



FY24 House National Defense Authorization Act (NDAA)

Summary of H.R. 2670 (Engrossed Bill) The National Defense Authorization Act for Fiscal Year 2024



As of August 3rd, 2023

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

Table of Contents

EXECUTIVE SUMMARY	- 1 -
ARMY NATIONAL GUARD - AUTHORIZATION OF FUNDING (ALL DOLLARS IN THOUSANDS)	- 2 -
AIR NATIONAL GUARD - AUTHORIZATION OF FUNDING (ALL DOLLARS IN THOUSANDS)	- 2 -
LEGISLATIVE PROVISIONS.....	- 2 -
ARMY PROGRAMS	- 2 -
AIR FORCE PROGRAMS.....	- 3 -
OPERATIONS AND MAINTENANCE	- 4 -
REPORTS AND OTHER MATTERS	- 4 -
MILITARY PERSONNEL AUTHORIZATIONS	- 4 -
MILITARY PERSONNEL POLICY	- 5 -
GENERAL SERVICE AUTHORITIES AND MILITARY RECORDS.....	- 6 -
MEMBER TRAINING	- 6 -
OTHER PERSONNEL MATTERS, REPORTS, AND BRIEFINGS	- 7 -
BASIC PAY, RETIRED PAY, AND LEAVE	- 7 -
ALLOWANCES	- 7 -
HEALTH CARE PROVISIONS.....	- 8 -
DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT.....	- 9 -
COUNTERDRUG ACTIVITIES.....	- 9 -
GENERAL PROVISIONS	- 9 -
MILITARY CONSTRUCTION.....	- 11 -
HASC COMMITTEE REPORT REQUIREMENTS / ITEMS OF INTEREST	- 15 -

Executive Summary

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

To obtain a complete understanding of any particular provision, users are encouraged to review the actual bill text. Bill text and the conference report can be found on NGB-LL's website: <https://www.nationalguard.mil/leadership/joint-staff/personal-staff/legislative-liaison/>. Beyond the legislative provisions, there are several 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 14, 2023, the House passed the FY24 National Defense Authorization Act. This updated summary reflects the engrossed bill language with added additional amendments marked using asterisks (*).

On June 22, 2023, the House Armed Services Committee passed their FY24 National Defense Authorization Act. The bill authorizes \$886.3 billion for FY24 national defense programs, an increase of \$28 billion over the FY23 enacted level.

Highlights:

- Elevates the position of the Vice Chief of the National Guard Bureau to the rank of General
- Authorizes TRICARE Dental Plan for the Selected Reserve
- Establishes a Space National Guard
- Establishes the eligibility of the Chief of the National Guard Bureau to be appointed Chairman of the Joint Chiefs of Staff
- Authorizes transfer of officers between the active and inactive reserve NG
- Authorizes Dual Basic Allowance for Housing for Training
- Authorizes ANG membership of the Air Force Reserve Forces Policy Committee
- Prohibits terminating any ANG fighter flying mission until a notional recapitalization plan is provided to congress by the SecAf
- Reduces minimum quantity of Primary Mission A-10 Aircraft Inventory
- Retains C-130 total Aircraft Inventory and prohibits reducing aircraft assigned to the ANG
- Authorizes a 5.2% pay raise for service members
- Authorizes NG support for the Fireguard Program

National Guard Accounts Overview

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



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

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

Army National Guard End Strength

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



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

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

Air National Guard End Strength

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

LEGISLATIVE PROVISIONS

Army Programs

*Sec. 112. Report on Black Hawk Helicopter Program. *

This section would require the Secretary of the Army to submit to the congressional defense committees a report on Block II of the Black Hawk helicopter program of the Army.

Air Force Programs

Sec. 151. Extension of Requirements Relating to C-130 Aircraft.

This section would extend the prohibition on reduction of C-130 aircraft assigned to the National Guard and would keep the C-130 total aircraft inventory at 271 with a sunset date of October 1, 2024.

Sec. 154. Modification of Minimum Inventory Requirements for A-10 Aircraft.

This section would reduce the minimum A-10 aircraft primary mission aircraft inventory requirement to 135 total aircraft and requires the Secretary of Defense to evaluate any A-10 aircraft that is retired, during fiscal year 2023 or later fiscal years, for potential transfer to military forces of an ally or partner nation of the United States.

Sec. 156. KC-135 Aircraft Recapitalization Program.

This section would require the Secretary of the Air Force to provide the congressional defense committees the business case analysis and Joint Staff validated requirements for the KC-135 recapitalization program along with the analysis of alternative for the Next Generation Air Refueling System before deciding on an acquisition strategy for the KC-135 recapitalization program.

Sec. 157. Prohibition on Reduction of KC-135 Aircraft in PMAI of the Reserve Components.

This section would prevent the Air Force from reducing the number of primary mission aircraft inventory KC-135 aircraft from the Air Force Guard and Reserve.

Sec. 158. prohibition on Availability of Funds for Termination of Production Lines for the HH-60W Aircraft.

This section would not allow the funds authorized to be appropriated by this Act or otherwise made available for FY24 for the Air Force to terminate the operations of, or to prepare to terminate the operations of, a production line for HH-60W Combat Rescue Helicopters.

***Sec. 159. Limitation on Termination of Fighter Squadrons.* -Engrossed update to below language**

This section would require the Secretary of the Air Force to not terminate the fighter flying mission of any fighter squadron of the Air National Guard or the *Air Force Reserve* until a period of 180 days has elapsed following the date on which the Secretary submits the plan required under subsection.

Sec. 160. Limitation on Divestment of F-16 Aircraft.

This section would prohibit the divestment of any F-16 aircraft beginning on January 1, 2024, until the Secretary of the Air Force provides to the congressional defense committees a report, including certain plans and assessments, not less than 180 days prior to divesting or preparing to divest any F-16 aircraft.

Sec. 161. Limitation on Procurement of KC-46A Aircraft.

This section would limit the Air Force from buying more than 179 KC-46A on the current contract until the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics certifies to the congressional defense committees that there are validated needs and provide long-term cost estimates.

Sec. 162. Limitation on Actions Relating to Remote Vision Systems of KC-46A Aircraft.

This section would require a certification from the Secretary of the Air Force before retrofitting KC-46A aircraft with Remote Vision System 2.0.

Sec. 163. Prohibition on Decommissioning of KC-135 Stratotankers.

This section would prohibit funds authorized to be appropriated by this Act or otherwise made available for FY24 for the Air Force may be used to decommission a KC-135 Stratotanker.

Sec. 164. Funding for Advanced Procurement for F-15EX Aircraft.

This section would increase the F-15EX Advanced Procurement, line 006, by \$30,600,000. OFFSET. Authorized amounts to be appropriated for research, development, test, and evaluation, is reduced by \$30,600,000. The Secretary of the Air Force shall ensure that any F-15EX aircraft procured using funds made available pursuant the increase under subsection (a) are allocated to the Air National Guard to recapitalize fighter aircraft with the priority given to A-10 squadrons without an identified replacement aircraft.

Sec. 185. Categorization and Tracking of F-35 Aircraft Parts.

This section would require the Secretary of Defense to (1) determine whether F-35 aircraft parts are to be categorized as Government-furnished property; and (2) develop a system for continuously tracking such parts.

Sec. 186. Report on Divestment of Major Weapon Systems.

This section requires the Secretary of Defense to submit a report that (1) identifies each major weapon system the Secretary proposes to divest in the period of five fiscal years following the date of the report; and (2) for each proposed divestment, includes an explanation of— (A) the timeline for the divestment; (B) any cost savings associated with the divestment; (C) the rationale for the divestment; and (D) the expected status of the weapon system after divestment.

Operations and Maintenance

Sec. 311. Equivalent Authority to Carry Out Certain Projects at Facilities of the National Guard and the Air National Guard.

This section would amend section 2700 of title 10, United States Code to include National Guard facilities as those eligible for Defense Environmental Restoration Program and Environmental Restoration Account funds.

Sec. 312. Modifications to Pilot Program on Use of Sustainable Aviation Fuel.

This section would Change the FY23 NDAA regarding “applicable materials.” The term applicable material means the following: (A) Monoglycerides, diglycerides, and triglycerides, (B) Free fatty acids, (C) Fatty acid esters, (D) Municipal solid waste, and (E) Renewable natural gas.

Sec. 331. Improvements Relating to Exposures to Perfluoroalkyl and Polyfluoroalkyl Substances.

This section would add the Inclusion of exposure to perfluoroalkyl and polyfluoroalkyl substances as part of periodic health assessments and deployment assessments.

Reports and Other Matters

Sec. 364. Diversity, Equity, and Inclusion Personnel Grade Cap.

This section would prohibit the Secretary of Defense from appointing or employing a military or civilian employee whose duties include diversity, equity, and inclusion with a rank or grade in excess of GS-10.

Military Personnel Authorizations

Sec. 411. End Strength for Selected Reserve.

This provision would authorize 325,000 personnel for the Army National Guard and 108,400 personnel for the Air National Guard.

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

This provision would authorize 30,845 ARNG positions for the Army National Guard and 25,713 positions for the Air National Guard.

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

This provision would authorize 22,294 dual status technicians for the Army National Guard and 9,830 for the Air National Guard.

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

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

Military Personnel Policy

***Sec 508. Chaplain Endorsements. ***

This section would make available on a publicly accessible database of (i) the most recent list of chaplain endorsements submitted to the Armed Forces Chaplain Board (AFCB) by religious organizations according to Department of Defense Instruction 1304.28, and (ii) the list of known endorsements used by AFCB to verify submissions.

Sec. 510. Increases to Monthly Rates of Basic Pay for Certain Enlisted Members of the Uniformed Services.

This section would modify the base pay rate for certain junior enlisted servicemembers to ensure that these servicemembers' base pay is at least \$31,200 per year effective Jan 1, 2024.

Sec. 511. Grades of Certain Chiefs of Reserve Components.

This section would authorize the Chief of each military service Reserve Component to be in the grade of three-star officer but excludes the DANG and DARNG.

Sec. 512. Removal of Prohibition on Active-Duty Members of the Air Force Reserve Policy Committee.

This section would remove the prohibition on Active-Duty members of the Air Force Reserve Policy Committee.

Sec. 513. Removal of Prohibition on Active-Duty Members of the Air Force Reserve Policy Committee.

This section would remove the prohibition on Active-Duty members of the Air Force Reserve Policy Committee. Appears to be a duplicate of section 512.

Sec. 514. Grade of Vice Chief of the National Guard Bureau.

This section would authorize the elevation of the Vice Chief of the National Guard Bureau to serve in the grade of general.

Sec. 515. Transfers of officers between the active and inactive National Guard.

This section would authorize the transfer for officers between the active and inactive National Guard.

Sec. 516. Authorization for FireGuard Program.

This section would authorize the Secretary of Defense to use members of the National Guard to carry out a program to aggregate, analyze, and assess multisource remote sensing information for

interagency partnerships in the detection and monitoring of wildfires, and to support any emergency response to such wildfires.

Sec. 519. Sense of Congress Relating to Measures to Address Suicide Among Former National Guard and Reserve Components.

This section sets Congress's sense that since 2020, the National Veteran Suicide Prevention Annual Reports have not included information regarding former members of the Guard and Reserve Components who were not activated for military service.

Sec. 1536. Report on State National Guard Cyber Units.

This section directs the Secretary of Defense shall submit to the congressional defense committees a report on the feasibility of establishing a cyber unit in every National Guard of a State to ensure the ability of a State to quickly respond to cyber-attacks in such State.

General Service Authorities and Military Records

Sec. 525. Protections for Members of Certain Armed Forces Who Refuse to Receive Vaccinations against COVID-19.

This section would prohibit adverse action against a member of the Armed Forces solely on the basis that such member refuses to receive a COVID-19 vaccine. Additionally, this section would direct the Secretary of the military department to consider reinstating service members separated for failure to get vaccinated against COVID-19.

Sec. 526. Reviews of Characterization of Administrative Discharges of Certain Members on the Basis of Failure to Receive COVID-19 Vaccine.

This section would require a board of review established under section 1553 of title 10, United States Code, to grant a priority request to review discharge or dismissals based on failure to obey a lawful order to receive a vaccine for COVID-19.

Sec. 527. Certain Members Discharged or Dismissed on the Sole Basis of Failure to Obey a Lawful Order to Receive a Vaccine for COVID-19: Communication Strategy regarding Reinstatement Process.

This section would require the Secretary of Defense to communicate the established process by which a covered individual who was separated due to a failure to receive the COVID-19 vaccination may be reinstated. This section would also require the Secretary of Defense to provide a report on the implementation of the communication strategy.

Member Training

Sec. 565. Training on the National Defense Strategy for Members of Certain Armed Forces.

This section would require annual National Defense Strategy awareness training for certain members of the Armed Forces.

Sec. 566. Prohibition on Use of Federal Funds for Certain Training or Education That Promotes Critical Race Theory.

This section would prohibit the use of funds to promote critical race theory at a Service Academy, in military training, or in professional military education.

Sec. 567. Sex-Neutral High Fitness Standards for Army Close Combat Force Military Occupational Specialties.

This section would require the Army to create sex-neutral fitness standards for certain military occupational specialties.

Sec. 570F. Elimination of Offices of Diversity, Equity, and Inclusion and Personnel of Such Offices.

This section would eliminate every office of the Armed Forces and of the Department of Defense that is established to promote diversity, equity, and inclusion is eliminated and the employment of all personnel of such offices is terminated.

Other Personnel Matters, Reports, and Briefings

Sec. 591. Armed Forces Workplace Surveys.

This section would require the Armed Forces workplace survey to include indicators of sexual assault that give reason to believe that the victim was targeted or discriminated against for a status in a group.

Sec. 594. Posting of Promotional Materials for the 988 Suicide and Crisis Lifeline at Military Installations.

This section would direct the Secretary of a military departments to post promotional materials for the 988 Suicide and Crisis Lifeline at each jurisdictional military installation.

Sec. 595. Prohibition on Drag Shows and Drag Queen Story Hour.

This section would prohibit the Department of Defense from using authorized funds for a drag show or similar event.

Sec. 598. Prohibition on Federal Funds for the Department of Defense Countering Extremism Work Group.

This section would prohibit the Department of Defense from using authorized funds for the Department of Defense Extremism Work Group.

Basic Pay, Retired Pay, and Leave

Sec. 601. Parental Leave Parity for Members of Certain Reserve Components of the Armed Forces.

This section would authorize leave for members of certain components of the Armed Forces. This provision would allow a member of a reserve component parental leave for a duration of up to 12 inactive-duty training periods during the one-year period beginning after the birth or adoption of a child of the member and to care for such child or the placement of a minor child with the member for adoption or long-term foster care.

Sec. 611. One-Year Extension of Certain Expiring Bonus and Special Pay Authorities

This section would change language as relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active-duty service, is amended by striking “December 31, 2023” and inserting “December 31, 21 2024”.

Sec. 648. Feasibility Study Regarding Child Care for Members of The Reserve Components Performing Inactive-Duty Training.

This section requires a report regarding the feasibility of providing childcare— (1) through the military child development center of a military installation; and (2) to a member of the reserve components while such member performs inactive-duty training at such military installation.

Allowances

Sec. 624. Dual Basic Allowance for Housing for Training.

This section would authorize dual basic allowance for housing for Reserve Component members for training. This provision addresses dual BAH for members of a reserve component without

dependents who are called or ordered to active duty to attend training for at least 40 days but fewer than 365 days.

Health Care Provisions

Sec. 701. TRICARE Dental Plan for the Selected Reserve.

This section would waive fees and copays on the TRICARE Dental Program for all members of the Selected Reserve.

Sec. 702. Extension of Period of Eligibility for Health Benefits Under TRICARE Reserve Select for Survivors of a Member of the Selected Reserve.

This section would amend section 1076d(c) of title 10, United States Code, to extend TRICARE benefits to 3 years for family members of Guard and Reserve personnel killed while on orders for less than 30 days.

Sec. 703. Clarification of Applicability of Required Mental Health Self-Initiated Referral Process for Members of the Selected Reserve.

This section would clarify the applicability of required mental health self-initiated referral process per section 1090b(e) of title 10, United States Code ["Brandon Act"], to exempt the Individual Ready Reserve.

Sec. 704. Non-Medical Counseling Services for Military Families.

This section would authorize license portability for mental health professionals who provide non-medical counseling services.

Sec. 712. Psychological Evaluations for Certain Members of the Armed Forces Who Served in Kabul.

This section would direct the Secretary of Defense to provide an initial mental health counseling evaluation to each member of the Armed Forces who served at Hamid Karzai International Airport during the Afghanistan noncombatant evacuation between August 15 and August 29, 2021.

Sec. 725. Mandatory Training on Health Effects of Perfluoroalkyl or Polyfluoroalkyl Substances.

This section would require the Secretary of Defense to provide to each medical provider of the Department of Defense mandatory training with respect to the potential health effects of perfluoroalkyl or polyfluoroalkyl substances.

Sec. 729. Task Force of Department of Defense on Mental Health.

This section would require the Secretary of Defense to establish a task force to examine matters relating to the mental health of members of the Armed Forces and a plan to implement the recommendations of the task force. The appointees shall include at least one member of each of the Army, Navy, Air Force, Marine Corps, and the National Guard.

Sec. 755. Study and Report on Mental Health Care for Pilots and Aviators.

This section would direct the Secretary of Defense and the Secretary of Health and Human Services to collaborate on a study on the barriers to mental health care for military Pilots/aviators. Shall include the development of a set of recommendations to ensure that pilots and aviators who need mental health care have - (1) no more barriers to care; (2) no more consequences for seeking care; and (3) no less scientifically robust bases for being treated and re-cleared for duty than pilots and aviators who need physical health care.

Department of Defense Organization and Management

Sec. 923. Eligibility of Chief of the National Guard Bureau for Appointment as Chairman of the Joint Chiefs of Staff.

This section would authorize the Chief of the National Guard Bureau to be eligible to be appointed Chairman of the Joint Chiefs of Staff.

Sec 926. Designation of Explosive Ordnance Disposal Corps as a Basic Branch of the Army.

This section would designate the Explosive Ordnance Disposal Corps as a basic branch.

Sec. 929. Membership of the Air Force Reserve Forces Policy Committee.

This section would add four nonvoting advisors to the Air Force Reserve Forces Policy Committee. The four nonvoting members, who shall be the Chief Master Sergeants of the Air Force, the Air Force Reserve, the Air National Guard, and the Space Force.

Sec. 933. Future Force Design of the Department of The Air Force.

This section would require that, not later than August 31, 2024, the Secretary of the Air Force shall develop a force design for the Air Force and Space Force projected through 2050.

Sec. 951. Establishment of Space National Guard.

This section would establish a Space National Guard comprised of National Guard forces in the States and U.S. territories in which the Space Force operates.

Sec. 952. No Effect on Military Installations.

This section would clarify that nothing in this subtitle would require or authorize the relocation of any facility, infrastructure, or military installation of the Space National Guard or Air National Guard.

Sec. 953. Implementation of Space National Guard.

This section would require the Secretary of the Air Force and the Chief of the National Guard Bureau to implement the provisions of this subtitle not later than 18 months after the date of the enactment of this Act.

Sec. 954. Conforming Amendments and Clarification of Authorities.

This section would define the term 'Space National Guard' to mean that part of the organized militia of the several States and territories, Puerto Rico, and the District of Columbia, active and inactive.

Counterdrug Activities

Sec. 1005A. Audit Requirement for Department of Defense Components.

This section would make each component of the Department of Defense subject to an independent audit. Any such component that fails to be subject to such an audit during any fiscal year shall have 1.5 percent of unobligated amounts available for the component be cancelled and returned to the general fund of the Treasury for deficit reduction. However, the following accounts are excluded from any reductions: Military personnel, reserve personnel, and National Guard personnel accounts of the Department of Defense.

Sec. 1006. Drug Interdiction and Counter-Drug Activities.

This section would raise a \$5,000 spending cap to \$15,000 on counter-drug equipment procured or leased by the National Guard requiring advance approval from Secretary of Defense.

General Provisions

Sec. 274. Department of Defense Spectrum certification.

This section establishes the Sense of Congress that use of Link 16 is vitally important to national defense.

Sec. 1047. Security Clearance Reinstatement for Recently Separated Members of the Armed Forces and Civilian Employees of the Department of Defense.

This section would waive the requirement for a reinstatement review prior to the commencement of post-service employment by such individual in a civilian position requiring an equivalent level of security clearance as the security clearance held by such individual as of the date of the separation and deem the clearance valid.

Sec. 1085. Guidance for use of Unmanned Aircraft Systems by National Guard.

This section would require the Secretary of Defense to provide guidance for the use of unmanned aircraft systems by the National Guard and be no more restrictive than the use of other aircraft for covered activities.

Sec. 1116. Military Spouse Employment Act.

This section would allow a spouse of a member of the Armed Forces on active duty, or a spouse of a disabled or deceased member of the Armed Forces, to a position in which the spouse can engage in remote work.

Sec. 1122. National Digital Reserve Corps.

This section would establish a program to establish, recruit, manage, and assign a reserve of individuals with relevant skills and credentials, to be known as the 'National Digital Reserve Corps', to help address the digital and cybersecurity needs of covered Executive agencies.

Sec. 1205. Modifications to Security Cooperation Workforce Development Program and Establishment of Defense Security Cooperation University.

This section would modify section 384 of title 10, United States Code, regarding the Security Cooperation Workforce Development Program (SCWDP) and would establish the defense security cooperation university structure. This section would also require the Secretary of Defense to develop and submit an implementation plan for the structure of the defense security cooperation university. Additionally, this section would require the Secretary to submit a report on the Department of Defense security cooperation workforce.

Sec. 1684. Quarterly Briefings on Implementation of Military-Code compliant GPS Receivers Through Military GPS user Equipment Program.

This section would require, not later than February 1, 2024, and quarterly thereafter until the date specified in paragraph (2), the Co-Chairs of the Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise, to provide a briefing on the status of the implementation of MCode compliant GPS receivers through the Military GPS User Equipment program, including the status of increments 1 and 2 of such program and details regarding expected dates of M-Code compliance for all sea-, air, and land-based terminals across the platforms of each of the Armed Forces.

Sec. 1808. Modification to Agreements to Limit Encroachments and Other Constraints on Military Training, Testing, and Operations.

This section would amend Section 2684a of title 10 (1) in subsection (a), in the matter preceding paragraph (1), by striking "as well as a State-owned National Guard installation," and inserting "a State-owned National Guard installation, each regionally associated installation.

Sec 1860. National Strategy for Utilizing Micro Reactors to Assist with Natural Disaster Response Efforts.

This section would direct the President, in consultation with the Administrator of the Federal Emergency Management Agency, the Secretary of Energy, the Chief of the National Guard

Bureau, the Chief of Engineers of the Army Corps of Engineers, the Assistant Secretary of the Office of Nuclear Energy of the Department of Energy, the Under Secretary of Defense for Research and Engineering, the Chairman of the Nuclear Regulatory Commission, and the Deputy Assistant Secretary for the Office of Reactor Fleet and Advanced Reactor Deployment of the Department of Energy, to develop a national strategy to utilize microreactors to assist with natural disaster response efforts.

MILITARY CONSTRUCTION

Sec. 2408. Extension of Authority to Carry Out Certain Fiscal Year 2021 Energy Resilience and Conservation Investment Projects.

Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in subsection (b), as provided in section 2402 of that Act (134 Stat. 4306), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

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

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

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

Army National Guard			
State	Location	FY2024 Request	House Agreement
Arizona	Surprise Readiness Center	\$15,000	\$15,000
Florida	Camp Blanding, Automated Multipurpose Machine Gun Range	--	\$11,000
Florida	Camp Blanding Training Aids Center (P&D)	--	\$1,200
Florida	Camp Blanding, Wedge Infantry Squad Battle Course (P&D)	--	\$840
Idaho	Jerome County Regional Site, NG Vehicle Maintenance Shop	\$17,000	\$17,000
Illinois	North Riverside NG Maintenance Center, NG Vehicle Maintenance Shop	\$24,000	\$24,000
Kentucky	Burlington, Vehicle Maintenance Shop	--	\$16,400
Missouri	Belle Fontaine, NG Readiness Center	\$28,000	\$28,000
New Hampshire	Littleton, NG Vehicle Maintenance Shop Add	\$23,000	\$23,000
New Mexico	Rio Rancho Training Site, NG Vehicle Maintenance Shop Add	\$11,000	\$11,000

New York	Lexington Avenue Armory, NG Readiness Center Add/Alt	--	\$45,000 ¹
Ohio	Camp Perry Joint Training Center, NG Readiness Center	\$19,200	\$19,200
Oklahoma	Shawnee Readiness Center, NG Readiness Center (P&D)	--	\$1,800
Oregon	Washington County Readiness Center	\$26,000	\$26,000
Pennsylvania	Fort Indiantown Gap, FTIG Auto MPMG Range (P&D)	--	\$1,550
Pennsylvania	Hermitage Readiness Center	\$13,600	\$13,600
South Carolina	Aiken County Readiness Center	\$20,000	\$20,000
South Carolina	McCrady Training Center, Auto MPMG Range	\$7,900	\$7,900
Texas	Fort Hood, General Purpose Instruction Bldg (P&D)	--	\$2,685
Virginia	Sandston RC & FMS 1, Aircraft Maintenance Hangar	\$20,000	\$20,000
Wisconsin	Viroqua, NG Readiness Center	\$18,200	\$18,200
Worldwide Unspecified	Cost to Complete-Army National Guard	--	\$134,881
Worldwide Unspecified	Planning and Design	\$34,286	\$44,686
Worldwide Unspecified	Unspecified Minor Construction	\$63,000	\$73,000
Worldwide Unspecified	Unspecified Minor Military Construction Demolition	--	\$15,000
Military Construction, Army National Guard Total		\$340,186	\$590,942

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

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

Air National Guard			
State	Location	FY2024 Request	House Agreement
Alabama	Montgomery Regional Airport, F35 ADAL SQ OPS	\$7,000	\$7,000
Alaska	Joint Base Elmendorf Richardson, ADAL Alert Crew Facility Hgr 18	--	\$7,000
Arizona	Tucson, Mcca: Aircraft Arresting System (New Rwy)	\$11,600	\$11,600
Arkansas	Ebbing Field, Permanent (F-35 Multi) Construct F-35 FMS 3-Bay Clear Span Hangar	--	\$53,553
Arkansas	Ebbing Field, Permanent (F-35 Multi) Construct F-35 AFE & Step	--	\$9,269

¹ Appropriations authorization discrepancy exists between SEC. 2601 and Sec. 4601 for New York NG Readiness Center: Sec. 2601 lists \$90M and Sec. 4601 lists \$45M.

Arkansas	Ebbing Field, Permanent (F-35 Multi) Construct F-35 FMS SAPF (Secure Facility)	--	\$12,720
Colorado	Buckley ANG Base, Aircraft Corrosion Control	\$12,000	\$12,000
Florida	Jacksonville International Airport, ANG F-35 Munitions Storage Area Admin (P&D)	--	\$600
Indiana	Fort Wayne International Airport, Fire Station	\$8,900	\$8,900
Oregon	Portland International Airport, Special Tactics Complex, Phase 1	\$22,000	\$22,000
Oregon	Portland International Airport, Special Tactics Complex, Phase 2	\$18,500	\$18,500
Oregon	Portland International Airport, Special Tactics Complex, Phase 3	--	\$20,000
Oregon	Portland International Airport, Special Tactics Complex, Phase 4	--	\$11,000
Pennsylvania	Harrisburg International Airport, Entry Control Facility	--	\$8,000
Wisconsin	Truax Field, F-35: MM&I Fac, B701	--	\$5,200
Worldwide Unspecified	Planning and Design	\$35,600	\$35,600
Worldwide Unspecified	Unspecified Minor Construction	\$63,122	\$73,122
Worldwide Unspecified	Unspecified Minor Military Construction Demolition	--	\$15,000
Military Construction, Air National Guard Total		\$178,722	\$331,064

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

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

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

Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization set forth in the table in subsection (b), as provided in section 2604 of that Act (131 Stat. 1836) and extended by section 2608 of the Military 15 Construction Act for Fiscal Year 2023 (division B of Public Law 117–263), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

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

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

This section would extend the authorization of a certain fiscal year 2019 project until October 1, 2024.

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

Sec. 2609. Extension of Authority to Carry Out Certain Fiscal Year 2021 National Guard and Reserve Military Construction Projects.

This section would extend the authorization of certain fiscal year 2021 projects until October 1, 2024.

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

Sec. 2846. Land Conveyance, Paine Field Air National Guard Station, Everett, Snohomish County, Washington.

This section would allow The Secretary of the Air Force to convey to Snohomish County, a political subdivision of the State of Washington all right, title, and interest of the United States in and to three parcels of real property, including any improvements thereon and any related easements, consisting of approximately 14.23 acres, collectively, located on the Washington Air National Guard Base at Paine Field, Everett, Washington.

HASC Committee Report Requirements / Items of Interest

MQ-1C Gray Eagle National Guard Integration and Strategic Considerations.

The committee recognizes the significant contributions of the MQ-1C Gray Eagle unmanned aircraft system to national defense and intelligence capabilities. The MQ-1C Gray Eagle has proven to be a reliable and cost-effective platform for various missions, including intelligence, surveillance, reconnaissance, and strike operations.

To ensure a prudent allocation of resources and maintain operational effectiveness, the committee encourages the Army to conduct a thorough examination of the MQ-1C Gray Eagle's role within the broader defense strategy and to explore further opportunities to integrate the platform into the National Guard. The committee is interested in understanding how integration of the MQ-1C Gray Eagle into the National Guard would provide additional, cost-effective benefits and enhance the overall capabilities of the defense apparatus.

Therefore, the committee directs the Secretary of the Army, in coordination with the Chief of the National Guard Bureau, to submit a report to the House Committee on Armed Services not later than February 1, 2024, on the Army's plans for the MQ-1C Gray Eagle unmanned aircraft system. The report should include, but not be limited to:

- (1) a status update on existing requirements for the integration of the MQ-1C Gray Eagle into the National Guard, including the potential roles, missions, and necessary support infrastructure for such integration.
- (2) a roadmap for the current and future integration process, including timelines, milestones, and estimated costs; and
- (3) the potential benefits and drawbacks of further integrating the MQ-1C Gray Eagle into the National Guard's operational capabilities, as well as the feasibility of such integration considering current requirements and priorities.

Air National Guard Fighter Recapitalization.

The committee is concerned with the aging and shrinking nature of the Air National Guard fighter fleet. The committee notes that during Operation Desert Storm, Air Combat Command fielded 139 fighter squadrons, 49 of which belonged to the Air National Guard, whereas of January 1, 2023, Air Combat Command fields 81 squadrons, only 25 of which are allocated to the Air National Guard.

Given the rising challenges posed by near-peer competitors such as Russia and China, and operational deployment commitments that may occur in other, less than highly contested threat environments, the committee is concerned that the shrinking of the fighter fleet, and particularly the loss of force structure and manpower resources in the Air National Guard, poses a serious national security challenge.

The committee believes that the F-15EX could serve a critical need as a cost-effective, highly versatile airframe capable of performing air superiority, homeland defense and interdiction missions. The committee encourages the Secretary of the Air Force and the Chief of the National Guard Bureau to commit any additional procurement of the F-15EX above the program of record for the purpose of full recapitalization of any Air National Guard A-10 squadrons currently planned to lose their fighter missions.

Air Force Fighter Force Structure.

The committee is concerned that the Air Force fighter fleet has declined by nearly 60 percent since the 1991 Gulf War and is projected to lose approximately 400 additional fighter aircraft by the end of fiscal year 2029. The committee notes with concern that the fighter fleet is the now smallest in Air Force history and lacks sufficient capacity to meet combatant command requirements today. In this context, the committee believes that further reductions will significantly increase operational demands on a diminishing inventory of fighter aircraft and personnel and create conditions for an

impending readiness crisis. The committee acknowledges the Department of the Air Force's stated intent to modernize the fighter fleet but concludes that its current procurement plan is insufficient and will fail to deliver the fighter capacity and capability required by the National Defense Strategy. Finally, the committee is concerned that without procurement of additional fighter aircraft in the near term, fighter squadrons in the Total Force will soon be deactivated or re-missioned, resulting in the permanent loss of experienced fighter pilots and maintenance personnel.

Therefore, the committee directs the Secretary of the Air Force, in coordination with the Commander, Air Combat Command, the Director of the Air National Guard, and the Chief, Air Force Reserve Command to provide a report to the House Committee on Armed Services not later than January 19, 2024, with a plan to meet Air Force fighter capacity requirements. The report should include:

(1) the number of Total Force fighter squadrons required to meet steady state and war-time capacity requirements.

(2) how the Air Force plans to modernize and recapitalize the active, reserve, and guard fighter fleets to achieve the required number of Total Force squadrons.

(3) authorities and resource requirements necessary to provide sufficient demand to industry to increase fighter aircraft production to prevent the closure or re-missioning of Total Force fighter squadrons.

(4) an explanation of how Collaborative Combat Aircraft (CCA) are accounted for in capacity analysis; and

(5) an explanation of how the Air Force will meet fighter capacity requirements should CCA operational fielding be cancelled or delayed.

Air National Guard KC-135 Association.

The committee is aware that Air National Guard active associations provide additional air refueling capability. The committee has also heard in testimony that aerial refueling capacity is sufficient but, under the new National Defense Strategy, has an elevated risk. The committee directs the Secretary of the Air Force to brief the House Committee on Armed Services no later than 1 November 2023 on the potential increase in air refueling capacity to make all remaining KC-135 units active associations, and all cost savings, to include manpower, of moving all KC-135 units to active associations.

C-40 Aircraft.

The committee supports the added funding to the C-40 aircraft. The committee is concerned about the aging fleet given the operational demands placed on the Active Duty, Air National Guard, and Air Force Reserve C-40 aircraft. The committee also understands that due to economic impacts on the commercial airline market, there may be affordable inventory that could be converted at a low cost to ensure aircraft availability for Government senior leaders, including combatant commanders. Therefore, the committee directs the Secretary of Air Force to submit a report to the congressional defense committees not later than October 1, 2023, that includes a market survey of available aircraft that could be modified for executive airlift, the total cost impact of such an action, and a recommendation on the future fleet size for all C-40 aircraft.

Procurement of C-130 Engine Upgrade Kits.

The Committee recognizes that the Air National Guard C-130H fleet continues to undergo a comprehensive propulsion upgrade program comprised of an engine enhancement package and new eight-bladed propellers. Combined, the systems deliver significant improvements in safety, fuel economy, and aircraft availability.

The committee understand the Air National Guard aims to complete the installation of both engine and propeller upgrades across all Series 3 C-130H aircraft by calendar year 2025. The Committee is concerned that multiple state units remain without programmed engine upgrades. The Committee is also concerned there is a potential desynchronization in planning that resulted in no

Fiscal Year 2024 base funding for engine kit procurement.

The Committee directs the Deputy Director of Plans and Requirements, Air National Guard, in coordination with the Director of the Air Force Life Cycle Management Center Propulsion Directorate to brief the congressional defense committees not later than February 1, 2024, on the status of the C-130H propulsion upgrade program. This briefing shall, at a minimum, detail the National Guard Bureau's execution of congressionally directed funding for Series 3.5 engine enhancement kit procurement over the last five fiscal years and funding requirements for completing fleetwide fielding of engine enhancement kits, including engine spares and parts, by the calendar year 2025.

Unmanned Aircraft System Units with Geographically Separated Launch and Recovery Elements.

The committee notes the significantly increased demand in continuation training requirements for the remotely piloted aircraft enterprise currently supplied wholly by Air National Guard launch and recovery elements. Operating a launch and recovery element not co-located with the mission control element produces inefficiencies.

As such, the committee directs the Secretary of the Air Force, in coordination with the Chief of the National Guard Bureau, to submit a report to the House Committee on Armed Services not later than March 1, 2024, on remotely piloted aircraft units with launch and recovery elements that are geographically separated from mission control and maintenance elements. Specifically, this report should assess the potential benefits of co-locating these activities to improve efficiencies and reduce operational costs. The report should include both a findings and recommendations section.

National Guard and Reserve Equipment Account.

The budget request contained no funds for a National Guard and Reserve Equipment Account. The committee has long been concerned about the availability of dual use and 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 equipment and programs such as communications interoperability improvements for Weapons of Mass Destruction Civil Support Teams; Long Range, Lightweight Mesh Network Radios; Cross-Cloud Threat Hunting Cyber Security; Transportable Tactical Command Communications upgrades; Non-Lethal Capabilities for Civil Support; Joint Threat Emitter Simulators; and other critical dual-use and readiness unfunded procurement items for the National Guard and Reserve Components.

The committee recommends \$100.0 million for National Guard and Reserve equipment.

National Guard Bureau State Mission Research, Development, Test, and Evaluation Enhancement.

The committee notes that the National Guard is unique in that it simultaneously serves the Federal Government and State governments. While the missions in these two areas often overlap, there is a significant array of missions and requirements supporting State operations that do not directly map or overlap Federal requirements. While the National Guard must continue to address evolving and pacing national security threats, it must also address the unique non-Federal threats to the homeland and support domestic operations. In addition, while States take the lead in protecting the homeland and domestic populations, they seldom have the resources or capabilities to perform

research, development, test, and evaluation (RDT&E) to address current homeland defense and emerging threats.

Given both the National Guard's unique position and the challenges of addressing Federal and non-Federal homeland defense in combination with national security, the committee directs the Director, National Guard Bureau to provide a briefing to the House Committee on Armed Services not later than December 31, 2023, on current gaps in how the National Guard Bureau and the 54 State National Guard organizations would like to better deploy their array of resources (to include funding, equipment, and personnel) to identify, analyze, and develop requirements. The briefing should also address how the National Guard Bureau assesses it could optimally implement plans to address unique State challenges and emerging threats by acting as a liaison and coordinator between national RDT&E assets and State level requirements. This includes the coordination of RDT&E requirements and efforts to ensure that they are leveraged to the maximum extent possible across State boundaries and mission areas. This briefing should specifically reference current challenges and limitations of both State and Federal funding sources, including National Guard and Reserve Equipment Appropriations funding.

Mission Training Complexes.

The Committee is cognizant of the Department of Defense's (DoD) priorities laid down in the 2022 National Defense Strategy (NDS), namely: defending the homeland, deterring strategic attacks against the United States, allies, and partners, deterring aggression while being prepared to prevail in conflict when necessary, and building a resilient Joint Force and defense ecosystem. The committee notes that the NDS espouses the need to enhance deterrence across all domains, and achieve the same through, inter alia, improving mobilization. The committee is aware that one of the DoD's approaches to force planning recognizes the ability to quickly mobilize as critical in building strength and capability in key operational areas, and states that it will prioritize a force that is agile and responsive. Relatedly, the committee further notes that, the People's Republic of China (PRC) has been assessed to pose the most "comprehensive and serious challenge to the U.S. national security." The Committee notes that today's security environment thus requires a force structure to meet heavy mobilization, deployment, and sustainment demands, and supports the DoD's efforts to achieve these goals.

The Committee is aware that the U.S. Army maintains multiple Mission Training Complexes (MTCs). The MTCs were established prior to the present NDS, which focuses on the need for the U.S. military to respond to near-peer adversaries which requires the Reserve Component to sustain their readiness to rapidly mobilize. The Committee is concerned that the U.S. Army's current mobilization plans are heavily reliant on its Reserve Components, which lack the ability to mobilize swiftly to respond to the challenges outlined in the present NDS. The Committee has expressed interest in how the Army, and other services, can better leverage virtual training capabilities to sustain the readiness of the Reserve Component. The Committee is concerned that current MTC virtual training capabilities are not sufficient to sustain the readiness and ensure rapid deploy-ability as envisioned by the current NDS.

As such, the Committee directs the Secretary of the Army to provide a report to the House Committee on Armed Services by December 1, 2023, that shall include at the minimum the following:

- (1) Assessment of the current capacity of existing MTCs to meet a mass mobilization requirement consistent with what is outlined in the National Defense Strategy;
- (2) Assessment of impact of developing additional MTCs across the United States to facilitate a mass mobilization to include the cost and capabilities needed at each new installation;
- (3) Identification of potential locations for future MTCs, and infrastructure existing or needed for upgrades to establish the new facilities as well as potential savings that could be realized from additional locations that reduce TDY and other associated travel cost; and,

(4) Analysis of any previous gap analyses done to ensure the sustainment of adequate readiness levels for the Reserve Component and what has been done to implement any recommended actions from that analysis.

Exercise Northern Strike.

Exercise Northern Strike provides a realistic decisive action training environment and robust training experiences for units and leaders to strengthen joint all domain warfighting capabilities. The exercise fills a critical gap in resourced readiness building multi-domain exercises for two combat formations. Exercise Northern Strike is conducted twice a year (winter and summer) within the 4-season National All Domain Warfighting Center's contested multi-domain operating environment. Using a combination of integrated live, virtual, constructive models and simulations, participants increase mission essential task proficiencies and build readiness through repetitive task iterations at echelon by training for combat operations as part of the joint team.

Given the Department of Defense's increased reliance on Guard and Reserve Forces to meet operational readiness challenges, the committee encourages the Department to emphasize joint all domain warfighting exercises within these formations, such as Exercise Northern Strike, to ensure Guard and Reserve formations are capable of fulfilling this critical capability gap.

Therefore, the committee recommends a \$4.0 million increase in Operations & Maintenance for the Army National Guard and a \$1.0 million increase in Operations and Maintenance for the U.S. Air Force for All Domain Training Exercises.

Georgia Combat Readiness Training Center.

The committee recognizes the significance of the Combat Readiness Training Center (CRTC) located at the Savannah Air National Guard (ANG) Base, Savannah-Hilton Head International Airport. As one of four CRTCs operated by the Department of Defense, this facility provides an integrated, realistic training environment for U.S. fighter aircraft to enhance their air combat capabilities and readiness. The committee notes that this facility is the only CRTC with available airspace capable of replicating a high-end threat environment for 5th generation fighter aircraft and that it maintains regular access to the Townsend Bombing Range, the first range purpose-built for F-35 training.

North Carolina Air National Guard.

The committee notes the 75th anniversary of the establishment of the North Carolina Air National Guard. The 145th Airlift Wing is operationally gained by Air Mobility Command and consists of the 145th Operations Group, the 145th Maintenance Group, the 145th Mission Support Group, and the 145th Medical Group, stationed at Charlotte Air National Guard Base, North Carolina. In 2018, the 145th Airlift Wing began operating C-17 Globemaster III aircraft to perform tactical airlift and airdrop missions. The Wing's Airmen have supported global and domestic operations, including by providing relief from Hurricane Florence and COVID-19, and conducting missions in over fifteen different countries since 2019. The committee applauds the efforts of the North Carolina Air National Guard and continues to support its mission, Airmen, and their families.

Briefing on the Feasibility of Transferring any Army Recruitment Shortfalls to the National Guard Bureau.

The committee appreciates the tremendous and unprecedented efforts of the National Guard over the past several years, from domestic deployments in response to the COVID-19 pandemic, to keeping the peace during civil unrest and natural disaster response and rescue, to their overseas deployments. The extraordinary circumstances of the past several years have highlighted the strain Guard units have been under for too long, particularly in States that have the lowest guardsmen-to-civilian ratios in the country. Therefore, the committee directs the Secretary of Defense, in consultation with the Secretary of the Army and the Chief of the National Guard

Bureau, to provide a briefing to the House Committee on Armed Services by March 1, 2024, on the feasibility of transferring a portion of any projected Army recruit shortfalls to the Army National Guard for allocation to State Guard formations. The briefing shall include any statutory barriers to providing the Department this flexibility and an estimate of any costs or savings to carry out such transfer.

National Guard Judge Advocate and Senior Leader Title 32 Training Study.

The committee directs the Secretary of Defense, in coordination with the Chief of the National Guard Bureau, to submit a report to the House Committee on Armed Services, not later than March 1, 2024, on the feasibility of requiring the Chief of the National Guard Bureau to establish and resource a program to assist the States in training National Guard senior leaders and legal advisors regarding the laws, regulations, and policies pertaining to the operations and administration of non-federalized National Guard forces to ensure compliance with the new inspection requirement of section 105(a)(8) of title 32. The report will further address whether the Chief of the National Guard Bureau should, after appropriate coordination with the Judge Advocates General of the Army and Air Force, resource programs for the provision of legal services to the non-federalized National Guard, such as Special Victims Counsel, Legal Assistance, and Trial Defense services.

Report on Dwell Times and other Concerns for Air National Guard Units Supporting Space Mission Deployments.

The committee recognizes the important efforts that the Department of Defense (DoD) and the National Guard Bureau (NGB) have taken to support space mission deployments around the globe in support of warfighter needs. The committee is concerned that the Air National Guard units supporting space mission deployments are experiencing lower dwell periods and training gaps. Therefore, the committee directs the Secretary of Defense in coordination with the Chief of Space Operations, Chief of Staff of the Air Force, and the Director of the National Guard to undertake a review of the quality of life for Air National Guard units and members performing space missions in austere locations or supporting space mission deployments. The review shall include:

- (1) Analysis of deployment-to-dwell ratios for Air National Guard space units, as compared to other Air National Guard units.
- (2) Assessment on whether deployment-to-dwell ratios for Air National Guard space units results in shorter mobilization timelines, and the resulting impact on accomplishing training requirements.
- (3) Identification of factors to improve the results derived from subsection (1) and (2); and
- (4) Recommendations to improve the deployment-to-dwell ratio and increase mobilization time to allow for sufficient training for Air National Guard units supporting space missions.

The committee further directs the delivery of the findings of the review to the House Committee on Armed Services no later than March 30, 2024.

Report on National Guard Bureau Practices and Procedures Surrounding the “No Wrong Door” Policy.

The committee is concerned about allegations regarding the incorrect handling of sexual harassment and sexual assault cases involving National Guard members of various military statuses and cases involving members in mixed military status to include members of the Department of the Air Force and the Department of the Army.

The National Guard functions as a unique military entity. Unlike the Active component, National Guard members swear an oath to two Constitutions; that of the United States of America and the respective State they are serving. This often confuses where the responsibilities lie in instances of reporting, handling, and adjudicating cases of sexual harassment and sexual assault. National Guard members may be misinformed on how to properly report a case and who is responsible for informing them of its status during the investigation and adjudication process.

In an effort to address this gap in knowledge, the National Guard Bureau implemented the “No Wrong Door” Policy to encourage ease and transparency when reporting sexual harassment and sexual assault. While it has been shown to be beneficial within the National Guard it has brought to light additional gaps in coordination and case facilitation involving mixed military statuses.

Therefore, the committee directs the Secretary of Defense, in coordination with the Chief of the National Guard Bureau, Secretary of the Department of the Air Force, and the Secretary of the Army to submit a report to the Committee on Armed Services of the House of Representatives not later than April 1, 2024, which shall, at minimum, include the following:

- (1) a description of the current “No Wrong Door” Policy.
- (2) an outline of the sexual harassment/sexual assault reporting processes from initial reporting to the conclusion or prosecution of a case by the Air National Guard, the Army National Guard, the Department of the Air Force, and the Department of the Army.
- (3) the action taken when a sexual harassment/ sexual assault case involves members of mixed military statuses.
- (4) proposed statutory or regulatory changes that would create a permanent process for sexual harassment/ and sexual assault reporting, from initial reporting to the conclusion or prosecution of a case by both the Air National Guard, and the Army National Guard, the Department of the Air Force, and the Department of the Army, involving members of mixed military statuses and timeline for effectuating said changes.
- (5) data provided on the following:
 - a. number of sexual harassment/sexual assault cases across the 54 States and Territories with a standing National Guard, including the District of Columbia, sorted by State or Territory.
 - b. number of sexual harassment/sexual assault cases involving members of mixed military statuses.
 - c. number of sexual harassment/sexual assault cases that involved a ‘warm hand-off’ to a sexual harassment/sexual assault office different from the initial report.
 - d. number of reported sexual harassment/sexual assault cases that ended in administrative action and prosecution by the National Guard Bureau.
 - e. number of reported sexual harassment/sexual assault cases involving National Guard members that ended in administrative action and prosecution by the Department of the Air Force and the Department of the Army.
 - f. number of National Guard members identified as victims in a sexual harassment or sexual assault report who transitioned out of the military, did not renew their enlistment or commission, or transferred to another State or duty status within one to five years of filing a sexual assault or sexual harassment incident report.

Report on Tricare Coverage Issues for National Guardsmen and Reservists.

The Committee applauds the efforts by the Defense Health Agency to improve quality of care for members of the Armed Services covered by TRICARE. However, the Committee finds that individuals in the National Guard and Reserves still face numerous financial and administrative barriers to healthcare coverage through TRICARE. In particular, individuals that switch between National Guard and Reserve components often lose access to TRICARE Reserve Select coverage during their transition. Additionally, given that senior military leadership expect the Department of Defense to rely more on the National Guard in the future, members will continue to switch between TRICARE Reserve Select and TRICARE Prime as they shift to Active-Duty service and back. The resulting change in insurance creates a gap in TRICARE Reserve Select coverage that leaves reservists and national guardsmen responsible for paying insurance deductibles multiple times per year, requires individuals to switch between doctors, and necessitates that service members obtain repetitive reauthorizations for specialty medicine.

In response to these concerns, the Committee directs the Secretary of Defense provide to report to the House Committee on Armed Service by December 1, 2024, that outlines the cost and feasibility of:

- (1) Expanding access to Tricare Reserve Select for 60 days for members of the National Guard and Reserves already covered by TRICARE Reserve Select as they transfer between components,
- (2) Allowing members of the National Guard and Reserves to maintain TRICARE Reserve Select coverage during active-duty service, and
- (3) Waiving the required TRICARE Reserve Select deductible and lowering the initial premium payment from a two- to one-month premium for individuals who have already paid these fees and experience lapses in coverage due to active-duty service.

Suicide Prevention Among National Guard and Reservists.

The committee remains concerned about suicide rates across both the Active and Reserve Components of the military. However, service in the National Guard offers several unique challenges not faced by Active Component service members. Therefore, the committee directs the Chief of the National Guard Bureau to submit a report to the House Committee on Armed Services by February 1, 2024, on the following:

- (1) identify current suicide prevention training efforts to include delivery format and frequency.
- (2) identify any gaps in suicide prevention training prevention and services.
- (3) identify States that do not offer virtual suicide prevention services.
- (4) provide the measures of effectiveness for suicide prevention training; and
- (5) any other matters the Chief considers relevant.

Comptroller General Review of Reserve Component Capabilities to Support Challenges from Near-Peer Adversaries.

The shift in focus by the Department of Defense on strategic competition with near-peer adversaries such as Russia and China necessitates different capabilities than those required for counterinsurgency and regional stability operations of prior decades. The Reserve Components of the United States military services provide support and some unique capabilities for key mission areas that could be called upon in near-peer conflict scenarios. The Army and Air National Guard also prepare for other missions, such as support of law enforcement and emergency response within the United States.

In this context, the committee is concerned that as the Department of Defense prepares for near-peer conflict, the Reserve Components may not be able to train effectively for the broad range of missions and activities for which they are relied upon.

Therefore, the committee directs the Comptroller General of the United States to conduct a review of the capabilities provided by the Reserve Components to respond to near-peer conflict scenarios and their readiness to provide those capabilities should a conflict arise. The review should assess:

- (1) the forces and capabilities of the Reserve Components that would be utilized in response to a conflict with a near-peer adversary.
- (2) the unique or low-density forces of the Reserve Components that would be needed in a conflict with a near-peer adversary.
- (3) the level of preparedness of these Reserve Component forces and how, if at all, this level of preparedness has changed to meet the needs of the National Defense Strategy.
- (4) the extent that the Department of Defense and the military services have developed strategies and provided resources to prepare Reserve Component forces to perform missions related to responding to conflict with near-peer adversaries; and
- (5) any other areas the Comptroller General deems appropriate.

The committee directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than April 1, 2024, on the initial findings, and submit a final report to the Senate Committee on Armed Services and the House Committee on Armed Services at a date mutually agreed upon at the time of the briefing.

Domestic Response Training Center.

Disaster response missions, as defined in the National Response Framework (NRF), may include a mix of civilian agencies at the federal, state, and local levels, and military units with little practical experience working together. When the NRF is activated, the Federal Emergency Management Agency (FEMA) may request that the Department of Defense provide an appropriate level of Defense Support of Civil Authorities (DSCA) capability that is to be carried out by the military services, including the Army. Installation commanders may also provide assistance to local first responders. FEMA is the primary agency.

coordinating the overall federal disaster response, including that provided by the military.

However, at present, the Army is ill-prepared to coordinate its disaster response with state and local civilian agencies and there is a large disparity in DSCA experience between Title 10 and Title 32 personnel. There are many valuable training courses, such as the U.S. Northern Command's Joint Task Force Commanders Training (JTFC), performed at multiple locations, agencies, and governments. However, there is no established collective training center to bring these diverse elements together and operate cohesively in a domestic disaster response. To fill that gap, the House Committee on Armed Services believes the Army should consider establishing a Domestic Response Training Center to provide collective training for these missions for itself and for National Guard and Reserve

units, other Federal agencies, and State and local first responders. To provide maximum capability, the committee recommends that the Army consider creating the center and locating it at an Army Training and Doctrine Command installation that possesses branch schools relevant to domestic disaster response and encroachment free training areas.

Therefore, the committee directs the Secretary of Defense to provide a report to the House Committee on Armed Services not later than January 31, 2024, on current DSCA capabilities. The report shall:

- (1) assess the collective training requirements for domestic response.
- (2) identify gaps in meeting those requirements.
- (3) assess possible locations for a Domestic Response Training Center; and
- (4) assess the need for such a center.

Less-Lethal Force Requirements for the National Guard Bureau and Department of the Navy.

The committee recognizes the expansive deployment of conducted electrical weapons (CEWs, or TASER devices) by civilian law enforcement and the resulting reduction in encounters requiring the use of lethal force. The committee believes a governing policy should exist for less-lethal devices and CEWs for the National Guard Bureau and the Department of the Navy, especially given the fact that they are already deployed by the Department of the Army.

The National Guard Bureau is the Department of Defense entity most frequently called upon to engage in civilian environments, but maintains no independent policy for procurement, training, or deployment of CEWs.

While the committee recognizes the significant differences in tasks and duties between military and civilian law enforcement personnel, the committee believes that in certain circumstances, Department of the Navy personnel, including U.S. Marines, would also benefit from the option to use less lethal force, and is concerned that the Department has no policy requirement to deploy CEWs and has not budgeted to field them.

Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by January 1, 2024, assessing less-lethal force needs. The report shall include, at a minimum, the following:

(1) a description of the duties and scenarios where both Air and Army National Guard personnel would be able to utilize, and would benefit from, a less lethal force option.

(2) an assessment of the less-lethal force options, to include tools and training, that might be available to National Guard personnel in current Department of Defense inventory in the open market.

(3) an evaluation of the necessary policies required to ensure the National Guard can begin procuring its own inventory of CEWs and less lethal devices.

(4) an assessment of the viability of using CEWs by Department of the Navy law enforcement and security personnel.

(5) a description of the duties where CEW use would be most appropriate and effective.

(6) a discussion of what policies would need to be in place to govern Navy and Marine Corps training and usage of CEWs.

(7) a cost estimate of deployment and storage of CEWs for the National Guard Bureau and the Department of the Navy; and

(8) to the extent that CEWs are deemed appropriate and necessary for use by National Guard, Navy, and Marine Corps personnel, an implementation plan for deployment and use.

Report on Large-Scale, Government-Owned Remotely Piloted Aircraft Flight Operations.

The committee is aware that remotely piloted aircraft (RPA) continue to become more ubiquitous in military operations. At the same time, national airspace restrictions have impacted RPA operations and have had potentially detrimental effects. In order to assess the potentially deleterious effects of airspace regulations on RPA operations, the committee directs the Secretary of the Air Force to provide a report to the House Committee on Armed Services not later than March 1, 2024, on current flight operations of all active duty, reserve, and air national guard largescale, government-owned RPA. The report shall include:

(1) Regulatory challenges to unescorted flight operations within the National Airspace System, including any unique challenges to individual basing locations.

(2) Review of MQ-9 limiting factors preventing unescorted instrument flight rules transit in the National Airspace System, to include platform sensor limitations and platform optical limitations potentially preventing satisfaction of "see and avoid" requirements.

(3) Average delay in acquiring certificates of waiver or authorization (COA) and impacts of those delays on operational readiness and real-world training.

(4) Review of safety impacts of chase plane requirements on operational readiness and real-world training, to include the cost to units and safety challenges of dissimilar formation and dissimilar aircraft performance in close proximity.

(5) Review of spectrum allocation limitations in ground-based sense and avoid systems.

(6) Total MQ-1 and MQ-9 flight hours outside the National Airspace System without chase plane or ground-based sense and avoid systems to include any data pertaining to the total number of mid-air collisions or near midair collisions and frequency of non-cooperative traffic encountered; and

(7) Any data on foreign governments seeking to impose a regulatory regime similar to that found in the National Airspace System on MQ-9 operations.

Department of Defense State Partnership Program.

The committee acknowledges that the Department of Defense State Partnership Program supports the National Defense Strategy priorities and campaign objectives of the combatant commands through enduring, mutually beneficial relationships. These relationships build partner defense capability and provide persistent engagement with our partners, both of which foster regional security and stability. Therefore, the committee directs the Secretary of Defense to provide a

briefing to the House Committee on Armed Services not later than March 1, 2024, on the opportunities to enhance the State Partnership Program that includes:

- (1) A discussion of the feasibility and opportunities to improve the admission of new countries to the program.
- (2) A review of the activities conducted by the State Partnership Program that provide the most effective contributions to meeting U.S. national security objectives.
- (3) An assessment of the funding and other investments required to broaden the pool of partner countries appropriately while ensuring the program remains cost effective.
- (4) Any other matter the Secretary of Defense considers appropriate.

Utilization of National Guard and Reserve Forces in Cyberspace Operations.

Over the last 10 years, Congress has expressed its position that the Department of Defense can bolster its operational capacity in cyberspace through improved utilization of the National Guard. This has resulted in 10 legislative provisions over a decade's worth of National Defense Authorization Acts and is most pertinently expressed through sections 1729 and 1730 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283). Despite these calls for change, the Department of Defense and the military services appear not to have made any meaningful change in how the expertise resident within the National Guard and the Reserve Component can be better leveraged.

Therefore, the committee directs the Assistant Secretary of Defense for Cyber Policy, in coordination with the Commander, U.S. Cyber Command, to submit a report to the Senate Committee on Armed Services and the House Committee on Armed Services not later than May 31, 2024, on the specific actions and institutional obstacles that have prevented change from being instantiated after the requirements directed in the following legislative provisions:

- (1) section 1651 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328).
- (2) section 1653 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232); and
- (3) section 1729 and 1730 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283).

Chemical, Biological, Radiological & Nuclear Response Enterprise.

The committee is concerned with the Department's investment plans to modernize mission essential equipment for the set of forces sourced to respond rapidly to Chemical, Biological, Radiological or Nuclear and high yield explosives (CBRNE) incidents. The committee directs the Secretary of Defense by March 1, 2024, to provide a brief to the House Committee on Armed Services on modernization plans for Mass Casualty Decontamination Systems, CBRN reconnaissance items, and Personal Protective Equipment for National Guard Civil Support Teams, CBRN Enhanced Response Force Packages, and Homeland Response Forces as well as Title 10 Task Force Operations. This briefing should also include the cost, scope, and schedule for the fielding of this mission essential equipment for fiscal years 2023 to 2028.

General Officer Promotion Process Transparency.

The committee is concerned with the transparency of the process in place in the services for selection of general and flag officer candidates to three-star and four-star and their further selection for specific positions within the service or in a joint duty position at that grade, and the process used to forward the selections for formal nominations. The committee understands that each service has a general or flag officer matters office and would want to understand what part that office has in the overall process for selections. Therefore, the committee directs the Secretary of each military department to provide a briefing to the House Committee on Armed Services by March 1, 2024, that describes the service's internal process for selection of an officer from two-star to three-star grade and from three-star to four-star grade and for the formal nomination of such an officer to the Senate for confirmation to include required interviews with senior leaders.

Guam Overseas Cost of Living Allowance Adjustment Report.

The committee is concerned that reductions in the Overseas Cost of Living Allowance in Guam would have a negative impact on quality of life for service members and have an outsized impact on the local economy. The committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services, by December 1, 2023, outlining what authorities the Secretary of Defense must prevent a reduction in the Overseas Cost of Living Allowance for service members in Guam, and how economic factors including Typhoon Mawar and shipping challenges have been factored into any adjustment to the Overseas Cost of Living Allowance for Guam.

Remotely Piloted Aircraft Crews Tax Relief.

The committee is concerned that remotely piloted aircraft (RPA) crews are conducting combat missions and experiencing many of the stressors of combat; however, they are not currently eligible to earn the same tax-free income as those who are physically in a combat zone. Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services not later than March 1, 2024, on the following:

- (1) a comparison of the duties between RPA crews supporting operations from domestic locations or those in combat zones.
- (2) a comparison of the income disparities between RPA crews and those who are physically in a combat zone.
- (3) an assessment on where the authority lies to expand the Combat Zone Tax Exclusion eligibility and rationale for how the Department of Defense is exercising them; and
- (4) any additional information the Secretary determines appropriate.

Report on Congressional Increases to Defense Spending.

The committee directs the Secretary of Defense to submit a report to the congressional defense committees, as an unclassified appendix to the fiscal year 2025 Department of Defense budget request, on the programs and activities of the Department for which Congress provided authorization or appropriations levels in the National Defense Authorization Act for Fiscal Year 2024 or the fiscal year 2024 Defense Appropriations Act that exceeded the amount requested for such program or activity in the budget for the Department of Defense submitted to Congress by the President for fiscal year 2024. The report shall include information on:

- (1) any program or activity that the Department of Defense sought to divest from entirely or in part or requested zero or a reduced number of units, but that was restored wholly or in part by Congress.
 - (2) any program or activity that Congress authorized or appropriated at a level exceeding the amount requested by the Department of Defense in its fiscal year 2024 budget request by \$20.0 million or more, and the sum of these increases expressed as a percentage of the Department of Defense's total enacted budget; and
 - (3) each program or activity listed in this report shall include an assessment of whether and how the program or activity does or does not meet requirements in support of the priorities articulated in the 2022 National Defense Strategy.
- In addition to being appended to the Department of Defense's fiscal year 2025 budget request, this report shall be made publicly available on the website of the Under Secretary of Defense (Comptroller).

Cooperation Among U.S. Defense Partners.

The committee recognizes the importance of providing military training and capacity building to Taiwan to enhance its self-defense capabilities across all domains. With the assistance of the

United States, Taiwan has made significant improvements. The committee also notes that some United States partners face security challenges that are similar to those of Taiwan and may be able to provide specialized training and advice. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Armed Services Committee not later than January 1, 2024, about the ways in which the Department can encourage and work with partner countries to provide advice and assistance to Taiwan. The briefing shall include efforts to address security challenges involving cybersecurity, reserve force management and conscription, counter-disinformation campaigns, and civil missile defense.

Explanation of Funding Adjustments.

The committee recommends the inclusion of funding for the following projects requested by the Department of the Army for the National Guard and Reserve components but not contained in the budget request for military construction and family housing:

- (1) \$40,000,000 for a Network Enterprise Center at Fort Hunter Liggett, California.
- (2) \$11,000,000 for a Camp Blanding Automated Multipurpose Machine Gun Range at Camp Blanding, Florida.
- (3) \$40,000,000 for an Army Reserve Center at USMC Logistics Base Albany, Georgia; and
- (4) \$16,400,000 for a Vehicle Maintenance Shop at Burlington, Kentucky.

The committee also recommends the inclusion of funding for the following planning and design activities requested by the Department of the Army and the National Guard and Reserve components but not contained in the budget request for military construction:

- (1) \$1,200,000 for a Training Aids Center at Camp Blanding, Florida.
- (2) \$840,000 for a Wedge Infantry Squad Battle Course at Camp Blanding, Florida.
- (3) \$1,800,000 for a National Guard Readiness Center at Shawnee Readiness Center, Oklahoma.
- (4) \$1,550,000 for a FTIG Auto MPMG Range at Fort Indiantown Gap, Pennsylvania; and
- (5) \$2,685,000 for a General-Purpose Instruction Building at Fort Hood, Texas

The budget request submitted by the Department of the Army for the National Guard component also included \$34,286,000 for planning and design activities at unspecified worldwide locations. The committee recommends an authorization of appropriation of \$44,686,000, an increase of \$10,400,000, for planning and design activities at unspecified worldwide locations.

The budget request submitted by the Department of the Army for the National Guard component included \$63,000,000 for Unspecified Minor Construction at unspecified worldwide locations. The committee recommends an authorization of appropriation of \$88,000,000, an increase of \$25,000,000, which includes \$15,000,000 for Unspecified Minor Military Construction Demolition, and an increase of \$10,000,000, for Unspecified Minor Construction at unspecified worldwide locations.

The budget request submitted by the Army for the Reserve included \$14,687,000 for Unspecified Minor Construction at unspecified worldwide locations. The committee recommends an authorization of appropriation of \$29,687,000, which includes an increase of \$10,000,000 for Unspecified Minor Construction at unspecified worldwide locations and \$5,000,000 for Unspecified Minor Military Construction Demolition.

The committee also recommends authorizing \$90,000,000 million for a Lexington Armory National Guard Readiness Center Addition/Alteration at Lexington Avenue Armory, New York. However, the committee believes that the Department of the Army cannot fully expend the requested funding in fiscal year 2024, and therefore, consistent with committee practice, recommends an appropriation of \$45,000,000 for a Lexington Armory National Guard Readiness Center Addition/Alteration at Lexington Avenue Armory, New York.

The committee also recommends the inclusion of \$134,881,000 for Cost to Complete projects for the Department of the Army National Guard, and the inclusion of \$23,000,000 for the Reserve, both requested by the Department of the Army but not contained in the budget request for military construction and family housing.

The budget request submitted by the Department of the Navy for the Reserve component includes \$7,847,000 for Unspecified Minor Construction at unspecified worldwide locations. The committee recommends the authorization of appropriation of \$22,847,000, an increase of \$15,000,000, which includes an increase of \$10,000,000, for MCNR Unspecified Minor Construction and \$5,000,000 for Unspecified Minor Military Construction Demolition at unspecified worldwide locations.

The committee recommends the inclusion of funding for the following projects requested by the Department of the Air Force for the National Guard and Reserve components but not contained in the budget request for military construction and family housing:

- (1) \$7,000,000 for an ADAL Alert Crew Facility Hangar at Joint Base Elmendorf Richardson, Alaska; and
- (2) \$8,500,000 for a Guardian Angel POTFF Facility at Davis-Monthan Air Force Base, Arizona.
- (3) \$53,553,000 for a Permanent (F-35 Multi) Construct F-35 FMS 3-Bay Clear Span Hangar at Ebbing Field, Arkansas.
- (4) \$9,269,000 for a Permanent (Multi F-35) Construct F-35 FMS AFE & Step at Ebbing Field, Arkansas.
- (5) \$12,720,000 for a Permanent (Multi F-35) Construct F-35 FMS SAPF (Secure Facility) at Ebbing Field, Arkansas.
- (6) \$22,000,000 for a Security Forces Facility at Dobbins Air Reserve Base, Georgia.
- (7) \$7,000,000 for a 307 Bomb Wing Medical Facility Expansion at Barksdale Air Force Base, Louisiana.
- (8) \$20,000,000 for a Special Tactics Complex, Phase 3 at Portland International Airport, Oregon.
- (9) \$11,000,000 for a Special Tactics Complex, Phase 4 at Portland International Airport, Oregon.
- (10) \$8,000,000 for an Entry Control Facility at Harrisburg International Airport, Pennsylvania; and
- (11) \$5,200,000 for a F-35: MM&I Fac, B701 at Truax Field, Wisconsin

The committee also recommends the inclusion of \$600,000 for an Air National Guard F-35 Munitions Storage Area Admin at Jacksonville International Airport, Florida (P&D) requested by the Department of the Air Force for the National Guard component but not contained in the budget request for military construction.

The budget request submitted by the Air Force for the Reserve component included \$9,926,000 for Unspecified Minor Military Construction at unspecified worldwide locations. The committee recommends an authorization of appropriation of \$24,926,000, which includes an increase of \$10,000,000 for Unspecified Minor Military Construction at unspecified worldwide locations and \$5,000,000 for Unspecified Minor Military Construction Demolition at unspecified worldwide locations.

The budget request submitted by the Air Force for the National Guard component included \$63,122,000 for Unspecified Minor Construction at unspecified worldwide locations. The committee recommends an authorization of appropriation of \$88,122,000, which includes an increase of \$10,000,000 for Unspecified Minor Construction at unspecified worldwide locations and \$15,000,000 for Unspecified Minor Military Construction Demolition at unspecified worldwide locations.

Air National Guard Facility Modernization.

The committee notes that the Air National Guard serves a critical role as a reserve force that supports operational readiness, augments active-duty personnel, and provides valuable capability to state governments. The committee also notes that to ensure these units are properly trained and equipped, infrastructure and facilities for the Air National Guard require the same planning for modernization and sustainment as active component facilities. However, the committee is concerned that current investment in the modernization of Air National Guard facilities and infrastructure is insufficient. The committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services not later than December 1st, 2023, on facility modernization plans for Air National Guard installations in Alabama. The briefing shall include:

- 1) information on the condition of Air National Guard facilities in the state.
- 2) current facility needs and the impact on mission requirements, personnel safety, and the risk to aircraft.
- 3) any future infrastructure projects planned at such Air National Guard installations.

Briefing on Telecommunications Infrastructure at Alabama Army National Guard Facilities.

The Army National Guard serves a critical role as a Reserve force that supports operational readiness, augments Active-Duty personnel, and provides valuable capability to State governments. To ensure these units are properly trained and equipped, infrastructure and facilities for the Army National Guard require the same planning for modernization and sustainment as Active Component facilities. However, the committee is concerned that current investment in the modernization of Army National Guard facilities, and specifically in telecommunications infrastructure, is insufficient. The committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services not later than March 31, 2024, on facility modernization plans for Army National Guard installations in Alabama. The briefing shall include:

- (1) information on the condition of Army National Guard facilities in the State.
- (2) any impacts to training efforts from facility needs; and
- (3) any future infrastructure projects planned at such Army National Guard installations.

Infrared Hardware Suppression Report.

The committee directs the Secretary of Defense to provide a report by January 31, 2024, to the House Committee on Armed Services on the evolving threat that portable surface-to-air missile systems pose to joint force and the Department of Defense's designation of engine infrared suppression hardware for the C-130J, and relevant variants, as a critical modernization need to bolster countermeasure effectiveness and left-of-launch defeat. The report should contain the following information:

- (1) Technical challenges and programmatic delays in fielding infrared suppression hardware on the AC-130J gunship variant.
- (2) Whether the Department of Defense conducted no wing and engine impact analysis flight testing prior to selecting a non-U.S. suppressor design without the blocking vane technology successfully fielded on AC-130W with minimize structural fatigue.
- (3) The risk to operational readiness and operating cost should structural failures occur because of the selected AC-130J infrared suppression hardware.
- (4) The structural and lifecycle cost impact analysis conducted for the selected AC-130J infrared suppressor technology.
- (5) The plans to field engine infrared suppression equipment across the Air Force, Air National Guard, Navy, and Marine Corps C-130J fleets; and
- (6) The compounding risk to fleetwide deployment should no approved alternative C-130J infrared suppression source be available and whether the testing of a secondary C-130J infrared suppression hardware system sourced in the United States is necessary.

Northeast Multi-Domain Operations Consortium.

The committee recognizes that electronic warfare (EW), commercial telecommunications capabilities, and cyber operations are key enablers for Multidomain Operations (MDO). The committee further recognizes that China has advanced its ability to deny, disrupt, and degrade U.S. underlying networks and infrastructure by developing its own multi-domain capabilities. In response to this operational reality, the committee is concerned by the Department of Defense's current lack of resources and terrain to test, evaluate, and train MDO capabilities in contested EW environments.

The committee notes the progress of the Northeast Regional National Security Consortium in creating a joint, interagency MDO training environment. The consortium endeavors to promote research, experimentation, and training in realistic environments that represent near-peer adversary EW capabilities and activities. This cooperative effort between the military, industry, academia, and Native American organizations, throughout a multistate region, is unique in its approach and scope.

Therefore, the committee directs the Under Secretary of Defense for Research and Engineering, in coordination with the Commander, Air Force Research Laboratory, the Assistant Secretary of the Army for Acquisition, Technology and Logistics, and others the Under Secretary deems relevant, to provide a briefing to the House Committee on Armed Services not later than December 31, 2023, on how the unique environment of the Northeast can be utilized for training in EW and MDO. The briefing should include:

(1) a description of the current state of non-kinetic MDO training ranges for use by the Department of Defense, including limitations of the Department to effectively conduct MDO at these ranges.

(2) an assessment of existing capabilities in the Northeast region and the potential to expand MDO training opportunities in the Northeast region.

(3) identification of future sites, including contractor-owned, contractor operated sites, that are uniquely postured for MDO training.

(4) recommendations on how to streamline continuous training, testing, and evaluation activities that replicate an EW-contested environment; and

(5) opportunities to enhance integration of the National Guard Bureau within the aforementioned constructs.

Value of Spectrum Sharing.

The Department of Defense has acknowledged that spectrum sharing solutions are the key to ensuring that U.S. spectrum policy meets national security and economic goals, both of which are critical to the Nation's future. These sharing solutions will require much more dynamic operations than have previously been employed, including sharing among Department users, as well as sharing between Federal and non-Federal users. To facilitate this, the Department should pursue research and development and prototyping projects, in partnership with industry, that could lead to joint development of wireless technology and management solutions that create dual-use capabilities and services. If aligned with spectrum policy decisions, these dual-use capabilities could be developed with both Federal and non-Federal uses that have dynamic spectrum sharing capabilities built directly into the hardware.

Review of the Department of Defense's Diversity, Equity, and Inclusion Programs.

The committee notes the Chairman of the Joint Chiefs of Staff has calculated the total cost in dollars and man-hours for the Extremism Standdown on February 5, 2021, and training in diversity, equity, and inclusion (DEI) topics since January 21, 2021. Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by March 1, 2024, that includes the following:

(1) total cost of DEI training in manpower hours for the last 5 fiscal years.

(2) total cost in dollars for all training conducted in DEI, equal opportunity, and extremism for the last 5 fiscal years.

(3) total civilian hires and salaries for DEI-related initiatives, trainings, and policies across the Department of Defense and military services in the last 5 fiscal years.

(3) how the objectives of the DEI and extremism training conducted in the last 5 fiscal years were satisfied by the training.

(4) if and how DEI and extremism training has impacted recruitment, accessions, promotions, and/or separations, to include administrative separations and/or courts-martial for violating extremism conduct orders or regulations.

(5) a description of the current (for fiscal year 2023) DEI training each service conducts, how the training curriculum is chosen and/or developed, and how the services measure its effectiveness.

Sexual Assault and Harassment in Joint Task Forces Support Forces Antarctica.

The committee is concerned about recent reports regarding incidents of sexual harassment and sexual assault involving service members occurring within the National Science Foundation's (NSF) United States Antarctic Program (USAP).

The committee recognizes that service members in the Air Force, Air National Guard, Air Force Reserve Command, Navy, and Coast Guard, serving under the direction of Joint Task Forces Support Forces Antarctica, as part of Operation Deep Freeze, provide important support to the critical research occurring at the South Pole.

In June 2022, the NSF's Office of Polar Programs released their final Sexual Assault/Harassment Prevention and Response (SAHPR) report, which included findings based on information gathered through multiple avenues, including focus groups and an online survey that was provided to both civilian USAP participants and 3 military units who had previously been located in Antarctica.

The committee is concerned about the report's findings regarding perceptions held by civilian USAP participants on the behaviors and accountability of service members in Antarctica.

The committee directs the Secretary of Defense to provide a briefing to the House Armed Services Committee by March 31, 2024, on the following:

(1) Since Fiscal Year 2018, the total number of substantiated incidents of sexual harassment/harassment/sexual assault involving service members under the command of Joint Task Forces Support Forces Antarctica, including:

a. The number of substantiated reports against service members made by non-Defense personnel.

b. The resolution of substantiated reports of sexual misconduct and the average timeframe it took to come to a resolution; and

c. The number of reports unresolved or pending and how long those cases have been open.

(2) Overview of cross agency reporting procedures and requirements for instances of sexual misconduct.

(3) Standards that the Department has instituted to ensure interagency cooperation, communication, and transparency regarding incidents of sexual misconduct.

(4) Plan of action and implementation guidelines for increasing interagency outreach on reporting mechanisms for sexual misconduct by service members.

Study on Department of Defense Reinstatement with Backpay and Bonus, for Service Members Separated for Refusal to get the COVID Vaccine Report.

The committee is concerned about the lapse in recruiting that jeopardizes national security. According to the committee service secretary and budget meeting, numerous incentive programs have been executed to no-avail. allegations regarding military attorneys, who may have violated the ethical standards for lawyers in accordance with the American Bar association and/or their State Bar licensure.

Therefore, the committee directs the Secretaries of the Military Departments and the Secretary of Homeland Security to conduct an independently sourced report and submit the report to the Committee on Armed Services of the House of Representatives not later than April 1, 2024, which shall include the following:

- 1) An exact number of service members discharged for refusing the coronavirus vaccine.
- 2) The military occupation of each person discharged for coronavirus vaccine refusal to include, their rank, duty station, payrate, and estimated cost to retain on an annual basis each person by the Department of Defense.
- 3) The estimated cost to recruit, train, and house a new service member to replace the individuals discharged and reaching the exact rank of those discharged for vaccine refusal. The analysis should incorporate new bonuses, and incentive programs constituted to spur enlistment.
- 4) The exact number of service members who lost their lives due to the coronavirus and contrasted with the number discharged for refusing the vaccine, with a financial and human tool cost analysis, including family impact on healthcare, housing, and childcare.
- 5) What impact did the discharges have on the families of those discharged for vaccine refusal.
- 6) An analysis as to if the discharges hindered military readiness, training, or combat operations.
- 7) The impact of offering promotions, backpay, and \$15,000 bonuses for those seeking reenlistment after discharge for vaccine status.
- 8) Any potential funding concerns the Department of Defense Inspector General has raised regarding waste fraud and abuse within a that could serve as a funding offset.

Review of the Department of Defense's Telework Policy Compliance.

The committee directs the Secretary of Defense to review current telework policies and telework locations of employees to ensure that an employee is not receiving a higher General Schedule (GS) locality pay than that of the area in which they reside and perform their telework duties and brief the Senate Committee on Armed Services and the House Committee on Armed Services by January 5, 2024, on those findings. The committee also directs the Secretary of Defense to review telework agreements of all employees to ensure proper agreement and arrangements are in place regarding their telework abilities, eligibility, and location and brief the Senate Committee on Armed Services and the House Committee on Armed Services by January 5, 2024.