



United States House of Representatives

## HOUSE ARMED SERVICES COMMITTEE

### Conference Report Summary for the Fiscal Year 2021 National Defense Authorization Act

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The Fiscal Year 2021 National Defense Authorization Act (NDAA) comes at a pivotal time in our nation's history. The FY21 NDAA focuses on maintaining the strength of our defense enterprise as our nation grapples with a once-in-a-generation health crisis and a heightened social crisis against the backdrop of sustained systemic discrimination.

For the sixtieth consecutive year, Congress will enact timely, important, and essential legislation to fulfill its critical constitutional obligation to "provide for the common defense" and allow our nation's military to continue to represent the best that America has to offer: Our leadership and values.

To address the country's greatest military threats, the FY21 NDAA conference report balances vital national security requirements in a resource-constrained environment while ensuring the Department of the Defense is postured to address the shifting global security landscape and its effects on the national defense apparatus. The FY21 NDAA authorizes a defense enterprise that is **diverse, inclusive, accountable, and responsible** in the management of its resources, and ensures America's military maintains its competitive edge while increasing accountability so that Congress and the American people know how defense resources are allocated and spent.

The FY21 NDAA Conference Report **continues to improve the quality of life for our service men and women in uniform – including the authorization for a 3.0 percent pay increase** – makes key investments to military infrastructure, and provides crucial support to training and sustainment activities that enhance military operations. Our service members confront unique, complex challenges and deserve our support. The devastating impacts of the COVID-19 pandemic have affected every aspect of our daily lives, and the military is no exception. The FY21 NDAA conference report **authorizes funding that will strengthen DOD and the country's ability to respond to potential COVID-19 resurgence and other infectious diseases in the future.**

The FY21 NDAA conference report authorizes approximately \$732 billion in discretionary spending for national defense, including approximately \$69 billion of Overseas Contingency Operations (OCO). This authorization level will allow our military to maintain readiness, expand capabilities, and invest in the new software and technologies required to secure our country.





**TABLE 1: FY21 NDAA Funding Levels\***

Budget Item	Amount (in billions of dollars)
DoD Discretionary Base	\$635.5
DoE Discretionary Base	\$26.6
Defense-Related Activities*	\$0.5
<b>FY21 Base Budget NDAA Topline</b>	<b>\$662.6</b>
Overseas Contingency Operations (OCO)	\$69.0
<b>FY21 Discretionary Topline**</b>	<b>\$731.6</b>

\*Does not include \$8.9 billion in national defense authorizations outside of HASC jurisdiction

\*\*Does not include mandatory defense spending

## Summary of Provisions in the FY21 NDAA

### FULL COMMITTEE

#### COVID-19

- Requires one of the Assistant Secretaries to be the Assistant Secretary of Defense for Industrial Base Policy, whose principal duties will involve the overall supervision of policy of the Department of Defense for developing and maintaining the defense industrial base of the United States and ensuring a secure supply of materials critical to national security.
- Adds an additional \$180 million to the Maritime Security Program (MSP) to enable MSP carriers to keep their ships fully crewed despite the lack of cargo as a result of COVID.

#### Partners and Allies

- Expresses the Sense of Congress strongly reaffirming the United States commitment to the North Atlantic Treaty Organization (NATO) alliance and urging further cooperation with NATO on shared challenges such as the COVID-19 pandemic.
- Enhances authorities for the Department of Defense to engage with our closest allies and partners, including those in the National Technology and Industrial Base (the United States, the United Kingdom, Canada, and Australia) to ensure secure sources of materials critical to U.S. national security.

#### Yemen

- Requires a GAO report examining the impact of U.S. military support to the Saudi-led coalition on the conflict in Yemen and civilian casualties.





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- Includes a Statement of Policy on Yemen that prioritizes ending the conflict, stabilizing the region, and addressing the humanitarian crisis with our partners and allies, and requires a report from the Secretary of State explaining what diplomatic efforts have been undertaken to end the conflict and to stabilize Yemen.

### Europe and Russia

- Prevents reduction in the number of U.S. forces stationed in Germany below 34,500 until 120 days after the Secretary of Defense submits an assessment and planning regarding the implications for allies, costs, military families, deterrence, and other key issues. Expresses the sense of Congress emphasizing the value of U.S. forces in Germany and the U.S-German alliance.
- Fully funds the European Deterrence Initiative (EDI) and invests in additional capabilities that support deterrence in the European Command area of operations.
- Provides \$250 million for the Ukraine Security Assistance Initiative (USAI), which provides support and assistance to the Ukrainian Armed Forces.
- Establishes yearly reporting on any “bounties” or other attempts by the Russian Federation, its agents, or proxies to encourage or support attacks against U.S. troops or personnel in named operations or combat.
- Requires a report on the Russian Federation’s support for racially and ethnically motivated violent extremists.

### Indo-Pacific

- Authorizes a Pacific Deterrence Initiative to reassure allies and partners of an enduring U.S. commitment to the region and to enhance congressional oversight of military activities in the AOR. Authorizes \$2.2 billion in military activities as the basis of the Initiative.
- Prohibits the use of funds to reduce active duty U.S. forces in South Korea below 28,500 until 90 days after the Secretary of Defense certifies certain conditions.
- Prohibits the commercial export of defense articles and services and munitions items to the Hong Kong Police Force.
- Authorizes the Secretary of Defense to transfer \$15 million to the State Department to be used for dioxin (Agent Orange) cleanup at Bien Hoa, Vietnam.

### Counter-ISIS

- Continues U.S. military support to our partners in Iraq and Syria to fight ISIS, while extending and expanding Congressional oversight over U.S. military training and equipping activities.
- Requires the Secretary of Defense to certify U.S. military forces are not being used to extract, transport, transfer, or sell oil from Syria.





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### Israel

- Includes the U.S.-Israel Security Assistance Act of 2020, a package of reforms that codifies \$500 million in U.S. assistance to Israel under the U.S.-Israel Memorandum of Understanding for eight years, one of the largest historical provisions of defense aid to Israel.
  - Includes dozens of measures and millions of additional dollars to boost U.S.-Israel cooperation—via the U.S. Department of Defense, Department of State, USAID, Department of Health and Human Services, Department of Transportation, Food and Drug Administration, NASA, Office of Science and Technology Policy, and other agencies—on missile defense, directed energy, war reserves stockpiles, trade, international development, high-tech research, health technologies, space, desalination, defense R&D, acquisition, and numerous other issues.
  - Allows the creation of a Defense Department U.S.-Israel working group on operations and technology issues to facilitate greater cooperation between the United States and Israeli companies on defense acquisition and innovation.

### Iran

- Requires the Department of Defense to submit detailed budget and activity information to the Congress on Operation Spartan Shield, which covers some Iran deterrence related activities, in the Central Command area of operations.

### Afghanistan

- Afghanistan Security Forces Fund (ASFF): Encourages the continual development of Gender Programs by specifying funds within ASFF for the recruitment, retention, and professional development of women in the ANDSF
- Afghan Special Immigrant Visas (SIV): Extended the program and provided funding for additional visas this program allows Afghans (and their families) whose service to the US Government puts them at great risk, to immigrate to the United States.
- Requires the Department of Defense to submit detailed budget information to Congress on Operation Freedom Sentinel – specifically funds spent outside of Afghanistan that support operations in Afghanistan.

### Guantanamo

- Does not expand any statutory restrictions on transfer of detainees from Guantanamo Bay.

### Deployment of military personnel to the southern border of the United States

- Modifies the authority to assist Customs and Border Protection (CBP) at the southern border to:
  - Require a certification that there will be no impact to readiness;







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- Requires a report on the deployment of US military in support of southern border activities, includes readiness levels to include impacted training events for units deployed;
- Greatly expands existing quarterly report requirements on the mission of National Guard and active duty personnel at the southern border;
- Requires the Department of Defense to provide quarterly and total cost breakdowns for support provided to CBP.

### Acquisition

- Requires disclosure of beneficial ownership in the database used by federal agency contract and grant officers for contractor responsibility determinations.
- Directs the Assistant Secretary of Defense for Industrial Base Policy and other officials to establish initiatives to help the Department of Defense better leverage the innovation and agility of small businesses, to expand and diversify the number of small businesses in the national technology and industrial base, and to improve their resiliency in the face of national emergencies.
- Protects telecommunications supply chains through continued oversight of the Department of Defense's implementation of section 889 of the FY19 NDAA; ensures that the Department is executing the law through a careful, risk-based approach.
- Requires agencies to report on the timeliness of accelerated payments made to certain small businesses.
- Preserves contracting officers' authority and responsibility to obtain cost and pricing data for certain contracts for components and services.

### Election Security

- Authorizes the State Department to offer rewards for providing information on foreign election interference and provides a definition of foreign election interference.

### Oversight

- Clarifies whistleblower rights by requiring DOD contractors to inform their employees that internal confidentiality agreements do not prohibit the employees from lawfully reporting fraud waste or abuse.
- Requires quarterly congressional reports on 10 USC 284, an authority for DOD counterdrug and counter transnational criminal organization support to other agencies that was used by the Trump administration to construct part of the border wall.
- Adds congressional notification after a program using rapid prototyping and/or rapid fielding under "middle tier" of acquisition authority is terminated.
- Includes The Anti-Money Laundering Act of 2020, which, in addition to improving coordination among the regulatory and law enforcement agencies tasked with anti-money laundering and countering the financing of terrorism authority, establishes first of its kind federal beneficial ownership reporting requirements to improve transparency for





national security, intelligence and law enforcement agencies and discourage the use of shell corporations as a tool to disguise illicit funds.

**Improves Identification of Federal Law Enforcement, active duty military, or the National Guard who provide support to Federal authorities in response to civil disturbances**

- Requires each member of a Federal law enforcement agency, the Armed Forces, or National Guard who provides support to Federal authorities in response to a civil disturbance to display visibly: (1) The individual's name or other identifier unique to that individual; and (2) The name of the Federal law enforcement agency, Armed Force, or other organization by which such individual is a member.
- Provides an exception to this requirement for individuals who in the performance of their regular duties work in an undercover status.

**MILITARY PERSONNEL**

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**Quality of Life**

- Increase in basic pay: Authorizes a 3.0% increase in basic pay for service members.
- Increase in certain hazardous duty incentive pay for members of the uniformed services: Increases Hazardous Duty Pay from \$250 to \$275 per month.
- Standardization of payment of hazardous duty incentive pay for members of the uniformed services: This section authorizes the Secretary of Defense to standardize payment of hazardous duty incentive pay for members of the Guard and Reserve Components of the Armed Forces.
- Permanent suicide prevention and resilience program for the reserve components: Makes permanent the pilot program for reserve components.
- Maintenance of funding for Stars and Stripes: Maintains the operation of Stars and Stripes throughout 2021.
- Modifications to implementation plan for restructure or realignment of military medical treatment facilities: Adds additional requirements before DOD can downsize or realign MTFs.
- Awards upgrades for valorous service members: Allows for the award of the Distinguished-Service Cross to Ramiro F. Olivo, and for the award of the Medal of Honor to Ralph Puckett, Jr., Dwight M. Birdwell, Alwyn C. Cashe, and Earl D. Plumlee.

**Families**

- **Maternity Uniform Pilot Program:** 5-year funded pilot program for the temporary issuance of maternity uniforms to pregnant military servicemembers, and at no cost to the servicemember.
- **Compensation and credit for retired pay purposes for maternity leave taken by members of the reserve components:** Maternity leave taken by a member of the reserve components of the Armed Forces will now count toward the member's entitlement to retired pay.





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- **Plan to improve responses to pregnancy and childbirth by members of the Armed Forces and employees of the Department of Defense:** Requires SecDef to develop a policy to ensure that the career of a member of the Armed Forces is not unduly affected because the member.
- **Childcare:** This section authorizes the Secretary of Defense to furnish childcare to each child of a member of the Armed Forces or civilian employee of the Department of Defense while that member or employee works on rotating shifts at a military installation.
- **Extramedical maternal health providers demonstration project:** Demonstration project designed to evaluate the cost, quality of care, and impact on maternal and fetal outcomes of using certain extramedical maternal health providers (doulas and lactation consultants/counselors).
- **Family Support for Special Operations Forces Members:** Enhances and expands support services beyond immediate family members of the special operations force members and includes psychological support and spiritual support services as covered family support services.
- **Gold Star Families Parks Pass:** This provision makes the National Parks and Federal Recreational Lands Pass available, at no cost, to members of Gold Star Families.
- **Standardization of the Exceptional Family Member Program:** requires the SecDef to standard the EFMP program across all services, enhances support to families enrolled in the program and requires legal assistance by attorneys trained in education law.

### Sexual Assault Prevention and Response

- **Task Force on Domestic Violence:** Creates a task force to study and make recommendations on domestic violence within the military services.
- **Confidential Reporting of Sexual Harassment:** Enables victims of sexual harassment to make confidential reports of sexual harassment outside of the chain of command and EO/IG channels.
- **Safe to Report Policy across the Department of Defense:** Requires the SecDef to implement a Safe To Report Policy across the Services enabling victims to report sexual assaults without fear of punishment for certain minor collateral misconduct.
- **Coordination of Support for Survivors of Sexual Trauma:** Requires the Secretaries of Defense and Veterans Affairs to jointly develop, implement, and maintain a standard of coordinated care for members of the Armed Forces who are survivors of sexual trauma.
- Requires a report on the status of investigations of alleged sex-related offenses.

### Diversity and Inclusion

- **Chief Diversity Officers:** Creates a Chief Diversity officer of the Department of Defense and Senior Advisor for Diversity and Inclusions for each Military Service to include the Coast Guard.
- **Deputy Inspector General for Diversity and Inclusion and Supremacist, Extremism and Criminal Gang Activity:** Creates a deputy IG for supervision of audits,





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investigations, and evaluations of military personnel policies, programs, systems, and processes as regards the effect of same on diversity and inclusion in the Department of Defense and to prevent and respond to supremacist, extremist, and criminal gang activity by military personnel.

- **Establishment of mentoring and career counseling program:** Requires the SecDef to establish a mentoring and career counseling program with the goal of have the diversity of the population of officers serving in each branch, specialty community and grade of each armed force reflect the diversity population of each armed force as a whole.
- **Diversity and Inclusions reporting requirements:** Requires the SecDef to create a strategy for increasing diversity in the military as part of the National Defense Strategy, to include measurable metrics with progress report as part of each new National Defense Strategy.
- **Pilot programs in connection with SROTC units and CSPI programs at Historically Black Colleges and Universities and minority institution:** This section authorizes the Secretary of Defense to create pilot programs that support ROTC units at Historically Black Colleges, to include creating partnerships between military bases and institutions and providing financial assistance for pilot training.
- **Grants to support STEM education in the Junior Reserve Officers' Training Corps:** This section authorizes the Secretary of Defense to establish a grant program for science, technology, engineering, and mathematics education in Junior Reserve Officers' Training Corps units.
- **Report regarding reviews of discharges and dismissals based on sexual orientation:** Requires SecDef to provide a report on request for upgrades to discharges for those who were separated under Don't Ask Don't Tell.

### Countering Racism and Extremism

- **Tracking mechanism and reporting requirements for supremacist, extremist, and criminal gang activity in the Armed Forces:** Requires the DOD IG to establish a mechanism to track and report supremacist, extremist and criminal gang activity in the Armed Forces.
- **Questions regarding racism, anti-Semitism, and supremacism in workplace surveys administered by the Secretary of Defense:** Requires questions regarding racism, anti-Semitism and supremacism be incorporated into DOD surveys and a briefing on which surveys they will be included in.

### Burn Pit Registry and Electronic Health Records

- Requires DOD to ensure that information from the Burn Pit Registry be accessible from the Electronic Health Records.







### Agent Orange Protections

- **Adds Additional Diseases to Section 1116(a)(2) of title 38, United States Code:** Adds Parkinsonism, bladder cancer, and hypothyroidism to the list of diseases associated with exposure to certain herbicide agents.
- **Provides Long Overdue Benefits to Vietnam-Era Veterans:** Mandates that the Department of Veterans Affairs provides benefits to veterans who were exposed to Agent Orange and later diagnosed with Bladder cancer, Parkinsonism or hypothyroidism.

### New Benefit for ROTC Graduates

- **Expands the Death Gratuity Benefit for ROTC Graduates:** Authorizes the death gratuity benefit for ROTC graduates that pass away after graduating but before reporting to their first duty station. For example, families of ROTC graduates, like that of ROTC student 2LT Collins, can now receive the benefits that they deserve. 2LT Collins was a Black ROTC student who was murdered by another student with alt-right racist Facebook group affiliations. 2LT Collins was murdered days before reporting for duty, preventing his family from receiving the death gratuity benefit.

### Impact Aid

- Authorizes \$40.0 million for the purpose of providing assistance to local educational agencies with military dependent students, and \$10.0 million for local educational agencies eligible to receive a payment for children with severe disabilities

## READINESS

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### Symbols, Displays, Monuments, and Paraphernalia

- Establishes an independent commission to make binding recommendations to the Secretary of Defense for the modification or removal of all names, symbols, displays, monuments, and paraphernalia that honor or commemorate the Confederate States of America or any person who served voluntarily with the Confederate States of America from all assets of the Department of Defense.

### Border Wall

- Amends the national emergency military construction authority (10 USC 2808) to set an annual limit of \$100 million for the domestic use of the authority and \$500 million for overseas projects, with an exception for medical projects that may be necessary to support response to a health emergency or pandemic.
- Does not backfill military construction funds stolen for the border wall.





**Sale or Donation of Excess Department of Defense Personal Property for Law Enforcement Activities**

- Includes disaster-related emergency preparedness activities among law enforcement activities eligible to participate in the program; provides preference for disaster-related emergency preparedness type-equipment requests, and highest preference for high-water vehicle requests.
- Prohibits transfer of bayonets, grenades (other than stun and flash-bang), weaponized tracked vehicles, and weaponized drones.
- Requires annual training by participating law enforcement agencies in de-escalation of force, and respect for the rights of citizens under the Constitution of the United States.

**Paid Parental Leave Technical Corrections**

- Makes technical corrections to the Paid Parental Leave benefit provided through the FY20 National Defense Authorization Act to ensure that Federal Aviation Administration, Department of Veterans Affairs, and certain other civilian employees inadvertently omitted from the legislation receive the paid parental leave benefit.

**Support for Civilian Employees**

- Permits most federal employees to carry over an additional 25% of annual leave into 2021, in recognition of their dedicated service during the pandemic.
- Includes the text of the Elijah Cummings Federal Employee Antidiscrimination Act.
- Prohibits the Secretary of Defense from reducing the civilian workforce unless the Department assesses the impact of such reduction on workload, military force structure, lethality, readiness, and operational effectiveness.
- Authorizes benefits to all injured government employees who suffer brain injuries from their service in Cuba or China.

**Department of Defense Maternity Uniform Pilot Program**

- Authorizes \$10 million for a 5-year Department of Defense pilot program for issuing maternity-related uniform items to pregnant members of the armed forces, on a temporary basis and at no cost to the service-member.
- Requires a report during the fifth year of the pilot program, listing the costs and savings, and recommendations as to whether or not the program should be extended.

**Climate Change**

- Requires an update to the Department of Defense Climate Change Roadmap.
- Requires a report on the implementation of provisions from the FY2020 National Defense Authorization Act related to installation master planning, updates to the Unified Facilities Criteria (building codes), sea-level rise modeling, and climate assessment tools.





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- Includes and alternative fuel vehicle pilot program that will require the military departments to expand their use of alternative fuel non-tactical vehicles to increase the use of hybrid and EV vehicles.
- Requires the Department to submit a report on its greenhouse gas emission for the last 10 years within 180 days of enactment.
- Requires the Department of Defense to invest in research and development of advanced water harvesting technologies that would aid in addressing water security issues in areas impacted by drought due to climate change.
- Expands the military department's ability to use installation resilience authorities to support climate resiliency projects at National Guard Facilities owned by the State.
- Requires the military services to assess their water use at installations in regions experiencing water scarcity, maximize use of landscaping practices that reduce water usage, and improve their water conservation.

### Energy Resiliency

- Requires a report on efforts taken to ensure fuel consumption, distribution, and logistics are being considered across the Department and that steps are being taken to reduce consumption of fossil fuels by 30 percent in 25 years to reduce the number of resupply convoys and oilers required in a contested environment.
- Creates a pilot program that requires the services to expand their use of alternative fuel non-tactical vehicles (sedans and vans) to increase use of hybrid and EV vehicles and lower emissions.
- Requires the Department of Defense to institute energy metering on critical military facilities to assess the energy requirements and plan to ensure resilient power sources for these facilities.
- Establishes a pilot program to develop microgrids on military installations that integrate emergency diesel generators to demonstrate how microgrid emergency diesel generator backup power could create efficiencies and resiliency while reducing costs and emissions.
- Promotes the use of on-site energy production to promote military installation energy resiliency and energy security.
- Requires an assessment of the Department's installation and operational energy usage.
- Re-establishes the Operational Energy Capability Improvement Fund, which was eliminated in the budget request, and authorizes \$65 million to demonstrate and field technologies that reduce fuel consumption and logistics.
- Established an Operational Energy budget line to enhance transparency and congressional oversight of Department's efforts to reduce fossil fuel usage and make conservation gains on operational platforms.
- Requires the Comptroller General to assess the Department's progress towards meeting net zero goals for installations to include an assessment of the cultural and legislative barriers to meeting these goals.





- Expands the Department's authority to use Energy Resilience and Conservation Program funds to increase resilience and energy conservation on installations with privatized utilities

**Continues efforts to address contamination associated with per- and polyfluorinated compounds around military installations**

- Requires the Secretary of Defense to notify all agricultural operations in an area where covered PFAS has been detected in groundwater that is suspected to originate from use of firefighting foam on a military installation.
- Requires the Department of Defense to notify the congressional defense committees when there has been an uncontrolled release of PFAS-containing firefighting agent.
- Establishes a prize that can be awarded by the Secretary of Defense for innovative research that results in a viable replacement agent for firefighting foam that does not contain PFAS.
- Requires the Department of Defense to survey and report on non-firefighting agent technologies, such as hangar flooring and firefighting equipment, that will help facilitate the phase-out of PFAS containing firefighting agents.
- Makes technical corrections to the FY2020 National Defense Authorization Act to ensure that all National Guard installations are eligible for funding under the Defense Environmental Restoration Account for PFAS remediation.
- Establishes an interagency coordinating body for PFAS research.
- Prohibits the Department of Defense from procuring certain items containing PFAS, including cookware, and carpets and upholstery with stain-resistant coatings.
- Authorizes the Department to work with private entities to spur research, development and testing of PFAS-free fire-fighting agents.
- Requires the National Institute of Standard and Technology to study the safety of fire-fighting equipment with respect to protecting fire fighters from PFAS, and conduct research on improving the safety of this equipment.
- Authorizes \$90 million for research lines that support development of PFAS remediation and disposal technologies and firefighting agent replacement.
- Authorizes a total of \$1.4 billion for environmental remediation and BRAC accounts which support a range of remediation activities, to include those related to PFAS, at current military installations, formerly utilized defense sites, and installations closed by BRAC.

**Builds on the Committee's Previous Legislative and Oversight Activities to Ensure that Military Personnel and Their Families Live in Quality Housing and that the Department and Private Housing Partners are Responsive to Resident Concerns**

- Requires a report on the oversight of known environmental hazards in government-owned family housing, including overseas housing.







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- Requires the Department of Defense to report on the feasibility of standardizing privatized housing performance metrics to better allow the Department to track trends across the housing enterprise.
- For future and renegotiated privatized housing agreements, requires that funding for housing maintenance and recapitalization be prioritized ahead of housing management and other fees in the payment structure.
- Updates minimum health and safety standards for all military base housing, requires transparency for private housing company contract performance fees, and requires a report on the status of other military housing reforms.
- Increases transparency by requiring DOD to notify Congress of large expenditures coming from the family housing reinvestment accounts.
- Repeals the provision in Title 10 that allowed the Department of Defense to place families in substandard housing units.
- Requires the Secretary of Defense to implement Comptroller General recommendations for improvement of military family housing.
- Authorizes an additional \$60 million for oversight and improvement of the Military Housing Privatization Initiative (MHPI) program and to continue addressing environmental and maintenance issues in government-owned family housing.

### **Makes Investments in key Readiness Accounts and Military Infrastructure to Support the Training, Sustainment, and Quality of Life for Military Personnel and Their Families**

- Authorizes appropriations for \$8.4 billion in military construction, family housing, and BRAC cleanup activities. This includes the following increases above the budget request:
  - \$170.4 million for additional projects under the Energy Resilience and Conservation Investment Program and planning & design for future projects;
  - \$159 million for additional Child Development Centers;
  - \$84.2 million for additional housing and barracks projects for training and enlisted personnel;
  - \$60 million for the costs to complete Air Force projects that have experienced cost-growth;
  - \$25 million for additional planning and design associated with military installation resiliency initiatives; and
  - \$15 million to support planning & design requirements associated with posture initiatives of the Indo-Pacific Command.
- Establishes the Office of Local Defense Community Cooperation and codifies in law the Department of Defense entity that run the Joint Land Use Study, DOD Schools, Defense Community Infrastructure Program, and Defense Manufacturing Community Support Program to ensure stability and effective community engagement.
- Authorizes \$50 million for the Defense Community Infrastructure Program (DCIP) and clarifies congressional intent with respect to the implementation of the program.





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- Authorizes appropriations for operation & maintenance accounts that support military operations, training, and weapon system sustainment. This includes the following increases above the budget request:
  - \$483.4 million for facilities sustainment, restoration, and modernization to help with the backlog of facility requirements;
  - \$90 million to establish a dedicated funding line for Shipyard Infrastructure Optimization Program (SIOP) facility sustainment, restoration, and modernization projects related to SIOP.
  - \$142 million for sealift readiness to help address shortfalls found during a turbo activation exercise in 2019;
  - \$104.610 million to retain 13 KC-135 and 10 KC-10 aerial refueling aircraft originally scheduled for divestment;
  - \$148.42 million to retain A-10 aircraft originally scheduled for divestment, and sustain a fleet of 281 aircraft;
  - \$90 million for Child Youth Services programs;
  - \$60 million for the acquisition and conversion of two additional used sealift vessels. This would bring the total to \$120 million for four ships authorized in the bill.

### **Other Matters Related to Logistics, Sustainment, and Safety**

- Requires the Department to conduct a comprehensive examination and submit a report on the sustainment and logistics requirements, gaps, and mitigations necessary to support the force structure, force modernization, infrastructure, and other elements of the national defense strategy.
- Ensures additional emphasis is placed on weapon system sustainment costs during the acquisition process and requires the Secretary of Defense to establish an independent advisory panel to conduct a review and make recommendations related to the weapon system sustainment ecosystem.
- Requires the development of a strategic framework for prioritizing and integrating sustainment of major defense acquisition programs in support of the national defense strategy, the development of materiel readiness metrics and objectives for major weapon systems, and a report on these metrics with each annual budget request.
- Makes changes to the Department of Defense cargo preference statutes to improve enforcement of current U.S. flag requirements.
- Expands and codifies an annual report on the infrastructure requirements and investments at enduring and contingency bases maintained overseas. In addition, requires a one-time report on the infrastructure masterplan for all infrastructure requirements, and a breakdown of U.S. and Australia funded projects, needed to support the Marine Rotational Force and others that may operate from Darwin, Australia.





- Requires an independent review of critical points of failure in the munitions enterprise, requires a report on mishaps and safety waivers in the munitions enterprise, and clarifies the role and authority of the Chairman of the Department of Defense Explosive Safety Board.

## **STRATEGIC FORCES**

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### **Nuclear Deterrence/Non-proliferation**

- Strengthens oversight on the National Nuclear Security Administration's plutonium pit production plans.
- Strengthens program management controls on the nuclear warhead acquisition process, including the proposed W93 warhead.
- Requires detailed reporting by the National Nuclear Security Administration laboratories, plants, and sites on their efforts to hire a diverse workforce at a time when the NNSA is hiring thousands of workers across the nation.
- Requires the National Nuclear Security Administration to provide detailed annual reports on uncosted balances.
- Requires an independent study of the effects of nuclear winter.
- Fences funding until the Administration provides previously required reports on nuclear arms control and missile defense.
- Adds funding for certain nuclear non-proliferation programs.
- Extends indefinitely the ombudsman's office for the Energy Employees Occupational Illness Compensation Act (EEOICPA) program in order to ensure covered individuals are able to receive compensation.
- Authorizes increased funding for nuclear clean-up programs and prohibits the reclassification of high-level waste at the Hanford Nuclear Reservation.

### **Verification and Strategic Stability**

- Raises concern with regards to U.S. assets and personnel that will continue to be subject to Open Skies overflights and with the failure to abide by US law in withdrawing from the Treaty. Further requires a report regarding the impact of withdrawal to national security, allied views on U.S. withdrawal, and how the U.S. could replace imagery and intelligence received via the Open Skies Treaty.

### **Missile Defense**

- Supports regional missile defense programs to protect our troops and allies around the world from short- to intermediate-range missile threats, including production of Aegis missiles and co-development and co-production of Israeli missile defense systems.
- Cuts and redirects funding from the Ground Based Midcourse Defense system, and the Next Generation Interceptor, to address excessive cost growth and programmatic delays





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- Pauses efforts to expand regional missile defense systems for the use of defending the United States against intercontinental ballistic missiles in the Department of Defense's proposed "underlay" architecture – fences 50% funding until key programmatic and policy areas are addressed, including how the proposed "underlay" would be perceived by our adversaries, and what actions they may take in response.
- Restores sound investment in missile defense radar to improve discrimination.

### Hypersonics

- Increases oversight of Department strategic hypersonic weapons development, initiates efforts to reduce the risk of miscalculation, and requires an assessment of unintended escalation potential of these types of weapons.

### Space

- Provides oversight to ensure use of existing and emerging commercial space capabilities for national security, including for space domain awareness and proliferated LEO capabilities.
- Strengthens oversight of national security space launch for reliable access to space while ensuring competition and innovation.
- Supports the emergence of small launch capabilities.
- Requires a strategy for national security and civil space.

## **INTELLIGENCE AND EMERGING THREATS AND CAPABILITIES**

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### Cyber

- Establishes a National Cyber Director within the Executive Office of the President to serve as the President's chief advisor on cyber matters and lead coordinator for Executive Branch departments and agencies' cyber issues.
- Extends the Solarium Commission for over a year and a half to provide updates to the Executive and Legislative Branches on the implementation of the Commission's final report.
- Expands the authority of U.S. Cyber Command to expend resources on cyber-peculiar capabilities.

### Intelligence

- Increases accountability of funds expended for Department of Defense clandestine activities that support operational preparation of the environment.
- Modernizes the statutory framework for the management of geospatial intelligence.
- Directs an assessment of the feasibility of establishing a medical security partnership with the Ministry of Defense of Taiwan that would include issues related to pandemic preparedness and control, research and production of vaccines and medications, and scientific cooperation.







## United States House of Representatives

# HOUSE ARMED SERVICES COMMITTEE

- Requires acceleration in the development and fielding of counter unmanned aircraft systems across the Joint Force to ensure troops are protected.
- Addresses malign foreign influence targeting the U.S. military by studying cyber exploitation and online deception of members of the armed forces and their families; establishing a training program on the threat of foreign malign influence campaigns carried out through social media; and encouraging incorporation into pre-deployment training a new component on media literacy.
- Requires a report on foreign malign influence campaigns on social media platforms targeting elections for federal office.

### Artificial Intelligence

- Makes substantial improvements to the Joint Artificial Intelligence Center (JAIC) by bringing responsibility for it up to the Deputy Secretary of Defense, establishing a Board of Advisors and establishing acquisition authority for the Director of the JAIC.
- Includes recommendations from the National Security Commission on Artificial Intelligence, established in the FY19 NDAA, including:
  - Encourages the Secretary to establish a Steering Committee on Emerging Technology;
  - Modifies the Department's strategy for assured access to a trusted supply chain for microelectronics;
  - Assessing the Department's ability to ensure that artificial intelligence technology acquired by the Department is ethically and responsibly developed;
  - Requires training for human resources personnel in artificial intelligence and related topics;
  - Requires guidance on establishment of unclassified workspaces for personnel with pending security clearances;
  - Establishes a pilot program on the use of electronic portfolios to evaluate applicants for certain technical positions;
  - Ensures availability of self-directed training in artificial intelligence;
  - Establishes program for part-time and term employment of university professors and students in the defense science and technology enterprise; and
  - Enhanced public-private talent exchange programs in the Department.
- Includes the National Artificial Intelligence Initiative Act, a civilian-led Federal initiative to coordinate and accelerate investments in trustworthy artificial intelligence systems.

### Countering Weapons of Mass Destruction

- Requires implementation of GAO recommendations on preparedness of United States forces to counter North Korean chemical and biological weapons.
- Restores \$121.7 million in funding to the Department of Defense Cooperative Threat Reduction (CTR) Program with an increased focus on cooperative biological engagement to detect and confront biological threats to the United States.





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- Directs the Secretary of Defense, in consultation with the Secretary of State, to enter into an arrangement with the National Academy of Science to conduct an assessment of the United States strategies for preventing, countering, and responding to nuclear, biological and chemical terrorism.
- Improves oversight of Federal biodefense programs by requiring the Director of OMB and the Secretary of Health and Human Services to provide integrated biodefense budget submissions and comprehensive analysis of all federal biodefense programs annually, beginning in FY2023.
- Requires all relevant Departments and agencies to review and update the National Biodefense Implementation Plan.

### Special Operations

- Enhances and expands support services beyond immediate family members of the special operations force members and includes psychological support and spiritual support services as covered family support services.
- Increases accountability and transparency into the planning for, use of, and suspension or termination of those activities enabled by the authority found in section 127e of title 10, United States Code in support of U.S. special operations forces conducting counterterrorism missions.
- Directs a comprehensive report on resources necessary to implement the civilian casualty policy.
- Addresses civilian casualties resulting from U.S. military operations including:
  - Sense of Congress commending the Department of Defense for measures to prevent, mitigate, track, investigate, learn from, respond to, and report civilian casualties resulting from U.S. military operations.
  - Study to explore other geographic combatant commanders providing civilian casualty reporting data similar to U.S. AFRICOM.
  - Authorizes resources to implement a Department policy on civilian casualties in connection with U.S. military operations.

### Science and Technology

- Adds over \$330 million to the Department's Science & Technology lines.
- Supports funding for research that advances long-range forecasting of seasonal and subseasonal weather patterns, which would provide national security officials with advanced warning of potentially destabilizing events and allow time to adequately plan mitigation measures.
  - Authorizes an additional \$5 million for research into extreme weather events.
- Requires a social, management, and information science research and development program to ensure access to the innovation and expertise necessary for improving the effectiveness and efficiency of executing operational and management activities.
- Restores \$17 million in funding to the Department's Minerva Program that invests in social science research programs.





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- Allows the Secretary of Defense to engage in cooperative research and development projects with allies when cost sharing is unequal in cases that provide strategic value to the United States or partner country.
- Directs establishment of a Directed Energy working group to evaluate current and planned programs.
- Directs Federal research agencies with over \$100 million in annual extramural research expenditures to require applicants for federal research and development funding to disclose all funding they receive and from which sources.
- Furthers facilitation of expedited access to university technical expertise, including faculty, staff, and students, in support of Department of Defense missions; expands the mission areas to include additive manufacturing and 3D and virtual technology training platforms.
- Creates a new Federal initiative in sustainable chemistry to ensure that chemistry and chemical engineering research and education emphasizes reducing or eliminating hazards, waste, and energy consumption in the design of industrial products and processes from the earliest stages of research.
- Directs the Secretary of each military department to identify near term technical problems that could be better addressed by quantum computing systems, and establish agreements with appropriate small and medium businesses with quantum computing capabilities to provide those private sector capabilities to government, industry, and academic researchers working on relevant technical problems and research activities.
- Reauthorizes the National Oceanographic Partnership Program, an interagency effort to promote national goals of assuring national security, advancing economic development and ensuring environmental stewardship through improved knowledge of the ocean.
- Includes \$50.0 million in funding for micronuclear reactors
- Directs the Secretary to iteratively develop and integrate advanced digital data management and analytics capabilities into all aspects of the defense acquisition system.
- Directs establishment of an activity to support partnerships with academic, public, private, and non-profit sector organizations to expand the national security innovation base, including through programs such as Hacking for Defense.
  - Restored \$40M to the National Security Innovation Network
- Directs the Secretary of Commerce to establish a financial assistance program to incentivize investment in facilities and equipment in the United States for semiconductor fabrication, assembly, testing, advanced packaging, and research and development. This program supports workforce development and the construction and modernization of American facilities and equipment to be used for semiconductors.





### **STEM & Hiring the Best Talent**

- Directs the Secretary to partner with minority institutions of higher education and appropriate public and private sector organizations to diversify the participants in Department's Science, Mathematics, and Research for Transformation (SMART) Defense Education Program and strengthen the national security workforce.
  - Adds \$20 million in funding for Historically Black Colleges and Universities and Minority Institutions.
- Directs the Secretary, subject to the appropriation of funds, to provide financial assistance, scholarships, and fellowships for students at historically Black colleges or universities or at minority institutions.
- Directs the development of programs and incentives to encourage Department of Defense contractors support STEM education in elementary and secondary schools.
- Establishes an enhanced pay program for positions in the DOD laboratories to assist the military departments in recruiting and retaining highly qualified acquisition and technology experts.
- Directs a single organization to have primary responsibility for building cohesion and collaboration across the Department's various scholarship and employment programs.
- Directs a study to better retain and attract highly qualified individuals for employment in DOD, who possess scientific or technical expertise in critical technologies and are involved in with basic and applied research funded by the Department.

### **TACTICAL AIR AND LAND FORCES**

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#### **Legislative provisions**

- Requires preservation of critical close air support capabilities and force structure capacity during fiscal year 2021 by restricting retirement of Air Force A-10 aircraft.
- Requires quarterly briefings on the Joint All-Domain Command and Control concept.
- Requires the secretaries of the military departments to report on the fielding of the newest generations of body armor. Also requires DOD to track and report injuries attributed to ill-fitting or malfunctioning equipment.
- Requires the Undersecretary of Defense for Acquisition and Sustainment to provide Congress regular updates on the replacement of tactical aircraft ejection seat emergency locator beacons that are inoperable in certain maritime environment conditions.
- Requires a study that identifies and evaluates the roles and responsibilities of the military services involved in the Explosive Ordnance Disposal (EOD) program.
- Continues critical oversight of the F-35 Joint Strike Fighter and initiates new reporting requirements from the Department on software testing methodologies, Autonomic Logistics Information System (ALIS) redesign and fielding, mitigation of physiological episode occurrences, and critical issues approaching the full-rate production decision occurring in 2021.







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- Requires the Director of Cost Assessment and Program Evaluation to conduct an in-depth cost, risk, and affordability review on Air Force plans to develop and field the Next Generation Air Dominance aircraft under an aggressive and uncertain plan known as the Digital Century Series Aircraft Acquisition Strategy.
- Requires the Air Force to provide a long-term modernization plan for airborne Intelligence, Surveillance, and Reconnaissance (ISR).
- Updates existing public law prohibiting retirement of the RQ-4 or U-2 aircraft until specific certifications or waivers have been provided to Congress.
- Strengthens accountability of the Advanced Battle Management System (ABMS) by adding reporting requirements on ABMS demonstrations, product line capabilities, and decision-making authorities. Also requires the Air Force, in consultation with the Director of Cost Assessment and Program Evaluation, to provide a cost estimate for ABMS.
- Requires the Secretary of Defense to develop a plan to transfer responsibility for Electromagnetic Spectrum Operations to an appropriate entity within the Department of Defense. Also requires the European, Indo-Pacific, and Central Commands and the military services to evaluate their ability to conduct electromagnetic spectrum operations.

### Program recommendations

- Supports the budget request and service's Unfunded Priorities Lists by authorizing 93 F-35 aircraft for the Air Force, Navy, and Marine Corps.
- Supports the Air Force's F-15EX tactical fighter program and the budget request for the T-7A training aircraft program.
- Provides funding for development of Air Force and Navy Next Generation Air Dominance capabilities.
- Provides additional funding for 5 CH-47F Block II Chinook helicopters.
- Supports the budget request for the AH-64 Apache and UH-60 Blackhawk helicopters.
- Supports the budget request for the CH-53K heavy lift helicopter.
- Supports the budget request for the Future Vertical Lift development program.
- Supports the budget request for the Improved Turbine Engine Program (ITEP).
- Provides additional funding for MQ-1 Gray Eagle unmanned aircraft.
- Provides additional funding for up to 16 MQ-9 Reaper unmanned aircraft.
- Increases funding for advance procurement to support the purchase of 12 F/A-18E/F Super Hornet aircraft in fiscal year 2022.
- Provides additional funding for continued development of noise reduction capabilities for Navy F/A-18 aircraft.
- Provides additional funding to enhance the Air Force's development schedule of Low-Cost Attributable Aircraft Technology program capabilities.
- Provides additional funding for Stryker combat vehicle upgrades to fully address an identified Army Chief of Staff unfunded priority.
- Provides additional funding for research and development of armored vehicle protection systems.
- Provides additional funding for Heavy Expanded Mobility Tactical Trucks (HEMTT)





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- Provides additional funding for procurement of additional Civil Air Patrol aircraft.
- Provides additional funding for E-8 JSTARS modernization.
- Supports the budget request for the MH-139 Grey Wolf helicopters.
- Provides additional funding to replace a Wide Area Motion Imagery sensor pod.
- Supports the budget request for 32 Armored Multi-Purpose Vehicles (AMPV), 30 Paladin self-propelled howitzers, and 89 Abrams tanks.
- Provides additional funding for Handheld Manpack Small Form Fit (HMS) radios.
- Supports the budget request for Assured Positioning Navigation, and Timing (APNT).
- Supports the budget request for Distributed Common Ground System-Army (DCGS-A)
- Provides additional funding for safety and modernization improvements at Army ammunition plants to ensure resiliency in the munitions industrial base. Fully addresses an identified Army Chief of Staff unfunded priority.
- Supports the budget request for the Precision Strike Missile (PrSM).
- Supports the budget request for 72 mobile short-range air defense missile systems (50 in base and 22 in OCO).
- Supports the budget request for 72 Amphibious Combat Vehicle Family of Vehicles (ACV)
- Supports the budget request for the Army, Marine Corps, and Air Force Joint Light Tactical Vehicles (JLTV).
- Supports the budget request for Air-to-Surface Missile Systems, including the Hellfire and Joint-Air-to-Ground Missile (JAGM).
- Supports the budget request for procurement quantities of tactical aircraft preferred and precision-guided air-launched munitions to include AMRAAMs, LRASM, JDAMs, SDBs, and JASSM-ER
- Supports the budget request for Army and Marine Corps anti-tank and assault missile systems, including Javelin and Guided MLRS Rocket (GMLRS).
- Supports the budget request for the Next Generation Squad Weapon Program.
- Supports the budget request for the Marine Corps' Ground Air Task Oriented Radar (GATOR).
- Provides funding sufficient for the Integrated Air and Missile Defense (IAMD) Battle Command System.
- Supports the budget request for the Synthetic Training Environment (STE).
- Provides additional funding for a new study on shape, size, fit, and material for body armor, particularly for female service members.
- Provides additional funding for the National Guard and Reserve Equipment Account.

### SEAPOWERS AND PROJECTION FORCES

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- Provides funding for the restoration of a second Virginia Class submarine and the required advanced procurement to maintain the two per year build rate.
- Provides funding for the Navy to procure nine battle force ships including one Columbia class fleet ballistic missile submarine; two Virginia-class submarines; two DDG 51





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Arleigh Burke destroyers; one guided missile Frigate (FFG); one Expeditionary Fast Transport (EPF) ship; and two T-ATS towing, salvage, and rescue ships.

- Prohibits the retirement of any aircraft carrier before its first refueling.
- Establishes a statutory floor that the Air Force is required to retain for air refueling aircraft.
- Requires the Air Force to retain a minimum of 287 tactical airlift aircraft.
- Provides funding for one additional Expeditionary Fast Transport (EPF) ship.
- Provides funding for eight additional P-8 Poseidon aircraft.
- Provides funding for four additional V-22 Osprey aircraft.
- Provides funding for one additional MQ-4 Triton.
- Provides funding for seven additional C-130J aircraft.
- Provides funding to support the propulsion and propeller upgrades of Air National Guard and Air Force Reserve C-130H airlift aircraft.
- Authorizes efficient construction of the first two Columbia class ballistic missile submarines by providing incremental funding within the National Sea Based Deterrence Fund.
- Restricts funds associated with the Secretary of Defense until the 30-year shipbuilding plan is delivered.
- In Fiscal Year 2021, prohibits the retirement of any Navy vessel until the Secretary of Defense provides the Navy's Integrated Naval Force Structure Assessment.
- Authorizes the procurement of up to four used sealift vessels.
- Authorizes a total of over \$494 million for the Maritime Security Program (MSP), \$180M more than the President's budget to help mitigate the impacts of COVID on our maritime carriers.
- Establishes a Tanker Security Fleet to help fill the gap in at sea logistics.
- Provides full funding for the B-21 Raider program and provides the first year of procurement dollars.
- Provides full funding for the VC-25B Presidential Aircraft Recapitalization (PAR) program.
- Provides funding of the 4th National Security Multi-Mission Vessel (NSMV) for the State Maritime Academies and recommends additional funds for previously authorized ships.
- Continues to provide strict oversight of the Large Unmanned Surface Vessel (LUSV).
- Provides funding to convert an EPF to an unmanned surface vessel to help better develop Concept of Operations (CONOPS) for future unmanned surface vessels.
- Includes the Coast Guard Authorization Act

