



United States House of Representatives

HOUSE ARMED SERVICES COMMITTEE

Expiring Authorities Without a New NDAA *What Happens if the FY21 NDAA Does Not Pass?*

CUTS TO MILITARY COMPENSATION

A number of the statutory authorities that allow the Military Departments to offer bonuses will expire on December 31, 2020, if not extended by Congress. In the absence of an NDAA (or other legislation), the Military Departments will not be authorized to offer any new contracts or agreements for these bonuses, which generally fall into the following categories:

- Enlistment and reenlistment bonuses for enlisted Service members;
- Accession and retention bonuses for officer specialties (aviators, nuclear officers, some health care professionals, etc.);
- Reserve enlisted affiliation bonuses;
- Critical skill retention bonuses;
- Increases in health profession bonuses and increase in hazardous duty incentive pay.

Expiration of these authorities could significantly affect morale, recruiting, retention and readiness into CY21.

The following sections of title 37, United States Code, will be unavailable for new enlistment contracts without the passage of the FY21 NDAA. These are bonus and incentive pays for some service members:

- Section 331(h), general bonus authority for enlisted members.
- Section 332(g), general bonus authority for officers.
- Section 334(i), special aviation incentive pay and bonus authorities for officers.
- Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions. Additionally, the increase in bonus authority will not be in effect (Sec 612 FY 21 NDAA).
- Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.
- Section 351(h), relating to hazardous duty pay. Additionally, the increase in hazardous duty pay will not be in effect (Sec 613 FY21 NDAA).
- Section 352(g), relating to assignment pay or special duty pay.
- Section 353(i), relating to skill incentive pay or proficiency bonus.
- Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

Expirations Impacting Overseas Civilian Personnel:

- Section 1104 provides the authority to pay civilians special allowances, benefits, and gratuities for their service in a combat zone. This authority would expire at the end of 2020.
- Section 1105 provides the authority to compensate overseas civilians with premium pay (such as for overtime and holiday work) and to exceed aggregate pay limitations for civilians receiving special pay incentives for overseas work. This would expire at the end of FY 2021.
- Section 1114 provides the authority to pay overtime to highly-skilled civilian shipyard workers in Japan. This authority would expire in September 2021.





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MILITARY CONSTRUCTION PROJECTS

The NDAA is required to authorize \$5.7 billion worth of new military construction projects. This cannot just be left to the Appropriations Committee because all new military construction projects must be BOTH authorized and appropriated by the NDAA and MILCON Appropriations bills. Some of these types of projects include:

- \$590 million for 13 new projects that would improve family housing, barracks, schools, child development centers, and other quality of life projects.
- \$200 million for 7 new projects to address safety issues on military installations by building or improving perimeter security fences, base access control points, fire stations, and munition storage facilities.
- \$907.6 million for 5 new projects for shipyard recapitalization including dry-docks facilities, and improvements to piers and wharves.
- \$500.6 million for 11 new aviation training or maintenance and sustainment facilities such as simulators and maintenance hangars.
- \$389 million for 10 new projects to Support Special Operations Forces including training, maintenance, and operations facilities.
- \$253 million for 15 new National Guard Readiness Centers and Reserve Centers.

TRAINING RANGES

The nation's ability to train forward deploying air forces will be curtailed as three of the premier aviation training ranges will no longer exist due to their land withdrawals expiring. These include the Nevada Test and Training Range, Naval Air Station Fallon, and Naval Air Facility El Centro.

These land withdrawals expire in September and November of 2021 and the renewals are needed in this NDAA to ensure continued access for training.

