency, and is the foundation of our nation's ability to rapidly mobilize and project power. Therefore, the committee directs the Commander of U.S. Special Operations Command to provide a briefing to the House Committee on Armed Services by March 1, 2021, on the planned utilization of the Reserve and National Guard components, including those National guard components currently projected as part of the Armed Overwatch program, and the role of these components in the development, testing, and operational employment of the Armed Overwatch platform.

MISSION TRAINING COMPLEX REPORT

The committee recognizes the importance of information technology (IT) infrastructure and access to classified networks for mission training complexes that provide critical training and preparation for members of the United States Armed Forces, that includes mission planning, rehearsal and execution, and support of training events for future threats in an immersive training environment. Therefore, the committee directs the Secretary of the Army, in coordination with the Secretary of Defense, to submit a report to the House Committee on Armed Services by July 1, 2021, on necessary Army mission training complex enhancements to IT infrastructure and accessible classified networks and their relevance to future threats and readiness. The report shall assess and provide recommendations for modernization and enhancements based on, but not limited to:

- (1) Existing IT infrastructure shortfalls at Army mission training complexes.
- (2) Effects of IT infrastructure shortfalls at such mission training complexes on unit readiness and ability to train for future threats.
- (3) An assessment of threats to, and vulnerabilities of, IT infrastructure at existing Army mission training complexes.
- (4) Access to classified networks and Sensitive Compartmented Information Facilities at existing Army mission training complexes.
- (5) Access to existing IT infrastructure and classified networks and facilities for Army Reserve and National Guard units.
- (6) Ability to integrate Army Reserve and National Guard units into existing IT infrastructure and classified networks and facilities to improve training and unit readiness.

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.

ARMY SUSTAINABLE READINESS MODEL

The Sustainable Readiness Model is the Army's force generation concept to build and maintain readiness across the total force while meeting global requirements. Under the Sustainable Readiness Model, the Army's objective is to maintain 66 percent of Active Duty brigade combat teams and 33 percent of Reserve Component brigade combat teams in a combat-ready status to respond to any global contingency. The committee is concerned that training requirements needed to maintain high levels of readiness for a large portion of the Army may not be sustainable and could place an unnecessary strain on the force. Senior Army civilian and military leaders may share this concern and the committee is aware that the Commander of U.S. Army Forces Command is currently conducting a review of the Sustainable Readiness Model and the training requirements associated with this force generation model.

Therefore, the committee directs the Chief of Staff of the Army to provide a briefing to the House Committee on Armed Services, not later than March 1, 2021, on changes to the Sustainable Readiness Model. At a minimum, the briefing shall include the following elements:

- (1) a summary of the findings and recommendations from the U.S. Army Forces Command review of the Sustainable Readiness Model and training requirements;

- (2) an overview of changes being made to the Sustainable Readiness Model, or the training requirements associated with this force generation model, and a timeline for the implementation of these changes;
- (3) an assessment for how these changes may impact budget, materiel, and manpower requirements; and
- (4) an assessment for how these changes will affect the overall readiness of the Army.

PARENTAL LEAVE PARITY FOR RESERVISTS

The Committee believes there should be a consistent policy that allows servicemembers in the Reserve Component flexibility in their drill schedule to be able to take parental leave after the birth or adoption of child. The Committee directs the Under Secretary of Defense for Personnel and Readiness to provide a briefing to the House Armed Services Committee no later than July 1, 2021 regarding the current Reserve Component policies relating to parental leave and the feasibility of establishing a policy that allows for flexible drill for twelve weeks after the birth or adoption of a child, to include maximizing the use of telework if appropriate. This briefing should include an assessment of ways to minimize impact of the servicemember's parental leave on their individual and unit readiness and ensure that no servicemember faces corrective action, including administrative separation or transfer to the individual ready reserve, for failure to meet administrative requirements during their period of parental leave.

RESERVE COMPONENT GENERAL AND FLAG OFFICER DEVELOPMENT

The committee believes that the professional development of Reserve Component general and flag officers is imperative to executing national security objectives. The military services are challenged to provide Reserve Component officers with sufficient experience via the assignments process and to work diligently to sustain a wide array of opportunities that ensure an adequate pool of qualified senior leaders. Reductions in general and flag officer requirements or authorizations that disproportionately affect those positions that are viewed as developmentally vital should be avoided in order to achieve optimal performance and total force integration. Further, careful consideration must be given to maintain an appropriate diversity of positions that balance command, staff, and joint opportunities. It is the feeling of the committee that more needs to be done to ensure senior leaders within the Reserve Component are afforded continued professional growth opportunities and a clear path for progression. Therefore, the committee directs the Secretary of Defense to provide a report to the Committees on Armed Services of the Senate and the House of Representatives not later than March 1, 2021, on the following:

- (1) a comprehensive analysis of the current Reserve Component general and flag officer command positions, broken out by service
- (2) a general assessment of current joint and staff opportunities available to Reserve Component general and flag officers, to include any areas of opportunity expansion
- (3) the impact of limited reserve officer exemptions on career progression for the Reserve Component
- (4) an outline of any legislative or policy driven guidance that impedes progression of Reserve Component general and flag officers
- (5) ongoing or planned efforts to further integrate the Reserve Component with Active Duty at the general and flag officer level
- (6) other information relevant to the enhanced career path for Reserve Component general and flag officers

RESERVE COMPONENT RECORD OF SERVICE

The committee recognizes the Department of Defense is beginning to implement changes from the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92) on the record of service for the Reserves. The Department has been provided great flexibility to fully explore what information should be on the record of service and when the record of service should be issued. The Department should also explore different options for conveying the record of service

for the Reserves. Therefore, the Committee encourages the Department of Defense to consider the feasibility of an electronic option that includes a mechanism for validation of cumulative service for the conveyance of benefits.