



BLUF: The FY24 NDAA Conference Committee released its report on December 6, 2023. The Senate voted and approved the conference report, 87-13, on December 13, 2023. The House voted and approved the conference report, 310-118, on December 14, 2023.

The bill was signed into law by the President on December 22, 2023.

Defense Authorizations

President's Budget Release	House Committee NDAA (HASC)	Senate Committee NDAA (SASC)	Full House-passed NDAA	Full Senate-passed NDAA	Conference Committee	Signed Into Law
✓	✓	✓	✓	✓	✓	✓

Defense Appropriations

President's Budget Release	House Committee Approps. (HAC-D)	Senate Committee Approps. (SAC-D)	Full House-passed Approps. Bill.	Full Senate-passed Approps. Bill	Conference Committee	Signed Into Law
✓	✓	✓	✓	▲		

Current Point

Summary funding: The committee authorizes \$886 billion for defense-related programs, matching the PB.

- \$842 billion for the Department of Defense
- Authorizes the Vice Chief of the National Guard to be in the grade of four-star officer.
 - The Secretary of Defense designates this position as one of the general officer positions to be excluded from the limitations of section 526a of Title 10.
- DOES NOT require the Secretary of Defense to alternate appointments of deputy commanders for certain combatant commands between officers of the National Guard and the Reserves no less frequently than every two terms.

Army National Guard

- Authorizes funding for ARNG end strength at 325,000 Soldiers.
(1) Consistent with PB Request and FY23
- \$828.9 million for 42 AH-64 Apache Block IIIA helicopters.
- \$554.7 million for 91 Armored Multi-Purpose Vehicles (AMPV).
- \$760.75 million for 24 UH-60M Black Hawk helicopters.
- \$153.2 million for 26 UH-60 Black Hawk L and V model helicopters.

- \$25.9 million for High Mobility Multipurpose Wheeled Vehicle (HMMWV).
- \$421.4 million for CH-47 Chinook helicopters.
- \$20 million for 2 UH-72B Lakota helicopters.
- \$82.9 million for Gray Eagles.
- \$5.2 million for Bradley Fire Support Team (BFIST).
- \$749.7 million for Stryker Upgrade, a \$140 million increase from the PB.
- \$1.34 billion for Abrams Upgrade Program, a \$532 million increase from the PB.
- \$674.2 million for 35 Paladin Integrated Management Systems.
- \$839.4 million for Joint Light Tactical Vehicles (JLTVs).
- \$732.1 million for ARNG MILCON.

Air National Guard

- Appropriates funding for ANG end strength at 105,000 Airmen.
(1) 3,400 less than FY23 levels and the PB Request
- Reduces minimum inventory requirements of A-10 aircraft in FY24 to 135. (Sec. 133)
- \$4.7 billion for 48 F-35A Lightning II aircraft. \$402 million for FY25 advanced procurement.
- \$2.4 billion for 24 F-15EX. Decreases F-15EX funding by \$200.4 million due to the Air Force's need to realign funds.
- \$34.9 million for C-130J purchases.
- \$121 million for C-130J modifications.
- \$10.1 million for MC-130J postproduction support.
- \$91.7 million for C-130 purchases.
- \$101 million for HC/MC-130 modifications
- \$2.84 billion for 15 KC-46A Pegasus aircraft.
- \$282.5 million for Combat Rescue Helicopters.
- \$361.3 million for ANG MILCON.

- The committee did not establish a Space National Guard. Requires the Secretary of Defense to conduct a study to assess the feasibility and advisability of transferring space functions of the Air National Guard to the Space Force. The results of the report must be submitted to the Committees on Armed Services of the Senate and the House of Representatives by March 1, 2024. (Sec. 924)
- Reauthorizes the minimum inventory requirement for C-130 aircraft, and prohibits a reduction of C-130s assigned to the National Guard. (Sec. 5131)
- Prohibits divestment of F-15EX aircraft from 2024 through 2029. (Sec. 5133)
- Prevents the Air Force from reducing the number of KC-135 in the Air National Guard.
- The Secretary of the Air Force should investigate and brief the congressional defense committees, no later than February 1, 2024, on the potential increase in air refueling capacity and cost savings, including manpower if all Air National Guard KC-135 stand-alone units were changed into active association units.
- Minimum requirement for total primary mission aircraft inventory of Air Force Fighter Aircraft reduced from “1,145 to 1,112”. (Sec. 134)
- Requires the Secretary of the Air Force to develop a long-term tactical fighter force structure, recapitalization, training, and sustainment plan for the active and reserve components of the Air Force. (Sec. 148)
- Requires the Secretary of Defense shall submit to the congressional defense committees a report including the results of a study on the use of tactical fighter aircraft and bomber aircraft for deployments and homeland defense missions (Sec. 1053), including:
 - (2) Assessing deployable forces currently available to fulfill each of those requirements, and whether those forces are adequate to meet the global requirements.
 - (4) Assessing whether adequate consideration has been put into fighter coverage of the homeland during these deployments, in particular within the Alaska Area of Responsibility and the Hawaii Area of Responsibility.
 - (5) and assessing Air Force and Navy active duty, Air National Guard, and reserve land-based tactical fighter units that could be considered for inclusion into homeland defense mission requirements.
- Revision of requirement for transfer of certain HC-130H aircraft to State of California for wildfire suppression purposes (Sec. 1810) Includes the following provisions:
 - (1) A requirement for demilitarizing the aircraft before transfer.
 - (2) A provision that California would be required to use the Department of Defense excess personal property program to dispose of the aircraft and materials when the State is finished with them.
 - (3) A stipulation that any costs incurred after the transfer would be the responsibility of the State of California.

Joint-Personnel

- Authorizes a 5.2 percent military and civilian personnel pay raise.
- \$122.3 million for the National Guard Counter-drug program, a \$20 million increase from the PB.
- \$11 million for National Guard Counter-drug schools, a \$5 million increase from the PB.
 - Increases spending cap to \$15,000 on counter-drug equipment procured by the National Guard requiring advanced approval from the Secretary of Defense.
- \$83.5 million for the National Guard Youth Challenge.
- \$100 million for undifferentiated National Guard and Reserve equipment.
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- Aligns National Guard and Reserve parental leave eligibility with active-duty standards to include both parents welcoming a new child into their lives, through either birth, adoption, or long-term foster care.
- Extension of period of eligibility for health benefits under TRICARE Reserve Select for survivors of a member of the Selected Reserve. (Section 701)
- Requires the Secretary of Defense to conduct a review of military pay rates and submit the results along with a legislative proposal by March 1, 2024.
- Requires the Secretary of Defense to alternate appointments of deputy commanders for certain combatant commands between officers of the National Guard and the Reserves no less frequently than every two terms. The provision would authorize the Secretary of Defense to waive the requirements of this provision when in the national interest.
- Authorizes that the Vice Chief of the National Guard Bureau be appointed to serve in the grade of general and that the Secretary of Defense designate this position as one of the general officer positions.
- A member of the National Guard or a member of a reserve component of a uniformed service who is receiving aviation incentive pay under section 334(a) of this title and is entitled to compensation under section 206 of this title is entitled to such compensation for a number of periods of inactive duty training each month sufficient for the member to obtain or maintain an aeronautical rating or designation. (Sec. 601).
- Requires the Secretary of Defense to annually submit a report that includes organized tabulations of programs, projects, and activities for which the total obligational authority was reduced or eliminated in the current budget year proposal compared to the prior-year projection. (Sec. 1002) In addition, it amends 22a (C)(1) of Title 10, United States Code, by adding additional reporting requirements related to unfunded priorities of armed forces and combatant commands. (Sec.1003).

- Requires each component of the Department of Defense to be subject to an independent audit. (Sec.1004).
- Conferees direct to Secretary of Defense to submit a report, no later than May 1, 2024, to the committees of Armed Services with an assessment of the impact of efforts to enhance cooperation on targeting, disrupting, and degrading fentanyl trafficking and a description of limiting on such efforts. (Sec.1013).
- Requires the Secretary of Defense to update guidance for the use of unmanned aircraft systems by the National Guard and provide a briefing to the Committee on Armed Services of the Senate and House of Representatives. (Sec. 1086).
- The conference directs the Secretary of Defense to provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives on the advisability and feasibility of coordinating with private entities and state government to provide resources and personnel under the State Partnership Program.
- Did not adopt the provision that would amend section 152 of title 10, United States Code, to make the Chief of the National Guard Bureau eligible for appointment as Chairman of the Joint Chiefs of Staff.
- The conference did not adopt the TRICARE dental plan for the Selected Reserve.

**Prepared by Aubrey Powers
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