



National Guard Bureau
Office of Legislative Liaison



FY19 House Appropriations Committee Defense Appropriations Act



As of July 2nd, 2018

Bill Status

	Passed in Committee	Passed in Chamber	Final Passage	Signed into Law
House	June 13 th , 2018	June 28 th , 2018		
Senate	June 28 th , 2018			

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Executive Summary

This guide provides a short summary of the initial subcommittee markup for the Fiscal Year 2019 Defense Appropriations Act. To obtain a complete understanding of any particular provision, users are encouraged to review the actual legislative language. Bill text and report language can be found on the LL website: www.nationalguard.mil/ll.

Status:

On June 7th, 2018, the House Appropriations Subcommittee on Defense passed the FY19 Defense Appropriations Act. The House passed the bill on June 28th. The bill appropriates \$674.6 billion for defense programs in FY19 – \$68.1 billion for OCO and \$606.5 billion for base programs. The total is \$20 billion above the fiscal 2018 level.

Highlights:

- Funds a 2.6% military pay raise
- Funds an end strength of 343,500 for the ARNG and 107,100 for the ANG
- Provides an additional \$30M for Youth ChalleNGe
- Provides an additional \$35M for STARBASE
- Appropriates \$200.4M for the National Guard Counterdrug Program and \$5.3M for Counterdrug Schools
- Adds \$7.7M for State Partnership Program
- Adds \$168M for 6 AH-64 Apaches for the ARNG and designates 6 others from the PB request to the ARNG for a total of 12
- Adds \$156M for 8 UH-60Ms for the ARNG and designates 7 others from the PB request to the ARNG for a total of 15
- Adds \$100M for ARNG HMMWV Modernization
- Adds \$640M for 8 C-130Js for the ANG
- Adds \$74M C-130 engine enhancement and \$55M for propeller upgrades
- Appropriates \$421M each for the ARNG and ANG in NAREA
- Appropriates \$623M for continued JSTARS recapitalization

National Guard Accounts Overview

(All Dollars in Thousands)

Army National Guard	FY19 President's Budget Request	FY19 HAC-D Mark	Delta from Request	FY19 SAC-D Mark	Delta from Request	FY19 Conference
ARNG Personnel	\$8,744,345	\$8,589,785	-\$154,560			
ARNG Personnel OCO	\$195,283	\$195,283	-			
ARNG O&M	\$7,399,295	\$7,329,771	-\$69,524			
ARNG O&M OCO	\$110,729	\$110,729	-			
NGREA	-	\$421,000	+\$421,000			

Air National Guard	FY19 President's Budget Request	FY19 HAC-D Mark	Delta from Request	FY19 SAC-D Mark	Delta from Request	FY19 Conference
ANG Personnel	\$3,725,380	\$3,707,240	-\$18,140			
ANG Personnel OCO	\$5,460	\$5,460	-			
ANG O&M	\$6,427,622	\$6,438,162	+\$10,540			
ANG O&M OCO	\$15,870	\$15,870	-			
NGREA	-	\$421,000	+\$421,000			



Army National Guard

Army National Guard Personnel

(All Dollars in Thousands)

ARNG Personnel Appropriation	FY19 President's Budget Request	FY19 HAC-D Mark	Delta from Request	FY19 SAC-D Mark	Delta from Request	FY19 Conference
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	\$2,805,051	\$2,786,051 ¹	-\$19,000			
PAY GROUP F TRAINING (RECRUITS)	\$575,310	\$565,310 ²	-\$10,000			
PAY GROUP P TRAINING (PIPELINE RECRUITS)	\$43,618	\$43,618				
SCHOOL TRAINING	\$554,644	\$551,644 ³	-\$3,000			
SPECIAL TRAINING	\$695,097	\$707,337 ^{4,5,6}	+\$12,240			
ADMINISTRATION AND SUPPORT	\$3,925,593	\$3,925,593	-			
THRIFT SAVINGS PLAN MATCHING CONTRIBUTIONS	\$55,530	\$55,530	-			
EDUCATION BENEFITS	\$89,502	\$89,502	-			
TOTAL, BUDGET ACTIVITY 1 (BAC-01)	\$8,744,345	\$8,724,585	-\$19,760			
UNDISTRIBUTED ADJUSTMENT	-	-\$136,000	-\$136,000			
TRAUMA TRAINING	-	+\$1,200	+\$1,200			
TOTAL, ARNG PERSONNEL	\$8,744,345	\$8,589,785	-\$154,560			

HAC-D Items

1. Excess growth -\$19,000
2. Excess to requirement -\$10,000
3. Historical overestimation of accessions mission -\$3,000
4. Program increase - SPP +\$2,940
5. Program increase - CPTs +1,300
6. Program increase - training and operation support on the southwest border +\$8,000

Army National Guard Personnel (Overseas Contingency Operations)

ARNG Personnel (OCO) Appropriation	FY19 President's Budget Request	FY19 HAC-D Mark	Delta from Request	FY19 SAC-D Mark	Delta from Request	FY19 Conference
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	\$47,114	\$47,114	-			
SCHOOL TRAINING	\$2,939	\$2,939	-			
SPECIAL TRAINING	\$135,655	\$135,655	-			
ADMINISTRATION AND SUPPORT	\$9,575	\$9,575	-			
TOTAL, BUDGET ACTIVITY 1 (BAC-01)	\$195,283	\$195,283	-			
TOTAL ARNG PERSONNEL	\$195,283	\$195,283	-			

Army National Guard Operations & Maintenance

ARNG O&M Appropriation	FY19 President's Budget Request	FY19 HAC-D Mark	Delta from Request	FY19 SAC-D Mark	Delta from Request	FY19 Conference
MANEUVER UNITS	\$810,269	\$776,495 ^{1,2,3}	-\$33,774			
MODULAR SUPPORT BRIGADES	\$193,402	\$185,402 ⁴	-\$8,000			
ECHELONS ABOVE BRIGADE	\$753,815	\$755,815 ⁵	+\$2,000			
THEATER LEVEL ASSETS	\$84,124	\$84,124	-			
LAND FORCES OPERATIONS SUPPORT	\$31,881	\$31,881	-			
AVIATION ASSETS	\$973,874	\$973,874	-			
FORCE READINESS OPERATIONS SUPPORT	\$784,086	\$785,586 ^{6,7}	+\$1,500			
LAND FORCES SYSTEMS READINESS	\$51,353	\$51,353	-			
LAND FORCES DEPOT MAINTENANCE	\$221,633	\$221,633	-			
BASE OPERATIONS SUPPORT	\$1,129,942	\$1,114,942 ⁸	-\$15,000			
FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	\$919,947	\$999,947 ⁹	+\$80,000			
MANAGEMENT AND OPERATIONAL HQ	\$1,010,524	\$1,002,059 ^{10,11}	-\$8,465			
TOTAL, BUDGET ACTIVITY ONE (BAC-01)	\$6,964,850	\$6,983,111	+\$18,261			
SERVICEWIDE TRANSPORTATION	\$10,017	\$10,017	-			
ADMINISTRATION	\$72,746	\$75,686 ¹²	+2,940			
SERVICEWIDE COMMUNICATIONS	\$83,105	\$83,105	-			
MANPOWER MANAGEMENT	\$10,678	\$10,678	-			
OTHER PERSONNEL SUPPORT	\$254,753	\$254,753	-			
OTHER CONSTRUCTION SUPPORT AND REAL ESTATE MANAGEMENT	\$3,146	\$3,146	-			
TOTAL, BUDGET ACTIVITY FOUR (BAC-04)	\$434,445	\$437,385	+\$2,940			
RESTORE READINESS	-	+\$20,000	+\$20,000			
HISTORICAL UNOBLIGATION	-	-\$110,725	-\$110,725			
TOTAL, ARNG O&M	\$7,399,295	\$7,329,771	-\$69,524			

HAC-D Items

1. Fiscal year 2018 decrease not properly accounted -\$20,000
2. Training excess growth -\$11,169
3. Transportation excess growth -\$2,605
4. Fiscal year 2018 decrease not properly accounted -\$8,000
5. Program increase - training and operational support of the southwest border +\$2,000
6. Program increase - cyber protection teams +\$500
7. Program increase - expanded training environment +\$1,000
8. Fiscal year 2018 decrease not properly accounted -\$15,000
9. Program increase +\$80,000
10. Fiscal year 2018 decrease not properly accounted -\$5,000
11. Excess growth -\$3,466
12. Program increase - SPP +\$2,940

Army National Guard Operations & Maintenance (Overseas Contingency Operations)

ARNG O&M (OCO) Appropriation	FY19 President's Budget Request	FY19 HAC-D Mark	Delta from Request	FY19 SAC-D Mark	Delta from Request	FY19 Conference
MANEUVER UNITS	\$42,519	\$42,519	-			
MODULAR SUPPORT BRIGADES	\$778	\$778	-			
ECHELONS ABOVE BRIGADE	\$12,093	\$12,093	-			
THEATER LEVEL ASSETS	\$708	\$708	-			
AVIATION ASSETS	\$28,135	\$28,135	-			
FORCE READINESS OPERATIONS SUPPORT	\$5,908	\$5,908	-			
BASE OPERATIONS SUPPORT	\$18,877	\$18,877	-			
MANAGEMENT AND OPERATIONAL HEADQUARTERS	\$956	\$956	-			
TOTAL, BUDGET ACTIVITY ONE (BAC-01)	\$109,974	\$109,974	-			
SERVICEWIDE COMMUNICATIONS	\$755	\$755	-			
TOTAL, BUDGET ACTIVITY FOUR (BAC-04)	\$110,729	\$110,729	-			
TOTAL, ARNG O&M (OCO)	\$110,729	\$110,729	-			



Air National Guard

Air National Guard Personnel

(All Dollars in Thousands)

ANG Personnel Appropriation	FY19 President's Budget Request	FY19 HAC-D Mark	Delta from Request	FY19 SAC-D Mark	Delta from Request	FY19 Conference
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	\$989,368	\$989,368	-			
PAY GROUP F TRAINING (RECRUITS)	\$85,771	\$85,771	-			
PAY GROUP P TRAINING (PIPELINE RECRUITS)	\$8,113	\$8,113	-			
SCHOOL TRAINING	\$334,293	\$334,293	-			
SPECIAL TRAINING	\$167,411	\$168,671 ¹	+\$1,260			
ADMINISTRATION AND SUPPORT	\$2,099,045	\$2,098,045 ²	-\$1,000			
THRIFT SAVINGS PLAN MATCHING CONTRIBUTIONS	\$25,177	\$25,177	-			
EDUCATION BENEFITS	\$16,202	\$16,202	-			
TOTAL, BUDGET ACTIVITY 1 (BAC-01)	\$3,725,380	\$3,725,640	+\$260			
UNDISTRIBUTED ADJUSTMENT	-	-\$20,200	-\$20,200			
TRAUMA TRAINING		+1,800	+\$1,800			
Total, National Guard Personnel, Air Force	\$3,725,380	\$3,707,240	-\$18,140			

HAC-D Items

1. Program increase – SPP +\$1,260
2. Historical underexecution -\$1,000

Air National Guard Personnel (Overseas Contingency Operations)

ANG Personnel (OCO) Appropriation	FY19 President's Budget Request	FY19 HAC-D Mark	Delta from Request	FY19 SAC-D Mark	Delta from Request	FY19 Conference
SPECIAL TRAINING	\$5,460	\$5,460	-			

Air National Guard Operations & Maintenance

ANG O&M Appropriation	FY19 President's Budget Request	FY19 HAC-D Mark	Delta from Request	FY19 SAC-D Mark	Delta from Request	FY19 Conference
AIRCRAFT OPERATIONS	\$2,619,940	2,579,940 ¹	-\$40,000			
MISSION SUPPORT OPERATIONS	\$623,265	623,805 ²	+\$540			
DEPOT MAINTENANCE	\$748,287	\$748,287	-			
FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	\$303,792	343,792 ³	+\$40,000			
CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	\$1,061,759	\$1,061,759	-			
BASE OPERATING SUPPORT	\$988,333	\$988,333	-			
TOTAL, BUDGET ACTIVITY ONE (BAC-01)	\$6,345,376	\$6,345,916	+\$540			
ADMINISTRATION	\$45,711	\$45,711	-			
RECRUITING AND ADVERTISING	\$36,535	\$36,535	-			
TOTAL, BUDGET ACTIVITY FOUR (BAC-04)	\$82,246	\$82,246	-			
RESTORE READINESS	-	+\$10,000				
TOTAL, AIR NATIONAL GUARD O&M	\$6,427,622	\$6,438,162	+\$10,540			

HAC-D Items

1. Unjustified program growth -\$40,000
2. Program increase – SPP +\$540
3. Program increase - +\$40,000

Air National Guard Operations & Maintenance (Overseas Contingency Operations)

ANG O&M (OCO) Appropriation	FY19 President's Budget Request	FY19 HAC-D Mark	Delta from Request	FY19 SAC-D Mark	Delta from Request	FY19 Conference
MISSION SUPPORT OPERATIONS	\$3,560	\$3,560				
BASE SUPPORT	\$12,310	\$12,310				
TOTAL, ANG O&M (OCO)	\$15,400	\$15,400				

Legislative Provisions

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

SEC. 8031. None of the funds made available by this Act may be used to— (1) disestablish, or prepare to disestablish, a Senior Reserve Officers' Training Corps program in accordance with Department of Defense Instruction Number 1215.08, dated June 26, 2006; or (2) close, downgrade from host to extension center, or place on probation a Senior Reserve Officers' Training Corps program in accordance with the information paper of the Department of the Army titled "Army Senior Reserve Officers' Training Corps (SROTC) Program Review and Criteria", dated January 27, 2014.

SEC. 8040. 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. 8042. 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. 8051. (a) 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. (b) Amounts collected under subsection (a) 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. 8058. 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. 8060. 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.

SEC. 8113. None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round.

SEC. 8125. None of the funds made available by this or any other Act may be obligated or expended to divest more than one E-8C aircraft unless the Secretary of the Air Force certifies to the congressional defense committees that funds made available in this or any other Act have been obligated pursuant to the award of one or more contracts to continue the Joint Surveillance Target Attack Radar System recapitalization program.

Report Language

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.

Suicide Prevention and Outreach

The Committee is concerned by the number of suicides among servicemembers. The Committee recognizes 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.

Restoring Readiness

The Committee recommends additional readiness funds for the Services within the operation and maintenance accounts. 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 readiness funding provided is a congressional special interest item. The Secretary of Defense and the Service Secretaries are directed to submit a detailed spend plan by sub-activity group not less than 30 days prior to the obligation of these funds.

PFOS/PFOA Exposure Assessment

The Committee continues to be concerned about potential perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) contamination on military installations. The Committee recommends \$7,000,000 for an exposure assessment, which shall be limited to current or former domestic military installations known to have PFOS/PFOA contamination in drinking water, ground water, and any other sources of water and relevant exposure pathways. The Committee directs the Assistant Secretary of Defense (Energy, Installations, and Environment) to provide a report to the House and Senate Appropriations Committees not later than 30 days after the enactment of this Act on the Department's strategy to execute this funding.

AH-64 Apache

The Committee is aware that the Army is reviewing a decision to increase the size of the four Army National Guard AH-64 Apache battalions from 18 to 24 aircraft, and that as a result, the acquisition objective for Apache aircraft will increase. The Committee supports such an increase to maximize the operational availability and lethality of the Army's Apache fleet. The Committee further notes that the Department of Defense Appropriations Act, 2018, fully funded the Army's pre-existing acquisition objective for new build Apache aircraft. The fiscal year 2019 request, which was submitted prior to the final appropriation for fiscal year 2018, included a request for 12 new build aircraft. The Committee recommends an increase of six aircraft above the budget request and designates 12 of the 18 total aircraft for the Army National Guard in order to accelerate the enhancement of the Guard's Apache battalions. The remaining six aircraft are available to the Army for fleet management and replacement of recent operational losses. The Committee directs the Secretary of the Army to provide a report to the congressional defense committees on its plans with respect to increasing the size of Army National Guard Apache battalions not later than September 30, 2018.

UH-60M Black Hawk

To accelerate the recapitalization of the Army National Guard's UH-60A fleet, the Committee recommends an increase of eight UH-60M Black Hawk aircraft above the budget request of 50, and designates not fewer than 15 of the 58 total aircraft for the Army National Guard.

National Guard and Reserve Equipment

The Committee recommends \$1,300,000,000 for National Guard and Reserve Equipment. Of that amount, \$421,000,000 is for the Army National Guard; \$421,000,000 is for the Air National Guard; \$180,000,000 is for the Army Reserve; \$65,000,000 is for the Navy Reserve; \$13,000,000 is for the Marine Corps Reserve; and \$200,000,000 is for the Air Force Reserve to meet urgent equipment needs that may arise in the coming fiscal year.

This funding will allow the National Guard and reserve components to procure high priority equipment that may be used by these units for both their combat missions and their missions in support of State governors. The funding within this account is not to be used to procure equipment that has been 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 that should be 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 that can 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; active electronically scanned array radars; crashworthy, ballistically tolerant auxiliary fuel systems for ground and air; fifth generation certified wireless mobile mesh self-healing tamper-proof network systems; HMMWV rollover mitigation; joint threat emitters; modular small arms ranges/simulation; personal dosimeters; secure voice, text, and data communications for joint response and operations; sense and avoid systems; training systems and simulators; and unstabilized gunnery trainers and upgrades.

Improved Turbine Engine Program

The Committee understands the Army is advancing research and development of the Improved Turbine Engine Program and is exploring ways to accelerate the development and fielding of this program. The Improved Turbine Engine Program is intended to develop a more fuel efficient and powerful engine for the current UH-60 Black Hawk and AH-64 Apache helicopter fleets. This new engine will increase operational capabilities in high and hot environments, increase range, and improve fuel efficiency while reducing the Army's logistics footprint, and operational and support costs.

The Committee recommends fully funding the Improved Turbine Engine Program in fiscal year 2019 and encourages the Secretary of the Army to ensure that the program is funded appropriately in future years budget submissions.

Joint Surveillance Target Attack Radar System Recapitalization. The fiscal year 2019 budget request proposes to terminate the Joint Surveillance Target Attack Radar System (JSTARS) recapitalization program and removes all funding for the program from the future years defense plan. The Committee strongly supports the continuation of the JSTARS recapitalization program and notes that the Department of Defense Appropriations Act, 2018, provided \$405,451,000 for JSTARS recapitalization and prohibited the Secretary of the Air Force from reprogramming or otherwise utilizing these funds for any purpose other than the JSTARS recapitalization program of record.

The Committee further notes that the House-passed version of the National Defense Authorization Act for Fiscal Year 2019 would limit the use of certain funds until the Secretary of the Air Force certifies that a contract has been awarded for JSTARS recapitalization.

The Committee believes that should the Secretary of the Air Force decide to continue the JSTARS recapitalization program and award a contract, the funding previously appropriated is sufficient through fiscal year 2019 based on previous Air Force budget estimates.

However, since the Air Force removed funding for the program in the future years defense plan and is in the process of formulating its fiscal year 2020 budget request, the Committee recommends an additional \$623,000,000 to support potential continuation of the JSTARS recapitalization program and designates this funding as a congressional special interest item. In addition, the Committee recommendation includes a

provision that would prohibit the divestment of more than one legacy E-8C JSTARS aircraft unless the Secretary of the Air Force certifies to the congressional defense committees that funds have been obligated pursuant to a contract award for continuation of the JSTARS recapitalization program.

The Committee further directs the Secretary of the Air Force to submit a report to the congressional defense committees not later than September 30, 2018, that provides options for continuing the JSTARS recapitalization program with an acquisition objective for fewer than 17 aircraft but which can still fulfill known combatant commander requirements. The report shall include estimated cost and schedule impacts, available options for accelerating the delivery of new JSTARS aircraft, and the timeline for achievement of initial operating capability.