



NGAUS



LEGISLATIVE REPORT

United States House of Representatives
Fiscal Year 2020 National Defense Authorization Act
(H.R. 2500, as amended)

As of July 17, 2019

OVERVIEW

On July 12, 2019, the United States House of Representatives approved **H.R. 2500**, the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2020.*

The House recommends authorizing **\$701.9 billion** for DoD in FY20, which includes **\$632.9 billion** in base and discretionary funding and **\$69.0 billion** in Overseas Contingency Operations (OCO) funding. The House also recommends authorizing Army National Guard and Air National Guard Operation and Maintenance (O&M) funds above FY19 levels.

LEGISLATIVE CYCLE TIMELINE

Defense Authorizations

President's Budget Release	House Committee NDAA	House-passed NDAA	Senate Committee NDAA	Senate-passed NDAA	Conference Committee	Signed Into Law
✓	✓	✓	✓	✓		
		<i>Current Point</i>				

Defense Appropriations

President's Budget Release	House Committee Approps.	House-passed Approps. Bill	Senate Committee Approps.	Senate-passed Approps. Bill	Conference Committee	Signed Into Law
✓	✓	✓				
		<i>Current Point</i>				

BILL HIGHLIGHTS

All page references below are within the legislation text document unless otherwise noted.

Army National Guard

- Authorizes Army National Guard end strength at 336,000 soldiers (SEC. 411)
- **\$1.4 billion** for 73 UH-60 Black Hawk M model helicopters for the Army (SEC. 4101)
 - Consistent with FY20 DoD request, which included 64 UH-60M Black Hawks for the Army National Guard
- **\$169.2 million** for modernization of 25 UH-60 Black Hawk L and V model helicopters for the Army (SEC. 4101)
- **\$976.5 million** for 2,530 Joint Light Tactical Vehicles (JLTVs) for the Army (SEC. 4101)
 - Consistent with FY20 DoD request, which included 512 JLTVs for the Army National Guard
- **\$786.0 million** for modernization of 48 AH-64 Apache Block IIIA helicopters for the Army (SEC. 4101)

*Funding levels and policies cited in this document are authorizations recommended by the United States House of Representatives only and are subject to change before final passage.

- **\$365.8 million** for Army National Guard military construction (MILCON), includes funding for projects in 14 states (SEC. 4601)

Air National Guard

- Authorizes Air National Guard end strength at 107,700 airmen (SEC. 411)
- Authorizes establishment of a U.S. Space Corps. within the Air Force (SECs. 921-925)
 - Prohibits DoD from transferring any National Guard personnel or equipment to the Space Corps. until establishment of a Space National Guard (SEC. 924)
- **\$186.0 million** for C-130H Hercules modernization (SEC. 4101), includes \$55.0 million for NP2000 propellers and \$79.0 million for T-56 3.5 engine upgrades
- **\$404.1 million** for 4 C-130J Super Hercules aircraft for the Air Force (SEC. 4101)
- **\$5.1 billion** for 60 F-35A Lightning II aircraft for the Air Force (SEC. 4101)
- **\$941.0 million** for 8 F-15EX aircraft for the Air Force (SEC. 4101)
 - Prohibits DoD from procuring F-15EX aircraft until it reports to Congress with an acquisition plan/fielding strategy
- **\$2.1 billion** for 12 KC-46A Pegasus aircraft for the Air Force (SEC. 4101)
- **\$876.2 million** for 12 HH-60W Combat Rescue Helicopters for the Air Force (SEC. 4101)
- Authorizes 5-year access to DoD Environmental Restoration Account (DERA) to address PFAS contamination (SEC. 315)
- **\$172.9 million** for Air National Guard MILCON, includes funding for projects in 4 states (SEC. 4601)

Joint-Personnel

- **3.1 percent** military personnel pay raise (SEC. 606)
- Authorizes early retirement credit for National Guard servicemembers under 12304b orders (SEC. 627)
- **\$122.2 million** for the National Guard Counter-drug Program (SEC. 4501)
- **\$5.3 million** for National Guard Counter-drug schools (SEC. 4501)
- Adds **\$30.0 million** for STARBASE (SEC. 4301)

To view the full text of the legislation, please visit:

<https://www.congress.gov/116/bills/hr2500/BILLS-116hr2500eh.pdf>

To view DoD Report Language authored by the House Armed Services Committee, please visit:

<https://www.congress.gov/116/crpt/hrpt120/CRPT-116hrpt120.pdf>

FY20 NATIONAL GUARD ACCOUNTS OVERVIEW

Army National Guard*

Account	FY19 Levels	FY20 Request	FY20 HASC NDAA	FY20 House NDAA	FY20 HAC Mark	FY20 House Approps.	FY20 SASC NDAA	FY20 Senate NDAA	FY20 SAC Mark	FY20 Senate Approps.	Final NDAA Levels	Change From FY19	Final Levels
End Strength	343,500	336,000	336,000	336,000	336,000	336,000	336,000	336,000					
AGR	30,595	30,595	30,595	30,595			30,595	30,595					
Dual Status Techs.	22,294	22,294	22,294	22,294			22,294	22,294					
ADOS	17,000		17,000	17,000			17,000	17,000					
Summary Personnel	\$8,796,228	\$9,010,949			\$8,867,179	\$8,867,179							
Personnel Base	\$8,600,945	\$8,808,305			\$8,664,535	\$8,664,535							
Personnel OCO	\$195,283	\$202,644			\$202,644	\$202,644							
Summary O&M	\$7,229,560	\$7,712,694	\$7,557,294	\$7,557,294	\$7,531,827	\$7,533,827	\$7,716,894	\$7,716,894					
O&M Base	\$7,118,831	\$3,335,755	\$7,474,003	\$7,474,003	\$7,448,536	\$7,450,536	\$7,633,603	\$7,633,603					
O&M OCO	\$110,729	\$4,376,939	\$83,291	\$83,291	\$83,291	\$83,291	\$83,291	\$83,291					
MILCON	\$190,122	\$210,819	\$365,819	\$365,819	\$210,819	\$210,819	\$294,819	\$294,819					
NGREA	\$421,000				\$375,000	\$375,000							

Air National Guard*

Account	FY19 Levels	FY20 Request	FY20 HASC NDAA	FY20 House NDAA	FY20 HAC Mark	FY20 House Approps.	FY20 SASC NDAA	FY20 Senate NDAA	FY20 SAC Mark	FY20 Senate Approps.	Final NDAA Levels	Change from FY19	Final Levels
End Strength	107,100	107,700	107,700	107,700	107,700	107,700	107,700	107,700					
AGR	19,861	22,637	22,637	22,637			22,637	22,637					
Dual Status Techs.	15,861	13,569	13,573	13,573			13,569	13,569					
ADOS	16,000		16,000	16,000			16,000	16,000					
Summary Personnel	\$3,704,540	\$4,069,469			\$4,038,145	\$4,038,145							
Personnel Base	\$3,699,080	\$4,063,845			\$4,032,521	\$4,032,521							
Personnel OCO	\$5,460	\$5,624			\$5,624	\$5,624							
Summary O&M	\$6,436,567	\$6,904,138	\$6,773,571	\$6,773,571	\$6,769,498	\$6,769,498	\$6,904,138	\$6,904,138					
O&M Base	\$6,420,697	\$3,612,156	\$6,596,662	\$6,596,662	\$6,592,589	\$6,592,589	\$6,727,229	\$6,727,229					
O&M OCO	\$15,870	\$3,291,982	\$176,909	\$176,909	\$176,909	\$176,909	\$176,909	\$176,909					
MILCON	\$129,126	\$165,971	\$172,971	\$172,971	\$115,971	\$115,971	\$222,971	\$222,971					
NGREA	\$421,000				\$375,000	\$375,000							

*All Dollars in Thousands

Army National Guard*

Account			FY19 Levels	FY20 Request	FY20 HASC NDAA	FY20 House NDAA	FY20 HAC Mark	FY20 House Approps.	FY20 SASC NDAA	FY20 Senate NDAA	FY20 SAC Mark	FY20 Senate Approps.	Final NDAA Levels	Change from FY19	Final Levels
Total MILCON Funding			\$190,122	\$210,819	\$365,819	\$365,819	\$210,819	\$210,819	\$294,819	\$294,819					
MILCON By State	Location	Project	FY20 Request	FY20 HASC NDAA	FY20 House NDAA	FY20 HAC Mark	FY20 House Approps.	FY20 SASC NDAA	FY20 Senate NDAA	FY20 SAC Mark	FY20 Senate Approps.	Final NDAA Levels	Change from FY19	Final Levels	
Alabama	Anniston	Army Depot		\$34,000	\$34,000			\$34,000	\$34,000						
	Foley	National Guard Readiness Center	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000						
California	Camp Roberts	Multi-Purpose Gun Range	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000						
Idaho	Orchard Training Area	Railroad Tracks	\$29,000	\$29,000	\$29,000	\$29,000	\$29,000	\$29,000	\$29,000						
Maryland	Havre De Grace	Combined Support Maintenance Shop	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000						
Massachusetts	Camp Edwards	Multi-Purpose Gun Range	\$9,700	\$9,700	\$9,700	\$9,700	\$9,700	\$9,700	\$9,700						
Minnesota	New Ulm	Vehicle Maintenance Shop	\$11,200	\$11,200	\$11,200	\$11,200	\$11,200	\$11,200	\$11,200						
Mississippi	Camp Shelby	Multi-Purpose Gun Range	\$8,100	\$8,100	\$8,100	\$8,100	\$8,100	\$8,100	\$8,100						
Missouri	Springfield	National Guard Readiness Center	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000						
Nebraska	Bellevue	National Guard Readiness Center	\$29,000	\$29,000	\$29,000	\$29,000	\$29,000	\$29,000	\$29,000						
New Hampshire	Concord	National Guard Readiness Center	\$5,950	\$5,950	\$5,950	\$5,950	\$5,950	\$5,950	\$5,950						
New York	Jamaica Armory	National Guard Readiness Center		\$91,000	\$91,000			\$20,000	\$20,000						
Pennsylvania	Moon Township	Combined Support Maintenance Shop	\$23,000	\$23,000	\$23,000	\$23,000	\$23,000	\$23,000	\$23,000						
Vermont	Jericho	Instruction Building		\$30,000	\$30,000			\$30,000	\$30,000						
Washington	Richland	National Guard Readiness Center	\$11,400	\$11,400	\$11,400	\$11,400	\$11,400	\$11,400	\$11,400						
Worldwide/Various		Minor Construction	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000						
		Planning & Design	\$20,469	\$20,469	\$20,469	\$20,469	\$20,469	\$20,469	\$20,469						

**All Dollars in Thousands*

Air National Guard*

Account			FY19 Levels	FY20 Request	FY20 HASC NDAA	FY20 House NDAA	FY20 HAC Mark	FY20 House Approps.	FY20 SASC NDAA	FY20 Senate NDAA	FY20 SAC Mark	FY20 Senate Approps.	Final NDAA Levels	Change From FY19	Final Levels
Total MILCON Funding			\$129,126	\$165,971	\$172,971	\$172,971	\$115,971	\$115,971	\$222,971	\$222,971					
MILCON By State	Location	Project	FY20 Request	FY20 HASC NDAA	FY20 House NDAA	FY20 HAC Mark	FY20 House Approps.	FY20 SASC NDAA	FY20 Senate NDAA	FY20 SAC Mark	FY20 Senate Approps.	Final NDAA Levels	Change from FY19	Final Levels	
California	Moffett Air National Guard Base			\$57,000	\$57,000			\$57,000	\$57,000						
Georgia	Savannah/Hilton Head Int'l Airport	Air Dominance Hangar/Shops	\$24,000	\$24,000	\$24,000	\$24,000	\$24,000	\$24,000	\$24,000						
Missouri	Rosecrans Memorial Airport	C-130 Flight Simulator Facility	\$9,500	\$9,500	\$9,500	\$9,500	\$9,500	\$9,500	\$9,500						
Puerto Rico	Luis Munoz IAP (Hurricane Maria)	Comms. Facility	\$12,500					\$12,500	\$12,500						
		Maintenance Hangar	\$37,500					\$37,500	\$37,500						
Wisconsin	Truax Field	F-35 Simulator Facility	\$14,000	\$14,000	\$14,000	\$14,000	\$14,000	\$14,000	\$14,000						
		Flight Alert Shelters	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000					
Worldwide/Various	Minor Construction		\$31,471	\$31,471	\$31,471	\$31,471	\$31,471	\$31,471	\$31,471						
	Planning & Design		\$17,000	\$17,000	\$17,000	\$17,000	\$17,000	\$17,000	\$17,000	\$17,000					

**All Dollars in Thousands*

LEGISLATIVE PROVISIONS

SEC. 122. Modification of limitation on use of funds for KC-46A aircraft.

Section 146(a)(1) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) is amended by striking “the military type certification” and inserting “either the military type certification or a military flight release.”

SEC. 123. F-15EX aircraft program.

In accordance with section 2430a of title 10, United States Code, the Secretary of Defense shall designate the F-15EX program as a major subprogram of the F-15 aircraft program.

Except as provided in subsection (c), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Air Force may be obligated or expended to procure an F-15EX aircraft until a period of 30 days has elapsed following the date on which the Secretary of the Air Force submits to the congressional defense committees the following documentation relating to the F-15EX program:

- (1) A program acquisition strategy.
- (2) An acquisition program baseline.
- (3) A test and evaluation master plan.
- (4) A life-cycle sustainment plan.
- (5) A post-production fielding strategy.

Notwithstanding subsection (b), the Secretary of the Air Force may use the funds described in paragraph (2) to develop, produce, and test not more than two prototypes of the F-15EX aircraft. The funds described in this paragraph are funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Air Force for any of the following:

- (A) Research and development, nonrecurring engineering.
- (B) Aircraft procurement.

SEC. 129. Provisions relating to RC-26B manned intelligence, surveillance, and reconnaissance aircraft.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Air Force may be obligated or expended to retire, divest, realign, or place in storage or on backup aircraft inventory status, or prepare to retire, divest, realign, or place in storage or on backup aircraft inventory status, any RC-26B aircraft until a period of 60 days has elapsed following the date on which the Secretary of Defense certifies to the congressional defense committees that:

- (1) technologies or platforms other than the RC-26B aircraft provide capacity and capabilities equivalent to the capacity and capabilities of the RC-26B aircraft; and
- (2) the capacity and capabilities of such other technologies or platforms meet the requirements of combatant commanders with respect to indications and warning, intelligence preparation of the operational environment, and direct support for kinetic and non-kinetic operations.

The limitation shall not apply to individual RC–26 aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be no longer mission capable because of mishaps or other damage.

Of the amount authorized to be appropriated in section 301 for operation and maintenance, as specified in the corresponding funding table in 4301, for operation and maintenance, Air National Guard, the Secretary of the Air Force may transfer up to \$15,000,000 for the purposes of the RC–26B manned intelligence, surveillance, and reconnaissance platform.

Of the amount authorized to be appropriated in section 421 for military personnel, as specified in the corresponding funding table in 4401, the Secretary of the Air Force may transfer up to \$16,000,000 from military personnel, Air National Guard for personnel who operate and maintain the RC–26B manned intelligence, surveillance, and reconnaissance platform.

Notwithstanding any other provision of law, the Chief of the National Guard Bureau may enter into one or more Memorandum of Agreement with other Federal entities for the purposes of assisting with the missions and activities of such entities.

Not later than 90 days after enactment of this Act, the Secretary of the Air Force shall submit to congressional defense committees a report detailing the manner in which the Secretary would provide manned and unmanned intelligence, surveillance, and reconnaissance mission support or manned and unmanned incident awareness and assessment mission support to military and non-military entities in the event the RC–26B is divested. The Secretary shall include a determination regarding whether or not this support would be commensurate with that which the RC–26B is able to provide. The Secretary, in consultation with the Chief of the National Guard Bureau shall also contact and survey the support requirements of other Federal agencies and provide an assessment for potential opportunities to enter into one or more Memorandum of Agreements with such agencies for the purposes of assisting with the missions and activities of such entities, such as domestic or, subject to legal authorities, foreign operations, including but not limited to situational awareness, damage assessment, evacuation monitoring, search and rescue, chemical, biological, radiological, and nuclear assessment, hydrographic survey, dynamic ground coordination, and cyberspace incident response.

SEC. 135. Procurement authority for light attack aircraft.

Subject to subsection (b), the Commander of the United States Special Operations Command may procure light attack aircraft for Combat Air Advisor mission support.

The Commander of the United States Special Operations Command may not procure light attack aircraft under subsection (a) until a period of 60 days has elapsed following the date on which the Commander certifies to the congressional defense committees that a mission capability gap and special-operations-forces-peculiar acquisition requirement exists which can be mitigated with procurement of a light attack aircraft capability.

The Secretary of the Air Force shall use or transfer amounts authorized to be appropriated by this Act for Light Attack Aircraft experiments to procure the required quantity of aircraft for:

- (1) Air Combat Command's Air Ground Operations School; and
- (2) Air Force Special Operations Command for Combat Air Advisor mission support in accordance with subsection (a).

SEC. 315. Five-year authority for National Guard environmental restoration projects for environmental responses.

Section 2707 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) TEMPORARY AUTHORITY FOR NATIONAL GUARD PROJECTS. Notwithstanding subsection (a) of this section and section 2701(c)(1) of this title, during the five year period beginning on the date of the enactment of this subsection, the Secretary concerned may carry out an environmental restoration project if the Secretary determines that the project is necessary to carry out a response to perfluorooctanoic acid or perfluorooctane sulfonate contamination under this chapter or CERCLA.”

Nothing in this section, or the amendment made by this section, shall affect any requirement or authority under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

SEC. 318. Replacement of fluorinated aqueous film-forming foam with fluorine-free fire-fighting agent.

Not later than January 31, 2023, the Secretary of the Navy shall publish a military specification for a fluorine-free fire-fighting agent for use at all military installations to ensure such agent is available for use by not later than December 31, 2024.

Fluorinated aqueous film-forming foam may not be used at any military installation on or after September 30, 2025, or before such date, if possible.

SEC. 319. Prohibition of uncontrolled release of fluorinated aqueous film-forming foam at military installations.

Except as provided by subsection (b), the Secretary of Defense shall prohibit the uncontrolled release of fluorinated aqueous film-forming foam (hereinafter in this section referred to as “AFFF”) at military installations.

Notwithstanding subsection (a), fluorinated AFFF may be released at military installations as follows:

- (1) AFFF may be released for purposes of an emergency response.
- (2) A non-emergency release of AFFF may be made for the purposes of testing of equipment or training of personnel, if complete containment, capture, and proper disposal mechanisms are in place to ensure no AFFF is released into the environment.

SEC. 320. Prohibition on use of fluorinated aqueous film forming foam for training exercises.

The Secretary of Defense shall prohibit the use of fluorinated aqueous film forming foam for training exercises at military installations.

SEC. 321. Real-time noise-monitoring study at Navy and Air Force installations where tactical fighter aircraft operate.

The Secretary of the Navy and the Secretary of the Air Force shall each conduct a real-time noise-monitoring study at no fewer than three Navy installations and three Air Force installations. In conducting such study, the Secretaries shall:

- (1) select installations where tactical fighter aircraft operate and noise contours have been developed through noise modeling to validate the noise contours developed through analysis and modeling at those installations; and
- (2) ensure that such monitoring is conducted during times of high, medium, and low activity.

Not later than December 1, 2020, the Secretary of the Navy and the Secretary of the Air Force shall jointly submit to the Committees on Armed Services of the Senate and House of Representatives a report on the real-time noise monitoring required under subsection (a). Such report shall include:

- (1) the results of such monitoring;
- (2) a comparison of such monitoring and the noise contours previously developed with the analysis and modeling methods previously used;
- (3) an overview of any changes to the analysis and modeling process that have been made or are being considered as a result of the findings of such monitoring; and
- (4) any other matters that the Secretaries determine appropriate.

SEC. 330C. Comptroller General Study on PFAS contamination.

The Comptroller General of the United States shall conduct a review of the efforts of the Department of Defense to clean up per- and polyfluoroalkyl substances (in this section referred to as “PFAS”) contamination in and around military bases as well as the Department’s efforts to mitigate the public health impact of the contamination.

The study required by subsection (a), shall include the following:

- (1) An assessment of:
 - (A) when the Department of Defense discovered that drinking water sources used by members of the Armed Forces and residents of communities surrounding military bases were contaminated with PFAS;
 - (B) after learning that the drinking water was contaminated, when the Department of Defense notified members of the Armed Forces and residents of communities surrounding military bases that their drinking water is contaminated with PFAS;
 - (C) after providing such notification, how much time lapsed before those affected were given alternative sources of drinking water;
 - (D) the number of installations and surrounding communities currently drinking water that is contaminated with PFAS above the EPA’s advisory limit;

- (E) the amount of money the Department of Defense has spent on cleaning up PFAS contamination through the date of enactment of this Act;
 - (F) the number of sites where the Department of Defense has taken action to remediate PFAS contamination or other materials as a result of the use of firefighting foam on military bases;
 - (G) factors that might limit or prevent the Department of Defense from remediating PFAS contamination or other materials as a result of the use of firefighting foam on military bases;
 - (H) the estimated total cost of clean-up of PFAS;
 - (I) the cost to the Department of Defense to discontinue the use of PFAS in firefighting foam and to develop and procure viable replacements that meet military specifications; and
 - (J) the number of members of the Armed Forces who have been exposed to PFAS in their drinking water above the EPA's Health Advisory levels during their military service.
- (2) An evaluation of what the Department of Defense could have done better to mitigate the release of PFAS contamination into the environment and expose service members.
- (3) Any other elements the Comptroller General may deem necessary.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall provide to the congressional defense committees, the Committee on Energy and Commerce of the House of Representatives and the Committee on the Environment and Public Works of the Senate a briefing on the preliminary findings of the study required by this section.

The Comptroller General shall provide the final results of the study required by this section to the congressional defense committees, the Committee on Energy and Commerce of the House of Representatives and the Committee on the Environment and Public Works of the Senate at such time and in such format as is mutually agreed upon by the committees and the Comptroller General at the time of briefing under paragraph (1).

SEC. 333. F-35 Joint Strike Fighter sustainment.

Of the amounts authorized to be appropriated or otherwise made available in this Act for the Office of the Under Secretary of Defense for Acquisition and Sustainment for fiscal year 2020, not more than 75 percent may be obligated or expended until the date on which the Under Secretary submits the report required by subsection (b).

The Under Secretary of Defense for Acquisition and Sustainment shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on steps being taken to improve the availability and accountability of F-35 parts within the supply chain. At a minimum, the report shall include a detailed plan for each of the following elements:

- (1) How the accountable property system of record will be updated with information from the prime contractors supplying such parts on required cost and related data with respect to the parts and how the F-35 Program Office will ensure such contractors are adhering to contractual requirements for the management, reporting, visibility, and accountability of all such parts supplied by the prime contractors.
- (2) How the accountability property system of record will have interfaces that allow the F-35 Program Office and other authorized entities to have proper accountability of assets in accordance with applicable Department of Defense Instructions, Department of Defense Manuals, and other applicable regulations.

- (3) How the F-35 Program Office and the Secretary of each of the military departments will ensure business rules for the prioritization of F-35 parts across all program participants is sufficient, effective, and responsive.
- (4) Steps being taken to ensure parts within the base, afloat, and deployment spares packages are compatible for deploying F-35 aircraft and account for updated parts demand.

SEC. 411. End strengths for Selected Reserve.

The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2020, as follows:

- (1) The Army National Guard of the United States, 336,000.
- (2) The Army Reserve, 189,500.
- (3) The Navy Reserve, 59,000.
- (4) The Marine Corps Reserve, 38,500.
- (5) The Air National Guard of the United States, 107,700.
- (6) The Air Force Reserve, 70,100.
- (7) The Coast Guard Reserve, 7,000.

The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by:

- (1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and
- (2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. End Strengths for Reserves on Active Duty in Support of the Reserves.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2020, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

- (1) The Army National Guard of the United States, 30,595.
- (2) The Army Reserve, 16,511.
- (3) The Navy Reserve, 10,155.
- (4) The Marine Corps Reserve, 2,386.
- (5) The Air National Guard of the United States, 22,637.
- (6) The Air Force Reserve, 4,431.

SEC. 413. End Strengths for Military Technicians (Dual Status).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2020 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

- (1) For the Army National Guard of the United States, 22,294.
- (2) For the Army Reserve, 6,492.
- (3) For the Air National Guard of the United States, 13,573.
- (4) For the Air Force Reserve, 8,848.

Under no circumstances may a military technician (dual status) employed under the authority of this section be coerced by a State into accepting an offer of realignment or conversion to any other military status, including as a member of the Active, Guard, and Reserve program of a reserve component. If a military technician (dual status) declines to participate in such realignment or conversion, no further action will be taken against the individual or the individual's position.

SEC. 414. Maximum Number of Reserve Personnel Authorized to be on Active Duty for Operational Support.

During fiscal year 2020, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

- (1) The Army National Guard of the United States, 17,000.
- (2) The Army Reserve, 13,000.
- (3) The Navy Reserve, 6,200.
- (4) The Marine Corps Reserve, 3,000.
- (5) The Air National Guard of the United States, 16,000.
- (6) The Air Force Reserve, 14,000.

SEC. 514. Guidance for use of unmanned aircraft systems by the National Guard.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall issue new guidance that treats the use of unmanned aircraft systems by the National Guard for covered activities in a manner no more restrictive than the use of other aircraft for covered activities.

In this section, "covered activities" means the following:

- (1) Emergency operations.
- (2) Search and rescue operations.
- (3) Defense support to civil authorities.
- (4) Support under section 502(f) of title 32, United States Code.

Sec. 519. Sense of Congress regarding the National Guard Youth Challenge Program.

It is the sense of Congress that the National Guard Youth Challenge Program provides a vital service to at-risk youth by providing life-changing mentorship, developing self-discipline, and providing education in valuable skills; and the Secretary of Defense should use the authority provided under section 509(h)

(2) of title 32, United States Code, to allow Department of Defense equipment and facilities to be used by the National Guard to maximize the support of the Department for the Youth Challenge Program.

Sec. 520C. Report on National Guard and United States Northern Command capacity to meet homeland defense and security incidents.

Not later than September 30, 2020, the Chief of the National Guard Bureau shall, in consultation with the Commander of United States Northern Command, submit to the congressional defense committees a report setting forth the following:

- (1) A clarification of the roles and missions, structure, capabilities, and training of the National Guard and the United States Northern Command, and an identification of emerging gaps and shortfalls in light of current homeland security threats to our country.
- (2) A list of the resources that each State and Territory National Guard has at its disposal that are available to respond to a homeland defense or security incident, with particular focus on a multi-State electromagnetic pulse event.
- (3) The readiness and resourcing status of forces listed pursuant to paragraph (2).
- (4) The current strengths and areas of improvement in working with State and Federal interagency partners.
- (5) The current assessments that address National Guard readiness and resourcing of regular United States Northern Command forces postured to respond to homeland defense and security incidents.
- (6) A roadmap to 2040 that addresses readiness across the spectrum of long-range emerging threats facing the United States.

Sec. 520D. National Guard Support to Major Disasters.

Section 502(f) of title 32, United States Code, is amended:

- (1) in paragraph (2), by adding at the end the following:
“(C) Operations or missions authorized by the President or the Secretary of Defense to support large scale, complex, catastrophic disasters, as defined by section 311(3) of title 6, United States Code, at the request of a State governor.”
- (2) by adding at the end the following:
“(4) With respect to operations or missions described under paragraph (2)(C), there is authorized to be appropriated to the Secretary of Defense such sums as may be necessary to carry out such operations and missions, but only if (A) an emergency has been declared by the governor of the applicable State; and (B) the President has declared the emergency to be a major disaster for the purposes of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.”

SEC. 520E. Report on Methods to Enhance Domestic Response to Large Scale, Complex and Catastrophic Disasters.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation and coordination with the Federal Emergency Management Agency, the National Security Council, the Council of Governors, and the National Governors Association, shall submit to the congressional defense, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate a report on their plan to establish policy and processes to implement the authority provided by the amendments made by section

520. The report shall include a detailed examination of the policy framework consistent with existing authorities, identify major statutory or policy impediments to implementation, and make recommendations for legislation as appropriate.

The report submitted under paragraph (1) shall include a description of:

- (1) the current policy and processes whereby governors can request activation of the National Guard under title 32, United States Code, as part of the response to large scale, complex, catastrophic disasters that are supported by the Federal Government and, if no formal process exists in policy, the Secretary of Defense shall provide a timeline and plan to establish such a policy, including consultation with the Council of Governors and the National Governors Association;
- (2) the Secretary of Defense's assessment, informed by consultation with the Federal Emergency Management Agency, the National Security Council, the Council of Governors, and the National Governors Association, regarding the sufficiency of current authorities for the reimbursement of National Guard and Reserve manpower during large scale, complex, catastrophic disasters under title 10 and title 32, United States Code, and specifically whether reimbursement authorities are sufficient to ensure that military training and readiness are not degraded to fund disaster response, or invoking them degrades the effectiveness of the Disaster Relief Fund;
- (3) the Department of Defense's plan to ensure there is parallel and consistent policy in the application of the authorities granted under section 12304a of title 10, United States Code, and section 502(f) of title 32, United States Code, including:
 - (A) a description of the disparities between benefits and protections under Federal law versus State active duty;
 - (B) recommended solutions to achieve parity at the Federal level; and
 - (C) recommended changes at the State level, if appropriate;
- (4) the Department of Defense's plan to ensure there is parity of benefits and protections for military members employed as part of the response to large scale, complex, catastrophic disasters under title 32 or title 10, United States Code, and recommendations for addressing shortfalls; and
- (5) a review, by the Federal Emergency Management Agency, of the current policy for, and an assessment of the sufficiency of, reimbursement authority for the use of all National Guard and Reserve, both to the Department of Defense and to the States, during large scale, complex, catastrophic disasters, including any policy and legal limitations, and cost assessment impact on Federal funding.

SEC. 520F. Report Regarding National Guard Youth Challenge Program.

Not later than December 31, 2020, the Secretary of Defense shall submit a report to the congressional defense committees regarding the resources and authorities the Secretary determines necessary to identify the effects of the National Guard Youth Challenge Program on graduates of that program during the five years immediately preceding the date of the report. Such resources shall include the costs of identifying such effects beyond the 12-month, post-residential mentoring period of that program.

Sec. 520G. Permanent extension of suicide prevention and resilience program for the reserve components.

Strike subsection (g) of section 10219 of title 10, United States Code.

Sec. 520H. Temporary authority to use Air Force reserve component personnel to provide training and instruction regarding pilot training.

During fiscal year 2020, the Secretary of the Air Force may authorize personnel described in paragraph (2) to provide training and instruction regarding pilot training to the following:

- (A) Members of the Armed Forces on active duty.
- (B) Members of foreign military forces who are in the United States.

The personnel described in this paragraph are the following:

- (A) Members of the reserve components of the Air Force on active Guard and Reserve duty (as that term is defined in section 101(d) of title 10, United States Code) who are not otherwise authorized to conduct the training described in paragraph (1) due to the limitations in section 12310 of title 10, United States Code.
- (B) Members of the Air Force who are military technicians (dual status) who are not otherwise authorized to conduct the training described in paragraph (1) due to the limitations in section 10216 of title 10, United States Code, and section 709(a) of title 32, United States Code.

Not more than 50 members described in paragraph (2) may provide training and instruction under the authority in paragraph (1) at any one time.

Members of the uniformed services described in paragraph (2) who provide training and instruction pursuant to the authority in paragraph (1) shall be covered by the Federal Tort Claims Act for purposes of any claim arising from the employment of such individuals under that authority.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan to eliminate shortages in the number of pilot instructors within the Air Force using authorities available to the Secretary under current law.

Sec. 554. Expansion of Department of Defense STARBASE Program.

This section would amend section 2193b of title 10, United States Code, by inserting science, technology, engineering, art and design, and mathematics.

Sec. 564. Inclusion of specific email address block on Certificate of Release or Discharge from Active Duty (DD Form 214).

The Secretary of Defense shall modify the Certificate of Release or Discharge from Active Duty (DD Form 214) to include a specific block explicitly identified as the location in which a member of the Armed Forces may provide one or more email addresses by which the member may be contacted after discharge or release from active duty in the Armed Forces.

The Secretary of Defense shall release a revised Certificate of Release or Discharge from Active Duty (DD Form 214), modified as required by subsection (a), not later than one year after the date of the enactment of this Act.

Sec. 566. Records of service for reserves.

Not later than September 30, 2020, the Secretary of Defense shall establish and implement a standard record of service for members of the reserve components of the Armed Forces, similar to DD Form 214, that summarizes the record of service of each such member, including dates of active duty service.

In carrying out this section, the Secretary of Defense shall coordinate with the Secretary of Veterans Affairs to ensure that the record established under this section is acceptable as proof of service for former members of the reserve components of the Armed Forces who are eligible for benefits under laws administered by the Secretary of Veterans Affairs to receive such benefits.

Sec. 579. Direct employment pilot program for members of the National Guard and Reserve, veterans, their spouses and dependents, and members of Gold Star Families.

This section would enable the Secretary of Defense to create a pilot program that would allow States to establish or expand job placement programs, and related employment services, for unemployed Guardsmen, Reservists, military spouses, and veterans.

Sec. 599C. Sense of Congress regarding the High-Altitude Army National Guard Aviation Training Site.

Congress finds that the High-Altitude Army National Guard Aviation Training Site is the lone school of the Department of Defense where rotary-wing aviators in the Armed Forces and the militaries of foreign allies learn how to safely fly rotary-wing aircraft in mountainous, high-altitude environments.

It is the sense of Congress that military aviation training in Colorado, including the training conducted at the High-Altitude Army National Guard Aviation Training Site, is critical to the national security of the United States and the readiness of the Armed Forces.

Sec. 606. Increase in basic pay.

Effective on January 1, 2020, the rates of monthly basic pay for members of the uniformed services are increased by 3.1 percent.

SEC. 627. Consideration of Service on Active Duty to Reduce Age of Eligibility for Retired Pay for Non-Regular Service.

Section 12731(f)(2)(B)(i) of title 10, United States Code, is amended by striking “under a provision of law referred to in section 101(a)(13)(B) or under section 12301(d)” and inserting “under section 12301(d) or 12304b of this title, or under a provision of law referred to in section 101(a)(13)(B).”

SEC. 703. Modification of eligibility for TRICARE Reserve Select for certain members of the Selected Reserve.

This section would amend section 1076 of title 10, United States Code, by removing the restriction of Federal employees who are National Guard or Reserve Component service members from purchasing TRICARE Reserve Select beginning in the year 2030.

SEC. 724. National Guard suicide prevention pilot program.

This section would authorize the Chief of the National Guard Bureau to carry out a pilot program to expand suicide prevention and intervention efforts at the community level through the utilization of smartphone and other handheld applications to provide in-the-moment support to service members.

SEC. 921. Establishment of United States Space Corps in the Department of the Air Force.

This section would amend title 10, United States Code, to establish the United States Space Corps within the Department of the Air Force.

SEC. 924. Space National Guard.

This section would prohibit the Secretary of Defense from transferring any personnel or resources from any reserve components, including the National Guard, to the United States Space Corps until the date on which a Space National Guard of the United States has been established by law.

SEC. 1013. Repeal of Secretary of Defense Review of curricula and program structures of National Guard Counterdrug Schools.

This section would repeal the Secretary of Defense’s review of National Guard counterdrug school curricula and program structures.

SEC. 1084. National Commission on Military Aviation Safety.

Subsection (h)(2) of section 1087 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended by striking “March 1, 2020 and inserting “December 1, 2020.”

Such section is further amended by adding at the end the following new subsection:

“(1) REPORT TO CONGRESS.—Not later than 120 days after the date of the submittal of the report under subsection (h)(2), the Secretary of Defense, in coordination with the Secretary of each of the military departments, shall submit to the Committees on Armed Services of the Senate and House of Representatives a report that includes each of the following:

- (1) An assessment of the findings and conclusions of the Commission.
- (2) The plan of the Secretaries for implementing the recommendations of the Commission.
- (3) Any other actions taken or planned by the Secretary of Defense or the Secretary of any of the military departments to improve military aviation safety.”

In addition to any other amounts authorized to be appropriated for the National Commission on Military Aviation Safety established under section 1087 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), of the amounts authorized to be appropriated for Operation and Maintenance, Defense-wide for fiscal year 2020, as specified in the funding table in section 4301, \$3,000,000 shall be available for the National Commission on Aviation Safety.

SEC. 1125. Clarification for members of the National Guard and Reserves (Paid Family Leave).

EXECUTIVE BRANCH EMPLOYEES. For purposes of determining the eligibility of an employee who is a member of the National Guard or Reserves to take leave under section 6382(a) of title 5, United States Code, or to substitute such leave pursuant to paragraph (2) of such section (as added by section 1122), any service by such employee on active duty (as defined in section 6381(7) of such title) shall be counted as service as an employee for purposes of section 6381(1)(B) of such title.

CONGRESSIONAL EMPLOYEES. For purposes of determining the eligibility of a covered employee (as such term is defined in section 101(3) of the Congressional Accountability Act) who is a member of the National Guard or Reserves to take leave under section 102(a)(1) of the Family and Medical Leave Act of 1993 (pursuant to section 202(a)(1) of the Congressional Accountability Act), or to substitute such leave pursuant to subsection (d) of section 202 of such Act (as added by section 1123), any service by such employee on active duty (as defined in section 101(14) of the Family and Medical Leave Act of 1993) shall be counted as time during which such employee has been employed in an employing office for purposes of section 202(a)(2)(B) of the Congressional Accountability Act.

GAO EMPLOYEES. For purposes of determining the eligibility of an employee of the Government Accountability Office who is a member of the National Guard or Reserves to take leave under section 102(a)(1) of the Family and Medical Leave Act of 1993, or to substitute such leave pursuant to paragraph (3) of section 102(d) of such Act (as added by section 1124), any service by such employee on active duty (as defined in section 101(14) of such Act) shall be counted as time during which such employee has been employed for purposes of section 101(2)(A) of such Act.

SEC. 1403. Drug interdiction and counter-drug activities, defense-wide.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2020 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1507. Drug interdiction and counter-drug activities, defense-wide (OCO).

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2020 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

SEC. 2601. Authorized Army National Guard construction and land acquisition projects.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States.

SEC. 2604. Authorized Air National Guard construction and land acquisition projects.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States.

SEC. 2606. Authorization of appropriations, National Guard and Reserve.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2019, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

SEC. 2607. Review and report on construction of new, or maintenance of existing, direct fuel pipeline connections at Air National Guard and Air Force Reserve installations.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force, in conjunction with the Defense Logistics Agency, shall complete a review considering:

- (1) the need for, and benefits of, the construction of new, or maintenance of existing, direct fuel pipeline connections at Air National Guard and Air Force Reserve installations; and
- (2) the barriers, including funding needs and any inconsistent guidance and consideration of such projects by the Air Force, that may impede such projects.

The review required by subsection (a) shall include the following:

- (1) An analysis of the extent that the Air Force and Defense Logistics Agency have identified direct fuel pipeline projects as an effective and efficient way to enhance the ability of regular component, Air National Guard, and Air Force Reserve installations, to improve the readiness of affected units and help them to meet their mission requirements, including an assessment of how the Air National Guard and Air Force Reserve facilities, across all States and territories, can leverage such connections to better support current and emerging air refueling requirements.
- (2) An assessment of how direct fuel pipeline connections enhance the resiliency and efficiency of the installations and help meet existing Defense Logistics Agency requirements for secondary storage and other fuel requirements.
- (3) A list of Air National Guard and Air Force Reserve installations that currently do not have a direct connection pipeline but have access to such a pipeline within reasonable proximity (less than five miles) to the facility.
- (4) An overview and summary of the current process for considering such proposals, including the factors used to consider requests, including the weight provided to each factor and including a list of Air National Guard and Air Force Reserve installations that have sought funding for projects to create direct access to a national fuel pipeline or to maintain access to such pipelines over the last five years.
- (5) A list of the total instances in the past five years in which projects for direct fuel pipeline connections have been approved for regular component, Air National Guard, or Air Force Reserve installations, including the costs of each project and the justification for such approval.
- (6) A list of Air National Guard and Air Force Reserve installations with current pipeline connections that the Air Force or Defense Logistics Agency has determined should no longer be used, including:
 - (A) an analysis of the justifications for each such determination, such as decisions to switch from pipelines to using trucks as the primary fuel delivery method;
 - (B) an assessment of whether these determinations fairly weigh the costs and benefits of building or maintaining a pipeline tap as a practical primary or secondary fuel delivery method for the installation compared to railroad, barge terminal, or truck delivery; and
 - (C) an assessment of whether these determinations fairly consider or weigh how direct fuel pipeline connections increase security for the fuel supply by reducing the threat of interruption, enhance mission reliability by providing access to greater fuel storage capability, and the ability of such projects once completed to better support the domestic and global operations of the Air National Guard or Air Force Reserve installation.

- (7) An assessment of how costs associated with each direct fuel pipeline connection project is considered by the Air Force or Defense Logistics Agency and the weight given to such costs in the final analysis.
- (8) An assessment of the effectiveness or usefulness of guidance or technical assistance provided to installations requesting or proposing direct fuel pipeline connection projects and recommend ways to provide additional assistance to ensure the Air Force and Defense Logistics Agency receive the most up to date information about the costs and benefits of proposed projects from installations.
- (9) An assessment of the available funding sources through the Air Force, Defense Logistics Agency, other Department of Defense entities, or other mechanisms, such as a public-private partnership or enhanced use lease, that can support direct fuel pipeline connection projects either in whole or in part.
- (10) An assessment of the extent to which direct fuel pipeline connection projects have been incorporated in any comprehensive plan the Air Force has developed or will develop regarding investments needed to improve Air National Guard, Air Force Reserve, and regular component installations to meet the Department's needs.

Not later than one year after the date of the enactment of this Act, the Secretary of the Air Force shall provide a final report to the Committees on Armed Services of the Senate and the House of Representatives containing the results of the review required by subsection (a) and recommendations from the review on how the Air Force can better expedite and support the use of fuel pipelines at Air National Guard and Air Force Reserve installations. Such recommendations shall include options for accelerating the development and consideration of such projects where most feasible and appropriate, including whether costs savings could be obtained by including such projects as part of other related projects already authorized at an installation.

SEC. 3003. Authorization of emergency Army National Guard and Army Reserve construction and land acquisition projects.

Pursuant to section 2802 of title 10, United States Code, the following real property acquisition and military construction projects, in the following amounts, are authorized:

Florida, Panama City, National Guard Readiness Center, \$25,000,000.

North Carolina, Military Training Area Fort Fisher, General Purpose Administrative Building, \$25,000,000.

REPORT LANGUAGE

CH-47F Chinook Block II

The budget request contained \$18.2 million in advanced procurement for the CH-47F Block II program. The CH-47F Block II program is designed to upgrade the current CH-47F Block I heavy-lift rotorcraft to improve readiness and commonality, extend the useful life of the Block I version, and restore additional payload capacity for the airframe. The committee understands the budget request fully funds the completion of the engineering and manufacturing development (EMD) phase of the Block II program, and that subject to successful completion of the EMD phase, the Army plans to conduct a Milestone C low-rate production decision beginning in fiscal year 2021. However, the committee notes the current Future Years Defense Program (FYDP) provides no follow-on procurement funding for the CH-47 Block II program. Further, the committee notes that the formal analysis of alternatives for the CH-47 Block II indicated the Army must begin to remanufacture or recapitalize CH-47 Block I rotorcraft between fiscal years 2024 and 2028 and sustain full-rate production of 12 aircraft per year by fiscal year 2030 in order to maintain fleet readiness. Given the lack of programmed funding in the FYDP for CH-47 Block II production, the committee is concerned about potential impacts this could have on the heavy-lift rotorcraft industrial base, as well as the effects this could have on the Army's long-term plans to maintain fleet readiness beyond the FYDP.

Therefore, the committee recommends \$46.2 million, an increase of \$28.0 million, in CH-47 Helicopter advanced procurement for the CH-47F Block II aircraft.

Further, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services by September 2, 2019, on the potential readiness impacts to the current CH-47F fleet should Block II production be delayed post-FYDP, a cost-benefit analysis comparing CH-47 Block II upgrade program to CH-47F remanufacture and recapitalization efforts, the impacts to current MH-47G aircraft production given the delay of Block II production, analysis used to assess the strategic risk to the industrial base including the supplier base, and the current strategy for modernizing the heavy-lift rotorcraft fleet.

High Mobility Multipurpose Wheeled Vehicle recapitalization

The committee encourages the Secretary of the Army to use the funds made available for High Mobility Multipurpose Wheeled Vehicle (HMMWV) modernization or recapitalization to procure new HMMWVs or fully restore HMMWVs to a "like-new" zero-hours, zero-miles condition through the installation of a new, modernized powertrain. The committee believes that modernizing or recapitalizing HMMWVs with a more capable powertrain could better support future advanced technology insertions as well as other capability upgrades to the HMMWV fleet, which in turn should reduce sustainment costs and logistics challenges associated with obsolete, expensive, or less-suitable parts.

A-10 aircraft

The budget request contained \$168.9 million for A-10 aircraft modifications and upgrades, of which \$100.0 million was included for the new A-10 wing replacement program to begin procurement of 112 sets of additional wings. This procurement would retrofit the remaining A-10 fleet giving the Air Force a total of 281 A-10 aircraft to 2030 and beyond.

The committee continues to believe that sustainment of the 281-aircraft A-10 fleet provides the Air Force a cost- and mission-effective close air support capacity and capability that will meet joint force requirements. The committee recognizes that A-10 fleet modernization requires future display system upgrades for better identification of friendly and enemy forces. Additional modernization also requires updates to weapon delivery and management systems, along with an upgraded electronic warfare suite, that will keep pace with advancements in threat surface-to-air technology and provide better protection for pilots. Finally, the committee encourages the Air Force to explore upgraded communications systems with improved interconnectivity and security to support data-gathering enhancements for aircraft and engine structural integrity monitoring.

The committee looks forward to receiving the test and evaluation report from the Director, Operational Test and Evaluation regarding the F-35A and A-10C test comparison required by section 134 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328). The committee recalls that the committee report accompanying the National Defense Authorization Act for Fiscal Year 2019 (H. Rept. 115-676) required the Secretary of the Air Force to submit a report to the House Committee on Armed Services on the cost of the additional 112 A-10 replacement wings using a second contract compared to the cost of exercising the option to procure the 112 A-10 replacement wings on the original contract. The committee understands that this report will be made available after the new contract for A-10 wings is awarded later in fiscal year 2019. Finally, the committee encourages the Secretary of the Air Force to consider a multiyear contracting strategy for the next wing replacement program that could achieve significant cost savings for the A-10 wing replacement program.

Air National Guard F-16 Radar Upgrades

The committee recognizes that F-16s will remain a critical component of the Air National Guard (ANG) inventory through the 2040s making it essential to maintain the operational viability of these aircraft. The committee further recognizes that Active Electronically Scanned Array (AESA) radar upgrades for the F-16 make the aircraft more survivable and lethal in a combat environment when deployed, provides increased capability for homeland defense and aerospace control alert missions, as well as reduces maintenance and logistics challenges.

The committee strongly supports continuing the F-16 AESA radar upgrades for both the Air Force and ANG, including the use of National Guard and Reserve Equipment Account funding referenced elsewhere in this Act. Furthermore, the committee directs the Chief of Staff of the Air Force, in coordination with the Chief of the National Guard Bureau, to provide a report to the House Armed Services Committee not later than February 1, 2020, that details an operational risk assessment, requirements determination, and acquisition and fielding strategy with associated funding profiles for upgrading the ANG's F-16s with AESA radars.

C-130H aircraft propellers and engines

The committee notes that the C-130H aircraft that are flown primarily by the Air National Guard and Air Force Reserve continue to provide critical tactical airlift capabilities and will continue to support this mission for years to come. The committee is disappointed with the amount of time it has taken for the Air Force to address a safety of flight issue with the legacy propeller system of the C-130H. The inherent danger associated with legacy propellers came to light in the mishap report from the KC-130T Hercules aircraft of the United States Marine Corps Reserve that crashed in Leflore County, Mississippi, killing 17 service members. The Air Force convened an additional review board which identified a

potential hazard with propellers that were produced before 1971. This review appears arbitrary considering that the failed blade on the Marine Corps mishap C-130T was manufactured in 1983.

Procurement of new composite propeller blades is the obvious solution to this serious safety of flight and readiness issue. The Air Force has moved slowly in addressing the issue and still refers to the propeller upgrade as a performance enhancement and not a safety requirement. A new composite blade would also decrease maintenance time and improve logistics support, which will result in increased readiness. Delays are unacceptable considering the inherent safety of flight and readiness risks surrounding this issue.

Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services by October 31, 2019, on the long-awaited acquisition strategy for procuring new blades. This plan should include estimated costs, timelines, and a unit upgrade schedule, as well as a plan to expedite procurement for squadrons scheduled to deploy in CY2020. The briefing should also include the Air Force plan to incorporate C-130H T-56 Series 3.5 Engine Enhancement Packages. Congress has repeatedly added additional funds for these upgrades and the Air Force has yet to budget for them despite the demonstrated performance benefits and fuel efficiencies.

E-8 Joint Surveillance Target Attack Radar System re-engineing program

The budget request included \$28.7 million for the E-8C Joint Surveillance Target and Attack Radar System (JSTARS) but no funding to address re-engineing.

The committee understands that recently-completed analyses of the E-8C JSTARS platform updated and extended the service life projection concluding that the JSTARS fleet can operate well into the 2030s and potentially beyond. As such, the committee supports the requested funding for E-8C JSTARS modernization and sustainment as necessary to ensure that the platform remains operational and capable for the remainder of its service life. However, the committee is concerned that the funding requested in the fiscal year 2020 Air Force budget fails to address the E-8C propulsion system, which the committee understands is the number one issue driving excessive non-mission capable maintenance metrics for the fleet. The committee is concerned that, without a substantive solution, issues associated with the propulsion system will continue to drive up costs and hinder availability.

The committee recommends \$56.7 million, an increase of \$28.0 million, in Aircraft Procurement, Air Force, for JSTARS reengineering.

F-15C/F-15EX

The budget request contained \$1.1 billion for development and procurement of eight F-15EX aircraft.

Air Force officials testified before the Subcommittee on Tactical Air and Land Forces on May 2, 2019, about their concerns with the current tactical aircraft inventory capacity and capability to fully execute and support the air superiority mission as required by the 2018 National Defense Strategy. The committee notes that the Air Force's capacity and capability concerns are based on the combination of having procured only 187 F-22 aircraft compounded by the earlier than expected deterioration of the current fleet of F-15C aircraft, which the F-22 was intended to replace. The Air Force testified that two-thirds of the F-15C fleet is past its certified service life and that 13 percent of the combat-coded aircraft are grounded due to failed aircraft structural integrity inspections. The committee understands that the

Air Force considered a range of options to mitigate the identified capability and capacity gaps for the air superiority mission, to include extending the service life of the F-15C fleet and increasing the production rate of F-35A aircraft.

The committee notes that analysis by the Department of Defense determined that a service life extension on the F-15C fleet would provide a limited return on investment for the amount of financial and other resources required to complete a successful life extension program to address the known structural integrity and mission systems issues or the cost and schedule risk associated with emergent fleet issues that are unknown but may be identified as each aircraft enters the service life inspection and extension program. The committee notes that the Navy realized unexpected and excessive cost and schedule growth during the service life extension program for the legacy fleet of F/A-18A/B/C/D aircraft.

The committee understands that the Department's analysis evaluated increasing F-35A production quantities but determined that although the F-35A and F-15EX aircraft have similar procurement costs, the difference in operations and sustainment costs between the two aircraft is notable. Furthermore, the committee notes that the Department's analysis evaluated other aspects of current performance related to the F-35A program outlined by the committee elsewhere in this title and that the Department decided to forego this option due to affordability concerns.

Therefore, the committee supports the Department's decision to procure the F-15EX aircraft to mitigate warfighter risk and to fill current and projected air superiority mission gaps. Additionally, the committee includes a provision elsewhere in this title that would require the Secretary of Defense to designate the F-15EX program as a major program within the F-15 program element, and would require the Secretary to provide additional acquisition documentation to the congressional defense committees before proceeding apace with procurement of F-15EX aircraft.

Tanker force structure and modernization

The committee notes that the Department of Defense Mobility Capability Requirement Study identified a tanker force structure inventory requirement of 479 aircraft. Integral to this capability is the delivery of mission capable KC-46A aircraft and the continued development of additional tanker aircraft after the expiration of the current KC-46A contract with lot 13 in 2027. The committee notes that the Secretary of the Air Force has completed a capability-based assessment and signed out the initial capability document for the requirements associated with the next-generation tanker, but has not started an analysis of alternatives. The committee believes that the Secretary of the Air Force has several viable options to ensure future tanker capability, to include acquiring a non-developmental commercial derivative tanker while "bridging" from the end of the KC-46A production to the new developmental tanker.

Therefore, the committee directs the Secretary of the Air Force to submit a report to the congressional defense committees by September 30, 2020, on a 30-year vision for the tanker force structure. The report shall include the following:

- (1) the current KC-46A tanker acquisition timeline through lot 13;
- (2) future tanker production options to include an acquisition timeline comparison of a "bridging" non-developmental commercial derivative tanker and new tanker development; and
- (3) modernization options for the entire tanker force structure through the 30-year vision timeline.

Additionally, the committee continues to support the fixed-price development and production of the KC-46A contract. The committee believes that there have been several lessons learned with unique fixed-price type contracts that were employed in this contract. Therefore, in accordance with a recommendation included in the Government Accountability Office (GAO) report entitled “KC-46 Tanker Modernization: Aircraft Delivery Has Begun, but Deficiencies Could Affect Operations and Will Take Time to Correct” (GAO-19-480), the committee directs the Secretary of the Air Force to submit a report to the congressional defense committees by March 1, 2020, on the lessons learned regarding the utilization of a fixed-price contract for development.

F-35 Joint Strike Fighter program

The budget request contained \$10.3 billion for the procurement of 78 F-35 aircraft, and associated spares, modifications, depot activations, and advanced procurement for fiscal year 2021 aircraft for the Air Force, Navy, and Marine Corps. The budget request contained \$1.6 billion for research and development related to the conclusion of system design and development, deployability and suitability initiatives, Block 4 and Continuous Capability Development and Delivery (C2D2), and dual-capable aircraft efforts. The committee notes that the unfunded priority lists for the Air Force, Navy, and Marine Corps contained 12 F-35A, 2 F-35C, and 2 F-35B/2 F-35C aircraft, respectively.

The committee supports the F-35 program and believes it is a necessary and essential capability within the tactical aircraft portfolio for the United States and its foreign partners and allies. The committee is concerned, however, that many substantial challenges are unresolved across the F-35 system enterprise as was highlighted in two recent Government Accountability Office reports (GAO-19-321 and GAO-19-341) as well as during testimony at the May 2, 2019, Subcommittee on Tactical Air and Land Forces hearing on Air Force acquisition and modernization programs. It is clear that unless the F-35 program can demonstrate measurable progress in reducing costs and inefficiencies associated with the production line, concurrency with new parts procurement and fielded parts repairs, global supply chain management and distribution activities, operations and sustainment costs, the Autonomic Logistics Information System, and Block 4 development and subsequent fielding utilizing the C2D2 construct, the Department of Defense and other F-35 partners and customers may not be able to achieve total inventory objective requirements. The committee is also concerned about the F-35 program’s readiness to achieve a favorable full-rate production review scheduled at the end of 2019. The program may not be demonstrating satisfactory control of manufacturing processes and production line efficiencies, acceptable performance and reliability related to post-production activities and validated requirements, and adequate and effective sustainment and support systems in place to meet demands of all F-35 customers.

Consequently, the committee includes three provisions elsewhere in this title that would authorize the F-35 program to procure economic quantities of production material to reduce costs; increase congressional oversight and program transparency related to costs for capability development and fielding; and ensure that the F-35 program has established suitable, measurable, and achievable performance metrics across various elements of the program.

Future Vertical Lift

The budget request included \$459.0 million in PE 63801A for Future Vertical Lift (FVL) platform research and development. Of this amount, \$427.0 million was requested for development of the Future Attack Reconnaissance Aircraft (FARA), a new scout helicopter, while \$30.2 million was requested for the Future Long-Range Assault Aircraft (FLRAA), the planned replacement for the UH-60 Black Hawk helicopter.

Future Vertical Lift (FVL) is the Army's initiative to develop and field next-generation rotary wing aviation technologies and platforms through rapid prototyping and streamlined acquisition processes. The committee supports FVL's near-term goals and objectives of developing modern capabilities to replace the OH-58 Kiowa scout reconnaissance helicopter and the UH-60 Black Hawk utility helicopter.

The committee understands the Army awarded five Other Transaction Authority contracts in April 2019 for FARA prototypes and intends to down-select to two competitors in March 2020. However, the Army failed to include funds to bridge the gap between the Joint Multi-Role Technology Demonstration (JMR-TD) for transformational vertical lift capabilities and the planned start of the Future Long-Range Assault Aircraft. Instead, the Army included \$75.0 million in its unfunded priority list to accelerate FLRAA through an extension of the JMR-TD program. The committee believes additional details are required in order to make an informed evaluation of the Army's near and long term objectives for the Army aviation enterprise. The committee expects the aviation modernization strategy required elsewhere in this Act to help clarify these questions.

Improved Turbine Engine Program

The budget request included \$206.4 million in PE 67139A for the Improved Turbine Engine Program (ITEP).

The committee continues to support development of the Army's Improved Turbine Engine Program. ITEP was initiated as a competitive development and acquisition program to provide a more fuel efficient and powerful helicopter engine enhancing the performance and operational readiness of the Army's UH-60 Black Hawk and AH-64 Apache fleets. The committee has supported significant Army investments into competitive technology development programs for turbine engines over the past decade and is encouraged by the significant progress the Army has made in maturing technologies that would lower ITEP programmatic risks. The committee also notes that ITEP will benefit the Army's future vertical lift development efforts, in particular, the Future Attack Reconnaissance Aircraft (FARA) program.

The committee understands that the engineering and manufacturing development phase of ITEP is fully funded through fiscal year 2024 and that maintaining schedule to meet both the current and future platform integration timelines is crucial to the Army's aviation modernization enterprise. The committee expects the Army to maintain the current ITEP schedule as any delays will affect the planned delivery of new capability and Army aviation future readiness.

The committee recommends \$206.4 million, the full amount requested, in PE 67139A for ITEP.

Light attack and armed reconnaissance experimentation

The budget request contained \$35.0 million in PE27100F for continuation of Light-Attack Armed Reconnaissance (LAAR) experimentation.

The committee notes that the Air Force plans to apply \$100.0 million in fiscal year 2018 appropriated funding, and plans to request reprogramming authority to realign \$25.0 million in fiscal year 2019 appropriated funding, to purchase six test article LAAR platforms (three AT-6 and three A-29 aircraft) to continue Phase 3 experimentation activities.

The committee notes that the Air Force is not ready to make a decision on a potential procurement for LAAR without completing additional analyses on all potential solutions in order to find a solution that fits tactical, operational, and strategic requirements for a wide variety of allies and partners. The Air Force determined after the conclusion of Phase 2 experimentation that the results gained thus far have not provided enough information, nor has the LAAR experiment strategy explored other platforms that could fill lesser contingency and international partner mission requirements. The committee further notes that the Air Force believes continued experimentation during Phase 3 will allow for additional consideration of current and emerging unmanned, rotorcraft, and turbojet technologies to assess cost-effectiveness and capability sufficiency to ensure that a future LAAR platform or platforms will maximize meeting a diverse set of mission requirements and capability gaps.

The committee appreciates the deliberate and methodical approach the Secretary of the Air Force is taking through experimentation and data analysis to fully inform a future procurement decision for LAAR capabilities and this new mission area. However, prior to entering Phase 3 experimentation activities, the committee expects the Secretary to establish and document the Phase 3 experimentation strategy, design, goals, objectives, and metrics. The committee also expects the Secretary to consult with the Commander, Special Operations Command to assess how both general purpose forces and special operations forces can leverage experimentation activities. The committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services not later than September 1, 2019, on the scope and plans for Phase 3 experimentation.

Military rotorcraft safety

The committee recognizes that military rotorcraft operate in hazardous conditions using special tactics, techniques, and procedures that can lead to increased risk for pilots and their crews. The committee is aware of the significant risk that uncharted wires and obstacles pose to military rotorcraft, especially those flown by special operations forces and combat search and rescue elements. The committee also notes that military rotorcraft face safety and readiness challenges stemming from excessive aircraft vibration. The committee further understands that current vibration mitigation efforts often seek to mask or absorb vibrations without resulting in an actual decrease in vibration. The committee is concerned that there is insufficient focus on developing and fielding effective technology for detecting uncharted wires and obstacles, as well as insufficient focus on developing materiel solutions to help mitigate excessive vibration in legacy rotorcraft platforms.

The committee directs the Secretary of Defense, in coordination with the Secretaries of the Army, Navy, and Air Force, to provide a briefing to the House Committee on Armed Services by February 1, 2020, on Department-wide efforts to identify, develop, and procure capabilities related to the detection and avoidance of uncharted wires and obstacles, as well as efforts to mitigate excessive vibration in

rotorcraft. The briefing should include to the maximum extent practicable an evaluation of current commercially available systems for obstacle detection and analysis of any tools, processes, software, or methodologies currently being evaluated towards mitigating vibration levels.

C-17 Sustainment

The committee recognizes the critical capability of the C-17 Globemaster III, which provides strategic and tactical airlift, medical evacuation and aerial deliveries in support of combat and humanitarian missions around the world. The committee further recognizes that the existing sustainment C-17 Globemaster III strategy, which is a performance-based logistics contract, has resulted in consistent mission readiness rates that exceed 80% and fully conforms with the percentage limitations on performance of depot-level maintenance (50/50 requirements) of Section 2466 of Title 10, United States Code.

The committee is aware that at a time when aviation readiness rates on other fleets have been lagging, the Air Force is considering changing the sustainment strategy for C-17. The committee notes that Section 2337 of Title 10, United States Code, requires a periodic review product support arrangement to ensure the arrangements are consistent with the overall product support strategy. The committee understands that the Air Force contracted PricewaterhouseCoopers (PWC) to conduct an independent Product Support Business Case Analysis of the C-17 sustainment strategy and that analysis has been completed and delivered to the Air Force. The committee directs the Secretary of the Air Force to provide the PWC business case analysis on C-17 sustainment to the House Committee on Armed Services no later than June 30, 2019.

The committee further directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services no later than July 31, 2019, detailing the Air Force's analysis and decision-making related to changes to C-17 sustainment.

Comptroller General Report on F-35 Sustainment

The committee recognizes the importance of the F-35 Lightning II program to U.S. national defense and cooperation with foreign allies and partners. The F-35 is replacing a variety of aircraft in the Air Force, Navy, and Marine Corps, representing the future of tactical air for the Department of Defense. The F-35 program is the most ambitious and expensive weapon system in the Department's history, with total life-cycle costs estimated by the Department to be in excess of \$1.0 trillion. While the F-35 brings advanced, fifth-generation aviation capabilities to our military, the program faces sustainment challenges in areas including repair capacity, global spare parts availability and capability, mission capability, and functionality of its Autonomic Logistics Information System. In addition, affordability concerns have led the military services to identify a need to reduce total operation and support costs per aircraft by 43 percent for the Air Force, 24 percent for the Marine Corps, and 5 percent for the Navy.

Given the significance of the F-35 program to the future of tactical air for the military, the Department's need to operate and deploy the F-35 on a widespread basis in the coming years, the involvement of international partners and foreign military sales customers, and the importance of maintaining affordability, the committee directs the Comptroller General of the United States to review the Department's sustainment efforts related to the F-35 to include issues such as:

- (1) the status of the F-35 Lightning II aircraft program sustainment strategy.
- (2) Department oversight and prime contractor management of key sustainment functions.
- (3) the Department's ability to reduce costs or maintain affordability for F-35 fleet sustainment.
- (4) other matters regarding F-35 sustainment and affordability that the Comptroller General determines of critical importance to the long-term viability of the program.

The committee directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than March 1, 2020, with the preliminary findings of the Comptroller General's review, with successive reports to follow on March 1, 2021, and March 1, 2022, respectively.

Report on the National Guard's Equipment Reimbursement Policies

In accordance with National Guard Regulations, State Adjutant General have the authority to use federal equipment during State Active Duty (SAD) missions, and the United States Property and Fiscal Officers have the responsibility to seek reimbursement for the use of that equipment. Comptrollers who have received these reimbursements from the states had been depositing them in three different ways: to current fiscal year operation and maintenance accounts of the National Guard, to the operation and maintenance accounts of the National Guard for the fiscal year during which the SAD mission took place, and to the General Fund of the U.S. Treasury. The committee is aware of a recent legal interpretation and updated policy guidance that requires all reimbursements to be deposited in the General Fund of the U.S. Treasury. The committee is concerned that this new policy may adversely impact maintenance and sustainment of equipment used for SAD missions.

The committee understands that the Chief of the National Guard Bureau has been working with the State Adjutant Generals to identify potential legislative changes that may be necessary to allow reimbursements to be retained and utilized by the National Guard. Therefore, the committee directs the Chief of the National Guard Bureau to provide a report to the House Committee on Armed Services, not later than March 1, 2020. At minimum, the report should provide details on the amount of reimbursements for SAD missions deposited to the U.S. Treasury in fiscal year 2019 and, if required, a legislative proposal that would ensure reimbursed funds could be utilized for the maintenance and sustainment of equipment utilized in SAD missions.

Best Practices for Cleanup and Disposal of PFOS- and PFOA-Contaminated Groundwater, Soils, and Filters and Gaps That Require Further Study

The committee notes that the class of man-made chemicals known as per- and polyfluoroalkyl substances have presented particular challenges with respect to cleanup and disposal. The committee further notes that as the Department of Defense transitions from cutting off exposure to perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS) to cleanup actions under the Comprehensive Environmental Response, Compensation, and Liability Act, the Department must conduct these actions in a manner that is effective in protecting human health and the environment.

The committee understands that further research and study are required to develop disposal methodologies beyond high-heat incineration, which is the only known way to dispose of PFOS- and PFOA-contaminated materials. The committee notes that this method of disposal presents concerns about whether the chemicals are adequately broken down and about the production of hydrogen fluoride gas as a by-product of that incineration.

Accordingly, the committee directs the Under Secretary of Defense for Acquisition and Sustainment to provide a briefing to the House Committee on Armed Services by November 1, 2019, on the Department's understanding of best practices for the cleanup and disposal of PFOS- and PFOA-contaminated soils, and disposal of spent filters and Aqueous Film Forming Foam. The briefing should include a discussion of current research on these chemicals being conducted by the Strategic Environmental Research and Development Program or Environmental Security Technology Certification Program and what areas require additional research.

National Guard Unit Equipped Flying Squadrons

The committee recognizes that the Air National Guard enterprise is based on established Capstone Principles that notionally set the foundational framework for mission allocation in the 54 states and territories. One of those Capstone Principles is to allocate at least one unit-equipped wing and flying squadron to each state. New Mexico is one of three states—New Mexico, Virginia, and Washington—that have an operational flying mission, but due to the classic associate construct they lack ownership of aircraft. The committee therefore directs the Secretary of the Air Force, in consultation with the Chief of the National Guard Bureau, to report back to the committee by December 15, 2019 to present additional options for achieving an operational flying mission in each state.

Report on Air National Guard Control Grades

The committee recognizes the challenges the Air National Guard (ANG) faces in recruiting and retaining qualified airmen for fulltime positions due to the statutory control grade cap. To alleviate this limitation, the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) increased the control grade cap for O–4 through O–6, E–8s, and E–9s. While units across the country felt the positive impact of this cap increase, they continue to face personnel challenges. With the current numbers and distribution, there are fewer control grades than the unit manning document positions. Therefore, organizations are unable to place service members of the correct rank into the corresponding positions. The committee directs the Director of the Air National Guard to perform a by-unit audit to determine the true number of control grade deficiencies and necessary increases and provide a report to the House Committee on Armed Services not later than June 1, 2020, with audit results.

Report on Army Active Component Support of the Reserve Component

The Committee notes that efforts to achieve Army active and reserve component integration have made significant progress. However, both Congressionally-mandated and Department of Defense-led efforts to provide active component support for Army reserve components have failed. Uniformed full-time personnel assigned to Army reserve component units should bring relevant, operational experience from the active component and return to the active force with a greater understanding of the reserve component. The current Army Active Guard and Reserve (AGR) program does not integrate components at the unit level and does not capitalize on the potential benefits of personnel exchange. Therefore, the Committee directs the Secretary of the Army to report to the House Armed Services Committee no later than January 1, 2020 on the current force structure of AGR personnel, the impact of increased active component support to the reserve component, ways to incentivize active service in the reserve components, and any recommended changes to the Active Guard and Reserve (AGR) program.

Report to the Defense Committees on the National Guard's Role in Current and Future Space Strategy

The committee recognizes that National Guardsmen and women across the country provide a unique skillset that accommodates the role of space in modern defense, and the needs of the overall force in the years ahead. While the National Guard has served and will continue to serve a role in space operations, the Department has yet to adequately define the role of the National Guard in future DoD space strategy. Therefore, the committee directs the Chief of the National Guard Bureau, in consultation with the Secretary of Defense to provide a detailed report to the Defense Congressional Committees on the Guard's role in space, and the department's intentions for the guard in future space planning.

Reserve Component Duty Status Reform

The committee notes that the Office of the Secretary of Defense continues to refine and coordinate legislative language to fulfill the requirement of section 513 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91) to reduce the number of statutory authorities by which members of the Reserve Component of the Armed Forces may be ordered to Active Duty. The committee continues to support the completion of the required legislative provision and encourages the Secretary of Defense to continue the necessary coordination with all stakeholders, to include the States' Adjutants General, to complete this legislative proposal for inclusion in the National Defense Authorization Act for Fiscal Year 2021.

Maternity Leave Parity for National Guard and Reserve Components

The committee notes that the Department of Defense established policies for maternity leave in 2016, authorizing 12 weeks fully paid maternity leave after normal pregnancy and childbirth. The committee further notes that such paid leave is not given to female services members in inactive duty status within the National Guard and reserve components, and that these service members are still required to attend unit training assemblies to receive military service pay and retirement points. Therefore, the committee directs the Secretary of Defense to provide a report to the House Committee on Armed Services by May 1, 2020, on the barriers, benefits, and feasibility of providing compensation and credit for retired pay to members of the National Guard and reserve components in inactive duty status.

Report on Access to Health Care Services for Reserve and National Guard Who Disclose Sexual Assault

The Committee is concerned that if a Reserve Component (RC) service member is sexually assaulted while not in an active status, they are ineligible for DoD medical care (to include psychological health care) to treat symptoms from the trauma. Sexual assault, regardless when it occurs, is likely to impact duty performance and degrade mission effectiveness, and RC service members often execute military missions alongside their active duty counterparts. Medical treatment, to include psychological health treatment, can assist in recovery and enhance mission effectiveness and should be available regardless of service member's duty status. The Committee directs the Secretary of Defense to report to the House Committee on Armed Services by January 1, 2020 on the feasibility of providing medical care, to include psychological care, to members of the RC who are sexually assaulted while not in an active status.

TRICARE Reserve Select Study

The committee remains concerned about Reserve Component service members using limited training time to address required health evaluations. The consumption of training time for purposes like medical preparedness that is not directly related to military readiness training may inhibit unit lethality. The lack of a TRICARE Reserve Select option for dual-status technicians impacts Reserve Component recruiting and retention efforts. The committee therefore directs the Secretary of Defense to submit a report to the Committee on Armed Services of the House of Representatives not later than April 1, 2020, that includes the following:

- (1) administrative, policy, statutory, and technical changes that could reduce the administrative burden on the military;
- (2) the program cost associated with providing TRICARE Reserve Select for medical, dental, and vision care to dual-status technicians;
- (3) the out-of-pocket costs involved with providing TRICARE Reserve Select for medical, dental, and vision care to dual-status technicians compared to the Federal Employees Health Benefits Program;
- (4) the amount of funding currently budgeted for Reserve Component health care;
- (5) the readiness and quality of life impacts associated with providing Reserve Component service members with TRICARE Reserve Select; and
- (6) an economic analysis of whether the cost of providing TRICARE Reserve Select for dual-status technicians is feasible when considering the readiness and time constraints of Reserve Component service members.

Briefing on National Guard Readiness and Ability to Meet Modern Threats From Area Disasters and Weapons of Mass Destruction

The Committee is aware that since the 1998 report on the National Guard's ability to respond to threats from Weapons of Mass Destruction (WMDs) there has been a significant evolution of threats emanating from technological revolutions, asymmetric threats, new chemical and biological threats, cyber threats, electromagnetic pulse (EMP) threats, UAV and drone technology, and security at the border and at ports of entry.

Further, as the Committee observed in response to Hurricanes Maria, Harvey, and Michael, the recent California wildfires, and other wide-area natural disasters, synchronizing the flow of forces and resources in disaster response and recovery operations requires seamless planning and operations on behalf of U.S. Northern Command (NORTHCOM) and the National Guard, including all six phases of shaping, anticipating, responding, operating, stabilizing, and transitioning afflicted areas and populations.

In light of these evolving threats, it is appropriate to re-examine the National Guard Homeland Defense and Security enterprise. The Committee believes it is important that each State and Territory be given the opportunity to develop detailed plans relating to their own special circumstances, under the guidance of the National Guard Bureau.

The Committee directs the Chief of the National Guard Bureau, and the Commander of NORTHCOM, to provide a briefing to the House Committee on Armed Services, no later than April 15, 2020, detailing the following:

- (1) a clarification of the roles and missions, structure, capabilities, and training of the National Guard and NORTHCOM and identification of emerging gaps and shortfalls in light of current homeland security threats to our country;
- (2) an overview of the resources that each State and Territory National Guard has at its disposal that are available to respond to a homeland defense or security incident;
- (3) the readiness and resourcing status of the resources listed in (2);
- (4) the current strengths and areas of improvement in working with State and Federal interagency partners;
- (5) the current assessments in place that address Guard readiness and resourcing of NORTHCOM Title 10 forces postured to respond to homeland defense and security incidents, and;
- (6) a roadmap that addresses readiness across the spectrum of long-range emerging threats facing the United States.

Briefing on Support to Civil Authorities in Support of Natural Disasters and Law Enforcement with Aerial Platforms and Satellites

The committee recognizes that the Department of Defense provides resources at the request of States, territories, and other Federal agencies in support of natural disasters and matters of law enforcement. Some of this support comes in the form of unmanned and manned aerial systems supporting search and rescue operations, natural disasters (to include preemptive measures), and through collaboration between the Department and other Federal agencies. The committee also recognizes that the Department utilizes some of its space-based resources to assist in wildfire support (to include detection) and other natural disasters. The committee is concerned that there is a lack of understanding of the policy, procedures, and overall availability of Department resources.

Therefore, the committee directs the Secretary of Defense, in coordination with the Chief of the National Guard Bureau and the Director of the National Geospatial-Intelligence Agency, to provide an unclassified briefing to the House Committee on Armed Services and, as appropriate, the Committee on Homeland Security, not later than September 30, 2019, on the availability of Department resources, focusing on aerial and satellite platforms in support of natural disasters and law enforcement, the assets that are currently available, and how States, territories, and Federal agencies request or access these resources.

The briefing should provide:

- (1) an explanation of Unmanned Aerial Systems (UAS), piloted platforms, and satellite support the Department provides or can provide to States and other Federal agencies, including examples of support provided, length of time to approve requests, whether any requests were disapproved and the reason that such requests were disapproved, during calendar year 2018.
- (2) an overview of programs, including satellite systems, that provide wildfire support to States and Federal agencies, including how long such programs have been in operation, the processes by which States access such programs, and whether such programs provide detection and early warning as well as support during wildfires. The overview shall include examples of the support the Department provided in calendar year 2018 to wildfire suppression and wildfire detection.
- (3) an overview of current policies regarding the use of such systems and platforms by States and Federal agencies and the procedures a State or Federal agency must follow to obtain Department support for natural disasters and search and rescue operations, including whether UAS require

additional approvals, and the amount of time to obtain additional approvals. Further, a discussion of whether such procedures can be streamlined, and whether different authorities exist when requesting use of unmanned systems versus manned systems.

- (4) a description of the different categories of the Department's UAS, how the different categories are managed, and if certain UAS categories affect the Department's ability to provide support to a State or Federal agency.
- (5) a description of how the Department shares imagery collected by manned aircraft and UAS with Federal, State, and local disaster responders, including whether such imagery is shared in real time.
- (6) an explanation of any restrictions on the use of UAS under the "Guidance for the Domestic Use of Unmanned Aircraft Systems in U.S. National Airspace," August 18, 2018, and Department of Defense Instruction (DODI) 3025.18 "Defense Support to Civil Authorities," or other relevant Department of Defense guidance.
- (7) a description of how the Department (Active Duty, National Guard, and the Reserves) supports other Federal agencies with UAS assets, specifically the Department of Homeland Security (DHS) and Custom and Border Protection (CBP), including examples of requests that were supported or not supported and an explanation for such determinations.
- (8) a description of policies and laws that facilitate or restrict Department support to DHS or CBP, and a description of any systems in place that enable long-range planning to support DHS and CBP support requests.
- (9) an analysis of how the Department of Defense can improve access and knowledge of resources to States, territories, and other Federal agencies and whether there are plans to make more assets available in the future.

Chemical, Biological, Radiological, Nuclear Response Enterprise

The committee recognizes that a robust Chemical, Biological, Radiological, and Nuclear (CBRN) Response Enterprise is critical to the Nation's security. U.S. Northern Command plays an integral role in domestic CBRN response, and the committee applauds the role of the National Guard in the planning and response. The committee also notes the importance of coordinated combined training and operations between the Department of Defense and civilian first responders and agencies, including the Department of Homeland Security and the Department of Health and Human Services. To further enhance this collaboration, the committee believes the Department of Defense and other Federal and State agencies that sponsor first responder training should coordinate CBRN training opportunities to maximize the effectiveness of such events. As the Department of Defense continues to execute unit-level and enterprise-wide training events, including exercises in major metropolitan cities, the Department of Defense should consider including State and local first responders on a space-available basis. As noted in the Blue Ribbon Study Panel on Biodefense report released in October 2018, this would better integrate the Department of Defense response to a CBRN event with the overall Federal response. The committee encourages the Department of Defense, in coordination with Department of Homeland Security and Department of Health and Human Services, to increase engagement with State and local emergency first responders related to training and expert advice on CBRN emergency response activities, technology, and exercises.

Report on Supporting Requirements for the Air Force’s Proposed Increase in Force Structure

The committee is concerned that the current size and structure of the Air Force does not support the National Defense Strategy. The committee acknowledges the Air Force’s recent force structure assessment, called “The Air Force We Need,” which provides a case and framework that would, if adopted and resourced, grow the Air Force from 312 to 386 operational squadrons. While the committee understands the assessment’s analysis and conclusions and the case it makes to grow the size of the Air Force, it also notes the limitations associated with an analysis of operational squadrons only. Further, the committee is concerned that the requirement for 386 operational squadrons as illustrated in the assessment will only be realized through the alignment of resources to these requirements through future Air Force budgets and encourages the Air Force to develop a more comprehensive analysis that would fully integrate planning for 386 operational squadrons into future budgets.

Therefore, the committee directs the Secretary of the Air Force, in consultation with the Secretary of Defense, Chairman of the Joint Chiefs of Staff, and the secretaries of the other military departments to provide a report to the congressional defense committees not later than March 1, 2020, that builds on the analysis completed in the “Air Force We Need” assessment, and details the supporting resources and support personnel requirements necessary to execute a force sized at 386 operational squadrons. This analysis and report should include associated, realigned, or additional infrastructure requirements, maintenance and other supporting personnel requirements, depot production, industrial base support, and additional details the Secretary feels necessary to fully identify, evaluate, and estimate the costs of the changes required with in the larger Air Force enterprise to meet the requirements of the National Defense Strategy.

National Guard and Reserve Equipment

The budget request contained no funding for a National Guard and Reserve Component equipment account. The committee has long been concerned about the availability of modern equipment needed to ensure the relevance and readiness of the National Guard and Reserve Components as an operational reserve and for their domestic support missions. The committee notes that the National Guard and Reserve Equipment Report for Fiscal Year 2020 identifies continuing shortages in modernized equipment and challenges associated with efficiently fulfilling combat readiness training requirements.

The committee believes additional funds would help manage strategic risk and eliminate identified critical dual-use equipment shortfalls. The committee expects these funds to be used for the purposes of, but not limited to, the procurement of High Mobility Multipurpose Wheeled Vehicles; Family of Medium Tactical Vehicle trucks; Family of Heavy Tactical Vehicle trucks; F-16 Active Electronically Scanned Array radar; Ground Based Sense and Avoid radars; C-130H NP2000 Propeller Upgrades; C-130 Air National Guard Recapitalization; UH-60M Black Hawk helicopters; UH-72 Lakota helicopters; aviation crashworthy, ballistic-tolerant auxiliary fuel systems; and other critical dual-use, unfunded procurement items for the National Guard and Reserve Components.

The committee recommends \$415.0 million for National Guard and Reserve equipment.

Pilot Program Authority to Enhance Cybersecurity and Resiliency of Critical Infrastructure

The committee supports the ongoing relationship and collaboration between the Department of Defense and the Department of Homeland Security to enhance cybersecurity and resiliency of critical infrastructure, as evidenced by the pilot program authorized in section 1650 of the John S. McCain

National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232). The committee believes that state and non-state adversaries continue to conduct cyber operations that hold critical infrastructure and key resources at risk, and notes with concern the under-use of this authority since both departments have yet to maintain a sustained and recurring relationship of technical personnel.

The committee is supportive of the signed memorandum of understanding (MOU) between the two departments, including an agreement to jointly prioritize high-value national functions and non-Department of Defense-owned mission-critical infrastructure deemed to be most important to the military. The committee views this aspect of the MOU as central to the complementary cybersecurity roles and missions of the Department of Defense and Department of Homeland Security, and notes that the Department of Defense’s “defend forward” posture can inform and guide Department of Homeland Security efforts to anticipate adversary action and understand potential risks to critical infrastructure.

Therefore, in order to ensure maturation and development of a sustained and recurring relationship that enhances cybersecurity cooperation, the committee directs the Secretary of Defense to provide a report to the House Committee on Armed Services by March 2, 2020, on the use and implementation of the pilot program authorized in section 1650, including any implementation mechanisms, lines of effort, joint principles, and plans for maintaining a sustained and recurring relationship between the Department of Defense and the Department of Homeland Security after termination of the authority on September 30, 2022.

Explanation of Funding Adjustments (Guard and Reserve Forces Facilities, Military Construction)

The committee recommends the inclusion of funding for several projects requested by the Department of the Army and Department of the Air Force for their Reserve Components but not contained in the budget request for military construction and family housing. These increases include:

- (1) \$91.0 million for a National Guard Readiness Center at Jamaica Armory, New York;
- (2) \$57.0 million for a Fuels/Corrosion Control Hangar and Shops at Moffett Air National Guard Base, California;
- (3) \$34.0 million for an Enlisted Transient Barracks at Anniston, Alabama;
- (4) \$30.0 million for a General Instruction Building at Jericho, Vermont;
- (5) \$15.0 million for an AES Training Admin Facility at Joint Base Andrews, Maryland; and
- (6) \$9.8 million for an Aerial Port Facility at Minneapolis-St. Paul International Airport, Minnesota.

In addition, the committee recommends a reduction of funding for several projects contained in the budget request submitted by the Department of the Air Force for military construction for their Reserve Components. These reductions are:

- (1) \$37.5 million for a Maintenance Hangar at Luis Munoz-Marin International Airport, Puerto Rico. The committee supports the requirement for this project and provides the full project authorization of \$37.5 million included in the budget request. However, the committee believes the Department cannot begin construction and cannot expend the requested funding in fiscal year 2020. Therefore, the committee recommends no funds, a reduction of \$37.5 million, for this project; and

- (2) \$12.5 million for a Communications Facility at Luis Munoz-Marin International Airport, Puerto Rico. The committee supports the requirement for this project and provides the full project authorization of \$12.5 million included in the budget request. However, the committee believes the Department cannot begin construction and cannot expend the requested funding in fiscal year 2020. Therefore, the committee recommends no funds, a reduction of \$12.5 million, for this project.