



# FY25 Senate National Defense Authorization Act (NDAA)

## Summary of H.R. 5009 The National Defense Authorization Act for Fiscal Year 2025

As of December 11<sup>th</sup>, 2024

	Passed in Committee	Passed in Chamber	Agreement	Final Passage	Signed into Law
House	22 May 2024	14 June 2024	07 December 2024		
Senate	13 June 2024	--			

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## Executive Summary

This guide provides a summary of the Senate Armed Services Committee's Fiscal Year (FY) 2025 National Defense Authorization Act (NDAA).

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

### Status:

On December 07, 2024, the House and Senate released the fiscal year (FY) 2025 National Defense Authorization Act (NDAA) Conference Agreement. The agreement authorizes \$895.2 billion for the Department of Defense and other related national security programs. The bill is still pending final votes by both chambers before it can be signed into law by the President.

**Note:** an asterisk (\*) represents a provision altered from the House or Senate NDAA versions.

### Highlights:

- Directs the transfer of covered Air National Guard (ANG) space functions and personnel to the United States Space Force (USSF). Does not require Governor consent to implement.
- Requires the Secretary of Defense (SecDef) to reimburse members of the reserve component who travel more than 50 miles to attend inactive-duty training and muster duty for their actual and necessary expenses of travel and transportation; and to pay meals, incidentals, and expenses related to such travel to the same extent specified in regulations.
- Directs the Secretary of the Air Force (SecAF) to submit a plan for sustainment and recapitalization of all 25 Air National Guard fighter squadrons.
- Requires distance education programs used to satisfy Phase I or Phase II Joint Professional Military Education requirements to include pathways for students to complete these programs in a fully remote status and without requiring any in-person attendance.
- Authorizes the authority to extend military technicians until age 62 (Legislative Proposal).
- Authorizes certain reserve component general officers to serve in an active status for up to 60 days after ceasing to occupy a general officer position (Legislative Proposal).
- Authorizes funding to support a 4.5 percent pay raise for all military members, and increases junior enlisted pay by an additional 10 percent.
- Directs the Chief of the National Guard Bureau (CNGB) in consultation with the service Secretary concerned, to provide notice to the Committees on Armed Services of the Senate and the House of Representatives at least 60 days in advance of a reapportionment of National Guard force structure, together with a description of the details of the proposed force structure reapportionment.
- Authorizes two additional C-40B aircraft for the Air National Guard.
- Maintains C-130 total aircraft inventory at 271 with a sunset date of October 1, 2025.
- Requires the SecAF to replace current ANG and Air Reserve air refueling aircraft with an equal air refueling aircraft capability.

- Does not authorize the exemption of National Guard Bilateral Affairs Officers (BAOs) from Active-Duty end strength limits.
- Does not authorize officers to transfer from the Selected Reserve to the Inactive National Guard (NGB Legislative Proposal).
- Does not authorize the CNGB to be eligible to be appointed Chairman of the Joint Chiefs of Staff
- Does not contain free dental care to members of the Selected Reserve and their family members.

## 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	FY25 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY25 Delta from PB
O&M	\$8,646,145	\$8,651,145	\$5,000	\$8,610,430	-\$35,715	\$8,608,785	-\$37,360
MILCON	\$362,129	\$448,529	\$86,400	\$555,181	\$193,052	\$477,329	\$115,200

### Army National Guard End Strength

Army National Guard	FY25 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY25 Delta from PB
End Strength	325,000	325,000	-	325,000	-	325,000	-
AGR	30,845	30,845	-	30,845	-	30,845	-
Dual Status Technicians	22,294	22,294	-	22,294	-	22,294	-
ADOS	17,000	17,000	-	17,000	-	17,000	-



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

Air National Guard	FY25 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY25 Delta from PB
O&M	\$7,403,771	\$7,403,771	-	\$7,395,495	-\$8,276	\$7,315,771	-\$88,000
MILCON	\$190,792	\$238,792	\$48,000	\$314,192	\$123,400	\$296,692	\$105,900

### Air National Guard End Strength

Air National Guard	FY25 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY25 Delta from PB
End Strength	107,700	107,700	-	108,300	600	108,300	600
AGR	25,736	25,736	-	25,982	246	25,982	246
Dual Status Technicians	10,744	10,744	-	10,744	-	10,744	-
ADOS	16,000	16,000	-	16,000	-	16,000	-

## LEGISLATIVE PROVISIONS

### Army Programs

#### **\*Sec. 112. Pilot program on the use of Robotic Targets to Enhance the Lethality of the Reserve Components of the Army.\***

The provision would direct the Secretary of the Army (SecARMY) to carry out a pilot program under which the Secretary incorporates the use of moving robotic target systems into live fire training provided to select infantry units of the reserve and National Guard components of the Army.

### Air Force Programs

#### **\*Sec. 142. Annual Report on Air Force Tactical Fighter Aircraft Force Structure.\***

The provision would require the SecAF, in consultation with the Director of the Air National Guard (DANG) and the Commander of the Air Force Reserve Command, to provide an annual report reflecting a 10-year plan for Air Force fighter aircraft force structure, recapitalization, training, and sustainment of the active and reserve components of the Air Force.

#### **\*Sec. 143. Modification to Inventory Requirements for Certain Aircraft.\***

The provision would modify the primary mission aircraft minimum inventory requirement from 1,112 aircraft to 1,101 aircraft. The provision would also modify the A-10 aircraft minimum inventory requirement from 135 A-10 aircraft to 96 A-10 aircraft.

#### **\*Sec. 145. Extension of Requirements Relating to C-130 Aircraft.\***

The provision would maintain the C-130 total aircraft inventory at 271 with a sunset date of October 1, 2025.

#### **\*Sec. 148. Recapitalization of Air Refueling Tanker Aircraft of the Reserve Components of the Air Force.\***

The provision would require the SecAF to replace current ANG and Air Reserve air refueling aircraft with an equal air refueling aircraft capability. The provision would also prevent reducing the air refueling tanker inventory of the Air Reserve Components below the force structure level identified in the fiscal year 2025 budget request, and in the event a reserve component unit is assigned a greater number of KC-135s than are to be replaced by KC-46 aircraft, require that any such aircraft remain within the reserve components for redistribution.

#### **\*Sec. 149. Modification of Minimum Inventory Requirement for Air Refueling Tanker Aircraft.\***

The provision would exclude raising the required number of KC-135 air refueling aircraft designated as primary mission aircraft inventory within the reserve components of the Air Force.

#### **\*Sec. 153. Plan for Establishment and Maintenance of F-16 Simulators at Air National Guard Training Centers.\***

The provision would require the SecAF, in coordination with the DANG, to develop a plan to fully fund the establishment and maintenance of F-16 simulators at training centers of the ANG. The provision also requires the SecAF to provide a report NLT March 1, 2025, to the congressional defense committees on the plan developed and an assessment from the SecAF and the CNGB. The conferees also expect the SecAF and the DANG to promptly develop and implement a plan that determines the funding required to permanently install required aircraft arresting gear equipment to support operational requirements at the various basing locations transitioning to the F-16 tactical-fighter aircraft.

**\*Sec. 154. Plan for Sustainment and Recapitalization of Air National Guard Fighter Fleet.\***

The provision would require the SecAF to develop a plan to sustain and recapitalize all 25 fighter aircraft squadrons in the ANG. In developing such a plan, the SecAF would be required to assess the overall impact on operational considerations and budgets on the ability of the total force to field fighter forces, and the timetable and estimated costs of implementing such a plan. The provision would also require the SecAF to provide a report NLT July 1, 2025, to the congressional defense committees that includes the sustainment and recapitalization plan.

**Operations and Maintenance**

**\*Sec. 320. Implementation of Inspector General Recommendations Relating to Oversight of Defense Fuel Support Points.\***

The provision would direct the SecDef to implement the recommendations of the Department of Defense Inspector General report, published April 11, 2024, titled, "Audit of the Defense Logistics Agency Oversight of Defense Fuel Support Points."

**Sec. 342. Extension and Expansion of Incident Reporting Requirements for Department of Defense.**

The provision would extend the incident reporting requirement regarding lost and stolen weapons and include the Committees on Armed Services.

**\*Sec. 352. Improvements to Fireguard Program of National Guard.\***

This provision would clarify qualified individuals or entities that the SecDef may enter into a contract or cooperative agreement with. The SecDef is required to provide a report NLT 90 days after enactment that evaluates the effectiveness of the FireGuard Program and of opportunities to further engage civilian capacity within the program.

**Military Personnel Authorizations**

**Sec. 411. End Strength for Selected Reserve.**

The provision authorizes 325,000 personnel for the ARNG and 108,300 personnel for the ANG (600 above the budget request).

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

The provision authorizes 30,845 ARNG positions for the ARNG and 25,982 positions for the ANG (246 above the budget request).

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

This provision authorizes 22,294 dual status technicians for the ARNG and 10,744 for the ANG. The provision would also limit the number of temporary military technicians (dual status) to 25 percent of the authorized end strength and prohibit a state from coercing military technicians into accepting an offer of realignment or conversion to any other military status—including as a member of the Active, Guard, and Reserve program of a reserve component.

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

The provision authorizes 17,000 ADOS positions for the ARNG and 16,000 ADOS positions for the ANG.

## **Military Personnel Policy**

### **\*Sec. 503. Eligibility for Consideration for Promotion: Time-In-Grade and Other Requirements.\***

The provision would authorize the Secretaries of the military departments concerned to preclude from consideration by a promotion selection board officers and warrant officers who have an established retirement date that is within 90 days after the date the selection board is convened. The Secretaries currently have the authority to preclude selection board consideration of officers with an established separation date within 90 days of the board.

### **\*Sec. 506. Consideration of Merit by Special Selection Review Boards.\***

The provision would allow special selection review boards (SSRB) to sustain a promotion board's selection of an officer who is the subject of credible information of an adverse nature when such officer ranks in the top half of an order of merit development by the SSRB. The officer's qualifications would still be required to be comparable in qualification for promotion to those sample officers who were recommended for promotion by that promotion board.

### **\*Sec. 511. Authority to Extend Military Technicians Until Age 62.\***

The provision would authorize the retention of military technicians to age 62, rather than age 60 as authorized in current law. This change aligns authority to retain military technicians with recent changes that allow drill status national guardsmen to be retained until age 62 and supports the retention of experienced military technicians. [This section is a NGB Legislative Proposal]

### **\*Sec. 512. Extension of Time Period for Transfer or Discharge of Certain Army and Air Force Reserve Component General Officers.\***

The provision would authorize Army and Air Force reserve component general officers to continue serving in an active status or on active duty for up to 60 days after ceasing to occupy a general officer position. [This section is a NGB Legislative Proposal]

### **\*Sec. 513. Expanded Authority to Continue Reserve Component Officers in Certain Military Specialties on the Reserve Active-Status List.\***

The provision would authorize the Secretaries of the military departments to selectively continue on the reserve Active-Status list, for up to 40 years of commissioned service, Reserve component officers above the grade of O-2 in designated military specialties.

### **\*Sec. 514. Transfer to the Space Force of Covered Space Functions of the Air National Guard of the United States.\***

The provision would require the SecAF to transfer covered space functions of the ANG to the Space Force, without regard to section 104 of title 32, United States Code, and section 18238 of title 10, United States Code (Governor consent NOT required). The transfer of covered space functions must be completed within 8 Fiscal Years of enactment. There are multiple other sections within the provision that outline the transfer to include the number of members to be transferred, pay, allowance, retraining and retention protections and implementation guidelines.

### **\*Sec. 515. Notice to Congress Regarding Reapportionment of National Guard Force Structure.\***

The provision would require the CNGB, in consultation with the service Secretary concerned, to provide notice to the Committees on Armed Services of the Senate and the House of Representatives at least 60 days in advance of a reapportionment of National Guard force structure, together with a description of the details of the proposed reapportionment.

### **\*Sec. 531. Expansion of Report on Future Servicemember Preparatory Course.\***

The provision would add reporting requirements from the Secretary concerned about the efficacy of the future servicemember preparatory course implemented.



**\*Sec. 533. Military Recruiter Physical Access to Campuses.\***

The provision requires local educational agencies to provide military recruiters the same access to the campus of each secondary school that is provided to any prospective employer, institution of higher education, or other recruiter.

**\*Sec. 534. Military Entrance Processing Command Acceleration of Review of Medical Records.\***

The provision would require the SecDef to implement a program to use health care providers from any component of the Armed Forces to support MEPS by reviewing prospective recruit medical records and to issue a briefing and a report to the Committees on Armed Services of the Senate and the House of Representatives regarding such program.

**\*Sec. 537. Reimbursement of Applicants to Certain Armed Forces for Certain Medical Costs Incurred During Military Entrance Processing.\***

The provision would authorize the SecDef to reimburse an individual who applies to join a covered Armed Force for costs incurred by such individual for a medical appointment required for military entrance processing.

**\*Sec. 555. Distance Education Option for Professional Military Education.\***

This provision would require distance education programs used to satisfy Phase I or Phase II Joint Professional Military Education requirements to include pathways for students to complete these programs in a fully remote status and without requiring any in-person attendance. The requirement would only be applicable to members of the reserve component.

**Career Transition**

**\*Sec. 571. Pathway for Individualized Counseling for Members of the Reserve Components Under TAP.\***

This provision would require the Secretary concerned to provide a counseling pathway for members of the reserve component under the Transition Assistance Program.

**Compensation and Other Personnel Benefits**

**\*Sec. 601. Reform of Basic Pay Rates.\***

The provision would reform basic pay rates by increasing basic pay for all grades by 4.5%, and increase junior enlisted pay to 14.5%.

**Sec. 605. Calculation of Retired Pay for Certain Officers Who Served in Grade O-9 or O-10 and Retired in Grade O-8.**

The provision would create a special rule for officers having served in the temporary grades of O-9 or O-10 and who receive a conditional or permanent retirement in the grade of O-8. The provision would require that such officer's final retirement pay be the lower of the amount calculated under the high-three year average formula pursuant to section 1407, or the final pay formula for members of the armed forces under section 1406 of title 10, United States Code, as if such officer first became a member of the Armed Forces prior to September 8, 1980.

**\*Sec. 623. Reimbursement of Expenses Relating to Travel for Inactive-Duty Training and Muster Duty.\***

This provision would require the SecDef to reimburse members of the reserve component who travel more than 50 miles to attend inactive-duty training and muster duty for their actual and necessary expenses of travel and transportation; and to pay meals, incidentals, and expenses related to such travel to the same extent specified in regulations. The provision would not go into effect until January 1, 2027.

## Health Care Provisions

### **\*Sec. 704. Extension of Effective Date Regarding Certain Improvements to the TRICARE Dental Program.\***

The provision would extend, by 1-year, dental benefit cost sharing for the selected reserve and individual ready reserve. The extension ensure cost sharing cannot exceed \$20 per month for enrollment.

### **\*Sec. 714. Health Care Licensure Portability for Tricare Network Providers Providing Mental Health Services to Members of the Armed Forces and Certain Family Members.\***

The provision would authorize the SecDef to prescribe regulations to allow mental health providers who provide care under the TRICARE program to provide tele-mental health care services to members of the Armed Forces and their dependents without regard to the location of the provider or the patient.

### **\*Sec. 740. Pilot Program on Delegation of Authority to Approve Reserve Component Recruits with Certain Medical Conditions.\***

The provision would require the SecDef to implement a pilot program that authorizes and directs the Secretaries of the military departments to delegate authority to the United States Military Entrance Processing Command to approve a service medical waiver for a set list of otherwise disqualifying conditions.

## Civilian Personnel Matters

### **Sec. 1109. Increase in Military Leave Accrual and Accumulation for Federal Employees.**

This section would increase federal employee military leave from 15 days to 20 days.

### **\*Sec. 1115. Limitation on Establishment of New Diversity, Equity, and Inclusion Positions.\***

The provision would prohibit the SecDef from establishing any new billet, or filling any vacancies in existing billets, that have responsibility for matters relating to diversity, equity, and inclusion until the report required by section 529B of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118-31) is delivered to Congress by the Comptroller General of the United States, or one-year after the date of the enactment of this Act.

## Matters Related to Cyber Space

### **\*Sec. 1544. Independent Evaluation Regarding Potential Establishment of United States Cyber Force.\***

This provision would direct the SecDef to enter into an agreement with the National Academies to conduct an evaluation regarding the advisability of establishing a separate Armed Force in the Department of Defense dedicated to operations in the cyber domain.

## Military Construction

### **Sec. 2406. Extension of Authority to Carry Out Fiscal Year 2020 Project in Fort Indiantown Gap, Pennsylvania.**

This provision would extend the authorization of certain fiscal year 2020 Environmental Resilience and Conservation Investment Program (ERCIP) projects until October 1, 2025.

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

The provision would authorize the following military construction projects for the ARNG for fiscal year 2025.

**Sec. 4601. Military Construction Tables for the Army National Guard:**

<b>Army National Guard</b>			
<b>State</b>	<b>Location</b>	<b>FY2025 Request</b>	<b>Conference Agreement</b>
Alaska	Joint Base Elmendorf-Richardson; NG Readiness Center	\$67,000	\$67,000
Delaware	Major Joseph R. "Beau" Biden III National Guard/Reserve Center	--	\$22,050**
Georgia	Fort Eisenhower; NG Readiness Center (Design)	--	--
Indiana	Camp Atterbury-Muscatatuck	--	\$39,180**
Iowa	Sioux City Armory; NG Vehicle Maintenance Shop	\$13,800	\$13,800
Kentucky	Fort Campbell; NG Readiness Center (Design)	--	--
Kentucky	Fort Campbell; Readiness Center	--	\$18,000
Louisiana	Abbeville; NG Readiness Center (Design)	--	--
Louisiana	Lafayette Readiness Center; NG Readiness Center	\$33,000	\$33,000
Maine	Saco; Southern Maine Readiness Center (Design)	--	\$1,000
Michigan	Detroit Olympia; Readiness Center Addition/Alteration (Design)	--	\$4,400
Mississippi	Southaven Readiness Center; NG Readiness Center	\$33,000	\$33,000
Montana	Malta Readiness Center, NG Vehicle Maintenance Shop	\$14,800	\$14,800
Nevada	Hawthorne Army Depot; Automated Qualification/Training Range	\$18,000	\$18,000
New Jersey	National Guard Training Center Sea Girt	--	\$40,000**
New Jersey	Vineland, NG Vehicle Maintenance Shop	\$23,000	\$23,000
North Carolina	Salisbury; Flight Facility (Design)	--	--
Ohio	Lima; Readiness Center	--	\$26,000
Oklahoma	Shawnee Readiness Center, NG Readiness Center	\$29,000	\$29,000
Pennsylvania	Danville; Vehicle Maintenance Shop (Design)	--	--
Puerto Rico	Gurabo Readiness Center; National Guard Vehicle Maintenance Shop	--	--
Rhode Island	North Kingstown; Cost to Complete: National Guard Readiness Center	0	\$16,000
Rhode Island	Quonset State Airport; Cost to Complete: Readiness Center	--	\$11,000
Utah	Nephi Readiness Center; NG Vehicle Maintenance Shop	\$20,000	\$20,000
Washington	Camp Murray; National Guard/Reserve Center Building	\$40,000	\$40,000
Wisconsin	Rapids; NG Readiness Center (Design)	--	\$3,800
Worldwide Unspecified	Design	\$25,529	\$40,529

Worldwide Unspecified	Unspecified Minor Construction	\$45,000	\$65,000
<b>Military Construction, Army National Guard Total</b>		<b>\$362,129</b>	<b>\$477,329</b>

\*\* ERCIP Projects.

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

The provision would authorize the following military construction projects for the ANG for fiscal year 2025.

**Sec. 4601. Military Construction Tables for the Air National Guard:**

Air National Guard			
State	Location	FY2025 Request	Conference Agreement
Alaska	Joint Base Elmendorf-Richardson, Base Supply Complex	--	--
Alaska	Joint Base Elmendorf-Richardson; Combat Rescue Helicopter Simulator	\$19,300	\$19,300
Arizona	Tucson International Airport; Cost to Complete-Base Entry Complex	--	\$7,000
California	Moffett Airfield, Combat Rescue Helicopter Simulator	\$12,600	\$12,600
Colorado	Buckley Space Force Base; Cost to Complete-Corrosion Control Facility	0	\$4,000
Florida	Jacksonville International Airport: F-35 Consolidated Weapons Training	\$26,200	\$26,200
Hawaii	Joint Base Pearl Harbor-Hickam; Space Control Center	\$36,600	\$36,600
Kentucky	Louisville Muhammad Ali International Airport; Response Force Warehouse (Design)	--	--
Maine	Bangor International Airport; Fuel Cell Hangar	--	\$48,000
Mississippi	Key Field, Adal Maintenance Hangar & Construct Amu Complex (Design)	--	\$5,600
Mississippi	Key Field; Base Supply Warehouse (Design)	--	\$1,900
Mississippi	Key Field; Corrosion Control Hangar (Design)	--	\$6,700
New Jersey	Atlantic City International Airport; F-16 Mission Training Center	\$18,000	\$18,000
New York	Francis S. Gabreski Airport; Combat Rescue Helicopter Simulator	\$14,000	\$14,000
Ohio	Rickenbacker International Airport; Cost to Completer-Small Arms Range	--	\$6,000
Oregon	Portland International Airport; Cost to Complete-Special Tactics Complex – 1	--	\$7,000
Oregon	Portland International Airport; Cost to Complete-Special Tactics Complex – 2	--	\$5,000
Oregon	Portland International Airport; Cost to	--	\$5,000

	Complete-Special Tactics Complex – 3		
Pennsylvania	Pittsburgh International Airport, Entry Control Facility (Design)	--	--
Texas	Fort Worth, C-130J Adal Fuel Cell Building 1674	\$13,100	\$13,100
Washington	Camp Murray; National Guard/Reserve Center (ANG Cost Share): Minor Construction	--	\$5,700
West Virginia	Mclaughlin Air National Guard Base; Squadron Operations Facility (Design)	--	--
Wyoming	Cheyenne Regional Airport	0	\$4,000
Worldwide Unspecified	Design	\$10,792	\$10,792
Worldwide Unspecified	Unspecified Minor Construction	\$40,200	\$40,200
<b>Military Construction, Air National Guard Total</b>		<b>\$190,792</b>	<b>\$296,692</b>

**Sec. 2607, 2608, 2609. Extension of Authority to Carry Out Projects.**

The provision would extend the authorization of funds for 12 projects until October 1, 2025, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2026, whichever is later.

<b>National Guard and Reserve: Extension of 2021 Project Authorizations</b>			
<b>State</b>	<b>Installation</b>	<b>Project</b>	<b>Original Authorized Amount</b>
Arkansas	Fort Chaffee	NG Readiness Center	\$15,000
California	Bakersfield	NG Vehicle Maintenance Shop	\$9,300
California	Camp Roberts	Automated Multipurpose Machine Gun (MPMG) Range	\$12,000
Indiana	Hulman Regional Airport	Construct Small Arms Range	\$8,000
Massachusetts	Devens Reserve Forces Training Area	Automated Multipurpose Machine Gun Range	\$8,700
North Carolina	Asheville	Army Reserve Center	\$24,000
Pennsylvania	Moon Township	Combined Support Maintenance Shop	\$23,000
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
Virgin Islands	St. Croix	Army Aviation Support Facility (AASF)	\$28,000
Virgin Islands	St. Croix	CST Ready Building	\$11,400

**Sec. 2610. Modification of Authority to Carry Out Certain Fiscal Year 2022 Projects.**

The provision would extend the authorization of funds for 11 projects until October 1, 2026, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2027, whichever is later.

<b>National Guard and Reserve: Extension of 2022 Project Authorizations</b>			
<b>State</b>	<b>Installation</b>	<b>Project</b>	<b>Original Authorized Amount</b>
Alabama	Huntsville Readiness Center	NG Readiness Center	\$17,000
Georgia	Fort Moore	Post-Initial Military Training Unaccompanied Housing	\$13,200
Indiana	Grissom Air Reserve Base	Logistics Readiness Complex	\$29,000
Massachusetts	Barnes Air National Guard Base	Combined Engine/ASE/NDI Shop	\$12,200
Mississippi	Jackson International Airport	Fire Crash and Rescue Station	\$9,300
New York	Francis S. Gabreski Airport	Base Civil Engineer Complex	\$14,800
Ohio	Wright-Patterson Air Force Base	AR Center Training Building/ UHS	\$19,000
Texas	Kelly Field Annex	Aircraft Corrosion Control	\$9,500
Vermont	Bennington	National Guard Readiness Center	\$16,900
Wisconsin	Fort McCoy	Transient Training Officer Barracks	\$29,200
Wyoming	Cheyenne Municipal Airport	Combined Vehicle Maintenance and ASE Complex	\$13,400

**Sec. 2611. Modification of Authority to Carry Out Fiscal Year 2022 Project.**

The provision would authorize the SecARMY to construct the National Guard Readiness Center in Lyndon, Vermont.

**Sec. 2803 Process for Strategic Basing Actions for the Department of the Air Force.**

The provision would codify the Air Force Strategic Basing process and prohibit SecAF from making any basing decision during the resource allocation plan or POM process.

**Sec. 2811. Obligation and Execution of Design Funds for Military Construction Projects.**

The provision would require the SecDef to ensure that the construction agent in charge of a military construction project enter a contract within 150 days and submits a notification to the congressional defense committees.

**\*Sec. 5705. Ensuring Access to Certain Higher Education Benefits.\***

This provision would include the term 'service in the uniformed services' meaning service (whether voluntary or involuntary) on active duty in the Armed Forces, including such service by a member of the National Guard or Reserve would be protected from discrimination from readmission to an institution of higher learner.



## **Legislative Provisions Not Adopted**

### **\*Eligibility of Chief of the National Guard Bureau for Appointment as Chairman of the Joint Chiefs of Staff.\***

The agreement does not include the House bill provision (sec. 922) that would make the CNGB eligible for appointment as the Chairman of the Joint Chiefs of Staff.

### **\*Prohibition on Use of Funds to Cut Services Provided at Certain Combat Training Readiness Centers.\***

The agreement does not include the House bill provision (sec. 1049C) that would prohibit the use of funds from being used to cut any service provided by a combat training readiness center operated by the Air Force National Guard at certain locations.

However, the conferees recognize the importance of the Air Force Combat Readiness Training Centers (CRTC's). We note the Administration is not planning on closing any CRTC's in Fiscal Year 2025 and encourage the Department of the Air Force to keep the congressional defense committees apprised of any potential changes to the scope or mission of the CRTC's.

### **\*Report on cooperation between the National Guard and the Republic of India.\***

The agreement does not include the House bill provision (sec. 1207) that would require the SecDef to provide a report on the feasibility and advisability of enhanced cooperation between the National Guard and the Republic of India.

### **\*Plan for Providing Certain Aircraft to the Army National Guard.\***

The agreement does not include the House bill provision (Sec. 114) that would require the SecARMY to submit a plan for providing aircraft to relevant ARNG units in manner concurrent with proportion no later than 30 days after the passage of this act.

### **\*Exemption of National Guard Bilateral Affairs Officers from Active-Duty End Strength Limits and Modification of Annual Reporting Requirement Regarding Security Cooperation Activities.\***

The agreement does not include the Senate bill provision (Sec. 415) that would exempt end strength requirements for members of the National Guard who serve as BAOs as a part of the National Guard State Partnership Program.

### **\*Modification of Department of Defense State Partnership Program.\***

The agreement does not include the House provision (sec. 1201) that would extend by 1 year the period of performance for execution of activities pursuant to the Department of Defense State Partnership Program.

### **\*Feasibility of Establishing a Unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands.\***

The agreement does not include the House bill provision (sec. 513) that would require the SecDef to determine the feasibility of establishing: (1) A unit of the National Guard in American Samoa; and (2) A unit of the National Guard in the Commonwealth of the Northern Mariana Islands.

### **\*Establishment of Counseling Pathway in the Transition Assistance Program for Members of Certain Reserve Components of the Armed Forces.\***

The agreement does not include the House bill provision (sec. 564) that would establish a minimum of one counseling pathway in the Transition Assistance Program (TAP) for members of the Reserve Components of the Army, Navy, Marine Corps, Air Force, or Space Force.

However, the conferees note that TAP counseling pathways for members of the Reserve Component are addressed in a provision located elsewhere in this Act.

**\*Report on National Guard Sexual Assault and Response Prevention Training.\***

The agreement does not include the House bill provision (sec. 599) that would require the CNGB to submit a report to the Committees on Armed Services of the Senate and the House of Representatives containing the number of National Guard members, aggregated by state, that received sexual assault and response prevention training in the preceding calendar year not later than 180 days after the date of the enactment of this Act for the initial report and annually by March 30 beginning in 2026.

However, the conferees direct the CNGB to submit a briefing to the Committees on Armed Services of the Senate and the House of Representatives containing the number of National Guard members, aggregated by state, that received sexual assault and response prevention training in the preceding calendar year by NLT July 1, 2025.

**\*Briefing on Access of Members of National Guard to Child Care Services at Military Child Development Centers.\***

The agreement does not include the House bill provision (sec. 1818) that would require the SecDef to provide a briefing regarding the access of members of the National Guard to childcare services at military child development centers.

However, the conferees direct the SecDef to brief the Committees on Armed Services of the Senate and the House of Representatives, NLT January 1, 2026, on access of members of the National Guard to childcare services at military Child Development Centers (CDC). Such briefing shall include the following elements:

- (1) The estimated number of families in the National Guard with children under 12 years of age;
- (2) The estimated number of families in the National Guard with children under 12 years in which both parents are members of the National Guard;
- (3) The estimated number of single parent households in which the parent is a member of the National Guard;
- (4) The average number of days during the year in which a member of the National Guard who has a child under 12 years of age is serving on Active Duty or inactive duty training;
- (5) The estimated number of members of the National Guard with a child under 12 years of age who live within 50 miles of a CDC;
- (6) The estimated number of National Guard installations located within 50 miles of a CDC;
- (7) Any other relevant matters that the Secretary deems appropriate.

**\*Permanent Modification to the Army National Guard and Air National Guard Inactive National Guard Statute.\***

The agreement does not include the Senate bill provision (sec. 511) that would authorize officers to transfer from the Selected Reserve to the Inactive National Guard [This was a National Guard Proposal].

**\*TRICARE Dental Plan for Selected Reserve.\***

The agreement does not contain a House bill provision (sec. 702) that would provide free dental care to members of the Selected Reserve and their family members.

However, the conferees recognize the importance of this issue in sec. 707 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117-263) which authorized the SecDef to conduct a study on the feasibility of expanding eligibility for TRICARE Reserve Select and the TRICARE Dental Program to all members of the Selected Reserve, their dependents, and non-dependent children under the age of 26— including potential cost effects to the Department of Defense, changes in out-of-pocket costs to beneficiaries, and effects on other Federal programs. The conferees note that the Department contracted with a federally funded



research and development center to develop the study's methodology and approach and eagerly await the findings and recommendations which are due in December 2024.

**\*Report on State National Guard Cyber Units.\***

The agreement does not include the House bill provision (sec. 1539) that would require the SecDef to 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 cyberattacks in such state.

**\*Under Secretary of Defense for Policy study and report on Expansion of National Guard State Partnership Program. \***

The agreement does not include the House bill provision (sec. 1739) that would require the Under Secretary of Defense for Policy, in consultation with the Secretary of State and the CNGB, to assess expanding the National Guard State Partnership Program to additional countries in the First Island Chain and the Second Island Chain.

However, the conferees direct the SecDef to provide a briefing, not later than April 1, 2025, to the Committees on Armed Services of the Senate and the House of Representatives on the feasibility and benefits of expanding the Department of Defense State Partnership Program to additional countries in the Western Pacific region, including Brunei, the Federated States of Micronesia, Kiribati, the Marshall Islands, Nauru, Vanuatu, and any other country that the Secretary deems relevant.

**\*Requirement that Damaged or Destroyed Facilities are Built Back with Resilience.\***

The agreement does not include the Senate bill provision (sec. 2805) that any military construction project to repair, restore, or replace a damaged or destroyed facility is designed and constructed to prevent future damage or destruction by the proximate cause of the damage or destruction of the facility.

**\*Merit-Based Principles for Military Personnel Decisions in the Department of Defense.\***

The agreement does not include the House provision (sec. 523) that would require the SecDef to ensure each personnel decision including military accession, promotion, and command selection is based on individual merit without regard to political affiliation, race, color, religion, national origin, sex, or marital status.

However, the conferee note that section 529C of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118-31) requires that military accessions and promotions be based on individual merit and demonstrated performance.

**\*Recruitment Strategy for Members of the Armed forces who were Discharged or Dismissed on the Sole Basis of Failure to Obey a Lawful Order to Receive a Vaccine for COVID-19.\***

The agreement does not include the House provision (sec. 535) that would require the SecDef to develop and implement a strategy to recruit and reinstate Service members discharged or dismissed from an Armed Force on the sole basis of failure to obey a lawful order to receive a vaccine for COVID-19.

**\*Establishment of counseling pathway in the Transition Assistance Program for Members of Certain Reserve Components of the Armed Forces.\***

The agreement does not include the House provision (sec. 564) that would create a counseling pathway for members of the Reserve Components of the Army, Navy, Marine Corps, Air force, or Space Force to receive the Transition Assistance Program.

However, the conferees note that TAP counseling pathways for members of the Reserve Component are addressed in a provision located elsewhere in this Act.

**\*Prohibition on Use of Funds to Cut Services Provided at Certain Combat Training Readiness Centers.\***

The agreement does not include the House provision (sec. 1049c) that would prohibit the use of funds to cut services at CTRCs for the Air National Guard in Savannah, Georgia; Gulfport, Mississippi, Alpena, Michigan, Volk Field, and Wisconsin.

**\*Prohibition on Cannabis Testing for Enlistment or Commission in Certain Armed Forces.\***

The agreement does not contain a provision that would prohibit cannabis testing as a condition of enlistment or commission in the Armed Forces.

**\*Development of National Strategy.\***

The agreement does not include the House provision (sec. 1756) that would require the President to develop a national strategy to use microreactors to assist with natural disaster response efforts.