



FY18 Senate Armed Service Committee National Defense Authorization Act (NDAA)

*Summary of S. 1519
The National Defense Authorization Act for Fiscal Year 2018*

As of 28 July 2017

Status of FY17 NDAA Bills

	Passed in Committee	Passed in Chamber	Agreement	Final Passage	Signed into Law
House	28 June 2017 <input checked="" type="checkbox"/>	14 July 2017 <input checked="" type="checkbox"/>			
Senate	28 June 2017 <input checked="" type="checkbox"/>				

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Executive Summary

This guide provides a short summary of the draft Senate Armed Services Fiscal Year 2017 National Defense Authorization Act (NDAA). For a review of the House version of the FY18 NDAA, please review the House summary on our website: 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 provision, there are a number of directive reports with specific relevance to the National Guard. Readers are encouraged to review this report language (starting on page 9) for situational awareness.

Status:

On Wednesday, 28 June, the Senate Armed Services Committee approved its version of the fiscal year 2018 National Defense Authorization Act. The measure authorizes \$640 billion in base budget discretionary defense spending and \$60 billion in the Overseas Contingencies Operations account.

National Guard Highlights:

- The bill authorizes an end-strength 343,500 for the Army National Guard and 106,600 for the Air National Guard (*Sec. 411*)
- Amends conversion of dual-status technicians to Title 5 civilians from 20% to 12.6% (*Sec. 413*)
- Requires the Secretary of Defense, in consultation with the reserve component Chiefs, to submit a report on the use of dual-status technicians and include recommendations for statutory changes to the management and administration of technicians. (*Sec. 1067*)
- Authorizes service secretaries to credit a newly-appointed reserve commissioned officer with constructive service for special experience, training, or education in a cyberspace-related field (*Sec. 510*)
- Amends language to authorize the establishment of the Office of Complex Investigations within the National Guard Bureau (*Sec. 512*)
- Authorizes a 2.1% increase in military pay (*Sec. 601*)
- Creates a new authority to pay aviation incentive pay and bonuses to enlisted RPA pilots with caps equivalent to incentives received by pilots who are officers (*Sec. 617*)
- Directs the Secretary of the Air Force to conduct a business case analysis on the establishment of an active or classic association with the 168th ARW (*Sec. 1073*)
- Amends language to require the DoD track National Guard and Reserve cyber capabilities in their emergency response capabilities database (*Sec. 1442*)
- Directs the Comptroller General of the U.S. to evaluate the National Guard Counterdrug resource allocation model and report its findings to the Armed Services committees (*Items of Special Interest*)
- Directs the Secretaries of the Army and Air Force, in consultation with CNGB, Secretary of DHS, and the NORTHCOM Commander, to submit a report on National Guard opportunities for enhanced border security capabilities (*Items of Special Interest*)

National Guard Accounts Overview

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	FY18 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY18 Delta from PB
O&M	\$7,307,170	\$7,379,580	+\$72,410	\$7,490,093	+\$182,923		
OCO for Base O&M	-	\$173,900	+\$173,900	-	-		
OCO O&M	\$108,111	\$108,111	-	\$108,111	-		
MILCON	\$210,652	\$266,652	+\$56,000	\$294,192	+\$83,500		

Army National Guard End Strength

Army National Guard	FY18 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY18 Delta from PB
End Strength	343,000	347,000	+4,000	343,500	+500		
AGR	30,155	30,155	-	30,155	-		
Dual Status Technicians	25,507	25,507	-	22,294*	-3,213		
Non-Dual Status Technicians	1,600	1,600	-	0	-1,600		
ADOS	17,000	17,000	-	17,000	-		



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

Air National Guard	FY18 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY18 Delta from PB
O&M	\$6,939,968	\$7,104,268	+164,300	\$7,143,668	+\$203,700		
OCO for Base O&M	-	\$47,600	+\$47,600	-	-		
OCO O&M	\$15,400	\$15,400	-	\$15,400	-		
MILCON	\$161,491	\$203,391	+\$41,900	\$187,491	+\$26,000		

Air National Guard End Strength

Air National Guard	FY18 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY18 Delta from PB
End Strength	106,600	106,600	-	106,600	-		
AGR	16,260	16,260	-	16,260	-		
Dual Status Technicians	21,893	21,893	-	19,135*	-2,758		
Non-Dual Status Technicians	350	350	-	0	-350		
ADOS	16,000	16,000	-	16,000	-		

BILL TEXT:

PROCUREMENT

Sec. 131 Inventory requirement for Air Force fighter aircraft

This section would amend section 8062 of title 10, United States Code, by adding a new subsection requiring the Secretary of the Air Force to maintain a minimum total active inventory of 1,970 fighter aircraft, within which the Secretary would also have to maintain a minimum of 1,145 fighter aircraft as primary mission aircraft inventory (combat coded). The section would also provide additional limitations on fighter retirements by requiring the Secretary of the Air Force to certify to the congressional defense committees that: (1) The retirement of such fighter aircraft will not increase the operational risk of meeting the National Defense Strategy; and (2) The retirement of such aircraft will not reduce the total fighter force structure below 1,970 fighter aircraft or primary mission aircraft inventory below 1,145 and would require a report setting forth the following: (a) The rationale for the retirement of existing fighter aircraft and an operational analysis of replacement fighter aircraft that demonstrates performance of the designated mission at an equal or greater level of effectiveness as the retiring aircraft; (b) An assessment of the implications for the Air Force, the Air National Guard, and the Air Force Reserve of the force mix ratio of fighter aircraft; and (c) Such other matters relating to the retirement of fighter aircraft as the Secretary considers appropriate.

Lastly, the section would also require a notification at least 90 days prior to the date on which a fighter aircraft is retired that includes the following: (1) A list of each fighter aircraft proposed for retirement, including for each such aircraft: (a) The mission design series type; (b) The variant; and (c) The assigned unit and military installation where such aircraft is based, and how such unit and installation is affected. (2) For each military installation and unit affected by the proposed retirement, changes, if any, to the designed operational capability (DOC) statement of the unit as a result of a proposed retirement. (3) Any anticipated changes in manpower authorizations as a result of a proposed retirement listed under (2) above.

Sec. 132 Comptroller General review of total force integration initiatives for reserve component rescue squadrons

This section would direct the Comptroller General of the United States to review the Air Force's plan for fielding HH-60 helicopter replacement programs, and provide a briefing on such review, no later than March 1, 2018, to the congressional defense committees.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 233 Requirement for a plan to build a prototype for a new ground combat vehicle for the Army

The committee recommends a provision that would require the Secretary of the Army to submit a report to the congressional defense committees detailing the Army's plan to build a prototype for a ground combat vehicle. The committee directs the Army to submit this report within 90 days of the enactment of this Act.

MILITARY PERSONNEL AUTHORIZATIONS

Sec. 411 End strengths for Selected Reserve

See table on Page 2

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

See table on Page 2

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

This section would authorize military technicians (dual status) for the reserve components of the Army and Air Force for fiscal year 2018, at the following levels: Army National Guard: 22,294; Army Reserve: 6,492; Air National Guard: 19,135; and Air Force Reserve: 8,880. These authorizations reflect the conversion of 12.6 percent of the technician population, as requested in the fiscal year 2018 budget request, to civilian employees under section 3101 of title 5, United States Code, or section 1601 of title 10, United States Code as authorized elsewhere in this Act to reflect the requirements of section 1084 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328).

Sec. 414 Fiscal year 2018 limitation on number of non-dual status technicians

This section would set the limit on the number of non-dual status technicians who may be employed in the Department of Defense as of September 30, 2018, at zero to reflect the requirements of section 1084 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) converting non-dual status technicians to civilian employees under section 3101 of title 5, United States Code, or section 1601 of title 10, United States Code, by no later than October 1, 2017.

Sec. 415 Maximum number of reserve personnel authorized to be on active duty for operational support

See table on Page 2

Sec. 416 Number of members of the National Guard on full-time duty in support of the reserves within the National Guard Bureau

This section would limit the number of personnel authorized to be on full-time duty in support of the reserves within the National Guard Bureau to not exceed the number equal to six percent of the number authorized by section 412 of this Act.

Sec. 501 Clarification of baselines for authorized numbers of general and flag officers on active duty and in joint duty assignments

The section would amend section 526 of title 10, United States Code, to clarify the Active-Duty and joint-duty assignment baselines for general and flag officers.

Sec. 508 Clarification of effect of repeal of statutory specification of general or flag officer grade for various positions in the Armed Forces

This section would amend section 502 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) to clarify that the grade of an officer serving as of the date of the enactment of that Act in a position whose statutory grade is affected by an amendment made by section 502 may not be reduced after that date by reason of such amendment as long as the officer remains in continuous service in such position after that date.

Sec. 510 Service credit for cyberspace experience or advanced education upon original appointment as a commissioned officer

This section would amend section 12207 of title 10, United States Code, to authorize service secretaries to credit any person receiving an original appointment as a reserve commissioned officer with a period of constructive service. Constructive service would be credited to an individual for special experience or training in a particular cyberspace-related field or for any period of advanced education in a cyberspace-related field beyond the baccalaureate degree level. Constructive service credit can not exceed one year for each year of special experience, training, or advanced education, and not more than three years total constructive service may be credited. This authority is intended to allow the Defense Department to better recruit individuals with cyberspace-related skills into vacant critical cyberspace positions.

Sec. 510A Authority for officers to opt-out of promotion board consideration

The committee recommends a provision that would authorize service secretaries to provide that an active and reserve component officer may, upon the officer's request, be excluded from consideration by a promotion selection board. The committee intends this authority be used to enable an officer to complete a desirable career broadening assignment or to develop additional technical expertise without harming future promotion potential.

RESERVE MANAGEMENT PROVISIONS

Sec. 511. Consolidation of authorities to order members of the reserve components of the Armed Forces to perform duty

This section would amend section 515 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) to require the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives by April 30, 2019, legislative proposals designed to implement

alternative approaches to reducing the number of statutory authorities by which members of the reserve components of the Armed Forces may be ordered to perform duty to not more than eight statutory authorities grouped into four duty categories to which specific pay and benefits may be aligned.

Sec. 512. Establishment of Office of Complex Investigations within the National Guard Bureau

This section would amend chapter 1101 of title 10, United States Code, to establish the Office of Complex Investigations within the National Guard Bureau under the authority, direction, and control of the Chief of the National Guard Bureau. The office would be organized, trained, equipped, and managed to conduct administrative investigations in order to assist the States in the organization maintenance, and operation of the National Guard for the following types of investigations: (1) allegations of sexual assault involving members of the National Guard; (2) circumstances involving members of the National Guard in which other law enforcement agencies within the Department of Defense do not have jurisdiction or authority to investigate; and (3) other circumstances as the Chief of the National Guard Bureau may direct.

The committee directs the Chief of the National Guard Bureau to submit to the Committees on Armed Services of the Senate and the House of Representatives, no later than April 1, 2018, a status report on the official establishment of the Office of Complex Investigations that lays out the manning documents and turn-over rates for such office.

GENERAL SERVICE AUTHORITIES

Sec. 516. Report on policies for regular and reserve officer career management.

This section would require the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives no later than March 1, 2018, with recommendations for mechanisms that would: (1) Increase the ability of officers to repeatedly transition between Active-Duty and Reserve active-status throughout the course of their military careers; (2) Provide additional flexibility in managing the populations of officers in the grades of major, lieutenant colonel, and colonel and Navy grades of lieutenant commander, commander, and captain; (3) Utilize the modernized retirement system provided by the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) to encourage officers to pursue careers of lengths that vary from the traditional 20-year military career; (4) Create alternative career tracks for officers that encourage and facilitate the recruitment and retention of officers with technical expertise; (5) Develop a career and promotion path for officers in cyber-related officer specialties; (6) Ensure the officer corps does not become disproportionately weighted in the field grade officer ranks; and (7) Any other matters the Secretary considers appropriate to improve the effective recruitment, management, and retention of regular and reserve officers of the Armed Forces.

MEMBER EDUCATION, TRAINING, TRANSITION, AND RESILIENCE

Sec. 546. Pilot program on integration of Department of Defense and non-Federal efforts for civilian employment of members of the Armed Forces following transition from active duty to civilian life.

This section would require the Secretary of Defense to conduct a pilot program, of 2 years duration, to assess the feasibility and advisability of assisting certain members of the Armed Forces transitioning from Active Duty to civilian life by accelerating and improving their access to employment through coordination, integration, and leveraging existing programs and authorities of the Department of Defense with programs and resources of state and local agencies, higher education institutions, employers, and other public, private, and nonprofit entities.

Sec. 547. Two-year extension of suicide prevention and resilience program for the National Guard and Reserves.

This section would amend section 10219(g) of title 10, United States Code, to extend the authority for suicide prevention and resilience programs for the National Guard and Reserves until October 1, 2020.

MILITARY FAMILY READINESS MATTERS

Sec. 558 Report on expanding and contracting for childcare services of the Department of Defense

The committee recommends a provision that would require the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives no later than March 1, 2018, on the feasibility and advisability of the following: (1) Expanding the operating hours of childcare facilities of the Department of Defense in order to meet childcare services requirements for swing-shift, night-shift, and weekend workers; (2) Using contracts with private-sector childcare services providers to expand the availability of childcare services; (3) Contracting with private-sector childcare service providers to operate childcare facilities of the Department on military installations; and (4) Expanding childcare services to members of the National Guard and Reserves if such expansion does not substantially increase costs of childcare services for the military departments or conflict with others who have higher priority for space in childcare services programs.

COMPENSATION, PERSONNEL BENEFITS AND RETIREMENT

Sec. 601. Fiscal year 2018 increase in military basic pay.

This section would authorize a pay raise of 2.1 percent for all members of the uniformed services effective January 1, 2018.

Sec. 603. Adjustment to basic allowance for housing at with dependents rate of certain members of the uniformed services.

This section would amend section 403 of title 37, United States Code, to eliminate the with-dependents rate for the Basic Allowance for Housing (BAH) in the case of married members of the uniformed services who are collocated and who have dependents. Under current law, one such member is eligible for the with-dependents rate, while the other must receive the without-dependents rate. The provision further includes a preservation of current BAH for members with uninterrupted eligibility for such BAH.

Sec. 611. One-year extension of certain bonus and special pay authorities for reserve forces.

This section would extend for 1 year the authority to pay the Selected Reserve reenlistment bonus, the Selected Reserve affiliation or enlistment bonus, special pay for enlisted members assigned to certain high-priority units, the Ready Reserve enlistment bonus for persons without prior service, the Ready Reserve enlistment and reenlistment bonus for persons with prior service, the Selected Reserve enlistment and reenlistment bonus for persons with prior service, travel expenses for certain inactive-duty training, and income replacement for reserve component members experiencing extended and frequent mobilization for Active-Duty service.

Sec. 616. Aviation bonus matters.

This section amend section 334 of title 37, United States Code, to require the Department of Defense and the military services to justify aviation bonus levels through a business case analysis for such levels, establish a tiered limitation on maximum amounts of aviation bonuses, and require additional budget justification materials to accompany the President's fiscal year budget submission to Congress pursuant to section 1105 of title 31, United States Code. Such justification shall include the following elements: (1) The amount requested for the payment of aviation bonuses using amount authorized to be appropriated for the fiscal year concerned by aircraft type category; (2) The business case analysis supporting the amount so requested by aircraft type category; (3) Whether or not the amount requested for each aircraft type category will permit the payment of the maximum amount of the aviation bonus authorized; and (4) A description of any plans the secretary concerned has to address manning shortfall by non-monetary means. The tiered limitation on maximum amounts of aviation bonuses shall vary by anticipated manning shortfalls for each fiscal year by aircraft type category. In no event may all the agreements entered into during a fiscal year by a secretary concerned provide for the maximum amount payable.

Sec. 617. Special aviation incentive pay and bonus authorities for enlisted members who pilot remotely piloted aircraft.

This section would amend chapter 5 of title 37, United States Code, to create a new authority to pay aviation incentive pay and bonuses to enlisted member remotely piloted aircraft (RPA) pilots with statutory caps of \$1,000 per month for aviation incentive pay and \$35,000 per year for aviation bonus pay, which is equivalent to the current caps under section 334 of title 37, United States Code, for pilots who are officers. This

authority will also include the same business case analysis requirement for setting bonuses that is required under section 334 of title 37, United States Code, for pilots who are officers. The committee intends this authority to be a companion to the efforts precipitated by this committee to begin the training pipeline for enlisted RPA pilots in the United States Air Force. This authority would also be available for enlisted pilots in the other services, such as the Army, where enlisted pilots are already utilized in the unmanned aerial vehicle community.

STUDIES AND REPORTS

Sec. 1062. Army modernization strategy.

This section would require the Secretary of the Army to develop a comprehensive modernization strategy for the total Army. This strategy should explicitly address the Army's vision, end-state, key objectives, war fighting challenges, and risks. It should be sufficiently descriptive to drive requirements, set priorities, identify opportunity costs, and establish acquisition timelines. The committee directs the Secretary of the Army to submit its modernization strategy to the congressional defense committees within 90 days after the enactment of this Act.

Sec. 1067. Report on authorities for the employment, use, and status of National Guard and Reserve technicians.

This section would require the Secretary of Defense, in consultation with the Chief of the National Guard Bureau, the Chief of the Army Reserve, the Chief of the Air Force Reserve, and representatives of National Guard and Reserve technicians to submit to the Committees on Armed Services of the Senate and House of Representatives by no later than April 1, 2018, a report assessing the adequacy of current authorities for the employment, use, and status of military technicians, to include recommendations for statutory change. The purpose of the report would be to define the mission and requirements of military technicians, identify means to improve their management and administration, and identify means to enhance the capability of the Department of Defense to recruit and retain technicians.

Sec. 1073. Business case analysis on establishment of active duty association and additional primary aircraft authorizations for the 168th Air Refueling Wing.

The committee recommends a provision that would direct the Secretary of the Air Force to conduct a business case analysis on the establishment of an active or classic association with the 168th Air Refueling Wing.

Sec. 1622. Cyber posture review.

This section would require the Secretary of Defense, in consultation with the Director of National Intelligence, the Attorney General, the Secretary of the Department of Homeland Security, and the Secretary of State, to conduct a cyber posture review. The purpose of the review would be to clarify U.S. cyber deterrence policy and strategy for the near term by conducting a comprehensive review of the cyber posture of the United States for the next 5 to 10 years. A report on the results of the review would be due no later than March 1, 2018, in unclassified and classified forms as necessary.

Sec. 1630. Exercise on assessing cybersecurity support to election systems of States.

This section would require the Secretary of Defense to incorporate the cybersecurity of elections systems of the States as a component of the Cyber Guard Exercise.

TRICARE AND OTHER HEALTH CARE BENEFITS

Continued access to medical care at facilities of the uniformed services for certain members of the reserve components (sec. 702)

The committee recommends a provision that would amend sections 1076d(f) and 1076e of title 10, United States Code, to clarify the eligibility for medical services for beneficiaries enrolled in TRICARE Reserve Select and TRICARE Retired Reserve.

Sec. 703. Modification of eligibility for TRICARE Reserve Select and TRICARE Retired Reserve of certain members of the reserve components.

This section would amend sections 1076d(a) and 1076e(a) of title 10, United States Code, to authorize enrollment in TRICARE Reserve Select or TRICARE Retired Reserve of a servicemember who is enrolled, or is eligible to enroll, in a health benefits plan under chapter 89 of title 5, United States Code.

OTHER FUNDING AUTHORIZATION PROVISIONS

Sec. 1403. Drug Interdiction and Counter-Drug Activities, Defense-wide.

This section would authorize the additional appropriations for the Drug Interdiction and Counter- Drug Activities, Defense-wide at the levels identified in section 4501 of division D of this Act.

Sec. 1442. Enhancement of database of emergency response capabilities of the Department of Defense.

This section would amend section 1406 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2436; 10 U.S.C. 113 note) to enhance the database of emergency response capabilities of the Department of Defense by adding the requirement to track the cyber capabilities of the National Guard and Reserve in the requirement to capture emergency response capabilities that the Department of Defense may be able to provide in support of the National Response Plan’s Emergency Support Function. The Department of Defense would also be required to establish, maintain, and keep current the database at least once every 2 years.

Sec. 1508. Drug Interdiction and Counter-Drug Activities, Defense-wide.

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

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

Army National Guard

State	Location	Amount
Delaware	New Castle	\$36,000,000
Idaho	Mission Training Center Gowen	\$9,000,000
	Orchard Training Area	\$22,000,000
Iowa	Camp Dodge	\$8,500,000
Kansas	Fort Leavenworth	\$19,000,000
Maine	Presque Isle	\$17,500,000
Maryland	Sykesville	\$19,000,000
Minnesota	Arden Hills	\$39,000,000
Missouri	Springfield	\$32,000,000
New Mexico	Las Cruces	\$8,600,000
Virginia	Fort Belvoir	\$15,000,000
	Fort Pickett	\$4,550,000
Washington	Tumwater	\$31,000,000

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

Air National Guard

State	Location	Amount
California	March Air Force Base	\$15,000,000
Colorado	Peterson Air Force Base	\$8,000,000
Connecticut	Bradley IAP	\$7,000,000
Indiana	Hulman Regional Airport	\$8,000,000
Kentucky	Louisville IAP	\$9,000,000
Mississippi	Jackson International Airport	\$8,000,000
Missouri	Rosecrans Memorial Airport	\$10,000,000
New York	Hancock Field	\$6,800,000
Ohio	Toledo Express Airport	\$15,000,000
Oklahoma	Tulsa International Airport	\$8,000,000
Oregon	Klamath Falls IAP	\$18,500,000
South Dakota	Joe Foss Field	\$12,000,000
Tennessee	McGhee-Tyson Airport	\$25,000,000

Sec. 2702. Prohibition on conducting additional base realignment and closure (BRAC) round.

This section would prohibit an additional Base Realignment and Closure (BRAC) round.

MISCELLANEOUS PROVISIONS

Sec. 341 Authority to carry out environmental restoration activities at National Guard and Reserve locations

This section would amend section 2701(a) of title 10, United States Code, to authorize the secretary to carry out environmental restoration activities at the National Guard and Reserve locations, in light of the cleanup challenges with respect to perfluorooctane sulfonate and perfluorooctanoic acid.

DIRECTIVE REPORT LANGUAGE

Arctic Search and Rescue

The committee is aware that growing international interest in the Arctic has led to increasing commercial and security activity in the High North. With this steady surge in demand, 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 by this committee in Section 1068 of the National Defense Authorization Act for Fiscal Year 2016 (P.L. 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 Alaska National Guard currently possesses two air-dropped, palletized Arctic Sustainment Packages (ASPs) to enable the survival of fifty individuals for three 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. In light of emerging commercial and security requirements in the region, the committee believes that additional ASPs are needed to meet personnel recovery requirements, and urges the Secretary of Defense to prioritize their resourcing.

C–130H modernization

The committee remains committed to the Air Force’s Avionics Modernization Program (AMP), and urges the Air Force to pursue the most rapid upgrade possible of the 176 C–130H aircraft. The committee continues to support the current two-increment AMP upgrade strategy, but is concerned that extensive development

needlessly delays completion of both AMP increments despite availability of commercial off-the-shelf (COTS) and non-developmental item (NDI) technologies, including glass cockpit and autopilot systems and components, that are available and in use on C-130 aircraft today. Achieving the best possible value/capability for the taxpayer and the Air Force is the goal. Therefore, the committee expects the Secretary of the Air Force to maximize efforts to procure COTS and NDI solutions and that minimize use of unnecessary military standard (MIL-STD) systems. This approach must adhere to the intent of Section 2377 of Title 10, United States Code, and comprehensively apply the tenets of DoD's Better Buying Power (BBP) 3.0 policy. COTS/NDI solutions are currently flying on both U.S. Government and civilian C-130 aircraft that are lighter, less expensive, and have proven reliability at or above that of the MIL-STD solutions. Such cost effective solutions should be embraced to the maximum extent possible and practical.

Therefore, the Secretary of the Air Force is directed to provide a briefing to the congressional defense committees within 180 days of enactment of this Act that details (1) how the intent of Section 2377 of Title 10, United States Code, and the prescribed processes of DoD BBP 3.0 have been vigorously applied to defining both the technical requirements and acquisition strategy for AMP Increments 1 & 2, including the Air Force's creation of incentives to offerors for accelerated and cost-capped implementation; (2) how the standards requirements applied to the C-130 cockpit modernization are not excessive given the operational mission profiles and considering other COTS technologies already operational these aircraft; and (3) how the proposed solution will reduce total ownership cost to the Air National Guard and Air Force Reserve units that must then operate and maintain the aircraft.

F-16 Block 40/50 Mission Training Centers

The Secretary of the Air Force has directed the Air Force to accelerate procurement of additional F-16 Mission Training Centers (MTC) suites for Air National Guard use in order to provide continuity of training between live and virtual scenarios, develop and maintain required combat readiness without dependence on the availability of off-station resources, reduce flight operations tempo and flying hour cost required to gain equal training readiness, reduce travel cost, reduce personnel tempo impacts for pilots, and increase dwell time for wings, allowing more deployment flexibility. Additional MTCs would save travel costs and make the F-16 block 40/50 MTC more available to Active Duty, Reserve, and Air National Guard F-16 block 40/50 pilots, resulting in enhanced readiness.

HMMWV Rollover Mitigation

The committee is concerned by the number of High Mobility Multipurpose Wheeled Vehicle (HMMWV) rollover accidents that have occurred in recent years, after the vehicles were up-armored to improve ballistic protection and resistance to mines and improvised explosive devices. The committee understands that commercial-off-the-shelf solutions are available to mitigate the problem of rollover accidents. The committee encourages the Army and Army National Guard to work expeditiously to mitigate the risk of HMMWV rollover accidents. In particular, HMMWV Modernization activities should be specifically directed to mitigate the risk of rollovers and loss of control accidents in the existing Army and National Guard fleet by supporting retrofit installation of antilock braking systems and electronic stability control kits. The committee requests that the Department of the Army provide a briefing on plans to mitigate rollover accidents within the HMMWV fleet.

Joint Surveillance Target Attack Radar System (JSTARS)

The E-8C Joint Surveillance Target Attack Radar System (JSTARS) aircraft has long provided significant joint air command and control in both land and maritime arenas. The committee is pleased that the budget request includes some funding to continue this program's essential warfighting function until the JSTARS Recapitalization Program reaches Full Operational Capability (FOC) in 2028. The committee expects that the Department of the Air Force will take no action to prematurely retire E-8C aircraft before the JSTARS Recap program reaches this milestone. The committee is greatly concerned that a lengthy JSTARS Recap acquisition program could result in a capabilities gap which will leave the combatant commanders without an acceptable level of ground moving target indicator and battle management command and control capability for several years. Accordingly, the committee encourages the Secretary of the Air Force to fund all necessary modifications, including, but not limited to, Prime Mission Equipment-Diminishing Manufacturing Sources (PME-DMS) on all 16 E-8C aircraft and to maintain all E-8C aircraft in a singular configuration and deployable state to continue world-wide missions, avoid degradation of mission performance, and meet Combatant Commander requirements for operations during the period.

Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives, not later than November 1, 2017, that describes, in detail, a strategy to sufficiently address manning, sustainment, modernization, and viability deficiencies that would resolve capability gaps, shortfalls, and deficiencies of the E-8C fleet of aircraft. The briefing should include a strategy that addresses right-sizing and balancing unit manning among the Total Force; maintaining proficient and current aircrews to meet operational requirements; resolving obsolescence and diminishing manufacturing sources of parts and supply; necessary mission system upgrades and operational enhancements across the E-8C fleet to keep the aircraft viable and relevant until the JSTARS Recapitalization aircraft is fielded; resolving maintenance deficiencies; standardizing existing aircraft capabilities in areas such as imagery servers and the Automated Information System; and the associated cost, budget, and timeline required to implement the strategy.

Light Utility Helicopter Industrial Base

The committee notes that the Army's Aviation Restructure Initiative repurposed UH-72A Lakota Light Utility Helicopters (LUH) to become the primary entry-level training helicopter at the United States Army Aviation Center of Excellence (USAACE) at Fort Rucker. The committee understands that the Army has a helicopter pilot shortage of about 700 pilots, which generates a need for additional LUHs to meet pilot training requirements.

In addition to USAACE, the Army National Guard also utilizes UH-72A helicopters for Security and Support missions. The committee understands that unmet requirements for UH-72A exist presently at USAACE, Combat Training Centers, and the Army Test and Evaluation Command. The committee understands that the Army issued a Justification and Approval (J&A) for 16 Lakotas without providing for full and open competition in December 2015. The pre-award J&A was subsequently protested in the U.S. Court of Federal Claims (COFC). The committee further understands that the Army appealed the COFC's initial ruling in October 2016, but no exact timeline for a final ruling is known.

The committee further understands that the Fiscal Year 2017 Consolidated Appropriations Act (P.L. 115-31) appropriated funding for the Army to procure 28 UH-72A helicopters "in support of ongoing mission requirements at the Army Aviation Center of Excellence at Fort Rucker, the Combat Training Centers, and the Army Test and Evaluation Center." In testimony before the Senate Armed Services Committee on May 25, 2017, the Acting Secretary of the Army, Robert M. Speer, stated that "the 2017 funding is held up in the same protest". The committee understands the Secretary's statement to mean that the Army does not intend to obligate funding for the 28 Lakotas funded by Congress in P.L. 115-31 in a timely manner.

The committee understands that there is dispute over the Army's interpretation of its obligations pursuant to P.L. 115-31. The committee notes that the language on Lakota procurement contained in P.L. 115-31 is clear, directive, and legally binding. The committee is concerned about the impact of continued contracting delays on the Army's pilot training capability and the UH-72A industrial base.

Therefore, the committee directs the Secretary of the Army to reexamine the Army's position on obligating funding for the 28 Lakota helicopters appropriated in P.L. 115-31. The committee urges the Secretary to avoid conflating issues which may be legally separate and distinct. No later than 30 days after the enactment of this Act, the committee requires the Secretary to provide to congressional defense committees a report which includes a legal analysis on its position regarding obligating funding for Lakotas as directed by Congress in P.L. 115-31. The report shall also include a plan for the Army to mitigate its pilot shortage.

Primary aircraft assigned to Air National Guard rescue squadrons

The committee finds that National Guard rescue squadrons in Alaska, California, and New York play a critical role in rescue response throughout the United States during times of disaster or crisis, a mission that prepares these units remarkably well for success in combat. The committee notes that certain rescue squadrons, in addition to civilian and deployment requirements conducted by all National Guard rescue squadrons, are tasked with alert requirements in support of active duty missions. Therefore, the committee directs the Secretary of the Air Force to report to the congressional defense committees no later than 180 days after the passage of this Act on the readiness of Air National Guard units to meet active duty alert mission requirements and whether such units have the appropriate number of primary aircraft assigned to fully execute all assigned missions.

SUSV Replacement Rapid Acquisition Strategy

The committee understands that extreme cold weather conditions and difficult terrains like deep snow, tundra, mud, swamps, and wetlands create mobility challenges for U.S. ground forces. In fact, the Chosin Reservoir Campaign during the Korean War realistically depicted the adverse effects that extreme cold weather operating conditions had on U.S. Forces.

The committee is aware that in 1983, the U.S. Army first began to field the M973 Small Unit Support Vehicle (SUSV)—a 14-person, tracked, semi-amphibious vehicle capable of navigating a wide range of otherwise impassable terrain that traditional wheeled and tracked vehicles cannot traverse. The SUSV travels with a footprint of just 1.8 pounds per square inch—less pressure than the human foot exerts—and is much better equipped to traverse difficult terrains like deep snow, tundra, mud, swamps, and wetlands. The committee is concerned that due to a limited availability of repair parts and no Army program to help support or maintain them, many of these 30-plus year old SUSVs are being cannibalized for parts to keep the few functional one remaining running and the entire fleet has just five years left on their projected life cycle before they will be classified obsolete. Currently there are approximately 200 SUSVs spread across the U.S. Army and the National Guard in states such as Alaska, Colorado, Minnesota, and Vermont, and other states, such as Louisiana, Massachusetts, Michigan, and New Hampshire have an articulated requirement for the SUSV's unique capabilities.

The committee is also aware that on February 12, 2017, Headquarters, Department of the Army, G8, validated the requirement for a Joint All-Terrain/All-Weather Support Vehicle (JAASV) However, the committee is concerned that any program sourcing solution for the SUSV would not be sourced at this time and that the requirement will compete for funding in Program objective Memorandum 2019–2023. The committee is also concerned that allied and near peer Competitor countries are developing extreme cold weather ground transportation capabilities that far exceed U.S. military capabilities, notably the recent advances in all-weather/cross-country mobility being demonstrated by new Russian specialty vehicles.

The committee believes that the U.S. Army, Air Force, Marine Corps, and National Guard forces currently need a tactical vehicle that will provide transportation for a squad-sized element, emergency medical evacuation, command and control capability, and general cargo transportation on- and off-road in a wide range of otherwise impassable terrain, to include ice and extreme cold weather conditions to support year-round training and missions. The committee believes that the newly identified requirement—the JAASV—will enhance joint operations and facilitate interoperability under the adverse conditions that demand all-terrain, all-weather cross-country mobility that traditional wheeled and tracked vehicles cannot traverse.

Total force integration initiatives for rescue squadrons in the reserve component of the U.S. Armed Forces

The committee is aware that the National Commission on the Structure of the Air Force—a report requested by this committee in the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–329)—recommended that “new equipment will arrive at Air Reserve Component units simultaneously with its arrival at Active Component units in the proportional share of each component . . . The Air Force should no longer recapitalize by cascading equipment from the Active Component to the Reserve Components.”

Further, the Commission members testified to this committee that “There is no more significant element to an integrated total force than a fully integrated fielding plan for all equipment, especially aircraft.”

The committee notes that the Air Force concurred with this recommendation without reservation and highlighted the KC–46 and F–35 Lightning II programs as examples of this commitment. While the committee is encouraged that the Air Force has prioritized the fielding of the HH–60G replacement programs, and reaffirms the need to field this critical capability to the total force as rapidly as possible, the committee remains concerned that the Air Force has not observed the principle of concurrent and proportional fielding for the fielding of the HH–60G replacement program.

The committee is aware that the Air Force plans to field the HH–60G Ops Loss Replacement helicopter to National Guard Rescue Squadrons until the HH–60W is fielded to all components in 2030. However, the committee believes the Air Force's current fielding plan does not fulfill the letter or spirit of the Commission's recommendation of concurrent and proportional fielding, and that the Air Force has not provided sufficient grounds to justify an exception to this fundamental component of total force integration.

The committee believes that the Air Force's fielding plan should prioritize the integrated fielding of the HH-60G replacement program to units that are scheduled to deploy overseas in support of contingency operations, that stand alert in support of active-duty missions, and that maintain high levels of readiness to rapidly deploy in support of alert missions overseas.

Therefore, the committee directs the Secretary of the Air Force to review its fielding plan of the HH-60G replacement programs, and urges the Air Force to provide recommendations on how it intends to fulfill its commitment to comply with the Commission's recommendation.

Air National Guard advertising reduction

The budget request included \$6.9 billion in Operation & Maintenance, Air National Guard (OMANG), of which \$97.2 million was for SAG 042J Recruiting and Advertising. The committee understands that within the Recruiting and Advertising request was an increase of \$60.5 million to fund additional marketing and advertising efforts. The committee notes this request would nearly triple the Air National Guard's advertising budget. The committee believes these funds can be better aligned for other readiness priorities. Accordingly, the committee recommends a decrease of \$45.0 million in OMANG to SAG 042J Recruiting and Advertising.

Defense environmental international cooperation program

The budget request included \$34.7 billion in Operation and Maintenance, Defense-Wide (OMDW) 030, of which \$960,000 was for the Defense Environmental International Cooperation (DEIC) program.

The committee notes that the Army National Guard and other military units are frequently called upon to respond to humanitarian assistance and disaster relief (HA/DR) crises around the world. The DEIC enables the Army National Guard to share best practices and lessons learned from its own HA/DR missions and promote the sustainment of mission capability among our allies, in order to develop and enhance their own self-sufficient HA/DR capabilities with a limited amount of funding. For example, given the ongoing readiness challenges of the United States Southern Command and its limited resources to conduct its HA/DR mission, the Army National Guard has used the DEIC to provide training and capability development to countries within the region so that they can remove debris and otherwise respond in the event of an earthquake or hurricane. Accordingly, in order to continue the enhancement of the Department's readiness and HA/DR capabilities, including those of the Army National Guard, the committee recommends an increase of \$1.0 million in OMDW for the DEIC program.

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 Military Services 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 continue utilizing IRT programs to provide mission-essential training, prioritizing programs that directly support Active-Duty missions. 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, North Carolina, North Dakota, Wyoming, New Jersey, New Mexico, New York, North Dakota, South Dakota, Texas, Virginia, and West Virginia.

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.

Military training for operations in densely populated urban terrain

The committee directs the Secretary of Defense to submit to the congressional defense committees a report no later than March 1, 2018 on plans and initiatives to enhance existing urban training concepts, capabilities, and facilities that could provide for new training opportunities that would more closely resemble large, dense, heavily populated urban environments. The report shall include specific plans and efforts to provide for a realistic environment for the training of large units with joint assets and recently fielded technologies to exercise new tactics, techniques, and procedures, including consideration of anticipated urban military operations in or near the littoral environment and any relevant cyber vulnerabilities.

The report shall also include consideration of multiple training facility options and the costs and benefits associated therewith, including non-traditional options, such as leased facilities and National Guard facilities or other facilities owned or operated by a state government. The committee notes that there has been sustained congressional interest in improving joint urban training strategies and capabilities for more than two decades and encourages the Department to draw upon the results of past studies on this matter. The report shall be submitted in unclassified form but may include a classified annex.

ROTC Cyber Institute

There remains a nationwide shortage of 500,000 cyber professionals and correspondingly a universal need for an increase in cybersecurity education and training. The Army Cyber Branch created in 2015 and formed 41 total Cyber Mission Force teams, as well as 21 United States Army Reserve and Army National Guard Cyber Protection Teams. The first 33 teams began deploying once reaching minimum competency. There remains an urgent need to commission lieutenants into cyber branch and there is significant competition for talent with the private sector. A program to establish ROTC Cyber Institutes for purposes of accelerating the development of foundational expertise in critical cyber operational skills for future military and civilian leaders of the Armed Forces and Department of Defense of the United States including such leaders of the Reserve Components could help address these shortfalls. Ideal programs should include: instruction and practical experiences that lead to accredited cyber certifications in the field; targeted strategic foreign language proficiency training for such future leaders designed to significantly enhance critical cyber operational capabilities; mathematical foundations of cryptography and courses in cryptographic theory, and; programs to expand the pool of qualified cyber instructors necessary to support cyber education.

The Committee directs the Secretary of Defense to conduct a feasibility study of establishing ROTC Cyber Institutes, including an assessment of the suitability of one or more Senior Military Colleges hosting such an institute, for the purposes of accelerating the development of foundational expertise in critical cyber operational skills for future military and civilian leaders of the Armed Forces and Department of Defense of the United States including such leaders of the Reserve Components. This study should include an assessment of existing partnerships at the colleges or universities under consideration, and if or at what level they meet the above program recommendations, a description of current curriculum that advances cyber competency, additional authorities needed, costs associated with implementing new partnerships and any existing plans to establish such institutes. This study should be submitted to the Committees on Armed Services of the Senate and House of Representatives by no later than December 1, 2017.

Transition Assistance Program challenges for the National Guard and Reserves

The committee is concerned about uneven participation rates by eligible members of the National Guard and Reserves in the Department of Defense's Transition Assistance Program (TAP). To help ensure greater participation of eligible servicemembers in TAP, the committee directs the Under Secretary of Defense for Personnel and Readiness to collect information on any challenges facing demobilizing members of the National Guard and Reserves regarding the timing and location of TAP courses. Additionally, the Secretary should consider the addition of related questions to the TAP online assessment tool, which are specific to members of the National Guard and Reserves.

Report on action to address mental health of remotely piloted aircraft community

The Air Force is pursuing efforts to improve the quality of life and quality of service of the remotely piloted aircraft (RPA) community. This plan seeks to address the burden on RPA crews due to significant demand for persistent intelligence, surveillance, reconnaissance, and strike capabilities. The committee is concerned about the potentially unique impacts on RPA pilots and airmen who are stationed in the United States while operating aircraft engaged in combat abroad. Section 1712A of title 38, United States Code, provides for counseling and mental health services for a veteran or member of the Armed Forces who engaged in combat by "remotely controlling an unmanned aerial vehicle, notwithstanding whether the physical location of such

veteran or member during such combat was within such theatre of combat operations or area.” A 2011 School of Aerospace Medicine report titled “Psychological Health Screening of Remotely Piloted Aircraft Operators and Supporting Units,” found “there is a high incidence of emotional exhaustion/fatigue among RPA operators as a group in comparison to noncombatant airmen” and that “efforts to reduce occupational burnout should focus on operational stressors and be equally devoted to weapon- and nonweapon-deploying RPA operators.”

Therefore, the committee directs the Secretary of the Air Force to provide a report to the Committees on Armed Services of the Senate and the House of Representatives on steps the Air Force, Air Force Reserve, and Air National Guard are taking to address the mental health of RPA pilots and airmen supporting RPA operations, particularly those stationed in the United States flying missions with aircraft assigned operationally to Combatant Commands. This report should also include detailed efforts the Air Force is taking to retain these pilots, given the potential for exhaustion and occupational stress.

Encouraging Air Force Rescue Unit Associations

The committee notes that United States Air Force rescue squadrons, including those in the reserve component, deliver critical combat and emergency support to military and civilian personnel in harm’s way, both at home and abroad. Whether called upon to provide combat search and rescue or to respond to a natural disaster, Air Force rescue squadrons are an adaptable and invaluable capability for the nation.

The unique nature of the rescue mission lends itself well for a robust partnership between Active, Reserve, and National Guard rescue units. In particular, experience gained by National Guard units while performing their domestic duties, under title 32, United States Code, provides important opportunities to prepare units for success in combat environments. The committee believes that the significant experience residing in reserve component rescue squadrons should be better leveraged to benefit the Total Force. Issued in 2014, the report of National Commission on the Structure of the Air Force—a report required by the National Defense Authorization Act for Fiscal Year 2013 (P.L. No. 112–239)—recommended forming additional associate units comprised of both active and reserve component personnel and equipment. As part of the House Report of the National Defense Authorization Act for Fiscal Year 2017 (H. Rept. 114–537), the House of Representatives further encouraged the Air Force to consider forming associate units with the three Air National Guard combat search and rescue units in Alaska, California, and New York.

The committee believes the Air Force should accelerate the creation of combat search and rescue associate units to promote efficiency, leverage Reserve Component expertise, improve readiness across the Total Force, and expand interoperability between Active and Reserve Components.

National Guard Counterdrug Program

The National Guard Counterdrug Program (NGCP) is a federally-funded program that provides military-specific skill-sets to law enforcement agencies and community-based organizations to address the supply and demand for illicit drugs. The timing and allocation of funding continues to be a limiting factor for the NGCP and impedes the effective sustainment of relationships with supported agencies and impacts the retention of highly-trained individuals.

With such challenges in mind, the committee is interested in the allocation of resources to best support the Department of Defense (DOD) counternarcotics efforts. In October 2015, the Government Accountability Office (GAO) reported that the National Guard had developed performance measures to report on its counterdrug program, but the information collected was not being used to evaluate and inform funding for state-level programs or oversee the counterdrug schools training.

While the National Guard has developed its Threat Based Resource Model (TBRM) to determine the severity of the drug threat, and is using it to determine funding levels for each state within the counterdrug program, the committee is concerned that the states’ use of the funds has not produced results in line with each state’s counterdrug objectives. The committee would like to have a better understanding of how the NGCP allocates and expends resources in alignment with its stated objectives.

Accordingly, the committee directs the Comptroller General of the United States to evaluate the NGCP’s approach to resource allocation, to include the following: (1) A description of how the NGCP aligns with the Department of Defense’s overarching counter-narcotics objectives; (2) A description of how the National Guard determines funding and distribution percentages for each state in the TBRM; (3) An assessment of

the extent to which funding for the National Guard counterdrug program is expended in accordance with approved state plans; and (4) An assessment of the extent to which the National Guard Counterdrug Program is achieving its stated objectives.

The committee directs the Comptroller General to brief the Committees on Armed Services of the Senate and the House of Representatives not later than March 15, 2018, on preliminary findings of the evaluation with a final report to follow by June 30, 2018.

National Guard role in enhanced border security

The committee acknowledges an increased emphasis on enhancing our nation's border security to address illegal immigration, illicit drug smuggling, human trafficking, and other criminal activities that threaten our national security. The committee notes there may be additional opportunities for National Guard units to conduct valuable unit and individual training events that would contribute to readiness as well as enhanced border security.

Therefore, the committee directs the Secretary of the Army and the Secretary of the Air Force to submit to the congressional defense committees, in consultation with the Chief of the National Guard Bureau, the Commander of U.S. Northern Command and the Secretary of Homeland Security, a report by December 1, 2017, with recommendations on how the Army National Guard and Air National Guard could gain effective unit and individual training while also enhancing the border security capabilities of the continental United States. This report should contain a description of: the types of activities that would achieve such training and enhanced border security; the costs associated with such activities and the delineation of state and federal funding required; the potential impact on operations and personnel tempo for tasked units; any limitations of current operating authorities for each potential training activity; and any other information the Secretaries consider relevant.