



NGAUS



LEGISLATIVE REPORT

Fiscal Year 2020 Department of Defense Appropriations
(H.R. 1158, as amended)

As of December 20, 2019

OVERVIEW

On December 20, 2019, President Donald Trump signed into law H.R. 1158, which includes Department of Defense (DoD) appropriations for Fiscal Year (FY) 2020.* The U.S. House of Representatives passed the legislation on December 17, while the U.S. Senate passed it on December 19.

H.R. 1158 provides **\$693.3 billion** for DoD in FY20, which includes **\$622.7 billion** in base and discretionary funding, as well as **\$70.7 billion** in Overseas Contingency Operations (OCO) funding. The legislation also provides funds to increase Army and Air National Guard personnel Operations 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 | HASC NDAA | SASC NDAA | House-passed NDAA | Senate-passed NDAA | Conference Committee | Signed Into Law |
|----------------------------|-----------|-----------|-------------------|--------------------|----------------------|-----------------|
| ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| <i>Current Point</i> | | | | | | |

Defense Appropriations

| President's Budget Release | HAC-D Approps. | SAC-D Approps. | House-passed Approps. | Senate-passed Approps. | 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

- Funding for Army National Guard end strength at 336,000 soldiers (pg. 7, Joint Explanatory Statement)
- **\$1.4 billion** for UH-60 Black Hawk M model helicopters for the Army (pg. 123, Joint Explanatory Statement)
- **\$972.4 million** for Joint Light Tactical Vehicles (JLTVs) for the Army (pg. 142, Joint Explanatory Statement)
- **\$100.0 million** for the Army National Guard High Mobility Multi-purpose Wheeled Vehicle (HMMWV) modernization program (pg. 142, Joint Explanatory Statement)

*Funding levels cited in this document are final for FY20.

- **\$169.2 million** for modernization of UH-60 Black Hawk A and L model helicopters (UH-60V program) for the Army (pg. 123, Joint Explanatory Statement)
- **\$819.2 million** for modernization of AH-64 Apache Block IIIA helicopters for the Army (pg. 123, Joint Explanatory Statement)
- **\$130.9 million** for CH-47 helicopters for the Army (pg. 123, Joint Explanatory Statement)
- **\$46.1 million** for advanced procurement of CH-47 helicopters for the Army (pg. 125, Joint Explanatory Statement)
 - \$28.0 million of this amount is additional funding above the FY20 DoD budget request
- **\$127.2 million** for HMMWV ambulances for the Army (pg. 142, Joint Explanatory Statement)

Air National Guard

- Funding for Air National Guard end strength at 107,700 airmen (pg. 7, Joint Explanatory Statement)
- **\$338.0 million** for 4 C-130J Super Hercules aircraft for the Air National Guard (pg. 381, Joint Explanatory Statement)
- **\$186.0 million** for C-130H modernization for the Air Force (pg. 202, Joint Explanatory Statement), includes:
 - \$79.0 million for engine upgrades
 - \$55.0 million for propeller replacements
- **\$75.0 million** for F-16 Viper Active Electronically Scanned Array (AESA) radars for the Air National Guard (pg. 202, Joint Explanatory Statement)
- **\$5.2 billion** for F-35A Lightning II aircraft for the Air Force (pg. 197, Joint Explanatory Statement)
- **\$621.1 million** for 6 F-15EX aircraft for the Air Force (pg. 201, Joint Explanatory Statement)
 - Designates \$364.4 million in Research, Development, Test, and Evaluation (RDT&E) funding for 2 additional test aircraft
- **\$2.1 billion** for KC-46A Pegasus aircraft for the Air Force (pg. 197, Joint Explanatory Statement)
- **\$850.5 million** for HH-60W Combat Rescue Helicopters for the Air Force (pg. 197, Joint Explanatory Statement)
- Provides funding for a U.S. Space Force within the Air Force

Joint-Personnel

- **3.1 percent** military personnel pay raise (pg. 9, Joint Explanatory Statement)
- **\$1.3 billion** for the National Guard and Reserve Equipment Account (NGREA) (pg. 59), includes:
 - \$395.0 million for the Army National Guard (pg. 386, Joint Explanatory Statement)
 - \$395.0 million for the Air National Guard (pg. 386, Joint Explanatory Statement)
- **\$7.0 million** for the National Guard preventative mental health program (pg. 41, 44, 108, 112, Joint Explanatory Statement)
- Adds **\$3.6 million** for the National Guard State Partnership program (pg. 41, 44, 108, 112, Joint Explanatory Statement)
- **\$220.5 million** for the National Guard Counterdrug Program (pg. 330, Joint Explanatory Statement)
- **\$25.3 million** for National Guard Counterdrug schools (pg. 330, Joint Explanatory Statement)
- **Adds \$50.0 million** for the National Guard Youth ChalleNGe Program (pg. 87, Joint Explanatory Statement)
- **Adds \$35.0 million** for STARBASE (pg. 87, Joint Explanatory Statement)

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

<https://www.congress.gov/116/bills/hr1158/BILLS-116hr1158enr.pdf>

To view the Joint Explanatory Statement authored by the House Appropriations Committee and Senate Appropriations Committee, please visit:

<https://appropriations.house.gov/sites/democrats.appropriations.house.gov/files/HR%201158%20-%20Division%20A%20-%20Defense%20SOM%20FY20.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 | 336,000 | | 336,000 | -7,500 | 336,000 |
| AGR | 30,595 | 30,595 | 30,595 | 30,595 | | | 30,595 | 30,595 | | | 30,595 | 0 | 30,595 |
| Dual Status Techs. | 22,294 | 22,294 | 22,294 | 22,294 | | | 22,294 | 22,294 | | | 22,294 | | |
| ADOS | 17,000 | | 17,000 | 17,000 | | | 17,000 | 17,000 | | | 17,000 | | |
| Summary Personnel | \$8,796,228 | \$9,010,949 | | | \$8,867,179 | \$8,867,179 | | | \$9,115,249 | | | +\$110,736 | \$8,906,964 |
| Personnel Base | \$8,600,945 | \$8,808,305 | | | \$8,664,535 | \$8,664,535 | | | \$8,912,605 | | | +\$103,375 | \$8,704,320 |
| Personnel OCO | \$195,283 | \$202,644 | | | \$202,644 | \$202,644 | | | \$202,644 | | | +\$7,361 | \$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 | \$7,672,194 | | \$7,608,933 | +\$315,678 | \$7,545,238 |
| 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 | | \$7,525,642 | +\$343,116 | \$7,461,947 |
| O&M OCO | \$110,729 | \$4,376,939 | \$83,291 | \$83,291 | \$83,291 | \$83,291 | \$83,291 | \$83,291 | \$83,291 | | \$83,291 | -\$27,438 | \$83,291 |
| MILCON | \$190,122 | \$210,819 | \$365,819 | \$365,819 | \$210,819 | \$210,819 | \$294,819 | \$294,819 | | | \$365,819 | +\$20,697 | \$210,819 |
| NGREA | \$421,000 | | | | \$375,000 | \$375,000 | | | \$272,000 | | | -\$26,000 | \$395,000 |

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 | 107,700 | | 107,000 | +600 | 107,700 |
| AGR | 19,861 | 22,637 | 22,637 | 22,637 | | | 22,637 | 22,637 | | | 22,637 | +2,776 | 22,637 |
| Dual Status Techs. | 15,861 | 13,569 | 13,573 | 13,573 | | | 13,569 | 13,569 | | | 13,569 | | |
| ADOS | 16,000 | | 16,000 | 16,000 | | | 16,000 | 16,000 | | | 16,000 | | |
| Summary Personnel | \$3,704,540 | \$4,069,469 | | | \$4,038,145 | \$4,038,145 | | | \$4,091,669 | | | +\$361,735 | \$4,066,275 |
| Personnel Base | \$3,699,080 | \$4,063,845 | | | \$4,032,521 | \$4,032,521 | | | \$4,086,045 | | | +\$361,571 | \$4,060,651 |
| Personnel OCO | \$5,460 | \$5,624 | | | \$5,624 | \$5,624 | | | \$5,624 | | | +\$164 | \$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 | \$6,909,701 | | \$6,834,138 | +\$395,634 | \$6,832,201 |
| 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 | | \$6,657,229 | +\$234,595 | \$6,655,292 |
| O&M OCO | \$15,870 | \$3,291,982 | \$176,909 | \$176,909 | \$176,909 | \$176,909 | \$176,909 | \$176,909 | \$176,909 | | \$176,909 | +\$161,039 | \$176,909 |
| MILCON | \$129,126 | \$165,971 | \$172,971 | \$172,971 | \$115,971 | \$115,971 | \$222,971 | \$222,971 | | | \$221,471 | +\$35,345 | \$164,471 |
| NGREA | \$421,000 | | | | \$375,000 | \$375,000 | | | \$272,000 | | | -\$26,000 | \$395,000 |

*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, \$8,704,320,000.

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, \$4,060,651,000.

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), \$7,461,947,000.

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, \$6,655,292,000.

Drug Interdiction and Counterdrug 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, \$893,059,000, of which \$522,171,000 shall be for counter-narcotics support; \$124,922,000 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. 8044.

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. 8046.

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. 8056.

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. 8063.

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. 8065.

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 (NGREA).

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, \$1,300,000,000, 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.

Operation and Maintenance, Army National Guard (Recovery).

For an additional amount for “Operation and Maintenance, Army National Guard,” \$45,700,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence and flooding and earthquakes occurring in fiscal year 2019: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOINT EXPLANATORY STATEMENT

F-15EX

The agreement includes \$1,052,900,000 for eight F-15EX fighters and transfers \$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. Of the funds provided in Aircraft Procurement, Air Force for the remaining six F-15EX aircraft, no more than \$64,800,000 for long-lead materials may be obligated until the Secretary of the Air Force submits a report to the congressional defense committees with the following documentation, or the milestone C-equivalents under Section 804 middle tier acquisition authority, to include an approved program acquisition strategy; a capability production document; a life-cycle cost estimate; a life-cycle sustainment plan; a test and evaluation master plan; and a postproduction fielding strategy. Additionally, the Secretary of the Air Force is directed to include F-15EX program updates and progress towards critical milestones in the Section 804 triannual reports to Congress. Finally, the Secretary of the Air Force is directed to submit to the congressional defense committees not later than 60 days after the enactment of this Act a report with a comprehensive review of options to address the Air Force fighter capacity shortfall. This language replaces the language under the heading “F-15EX” in Senate Report 116-103.

Military Personnel Overview

The agreement provides the resources required for 1,339,500 active forces and 800,800 selected reserve forces, as requested and authorized by current law, in order to meet operational needs for fiscal year 2020. The agreement also provides the funding necessary to support a 3 .1 percent pay raise for all military personnel, as authorized, effective January 1, 2020.

Reprogramming Guidance for Operation and Maintenance Accounts (including Base and Overseas Contingency Operations funding)

The Secretary of Defense is directed 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 Defense Appropriations Subcommittees.

The Secretary of Defense is directed to use the normal prior approval reprogramming procedures to transfer funds in the Services' operation and maintenance accounts between 0-1 budget activities, or between sub-activity groups in the case of Operation and Maintenance, Defense-Wide, in excess of \$10,000,000. In addition, the Secretary of Defense shall follow prior approval reprogramming procedures for transfers in excess of \$10,000,000 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 Secretary of Defense is directed to use normal prior approval reprogramming procedures when implementing transfers in excess of \$10,000,000 into the following budget sub-activities:

O&M, Army: Recruiting and advertising

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

90/10 Rule

The agreement adopts the reporting requirements contained under the heading “90/10 Rule” in House Report 116-84 but changes the submission date to not later than 180 days after the enactment of this Act. Further, the Secretary of Defense is directed to work collaboratively with the Secretaries of Education and Veterans Affairs on an authoritative data set that includes the total funding level to each for-profit

institution for the most recent academic year from all sources provided by the Departments of Education, Veterans Affairs, and Defense to more accurately derive estimates for the reporting requirement to the congressional committees.

RC-26B

It is understood that the National Defense Authorization Act for Fiscal Year 2020 addresses the RC-26B aircraft matter.

Operation and Maintenance, Space Force Spend Plan

The Secretary of the Air Force is directed to provide a spend plan by month for fiscal year 2020 Operation and Maintenance, Space Force funding to the congressional defense committees not later than 30 days after the enactment of this Act. The spend plan shall include, but not be limited to, funding for civilian personnel (including the number of full-time equivalents), supplies and materials, and contract support. If there is a change to the spend plan in any given quarter, the Secretary of the Air Force shall provide written notification to the congressional defense committees not later than 10 business days following the end of that quarter explaining any adjustments.

Combat Rescue Helicopter

The agreement provides \$247,047,000, the same as the budget request, for the continued development of the Combat Rescue Helicopter. It is noted that the Air Force will use some of the funds provided to procure an additional test asset to support a modernization program that includes upgrades to address an evolving threat environment. The Secretary of the Air Force is directed to modify future budget exhibits and briefings to the congressional defense committees to clearly separate and identify funding for the modernization program and provide greater detail on both modernization requirements and the planned use of funds.

Air Force Flying Hour Funding Execution for Overseas Contingency Operations

The review of the fiscal year 2020 budget request uncovered some disturbing data points that have called the budget formulation process for flying hours in the overseas contingency operations (OCO) request into question. Budget execution data revealed that the Air Force moved approximately \$594,000,000 in fiscal year 2018 and \$695,000,000 in fiscal year 2019 from OCO flying hours to other OCO expenses. It is acknowledged that budgetary requirements change, perhaps even more so with the dynamic nature of overseas contingency operations. Accordingly, the House and Senate Appropriations Committees provide flexibility for these emerging requirements by providing procedures on how the Services are able to make budgetary realignments. However, the Air Force has chosen to apply these procedures differently than intended. This means that over \$1,289,000,000 of OCO funding has been spent by the Air Force over the past two fiscal years on unbudgeted expenses. Frustratingly, it was only after the fact that the congressional defense committees found out what was purchased with the asset provided from the flying hour account.

The fact that the Air Force has moved roughly 25 percent from the OCO flying hour funding request for each of the past two years indicates more of a fundamental issue with the initial request as opposed to an anomaly. Therefore, the agreement includes a new reduction to the Air Force OCO flying hours funding request to more closely align with historical execution.

National Guard and Reserve Equipment

The agreement provides \$1,300,000,000 for National Guard and Reserve Equipment. Of that amount \$395,000,000 is designated for the Army National Guard; \$395,000,000 for the Air National Guard; \$205,000,000 for the Army Reserve; \$75,000,000 for the Navy Reserve; \$25,000,000 for the Marine Corps Reserve; and \$205,000,000 for the Air Force Reserve.

This funding will allow the reserve components to procure high priority equipment that may be used for combat and domestic response missions. Current reserve component equipping levels are among the highest in recent history, and the funding provided by the agreement will help ensure component interoperability and sustained reserve component modernization.

The Secretary of Defense is directed to ensure that the account is 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-DAS systems; crashworthy, ballistically tolerant auxiliary fuel systems; detect and avoid systems for MQ-9 aircraft; MQ-9 deployable launch and recovery element mission support kits; modular small arms range simulators; radiological screening portals; solar mobile power systems; and training systems and simulators.

U.S. HOUSE OF REPRESENTATIVES REPORT LANGUAGE

Positioning the F-35 Program for Continued Success

The Committee continues to recommend strong support for the F-35 program. The Committee recognizes that the F-35 is critical to the ability of the Department of Defense to meet the demands of the National Defense Strategy and its emphasis on great power competition, a component of which is the rapid advances made by adversaries in anti-air and basing access denial capabilities designed to negate United States advantages in technology and operational expertise.

The Committee observes that the Department of Defense, and the Air Force in particular, have sent conflicting and confusing signals with respect to the F-35 program. The fiscal year 2020 request repeats a pattern of shifting aircraft quantities to future years, reducing the planned procurement from 84 to 78. Further, the Air Force submitted a fiscal year 2020 budget request that flattens F-35A procurement at 48 aircraft per year through the future years defense program despite the F-35A program of record remaining stable at 1,763 aircraft. The Committee also observes that departmental and Service leaders consistently have expressed concern about F-35 operation and sustainment costs. At the same time, the Chief of Naval Operations, the Commandant of the Marine Corps, and the Chief of Staff of the Air Force submitted unfunded requirements lists that included twelve additional F-35As, two additional F-35Bs, and four additional F-35Cs. The Committee recommendation includes \$1,042,800,000 for 12 additional F-35A aircraft, fully funds the Block 4 development program, and fully funds the requested increases for spares and depot activation.

The Committee acknowledges the Department's justified concerns regarding F-35 sustainment. The global F-35 fleet is projected to more than triple in size by 2023. As detailed in a recent report by the Government Accountability Office (GAO), the F-35 is failing to meet warfighter targets for availability and mission capable rates, even for later production aircraft. GAO identified spare parts as a major driver of this problem. Currently the F-35 enterprise is unable to comprehensively and accurately

inventory parts, efficiently move parts between locations, accurately match deployable spares packages to deploying units, or capture cost information for all the parts that are procured. The Committee strongly supports the Department's plans to strengthen organic F-35 sustainment capability. The Committee understands the Department has requested, but as of May 2019 has not received, a proposal from the prime contractor for the data necessary to provision an organic supply chain and catalogue all F-35 parts in the Department's supply inventory. While the Committee fully funds the \$728,671,000 requested for additional spares in the Navy and Air Force's procurement budgets, the Committee lacks full confidence that such funding or the spare parts to be acquired will be used efficiently and believes that acquiring the cost and technical data for spare parts is a necessary step toward solving this problem. The Committee therefore directs that no more than 50 percent of these funds may be obligated or expended until 15 days after the Director of the F-35 Joint Program Office submits a certification to the congressional defense committees that the Department of Defense has received an adequate cost proposal for such data. The Committee further directs the Secretary of Defense to include the costs of acquiring these data, and the accounts in which such costs are to be funded, in future budget exhibits (beginning with fiscal year 2021) and briefing materials for the congressional defense committees.

Trauma Training Program

The Committee recognizes the valuable support that universities, hospitals, and other military partners provide by offering civilian based emergency response trauma and critical care training including public health, bio-environmental, and biomedical instruction to sustain capabilities of the National Guard Enhanced Response Forces Packages, National Guard Homeland Response Forces, and Army Reserve Consequence Management Response Forces. The Committee encourages the Director of the National Guard Bureau and the Chiefs of the reserve components to continue pursuing advanced trauma and public health training with these civilian partners in order to maintain unit readiness. The Committee also encourages the development of enhanced medical and critical care preparedness programs.

Sexual Assault Prevention and Response

The Committee is troubled by the ongoing epidemic of sexual assault in the military and at the Service academies and believes that this will persist until a change in culture occurs across all Services at every level. The Department of Defense provides an annual report to Congress which provides details on sexual assaults involving servicemembers. However, the most recent report's findings make it clear that more action by the Department is necessary to combat this widespread problem. In addition to the annual report, the Committee directs the Director of the Department of Defense Sexual Assault Prevention and Response Office to brief the House and Senate Appropriations Committees not later than 30 days after the enactment of this Act on the initiatives the Department is implementing to reform how the military prevents, responds to, and adjudicates sexual assault cases, as well as the efforts underway to develop robust research, evaluation, and analytics to assess the effectiveness of its prevention efforts. The Committee fully funds the budget request of \$259,222,000 for Sexual Assault Prevention and Response programs at the Service level and provides an additional \$35,000,000 for the Department of Defense Sexual Assault Prevention and Response Program Office for transfer to the Services, including the National Guard and reserve components.

Suicide Prevention and Outreach

The Committee is concerned by the number of suicides among servicemembers. The Committee recognizes that programs like the National Guard Bureau's national counseling and suicide prevention

peer-to-peer outreach programs are vital to reducing the number of suicides among guardsmen. The Committee encourages the Chief of the National Guard Bureau to continue supporting such programs.

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 sub-activity groups in the case of Operation and Maintenance, Defense-Wide, in excess of \$10,000,000.

In addition, the Secretary shall follow prior approval reprogramming procedures in excess of \$10,000,000 out of the following readiness sub-activity groups:

- Army:*
 - Maneuver units
 - Modular support brigades
 - Aviation assets
 - Land forces operations support
 - 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
 - Base operating support

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

- Air Force:*
 - Primary combat forces
 - Combat enhancement forces
 - Depot maintenance
 - Operating forces depot maintenance
 - Facilities sustainment, restoration, and modernization

Contractor logistics support and system support
Flying hour program
Base support
Mobilization depot maintenance
Training and recruiting depot maintenance
Administration and service-wide depot maintenance

Air Force Reserve: Depot maintenance

Air National Guard: Depot maintenance

Additionally, the Secretary of Defense is directed to use normal prior approval reprogramming procedures when implementing transfers in excess of \$10,000,000 into the following budget sub-activities:

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

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

90/10 Rule

For-profit colleges often target servicemembers and veterans with aggressive marketing and recruiting because of a loophole that allows for-profit colleges to exclude any federal aid and educational benefits received from sources other than the Department of Education from the cap on federally derived institutional revenue. The Committee directs the Secretary of Defense to submit a report to the congressional defense committees not later than 90 days after the enactment of this Act that provides an analysis of all for-profit institutions that would exceed the 90/10 federal funding limits if revenue from the Department of Veterans Affairs and Department of Defense were included in the 90/10 calculation the same way that Title IV of the Higher Education Act funds are included for the most recent academic year. The report shall also include a list of schools that receive between 85 percent or more of their revenue from Title IV of the Higher Education Act, the Department of Veterans Affairs, and the Department of Defense sources for the most recent academic year.

Pilot Shortages

The Committee supports efforts throughout the Department of Defense to address the shortage of pilots across the Services. The Committee encourages the Secretary of Defense to work with higher education institutions, including Historically Black Colleges and Universities, Hispanic Serving Institutions, and other Minority Serving Institutions, to develop programs that will prepare more students to meet the eligibility requirements for pilot training. In addition, the Committee encourages the Secretary of the Air Force to examine university-based training for Air Force ROTC cadets and civilian aviation students as pilots and sensor operators for remotely piloted aircraft.

CH-47F Chinook Block II

The Committee continues to support Army efforts to deliver capability to the warfighter through the development and delivery of advanced aviation platforms and technology. The Committee previously appropriated CH-47 Block II funding based on the Chief of Staff of the Army's written certification of the program of record. The Committee is concerned that the Army is now reducing its support for the CH-47 Block II program which was determined to be necessary less than two years ago. This lack of

acquisition discipline is of great concern to the Committee, and in this case, will have significant negative repercussions across multiple domains. The Committee directs the Secretary of the Army to restore funding for the CH-47F Block II program across the next future years defense program when the fiscal year 2021 budget request is submitted.

High Mobility Multi-purpose Wheeled Vehicle Modernization and Recapitalization

The Committee recommendation includes \$25,000,000 for High Mobility Multi-purpose Wheeled Vehicle (HMMWV) Modernization or HMMWV Recapitalization to obtain new HMMWVs or “like new” HMMWVs fully restored to zero-hours, zero-miles condition by the installation of a new powered chassis. This approach leverages a low-risk, highly effective, and cost-efficient model created for the Army National Guard HMMWV Modernization Program. Modernizing or recapitalizing HMMWVs with a new, up-to-date chassis of a more consistent configuration will enable future technology insertions and capability upgrades to the HMMWV fleet and will reduce sustainment costs and logistics challenges otherwise created by obsolete, inefficient, and less-capable parts.

Recapitalizing the F-15C/D Fleet

The Committee recommendation includes \$985,500,000 to procure the first eight new-build F-15EX aircraft. The Committee finds that the F-15EX request, while unanticipated, must be considered within the context of the aging F-15C/D fleet. The Committee views the F-15EX as the fastest and most cost-effective path to preserving the F-15C/D fleet, including Air National Guard units stationed in California, Florida, Louisiana, Massachusetts, and Oregon. According to the Air Force, the F-15C/D fleet has consumed 83 percent of its service life on average, with twelve aircraft currently over 100 percent.

Additionally, the Committee is concerned by the growing number of aircraft that are failing longeron inspections. The Committee notes that prior to the fiscal year 2020 request, the Air Force had planned on longeron and wing service life extension programs designed to keep the F-15C/Ds flying past 2040. The Committee has not seen any analysis, including the “Air Force We Need” analysis, that denies the need to continue operating the F-15C/D fleet and other “fourth generation” fighter aircraft such as the F-15E, A-10, and F-16 well past 2030, or disputes that such aircraft will continue to make critical contributions to the implementation of the National Defense Strategy. The F-15EX program will begin recapitalizing this fleet with a new aircraft with an estimated service life of 20,000 hours and possessing upgrades that the Air Force has been pursuing as modifications to the F-15C/D fleet. The Committee further finds that considerations of parts commonality, low conversion cost, and operator familiarity make the F-15EX procurement a sensible if regrettably necessary investment.

At the same time, the Committee notes that the F-15EX request has been submitted with key questions unanswered, such as the specific acquisition strategy and timeline. The Committee directs the Secretary of the Air Force to submit a report to the congressional defense committees, not later than 30 days prior to issuing a final request for proposal or executing a contract action for the procurement of F-15EX aircraft, which details an approved acquisition strategy along with updates to the fielding timeline and cost estimates (if applicable), an explanation of the scope and schedule for the testing plan, and options for accelerating fielding in comparison to the budget exhibits submitted with the fiscal year 2020 request.

Traumatic Brain Injury

The Committee recognizes recent efforts by the Department of Defense to leverage partnerships with academia and the private sector to understand and improve prevention and treatment of traumatic brain injuries to servicemembers. The Committee encourages the Assistant Secretary of Defense for Health Affairs to continue to leverage partnerships with academia and the private sector to support further studies of traumatic brain injuries to gain a deeper understanding of concussive injuries including how they impact the brain, how and to what extent the brain recovers, and how prevention and treatment methods may be improved.

Mental Health Providers

The Committee supports the Department's continuing efforts to ensure that servicemembers have access to high quality mental health services and providers. In order to ensure that the Department continues to have full access to qualified clinical psychologists, the Committee encourages the Assistant Secretary of Defense for Health Affairs to review regulations regarding employment of clinical psychologists who graduate from schools accredited by the Psychological Clinical Science Accreditation System.

Drug Interdiction and Counter-drug Activities

The Committee recommendation includes \$517,171,000 for Counter-Narcotics Support, the same as the fiscal year 2019 enacted level.

The Committee recommendation includes \$121,922,000 for the Drug Demand Reduction Program, including requested funding to add fentanyl to the list of drugs tested under this program.

The Committee recognizes the important role of the National Guard Counter-Drug program in assisting local and state agencies in addressing national drug-related challenges. The Committee encourages the administrators of the National Guard Counter-Drug program to continue their close coordination with communities, regions, and other organizations to help alleviate the national drug crisis.

National Guard and Reserve Equipment Account (NGREA)

The Committee recommends \$1,300,000,000 for the National Guard and Reserve Equipment Account. Of that amount, \$375,000,000 is for the Army National Guard; \$375,000,000 is for the Air National Guard; \$215,000,000 is for the Army Reserve; \$80,000,000 is for the Navy Reserve; \$40,000,000 is for the Marine Corps Reserve; and \$215,000,000 is for the Air Force Reserve to meet urgent equipment needs in the coming fiscal year.

This funding will allow the National Guard and reserve components to procure high priority equipment used by these components for both their military missions and missions in support of State governors. The funding within this account is not to be used to procure equipment designated as high-density critical equipment, major weapon systems, aircraft, and other equipment central to a unit's ability to perform its doctrinal mission. The funding within this account is not to be used to procure equipment purchased by the senior Service, to expand or accelerate current Service procurement plans, to purchase expendable items, or to purchase facilities or equipment for any requirement able to be satisfied elsewhere.

The Committee directs the Secretary of Defense to ensure that the National Guard and Reserve Equipment Account is executed by the Chiefs of the National Guard and reserve components with

priority consideration given to the following items: acoustic hailing devices; crash-worthy, ballistically-tolerant auxiliary fuel systems; counter-UAS systems; detect and avoid systems; modular small arms range simulators; MQ-9 deployable launch and recovery element mission support kits; radiological screening portals; and training systems and simulators.

U.S. SENATE APPROPRIATIONS COMMITTEE 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.