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**PRESS RELEASES**

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## Press Releases

**Congress Passes \$768 Billion Annual National  
Defense Authorization Act with Major  
Reforms Impacting Country and Hawai'i**

EXHIBIT S-12

S000033

# The bill reforms military sexual assault investigations and prosecutions, improves military readiness and quality of life for the troops, and addresses Red Hill fuel safety and civilian-military relations in Hawai'i

Washington, December 15, 2021

Tags: [National Security](#) , [Foreign Relations](#)

(Washington, DC) – U.S. Congressman Ed Case (HI-01) announced that Congress has passed the annual National Defense Authorization Act (NDAA) that makes changes to the policies and organization of the country's defense agencies and provides guidance on how military funding can be spent. The Fiscal Year (FY) NDAA authorizes \$768 billion in defense spending and includes key provisions reforming the military sexual harassment laws, addressing multiple military quality of life matters, investing in Hawaii's infrastructure and rebalancing our military's efforts in the Indo-Pacific.

“To address how the military handles sexual assault cases, the NDAA includes the biggest reform in 50 years for the Uniform Code of Military Justice, which provides the legal framework and a special set of laws that govern all members of the United States military,” said Case. “This important reform revamps the way in which the military handles sexual assault cases by taking the process out of the hands of commanders that may have conflicts of interest. Congress directed the military to transfer these cases to special independent prosecutors.”

Case said the NDAA also focused on military readiness with special attention paid to the quality of life among the troops. “The measure creates a tenants Bill of Rights for those who reside in military housing and calls for the development of more child care centers,” explained Case. This provision is directly related to problems highlighted the House Appropriations Subcommittee on Military Construction, Veterans Affairs and Related Agencies, on which Case serves.

Additionally, the NDAA also:

- Provides a 2.7 percent pay increase for servicemembers,
- Establishes a \$15 minimum wage for covered service and construction contracts to help those in the private sector who support the U.S. military,
- Authorizes \$50 million to help local educational agencies that educate military dependent students, and
- Authorizes \$20 million for local educational agencies assisting military children with severe disabilities.

Case said the NDAA also includes his amendment regarding Red Hill. The final version of the provision directs the military to conduct an assessment of possible alternatives to the Red Hill Bulk Fuel Storage Facility, including consideration of locations outside of the State of Hawai'i. The amendment builds off the Hawai'i Congressional Delegation's request for independent Inspector General review of Red Hill by requiring an independent American Petroleum Institute certified inspector to examine the facility. If Governor Ige allows Red Hill to continue under any conditions, the bill would require the piping system to ultimately be submitted to strengthened and more frequent inspection and repair requirements.

Other amendments authored by Case and added to the final bill include:

- **Military Community Engagement:** Requires a briefing to Congress on best practices for the military's coordination of relations with State and Local Government entities in Hawai'i. It will also direct the Department of Defense (DoD) to examine current community outreach efforts and propose options to enhance community engagement with and accessibility to the military in Hawai'i. The provision is designed to help emphasize that the military's efforts must account for both military and civilian concerns in Hawai'i.
- **Hawai'i Military Land Leases:** Requires a Congressional briefing to Congress on the progress by DoD to renew each military land lease and easement in Hawai'i.
- **Investigation into Lazing of Military Aircraft:** Addresses the lazing of military aircraft in Hawai'i by requiring an official investigation into these incidents and offering means of mitigating the risk to military aircraft and personnel.
- **Defense Intelligence Agency (DIA) Report:** Amends the DIA annual report on China's military power to require analysis of China's military engagements and assistance provided to the Pacific Islands Region.
- **Security Partnerships Between the United States and Indo-Pacific Countries:** Requires the Secretary of Defense to submit a report to Congress on the activities and resources required to enhance security partnerships between the United States and Indo-Pacific countries.

Case said the NDAA also includes other provisions he advocated for and that are key to Hawai'i and the Indo-Pacific, including:

**Missile Defense Radar – Hawai'i (HDR-H):** Authorizes \$75 million to continue the development of HDR-H. This critical state-of-the-art radar system is designed to protect our country and state from ballistic missile threats from countries like North Korea and was strongly supported by our Indo-Pacific military leaders. The bill also expresses the sense of Congress that Hawai'i should have discrimination radar coverage against intercontinental ballistic missiles. (This follows continued funding for the radar obtained by Case in the annual defense appropriations measure.)

- **Military Construction in Hawai'i:** Authorizes the following military construction projects in Hawai'i, totaling roughly half a billion dollars:

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- West Loch Naval Magazine: \$51 million
  - Wheeler Army Airfield Operations Building and Parking Apron: \$140 million
  - Marine Corps Base Kāneʻohe Bachelor Enlisted Quarters, Phase 2: \$101 million
  - Marine Corps Base Kāneʻohe Electrical Distribution Modernization: \$65 million
  - Marine Corps Training Area Bellow Perimeter Security Fence: \$6 million
  - Joint Base Pearl Harbor Hickam Veterinary Treatment Facility Replacement: \$30 million
  - Maui Experimental Lab Planning and Design: \$9 million
  - Fort Shafter Command and Control Facility: \$55 million
- Aeromedical Squadron at Joint Base Pearl Harbor-Hickam: Requires a study on the feasibility and advisability of establishing an aeromedical squadron of the Air National Guard in Hawai'i to support the needs of the State of Hawai'i.
  - Guam Integrated Air and Missile Defense System: Directs the DoD to identify the architecture and acquisition approach for implementing a 360-degree integrated air and missile defense capability to defend Guam from advanced cruise, ballistic and hypersonic missile threats.
  - Pacific Deterrence Initiative (PDI): Adds \$2.1 billion to the initial proposal for PDI, which will now total \$7.1 billion. This special fund is focused on improving the military's posture in the Indo-Pacific region and creating new capabilities to respond to challenges posed by China.

The bill also include provision to mitigate risk in critical defense supply chains and across the broader acquisition process, using leading-edge digital tools, technology, and approaches to enhance supply chain transparency. The bill reduces reliance on services, supplies and materials from China and Russia, and it restricts acquisition of personal protective equipment from those countries.

Finally, the bill will improve the department's access to innovative technologies, which often come from small high-tech business likes those in Hawaii. It authorizes the Secretary of Defense to expand the efforts of the Defense Innovation Unit (DIU) to engage and collaborate with private-sector industry and communities in regions that do not otherwise have a DIU presence, including in economically disadvantaged communities, and it directs the Secretary of Defense to carry out a pilot program to help foster transition of the Department's science and technology programs, projects and activities into full scale implementation through the support of qualified intermediaries that provide technical assistance to technology producers to better participate in the Department's procurement programs and acquisition processes.

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## Honolulu Office

1003 Bishop Street,  
Suite 1110  
Honolulu, HI 96813

Phone: (808) 650-6688

Office Hours:  
8:30am to 4:30pm M-F



## Washington DC Office

2210 Rayburn House  
Office Building  
Washington, DC 20515

Phone: (202) 225-2726

Office Hours:  
9:00am to 5:00pm M-F



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