The National Defense Authorization Act (NDAA) for Fiscal Year 2016, H.R.1735

Legislative Report of
House Armed Services Committee Markup

As of April 30, 2015
(Passed by the House Armed Services Committee, 60-2)
Overview

In the early morning of April 30, the House Armed Services Committee (HASC) passed H.R. 1735, The National Defense Authorization Act for Fiscal Year 2016 as amended, by a vote of 60-2. The FY16 NDAA authorizes $515 billion for national defense and includes $89.2 billion in Overseas Contingency Operations for a total of $604.2 billion. With the inclusion of $7.6 billion in mandatory defense spending, the FY16 NDAA has a total topline of $611.8 billion. This is in line with the President’s total Budget request for $611.9 billion in defense discretionary spending. As part of the Overseas Contingency Operations account, the bill funds $38.3 billion in operations and maintenance activities in support of base budget requirements for national defense. For full text of the Committee-passed bill, please see: http://docs.house.gov/billsthisweek/20150511/Rules_Print_HR1735_xml.pdf.

Army National Guard Strength

The Army National Guard’s (ARNG) overall end strength level decreased by 8,200 and the authorized number of non-dual status technicians decreased by 615. The legislation also reduces Military Technicians by 2,711 from last year’s levels.

<table>
<thead>
<tr>
<th>ARNG Active Guard and Reserve</th>
<th>ARNG End Strength</th>
<th>ARNG Dual Status Technicians</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY16</td>
<td>30,770</td>
<td>342,000</td>
</tr>
<tr>
<td>(615 less than FY15)</td>
<td>(8200 less than FY15)</td>
<td>(1111 less than FY15)</td>
</tr>
</tbody>
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ARNG Non-Dual Status Technicians: 1,600 (same as FY15)
ARNG ADOS: 17,000 (same as FY15)

Air National Guard Strength

In the House Armed Services Committee approved version of H.R. 1735, the bill increased the end strength of the ANG by 500. The amount of ANG Dual Status Technicians decreased 397 from FY15 levels.

<table>
<thead>
<tr>
<th>ANG Active Guard and Reserve</th>
<th>ANG End Strength</th>
<th>ANG Dual Status Technicians</th>
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</thead>
<tbody>
<tr>
<td>FY16</td>
<td>14,748</td>
<td>105,500</td>
</tr>
<tr>
<td>(Increase 40 from FY15)</td>
<td>(Increase 500 from FY15)</td>
<td>(38 less than FY15)</td>
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</tbody>
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ANG Non-Dual Status Technicians: 350 (same as FY15)
ANG ADOS: 16,000 (same as FY15)
Operation and Maintenance Authorizations

The Base Funding for ARNG O&M is decreased from the President’s Budget request for FY16. For ANG O&M, H.R. 1735 matches funding from the President’s budget request for FY16.

For Army National Guard Operation and Maintenance (ARNG O&M) Base Funding in Fiscal Year 2016, the President requested $7.942 billion. The HASC markup of H.R. 1735 authorizes $7.291 billion in total funding. This includes $4.09 billion in general Operations & Maintenance funding, $3.142 billion in Overseas Contingency Operations for Base Requirement, and $60.845 million in general Overseas Contingency Operations Account spending. This is a decrease of $660.6 million from the President’s budget request.

For Air National Guard Operation and Maintenance (ANG O&M) Base Funding in Fiscal Year 2016, the President requested $6.956 billion. The HASC markup of H.R. 1735 authorizes $6.914 billion, including $19.9 million in general Overseas Contingency Operations Account spending. This is a decrease of $42 million from the President’s budget request.

Overseas Contingency Operations, Operation and Maintenance Authorizations

The OCO Funding for ARNG O&M and ANG O&M are consistent with President’s budget request for FY16. In H.R. 1735, the following is authorized;

For Army National Guard Overseas Contingency Operations, Operation and Maintenance Authorizations (ARNG OCO- O&M), the President requested $60.845 million. The HASC markup of H.R. 1735 authorizes $60.845 million, which fully funds the President’s request.

For Air National Guard Overseas Contingency Operations, Operation and Maintenance Authorizations (ANG OCO- O&M), the President requested $19.9 million. The HASC markup of H.R 1735 authorizes $19.9 million, which fully funds the President’s request.

Military Construction Authorizations

Over the past few years, NGAUS and others in the Guard community have placed an increased priority on modernizing National Guard facilities across the country. H.R. 1735 decreases funding for Army National Guard Military Construction from the President’s budget request. This bill funds Air National Guard Military Construction at the same level in the President’s Budget.

For Army National Guard Military Construction, the President requested $197.237 million. The HASC markup of H.R. 1735 authorizes $167.437 million, which is a decrease of $29.8 million from the President’s request.

For Air National Guard Military Construction, the President requested $123.538 million. The HASC markup of H.R. 1735 authorizes $123.538 million, which fully funds the President’s request.
National Guard State Partnership Program

NGAUS has lauded the vital importance of the National Guard State Partnership Program (SPP) and advocated for its reauthorization. Without Congressional action, the State Partnership Program’s authorization is set to lapse at the end of the FY16 fiscal year. H.R. 1735 reauthorizes this Program for 2 years to September 30, 2018. The language also enhances the program by tying its operations to national global cooperation strategies, placing the program into the POM, reporting core mil-to-mil and mil-to-civ capabilities, creating a state coordination designee, and interjecting oversight mechanisms for greater accountability and secure funding. The HASC markup of H.R. 1735 authorizes $7 million total for the Army and Air National Guard. This includes $5 million through Military Personnel, $1 million through ARNG Administration and Service Wide Activities and $1 million in ANG Administration and Service Wide Activities.

National Guard and Reserve Equipment

The National Guard and Reserve Equipment account (NGREA) funds allow the National Guard to directly procure high-priority equipment that can be used for both the war fight and domestic response.

The HASC markup of H.R. 1735 authorizes $250 million for NGREA through OCO.

Other Provisions

Funds base Drug Interdiction and Counterdrug Activities: $900.5 million

Funds Drug Interdiction and Counterdrug through OCO: $186 million

Funds ARNG UH-60 M Model (MYP): 8 additional aircraft: $128 million

Funds ARNG UH-60 A-L Models: additional 8 aircraft: $8.8 million

Funds STARBASE: $20 million

Legislative Provisions

The HASC markup version of H.R. 1735 contains a number of provisions pertaining to the National Guard. Below you will find a summary, compiled from the actual bill text:

*Section 112 - Report on Options to Accelerate Replacement of UH-60A Blackhawk Helicopters of Army National Guard*

This section would require the Secretary of the Army to submit a report to the congressional defense committees by March 1, 2016, containing detailed options for the potential acceleration of the replacement of all UH-60A helicopters of the Army National Guard.

*Section 113 - Prioritization of Upgraded UH-60 Blackhawk Helicopters within Army National Guard*

This section would require the Chief, National Guard Bureau to issue guidance within 180 days after the date of the enactment of this Act that prioritizes UH-60 helicopter upgrades within the
Army National Guard to those units with the highest flight hour aircraft and highest utilization rates. This section would also require the Chief to submit a report to the congressional defense committees within 30 days after issuing such guidance that describes such guidance.

Section 132 - Backup Inventory Status of A-10 Aircraft
This section would require that the Secretary of the Air Force not move more than 18 A-10 aircraft in the Active Component to backup flying status pursuant to an authorization made by the Secretary of Defense under section 133(b)(2)(A) of the Carl Levin and Howard P. "Buck" McKean National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291). This section would also make a conforming amendment to section 133(b)(2)(A) by striking "36" and inserting "18."

Section 133 – Prohibition on Availability of Funds for Retirement of A-10 Aircraft
This section would prohibit any of the funds authorized or appropriated by this Act from being used to retire, prepare to retire, or place in storage or on backup aircraft inventory status of any A-10 aircraft. Additionally, this section requires the Secretary of the Air Force to commission an independent study to conduct an assessment of the required capabilities or mission platform to replace the A-10 aircraft.

Section 512 - Ready Reserve Continuous Screening Regarding Key Positions Disqualifying Federal Officials from Continued Service in the Ready Reserve
This section would amend section 10149 of title 10, United States Code, to include members who occupy key Federal positions to the individuals who must be screened for continued service in the Ready Reserve.

Section 513 – Exemption of Military Technicians (Dual Status) From Civilian Employee Furloughs
This section would amend Section 10216(b)(3) of title 10, United States Code, to exempt Military Technicians from furlough.

Section 514 – Annual Report on Personnel, Training, and Equipment Requirements for the Non-Federalized National Guard to Support Civilian Authorities in Prevention and Response to Non-Catastrophic Domestic Disasters
This section would amend Section 10504 of title 10, United States Code to require an annual report by the National Guard to carry out non-federalized missions in support of civilian authorities.

Section 521 - Administration of Reserve Duty
This section would amend chapter 1209 of title 10, United States Code, by consolidating the number of Reserve Component status category authorities under which Reserve Component members may be called to duty from 30 to 6 and would direct the Secretaries concerned to develop policies and procedures to carry out these changes.

Section 522 - Reserve Duty Authorities
This section would amend chapter 1209 of title 10, United States Code, to authorize the President and the Secretary of Defense to call a member of the Reserve Component, under their
jurisdiction, to Active or Inactive duty and provide authorities on activation timeline limitations and compensation requirements.

Section 523 - Purpose of Reserve Duty
This section would amend chapter 1209 of title 10, United States Code, to authorize the mobilization and limitations to mobilization as well as the call-up to Active Duty or Inactive duty of the Ready Reserve, Selected Reserve and certain members of the Individual Ready Reserve and would describe the purpose and limitations of such duty. This section would also authorize the Secretary of Defense to organize and administer the Reserve Components and would describe the authorities and limitations of such authorizations.

Section 524 - Training and Other Duty Performed by Members of the National Guard
This section would authorize the required training, field exercises and other duty performed by members of the National Guard and would additionally authorize the purpose, restrictions, and limitations of a call to order of the National Guard.

Section 563 - Enhancements to Yellow Ribbon Reintegration Program
This section would amend section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181) to expand eligibility for the program; add quality of life to the services for which the Secretary of Defense may enter into partnerships to provide services and grants under the program; provide flexibility in the number and timing of information, events, and activities. This section would authorize the required training, field exercises and other duty performed by members of the National Guard and would additionally authorize the purpose, restrictions, and limitations of a call to order of the National Guard provided under the program; and require the Office for Reintegration Programs to assist in the collection and analysis of best practices regarding suicide prevention.

Section 592 - Honoring Certain Members of the Reserve Components as Veterans
This section would create a new section 107A of title 38, United States Code, to recognize the service, in the Reserve Components, of certain service members by honoring them with status as veterans. This section would honor as a veteran any person who is entitled under chapter 1223 of title 10, United States Code, to retired pay for nonregular service or who, but for age, would be entitled under such chapter to retired pay for nonregular service, but would not create an entitlement to any benefit by reason of this section.

Section 611 - One-Year Extension of Certain Bonus and Special Pay Authorities for Reserve Forces
This section would extend the authority, through December 31, 2016, for the Selected Reserve reenlistment bonus, the Selected Reserve affiliation or enlistment bonus, special pay for enlisted members assigned to certain high-priority units, the Ready Reserve enlistment bonus for persons without prior service, the Ready Reserve enlistment and reenlistment bonus for persons with prior service, the Selected Reserve enlistment and reenlistment bonus for persons with prior service, income replacement payments for Reserve Component members experiencing extended and frequent mobilization for Active Duty service, and the authority to reimburse travel expenses for inactive duty training outside of normal commuting distance.
Section 631 - Full participation for members of the uniformed services in Thrift Savings Plan
This section would modernize the current military retirement system by blending the current defined benefit, cliff-vesting retirement plan with a defined contribution plan allowing service members to contribute to a portable Thrift Savings Plan account with a Government contribution matching program.

Section 632 - Modernized retirement system for members of the uniformed services
This section would modernize the current uniformed services retirement system by blending the current defined benefit, cliff-vesting retirement plan with a defined contribution plan, lump sum career continuation pay, and retention bonuses paid at defined career milestones, while continuing a 20 year defined annuity.

Section 651 - Improvement of financial literacy and preparedness of members of the Armed Forces
This section expresses a sense of Congress that the Secretary of Defense should strengthen efforts to improve financial literacy and preparedness of members of the Armed Forces.

Section 1072 - Repeal or Revision of Certain Reports Relating to Readiness
This section would repeal or revise certain reporting requirements to include: (c) Amending chapter 1013 of title 10, United States Code, by striking section 10542, which requires an annual report on Army National Guard combat readiness

Section 1203 - Two-Year Extension of National Guard State Partnership Program
This section would amend section 1205(i) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66) by enhancing the original codification of the program by tying it to national global strategy, creating a DoD-wide fund and including the program in the President’s Budget, expanding the role of the CNGB in reporting core capabilities and creating a state coordinating officer. The bill also extends the authorization for the National Guard State Partnership Program for 2 years, to September 30, 2018.

Section 1507 - Drug Interdiction and Counter-Drug Activities, Defense-Wide
This section would authorize additional appropriations for Drug Interdiction and Counter-Drug Activities, Defense-Wide at the level identified in section 4502 of division D of this Act.

Section 2601 - Authorization ARNG Construction

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<td>Oregon</td>
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<tr>
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Section 2604 - Authorization ANG Construction

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<td>Iowa</td>
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<tr>
<td>Kansas</td>
<td>Smokey Hill Range</td>
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<td>Louisiana</td>
<td>New Orleans</td>
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<td>Maine</td>
<td>Bangor International Airport</td>
<td>$7,200,000</td>
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<td>New Hampshire</td>
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<td>New Jersey</td>
<td>Atlantic City International Airport</td>
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<td>New York</td>
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Section 2702 - Prohibition on conducting additional Base Realignment and Closure (BRAC) round

This section prohibits the use of funds from being used to institute a round of Base Realignment and Closure (BRAC).

House Report Language:

C-130 Aircraft Modernization:
The committee is encouraged that the Chief of Staff of the Air Force has proposed a plan that finally addresses the committee’s longstanding concern for the modernization of C-130H aircraft that reside primarily in the National Guard and Reserve components of the Department of the Air Force. The Department of the Air Force has briefed the committee on multiple occasions on a new plan, which is being referred to as the Avionics and Modernization Program (AMP) Increments 1 and 2 that appears to address many of the committee’s concerns. However, the committee remains concerned that the plan’s timeline for implementation may still leave some C-130H aircraft noncompliant with future airspace requirements and still susceptible to increased diminishing manufacturing sources (DMS) and obsolescence issues. Specifically, the proposed timeline proposes to complete certain Federal Aviation Administration (FAA) compliance concerns by 2022, two years after FAA direction, requiring noncompliant aircraft to seek waivers or limit flight operations. Additionally, the AMP increment 2 only supports 8 aircraft modernizations per year which also does not appear to support a fleet viability requirement.
The committee supports an acceleration of the modernization effort both in terms of meeting FAA compliance by the 2020 deadline and acceleration of the increment 2 modernization plan. Therefore, the committee directs the Secretary of the Air Force to submit a report on the implementation of C-130H AMP Increments 1 and 2 to the congressional defense committees by March 1, 2016. At a minimum, this report should address:

1. The timeline for implementation of both AMP Increments 1 and 2;
2. An assessment to accelerate AMP Increment 1 to ensure all C-130H aircraft are compliant with all airspace requirements by 2020 to include the possibility of using existing contracting offices such as the Rapid Acquisition Office to accelerate these upgrades;
3. An assessment to accelerate the build rate for AMP Increment 2 in order to address future DMS and obsolescence issues; and
4. Any plans for recapitalization of Air National Guard and Air Force Reserve C-130 aircraft.

The committee understands that the Department of the Air Force will require additional resources to begin implementing this new plan and therefore recommends $10.0 million for C-130 AMP, an increase of $10.0 million.

Table Reductions: In Section 4101 of division D, relating to Aircraft Procurement, Air Force, line 033, reduce the amount for C-37 communications upgrades by $10,000,000.
Table Increases: In Section 4101 of division D, relating to Aircraft Procurement, Air Force, line 044, increase the amount for C-130 by $10,000,000.

**Counterdrug Activities:**
The committee acknowledges the continued contributions of the National Guard to domestic counterdrug programs. The National Guard, working with law enforcement agencies and community-based organizations, performs interdiction and anti-drug activities to counter illicit drug trafficking. It also operates regional counterdrug training centers across the country to provide education and training to local, State, and Federal law enforcement in counternarcotics and global threat reduction efforts.

For the past 5 fiscal years, the budget request for National Guard Counterdrug Programs has not included sufficient funds to meet program requirements. Recognizing this shortfall in funding, Congress has consistently provided additional funds to enable the Guard to meet its requirements. However, this additional funding has been made available for execution by the Guard in the third or fourth quarter of the fiscal year, making it difficult for the Guard to execute it by the end of the fiscal year. The committee recognizes that this is not the most efficient or effective way to plan for and execute a successful program. The committee continues to encourage the Department of Defense to submit an accurate budget request for National Guard Counterdrug Programs consistent with its requirements.

However, the committee also believes that, with appropriate planning, the National Guard should be able to obligate and expend additional funds, if made available, for its counterdrug programs even if received late in the fiscal year. Therefore, the committee directs the Chief of the National Guard Bureau to brief the House Committee on Armed Services, not later than October 1, 2015, on the Guard's plan for how it can improve its execution of additional funding should the program receive it. Lastly, as the tight fiscal environment continues, the committee continues to
encourage the National Guard, in conjunction with the Secretary of Defense, to refine its priorities and missions.

**KC-46A Quarterly Report:**
The committee supports the current acquisition strategy associated with the KC-46A aircraft. Therefore, the committee directs the Under Secretary of Defense for Acquisition, Technology, and Logistics to discontinue the quarterly reporting associated with the KC-46A aircraft required in the committee report (H.Rept. 112-78) accompanying the National Defense Authorization Act for Fiscal Year 2012.

**Long-range strike bomber:**
The Department of Defense has indicated that it intends to pursue the acquisition of future long-range strike capabilities for operating in anti-access/area denial environments. According to the budget request for fiscal year 2016, the Secretary of Defense expects to significantly increase annual investments in long range strike development over the next 5 years, with investments from fiscal year 2016-20 projected to total nearly $14.00 billion. The acquisition of a new bomber is one of the key elements in the Department’s planned long-range strike investments.

Given the size of the planned investments and the strategic importance of successfully acquiring a new bomber, the committee directs the Comptroller General of the United States to conduct a review of the U.S. Air Force bomber acquisition program and to provide a briefing to the House Committee on Armed Services by March 1, 2016, on the findings of the review. Specifically, the Comptroller General shall include an examination of the bomber program’s technology maturity in comparison with other Air Force acquisition programs at similar milestone events. This brief should also include an examination of the Air Force’s: (1) overall acquisition strategy; (2) technology, design, and production readiness; (3) development, testing, and fielding progress; (4) cost and schedule implications; and (5) technical performance.

The committee expects the Secretary of the Air Force shall ensure timely access to the necessary program information including, but not limited to, cost and budget information, detailed schedules, contractor data, program management reports, decision briefings, risk and technology readiness assessments, and technical performance measures.

**Air Force Remotely Piloted Aircraft Manning Issues:**
The committee is concerned about the Air Force’s management of critical shortfalls in training remotely piloted aircraft (RPA) pilots and system operators. Demand for combat air patrols continues to increase, resulting in an unsustainable operation tempo and exodus from the service of trained RPA pilots and operators.

Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services by January 1, 2016, with a complete human capital plan detailing the measures taken to mitigate the shortfalls in manning of RPA weapon systems. Specifically, the briefing shall address: (1) strategies and actual programs in place to increase manning in training, increase retention of RPA operations personnel, increase crew ratios, and maintain a sustainable recruiting and retention program; and (2) a projected date by which the Air Force
believes it will have mitigated the manning shortfall challenges that reside in the RPA community today.

**Tracking for Non-Disability Mental Conditions:**
The committee is encouraged by the progress the Department of Defense (DOD) has made in accounting for non-disability mental conditions but is still concerned that these conditions are not properly documented as a service member transitions from service. The committee believes that the Department of Defense needs to improve the identification of service members separated for non-disability mental conditions, and to provide reasonable assurance that service members, including Reserve Component members, separated for non-disability mental conditions are separated appropriately and in accordance with standard DOD procedures and documentation requirements. Therefore, the committee directs that the Secretary of Defense shall:

1. Develop methods to uniformly track separations due to non-disability mental conditions in an easily retrievable manner and conduct a comprehensive review of separation program designator codes, as well as any information shown on the Department of Defense Form 214.
2. Take steps to ensure there is an appropriately staffed process to identify administratively separated enlisted National Guard members who are unable to function effectively in the National Guard because of a non-disability mental condition.
3. Direct the military services to update their administrative separation policies to be consistent with DOD regulations for those service members separated for all non-disability mental conditions.
4. Ensure the military services implement processes to oversee separations for non-disability mental conditions, such as reinstituting the requirement of annual compliance reporting of a sample of administrative separations, using current DOD policy requirements as review criteria for service members of all military services and their Reserve Components.
5. Ensure that the military services planned oversight of separations for non-disability mental conditions is implemented and incorporates Reserve and National Guard members separated for such conditions, or that the services implement other processes to oversee such administrative separations using current DOD policy requirements as review criteria for all service members, including Reserve and National Guard members.
6. Direct the Under Secretary of Defense for Personnel and Readiness to review any processes used by the military services to oversee such administrative separations to ensure compliance with DOD policy requirements.

**Joint surveillance and target attack system sustainment report:**
The E-8C aircraft was developed for ground surveillance, targeting, and battle management. Air battle managers onboard the E-8C joint surveillance target attack radar system (JSTARS) aircraft use its wide-area ground surveillance radar to build situation awareness and identify targets which are passed to strike assets or cross-cued with other intelligence, surveillance, and reconnaissance platforms.

The committee notes that the Department of the Air Force plans a JSTARS recapitalization program which would replace the aging E-8C aircraft with a modern, more efficient, and capable aircraft and mission systems, with an initial operational capability of 2023 and a full operational capability in subsequent years. Until the JSTARS replacement aircraft attains full operational
capability, the committee believes that the current E-8C JSTARS aircraft will require a modest amount of sustainment funding, especially to address the issue of diminishing manufacturing sources.

Therefore, the committee directs the Secretary of the Air Force to submit a report to the congressional defense committees by February 15, 2016, which describes all actions required to avoid degradation to the performance of the E-8C radar and fleet, each upgrade required to meet minimum warfighter requirements for combat operations and to pace evolving threats during this period, and the Secretary’s plan, schedule and budgets to accomplish this objective between fiscal years 2016 and the time that the JSTARS replacement aircraft achieves full operational capability.

Next Generation Joint Surveillance Target Attack Radar System operational Concepts:
The budget request contained $44.3 million in PE 37581F for the Next Generation (NextGen) Joint Surveillance Target Attack Radar System (JSTARS) program. The committee is aware that the Department of the Air Force has a requirement for a new manned command-and-control/intelligence, surveillance, reconnaissance aircraft given that the current, high-demand E-8C JSTARS aircraft are facing low availability rates, end-of-life issues, and growing sustainment costs.

The committee encourages the Air Force to take into consideration a platform that is able to grow and adapt for unknown future threats and game-changing technologies. In addition, the committee would like to better understand the relationship between the system requirements and how the Department of the Air Force intends to employ JSTARS in the future. Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services by February 29, 2016, detailing the planned operational mission concepts for the NextGen JSTARS. This briefing should include, but not be limited to, how the aircraft and mission system will be employed in various phases of peacetime and combat operations. Additionally, the briefing should explain concepts for mission training, aircraft maintenance, force protection, aircraft security, crew manning, and future sustainability and modernization to include growth margin. The committee recommends $44.3 million, the full amount requested, in PE 37581F for the NextGen JSTARS program.

Comptroller General Assessment of Army and Air Force Training Requirements:
For more than a decade, the Army and Air Force focused the training of their forces on supporting operations in Iraq and Afghanistan. Commanders established a range of resource-intensive training requirements deemed necessary to conduct missions in these locations and deprioritized training in other areas. In the coming years, both the Army and Air Force will confront an increasingly complex security environment that will demand a wider range of missions, such as defeating terrorist organizations and responding to other emerging threats. To accomplish a broader set of missions, both military departments have established plans to refocus their training to conduct the full spectrum of military operations.

However, they face an environment of constrained budgetary resources until at least 2021. For example, in fiscal year 2013, the Department of Defense’s operation and maintenance accounts were reduced by approximately $20.00 billion under sequestration. Due to these reductions, the
Army curtailed training for all units except those deployed, preparing to deploy, or stationed overseas; and the Air Force ceased flight operations from April through June 2013 for about one-third of Active Duty combat units and reduced the number of larger training exercises. The services face the possibility of sequestration-level funding again in fiscal year 2016.

The committee is concerned about the Army's and Air Force’s ability to balance training investments with available resources and believes the services will need to fundamentally re-examine the requirements for training their forces. It further believes the military departments should explore whether they can achieve additional efficiencies or cost savings in their training approaches, such as by increasing reliance on simulator technologies to meet some training tasks.

Therefore, the committee directs the Comptroller General of the United States to provide to the congressional defense committees a report, by April 1, 2016, that evaluates Army and Air Force training requirements and includes an assessment of the following:

1. The extent to which the Army and Air Force have established readiness goals, plans, and timeframes to train their forces for full-spectrum operations;
2. The extent to which the Army and Air Force have adjusted training plans and identified resource needs in light of their experiences preparing forces for contingency operations in Iraq and Afghanistan;
3. The extent to which the Army and Air Force have considered options for increasing the use of simulated training and other technologies to achieve efficiencies or other cost savings in their training programs; and
4. Any other issues the Comptroller General determines appropriate with respect to Army and Air Force training. The committee also directs the Comptroller General to provide a briefing to the House Committee on Armed Services by March 1, 2016, on the Comptroller General's preliminary findings.

Comptroller General Assessment of Plans to Rebuild Readiness:
For more than a decade the Department of Defense has maintained a high pace of operations, and supporting those operations has had a severe impact on the readiness of the overall force. Today, relatively few non-deployed forces could assemble quickly to perform their full mission should a large-scale crisis occur. In recent months, the service chiefs have begun to sound an increasingly shrill alarm about the impacts this pace has had on their units and the personnel in them. The service chiefs have raised questions about their ability to maintain the current pace and rebuild readiness, especially if budgets are reduced to sequestration levels. Steady-state combatant command demands are high and growing, with some key current demands going unmet. Looking forward, demands are not likely to recede, as forces are now needed to stabilize emerging crises in the Middle East and Eastern Europe. According to the service chiefs, it will be at least 5 to 8 years (2020 to 2023) before their respective services can rebuild acceptable overall readiness levels.

Amid declining budgets and force structure, the committee is growing increasingly concerned about the Department’s ability to rebuild readiness while meeting the persistent demands of the combatant commands. To inform its oversight, the committee directs the Comptroller General of the United States to submit a report to the congressional defense committees by April 1, 2016,
that provides a comprehensive, independent assessment of the Department of Defense’s efforts to rebuild readiness. The reviews that support this assessment should consider historical readiness trends and focus on assessing the plans of the military services going forward including:

(1) The force structure planned to meet strategic guidance;
(2) The goals for rebuilding required readiness and the underlying assumptions and analysis behind those goals;
(3) The departmental or military service efforts to set interim goals and assess progress toward those goals; and
(4) The barriers, if any, facing the military services in reaching their readiness goals and plans to mitigate those barriers.

The review should consider how the Department and military services will identify and address key capability and capacity gaps across the Department for major combat units as well as low-density units and personnel who are in perennially high demand. In assessing the plans, the Comptroller General should also consider how the Department intends to balance the demands of the combatant commands in the future with the need to provide a more sustainable pace for service members.

Given the key role of the military services in rebuilding readiness, the Comptroller General should, at a minimum, provide reports that assess the plans of the Departments of the Army, Air Force, and Navy. The Comptroller General may, at his discretion and in consultation with the committee, provide additional reports that address recurrent themes across the Department, cross-cutting issues, or other issues deemed appropriate. The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services by February 15, 2016, on the Comptroller General's preliminary findings.

Civil Support Team Information Management System:
The committee is aware that the National Guard Bureau Weapons of Mass Destruction-Civil Support Teams (CST) currently field a system called the CST Information Management System (CIMS), to provide a common operating picture, promote information-sharing and real-time collaboration in an emergency situation, and support the CST mission of assisting and advising first responders and facilitating communications with other Federal resources. Given that other National Guard Bureau forces, such as the Chemical, Biological, Radiological, Nuclear, and High explosive Enhanced Response Force Package (CERFP) and Homeland Defense Response Force (HRF) units are in need of similar capabilities, and in order for these forces to effectively communicate and operate during large scale domestic events, the committee encourages the National Guard Bureau to expand CIMS to those CERFP and HRF forces.

Furthermore, the committee believes it is important that this CIMS capability increase interoperability and efficiently use prior investments to expand and enhance communication capability without creating unwarranted redundancy.

Therefore, the committee directs the Secretary of Defense to provide a report to the Committee on Armed Services of the House of Representatives by November 1, 2015, detailing what steps
have been taken to date to expand CIMS to CERFP and HRF units, as well as what action is planned with regard to the expansion of CIMS to CERFP and HRF forces to include timeline, milestones, and a detailed description of any other influencing factors.

**Comptroller General Review of Homeland Response Forces:**
The National Guard has completed fielding 10 regionally aligned Homeland Response Forces to assist civil authorities in responding to disasters, including Chemical, Biological, Radiological, Nuclear, and Explosives (CBRNE) incidents. The Homeland Response Forces are also meant to serve as a bridge between initial National Guard response to an incident and the arrival of assistance from Federal military forces. Each Homeland Response Force is designed to provide life-saving, command and control, and security capabilities and is expected to plan, train, and exercise within its designated region with the goal of establishing links between local, State, and Federal authorities. Previous Government Accountability Office work identified personnel, training, equipment, and command and control challenges with related National Guard response forces that could materially affect the preparedness or operational effectiveness of the Homeland Response Forces. The committee directs the Comptroller General of the United States to assess the preparedness of the Homeland Response Forces to accomplish their mission. The Comptroller General should provide a briefing on preliminary results of the assessment to the House Committee on Armed Services by March 1, 2016.

The assessment should address the following:

(1) The current state of readiness of each Homeland Response Force with respect to personnel, training, and equipment on hand, and their capability to respond to CBRNE events.
(2) The extent to which the Department of Defense has integrated the Homeland Response Forces operationally with other Federal and State-level response forces, including the National Guard’s Civil Support Teams and CBRNE Enhanced Response Force Packages, and the Defense CBRNE Force.
(3) Any related matters the Comptroller General finds appropriate. The committee further directs the Comptroller General to provide the Comptroller General’s final results to the House Committee on Armed Services at a subsequent date and format to be agreed upon at the time of briefing.

**Cyber Support to Civil Authorities:**
The committee recognizes that the danger of disruptive and destructive cyber attacks is growing and that the U.S. military and civilian cyber infrastructure is being targeted by malicious government, criminal, and individual actors who try to avoid attribution. Although the Department of Defense generally does not resource support to civil authorities in response to a domestic cyber incident, the Department possesses an array of capabilities that may be requested when civilian response capabilities are overwhelmed or exhausted, or in instances where the Department offers unique capabilities not likely to be found elsewhere. For instance, the nexus with the authorities and responsibilities of the National Guard provides a valuable link between military capabilities and civilian State, local, tribal and Federal needs.

In 2012, the Government Accountability Office highlighted gaps in the Department of Defense’s plans and guidance for assisting civil authorities in the event of a domestic cyber incident. The
committee notes that the Department of Defense has worked in coordination with the Department of Homeland Security and the Department of Justice to agree upon shared roles and responsibilities for Federal cyber security. The committee also notes that among the challenges the Department of Defense continues to face are determining the scope of the potential cyber support it may be requested to provide, and the appropriate mixture and involvement of Active and Reserve Component military cyber forces to meet anticipated defense cyber civil support needs. In testimony before the Subcommittee on Emerging Threats and Capabilities on March 4, 2015, the Commanding General of U.S. Army Cyber Command stated that "While title 10 authorities are clear, title 32 and State active duty require the application of varied State constitutional, legislative, and executive authorities and coordination with state Agencies and officials. While every State is different, there is merit in developing a common approach for authorities and capabilities to facilitate rapid and effective response in cyberspace."

Therefore, the committee directs the Comptroller General of the United States to assess the Department of Defense’s plans and actions for providing support to civil authorities in the event of a domestic cyber incident, and to provide a report on the findings to the Committees on Armed Services of the Senate and the House of Representatives. The Comptroller General should provide a briefing on preliminary results to the House Committee on Armed Services by March 1, 2016, with the report to follow on a date agreed to at the time of briefing.

The assessment should address the following:
(1) To what extent has the Department of Defense planned and identified its critical capabilities for responding to domestic cyber civil support incidents, including the use of Active and Reserve Component cyber capabilities and personnel for civil support?
(2) To what extent has the Department of Defense trained and exercised for domestic cyber civil support incidents and coordinated with the Department of Homeland Security and other relevant Federal agencies?
(3) To what extent has the Department of Defense or the Department of Homeland security developed a common approach for title 32 and State Active Duty forces that balances the differences in State approaches, authorities, and responsibilities?

Air National Guard Wildfire Assistance:
The committee notes that the U.S. Global Change Research Program has determined that the frequency of large wildfires and the length of the fire season have increased substantially in recent decades.

The committee acknowledges that the U.S. Geological Survey Federal Fire Occurrence Database indicates that the occurrences of catastrophic wildfires in the United States are more prevalent in the western half of the country. Air National Guard units flying C-130 aircraft equipped with Modular Airborne Firefighting System (MAFFS) have been an integral part of wildfire suppression, saving not only property but lives.

The committee acknowledges that as catastrophic wildfires continue to grow in severity, it is important to provide the assistance of our Air National Guard. The committee believes that MAFFS should be located in positions that maximize the effectiveness of MAFFS units consistent with the highest probability of risk for the United States.
Therefore, the committee directs the Secretary of the Air Force to prepare a brief to the House Committee on Armed Services by September 1, 2015 that assess the locations of C-130 MAFFS units. Such a briefing should provide a listing of the 40 current United States Air Force units, their utilization rates, and a future force allocation determination that most efficiently utilizes the MAFFS units. This briefing shall specifically assess opportunities to expand coverage of MAFFS units in the western United States.

**Tracking for Non-Disability Mental Conditions:**
The committee is encouraged by the progress the Department of Defense (DOD) has made in accounting for non-disability mental conditions but is still concerned that these conditions are not properly documented as a service member transitions from service. The committee believes that the Department of Defense needs to improve the identification of service members separated for non-disability mental conditions, and to provide reasonable assurance that service members, including Reserve Component members, separated for non-disability mental conditions are separated appropriately and in accordance with standard DOD 222 procedures and documentation requirements.

Therefore, the committee directs that the Secretary of Defense shall:

1. Develop methods to uniformly track separations due to non-disability mental conditions in an easily retrievable manner and conduct a comprehensive review of separation program designator codes, as well as any information shown on the Department of Defense Form 214.

2. Take steps to ensure there is an appropriately staffed process to identify administratively separated enlisted National Guard members who are unable to function effectively in the National Guard because of a non-disability mental condition.

3. Direct the military services to update their administrative separation policies to be consistent with DOD regulations for those service members separated for all non-disability mental conditions.

4. Ensure the military services implement processes to oversee separations for non-disability mental conditions, such as reinstituting the requirement of annual compliance reporting of a sample of administrative separations, using current DOD policy requirements as review criteria for service members of all military services and their Reserve Components.

5. Ensure that the military services planned oversight of separations for non-disability mental conditions is implemented and incorporates Reserve and National Guard members separated for such conditions, or that the services implement other processes to oversee such administrative separations using current DOD policy requirements as review criteria for all service members, including Reserve and National Guard members.

6. Direct the Under Secretary of Defense for Personnel and Readiness to review any processes used by the military services to oversee such administrative separations to ensure compliance with DOD policy requirements.
MH-60R and MH-60S service life extension plans:
The budget request contained $995.2 million for procurement of MH-60S and MH-60R helicopters. The committee notes that production of new MH-60S helicopters will end in fiscal year 2015 and that production of new MH-60R helicopters will end in fiscal year 2018. The committee also notes that the long timeline for the future vertical lift program will likely require a service life extension program (SLEP) for the MH-60S and MH-60R fleets in order to keep the required number of aircraft in service.

Therefore, the committee directs the Secretary of the Navy to provide a briefing to the House Committee on Armed Services by March 1, 2016, that includes a detailed layout of the timeline and funding for a potential SLEP program that maintains enough aircraft to meet requirements through fiscal year 2030 or beyond for the MH-60S and MH-60R helicopter fleets. The committee recommends $995.2 million, the full amount requested, for the MH-60S and MH-60R helicopters.

Bradley Fighting Vehicles:
The committee is aware that the US Army is working to standardize its fleet of Bradley Fighting Vehicles to two digital configurations; the M2A3 and the M2A2 ODS-SA. The committee understands that the majority of Active Duty and National Guard units are equipped with the most advanced versions of these vehicles that include digitized fire control and communications systems.

The committee is aware that two units in particular, the 11th Armored Cavalry Regiment and the Nevada National Guard, as well as several other active duty Brigade Engineer Battalions are equipped with the least modernized M2A2-0DS variant. The committee acknowledges that the Bradley Family of Vehicles, to include the M2A2 ODS, M2A2 ODS-SA, and M2A3, share the same materiel engineering and construction with no differences in protection or survivability and that all three variants are deployable for combat.

The committee is concerned that soldiers in the units M2A2 ODS versions lack the technical proficiency necessary to operate the advanced Bradley vehicles utilized in combat operations. The committee is concerned that this could degrade combat effectiveness and pose additional risk to units who deploy with the older Bradley variant. The committee understands that the Army provides new equipment training for units scheduled to fall-in on equipment with unfamiliar capabilities upon deployment to combat theaters of operation. The committee also understands that the Army maintains a program of record for remanufacturing M2A2-0DS Bradleys that ceased production in 2014 and notes that the budget request did not include funding to modernize these remaining vehicles.

As such, the committee directs the Secretary of the Army to brief the House Armed Services Committee not later than February 15, 2016 on what resources would be required to maintain the readiness and technical proficiency of these units as well as current and long terms plans for modernizing the remaining vehicles.
M1 Abrams Tank Fleet Configuration:
The committee notes that the M1A2 System Enhancement Program (SEP) v2 Abrams tank is the Army's premier ground combat system and has demonstrated its value on the battlefields of Iraq. Its built-in test system ensures that diagnosis and repair are fast and efficient, improving combat availability and saving operational costs. Improved digital displays provide tank commanders and crews with a better understanding of their tank's operational status and their situation on the battlefield.

However, despite the capabilities of the M1A2 SEP v2, the committee is aware that the Army maintains two configurations of Abrams tanks, and believes that this dual configuration is inefficient and increasingly expensive. The committee further notes that all Armor Brigade Combat Teams (ABCT) in the active component are equipped with M1A2 SEP v2 tanks, but that only two out of seven ABCTs in the National Guard are equipped with new M1A2 SEP v2 tanks. The other five ABCTs in the National Guard, and the three separate Combined Arms Battalions, are equipped with less-capable M1A1 Situational Awareness (SA) tanks. Finally, the committee also notes that the Army intends to begin fielding a new version of the M1 Abrams tank, the M1A2 SEP v3, in 2018. The committee understands that this tank will be an incremental improvement from the M1A2 SEP v2 and retain significant commonality.

The committee believes that the Army should take advantage of upcoming changes to its ABCT force structure to achieve a pure fleet of M1A2 SEP v2 tanks across both the active duty Army and Army National Guard. The committee believes that maintaining only one type of tank in the Army will reduce support and training costs, allow better integration the Army National Guard, and provide a more capable overall tank fleet for the Army. The committee directs the Secretary of the Army to provide a briefing to the House Armed Services Committee, not later than January 30, 2016, on the potential force structure changes and production programs necessary to achieve a pure fleet of M1 Abrams tanks across the Army.