



# FY19 National Defense Authorization Act Conference Summary



*Summary of S. 2987*

*The National Defense Authorization Act for Fiscal Year 2019*



*As of August 1<sup>st</sup>, 2018*

	Passed in Committee	Passed in Chamber	Agreement	Final Passage	Signed into Law
<b>House</b>	May 10 <sup>th</sup> , 2018	May 24 <sup>th</sup> , 2018	July 23 <sup>rd</sup> , 2018	July 26 <sup>th</sup> , 2018	
<b>Senate</b>	May 24 <sup>th</sup> , 2018	June 18 <sup>th</sup> , 2018		August 1 <sup>st</sup> , 2018	

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## Executive Summary

This guide provides a short summary of the Fiscal Year (FY) 2019 National Defense Authorization Act (NDAA). Bill text and conference report language can be found on NGB-LL's website: [www.nationalguard.mil/ll](http://www.nationalguard.mil/ll).

To obtain a complete understanding of any particular provision, users are encouraged to review the actual legislative language. Beyond the legislative provisions, there are a number of committee reports relevant to the National Guard. Directive language in the committee reports are generally complied with as though they are legislative provisions. Readers are encouraged to review the report language section (starting on page 14) for situational awareness.

### Status:

On July 23<sup>rd</sup>, 2018, the House and Senate conferees released a compromise version of the FY19 NDAA. The bill authorizes \$639 billion in discretionary spending plus \$69 billion for Overseas Contingency Operations in Fiscal Year 2019. Please note this is an authorization and not an appropriation.

### Highlights:

- Authorizes an end strength of 343,500 for ARNG and 107,100 for ANG. (sec. 411)
- Authorizes an end strength for reserves on active duty for the purpose of organizing, administering, recruiting, instructing, or training – ARNG 30,595 and ANG 19,861. (sec. 412)
- Increases the total number of available control grade positions authorized for the ANG. (sec. 515)
- Expands personnel subject to authority of the Chief of the National Guard Bureau in the execution of functions and missions of the National Guard Bureau. Conference report language removed the reference to military technicians. (sec. 517)
- Allows service secretaries to adjust the effective date of promotion for officers in the reserve component if the secretary concerned determines there was an undue delay in the federal recognition process and the delay is not attributable to the action, or inaction, of the officer concerned. (sec. 518)
- Extension of authority for pilot program on use of retired senior enlisted members of the Army National Guard as Army National Guard recruiters. (sec. 520)
- Authorizes the Secretary of the Army to establish a pilot program creating a National Guard cyber security training center for the ARNG. (sec. 1651)
- Requires the Secretary of Defense and the Secretary of Homeland Security to conduct a study on the feasibility and advisability of establishing cyber civil support teams in the reserve component (sec. 1653)
- Expresses the Sense of Congress that State-owned National Guard installations have always qualified as military installations under section 2684a of title 10 and should continue to qualify as military installations. (sec. 2827)

# National Guard Accounts Overview

**RECOMMENDED FUNDING AUTHORIZATIONS DO NOT EQUAL FINAL FUNDING. FINAL FUNDING LEVELS WILL BE DECIDED BY APPROPRIATIONS BILLS**



## Army National Guard - Authorization of Funding (All Dollars in Thousands)

Army National Guard	FY19 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY19 Delta from PB
O&M	\$7,399,295	\$7,469,295	+\$70,000	\$7,399,295	-	\$7,434,295	+\$35,000
OCO O&M	\$110,729	\$110,729	-	\$110,729	-	\$110,729	-
MILCON	\$180,122	\$191,122	+\$11,000	\$306,122	+\$126,000	\$202,122	+\$22,000

### Army National Guard End Strength

Army National Guard	FY19 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY19 Delta from PB
End Strength	343,500	343,500	-	343,500	-	343,500	-
AGR	30,595	30,595	-	30,155	-440	30,595	-
Dual Status Technicians	22,294	22,294	-	22,294	-	22,294	-
ADOS	17,000	17,000	-	17,000	-	17,000	-



## Air National Guard - Authorization of Funding (All Dollars in Thousands)

Air National Guard	FY19 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY19 Delta from PB
O&M	\$6,427,622	\$6,451,522	+\$23,900	\$6,440,222	+\$12,600	\$6,424,122	-\$3,500
OCO O&M	\$15,870	\$15,870	-	\$15,870	-	\$15,870	-
MILCON	\$129,126	\$191,126	+\$62,000	\$183,126	+\$54,000	\$191,126	+\$62,000

### Air National Guard End Strength

Air National Guard	FY19 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY19 Delta from PB
End Strength	107,100	107,100	-	106,600	-500	107,100	-
AGR	19,861	19,861	-	19,450	-411	19,861	-
Dual Status Technicians	15,861**	18,969	-	18,969	-	15,861**	-
ADOS	16,000	16,000	-	16,000	-	16,000	-

\*\*This authorization aligns with the corrected President's Budget Request, which was received after both the House and Senate bills were passed.

# BILL TEXT

## PROCUREMENT PROVISIONS

### **Sec. 111. National Guard and reserve component equipment report**

This provision requires a joint assessment by the Army and National Guard on efforts to achieve parity among the active component, the Army Reserve, and the Army National Guard with respect to equipment and capabilities.

### **Sec. 142. Multiyear procurement authority for C-130J aircraft program**

This provision provides the Department of Defense authority to enter into multiyear procurement for C-130J aircraft for up to 5 years.

### **Sec. 146. Limitation on use of funds for KC-46A aircraft pending submittal of certification.**

This section limits the funds authorized to be appropriated to procure three KC-46A aircraft until the Secretary of the Air Force certifies that both supplemental and military type certifications have been approved and that the first aircraft has been accepted by the Air Force.

### **Sec. 147. Limitation on availability of funds for retirement of E-8 JSTARS aircraft**

This provision would prohibit the availability of funds to retire, or prepare to retire, any E-8 Joint Surveillance Target Attack Radar System (JSTARS) aircraft. The provision would limit the retirement of legacy E-8C until Increment 2 of the Advanced Battle-Management System of the Air Force declares Initial Operational Capability. The provision also requires the Secretary of Defense to certify that the Secretary of the Air Force is: taking all reasonable steps to ensure the legacy E-8C continues to meet all safety of flight requirements and that the Air Force is taking steps to increase the legacy JSTARS fleet's aircraft availability and capacity provided to combatant commanders. The provision also requires reports be submitted to the congressional defense committees by the Secretary of the Air Force on the legacy E-8C fleet and by the Comptroller General of the United States on ABMS.

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION PROVISIONS

### **Sec. 213. Prohibition on Availability of Funds for the Weather Common Component Program**

This section would restrict funding for further development of meteorological situational awareness sensor programs for unmanned aircraft systems, and require the Secretary of the Air Force to submit a report to the congressional defense committees that describes requirements, existing technologies, current program efforts, testing and evaluation, and a fielding plan for capabilities associated with providing meteorological situational awareness to unmanned aircraft aircrews.

### **Sec. 248. Report on active protection systems for armored combat and tactical vehicles**

This provision requires the Secretary of the Army to submit to the Committees on Armed Services of the Senate and House of Representatives a report on the technologies related to active protection systems for armored combat and tactical vehicles no later than 60 days after the enactment of this Act.

## OPERATION AND MAINTENANCE PROVISIONS

### **Sec. 315. Funding of study and assessment of health implications of per- and polyfluoroalkyl substances contamination in drinking water by Agency for Toxic Substances and Disease Registry**

This provision amends section 316(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) to allow funds to be transferred to the Secretary of Health and Human Services for the study and assessment of health implications of per- and polyfluoroalkyl substances.

### **Sec. 337. Report on wildfire suppression capabilities of active and reserve components**

This provision requires the Secretary of Defense to submit a report on the wildfire suppression capabilities within the active and reserve components of the Armed Forces.

**Sec. 339. Limitation on availability of funds for establishment of additional specialized undergraduate pilot training facility**

This provision would limit funds to establish a new specialized undergraduate pilot training location until the Secretary of the Air Force submits a prescribed certification. The provision would also require the Secretary of the Air Force to submit a report on specialized undergraduate pilot training production, resourcing, and locations.

**Sec. 359. Prioritization of environmental impacts for Facilities Sustainment, Restoration, and Modernization demolition**

This provision directs the Secretary of Defense to establish prioritization metrics for deemed eligible for demolition within the Facilities Sustainment, Restoration, and Modernization (FSRM) process. Those metrics shall include full spectrum readiness and environmental impacts, including the removal of contamination.

**MILITARY PERSONNEL AUTHORIZATIONS**

**Sec. 411. End strengths for Selected Reserve**

This provision authorizes Selected Reserve end strengths for fiscal year 2019:

ARNG: 343,500

ANG: 107,100

**Sec. 412. End strengths for Reserves on active duty in support of the reserves**

This provision authorizes full-time support end strengths for fiscal year 2019, as shown below:

ARNG: 30,595

ANG: 19,861

**Sec. 413. End strengths for military technicians (dual status)**

This provision establishes the minimum number of military technicians (dual status) for the reserve components of the Army and Air Force as of the last day of fiscal year 2019, as shown below:

ARNG: 22,294

ANG: 15,861

**Sec. 414. Maximum number of reserve personnel authorized to be on active duty for operational support**

This provision establishes limits on the number of reserve personnel authorized to be on Active Duty for operational support under section 115(b) of title 10, United States Code, as of September 30, 2019, as shown below:

ARNG: 17,000

ANG: 16,000

**Sec. 422. Limitation on use of funds for personnel in fiscal year 2019 in excess of statutorily specified end strengths for fiscal year 2018**

This provision prohibits the Department of Defense from increasing end strengths for the various military departments and components beyond the levels authorized by the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) until the Secretary of Defense submits the report on "Highest-Priority Roles and Missions of the Department of Defense and the Armed Forces" required elsewhere in this Act.

**Sec. 501. Repeal of requirement for ability to complete 20 years of service by age 62 as qualification for original appointment as a regular commissioned officer**

This provision amends sections 532 of title 10, United States Code, to repeal the requirement that original officer appointments may only be granted to individuals who are able to complete 20 years of commissioned service prior to reaching age 62.

**Sec. 502. Enhancement of availability of constructive service credit for private sector training or experience upon original appointment as a commissioned officer**

This provision amends sections 533 and 12207 of title 10, United States Code, to authorize service secretaries to award constructive credit to newly-appointed active and reserve component officers for special training or experience not to exceed the amount of constructive credit required for appointment in the grade of colonel in the Army, Air Force, and Marine Corps or captain in the Navy. This provision would also repeal the temporary authority to award constructive credit for critically necessary cyberspace-related experience.

**Sec. 503. Standardized temporary promotion authority across the military departments for officers in certain grades with critical skills**

This provision amends chapter 35 of title 10, United States Code, by adding a new section to authorize each military service to award temporary promotions to the grade of O-4, O-5, and O-6 for officers serving in specified positions. This provision would also repeal a similar authority, which was previously only applicable to the Navy.

**Sec. 504. Authority for promotion boards to recommend officers of particular merit be placed higher on a promotion list**

This provision amends section 616 and section 14108 of title 10, United States Code, to authorize service secretaries to allow officer promotion selection boards to place officers of particular merit higher on a regular or reserve promotion list.

**Sec. 505. Authority for officers to opt out of promotion board consideration**

This provision amends section 619 and section 14301 of title 10, United States Code, to authorize service secretaries, based on the request of an officer and only when deemed to be in the best interests of the military departments, to remove an officer from consideration by a selection board for promotion to the next higher grade.

**Sec. 509. Matters relating to satisfactory service in grade for purposes of retirement grade of officers in highest grade of satisfactory service**

This provision amends section 1370 of title 10, United States Code, to: (1) Authorize a conditional determination of an officer's retired grade when the officer is under investigation for alleged misconduct at the time of retirement; (2) Authorize reopening of a determination or certification of an officer's retired grade under specified conditions; and (3) Provide that determinations of satisfactory service in grade for purposes of determining an officer's retired grade take into account the officer's service throughout a military career.

**Sec. 542. Security clearance reinvestigation of certain personnel who commit certain offenses**

This section would amend section 1564 of title 10, United States Code, to require the Secretary of Defense to conduct a security clearance background reinvestigation under expedited procedures for flag officers and Senior Executive Service personnel employed by the Department of Defense convicted of sexual assault, sexual harassment, fraud against the United States, or other serious crimes.

**Sec. 563. Department of Defense Education Activity misconduct database**

This section requires the Secretary of Defense to establish a comprehensive policy and database regarding juvenile misconduct occurring in Department of Defense Education Activity schools.

**Sec. 591. Annual defense manpower requirements report matters**

This provision amends section 115a of title 10, United States Code, to require the Annual Defense Manpower Requirements Report be submitted on the same day as the date on which the President submits the budget request for the next fiscal year to Congress. The provision would also require the Secretary of Defense to include two new elements in the Annual Defense Manpower Requirements Report. These new elements are: (1) The anticipated promotion opportunity for officer promotion boards expected to occur during the upcoming fiscal year; and (2) The number of officers required to serve during the upcoming fiscal year in the rank of major, lieutenant colonel, and colonel for the Army, Air Force, and Marine Corps and lieutenant commander, commander, and captain for the Navy. The report must also include a specification of anticipated promotion opportunity for officer promotion boards expected to occur during the upcoming fiscal year. The amendment would also require the report to be submitted on the same day as the date on which the President submits the budget request for the next fiscal year to Congress.

**Sec. 595. Public availability of top-line numbers of deployed members of the Armed Forces**

This section requires the Secretary of Defense to publicly make available the top-line numbers of members of the Armed Forces deployed for each country.

The Secretary would be able to waive the requirement in the case of a sensitive military operation if he determines the public disclosure of such numbers could reasonably be expected to provide an operational military advantage to an adversary, or the members of the Armed Forces are deployed for less than 30 days.

**Sec. 583. Report on general and flag officer costs**

This section requires the Secretary of Defense to submit a report to the congressional defense committees on the costs of supporting general and flag officers.

**Sec. 599. Limitation on use of funds pending submittal of report on Army Marketing and Advertising Program**

This provision would require the Secretary of the Army to submit a report on the recommendations contained in the Army Audit Agency of the Army's Marketing and Advertising Program. The report would include: (1) Mitigation and oversight measures to improve contract management; (2) The establishment of a review process to evaluate the effectiveness of marketing efforts; (3) The increase of acquisition and marketing experience within the Army Marketing and Research Group (AMRG); (4) An analysis of the workforces within AMRG; (5) The establishment of an Army Marketing and Advisory Board; and (6) The status on the implementation of new contracting practices recommended by the Army Audit Agency.

Additionally, the provision would prohibit the Secretary of the Army from obligating 50 percent of funds available for the AMRG in fiscal year 2019 until the report is submitted to the Committees on Armed Services of the Senate and House of Representatives.

## **RESERVE COMPONENT MANAGEMENT PROVISIONS**

**Sec. 513. Authority to designate certain reserve officers as not to be considered for selection for promotion**

This provision amends section 14301 of title 10, United States Code, to authorize service secretaries to defer promotion consideration for reserve component service-members in a non-participatory, membership-only status.

**Sec. 515. Authorized strength and distribution in grade**

This section would amend section 12011(a) and section 12012(a) of title 10, United States Code, to increase the total number of available control grade positions, which includes O-4, O-5, O-6, E-8, and E-9, authorized for the Air National Guard.

**Sec. 516. Repeal of prohibition on service on Army Reserve Forces Policy Committee by members on active duty**

This provision amends section 10302 of title 10, United States Code, to permit the Army National Guard of the United States and United States Army Reserve officers serving on Active Duty to serve on the Army Reserve Forces Policy Committee.

**Sec. 517. Expansion of personnel subject to authority of the Chief of the National Guard Bureau in the execution of functions and missions of the National Guard Bureau**

This provision amends section 10508 of title 10, United States Code, to clarify the authority of the Chief of the National Guard Bureau to employ persons under certain provisions of title 5, United States Code, in furtherance of meeting the requirements of section 1053 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92), as amended by section 1084 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) and section 1083 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91).

**Sec. 519. National Guard Youth Challenge Program.**

This section authorizes the Department of Defense to transfer equipment and facilities to the National Guard for the purposes of carrying out the National Guard Youth Challenge program.



**Sec. 520. Extension of authority for pilot program on use of retired senior enlisted members of the Army National Guard as Army National Guard recruiters.**

This section would extend the authority of the pilot program on use of retired senior enlisted members of the Army National Guard as Army National Guard recruiters until 2021.

**Sec. 521. Authority to adjust effective date of promotion in the event of undue delay in extending Federal recognition of promotion**

This provision amends section 14308(f) of title 10, United States Code, to allow service secretaries to adjust the effective date of promotion for officers in the reserve component if the secretary concerned determines there was an undue delay in the federal recognition process and the delay is not attributable to the action, or inaction, of the officer concerned.

**Sec. 522. Statement of Benefits**

This section requires the Secretary of Defense to provide Active Duty and Reserve service members an authoritative assessment of their earned GI Bill benefits prior to separation, retirement, or release from Active Duty or demobilization.

## **MILITARY JUSTICE MATTERS**

**Sec. 534. Expansion of eligibility for Special Victims' Counsel services**

This provision amends section 1044e of title 10, United States Code, to expand eligibility for Special Victims' Counsel services to victims of domestic violence and other aggravated violent offenses.

**Sec. 536. Expansion of policies on expedited transfer of members of the Armed Forces who are victims of sexual assault**

The committee recommends a provision that would require the Secretary of Defense to expand eligibility for expedited transfer to servicemembers.

## **COMPENSATION, PERSONNEL BENEFITS AND RETIREMENT**

**Sec. 554. Clarification of application and honorable service requirements under the Troops-to-Teachers Program to members of the Retired Reserve**

This provision amends section 1154(d)(2)(B) of title 10, United States Code, to require that members transferred to the Retired Reserve who wish to submit applications to participate in the Troops-to-Teachers program must do so not later than 3 years after the date of the transfer.

This provision would apply the same application submission requirement to members transferred to the Retired Reserve in the same way the requirement currently applies to eligible members who are retired, separated, or released from Active Duty.

**Sec. 556. Program to assist members of the Armed Forces in obtaining professional credentials**

This provision amend section 2015 of title 10, United States Code, to further assist members of the Armed Forces in obtaining professional credentials.

**Sec. 558. Expansion of period of availability of Military OneSource program for retired and discharged members of the Armed Forces and their immediate families**

This provision requires the Secretary of Defense to prescribe regulations to extend eligibility for the Military OneSource program of the Department of Defense of an eligible individual retired, discharged, or otherwise released from the Armed Forces and their eligible family members to the 1-year period beginning on the date of retirement, discharge, or release of the individual.

**Sec. 559. Prohibition on use of funds for attendance of enlisted personnel at senior level and intermediate level officer professional military education courses**

This provision prohibits the use of any funds authorized to be appropriated for the Department of Defense for the purpose of the attendance of enlisted personnel at senior level and intermediate level officer professional

military education courses. The provision would also repeal section 547 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).

**Sec. 571. Department of Defense Military Family Readiness Council matters**

This provision amends paragraphs (1)(B) and (2) of subsection (b) of section 1781a of title 10, United States Code, to: (1) Authorize a change in membership of the Military Family Readiness Council (MFRC); and (2) Change the term of service from 3 years to 2 years for military family organizations serving on the MFRC. The provision would also amend subsection (d), paragraph 2, of such section to require the MFRC to review and make recommendations to the Secretary of Defense to improve collaboration, awareness, and promotion of accurate and timely military family readiness information and support services by policy makers, service providers, and targeted beneficiaries. Finally, the provision would amend subsection (e) of such section to change the submission date for the MFRC's annual report from February 1 to July 1 of each year.

**Sec. 602. Eligibility of reserve component members for high-deployment allowance for lengthy or numerous deployments and frequent mobilizations**

This provision amends section 436 of title 37, United States Code, to authorize reserve component personnel ordered to Active Duty under section 12304b of title 10, United States Code, to receive a high-deployment allowance for frequent or lengthy deployments.

**Sec. 603. Prohibition on per diem allowance reductions based on the duration of temporary duty assignment or civilian travel**

This provision amends section 474(d)(3) of title 37, United States Code, to prohibit the Department of Defense from reducing per diem rates based on the duration of a temporary duty assignment or civilian travel.

**Sec. 605. Eligibility of reserve component members for nonreduction in pay while serving in the uniformed services or National Guard**

This provision amends section 5538(a) of title 5, United States code, that would include reserve component personnel ordered to Active Duty under section 12304b of title 10, United States Code, under existing protections preventing reduction in pay while absent from a position of employment with the Federal Government.

**Sec. 611. One-year extension of certain expiring bonus and special pay authorities**

This section would extend, through December 31, 2019, income replacement payments for Reserve Component members experiencing extended and frequent mobilization for Active Duty service; would extend two critical recruitment and retention incentive programs for Reserve Component health care professionals; would extend accession and retention incentives for nuclear-qualified officers; and would extend the consolidated special and incentive pay authorities added to subchapter II of chapter 5 of title 37, United States Code, by the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181).

Additionally, this section would extend the authority of the Secretary of Defense to prescribe a temporary increase in the rates of basic allowance for housing otherwise prescribed for a military housing area or a portion of a military housing area if the military housing area or portion thereof is located in an area covered by a declaration by the President that a major disaster exists.

**Sec. 625. Mandatory increase in insurance coverage under Servicemembers' Group Life Insurance for members deployed to combat theaters of operation**

The House bill contained a provision (sec. 603) that would amend section 1967(a)(3) of title 38, United States Code, to mandate, in the case of a member who elects to not be insured under a Servicemembers' Group Life Insurance (SGLI) plan at the maximum available coverage, an automatic increase in SGLI coverage to the maximum level if the servicemember is deployed to a combat zone.

## **DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT**

**Sec. 874. Standardization of formatting and public accessibility of Department of Defense reports to Congress.**

This section would direct the Secretary of Defense to provide a briefing not later than March 1, 2019, to the House Committee on Armed Services on a plan for implementing, not later than March 1, 2020,

standardization of the formatting and public accessibility of unclassified Department of Defense reports required by Congress. The briefing shall address how the Department plans to ensure that reports are created in an open format that can be retrieved, downloaded, indexed, and searched by commonly used web search applications. An open format is one that is platform independent, machine readable, and made available to the public without restrictions that would impede reuse of that information. The briefing shall also address how the Department plans to provide a publicly accessible online repository of its unclassified reports to Congress required by provisions of law, including protocols for inclusion of reports which, although unclassified, may not be appropriate for public release in their entirety. The briefing shall address how the Department plans to include in the repository unclassified reports to Congress required by provisions of law issued since January 1, 2010.

**MILITARY CONSTRUCTION PROVISIONS**

**Sec. 2601. Authorized Army National Guard construction and land acquisition projects**

The committee recommends a provision that would authorize military construction projects for the Army National Guard for fiscal year 2019. The committee recognizes the significant unfunded military construction requirements and has included an additional \$126.0 million for many of these projects. The authorized amounts are listed on an installation-by-installation basis.

**Army National Guard**

<b>State</b>	<b>Location</b>	<b>Amount</b>
Alaska .....	Joint Base Elmendorf-Richardson .....	\$27,000,000
Illinois .....	Marseilles Training Center .....	\$5,000,000
Montana .....	Malta .....	\$15,000,000
Nevada .....	North Las Vegas .....	\$32,000,000
New Hampshire .....	Pembroke .....	\$12,000,000
North Dakota .....	Fargo .....	\$32,000,000
Ohio .....	Camp Ravenna .....	\$7,400,000
Oklahoma .....	Lexington .....	\$11,000,000
Oregon .....	Boardman .....	\$11,000,000
South Dakota .....	Rapid City .....	\$15,000,000

**Sec. 2604. Authorized Air National Guard construction and land acquisition projects**

The committee recommends a provision that would authorize military construction projects for the Air National Guard for fiscal year 2019. The authorized amounts are listed on an installation-by-installation basis.

**Air National Guard**

<b>State</b>	<b>Location</b>	<b>Amount</b>
California .....	Channel Islands Air National Guard Station .....	\$8,000,000
Hawaii .....	Joint Base Pearl Harbor-Hickam .....	\$17,000,000
Illinois .....	Greater Peoria Regional Airport .....	\$9,000,000
Louisiana .....	Naval Air Station Joint Reserve Base New Orleans.	\$39,000,000
Minnesota .....	Duluth International Airport .....	\$8,000,000
Montana .....	Great Falls International Airport .....	\$9,000,000
New York .....	Francis S. Gabreski Airport .....	\$20,000,000
Ohio .....	Mansfield Lahm Airport .....	\$13,000,000
	Rickenbacker International Airport .....	\$8,000,000
Pennsylvania .....	Fort Indiantown Gap .....	\$8,000,000
Virginia .....	Joint Base Langley-Eustis .....	\$10,000,000

**Sec. 2612. Modification of authority to carry out certain fiscal year 2018 project.**

This section would modify the authority provided by section 2601 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115-91) to authorize the Secretary of the Army to make certain modifications to the scope of a previously authorized construction project.

**Sec. 2850. Technical correction of description of Limestone Hills Training Area Land Withdrawal and Reservation, Montana.**

This section would amend section 2931 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113-66) to adjust the acreage of withdrawn public land in Broadwater County, Montana.

**BASE REALIGNMENT AND CLOSURE ACTIVITIES**

**Sec. 2702. Additional authority to realign or close certain military installations.**

This section would provide the Secretary of Defense with authority to close or realign a military installation if the Secretary receives notification from the Governor of a State or territory that recommends the realignment or closure of a military installation within the Governor's State or territory.

**Sec. 2703. Prohibition on conducting additional Base Realignment and Closure (BRAC) round.**

This section would affirm that nothing in this Act shall be construed to authorize an additional Base Realignment and Closure round.

**OTHER PROVISIONS**

**Sec. 1071. Report on an updated Arctic Strategy**

This provision requires the Secretary of Defense to submit not later than June 1, 2019 to the congressional defense committees a report on an updated Arctic strategy to improve and enhance joint operations, with additional reporting on Russian and Chinese activity in the Arctic region. The report should include a description of the United States national security interests in the Arctic region, an assessment of the threats and security challenges posed by adversaries in the region, and a description of the level of cooperation

between the Department of Defense and other relevant departments, agencies, and State, local, and Tribal entities related to the defense of the region.

**Sec. 1072. Report on use and availability of military installations for disaster response**

This provision requires the Secretary of Defense to conduct a report on the use and availability of military installations for disaster response.

**Sec. 1074. Military aviation readiness review in support of the National Defense Strategy**

This provision requires the Secretary of Defense to establish a joint review of military aviation and deliver an accompanying report to the Committees on Armed Services of the Senate and the House of Representatives no later than 1 year after the enactment of this Act.

**Sec. 1084. Improvement of database on emergency response capabilities**

This provision amends section 1406 of the National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364) to require the Department of Defense (DOD) to establish the database required under that section not later than one year after the date of enactment of this Act. Furthermore, the provision would require the database to include information on the emergency response capabilities of the National Guard of each U.S. Territory and information on the cyber capabilities of National Guard and Reserve units identified by the DOD as critical for response to domestic natural or man-made disasters. Finally, the provision would clarify that the Department may use an existing database or system to fulfill the requirement to establish a database under certain circumstances.

**Sec. 1087. National Commission on Military Aviation Safety**

This section would establish a National Commission on Military Aviation Safety. The commission would undertake a comprehensive study and deliver a report not later than June 1, 2019, on military aviation mishaps occurring between fiscal years 2013-18.

**Sec. 1640. Program to establish cyber institutes at institutions of higher learning**

This provision authorizes the Secretary of Defense to establish a Cyber Institute at any college or university that hosts a Reserve Officers' Training Corps program, with special consideration for the Senior Military Colleges.

**Sec. 1651. Pilot program on regional cyber security training center for the Army National Guard**

This section would authorize the Secretary of the Army to carry out a pilot program to establish a National Guard cyber security training center for members of the Army National Guard.

**Sec. 1653. Study and report on reserve component cyber civil support teams.**

This section would require the Secretary of Defense and the Secretary of Homeland Security to conduct a study on the feasibility and advisability of establishing cyber civil support teams comprised of Reserve Component members, primarily operating under the command and control of the Governor of each State, to prepare for and respond to cyber incidents, cyber emergencies, and cyber attacks. The Secretaries concerned shall provide a report to the congressional defense committees, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate not later than 180 days after the date of the enactment of this Act on the results of the study, to include their final determination on the feasibility of, advisability and necessity of establishing Reserve Component cyber civil support teams for each State, and if so, proposed legislation.

**Sec. 1682. Layered defense of the United States homeland.**

This section would express the sense of Congress in support of the Department of Defense's efforts to provide layered defense of the homeland.

**Sec. 2827. Clarification to Include National Guard Installations in Readiness and Environmental Protection Integration Program**

This provision expresses the Sense of Congress that State-owned National Guard installations have always qualified as military installations under section 2684a of title 10 and should continue to qualify as military installations.

## **OTHER FUNDING AUTHORIZATIONS**

Authorizes an additional \$129 million for C-130 engine and propeller modernization (Air Force Procurement).

Authorizes \$137 million for the National Guard Counterdrug Program (Sec. 4501).

Authorizes an additional \$168 million for six additional AH-64Es for the ARNG (Army Procurement).

Authorizes an additional \$85 million for five additional UH-60s for the ARNG (Army Procurement).

Authorizes \$25 million for the ARNG HMMWV modernization program (Army Procurement).

## **LEGISLATIVE PROVISIONS NOT ADOPTED**

### **Sec. 147. Findings and sense of Congress regarding KC-46 aerial refueling tankers.**

This section would express the sense of Congress in support of industry and Air Force ensuring that the first KC-46A tanker is delivered in fiscal year 2018.

### **Sec. 315. Funding treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid at State-owned and operated National Guard installations**

This provision authorizes the Secretary of Defense to treat perfluorooctane sulfonic acid and perfluorooctanoic acid in drinking water at State-owned and operated National Guard installations with several limitations. The provision would also authorize the National Guard access to environmental restoration funds.

### **Sec. 504. Deferred deployment for members who give birth**

This section would standardize new mother deployment deferral policy across the military services, to include the Coast Guard.

### **Sec. 506. Retention of military technicians who lose dual status under certain circumstances.**

This section would amend section 10216 of title 10, United States Code, to prevent dual-status military technicians who reach their time-in-service end date from losing their jobs due to separation from military service.

### **Sec. 511. Placement of National Guard military technicians (dual status) in the competitive service**

This section would amend section 10508 of title 10, United States Code, to designate dual-status military technician positions that were converted to title 5 civilian employees in the fiscal year 2017 and 2018 National Defense Authorization Acts as competitive, not excepted, service positions.

### **Sec. 515. National Guard Youth Challenge Program.**

This section requires the Secretary of Defense to evaluate the pilot Jobs Challenge Programs and submit a report of findings and recommendations 120 days after the end of the fiscal year.

### **Sec. 517. Use of National Guard in case of a major disaster or request from a State Governor.**

This section authorizes the President to order members of the National Guard in a State to full-time National Guard duty or active Guard and Reserve duty under section 502(f) if the Governor requests it and the President declares that a major disaster exists.

### **Sec. 518. Funding of National Guard in case of a major disaster or emergency declared under the Stafford Act.**

This section authorizes the President to make contributions to a State or local government for the purpose of reimbursing the Department of Defense for expenditures that arise from use of members of the National Guard and Reserve under section 502(f) of title 32, United States Code, to respond to a major disaster declared by the President.

**Sec. 519. Pilot program for EOD-qualified members of the Army National Guard to support civil authorities.**

This section authorizes a pilot program to examine the feasibility and effectiveness of the Army National Guard EOD soldiers in Title 32 status versus using the current Mobilization Day EOD soldiers mobilized in Title 10 status to provide this support.

**Sec. 526. Public availability of reports related to senior leader misconduct**

This section would require the Secretary of Defense and the Secretaries of the military departments to publish, on a public website, redacted reports of substantiated investigations of misconduct in which the subject of the investigation was an officer in the grade of O-7 and above, including officers who have been selected for promotion to O-7, or a civilian member of the Senior Executive Service.

**Sec. 555. Extension of pilot program to assist members in obtaining post-service employment**

This section would amend section 555 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) to extend the authority for the pilot program under this section to September 30, 2023.

**Sec. 556. Direct employment pilot program for members of the reserve components and veterans**

This section would allow the Secretary of Defense to carry out a pilot program that provides enhanced job placement and employment assistance for members of the National Guard and Reserve.

**Sec. 567. Report on wage determination for certain programs.**

This section requires National Guard Bureau to re-examine the contract and wage determinations for a contractor it utilizes for Guard support services, and to report its findings back to Congress.

**Sec. 589. Assistance of states for deployment-related support of members of the Armed Forces undergoing deployment and their families Beyond the Yellow Ribbon Reintegration Program**

This section authorizes the Beyond the Yellow Ribbon program, which assists National Guard and Reservists families with assistance before, during, and after deployment, including outreach services for employment and financial counseling, suicide prevention, and housing advocacy.

**Sec. 594. Limitation on justifications entered by military recruiters for enlistment or accession of individuals into the Armed Forces**

This provision would restrict military recruiters from changing the reasons for an individual entering into the Armed Forces to anything other than that individual's stated reason. The committee remains concerned that marketing and advertising metrics related to recruiting efforts continue to lack the ability to demonstrate the effective use of resources.

**Sec. 726. Registry of individuals exposed to per- and polyfluoroalkyl substances on military installations**

This provision would require the Secretary of Veterans Affairs to establish a registry for individuals who have been exposed to per- and polyfluoroalkyl substances.

**Sec. 732. Strategy to recruit and retain mental health providers**

This section requires the Secretary of Defense to submit a report to the congressional defense committees (HASC and SASC) that describes the shortage of mental health providers of the Department of Defense and contains a strategy to better recruit and retain mental health providers.

**Sec. 1011. Department of Defense support for combating opioid trafficking and abuse.**

This section would express the sense of Congress regarding the nationwide opioid epidemic affecting millions of U.S. citizens. The section would also increase, by \$20.0 million, Department of Defense National Guard counterdrug programs to support the Federal Government's efforts to combat the opioid crisis.

**Sec. 1092. Report on readiness of National Guard to respond to natural disasters**

This provision requires the Secretary of Defense to submit to the congressional defense committees a report analyzing the readiness of the National Guard and Reserve to respond to natural disasters.

## CONFERENCE REPORT LANGUAGE

### **Findings and sense of Congress regarding KC-46 aerial refueling tankers**

The conferees support, once KC-46A aircraft deliveries begin, the acceptance of aircraft by the Air Force as quickly as practicable. Therefore, the conferees direct the Secretary of the Air Force to provide a report to the congressional defense committees, not more than 90 days after the enactment of this Act, describing potential courses of action to enable the Air Force to accept KC-46A aircraft at a rate higher than the planned 3 aircraft per month.

### **Report on capacity of Department of Defense to provide survivors of natural disasters with emergency short-term housing**

The conferees note that, when requested, the Department of Defense provides support to natural disaster response and relief efforts in the United States with personnel, equipment, and infrastructure. Such tasks often fall to units of the National Guard and Reserves. Despite supporting these relief efforts, the conferees note that disaster response is not identified as a priority when allocating resources in support of a military unit's readiness.

Therefore, the conferees direct the Secretary of Defense to provide a briefing to the Armed Services Committees of the Senate and House of Representatives not later than March 1, 2019, that assesses the readiness of the Department of Defense to provide support to natural disaster response and relief efforts. Specifically, the briefing should address the personnel, equipment, supplies, training, and command and control that have been identified as necessary to support a response to a natural disaster, how these requirements are identified, validated, and programmed for, any gaps that have been identified in terms of personnel, equipment, supplies, and training, and actions being taken to mitigate these gaps. In addition, the briefing should address the capacity and capability of military installations to provide staging for disaster relief operations and temporary housing for those who are victims of natural disasters.

### **Limitation on justifications entered by military recruiters for enlistment or accession of individuals into the Armed Forces**

The conferees are concerned with how the Services evaluate the effectiveness and efficiency of their marketing efforts. This Act contains a provision requiring the Army to provide a comprehensive evaluation of the Army Marketing and Advertising Program. However, the conferees are concerned that the other

Services may also lack sufficient data to properly evaluate the effectiveness and efficiency of their marketing efforts. Therefore, the conferees direct the Secretary of Defense to provide a briefing, no later than February 1, 2019, on the feasibility and advisability of standardizing the methods for collecting marketing data in support of effectiveness and efficiency evaluations.

## SASC COMMITTEE REPORT LANGUAGE

### **Continued F-15 C/D fleet modernization**

The committee is aware that the U.S. Air Force is undertaking a review of its aircraft force mix and structure, including the appropriate balance between 4th and 5th generation aircraft in the Active-Duty and reserve force, and that the Air Force expects to complete that review in August 2018. Therefore, the committee requests a briefing on the results of this review no later than September 1, 2018.

The committee remains concerned that retiring entire fighter fleets, like the F-15C, without acquiring sufficient replacement aircraft, will drive the number of fighter aircraft below the levels required by the National Defense Strategy and below the floor established by Section 131 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91). Until the Air Force makes a final determination on the future of the F-15C/D fleet, the committee encourages the Air Force to continue investment in the modernization of the F-15 C/D, including the Active Electronically Scanned Array (AESA) radar, the Electronic Warning Warfare System (EWS), and the Eagle Passive Active Warning and Survivability System (EPAWSS), which provides radar warning, geo-location, situational awareness, and self-protection solutions to detect and defeat surface and airborne threats in contested environments.



The committee notes the Air Force has funded procurement of EPAWSS for its F-15E fleet and the necessary research and development to outfit the F-15C/D fleet.

#### **Report on Air Force plan for fighter aircraft**

The committee understands that Air Combat Command is developing a Fighter Roadmap which will detail the Air Force's plans for the fighter aircraft fleet.

The Secretary of the Air Force shall provide a report to the Committees on Armed Services of the Senate and House of Representatives on the Air Combat Command Fighter Roadmap. The report shall describe the Air Force's plans for the fourth-generation fighter fleet and plans for converting fighter units to the F-35. To the extent feasible, the report should discuss the criteria to be used for future basing operations of F-35 aircraft.

#### **Improved Turbine Engine Program**

The committee commends the Army for moving forward with research and development for the Improved Turbine Engine Program (ITEP). The committee notes the importance of this critical program, which 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 substantially increase operational capabilities by increasing range and improving fuel efficiency, while reducing the logistics footprint, resulting in dramatically reduced operating and support costs. Given the positive progress of this key program, the committee fully supports ITEP in fiscal year 2019.

#### **Arctic search and rescue**

The committee is aware that growing international interest and changing environmental conditions in the Arctic have led to increased commercial and governmental activity in the High North. With this steady surge, the committee remains concerned by the limited capabilities of the United States to conduct search-and-rescue operations throughout the Arctic region. The committee notes that the Department of Defense's Report to Congress on Strategy to Protect United States National Security Interests in the Arctic Region, a report required in section 1068 of the National Defense Authorization Act for Fiscal Year 2016 (Public-Law 114-92), identified the need for additional personnel recovery capability in this region.

Specifically, the report calls for "forward-deployed/based assets in a sustainable location and/or rapidly deployable air drop response/sustainment packages suitable to remote land, cold water, or ice pack operating environments."

The committee understands that the 176th Wing of the Alaska National Guard is the closest dedicated response force with the only refueling capability to respond to a search-and-rescue incident in the Arctic. The unit currently possesses two air-dropped, palletized Arctic Sustainment Packages (ASPs) to enable the survival of 50 individuals for 3 or more days in extreme Arctic conditions. The ASP is rapidly deployable over varied terrain, and allows personnel to survive and operate in the High North. Each ASP requires considerable resources for sustainability, demanding 500 man-hours to re-pack ASPs after testing and to continually keep contents viable. In light of the increased activity in this region, the committee believes that this capability could benefit from additional sustainment funding to maintain the two existing ASPs, and encourages the Secretary of Defense to prioritize its resourcing.

#### **Congressional notification of incidents**

The committee is concerned that the Office of the Secretary of Defense and the military departments have not promptly and consistently notified the committee of the occurrence of significant incidents and accidents. While certain military departments have routinely sent timely notifications to the committee, there has often been a lack of even basic information communicated when troubling events have occurred.

Accordingly, the committee directs the Department to establish a rigorous, well-defined process and system to provide notifications to the committee for basic and initial reporting of incidents such as, but not limited to: class A and B mishaps for aircraft, ships and submarines, training casualties and accidents, safety stand

downs and operational pauses, relief of command, significant explosions and fires at installations, and significant security barrier breaches.

**Encouraging the use of the Innovative Readiness Training program**

The committee is aware that readiness challenges continue to face the Armed Forces due to budgetary constraints. The committee continues to recognize the value of the Innovative Readiness Training (IRT) program, which allows the Armed Forces the most realistic, joint training opportunities for National Guard, Reserve, and Active Duty members.

The committee values the IRT program for its low cost and high benefit to achieving measurable military readiness. The committee strongly encourages the Department of Defense to increase utilization of IRT projects to provide mission-essential training, prioritizing programs that directly support the most challenging and relevant training opportunities and increasing program outreach toward identifying quality training opportunities in the most logistically challenging geographical areas. Examples of IRT activities include, but are not limited to, constructing rural roads and airplane runways, small building, and warehouse construction in remote areas, transportation of medical supplies, and military readiness training in the areas of engineering, health care, and transportation for under-served communities.

The committee understands the IRT program offers complex and challenging training opportunities for domestic and international crises. The committee is also aware that states that utilize the IRT program include Alaska, Arizona, Arkansas, California, Colorado, Hawaii, Indiana, Kentucky, Louisiana, Maine, Minnesota, Missouri, Montana, Nebraska, New Jersey, New Mexico, New York, North Carolina, North Dakota, South Dakota, Texas, Virginia, West Virginia, and Wyoming.

The committee strongly encourages the Department of Defense to continue to fully utilize IRT programs that provide hands-on and mission-essential training and that are available to active, reserve and National Guard forces.

**Comptroller General report on Department of Defense original appointment and scrolling processes**

As the committee continues to look for opportunities to make military personnel management policy more adaptable, the ability of the military to quickly and repeatedly transition service-members between the active and reserve components is an important step toward building a true continuum of service. The committee understands that under current policy and practice, transferring an officer from one component to another can take up to 4 months. This extended timeline is likely a contributing factor in declining reserve component affiliation rates and the limited numbers of reserve component officers able to return to the active component.

The committee also understands the current original appointment policy contributes significantly to delays in processing original appointments and promotions for both the active and reserve component. In particular, military department officials have repeatedly stated concerns related to the “scrolling” process used to process officer original appointments. This process may also affect the time required to gain federal recognition of National Guard promotions. Despite the recurring concerns, Department of Defense (DOD) and military officials have been unable to articulate aspects of the current process that may be accelerated either by policy or legislative changes.

Therefore, the committee directs the Comptroller General of the United States to conduct a review of DOD's original appointment process and to provide preliminary observations to the Committees on Armed Services of the Senate and the House of Representatives by the end of February 2019. At that time, a final product due date will be determined. The review shall include: (1) An explanation of current original appointment processes within all relevant organizations, including the military departments, National Guard Bureau, Office of the Secretary of Defense, the White House Military Office, and the Senate; (2) An explanation of the necessity for hard copy scroll documents; and (3) A discussion of opportunities to accelerate the original appointment process.

**National Guard Federal promotion delays**

The committee recognizes that soldiers and airmen in the National Guard are unique because their appointments and promotion to a higher rank are governed by their states and are subsequently reviewed and approved for Federal recognition by the Federal Government.

The committee continues to believe that a thorough review of officer character and conduct is necessary, but is concerned about reports that bureaucratic obstacles in the scrolling process are unduly slowing Federal recognition of National Guard promotions.

Delays in Federal recognition can have negative consequences for National Guard officers, who often assume a more senior role while waiting for their promotion to be federally recognized, still receiving the pay and benefits of a more junior grade. Delays impact time in grade, or can result in officers being assigned to lesser positions than they are qualified to perform. It also means that National Guard officers may not be assigned to positions of additional responsibility, such as command, when working hand-in-hand with their Active-Duty counterparts on a Federal mission.

Therefore, the committee has included a provision that would provide service secretaries with discretion to adjust the date of rank of National Guard officers when promotions are unduly delayed. The committee urges the service secretaries to use this authority to expeditiously identify and proactively address National Guard officers whose promotions have been unfairly subjected to bureaucratic delay.

#### **National Guard mental health pilot program**

The committee remains concerned with the high suicide rate present in the National Guard and endorses efforts by the Chief of the National Guard Bureau to increase access and resources for behavioral health treatment and support for members of the National Guard. The committee is supportive of the efforts taken by the Chief of the National Guard Bureau to establish the National Guard Warrior Resilience and Fitness Program, an integrated approach to using embedded behavioral health models to leverage enhanced screening tools and predictive analytics to identify mental health risk and provide early, targeted intervention.

Not later than December 1, 2018, the Chief of the National Guard Bureau shall provide a letter report to the Committees on Armed Services of the Senate and the House of Representatives on the Warrior Resilience and Fitness Program, including its impact on readiness, resiliency and suicide prevention.

#### **Reimbursement for certain costs incurred by states during domestic emergencies**

The committee recognizes that the National Guard is an essential force providing effective emergency response capabilities in the Homeland. However, during some complex emergency responses, states are forced to assume fiscal risk that can jeopardize their ability to accomplish the emergency response deployment, and further place individual servicemembers in conditions of compromised individual protection, family protection, and compensation.

The committee notes that a mechanism exists in current law where the Federal Government can reimburse a state that orders its National Guard to State Active Duty to respond to certain domestic emergencies. The committee understands that when the Federal Emergency Management Agency (FEMA) is authorized to reimburse states for National Guard utilization during a domestic emergency, such reimbursement may take over a year to reach the state. The committee further notes that exceedingly long periods for reimbursement reduces states' ability to respond to follow-on domestic emergencies or ones of extended duration. For extended duration emergencies, such as those suffered by states during the 2017 hurricane season, funding requirements can extend beyond the current state fiscal year. The committee also notes that states acting under the Emergency Management Assistance Compact to provide mutual aid to another state during a domestic emergency must obligate their own funds to do so. These states are especially harmed by long reimbursement timelines. Finally, the committee understands these delays in reimbursement can harm military readiness.

Therefore, no later than 180 days after the enactment of this Act, the committee directs the Assistant Secretary of Defense for Homeland Defense and Global Security, in consultation with FEMA and the states, to report to the congressional defense committees on suggested ways to expedite the reimbursement process. The consultations should include consideration of the process for requesting specific orders status,

the average time for the Federal Government to answer a request from a state, and the criteria required to approve the request.

**Use of reserve personnel for the Cyber Mission Force**

As the military departments continue to formalize their contribution to the U.S. Cyber Command Cyber Mission Force by acquiring, training, and managing personnel with cyber-related capabilities, the committee encourages creative utilization of personnel who serve in the reserve component. The private sector requirement for relevant cyber knowledge and experience continues to grow, which means the reserve component may be the ideal source of personnel who possess the skills necessary to bolster the Cyber Mission Force.

The committee encourages service secretaries to use all personnel authorities at their disposal to attract and retain personnel for the Cyber Mission Force. In particular, the committee is interested in novel approaches to the use of the reserve component for this vital mission. As innovative personnel policies are developed, the committee urges service secretaries to identify legal constraints and to propose changes to current law to improve the military's ability to make itself an attractive employer for the nation's cyber workforce.

**Business case analysis for the 168th Air Refueling Wing**

The committee notes that the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) required the Secretary of the Air Force to conduct a business case analysis on the creation of an Active Duty association for the 168th Air Refueling Wing. However, the committee notes that since the prescribed analysis was completed in December 2016, two important developments have occurred that were not taken into account. First, consideration of the addition of two F–35A squadrons at Eielson Air Force Base, Alaska, in 2020, and an examination of future shortfalls in air refueling requirements due to such additional aircraft. Second, consideration of the increased operations tempo of the 168th Air Refueling Wing due to increased mission requirements of the North American Aerospace Defense Command. The committee believes that consideration of these two factors could potentially have led to different conclusions in the 2016 analysis.

Therefore, the committee directs the Secretary of the Air Force to update the 2016 business case analysis taking into consideration the aforementioned factors and brief the Committees on Armed Services of the Senate and House of Representatives on its results no later than March 1, 2019.

**Chemical, Biological, Radiological, and Nuclear Response Enterprise**

A robust Chemical, Biological, Radiological, and Nuclear (CBRN) Response Enterprise is critical to our nation's security. U.S. Northern Command (NORTHCOM) plays an integral part of any domestic CBRN response, and the committee applauds the role the National Guard performs in such a response. The committee also notes the importance of coordinated combined training and operations between the Department of Defense (DOD) and civilian first responders and agencies, including the Department of Homeland Security (DHS).

To further enhance this collaboration, the committee believes DOD and civilian agencies that sponsor first responder training should coordinate such training opportunities at the individual level. As NORTHCOM continues to execute unit-level and enterprise-wide training events, such as through exercises with major metropolitan cities, the Department should consider allowing state and local first responders to participate in CBRN response training programs provided by the individual military services, particularly those supported by Federal Emergency Management Agency (FEMA) grants, such as those offered at the Army's Maneuver Support Center of Excellence (MSCOE), on a space-available basis. This would better integrate NORTHCOM's overall response to a CBRN event. The committee also believes that there are cost efficiencies and improved information-sharing and integration that could result from using existing DOD CBRN training facilities.

Therefore, the committee directs DOD, in coordination with DHS, to develop a plan to expand individual training opportunities on a space-available basis for state and local first responders. This plan should examine and take into consideration: (1) Existing DOD programs that provide trained and certified service members to serve in the CBRN Response Enterprise (CRE) including standardized training products and

facilities offered by the Army's MSCOE and the Army Chemical, Biological, Radiological, and Nuclear School and their ability to provide courses to non-DOD students that comply with civilian standards and industry best practices; (2) Existing programs and training standards set by the National Domestic Preparedness Consortium (NDPC), the Emergency Management Institute (EMI), and the Center for Domestic Preparedness (CDP), a training component of FEMA; (3) Any additional or unmet CBRN training requirements that are needed by the National Guard, Department of Homeland Security, other federal agencies, and state and local first responders that can currently be provided by the Department of Defense and military services to better integrate civilian CBRN training; and (4) Any other factors the Secretary deems appropriate. The Department should submit such a plan to the committee no later than March 1, 2019.

**Department of Defense efforts to cooperate with Department of Homeland Security Fusion Centers**

The committee encourages the Secretary of Defense to consider coordinating with the other relevant Federal Government departments and agencies and each State that has a National Guard with a defensive cyber operations element to establish regionally-focused public-private cooperative agreements or cross-functional taskforces, responsible for the creation of strategies to coordinate and share information among local, regional, and national entities, both public and private, in order to protect vital assets in the cyber realm. This cooperation might leverage divergent skillsets, extant public-private partnership relationships, and high-performing Federal Government assets in the joint defense of public and private systems. These cross-functional task-forces could comprise National Guard units, Department of Homeland Security (DHS) State and Major Urban Area Fusion Centers, and private sector companies with significant cybersecurity equities and assets—in particular, in critical infrastructure sectors—thereby strengthening active participation and sharing of information, integrating threat mitigation strategies, and growing the cyber network through shared experience.

Pursuant to this kind of coordination, the committee directs the Secretary of Defense to submit a report to the congressional defense committees no later than 180 days after the date of enactment of this Act on opportunities and efforts underway to cooperate with DHS fusion centers and State assets in cybersecurity. This report should relay: (1) The extant collaboration between National Guard units, the rest of the public sector, and the private sector in advancing cybersecurity across their aggregated assets; (2) Planned cooperation along these lines; and (3) The Secretary's assessment of opportunities in cooperation in red-teaming, incident response, data-sharing, provision of technical expertise, common cybersecurity standards, and attachment to DHS State and Major Urban Area Fusion Centers.

**Encouraging the use of existing authorities for construction of future National Guard Readiness Center**

The committee recognizes that the South Carolina National Guard plans to construct the Summerville National Guard Readiness Center in fiscal year 2021 and commends the South Carolina National Guard for working to acquire Federal land with Joint Base Charleston in submission of a Base Action Request for approval.

The committee encourages the Secretary of the Air Force to leverage existing authorities to make land available at Joint Base Charleston, South Carolina to the Secretary of the Army for the purpose of constructing a permanent National Guard Readiness Center. Further, the committee encourages the Secretary of the Army to use his authority to issue a revocable license to the South Carolina National Guard for the purpose of constructing a permanent National Guard Readiness Center on the land made available if the Secretary determines the license to be in the interest of the Army.

**Federal land transfer for South Carolina National Guard**

The committee recognizes that the South Carolina National Guard intends to establish a Federal training site and commends the South Carolina National Guard for working with the Savannah River Site, Aiken, South Carolina on a potential location for the site. The committee encourages the Secretary of Defense, in consultation with the Secretary of Energy, to use existing authorities to make land available at the Savannah River Site, Aiken, South Carolina to the Secretary of the Army for the purpose of establishing a Federal training site for the South Carolina National Guard. Further, the committee encourages the Secretary of the Army to use his authority to issue a revocable license to the South Carolina National Guard for the purpose

of establishing a Federal training site on the land made available if the Secretary determines the license to be in the interest of the Army.

## **HASC COMMITTEE REPORT LANGUAGE**

### **Apache attack helicopters**

The committee understands the Army's current aviation modernization and equipping strategy that resulted from the Army's Aviation Restructure Initiative currently resources the Army National Guard (ARNG) to retain 4 attack reconnaissance battalions for a total of 72 AH-64 Apache attack helicopters. The committee notes that these ARNG attack reconnaissance battalions would be equipped with 18 AH-64 attack helicopters as compared to the Active Component battalions that are equipped with 24 AH-64 attack helicopters. The committee is aware the ARNG is no longer solely the strategic reserve of the past, but also an operational force, and provides significant capability through rotational support to combatant commanders. The committee believes that given the current global threat environment, reliance on ARNG capabilities is expected to increase.

Therefore, the committee believes that all 4 ARNG attack reconnaissance battalions should be equipped with 24 AH-64 attack helicopters, the same as Active Component battalions, in order to improve overall readiness and compatibility between the ARNG and Active Component. The committee encourages the Secretary of the Army to plan, program, and budget for 24 additional AH-64 attack helicopters to address ARNG requirements across the Future Years Defense Program.

### **Light utility helicopter**

The budget request included \$6.4 million for utility helicopter modifications to the UH-60 Black Hawk and the UH-72A Lakota helicopters, but contained no funding for UH-72A life-cycle sustainment and product improvements. The UH-72A Lakota helicopter provides general aviation support for aviation units in the Active and Reserve Components. The committee supports the requirement to conduct midlife sustainment and product improvement activities for the UH-72A, and includes funding to conduct the analysis, engineering, certification, and risk reduction activities necessary to update the UH-72A Life Cycle Support Plan. The committee also recognizes that the UH-72A was initially fielded without aircraft survivability equipment, which could potentially limit the Active Component and Army National Guard's utilization of the UH-72A platform. As reflected in Division D of this Act, the committee recommends additional funding for the National Guard and Reserve Component Equipment Account (NGREA). The committee understands that while no requirements have been formally identified for UH-72A Lakota ballistic armor or aircraft survivability equipment by the National Guard Bureau, should a requirement be put forth, the committee expects the Army National Guard to utilize NGREA funds.

The committee recommends \$16.4 million, an increase of \$10.0 million, in utility helicopter modifications for UH-72A life-cycle sustainment and product improvements. Further, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services by February 8, 2019, on the Army's long-term sustainment strategy for the UH-72A Lakota helicopter fleet.

### **Unmanned aerial system units for Army National Guard**

The committee understands the Army's current fielding plan for MQ-1C Gray Eagle units includes Active Duty combat aviation brigades and intelligence units, and that at present no systems are planned for fielding to the Army National Guard. However, the committee notes that there are many missions involving military support to civilian authorities for which the MQ-1C Gray Eagle could contribute, including wildfire response, search and rescue, border security, counternarcotics, and communications support during emergencies.

Therefore, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services by March 1, 2019, on the potential utility, feasibility, and cost of establishing MQ-1C Gray Eagle units in the Army National Guard. The briefing shall include, at a minimum, a detailed analysis of the resources needed to create a minimum of two Gray Eagle companies in the Army National Guard, and an analysis of how such units could provide support to civilian authorities for domestic emergencies.

### **A-10 replacement wings**

The base budget request contained \$98.7 million for A-10 aircraft modifications, of which \$79.2 million was included for the A-10 wing replacement program. The committee notes that increases for fiscal years 2017 and 2018 will enable the Department of the Air Force to begin a second wing replacement program for an additional 110 A-10 replacement wings.

The committee continues to believe that sustainment of the 281-aircraft A-10 fleet helps to meet Air Force fighter aircraft capacity requirements. The committee notes that A-10 force structure consists of five Air Reserve Component and four Active Duty squadrons, and that any fewer than nine squadrons will not meet future combatant commander demand for A-10 aircraft. Consequently, subsequent to the test and evaluation of the F-35A and A-10C required by section 134 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328), the Department should not take any action to reduce the number of A-10 squadrons. Accordingly, the committee believes the Department of the Air Force should accelerate the A-10 wing replacement program.

The committee recommends \$163.7 million in the base budget for A-10 modifications, an increase of \$65.0 million for the A-10 wing replacement program. The committee also notes that multiyear contracting strategies have resulted in more efficient and cost effective acquisition programs, and believes such a strategy could also result in cost savings for the A-10 wing replacement program. Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services not later than February 15, 2019, on Department of the Air Force plans to utilize a multiyear contracting strategy to procure A-10 replacement wings.

Additionally, the committee notes that exercising the option to deliver the remaining 110 wings on the contract that expired in September 2016 could have resulted in cost savings compared to current plans to contract separately for a second wing replacement program. Therefore, the committee directs the Secretary of the Air Force to provide a report to the House Committee on Armed Services, not later than February 15, 2019, on the cost of the additional 110 A-10 replacement wings using a second contract compared to the cost of exercising the option to procure the 110 A-10 replacement wings on the original contract.

### **Air Force enlisted pilot implementation initiatives**

The committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services not later than March 4, 2019, on the plan to implement the enlisted pilot aircrew requirements of Section 1052 of the FY17 NDAA for the MQ-9 enterprise of the Active, Guard, and Reserve components of the Air Force. Furthermore, the committee directs the Secretary of the Air Force to submit a report to the congressional defense committees not later than April 1, 2019, on the costs, benefits, and feasibility of authorizing enlisted Airmen or Warrant Officers as pilots, navigators, or weapon systems operators on all Air Force aircraft or rotorcraft platforms. The report should also assess and explain any policy or guidance impediments that would preclude enlisted Airmen or Warrant Officers from serving as pilots, navigators, or weapon systems operators.

### **C-130H modernization efforts**

The committee notes that the C-130H aircraft that are flown primarily by the Air National Guard and Air Force Reserve continue to provide critical tactical airlift capabilities and will continue to support this mission for years to come. The committee further notes that in order to sustain mission capability and effectiveness, various sustainment and improvement initiatives are currently underway. The committee supports all of these initiatives however, it does recognize that shortfalls still remain. Specifically, the C-130H Avionics Modernization Program (AMP) addresses cockpit modernization needs of the aircraft however; the AMP program does not include the flight engineers control panel, which is a key component of the cockpit. Failure to upgrade the flight engineer control panel could leave the C-130H fleet with continued obsolescence issues post AMP. If the Air Force were to decide to upgrade this equipment at a later date, they will have missed the efficiencies of conducting those upgrades concurrent with the AMP upgrades. Therefore, the committee encourages the Air Force to explore the possibility of upgrading the C-130H flight engineer overhead control panel using readily available off the shelf technology. Furthermore, if the Air Force determines that these upgrades are necessary, they should make every effort to upgrade the aircraft in parallel with the AMP program in order to minimize disruption to the operation of the C-130H fleet and mission.

### **C-130H propulsion systems upgrade**

The budget request contained \$22.1 million for procurement of C-130 modifications but no funds for C-130H propulsion systems upgrades. The committee continues to support the upgrade of C-130H/LC-130H aircraft with the T56 3.5 engine enhancement and NP2000 8-bladed propeller. The committee notes that the Air National Guard (ANG) completed testing of the T56 3.5 engine enhancement and reported results that exceeded expectations for fuel savings and performance. The committee understands that the ANG expects to issue a full test report in the summer of 2018, to be followed by a business case analysis for upgrading the entire fleet of C-130H/LC-130H aircraft. Additionally, the committee is aware that fiscal year 2016 and 2017 propulsion upgrade funds have been put on contract. The committee expects the Air Force to include the necessary funds to accelerate C-130H/LC-130H upgrades in future base budgets. The committee recommends \$129.0 million for the C-130H/LC-130H propulsion systems upgrade program.

### **Total Force C-17 Fleet Management Plan**

The committee notes that the Air Force must carefully manage the life cycle of each of its 222 C-17 strategic airlift aircraft assigned to the Regular, Reserve, and Air National Guard Components from an enterprise point of view in order to extract the maximum amount of utility from this limited resource. The committee is also aware that the Air Force is unable to meet its current requirement for strategic airlift as outlined by the fiscal year 2013 Mobility Capability Requirements Study (MCRS). Furthermore, the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) directed the Secretary of Defense to carry out a new MCRS.

This study is to take into account attrition for the first time, which is likely to result in a higher requirement for strategic airlift.

Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services by February 1, 2019, on the Total Force C-17 Fleet Management Plan. This briefing should include: (1) a table and timeline that shows when C-17s will be retired by tail number; (2) various courses of action that could be pursued and the impact to meeting the strategic airlift requirements; (3) limitation or impediments to controlling the retirement timeline of C-17 aircraft; and (4) legislative relief that could enable better management of the fleet through retirement.

### **Total Force KC-135R net centric operations and battlespace awareness**

The committee is aware that all three Air Force components of the Total Force (Regular, Air National Guard, and Reserve) operate the KC-135 Stratotanker, which is Air Mobility Command's primary air refueling platform. The KC-135 provides approximately 87 percent of air refueling support to U.S., allied, and coalition military aircraft.

The committee believes that upgrades to KC-135 defensive systems, including tactical data link technologies, situational awareness displays that bring real-time threat information, and secure radio capability, greatly enhance KC-135 air refueling, airlift, and aeromedical evacuation missions. These systems are meant to protect the aircraft during takeoff, landing, and refueling flight regimes. Also, the systems offer protection during normal refueling flight operations against both infrared and radar-guided air-to-air missiles. Furthermore, the committee believes that upgrades to the KC-135 Real-Time Information in the Cockpit (RTIC) system would enhance network capability and provide a common processing and display platform resulting in consolidated situational awareness.

As reflected in division D of this Act, the committee recommends additional funding for the National Guard and Reserve Equipment Account. The committee expects the Secretary of the Air Force to consider using these funds to modernize the Air National Guard and Air Force Reserve with RTIC and self-protection commercial off-the-shelf solutions through a competitive process.

### **Future Vertical Lift**

The committee understands that dedicated investment in incremental rotorcraft upgrades has kept America's current vertical lift aviation capabilities viable, and will continue to enable the fleet to bridge capability gaps through the near term. The committee believes that as more dangerous threats emerge at an accelerated pace in the mid-term, unwavering investment in advanced future disruptive technologies like Future Vertical



Lift (FVL) will enable rotorcraft aviation to retain overmatch through significant capability improvements in reach, speed, protection, and lethality.

The committee notes that the Army leads the Department of Defense's rotorcraft technology portfolio, which needs additional research and development funding to regain America's world leadership in rotorcraft innovation. Because of America's eroding lead in rotorcraft capability, the committee encourages the Department to explore opportunities to accelerate the FVL program in order to meet national security challenges. The committee expects the Department to maximize full and open competition in doing so.

The committee believes that fiscal years 2019 and 2020 are pivotal years for the FVL modernization efforts, as critical technology demonstrations provide essential evidence during the completion of the FVL analysis of alternatives, and the Army uses this data and analysis to inform its path forward. Therefore, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services by December 3, 2018, on the outcome of the analysis of alternatives and on any other analysis utilized in deciding the Army's priority of rotorcraft investment for FVL prior to the release of a request for proposal.

#### **Improved Turbine Engine Program**

The Improved Turbine Engine Program (ITEP) is a competitive acquisition program designed to develop a more fuel efficient and powerful engine to upgrade and enhance the performance and operational readiness of the current Black Hawk and Apache helicopter fleets. This new engine will increase operational capabilities in high altitudes and hot conditions while reducing operating and support costs. The committee has supported significant Army investments into competitive technology development programs for turbine engines over the past decade. During this time, the Army has made significant progress in maturing technologies that will lower ITEP programmatic risk with the goal of improving warfighting capabilities. In addition, the committee has encouraged the Army to prioritize maintenance and sustainment costs for ITEP to ensure the continued affordability of the program.

The committee also acknowledges the benefits of improved fuel efficiencies through lower specific fuel consumption that the ITEP will bring to the battlefield. This program represents a cost-effective approach to modernizing Army aviation and the committee continues to encourage the Army to pursue opportunities to accelerate the fielding of this capability. The committee recognizes 2019 as a crucial year for the program with Engineering Manufacturing Development (EMD) source selection slated for first quarter fiscal year 2019. Given the positive progress of this critical program, the committee is fully funding ITEP in fiscal year 2019 and encourages the Army to robustly fund ITEP in the EMD phase of the program.

#### **Briefing on Security Forces Assistance Brigade Location Plan**

The committee recognizes that a future Security Forces Assistance Brigade (SFAB) construct should highly encourage an expansion of alliances and partnerships as called for in the 2018 National Defense Strategy. Therefore, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services, not later than January 1, 2019, on the strategic alignment decision matrix and installations plan for the fielding of the Security Forces Assistance Brigades. The plan shall include an assessment of the feasibility and advisability of stationing SFABs appropriately to address the requirements of the geographic combatant commands.

#### **Air Refueling Capability and Capacity**

The committee notes that air refueling capability is a critical component of logistical capacity and that the Air National Guard fulfills the majority of air refueling requirements. The committee notes that section 144 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) required the Secretary of Defense to carry out a mobility capability and requirements study that includes an assessment of the air refueling tanker aircraft military requirement. Upon completion of the study, the committee is interested in how the Air Force will support the requirements for force structure and strategic laydown of aircraft necessary to implement the study.

Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services, not later than March 1, 2019, on how the Air Force will support the requirements for aerial refueling. At a minimum, the briefing shall include:

- (1) the current and future laydown plans for air refueling locations;
- (2) an overview of air refueling operations per air refueling wing locations to include the number of sortie requests, the number of sorties fulfilled, and the locations or missions the sorties supported;
- (3) fully mission capable and aircraft availability rates for all air refueling wings over the past 5 years;
- (4) an assessment of how the Air National Guard force structure, across all States and territories, can be leveraged to support current and emerging air refueling requirements;
- (5) a description of the long-term plan to maintain adequate refueling capability to meet current and emerging requirements;
- (6) a review of manpower levels across the air refueling force, an identification of current and projected skill set gaps, and recommendations on how to address these gaps; and
- (7) an overview of how the Air Force will determine the disposition of KC-135 aircraft as they are replaced by arrival of KC-46 aircraft.

#### **Report on Processes for Federal Recognition of Promotion of Commissioned National Guard Officers**

The committee is concerned that delays in federal recognition of National Guard promotions may be increasing and that these lengthy delays result in National Guard officers being deployed and doing the work of the rank to which they are being promoted while receiving the pay of their current rank. The committee notes that such delays deprive National Guard members of the pay to which they are entitled, reduce their time in rank, and may pose retention problems by giving National Guard members an incentive to leave military service.

Therefore the committee directs the Secretary of the Army and the Secretary of the Air Force to each undertake a comprehensive review of the policies and procedures of the Department of the Army and the Department Air Force, as applicable, for the Federal recognition of promotions of commissioned officers of the Army National Guard and the Air National Guard, as the case may be, and to report the results of this review to the congressional defense committees by December 1, 2018. The report shall:

- (1) describe the average time between receipt by the military department concerned of scrolls (as defined in Department of Defense Instruction 1310.02) indicating the promotion of commissioned officers in the National Guard and their publication during the five-year period ending on the date of the House passage of the National Defense Authorization Act for Fiscal Year 2019;
- (2) describe and assess various approaches for streamlining the process by which the military department concerned approves Federal recognition scrolls, including through—
  - (A) additional automation;
  - (B) reduction in required steps; or
  - (C) delegation of authority to conduct required reviews; and
- (3) make recommendations for legislative or administration action to implement an approach under paragraph (2) if the Secretary concerned considers such approach feasible, advisable, and appropriate.

#### **Direct Report Language on National Guard Mental Health**

The Committee remains concerned about the high rate of suicides in the reserve component and specifically, within the Army National Guard. The Committee is aware of numerous efforts by the Chief of the National Guard Bureau to increase access and resources for Guardsmen to receive behavioral health treatment and support. The Committee also supports the establishment of a more integrated and holistic approach to resilience and fitness across the National Guard to better assess and improve the operational readiness of Guardsmen by carrying out pilot programs as required. Therefore, the Committee directs the Chief of the National Guard Bureau to provide a report to the House Committee on Armed Services not later than 1 March 2019, on the effectiveness of National Guard Bureau behavioral health programs like resiliency, suicide prevention, and other mental health outreach efforts.

#### **DOD Support to Combating the Opioid Epidemic**

The committee is deeply concerned about the rising numbers of opioid-related deaths in the United States. This nationwide health epidemic affects millions of people and their families. The abuse of opioids, both prescription and illicit opioids, is a public health emergency as categorized by the President in January 2018. This crisis highlights national security concerns including illicit trafficking of opioids, synthetic opioids, to include Fentanyl, and precursors for the production of opioids by transnational criminal organizations

(TCOs), and their networks which have supply chains that extend into south and East Asia. The committee believes that the Department of Defense can play a vital role in support of lead U.S. agencies to address this crisis.

Therefore, the committee directs the Secretary of Defense, no later than September 30, 2018, to submit a report to the House Committee on Armed Services with an assessment of the assistance the Department is providing to lead U.S. government agencies to combat the opioid crisis. This report should include an assessment of resources available to assist other U.S. government partners in their strategy to combat the opioid epidemic to include the United States Postal Service, and an analysis of potential opportunities for the Department to provide assistance in the future.

**Assessment of Air National Guard and Air Force Reserve Involuntary Mobilization Plans to Support Special Operations Activities**

During review of the fiscal year 2019 President's budget request and related activities in support of Air Force Special Operations Command (AFSOC), the committee determined that a small number of Air National Guard units and all Air Force Reserve Command units that support AFSOC missions and force presentation requirements do not possess a current, validated involuntary mobilization plan that complies with various Department of Defense, Department of the Air Force, and Special Operations Command instructions or policies. The committee is concerned that without sufficient and validated involuntary mobilization plans that detail how the Air National Guard and the Air Force Reserve Command intend to support AFSOC as operational reserve units, should the need arise for Special Operations Command to fully mobilize forces in support of global special operations activities, the Air National Guard and Air Force Reserve Command may lack the capability and capacity to support the mission.

Therefore, the committee directs the Comptroller General of the United States to provide a briefing to the House Committee on Armed Services not later than March 1, 2019, that assesses involuntary mobilization plans for Air National Guard and Air Force Reserve Command units that support Air Force Special Operations missions and activities. The Comptroller General should assess, at a minimum:

- (1) the existence and recency of an involuntary mobilization plan;
- (2) the sufficiency and validity of the plan as compared to a unit's Designed Operational Capability statement, authorized and assigned manpower levels, authorized and assigned equipment, facilities, and support functions necessary to execute the plan;
- (3) comparison with existing Department of Defense policy and regulations governing mobilization-to-dwell and deployment-to-dwell goals and objectives;
- (4) any discrepancies, shortfalls, or gaps associated with the aforementioned areas of assessment; and
- (5) any additional information the Comptroller General would find useful to support the briefing.

**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 the CST Information Management System (CIMS). CIMS provides a common operation picture and promotes information sharing and real-time collaboration. CIMS also supports the CST mission of assisting and advising first responders and facilitating communications with other Federal resources in an emergency.

The committee encourages the expansion of CIMS to establish an enterprise-wide capable tool, commonly referred to as the National Guard Chemical, Biological, Radiological, and Nuclear Response Enterprise Information Management System 2018+ (NG CIMS 2018+). The committee believes that expansion will increase the capabilities of the CIMS to support other National Guard Bureau forces, such as the Chemical, Biological, Radiological, Nuclear, and High-Explosive Enhanced Response Force Package and Homeland Defense Response Force units.

The committee notes that the timeline the Department of Defense previously presented to the committee in their September 8, 2015, report "Civil Support Team Information Management System" has been delayed.

The committee, therefore, directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by October 1, 2018, on the plan for the development of NG CIMS 2018+, including a description of timelines, milestones, fielding, and completion dates.

**National Guard Access to Department of Defense Owned Unmanned Aircraft Systems**

The committee notes that section 1084 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) required that not later than 1 year after the date of the enactment of Public Law 115-91, the Secretary of Defense, in coordination with the Chief of the National Guard Bureau, the Commander, U.S. Northern Command, and the Commander, U.S. Pacific Command, complete an efficiency and effectiveness review of the governance structure, coordination processes, documentation, and timing requirements stipulated in Department of Defense policy memorandum 15-002, "Guidance for the Domestic Use of Unmanned Aircraft Systems (UAS)." In addition, not later than 30 days after the policy review is completed, the Secretary of Defense is required to submit the results of the review to the congressional defense committees. The committee expects that during the policy review, Department of Defense officials will implement a processing timeline for reviewing National Guard UAS utilization requests that appropriately balances reviewing the request for compliance with established policy and reviewing the request in a timely manner that coincides with the responsiveness, urgency, and operational planning factors dictated by the specific mission the UAS capability is being requested to support.

Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services not later than 30 days after the policy review required by section 1084 of Public Law 115-91 is completed. The briefing should include information related to the processing timeline that the Secretary established during the policy review and how the timeline will be implemented.

**Report on NORTHCOM Response to Hurricane Maria**

In 2017, the United States witnessed Hurricane Maria, which had a devastating impact on Puerto Rico and required a Federal Government response. Therefore, the committee directs the Secretary of Defense, in collaboration with the Secretary of Homeland Security and the Federal Emergency Management Agency Administrator, to submit a report by December 1, 2018 on the ongoing U.S. Government recovery effort of Hurricane Maria. The report shall include the following elements: (a) statistics on ongoing power outages; (b) the number of deaths in each U.S. state or territory affected; (c) measures to improve hurricane emergency response plans for insular areas and/or territories of the United States.

**Review of National Guard Capabilities in Support of Incident Awareness and Assessment Mission Operations**

The committee notes there is inconsistency among National Guard and Department of the Air Force officials in expressing what type of capabilities and which platforms are required to support the Incident Awareness and Assessment (IAA) mission of the National Guard. The committee requires clarification regarding the National Guard's current and future capability and capacity requirements to execute the IAA mission in support of Domestic Operations (DOMOPS) when National Guard personnel are on duty or mobilized under title 32, United States Code, authority, and in support of Defense Support to Civil Authorities (DSCA) when National Guard personnel are on duty or mobilized under title 10, United States Code, authority. The committee believes it is critical for the Department of Defense to maintain a sufficient capability, capacity, and responsiveness among the Active and Reserve components of the Department when supporting missions related to homeland defense and responding to natural disasters or declared emergencies.

Therefore, the committee directs the Chief, National Guard Bureau, in coordination with the Commander, U.S. Northern Command, the Director, Air National Guard, and the Director, Army National Guard, to provide a report to the congressional defense committees by October 1, 2018, that provides an Incident Awareness and Assessment capability and capacity roadmap for the National Guard covering the 2019 to 2023 Future Years Defense Program (FYDP). The report should describe, at a minimum:

- (1) the validated capability and capacity requirements defining the IAA mission in support of U.S. Northern Command, State Governors, and other Government agencies;
- (2) the specific platforms and quantities of platforms the National Guard will leverage, maintain, or procure to support IAA capability and capacity requirements;

- (3) a schedule depicting specific platforms that will be procured, maintained, or divested in support of IAA capabilities and capacity over the covered time period;
- (4) a schedule depicting specific platforms and associated modernization and upgrades that will be accomplished over the covered time period;
- (5) the required funding needed and currently programmed in the FYDP to support individual platforms within the IAA portfolio of capabilities; and
- (6) any capability or capacity gaps or shortfalls that are identified over the covered time period.

#### **National Guard and Reserve Component Equipment Account**

The budget request for Overseas Contingency Operations (OCO) contained no funding for a National Guard and Reserve Component equipment account. Elsewhere as reflected in division D of this Act, the committee notes that the base budget request contained \$3.4 billion for procurement of National Guard and Reserve Component equipment and \$219.9 million in the OCO request for Army National Guard and Army Reserve other procurement programs.

The committee remains concerned about the availability of equipment needed to sustain and modernize the National Guard and Reserve Components as an operational reserve and for their domestic support missions. The committee notes that National Guard and Reserve Components are often reliant upon overused and outdated equipment, creating a widening capability gap with the Active Component, and have been unable to maintain pace with rapid technological change. The committee believes additional funds are required to address identified equipment shortfalls and improve compatibility with Active Components. The committee expects these funds to be used for the purposes of, but not limited to, the procurement of rotorcraft; avionic and radar upgrades for legacy strike fighter aircraft to include Navy Reserve F-18 strike fighters; wheeled and tracked combat vehicles; tactical wheeled vehicles; ammunition; small arms; tactical radios (to include single channel ground and airborne radio systems); UH-72A Lakota survivability upgrades; UH-60 disaster response equipment, such as rescue hoists, water buckets, and radios; non-system training devices; vehicle convoy operations trainers; unstabilized gunnery trainers and virtual convoy operations trainers; sense and avoid system upgrades for unmanned air systems; and explosive ordnance disposal man-portable robots & lightweight X-ray systems and other unfunded procurement items for the National Guard and Reserve Components.

The committee recommends additional funding for a National Guard and Reserve Component equipment account within the Overseas Contingency Operations budget request. The committee also recommends \$3.4 billion, the full amount of the base budget request, for National Guard and Reserve Component equipment and also recommends \$219.9 million in the OCO request for Army National Guard and Army Reserve.

#### **Cyber Scholarship Program**

The budget request contained \$7.9 million in PE 33140D8Z, for the defense-wide Information Security Systems Program. Section 1649 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) amended chapter 112 of title 10, United States Code, to establish the Department of Defense Cyber Scholarship Program. The committee believes the Cyber Scholarship program may alleviate the challenges the Department of Defense is experiencing in recruiting and retaining cybersecurity personnel. Additionally, the committee believes that providing additional opportunities under the program will be beneficial in addressing Department requirements for a qualified cyber workforce, especially if the Department focuses on educating the public and relevant academic institutions about this program. The committee also believes that Reserve Officer Training Corps (ROTC) programs at universities that offer degrees in cyber studies and related fields provide an opportunity to leverage and expand partnerships to assist in closing the gap of trained cyber warriors in the military.

Therefore, the committee recommends \$17.9 million, an increase of \$10.0 million, in PE 33140D8Z. Further, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by February 1, 2019, on the implementation and utilization of the Cyber Scholarship Program, to include efforts to educate the public and focus on institutions with high-quality computer science, engineering, and cybersecurity programs, including historically black colleges and universities, and minority-serving institutions. The briefing should also include implementation and utilization of efforts to leverage ROTC at institutions with cyber studies as a way to expand the pool of talented technical applicants.