

Jerry Moran

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AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To improve the strategy on the use of the reserve components of the Armed Forces to support Department of Defense cyber missions.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

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**AMENDMENT NO. 2365**

By

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AMENDMENT intended to be proposed by Mr. MORAN (for himself, Mr. COONS, and Ms. HEITKAMP) Mr. Roberts

Viz:

- 1 Strike section 945 and insert the following:
- 2 **SEC. 945. STRATEGY ON USE OF THE RESERVE COMPO-**
- 3 **NENTS OF THE ARMED FORCES TO SUPPORT**
- 4 **DEPARTMENT OF DEFENSE CYBER MISSIONS.**
- 5 (a) STRATEGY REQUIRED.—In developing the force
- 6 structure to accomplish the cyber missions of the Depart-
- 7 ment of Defense through United States Cyber Command,
- 8 the Secretary of Defense shall develop a strategy for inte-
- 9 grating the reserve components of the Armed Forces into

1 the total force to support the cyber missions of the United  
2 States Cyber Command, including support for civil au-  
3 thorities, in the discharge of such missions.

4 (b) ACTIONS REQUIRED DURING DEVELOPMENT.—

5 In developing the strategy, the Secretary shall do the fol-  
6 lowing:

7 (1) In consultation with the Secretaries of the  
8 military departments and the Commander of the  
9 United States Cyber Command, identify the Depart-  
10 ment of Defense cyber mission requirements that  
11 could be discharged by members of the reserve com-  
12 ponents.

13 (2) In consultation with the Secretary of Home-  
14 land Security, ensure that the Governors of the sev-  
15 eral States, through the Council of Governors, as ap-  
16 propriate, have an opportunity to provide the Sec-  
17 retary of Defense and the Secretary of Homeland  
18 Security an independent evaluation of State cyber  
19 capabilities, and State cyber needs that cannot be  
20 fulfilled through the private sector.

21 (3) Identify the existing capabilities, facilities,  
22 and plans for cyber activities of the reserve compo-  
23 nents, including by the following:

24 (A) An inventory of the existing cyber  
25 skills of reserve component personnel, including

1 the skills of units and elements in the reserve  
2 components that are transitioning to cyber mis-  
3 sions.

4 (B) An inventory of the existing infrastruc-  
5 ture of the reserve components that contributes  
6 to the cyber missions of the United States  
7 Cyber Command, including the infrastructure  
8 available to units and elements in the reserve  
9 components that are transitioning to such mis-  
10 sions.

11 (C) An assessment of the manner in which  
12 the military departments plan to use the reserve  
13 components to meet total force resource re-  
14 quirements, and the effect of such plans on the  
15 potential ability of members of the reserve com-  
16 ponents to support the cyber missions of the  
17 United States Cyber Command.

18 (4) Assess whether the National Guard, when  
19 activated in a State status (either State Active Duty  
20 or in a duty status under title 32, United States  
21 Code) can operate under unique and useful authori-  
22 ties to support cyber missions and requirements of  
23 the Department or the United States Cyber Com-  
24 mand.

1           (5) Assess the appropriateness of hiring on a  
2           part-time basis non-dual status technicians who pos-  
3           sess appropriate cyber expertise for purposes of as-  
4           sisting the National Guard in protecting critical in-  
5           frastructure and carrying out cyber missions.

6           (6) Assess the current and potential ability of  
7           the reserve components to—

8                   (A) attract and retain personnel with sub-  
9                   stantial, relevant cyber technical expertise who  
10                  use those skills in the private sector;

11                  (B) organize such personnel into units at  
12                  the State, regional, or national level under ap-  
13                  propriate command and control arrangements  
14                  for Department cyber missions;

15                  (C) meet and sustain the training stand-  
16                  ards of the United States Cyber Command; and

17                  (D) establish and manage career paths for  
18                  such personnel.

19           (7) Determine how the reserve components  
20           could contribute to total force solutions to cyber op-  
21           erations requirements of the United States Cyber  
22           Command.

23           (8) Develop an estimate of the personnel, infra-  
24           structure, and training required, and the costs that  
25           would be incurred, in connection with implementing

1 the strategy for integrating the reserve components  
2 into the total force for support of the cyber missions  
3 of the Department and United States Cyber Com-  
4 mand, including by taking into account the potential  
5 savings under the strategy through use of the per-  
6 sonnel referred to in paragraph (3)(A). For specific  
7 cyber units that already exist or are transitioning to  
8 a cyber mission, the estimate shall examine whether  
9 there are misalignments in current plans between  
10 unit missions and facility readiness to support such  
11 missions.

12 (c) LIMITATIONS ON CERTAIN ACTIONS.—

13 (1) REDUCTION IN PERSONNEL OF AIR NA-  
14 TIONAL GUARD CYBER UNITS.—No reduction in per-  
15 sonnel of a cyber unit of the Air National Guard of  
16 the United States may be implemented or carried  
17 out in fiscal year 2014 before the submittal of the  
18 report required by subsection (d).

19 (2) REDUCTION IN PERSONNEL AND CAPACITY  
20 OF AIR NATIONAL GUARD RED TEAMS.—No reduc-  
21 tion in the personnel or capacity of a Red Team of  
22 the Air National Guard of the United States may be  
23 implemented or carried out unless the report re-  
24 quired by subsection (d) includes a certification that  
25 the capabilities to be reduced are not required.

1       (d) REPORT.—Not later than 180 days after the date  
2 of the enactment of this Act, the Secretary of Defense  
3 shall submit to the congressional defense committees a re-  
4 port on the strategy developed under this section. The re-  
5 port shall include a comprehensive description of the strat-  
6 egy, including the results of the actions required by sub-  
7 section (b), and such other matters on the strategy as the  
8 Secretary considers appropriate.