

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109-364 effective Mar. 1, 2007, see section 671(c) of Pub. L. 109-364, set out as a note under section 2774 of Title 10, Armed Forces.

## EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-316 effective 60 days after Oct. 19, 1996, see section 101(e) of Pub. L. 104-316, set out as a note under section 4593 of Title 2, The Congress.

## EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-224 applicable to any claim arising out of an erroneous payment of travel and transportation allowances made on or after Dec. 28, 1985, see section 4 of Pub. L. 99-224, set out as a note under section 5584 of Title 5, Government Organization and Employees.

## EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of Title 10, Armed Forces.

**[§ 717. Repealed. Pub. L. 109-163, div. A, title V, § 589(b)(2), Jan. 6, 2006, 119 Stat. 3279]**

Section, added Pub. L. 108-375, div. A, title V, § 520(b)(1), Oct. 28, 2004, 118 Stat. 1886, related to presentation of recognition items for retention purposes.

**CHAPTER 9—HOMELAND DEFENSE ACTIVITIES**

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**§ 901. Definitions**

In this chapter:

(1) The term “homeland defense activity” means an activity undertaken for the military protection of the territory or domestic population of the United States, or of infrastructure or other assets of the United States determined by the Secretary of Defense as being critical to national security, from a threat or aggression against the United States.

(2) The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or possession of the United States.

(Added Pub. L. 108-375, div. A, title V, § 512(a)(1), Oct. 28, 2004, 118 Stat. 1878.)

**Statutory Notes and Related Subsidiaries**

## GUIDANCE FOR USE OF UNMANNED AIRCRAFT SYSTEMS BY NATIONAL GUARD

Pub. L. 118-31, div. A, title X, § 1086, Dec. 22, 2023, 137 Stat. 419, provided that:

“(a) UPDATED GUIDANCE REQUIRED.—Not later than 90 days after the date of the enactment of this Act [Dec. 22, 2023], the Secretary of Defense shall issue updated guidance on the use of unmanned aircraft systems by the National Guard for covered activities.

“(b) BRIEFING.—Not later than 60 days after the date on which the Secretary issues the updated guidance under subsection (a), the Secretary shall provide to the

Committees on Armed Services of the Senate and House of Representatives. [sic] Such briefing shall include—

“(1) an explanation of whether the updated guidance is more restrictive than guidance on the use of other types of aircraft for covered activities; and

“(2) if the updated guidance is more restrictive, an explanation for the reasons why such guidance is more restrictive.

“(c) COVERED ACTIVITIES DEFINED.—In this section, the term ‘covered activities’ means any of the following:

“(1) Emergency operations.

“(2) Search and rescue operations.

“(3) Defense support to civil authorities.

“(4) Support provided under section 502(f) of title 32, United States Code.”

## IMPLEMENTATION OF CERTAIN RECOMMENDATIONS REGARDING USE OF UNMANNED AIRCRAFT SYSTEMS BY THE NATIONAL GUARD

Pub. L. 117-81, div. A, title V, § 514, Dec. 27, 2021, 135 Stat. 1683, provided that: “Not later than September 30, 2022, the Secretary of Defense shall implement recommendations of the Secretary described in section 519C(a)(2) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) [134 Stat. 3596].”

## PILOT PROGRAM ON REMOTE PROVISION BY NATIONAL GUARD TO NATIONAL GUARDS OF OTHER STATES OF CYBERSECURITY TECHNICAL ASSISTANCE IN TRAINING, PREPARATION, AND RESPONSE TO CYBER INCIDENTS

Pub. L. 116-283, div. A, title XVII, § 1725, Jan. 1, 2021, 134 Stat. 4112, provided that:

“(a) PILOT PROGRAM AUTHORIZED.—

“(1) IN GENERAL.—The Secretary of Defense may conduct a pilot program to assess the feasibility and advisability of the development of a capability in support of Department of Defense missions within the National Guard through which a National Guard of a State remotely provides National Guards of other States (whether or not in the same Armed Force as the providing National Guard) with cybersecurity technical assistance in training, preparation, and response to cyber incidents.

“(2) TERMINATION.—The authorization under paragraph (1) to conduct the pilot program expires 24 months after the date of the enactment of this Act [Jan. 1, 2021].

“(b) ASSESSMENT PRIOR TO COMMENCEMENT.—For purposes of the pilot program described in subsection (a), the Secretary of Defense shall, prior to commencing the pilot program, for purposes of evaluating existing platforms, technologies, and capabilities under subsection (c), and for establishing eligibility and participation requirements under such subsection—

“(1) conduct an assessment of—

“(A) existing cyber response capacities of the Army National Guard or Air National Guard, as applicable, in each State; and

“(B) any existing platform, technology, or capability of a National Guard that provides the capability described in subsection (a)(1);

“(2) determine whether a platform, technology, or capability referred to in subparagraph (B) is suitable for expansion for purposes of the pilot program; and

“(3) assess potential benefits or impact on the missions, the Total Force, the Cyber Operations Forces, and the cyber infrastructure of the Department of Defense.

“(c) ELEMENTS.—The pilot program described in subsection (a) may include the following:

“(1) A technical capability that enables the National Guard of a State to remotely provide cybersecurity technical assistance to National Guards of other States, without the need to deploy outside its home State.

“(2) The development of policies, processes, procedures, and authorities for use of such a capability, including with respect to the following: