



FY22 Conference National Defense Authorization Act (NDAA)

Summary of House Amendment to
S. 1605

The National Defense Authorization Act
for Fiscal Year 2022



As of December 27, 2021

	Passed in Committee	Passed in Chamber	Agreement	Final Passage	Signed into Law
House	September 02, 2021 (HR. 4350)	September 23, 2021	December 7, 2021	December 7, 2021	December 27, 2021
Senate	July 21, 2021 (S.2792)				

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Executive Summary

This guide provides a short summary of the Fiscal Year (FY) 2022 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: www.nationalguard.mil/ll. Beyond the legislative provisions, there are a number of directive reports with specific relevance to the National Guard. Readers are encouraged to review this report language for their own situational awareness.

Status:

On December 7, 2021, leaders of the House and Senate Armed Services Committees released the FY22 NDAA. The bill authorizes a topline of \$768.2 billion for FY22 national defense activities.

National Guard Specific Highlights:

- Prohibits private funds from being used to fund any State's National Guard deployment in another state, except for natural disaster emergencies.
- Requires the military to provide Reserve and National Guard service members incentive and special duty pays at the same rate as their active-duty counterparts, subject to a report and certification from the SECDEF that implementation will not have a negative impact on force structure or recruiting and retention of the active components.
- Requires the Secretary of Defense to continue the FireGuard program, where the National Guard assists in detecting and monitoring wildfires, for at least the next five years.
- Clarifies that D.C. National Guard members who are federal civilian employees are entitled to leave without loss in pay or time from their civilian employment during mobilizations.
- Establishes a 2-year deadline for completion of PFAS testing at Department of Defense and National Guard installations.
- Requires the Department of Defense to publish and make publicly available results of drinking and ground water testing for PFAS conducted on or near military installations, formerly used defense sites, and National Guard sites.
- Funds the propulsion and propeller upgrades of Air National Guard and Air Force Reserve C-130H airlift aircraft.
- Requires the Secretary of Defense to implement certain recommendations on the use of unmanned aircraft systems by the National Guard.
- Provides additional funding for 9 UH-60 Blackhawk helicopters for the National Guard.
- Provides \$950M for the National Guard and Reserve Equipment Account.
- Authorizes a 2.7% pay increase for service members.

- Limits the number of temporary military technicians (dual status) to 25 percent of the authorized end strength
- Increases the number of days a member of the reserve component may serve on Active Duty and be excluded from certain Active-Duty end strength authorizations from 1,095 days in the previous 1,460 days to 1,825 days in the previous 2,190 days.
- Authorizes \$85.28M program increase for YouthChalleNGe and \$42M program increase for Starbase
- Authorizes \$5M program increase for the State Partnership Program
- Authorizes \$15M for iMAFFS system

Significant Omissions – several high profile provisions initially in the House or Senate version of the NDAA were not included in the final agreement between the Chambers, including:

- Removes Senate provision changing the name of the ANG to Air and Space National Guard, while also removing a House provision to create the SNG. The agreement instead requires the Secretary of Defense to conduct a study to review the overall organization of the reserve component, including the appropriate allocation and use of Space assets in the reserve component, and the consideration of establishing a Space National Guard. (Sec. 913 in the summary below).
- Removes Senate provision prohibiting further equipping the Air National Guard with the F-35 until the ratio of combat coded F-35 aircraft in the Active Duty Air Force reached a specified ratio.
- Removes House provision elevating the VCNBG to O10.
- Removes House provision giving Mayor of DC control over the DC National Guard.
- Removes House provision requiring an annual report regarding sexual assaults involving members of the Army National Guard and the Air Force National Guard.

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	FY22 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY22 Delta from PB
O&M	\$7,647,209	\$7,689,909	\$42,700	\$7,619,233	\$27,976	\$7,607,309	\$39,900
MILCON	\$257,103	\$372,208	\$115,105	\$352,803	\$95,700	\$391,993	\$134,890

Army National Guard End Strength

Army National Guard	FY22 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY22 Delta from PB
End Strength	336,000	336,000	-	336,000	-	336,000	-
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	FY22 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY22 Delta from PB
O&M	\$6,574,020	\$6,549,920	\$24,100	\$6,557,045	\$16,975	\$6,565,920	\$8,100
MILCON	\$197,770	\$247,970	\$50,200	\$363,970	\$166,200	\$382,250	\$184,480

Air National Guard End Strength

Air National Guard	FY22 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY22 Delta from PB
End Strength	108,300	108,300	-	108,300	-	108,300	-
AGR	26,661	26,661	-	25,333	1,328	25,333	-
Dual Status Technicians	9,885	9,885	-	10,994	1,109	10,994	1,109
ADOS	16,000	16,000	-	16,000	-	16,000	-

BILL TEXT

Procurement

SEC. 134. PROHIBITION ON USE OF FUNDS FOR RETIREMENT OF A-10 AIRCRAFT

This provision prohibits the retirement, preparation for retirement, or placing into storage of any A-10 aircraft.

SEC. 137. INVENTORY REQUIREMENTS AND LIMITATIONS RELATING TO CERTAIN AIR REFUELING TANKER AIRCRAFT

This provision would address KC-135 and KC-10 retirements and limit the Air Force from moving KC-135 from primary mission aircraft inventory to backup aircraft inventory in the Air Force Guard and Reserve. The provision would allow the Air Force to retire 14 and 12 KC-10 aircraft in fiscal years 2022 and 2023, respectively. The provision would also allow the Air Force to retire 18 KC-135 aircraft in fiscal year 2022. The agreement includes the House provision with an amendment that would remove legislative constraints on retiring KC-10 aircraft.

SEC. 138. MINIMUM INVENTORY OF TACTICAL AIRLIFT AIRCRAFT

This provision would require the Secretary of the Air Force to retain a minimum of 279 C-130 aircraft through fiscal year 2026.

The committees note the Secretary of the Air Force indicated his support to realign Mansfield-Lahm Airport, Ohio, as the preferred alternative for re-missioning and beddown of a Cyber Warfare Wing by fiscal year 2023. We support the Secretary of the Air Force's decision to reduce the C-130 mission in Ohio and urge the Secretary to ensure that such a reduction at Mansfield-Lahm Airport is conducted concurrent with the establishment of the new Cyber Warfare Wing.

LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF RC-26B AIRCRAFT

Directs the Secretary of the Air Force to provide a briefing to the congressional defense committees, not later than March 1, 2022, outlining the costs, benefits, timeline, and impacts of the Air Force's plan to divest the RC-26B aircraft by April 1, 2023. The briefing is to include: (1) Confirmation or modification of the conclusion from the February 2020 report that there is no title 10 mission for the aircraft; (2) Options for retaining the aircraft within the Department of Defense if the conclusion in the February 2020 report has changed; (3) Options for transferring the aircraft to other Government agencies; and (4) Plans for the units and personnel currently operating the RC-26B aircraft.

Research, Development, Test, and Evaluation

SEC. 230. NATIONAL GUARD PARTICIPATION IN MICROREACTOR TESTING AND EVALUATION

This provision would allow the Secretary of Defense, in coordination with the Director of the Strategic Capabilities Office and the Chief of the National Guard Bureau, to assemble a collection of National Guard units to participate in the testing and evaluation of a micronuclear reactor program.

Operations and Maintenance

SEC. 335. ASSESSMENT OF CLIMATE RISKS TO INFRASTRUCTURE OF DEPARTMENT OF DEFENSE

This provision would require the Secretary of Defense to assess the vulnerability of installations and other facilities under the jurisdiction of the Department of Defense, and of State-owned National Guard installations, to the current and projected impacts of extreme weather. Additionally requires the development of installation-specific plans pursuant to section 2864(c) of title 10, United States Code, and similar plans for State-owned National Guard installations, to address such vulnerabilities.

SEC. 341. TREATMENT BY DEPARTMENT OF DEFENSE OF PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES

This provision would require the Secretary of Defense to establish a task force to improve testing for and treatment of per- and polyfluoroalkyl substances by the Department of Defense; require preliminary assessment and site inspection testing to be completed within 2 years to provide a preliminary basis for additional response actions; and provide a status report on testing conducted at all military installations and facilities of the National Guard.

SEC. 349. REPORT ON REMEDIATION OF PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES AT CERTAIN MILITARY INSTALLATIONS

This provision would require the Secretary of Defense to submit a report identifying the status of efforts to remediate per- and polyfluoroalkyl substances at 50 military installations and National Guard locations not later than 60 days after the date of the enactment of this Act.

REPORT ON IMPACT OF OPERATION ALLIES WELCOME ON THE NATIONAL GUARD

The committees direct the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the impacts of the Afghan resettlement mission, Operation Allies Welcome, on the National Guard, not later than May 1, 2022. The report shall address:

- (1) The impacts of the mission on readiness, training, maintenance, and equipment, and the ability of the National Guard to support duties under Title 10 and Title 32, United States Code;
- (2) Costs incurred by the National Guard in support of the mission; and
- (3) Any other matters the Secretary concerned deems appropriate.

Military Personnel Authorizations

SEC. 411. END STRENGTHS FOR SELECTED RESERVE

This provision would authorize end strengths for Selected Reserve personnel of the reserve components of the Armed Forces as of September 30, 2022, as follows: the **Army National Guard of the United States, 336,000**; the Army Reserve, 189,500; the Navy Reserve, 58,600; the Marine Corps Reserve, 36,800, the **Air National Guard of the United States, 108,300**; the Air Force Reserve, 70,300; and the Coast Guard Reserve, 7,000.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES

This provision would authorize end strengths for Reserve personnel of the Armed Forces on Active Duty in support of the reserve components as of September 30, 2022, as follows: the **Army National Guard of the United States, 30,845**; the Army Reserve, 16,511; the Navy Reserve, 10,293; the Marine Corps Reserve, 2,386, the **Air National Guard of the United States, 25,333**; and the Air Force Reserve, 6,003.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS)

This provision would authorize end strengths for military technicians (dual status) as of September 30, 2022, as follows: the **Army National Guard of the United States, 22,294**; the Army Reserve, 6,492; the **Air National Guard of the United States, 10,994**; and the Air Force Reserve, 7,111. 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

This provision would authorize the maximum number of reserve component personnel who may be on Active Duty or full-time National Guard duty under section 115(b) of title 10, United States Code, during fiscal year 2022 to provide operational support. **Army National Guard, 17,000**; Army Reserve, 13,000; Navy Reserve, 6,200; Marine Corps Reserve, 3,000; **Air National Guard, 16,000**; Air Reserve, 14,000.

SEC. 415. ACCOUNTING OF RESERVE COMPONENT MEMBERS PERFORMING ACTIVE DUTY OR FULL-TIME NATIONAL GUARD DUTY TOWARDS AUTHORIZED END STRENGTHS

This provision would amend section 115 of title 10, United States Code, to increase the number of days a member of the reserve component may serve on Active Duty and be excluded from certain Active-Duty end strength authorizations from 1,095 days in the previous 1,460 days to 1,825 days in the previous 2,190 days.

The committees also notes that increasing the number of days a member of the reserve component may serve on Active Duty and be excluded from Active-Duty end strength calculations reduces congressional oversight of reserve component utilization. Therefore, the committees direct the Under Secretary of Defense for Personnel and Readiness to deliver a briefing to the Committees on Armed Services of the Senate and the House of Representatives, not later than June 1, 2022, that includes the following elements:

- (1) The number of reserve component members who have served on Active Duty and full-time National Guard duty in excess of 1095 days over the previous 1460 days by fiscal year since 2015; 74
- (2) A justification for why extended periods of Active Duty and full-time National Guard duty should be excluded from Active-Duty end strength authorizations;
- (3) An explanation of how the Department of Defense accounts for and tracks cumulative time a member of the reserve component serves on Active Duty and full-time National Guard duty; and
- (4) Any other matters the Under Secretary considers relevant.

Military Personnel Policy

SEC. 502. TIME IN GRADE REQUIREMENTS

This provision would amend section 619(a) of title 10, United States Code, to authorize the Secretary of the military department concerned to prescribe a shorter period of service in grade, but not less than 2 years, for eligibility for consideration for promotion of certain officers designated for limited duty.

SEC. 512. PROHIBITION ON PRIVATE FUNDING FOR INTERSTATE DEPLOYMENT OF NATIONAL GUARD.

This section would prohibit a member of the National Guard to be ordered to cross a border of a State to perform duty (under this title, title 10, or State active duty) if such duty is paid for with

private funds, unless such duty is in response to a major disaster or emergency under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

SEC. 514. IMPLEMENTATION OF CERTAIN RECOMMENDATIONS REGARDING USE OF UNMANNED AIRCRAFT SYSTEMS BY THE NATIONAL GUARD

This provision would require the Secretary of Defense to implement, not later than September 30, 2022, certain recommendations provided by the Secretary to the congressional defense committees on the use of unmanned aircraft systems by the National Guard.

SEC. 515. CONTINUED NATIONAL GUARD SUPPORT FOR FIREGUARD PROGRAM

This provision would require the Secretary of Defense to continue to support the FireGuard program with National Guard personnel to aggregate, analyze, and assess multi-source remote sensing information for interagency partnerships in the initial detection and monitoring of wildfires until September 30, 2026. The committees direct the Secretary of Defense to provide the Committees on Armed Services of the Senate and the House of Representatives a report, not later than January 1, 2023, on the feasibility and cost to transition the support to a contract workforce after 2026.

SEC. 516. ENHANCEMENT OF NATIONAL GUARD YOUTH CHALLENGE PROGRAM

This provision would authorize the Secretary of Defense to provide assistance to a National Guard Youth Challenge Program of a State under specified circumstances. The agreement includes amendment that would eliminate special projects and emergency costs as approved purposes and limit total assistance under this authority to \$5 million for FY22.

SEC. 517. REPORT ON METHODS TO ENHANCE SUPPORT FROM THE RESERVE COMPONENTS IN RESPONSE TO CATASTROPHIC INCIDENTS

This provision would amend section 502(f) of title 32, United States Code, to authorize members of the National Guard to be ordered to perform duties with respect to operations or missions authorized by the President or the Secretary of Defense to support large scale, complex, catastrophic disasters at the request of a State governor. The provision would also require a report on methods to enhance domestic response to large scale, complex, and catastrophic disasters. The agreement includes amendment that would require the Secretary of Defense, not later than 180 days after the date of the enactment of this Act, to submit to certain congressional committees a report on methods to enhance support from the reserve components in response to catastrophic incidents.

SEC. 518. STUDY ON REAPPORTIONMENT OF NATIONAL GUARD FORCE STRUCTURE BASED ON DOMESTIC RESPONSES

This provision would require the Secretary of Defense to conduct a study to determine whether to reapportion the force structure of the National Guard based on wartime and domestic response requirements.

SEC. 548. DETERMINATION AND REPORTING OF MEMBERS MISSING, ABSENT UNKNOWN, ABSENT WITHOUT LEAVE, AND DUTY STATUS-WHEREABOUTS UNKNOWN

This provision would require the Secretary of Defense to instruct the Secretaries of the military departments to conduct a comprehensive review of that Department of Defense's policies and procedures for determining and reporting servicemembers as missing, absent unknown, absent without leave, or duty status whereabouts unknown. Report shall include feasibility of implementation to facilities of the National Guard.

ANNUAL REPORT REGARDING SEXUAL ASSAULTS INVOLVING MEMBERS OF THE ARMY NATIONAL GUARD AND THE AIR NATIONAL GUARD

The bill does NOT contain the House provision to require the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives an annual report regarding sexual assaults involving members of the Army National Guard and Air National Guard. However, the committees express continued concern about the problem of sexual assaults across the Armed Forces, including in the National Guard. The committees encourage the Secretaries of the military departments to continue to collect detailed data and synopses of sexual assaults involving members of the Army National Guard and Air National Guard operating under the authorities of title 10 and title 32, United States Code, and to take proactive steps to prevent and respond to such incidents.

PILOT PROGRAM ON ACTIVITIES UNDER THE TRANSITION ASSISTANCE PROGRAM FOR A REDUCTION IN SUICIDE AMONG VETERANS

The bill does NOT contain a House provision that would have required the Secretary of Defense and the Secretary of Veterans Affairs to conduct jointly a pilot program to assess the feasibility and advisability of providing a 3-hour counseling module under the Transition Assistance Program to assist with the reduction of veteran suicides.

Military Justice Reform

SEC. 531. SPECIAL TRIAL COUNSEL

This provision requires the Secretaries of the military departments to detail one commissioned officer from each armed force to serve as the special victim prosecutor for that armed force and such number of assistant special victim prosecutors as the Secretary considers appropriate. Special trial counsels shall have exclusive authority to determine if a reported offense is a covered offense and shall exercise authority over any such offense. Special trial counsels will have sole authority over making determinations regarding plea bargains and case dismissals.

The committees note that in developing the manpower plan required in this provision, the Secretary should coordinate with the Judge Advocates General of the military services, or in the case of the Marine Corps, the Staff Judge Advocate to the Commandant of the Marine Corps.

SEC. 539D. INCLUSION OF SEXUAL HARASSMENT AS GENERAL PUNITIVE ARTICLE

This provision requires the President to amend the Manual for Courts-Martial to include sexual harassment as a standalone offense under Article 134 of the UCMJ (10 U.S.C. 934).

SEC. 539E. SENTENCING REFORM

This provision amends Article 53 of the Uniform Code of Military Justice(10 U.S.C. 853) and, except in the case of capital offenses, require judge-alone if an accused is convicted by a general or special court-martial. Additionally, this section would establish a Military Sentencing Parameters and Criteria Board to determine sentencing parameters and criteria for the military judge to consider in determining appropriate sentences.

SEC. 539G. BRIEFING ON IMPLEMENTATION OF CERTAIN RECOMMENDATIONS OF THE INDEPENDENT REVIEW COMMISSION ON SEXUAL ASSAULT IN THE MILITARY

This provision requires the Secretary of Defense to provide a briefing to Committees on Armed Services of the Senate and the House of Representatives on the Secretary's implementation of recommendations contained in the Independent Review Commission's (IRC) report entitled "Hard Truths and the Duty to Change: Recommendations from the Independent Review Commission on Sexual Assault in the Military."

SEC. 546. CIVILIAN POSITIONS TO SUPPORT SPECIAL VICTIMS' COUNSEL

This provision authorizes the Secretaries of the military departments to establish one or more civilian positions within each office of the Special Victims' Counsel under the jurisdiction of such Secretary to provide support to Special Victims' Counsel and to ensure continuity.

SEC. 559. CONCURRENT USE OF DOD TUITION ASSISTANCE AND MONTGOMERY GI BILL-SELECTED RESERVE BENEFITS

This provision would amend section 16131 of title 10, United States Code, to require the Secretary of Defense to allow a covered individual to use Montgomery GI Bill benefits and Department of Defense tuition assistance benefits concurrently.

Compensation and Other Personnel Benefits

SEC. 602. EQUAL INCENTIVE PAY FOR MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES

This provision would amend chapter 5 of title 37, United States Code, to require the Secretaries of the military departments to pay a member of the reserve component of the Armed Forces incentive pay in the same monthly amount that a member entitled to the same incentive pay in the regular component would receive. The agreement includes an amendment that does not allow the SECDEF to implement this policy until he submits a report that determines and certifies that implementation will not have a detrimental effect on force structure or recruiting and retention on the active components.

SEC. 622. BEREAVEMENT LEAVE FOR MEMBERS OF THE ARMED FORCES

This provision would amend section 701 of title 10, United States Code, to create a new category of bereavement leave for members of the Armed Forces [Active Duty and AGR] that would authorize eligible members to take up to 2 weeks of leave in connection with the death of an immediate family member.

Health Care Provisions Reports and Other Provisions

SEC. 717. EXEMPTION FROM REQUIRED PHYSICAL EXAMINATION AND MENTAL HEALTH ASSESSMENT FOR CERTAIN MEMBERS OF THE RESERVE COMPONENTS

This provision would amend section 1145(a)(5) of title 10, United States Code, to exempt certain members of the reserve components from required physical and mental health assessments.

SEC. 720. DEPARTMENT OF DEFENSE STANDARDS FOR EXEMPTIONS FROM MANDATORY COVID-19 VACCINES

This provision would require the Secretary of Defense to establish uniform standards under which servicemembers may be exempted from receiving the COVID-19 vaccine for administrative, medical, or religious reasons.

SEC. 736. LIMITATION ON CERTAIN DISCHARGES SOLELY ON THE BASIS OF FAILURE TO OBEY LAWFUL ORDER TO RECEIVE COVID-19 VACCINE

This provision specifies that during the period between August 24, 2021, and 2 years after the date of the enactment of this Act, any discharge of a servicemember, on the sole basis that the member failed to obey a lawful order to receive a vaccine for COVID-19, shall be an honorable discharge, or a general discharge under honorable conditions.

SEC. 739. FEASIBILITY AND ADVISABILITY STUDY ON ESTABLISHMENT OF AEROMEDICAL SQUADRON AT JOINT BASE PEARL HARBOR-HICKMAN

This provision would require the Secretary of Defense, in consultation with the Chief of the National Guard Bureau and the Director of the Air National Guard, to complete a study on the feasibility and advisability of the establishment of an aeromedical squadron of the Hawaii Air National Guard at Joint Base Pearl Harbor-Hickam to support the needs of Hawaii and the U.S. Indo-Pacific Command. The Secretary would complete the study not later than April 1, 2022, and submit a report to the Committees on Armed Services of the Senate and the House of Representatives containing the findings of the study. The agreement includes an amendment that would require the Secretary of Defense to submit a briefing to the Committees on Armed Services of the Senate and the House of Representatives based on the aeromedical mission needs of the U.S. Indo-Pacific Command.

Department of Defense Organization and Management

SEC. 913. STUDY AND REPORT ON THE ROLE AND ORGANIZATION OF SPACE ASSETS IN THE RESERVE COMPONENTS

This provision would NOT establish a Space National Guard but would require the Secretary of Defense to conduct a study to review the overall organization of the reserve component, including the appropriate allocation and use of Space assets in the reserve component, and the consideration of establishing a Space National Guard.

SEC. 1106. REPEAL OF 2-YEAR PROBATIONARY PERIOD

This provision would repeal section 1599e of title 10, USC, which established a 2-year probationary period for new civilian employees in the Department of Defense, effective December 31, 2022, applicable to employees hired on or after that date.

DC NATIONAL GUARD AUTHORITY

By omission, this bill does NOT grant the mayor of the District of Columbia the same authorities over its National Guard as state governors.

General Provisions

SEC. 1065. UPDATED REVIEW AND ENHANCEMENT OF EXISTING AUTHORITIES FOR USING AIR FORCE AND AIR NATIONAL GUARD MODULAR AIRBORNE FIRE-FIGHTING SYSTEMS AND OTHER DEPARTMENT OF DEFENSE ASSETS TO FIGHT WILDFIRES

This provision would amend section 1058 of the National Defense Authorization Act for Fiscal Year 2004 to include a new subsection requiring an updated review and enhancement of existing authorities for using Air Force and Air National Guard modular airborne fire-fighting systems and other Department of Defense assets to fight wildfires.

Civilian Personnel Matters

SEC. 1109. REPEAL OF CREDITING AMOUNTS RECEIVED AGAINST PAY OF FEDERAL OR DC EMPLOYEES SERVING AS A MEMBER OF THE NATIONAL GUARD OF THE DISTRICT OF COLUMBIA

This provision would repeal the requirement to offset National Guard pay of members of the DC National Guard who are also Federal employees, under certain mobilization authorities unique to members of the DC National Guard.

Matters Relating to Foreign Nations

SEC. 1249. FEASIBILITY BRIEFING ON COOPERATION BETWEEN NATIONAL GUARD AND TAWAIN

This provision would require the Secretary of Defense to submit a report on the feasibility and advisability of enhanced cooperation between the National Guard and Taiwan. The agreement includes an amendment that would require the Secretary of Defense to provide a briefing on the feasibility and advisability of enhanced cooperation between the National Guard and Taiwan.

SEC. 1252. SENSE OF CONGRESS ON DEFENSE ALLIANCES AND PARTNERSHIPS IN THE INDO-PACIFIC REGION

This provision would express the sense of Congress on the importance of defense alliances and partnerships in the Indo-Pacific region, The committees direct the Secretary of Defense, in cooperation with the Secretary of State, to submit a report to the congressional defense committees, the Senate Committee on Foreign Relations, and the House Committee on Foreign Affairs on the activities and resources required to enhance security partnerships between the United States and the Indo-Pacific countries not later than 180 days after enactment of this Act.

SEC. 1341. LIMITATION ON SUPPORT TO MILITARY FORCES OF THE KINGDOM OF MOROCCO FOR MULTILATERAL EXERCISES

This provision prohibits funds for FY22 to be used to support multilateral exercises with Morocco until the Secretary of Defense and Secretary of State determine Morocco is seeking a political solution in Western Sahara; **allows for exemption request.**

Counter-Drug Programs

SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE WIDE

This provision authorizes appropriations for Drug Interdiction and Counter-Drug Activities, Defense Wide at levels identified in Sec. 4501.

SEC. 4501. OTHER AUTHORIZATIONS

This section specifies that the National Guard Counter-Drug Program is authorized \$96,970,000 and the National Guard Counter-Drug Schools are authorized \$5,664,000 as requested for FY 2022.

Cyberspace-Related Matters

SEC. 1502. EXTENSION OF SUNSET FOR PILOT PROGRAM ON REGIONAL CYBERSECURITY TRAINING CENTER FOR THE ARMY NATIONAL GUARD

This provision would amend section 1651(e) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 to extend the authority to conduct a pilot program on a regional cybersecurity training center for the Army National Guard from 2022 to 2024.

SEC. 1506. MATTERS CONCERNING CYBER PERSONNEL REQUIREMENTS

This provision would require the Secretary of Defense to conduct an assessment to determine the overall cyber and information operation civilian and military personnel and education requirements of the Department of Defense. The provision would require a briefing not later than November 1, 2022, and a report not later than January 1, 2023, to the Committees on Armed Services of the Senate and the House of Representatives on the findings of the assessment required by the provision, an implementation plan to achieve the civilian and military personnel [including reserve components] requirements of the Department, such recommendations as the Secretary may have

for meeting personnel needs in the cyber and information operation domain, and such legislative or regulatory action as the Secretary considers necessary to meet personnel requirements.

SEC. 1512. ELIGIBILITY OF OWNERS AND OPERATORS OF CRITICAL INFRASTRUCTURE TO RECEIVE CERTAIN DEPARTMENT OF DEFENSE SUPPORT AND SERVICES

This provision would require the Secretary of Defense to submit a report to the congressional defense committees on the feasibility and advisability of including training or other duty related to cybersecurity operations and missions to protect critical infrastructure in section 502(f)(1) of title 32, United States Code. The agreement includes an amendment that would amend section 2012 of title 10, United States Code, to add critical infrastructure as an eligible entity for assistance under such section. The committees note that the National Guard could play an important role in defending critical infrastructure against cyber attacks.

SEC. 1513. REPORT ON POTENTIAL DEPARTMENT OF DEFENSE SUPPORT AND ASSISTANCE FOR INCREASING THE AWARENESS OF THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY OF CYBER THREATS AND VULNERABILITIES AFFECTING CRITICAL INFRASTRUCTURE

This provision would require the Secretary of Defense to provide a report to the Committees on Armed Services of the Senate and the House of Representatives that provides recommendations on how the Department of Defense can improve support and assistance to the Cybersecurity and Infrastructure Security Agency to increase awareness of threats and vulnerabilities affecting domestic critical infrastructure, including infrastructure that is critical to the Department and to the defense of the United States.

MILITARY CONSTRUCTION

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

Alabama ¹	Redstone Arsenal	\$17,000,000
Connecticut	Army National Guard Readiness Center Putnam	\$17,500,000
Georgia	Fort Benning	\$13,200,000
Guam	National Guard Readiness Center Barrigada	\$34,000,000
Idaho	Jerome National Guard Armory	\$15,000,000
Illinois	National Guard Armory Bloomington	\$15,000,000
Kansas	Nickell Memorial Armory Topeka	\$16,732,000
Louisiana ²	Camp Minden	\$13,800,000
	Lake Charles National Guard Readiness Center	\$18,500,000
Maine	Saco National Guard Readiness Center	\$21,200,000
Michigan ³	Camp Grayling	\$16,000,000
Mississippi ⁴	Camp Shelby	\$15,500,000
Montana	Butte Military Entrance Testing Site	\$16,000,000
Nebraska ⁵	Mead Army National Guard Readiness Center	\$11,000,000
North Dakota	Dickinson National Guard Armory	\$15,500,000

South Dakota ⁶	Sioux Falls National Guard Armory	\$15,000,000
Vermont ^{7,8}	Bennington National Guard Armory	\$16,900,000
	Camp Ethan Allen Training Site	\$4,665,000
Virginia	National Guard Armory Troutville	\$13,000,000

1. Congressional add for a National Guard Readiness Center in the amount of \$17M.
2. Congressional add for Collective Training Unaccompanied Housing in the amount of \$13.8M.
3. Congressional add for a National Guard Readiness Center in the amount of \$16M.
4. Congressional add for the Maneuver Area Training Equipment Site in the amount of \$15.5M.
5. Congressional add for Collective Training Unaccompanied Housing in the amount of \$11M.
6. Congressional add for a National Guard Readiness Center in the amount of \$15M.
7. Congressional add for a National Guard Readiness Center in the amount of \$16.9M.
8. Congressional add for Family Readiness Center in the amount of \$4.6M.

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

Alabama ^{9,10}	Montgomery Regional Airport	\$19,200,000
	Sumpter Smith Air National Guard Base	\$7,500,000
Connecticut ¹¹	Bradley International Airport	\$17,000,000
Delaware ¹²	New Castle Air National Guard Base	\$17,500,000
Idaho ¹³	Gowen Field	\$6,500,000
Illinois ¹⁴	Abraham Lincoln Capital Airport	\$10,200,000
Massachusetts	Barnes Air National Guard Base	\$12,200,000
Michigan	Alpena County Regional Airport	\$23,000,000
	Selfridge Air National Guard Base ¹⁵	\$28,000,000
	W. K. Kellogg Regional Airport	\$10,000,000
Mississippi	Jackson International Airport	\$9,300,000
New York	Francis S. Gabreski Airport ¹⁶	\$14,800,000
	Schenectady Municipal Airport	\$10,800,000
Ohio	Camp Perry	\$7,800,000
South Carolina ¹⁷	McEntire Joint National Guard Base	\$18,800,000
South Dakota	Joe Foss Field	\$9,800,000
Texas ¹⁸	Kelly Field Annex	\$9,500,000
Washington ¹⁹	Camp Murray Air National Guard Station	\$27,000,000
Wisconsin	Truax Field	\$44,200,000
Wyoming	Cheyenne Municipal Airport	\$13,400,000

9. Congressional add for an Aircraft Maintenance Facility in the amount of \$19.2M.
10. Congressional add for a Security and Services Training Facility in the amount of \$7.5M.
11. Congressional add for a Composite ASE/Vehicle MX Facility in the amount of \$17M.

12. Congressional add for a Fuel Cell/Corrosion Control Hangar in the amount of \$17.5M
13. Congressional add for a Medical Training Facility in the amount of \$6.5M
14. Congressional add for a Base Civil Engineering Facility in the amount of \$10.2M.
15. Congressional add for an A-10 Maintenance Hangar and Shops in the amount of \$28M.
16. Congressional add for a Base Civil Engineer Complex in the amount of \$14.8M.
17. Congressional add for a Hazardous Cargo Pad in the amount of \$9M.
18. Congressional add for Aircraft Corrosion Control in the amount of \$9.5M.
19. Congressional add for an Air Support Operations Complex in the amount of \$27M.

SEC. 2606. AUTHORIZATIONS OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE

This provision would authorize the appropriations for the reserve component military construction projects authorized for construction listed in Section 4601.

SEC. 4601. MILITARY CONSTRUCTION.

ARNG Unspecified Worldwide..	Planning and Design.....	\$32,000,000
ARNG Unspecified Worldwide..	Unspecified Minor Construction.....	\$39,471,000
ANG Various Worldwide.....	Planning and Design.....	\$34,402,000
ANG Unspecified Worldwide....	Unspecified Minor Construction.....	\$29,068,000

Base Realignment and Closure Activities

SEC. 2853. LAND CONVEYANCE, SAINT JOSEPH, MISSOURI

This provision would grant permissive authority to the Secretary of the Air Force to convey to the City of Saint Joseph, Missouri, approximately 54 acres of land at the Rosecrans Air National Guard Base for the purposes of accommodating the operations and needs of the Rosecrans Memorial Airport as well as development of the parcels and buildings for economic purposes.