



# NGAUS



## LEGISLATIVE REPORT

U.S. Senate Appropriations Committee  
Fiscal Year 2020 Defense Appropriations Act  
(S. 2474)

*As of September 20, 2019*

## OVERVIEW

On September 12, 2019, the U.S. Senate Appropriations Committee approved **S. 2474**, the Department of Defense Appropriations Act for Fiscal Year (FY) 2020.\*

The Committee recommends **\$693.2 billion** for DoD in FY20, which includes **\$622.5 billion** in base and discretionary funding and **\$70.7 billion** in Overseas Contingency Operations (OCO) funding. The Committee also recommends providing funds to increase Army National Guard and Air National Guard Operation and Maintenance (O&M) funding, as well as Air National Guard end strength, 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.*

### General Provisions

- **3.1 percent** military personnel pay raise (pg. 9, Report Language)
- **\$850.0 million** for the National Guard and Reserve Equipment Account (NGREA) (pg. 137), includes:
  - \$272.0 million for the Army National Guard (pg. 287, Report Language)
  - \$272.0 million for the Air National Guard (pg. 287, Report Language)

### Army National Guard

- Recommends funding for Army National Guard end strength at 336,000 soldiers (pg. 22, Report Language)

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\*Funding levels cited in this document are authorizations recommended by the Senate Appropriations Committee only and are subject to change before final passage.

- **\$1.3 billion** for 73 UH-60 Black Hawk M-model helicopters for the Army (pg. 78, Report Language)
  - Consistent with FY20 DoD request (included 64 UH-60M Black Hawks for the Army National Guard)
- **\$169.2 million** for modernization of 25 UH-60 Black Hawk A- and L-model helicopters (UH-60V program) for the Army (pg. 78, Report Language)
- **\$972.4 million** for 2,530 Joint Light Tactical Vehicles (JLTVs) for the Army (pg. 93, Report Language)
  - Consistent with FY20 DoD request (included 512 JLTVs for the Army National Guard)
- **\$806.8 million** for modernization of 48 AH-64 Apache Block IIIA helicopters for the Army (pg. 78, Report Language)
- **\$127.2 million** for High Mobility Multi-Purpose Wheeled Vehicles (HMMWVs) for the Army (pg. 93, Report Language)

#### **Air National Guard**

- Recommends funding for Air National Guard end strength at 107,700 airmen (pg. 22, Report Language)
- **\$676.0 million** for 8 C-130J Super Hercules aircraft for the Air National Guard (pg. 284, Report Language)
- **\$181.0 million** for C-130H Hercules modernization for the Air Force (pg. 141, Report Language), includes:
  - \$74.0 million for T-56 3.5 engine upgrades
  - \$55.0 million for NP2000 propeller upgrades
- **\$75.0 million** for F-16 Viper Active Electronically Scanned Array (AESA) radar upgrades for the Air National Guard (pg. 141, Report Language)
- **\$5.2 billion** for 60 F-35A Lightning II aircraft for the Air Force (pg. 136, Report Language)
- **\$628.0 million** for 6 F-15EX aircraft for the Air Force (pg. 136, Report Language)
  - Designates \$364.4 million in Air Force Research, Development, Test, and Evaluation (RDT&E) funding for 2 additional test aircraft
- **\$2.1 billion** for 12 KC-46A Pegasus aircraft for the Air Force (pg. 136, Report Language)
- **\$856.7 million** for HH-60W Combat Rescue Helicopters for the Air Force (pg. 136, Report Language)

## Joint-Personnel

- **\$220.5 million** for the National Guard Counter-Drug Program (pg. 38)
- **\$25.3 million** for National Guard Counter-Drug Schools (pg. 38)
- Adds **\$7.0 million** for the National Guard Preventative Mental Health Program (pgs. 35, 36, 68, 70, Report Language)
- Additional **\$50.0 million** for the National Guard Youth ChalleNGe program (pg. 59, Report Language)
- Additional **\$15.0 million** for STARBASE (pg. 59, Report Language)

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

<https://www.congress.gov/116/bills/s2474/BILLS-116s2474rs.pdf>

To view DoD Report Language authored by the Senate Appropriations Committee, please visit:

<https://www.congress.gov/116/crpt/srpt103/CRPT-116srpt103.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
<b>End Strength</b>	<b>343,500</b>	<b>336,000</b>	<b>336,000</b>	<b>336,000</b>	<b>336,000</b>	<b>336,000</b>	<b>336,000</b>	<b>336,000</b>	<b>336,000</b>				
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					
<b>Summary Personnel</b>	<b>\$8,796,228</b>	<b>\$9,010,949</b>			<b>\$8,867,179</b>	<b>\$8,867,179</b>			<b>\$9,115,249</b>				
Personnel Base	\$8,600,945	\$8,808,305			\$8,664,535	\$8,664,535			\$8,912,605				
Personnel OCO	\$195,283	\$202,644			\$202,644	\$202,644			\$202,644				
<b>Summary O&amp;M</b>	<b>\$7,229,560</b>	<b>\$7,712,694</b>	<b>\$7,557,294</b>	<b>\$7,557,294</b>	<b>\$7,531,827</b>	<b>\$7,533,827</b>	<b>\$7,716,894</b>	<b>\$7,716,894</b>	<b>\$7,672,194</b>				
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	\$7,588,903				
O&M OCO	\$110,729	\$4,376,939	\$83,291	\$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			\$272,000				

### 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
<b>End Strength</b>	<b>107,100</b>	<b>107,700</b>	<b>107,700</b>	<b>107,700</b>	<b>107,700</b>	<b>107,700</b>	<b>107,700</b>	<b>107,700</b>	<b>107,700</b>				
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					
<b>Summary Personnel</b>	<b>\$3,704,540</b>	<b>\$4,069,469</b>			<b>\$4,038,145</b>	<b>\$4,038,145</b>			<b>\$4,091,669</b>				
Personnel Base	\$3,699,080	\$4,063,845			\$4,032,521	\$4,032,521			\$4,086,045				
Personnel OCO	\$5,460	\$5,624			\$5,624	\$5,624			\$5,624				
<b>Summary O&amp;M</b>	<b>\$6,436,567</b>	<b>\$6,904,138</b>	<b>\$6,773,571</b>	<b>\$6,773,571</b>	<b>\$6,769,498</b>	<b>\$6,769,498</b>	<b>\$6,904,138</b>	<b>\$6,904,138</b>	<b>\$6,909,701</b>				
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	\$6,732,792				
O&M OCO	\$15,870	\$3,291,982	\$176,909	\$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			\$272,000				

\*All Dollars in Thousands

## **LEGISLATIVE PROVISIONS**

### **National Guard Personnel, Army.**

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under sections 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$8,912,605,000.

### **National Guard Personnel, Air Force.**

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under sections 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$4,086,045,000.

### **Operation and Maintenance, Army National Guard.**

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), \$7,588,903,000.

### **Operation and Maintenance, Air National Guard.**

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, \$6,732,792,000.

### **Drug Interdiction and Counter-Drug Activities, Defense.**

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance;

for procurement; and for research, development, test and evaluation, \$884,402,000, of which \$517,514,000 shall be for counter-narcotics support; \$120,922,000 shall be for the drug demand reduction program; \$220,595,000 shall be for the National Guard counter-drug program; and \$25,371,000 shall be for the National Guard counter-drug schools program: Provided, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

**SEC. 8042.**

None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

**SEC. 8044.**

Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: Provided, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

**SEC. 8053.**

Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

Amounts collected shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

**SEC. 8060.**

Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

**SEC. 8062.**

Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

**National Guard Personnel, Army (OCO).**

For an additional amount for “National Guard Personnel, Army,” \$202,644,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**National Guard Personnel, Air Force (OCO).**

For an additional amount for “National Guard Personnel, Air Force,” \$5,624,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**Operation and Maintenance, Army National Guard (OCO).**

For an additional amount for “Operation and Maintenance, Army National Guard,” \$83,291,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**Operation and Maintenance, Air National Guard (OCO).**

For an additional amount for “Operation and Maintenance, Air National Guard,” \$176,909,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**National Guard and Reserve Equipment Account.**

For procurement of rotary-wing aircraft; combat, tactical and support vehicles; other weapons; and other procurement items for the reserve components of the Armed Forces, \$850,000,000, to remain available for obligation until September 30, 2022: Provided, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: Provided further, That none of the funds made available by this paragraph may be used to procure manned fixed wing aircraft, or procure or modify missiles, munitions, or ammunition: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.



## **SEC. 9011.**

In addition to amounts appropriated in title II or otherwise made available elsewhere in this Act, \$1,100,000,000 is hereby appropriated to the Department of Defense and made available for transfer to the operation and maintenance accounts of the Army, Navy, Marine Corps, and Air Force (including National Guard and Reserve) for purposes of improving military readiness: Provided, That the transfer authority provided under this provision is in addition to any other transfer authority provided elsewhere in this Act: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## **REPORT LANGUAGE**

### **Joint Strike Fighter**

The fiscal year 2020 President's budget request includes 78 F-35 Joint Strike Fighters [JSF], 19 fewer than were provided in the Department of Defense Appropriations Act, 2019 (Public Law 115-245). The Committee notes that the Department of Defense continues to request fewer than 60 F-35A variants and a stable F-35B procurement profile was reduced by more than half to 10 aircraft in the fiscal year 2020 President's budget request. As a result, the Committee recommends an additional \$156,000,000 in advance procurement for the F-35A, as delineated on the Air Force unfunded priority list, and \$1,056,000,000 to procure 12 additional F-35As in fiscal year 2020. In addition, the Committee recommends \$791,970,000 to procure 6 additional F-35Bs for the Marine Corps.

The Committee understands that the Department of Defense took several actions to prepare for Turkey's removal from the F-35 program, given its acquisition of the Russian-made S-400 air and missile defense system. Turkey joined the F-35 program in 2002, has been a significant industrial participant, and planned to procure 100 F-35As for approximately \$8,000,000,000. The Department has implemented changes to its supply base and supply chain to accommodate the loss of Turkish industrial participation. As a result, the Committee recommends \$250,400,000 to help offset the cost of establishing alternate sources in the F-35 supply chain. The Committee also understands that the Department wants to maintain its contractual handshake agreement on Lots 12 through 14, which included 24 F-35A aircraft for Turkey. The Committee provides funding for 18 additional aircraft, as outlined above, and encourages the Department to take further action to maintain the current handshake agreement to avoid disruption in upcoming deliveries.

### **F-15EX**

The fiscal year 2020 President's budget requests \$1,050,000,000 for 8 F-15EX fighters, the first new fighter jet procured by the Air Force in more than a decade. While the Committee understands the Air Force's need to maintain fighter capacity and mitigate problems associated with legacy F-15C/D aircraft that are approaching the end of their service life, the Committee continues to have questions about the sole-source acquisition strategy and program baseline for F-15EX. Further, the Committee understands that the first two aircraft will deliver in fiscal year 2022 and be used to integrate and test U.S.-only communications and electronic warfare software and hardware. Accordingly, the Committee recommends transferring \$364,400,000 from Aircraft Procurement, Air Force to Research, Development, Test and Evaluation, Air Force for the procurement of two test aircraft and half of the requested amount for non-recurring engineering.

The Committee understands that the last six aircraft are not scheduled to deliver until the end of fiscal year 2023. Further, the Committee was provided different rationale and justifications from Air Force leadership, the Cost Assessment and Program Evaluation office, and the F-15 program office on the inclusion of F-15EX in the fiscal year 2020 President's budget request. Therefore, the Committee directs that of the funds provided in Aircraft Procurement, Air Force for the remaining F-15EX aircraft, no more than \$37,200,000 for long-lead materials may be obligated until the Secretary of the Air Force provides to the congressional defense committees a report detailing: a comprehensive review of options to address the Air Force fighter capacity shortfall; an approved program acquisition strategy; an acquisition program baseline; a test and evaluation master plan; a life-cycle sustainment plan; and a postproduction fielding strategy.

### **Readiness**

The Committee recommends an additional \$1,100,000,000 in title IX of this act to be transferred to the operation and maintenance accounts and be divided proportionately among the services and the National Guard and reserve components. This funding shall be used only to improve military readiness, including increased training, depot maintenance, and base operations support. None of the funding provided may be used for recruiting, marketing, or advertising programs. The funding provided is a congressional special interest item. The Secretary of Defense and the Service Secretaries are directed to submit a detailed spending plan by sub-activity group to the House and Senate Appropriations Committees not less than 30 days prior to the obligation of these funds. These transfers may be implemented 30 days after congressional notification unless an objection is received from either the House or Senate Appropriations Committees.

### **Reserve Component Budget Reporting**

The Committee continues its requirement for the Department to provide a semi-annual detailed report to the congressional defense committees showing transfers between subactivities within the military personnel appropriation. Reports shall be submitted not later than 30 days following the end of the second quarter and 30 days following the end of the fiscal year.

### **Advanced Trauma Training for National Guard and Reserve**

The Committee recognizes the valuable support universities, hospitals, and other military partners provide by offering civilian-based emergency response trauma training and critical care training including public health, bio-environmental, and biomedical instruction to sustain medics' and medical providers' capabilities of the National Guard Enhanced Response Forces Packages [CERFP], National Guard Homeland Response Forces [NGHRF], the Army Reserve Consequence Management Response Forces [CCMRF] and other National Guard and Reserves medical conversion/readiness requirements. The Committee encourages the National Guard and Reserves to continue pursuing state-of-the-art trauma training with these civilian partners, thus maintaining unit medical readiness postures at optimum levels as military healthcare providers in CERFPs, NGHRFs, and CCMRFs maintain their individual skills to respond effectively to emergency incidents on the homeland. Furthermore, in order to minimize the civilian-military operational gaps in the event of a catastrophic incident, the Committee also encourages the development of enhanced medical and critical care preparedness medical training programs focusing on public health curriculums and the epidemiology of public health diseases, mass casualty triage, advanced disaster life support, advanced hazardous material life support, emergency dental, and psychological health by increasing civilian-based advanced trauma expertise gained through day-to-day experiences and medical research programs.

### **Reprogramming Guidance for Military Personnel Accounts**

The Committee directs the Secretary of Defense to submit the Base for Reprogramming (DD Form 1414) for each of the fiscal year 2020 appropriation accounts not later than 60 days after the enactment of this act. The Secretary of Defense is prohibited from executing any reprogramming or transfer of funds for any purpose other than originally appropriated until the aforementioned report is submitted to the House and Senate Appropriations Committees. The Committee directs the Secretary of Defense to use the normal prior approval reprogramming procedures to transfer funds in the services' military personnel accounts between budget activities in excess of \$10,000,000.

### **National Guard Cyber Units**

The Committee is aware of the critical capability that the National Guard provides to state governments, and in support of the Defense Department's national cyber defense mission. The Committee strongly urges the Department to prioritize continued development of cyber capabilities within the National Guard, and ensure cyber capabilities in every State.

### **Reprogramming Guidance for Operation and Maintenance Accounts**

The Committee directs the Secretary of Defense to submit the Base for Reprogramming (DD Form 1414) for each of the fiscal year 2020 appropriation accounts not later than 60 days after the enactment of this act. The Secretary of Defense is prohibited from executing any reprogramming or transfer of funds for any purpose other than originally appropriated until the aforementioned report is submitted to the House and Senate Appropriations Committees.

The Committee directs the Secretary of Defense to use the normal prior approval reprogramming procedures to transfer funds in the services' operation and maintenance accounts between O-1 budget activities, or between subactivity groups in the case of Operation and Maintenance, Defense-Wide, in excess of \$15,000,000. In addition, the Secretary of Defense shall follow prior approval reprogramming procedures for transfers in excess of \$15,000,000 out of the following readiness sub-activity groups:

*Army:*

- Maneuver units
- Modular support brigades
- Land forces operations support
- Aviation assets
- Force readiness operations support
- Land forces depot maintenance
- Base operations support
- Facilities sustainment, restoration and modernization
- Specialized skill training

*Navy:*

- Mission and other flight operations
- Fleet air training
- Aircraft depot maintenance
- Mission and other ship operations
- Ship depot maintenance
- Facilities sustainment, restoration and modernization

*Marine Corps:* Operational forces  
Field logistics  
Depot maintenance  
Facilities sustainment, restoration and modernization

*Air Force:* Primary combat forces  
Combat enhancement forces  
Depot purchase equipment maintenance  
Facilities sustainment, restoration and modernization  
Contractor logistics support and system support  
Flying hour program

*Air Force Reserve:* Primary combat forces

*Air National Guard:* Aircraft operations

Additionally, the Committee directs the Secretary of Defense to use normal prior approval reprogramming procedures when implementing transfers in excess of \$15,000,000 into the following budget sub-activities:

*O&M, Army:* Recruiting and advertising

*O&M, Army National Guard:* Other personnel support/recruiting and advertising

### **Drinking Water Contamination**

The Committee remains concerned about the health implications of contaminated drinking water due to perfluoroalkyl and polyfluoroalkyl substances [PFAS]. The Committee worked with the military services to assess unfunded executable requirements in fiscal year 2020 due to issues associated with PFAS and provided additional funding accordingly. The Committee intends to aggressively follow up with the services on procedures for timely remediation and community notification.

For the National Guard, the Committee has increased funding for such purposes in the operation and maintenance accounts. However, the Committee acknowledges that section 319 included in S. 1790, the National Defense Authorization Act for Fiscal Year 2020, as passed by the Senate, proposes the establishment of environmental restoration accounts for the National Guard components and may consider transferring the increases to the new accounts pending the outcome of National Defense Authorization Act conference negotiations.

### **National Guard Preventative Mental Health Program**

The Committee recognizes the importance of building a holistic mental health fitness model to reduce suicide, remove stigma for help-seeking behavior, and fortify individuals before they experience high stress events. The National Guard Bureau's Warrior Readiness and Fitness program was created to coordinate and enhance mental health efforts across the National Guard at the Federal and State levels in order to improve readiness and build resiliency in servicemembers. The Committee recommends additional funding for National Guard preventative mental health programs and directs the Chief,

National Guard Bureau to submit a report not later than 180 days after the enactment of this act with a plan to establish a permanent office for mental health that shall report to the Chief directly.

### **Large-Scale National Guard Exercises**

Full spectrum combat readiness for the National Guard is enhanced by participating in combined live fire exercises that emphasize close air support, joint fire support, air mobility, and ground maneuver components. Exercises such as Northern Strike, hosted annually by the Michigan National Guard, provide an opportunity to maximize the full-spectrum combat readiness of National Guard units through realistic, cost-effective joint fires training in an adaptable environment, with an emphasis on joint and coalition force cooperation. The Committee encourages the Chief, National Guard Bureau to continue to prioritize large-scale exercises that include international partners and align with the National Defense Strategy.

### **State Partnership Program**

The State Partnership Program (SPP) has been successfully building relationships for over 25 years by linking a State's National Guard with the armed forces or equivalent of a partner country in a cooperative, mutually beneficial relationship. It includes 75 unique security partnerships involving 81 nations around the globe. The Committee recognizes the importance of SPP and encourages continued robust support of this important partnership program.

### **National Guard Chemical, Biological, Radiological, and Nuclear Response Forces**

Every state, especially those in close proximity to the National Capital Region, must be prepared for chemical, biological, radiological or nuclear [CBRN] threats. The Committee encourages the Secretary of Defense to continue to place a high priority on CBRN Response Forces to increase Department of Defense overall domestic disaster response readiness.

### **Air National Guard Tuition Assistance**

The Committee supports the establishment of an Air National Guard tuition assistance program similar to that of the Army National Guard and encourages the Chief, National Guard Bureau, to include the tuition assistance program for both the Army and Air Guard in its future budget requests.

### **Joint Force Headquarters Analysis Cells**

Intelligence Fusion Centers are information sharing hubs that provide threat-related information between Federal, State, local and tribal agencies. The Kansas Intelligence Fusion Center, established in 2009, is one such center whose mission focuses on counterterrorism, cybersecurity and biological threats through a decentralized approach where State direction allows private stakeholders the flexibility to determine which critical infrastructure areas merit the dedication of resources. The Committee recognizes that the National Guard Bureau is developing a Joint Force Headquarters Analysis Cell concept to expand State-level intelligence capabilities. As this work progresses, the Committee encourages the Chief, National Guard Bureau to consult with State-level entities such as the Kansas National Guard to integrate key aspects of concepts that have already proved successful at the State level.

### **Air National Guard C-17 Assault Strip**

Camp Shelby Auxiliary Field, owned by the Mississippi Air National Guard, includes an assault landing strip that was specifically designed and built to satisfy C-17 tactical training requirements. The assault landing training facility currently serves multiple C-17 units in the Midwest and Southeast region but it

was originally constructed to meet the training demands of the Air National Guard's 172nd Airlift Wing, which is responsible for funding its operational costs. The Committee encourages the Chief, National Guard Bureau to prioritize small investments necessary for annual operation and maintenance for assault landing strip facilities such as Camp Shelby Auxiliary Field to ensure future proficiency and long-term capability.

#### **CH-47F Block II program**

The Committee recommendation restores Advanced Procurement funds to support the Army's procurement of the CH-47F Block II program as certified in July 2017. Prior to submitting the fiscal year 2021 President's budget request, the Committee strongly encourages the Secretary of the Army to assess the increased cost, expected production issues as well as industrial base risks of delaying the successful acquisition program.

#### **C-130J Aircraft for the Air National Guard**

The Committee directs the Secretary of the Air Force to provide a report to the congressional defense committees not later than 180 days after the enactment of this act with an updated bed down plan that transitions Air National Guard C-130H aircraft to C-130J aircraft by fiscal year and location. The plan shall include efforts to preserve Air National Guard missions during the transition period between aircraft and includes data on impacts on workforce and manufacturing capacity of the existing industrial base supporting the C-130 program.

#### **Cold Weather Aviation System**

The Committee supports fielding the Cold Weather Aviation System to both the Air Force and the Air National Guard and encourages the Air Force Secretary to work with the Chief, National Guard Bureau to evaluate simultaneously fielding the uniform to reduce unit costs and to protect air crews.

#### **Behavioral and Mental Health Care for National Guard and Reserve**

The Committee recognizes that the men and women of the National Guard and Reserve components need greater access to care if they are to maintain a high state of medical readiness to support regularly occurring deployments. It also recognizes that the suicide rate in the reserve components is consistently higher than the suicide rate for both the active duty military and the civilian population. Therefore, the Committee encourages the Department to better ensure that periodic health assessments are followed by medical treatment to address any behavioral or mental health conditions that could impact a servicemember's ability to deploy, even if such care falls outside of the pre-deployment window. This practice would allow for a more medically ready, deployable force and would expand access to behavioral and mental healthcare for reserve component servicemembers.

#### **Advanced Battle Management System**

The Committee continues to support the Air Force's new approach to command and control in anti-access/area denial locations, the Advanced Battle Management System (ABMS). The Committee notes the Air Force's efforts to outline the short, medium, and long-term phases of the program and establish an architect to oversee multiple programs across domains. The Committee supports the Air Force's long-term vision of resilient and survivable networks against near peer competitors. However, the Committee is concerned with the near-term requirements of the first phase, given disconnects between the Air Force's congressional reports on ABMS and the fiscal year 2020 budget request. Therefore, the

Committee recommends an additional \$8,000,000 for requirements refinement and technology identification.

Further, with the submission of the fiscal year 2021 budget request, the Committee directs the Secretary of the Air Force to submit a report summarizing all related programs in communications, battle management command and control, and sensors that fall within the ABMS umbrella across the future years defense program. The report should reference program element funding lines and clearly link all activities with funding lines in the fiscal year 2021 budget justification documents. It should also clearly articulate all phase one efforts, including initial operational capability timelines, the status of related legacy activities, and linkages to classified activities.

### **National Guard and Reserve Equipment**

The Committee recommends an appropriation of \$850,000,000. This is \$850,000,000 above the budget estimate.

The appropriation includes direction for the component commanders of the Army Reserve, Marine Forces Reserve, Air Force Reserve, Army National Guard and Air National Guard to submit to the congressional defense committees a detailed assessment of their component's modernization priorities, not later than 30 days after enactment of this act.

The Committee directs that the National Guard and Reserve Equipment account shall be executed by the Chiefs of the National Guard and reserve components with priority consideration given to the following items: Acoustic Hailing Devices; Cold Weather and Mountaineering Gear and Equipment, including Small Unit Support Vehicles; Counter-UAS Systems; Crashworthy, Ballistically Tolerant Auxiliary Fuel Systems; Detect and Avoid Systems for MQ-9 Aircraft; HMMWV Modernization; MQ-9 Deployable Launch & Recovery Element Mission Support Kits; and Solar Mobile Power Systems.