



FY13 Department of Defense Appropriations

Analysis of H.R. 5856, the Fiscal Year 2013 Defense Appropriations Act.

As of 2 Aug 2012



Bills Status

	Passed in Committee	Passed in Chamber	Conference Committee Report	Final Passage	Signed into Law
House	<input checked="" type="checkbox"/> 17 May 2012	<input checked="" type="checkbox"/> 19 July 2012			
Senate	<input checked="" type="checkbox"/> 2 Aug 2012				

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Executive Summary

This guide provides only a short summary and analysis of the many provisions in the bill. To obtain a complete understanding of any particular provision, users are encouraged to review the actual legislative language. The bill and accompanying report are available on the NGB-LL web page at [HTTP://WWW.NG.MIL/LL/](http://www.ng.mil/ll/)

Status:

On 2 August, the Senate Appropriations Committee approved their version on the Fiscal Year 2013 Defense Appropriations bill, previously adopted by the Defense Subcommittee on 31 July. The bill will now go to the full Senate for consideration.

The House completed work on their version of the bill on 19 July, however Senate leaders have acknowledged they will likely be unable to complete work on FY13 spending measures until after the November elections. As a result, House and Senate leaders announced an agreement to work on a six-month Continuing Resolution (CR) to continue government funding after the fiscal year ends on 30 September. Details of the CR are not expected to be released until Congress returns from recess in September.

Key Provisions:

The House and Senate bills include numerous provisions to support the National Guard as an operational force.

Both the House and Senate bills provide funding to “pause” the proposed Air Force force structure adjustments. Both bills provide additional funding to provide for this pause and sustain Fiscal Year 2012 force structure. The House bill would also prohibit the use of funds to retire C-27J, and both bills would require the Air Force to procure the remaining C-27J aircraft. The House bill includes \$1.5 billion to restore what the House Appropriations Defense Subcommittee identified as “unrealistic cuts to facility sustainment and base operating support.” The House bill also provides an additional \$8 million in Air National Guard Operations and Maintenance funding to reactivate four Modular Airborne Fire Fighting Systems (MAFFS 1) units, and an additional \$16 million in Aircraft Procurement, Air Force funding to procure two MAFFS 2 units for use by the Air National Guard. The Senate bill would provide an additional \$62.5 million for F-15 AESA radars for the Air National Guard.

Both bills include increases in funding to support the Army National Guard. The House bill would provide an additional \$100 million in Army Procurement for ARNG HMMWV modernization. The House bill includes additional funding for three Army National Guard LUHs, while the Senate bill would procure one additional LUH. The House bill includes a \$199 million program increase for ten UH-60M Blackhawks for the Army National Guard. While the House bill includes an additional \$20 million for UH-60 A to L conversions for the Army National Guard, the Senate bill includes \$210 million for those conversions. The House bill would also prohibit the retirement of C-23 aircraft and provides funding to maintain those aircraft.

For NGREA, the House bill would provide \$650 million for the Army National Guard and \$650 million is for the Air National Guard; the Senate bill would provide \$300 million for the Army National Guard and \$240 million for the Air National Guard

The House bill also includes an additional \$130 million for National Guard counter-drug state plans, while the Senate bill includes an additional \$113 million for counter-drug state plans.

On the following pages, you will find a detailed analysis of the Fiscal Year 2013 Defense Appropriations bill.

National Guard Accounts Overview

Army National Guard Overview

(All Dollars in Thousands)

Army National Guard	FY13 President's Budget Request	House	Delta from Request	SAC Mark	Delta from Request
ARNG Personnel	\$8,103,207	\$8,089,477	-\$13,730	\$8,005,077	-\$98,130
ARNG Personnel OCO	\$583,804	\$583,804	\$0	\$583,804	\$0
ARNG O&M	\$7,108,612	\$7,187,731	+\$79,119	\$7,075,042	-\$33,570
ARNG O&M OCO	\$382,448	\$392,448	+\$10,000	\$382,448	\$0
NGREA*	\$0	\$650,000	+\$650,000	\$300,000	+\$300,000

Air National Guard Overview

(All Dollars in Thousands)

Air National Guard	FY13 President's Budget Request	House	Delta from Request	SAC Mark	Delta from Request
ANG Personnel	\$3,110,065	\$3,158,015	+\$47,950	\$3,161,765	+\$51,700
ANG Personnel OCO	\$10,473	\$10,473	\$0	\$10,473	\$0
ANG O&M	\$6,015,455	\$6,616,826	+\$601,371	\$6,493,155	+\$477,700
ANG O&M OCO	\$19,975	\$34,500	+\$14,525	\$19,975	\$0
NGREA*	\$0	\$650,000	+\$650,000	\$240,000	+\$240,000

* The total NGREA account is funded at \$2 billion in the House bill and \$1 billion in the Senate bill



Defense Appropriations

Army National Guard

Army National Guard Personnel

(All Dollars in Thousands)

ARNG Personnel Appropriation	FY13 President's Budget Request	House	SAC Mark
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48) ¹	\$2,446,262	\$2,485,762	\$2,446,262
PAY GROUP F TRAINING (RECRUITS)	\$623,345	\$623,345	\$623,345
PAY GROUP P TRAINING (PIPELINE RECRUITS) ²	\$29,528	\$29,528	\$24,128
SCHOOL TRAINING	\$500,423	\$500,423	\$500,423
SPECIAL TRAINING	\$536,856	\$536,856	\$536,856
ADMINISTRATION AND SUPPORT ^{3 & 4}	\$3,855,110	\$3,815,610	\$3,792,110
EDUCATION BENEFITS ⁵	\$111,683	\$111,683	\$95,683
TOTAL, BUDGET ACTIVITY 1 (BAC-01)	\$8,103,207	\$8,103,207	\$8,018,087
UNDISTRIBUTED ADJUSTMENT ⁶		\$13,730	\$13,730
TOTAL, ARNG PERSONNEL	\$8,103,207	\$8,089,477	\$8,005,077

- 1) Army Guard identified additional requirement due to lower than budgeted mobilization rate.
- 2) Individual Clothing and Uniform Allowance – Excess to Requirement
- 3) Re-enlistment bonuses – Excess to Requirement
- 4) Full-Time Pay and Allowances – Army Guard Identified Excess to Requirement
- 5) Education Benefits – Excess to Requirement
- 6) Unobligated/Unexpended Balance

Army National Guard Personnel (Overseas Contingency Operations)

(All Dollars in Thousands)

ARNG Personnel (OCO) Appropriation	FY13 President's Budget Request	House	SAC Mark
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	\$132,368	\$132,368	\$132,368
SCHOOL TRAINING	\$21,461	\$21,461	\$21,461
SPECIAL TRAINING	\$369,858	\$369,858	\$369,858
ADMINISTRATION AND SUPPORT	\$60,117	\$60,117	\$60,117
TOTAL, BUDGET ACTIVITY 1 (BAC-01)	\$583,804	\$583,804	\$583,804
TOTAL, ARNG PERSONNEL (OCO)	\$583,804	\$583,804	\$583,804

Army National Guard Operations & Maintenance

(All Dollars in Thousands)

ARNG O&M Appropriation	FY13 President's Budget Request	House	SAC Mark
MANEUVER UNITS	\$680,206	\$680,206	\$680,206
MODULAR SUPPORT BRIGADES	\$186,408	\$186,408	\$186,408
ECHELONS ABOVE BRIGADE ¹	\$865,628	\$865,628	\$861,128
THEATER LEVEL ASSETS	\$112,651	\$112,651	\$112,651
LAND FORCES OPERATIONS SUPPORT	\$36,091	\$36,091	\$36,091
AVIATION ASSETS ²	\$907,011	\$907,011	\$902,011
FORCE READINESS OPERATIONS SUPPORT	\$751,606	\$751,606	\$751,606
LAND FORCES SYSTEMS READINESS	\$60,043	\$60,043	\$60,043
LAND FORCES DEPOT MAINTENANCE	\$411,940	\$411,940	\$411,940
BASE OPERATIONS SUPPORT	\$995,423	\$995,423	\$995,423
FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION ³	\$688,189	\$757,008	\$688,189
MANAGEMENT AND OPERATIONAL HQ ⁴	\$953,716	\$953,716	\$936,693
TOTAL, BUDGET ACTIVITY ONE (BAC-01)	\$6,648,912	\$6,717,731	\$6,622,389
SERVICEWIDE TRANSPORTATION	\$11,806	\$11,806	\$11,806
ADMINISTRATION ⁵	\$89,358	\$89,358	\$82,311
SERVICEWIDE COMMUNICATIONS	\$39,513	\$39,513	\$39,513
MANPOWER MANAGEMENT	\$7,224	\$7,224	\$7,224
RECRUITING AND ADVERTISING	\$310,143	\$310,143	\$310,143
OTHER CONSTRUCTION SUPPORT AND REAL ESTATE MANAGEMENT	\$1,656	\$1,656	\$1,656
TOTAL, BUDGET ACTIVITY FOUR (BAC-04)	\$459,700	\$459,700	\$452,653
RETAIN ARMY NATIONAL GUARD FORCE STRUCTURE ⁶		\$10,300	
TOTAL, ARNG O&M	\$7,108,612	\$7,187,731	\$7,075,042

1) Budget justification does not match summary of price and program changes for management and professional services.

2) Budget justification does not match summary of price and program changes for fuel

3) Restore unjustified efficiency reduction to Facilities, Sustain, Restoration and Modernization

4) Unjustified growth for mission support

5) Unjustified growth for mission support

6) Retain eight C-23 Sherpas

Army National Guard Operations & Maintenance (Overseas Contingency Operations)

(All Dollars in Thousands)

ARNG O&M (OCO) Appropriation	FY13 President's Budget Request	House	SAC Mark
MANEUVER UNITS	\$38,485	\$38,485	\$38,485
MODULAR SUPPORT BRIGADES	\$1,959	\$1,959	\$1,959
ECHELONS ABOVE BRIGADE	\$20,076	\$20,076	\$20,076
THEATER LEVEL ASSETS	\$2,028	\$2,028	\$2,028
AVIATION ASSETS	\$183,811	\$183,811	\$183,811
FORCE READINESS OPERATIONS SUPPORT	\$43,780	\$43,780	\$43,780
BASE OPERATIONS SUPPORT	\$70,237	\$70,237	\$70,237
MANAGEMENT AND OPERATIONAL HEADQUARTERS	\$20,072	\$20,072	\$20,072
TOTAL, BUDGET ACTIVITY ONE (BAC-01)	\$380,448	\$380,448	\$380,448
SERVICEWIDE COMMUNICATIONS	\$2,000	\$2,000	\$2,000
TOTAL, BUDGET ACTIVITY FOUR (BAC-04)	\$2,000	\$2,000	\$2,000
YELLOW RIBBON PROGRAM		\$10,000	
TOTAL, ARNG O&M (OCO)	\$382,448	\$392,448	\$382,448



Air National Guard

Air National Guard Personnel

(All Dollars in Thousands)

ANG Personnel Appropriation	FY13 President's Budget Request	House	SAC Mark
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48) ¹	\$904,180	\$910,733	\$885,733
PAY GROUP F TRAINING (RECRUITS)	\$122,985	\$122,985	\$122,985
PAY GROUP P TRAINING (PIPELINE RECRUITS)	\$4,881	\$4,811	\$4,811
SCHOOL TRAINING	\$245,857	\$245,857	\$245,857
SPECIAL TRAINING	\$142,591	\$142,591	\$142,591
ADMINISTRATION AND SUPPORT ²	\$1,648,453	\$1,641,953	\$1,648,453
EDUCATION BENEFITS	\$34,635	\$34,635	\$34,635
TOTAL, BUDGET ACTIVITY 1 (BAC-01)	\$3,110,065	\$3,103,565	\$3,085,065
UNDISTRIBUTED ADJUSTMENT		\$54,450 ³	\$76,700 ⁴
TOTAL ANG PERSONNEL	\$3,110,065	\$3,158,015	\$3,161,765

- 1) Active Duty for Training – Projected Underexecution; Inactive Duty Training – Projected Underexecution; Clothing Allowances – Excess to Requirement
- 2) Enlistment bonuses – Excess to Requirement; Re-enlistment bonuses – Excess to Requirement
- 3) Retain Air National Guard force structure; Unobligated/Unexpended Balances
- 4) Retain Air National Guard force structure

Air National Guard Personnel (Overseas Contingency Operations)

(All Dollars in Thousands)

ANG Personnel (OCO) Appropriation	FY13 President's Budget Request	House	SAC Mark
SPECIAL TRAINING	\$10,473	\$10,473	\$10,473
TOTAL, BUDGET ACTIVITY 1 (BAC-01)	\$10,473	\$10,473	\$10,473
TOTAL ANG PERSONNEL (OCO)	\$10,473	\$10,473	\$10,473

Air National Guard Operations & Maintenance

(All Dollars in Thousands)

ANG O&M Appropriation	FY13 President's Budget Request	House	SAC Mark
AIRCRAFT OPERATIONS ¹	\$3,559,824	\$3,099,094	\$3,559,824
MISSION SUPPORT OPERATIONS ²	\$721,225	\$681,251	\$721,225
DEPOT MAINTENANCE	\$774,875	\$1,555,079 ³	\$1,034,875 ⁴
FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ⁵	\$270,709	\$297,780	\$270,709
BASE OPERATING SUPPORT	\$624,443	\$624,443	\$624,443
TOTAL, BUDGET ACTIVITY ONE (BAC-01)	\$5,951,076	\$6,257,647	\$6,211,076
ADMINISTRATION	\$32,358	\$32,358	\$32,358
RECRUITING AND ADVERTISING	\$32,021	\$32,021	\$32,021
TOTAL, BUDGET ACTIVITY FOUR (BAC-04)	\$64,379	\$64,379	\$64,379
RETAIN AIR NATIONAL GUARD FORCE STRUCTURE		\$286,800	\$255,700
REACTIVATE TWO ANG MAFFS1 UNITS		\$8,000	
CIVILIAN PERSONNEL COMPENSATION ⁶			\$38,000
TOTAL, ANG O&M	\$6,015,455	\$6,616,826	\$6,493,155

1) C-130 Aircraft Temporary Shelter – funding ahead of requirement.; Consolidate depot maintenance funding in the Depot Maintenance SAG – transfer to SAG 011M.

2) Consolidate depot maintenance funding in the Depot Maintenance SAG – transfer to SAG 011M.

3) Consolidate depot maintenance funding in the Depot Maintenance SAG – transfer from SAG 011F.; Consolidate depot maintenance funding in the Depot Maintenance SAG – transfer from SAG 001G.; Restore unjustified efficiency reduction for Depot Maintenance – transfer from title IX Operation and Maintenance, Air Force SAG 001M.; Restore unjustified efficiency reduction for Depot Maintenance.

4) Air Force-Identified shortfall for weapons system sustainment

5) Restore unjustified efficiency reduction to Facilities Sustainment, Restoration and Modernization.

6) Unjustified growth in civilian personnel compensation

Air National Guard Operations & Maintenance (Overseas Contingency Operations)

(All Dollars in Thousands)

ANG O&M (OCO) Appropriation	FY13 President's Budget Request	House	SAC Mark
MISSION SUPPORT OPERATIONS ¹	\$19,975	\$34,500	\$19,975
TOTAL ANG O&M (OCO)	\$19,975	\$34,500	\$19,975

1) Restore unjustified efficiency reduction to Yellow Ribbon Program and Strong Bonds

National Guard and Reserve Equipment Account

(All Dollars in Thousands)

	FY13 President's Budget Request	House	SAC Mark
ARMY NATIONAL GUARD	\$0	\$650,000	\$300,000
AIR NATIONAL GUARD	\$0	\$650,000	\$240,000

Joint Programs

Yellow Ribbon – The House bill includes an additional \$10 million in ARNG O&M OCO, for the Yellow Ribbon program. The Senate bill includes \$20 million in Defense Wide O&M OCO for the Department of Defense Education Activity's Joint Family Support and Assistance Program. The Senate bill directs that the funds be used for National Guard outreach and reintegration programs, National Guard employment enhancement programs and peer-to-peer hotline services for mental health and suicide prevention initiatives.

Youth Challenge – The House and Senate bills include an additional \$5 million for the Youth Challenge program.

STARBASE – The House and Senate bills include an additional \$5 million for the STARBASE Youth Program.

Counter-Drug – The House bill includes an additional \$130 million for the National Guard Counter-Drug Program. The Senate bill includes an additional \$113 million for Counter-Drug Program State Plans

Other Provisions

PAY INCREASE – The House and Senate bills would increase military pay by 1.7% effective 1 January 2013

House and Senate Sec. 8041. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

House Sec. 8116. None of the funds made available by this Act may be used to retire, divest, realign, or transfer Air Force aircraft, to disestablish or convert units associated with such aircraft, or to disestablish or convert any other unit of the Air National Guard or Air Force Reserve.

House Sec. 8117. The Secretary of the Air Force shall obligate and expend funds previously appropriated for the procurement of RQ-4B Global Hawk and C-27J Spartan aircraft for the purposes for which such funds were originally appropriated.

House Sec. 8118. None of the funds made available by this Act shall be used to retire C-23 Sherpa aircraft.

Senate Sec. 8110. The Secretary of the Air Force shall obligate and expend funds previously appropriated for the procurement of RQ-4B Global Hawk and C-27J Spartan aircraft for the purposes for which such funds were originally appropriated.

AIR FORCE REDUCTIONS IN FORCE STRUCTURE AND RESERVE COMPONENT IMPACTS

The Air Force's fiscal year 2013 budget request proposes to retire or divest 286 current or in-production aircraft over the 2013–2017 future years defense program (FYDP), including a loss of 227 aircraft by the end of fiscal year 2013 alone. The proposed reduction in aircraft would have a disproportionate impact on the Air National Guard and Air Force Reserve. The Air National Guard would lose 163 aircraft over the FYDP, not including 17 C–27J Joint Cargo Aircraft for which funds have been appropriated but withheld from execution by the Air Force due to its decision to terminate the C–27J program. The Air Force Reserve would lose 82 aircraft. These losses would be accompanied by personnel reductions of 5,100 for the Air National Guard and 900 for the Air Force Reserve. The reserve component would absorb more than 85 percent of the aircraft reduction and approximately 60 percent of the total Air Force personnel reduction. As a consequence, the reserve component would suffer a loss of five airlift squadrons and five tactical fighter squadrons in fiscal year 2013. The Air Force additionally proposes to realign aircraft between components and installations and re-mission some units that otherwise would be adversely affected by the proposed reductions.

The Committee acknowledges the Air Force's need to find budget savings and its efforts to adjust force structure to the lowered expectations of the strategic review. Even with such reduced requirements, however, the Committee is concerned that the force structure reductions would add an unnecessary element of risk. The Committee is further concerned that the Air Force's proposal discounts the value that the reserve component adds to the total force and that the Air Force has not adequately considered homeland defense and disaster assistance requirements, especially with the proposal to transfer C–130 aircraft from the Gulf Coast region.

The scope and complexity of the Air Force's force reduction and realignment plan demand that the Committee consider it as a whole. The Committee does not concur with the Air Force's proposed force structure plan and includes bill language prohibiting the use of funds for the retirement, divestiture, realignment, or transfer of any aircraft and associated missions. The Committee acknowledges the Air Force's concerns that the restoration of force structure without the necessary resources would risk a "hollow force", and therefore the Committee's recommended funding levels include targeted increases to preserve existing force structure in fiscal year 2013.

The Committee is aware that the Council of Governors (COG), a Department of Defense advisory body established by the National Defense Authorization Act for Fiscal Year 2008, has proposed an alternative force restructuring plan. The Committee neither endorses nor disapproves of this plan, but encourages the Department and the Air Force to continue engagement with the COG and report on force structure alternatives resulting from such engagement to the congressional defense committees. Furthermore, the Committee expects the Air Force to refrain from taking any actions during fiscal years 2012 or 2013 that would prejudice or preempt final decisions on force structure pending the enactment of final authorization and appropriations legislation by Congress.

Finally, the Committee directs the Air Force to submit a report to the House Appropriations Committee at the earliest practicable date, but not later than October 1, 2012, providing a cost-benefit analysis for each set of aircraft retirements and realignments proposed with the fiscal year 2013 budget request. The Committee further directs the Government Accountability Office to review the Air Force's cost-benefit analyses and report its findings to the congressional defense committees not later than 180 days after the date of the Air Force's submission.

REDUCTION OF TROOP END STRENGTH

The fiscal year 2013 budget request proposes a reduction of end strength in the active duty Army, Navy, Marine Corps, and Air Force, and the Navy Reserve, Air Force Reserve, Army National Guard, and Air National Guard components from fiscal year 2012 to fiscal year 2017. The budget proposes to reduce the size of the active duty Army and Marine Corps by 72,000 and 20,000 personnel respectively over this time period. While the changes proposed as part of the Air Force strategic guidance are addressed elsewhere in

this report, the Committee remains concerned that the recommendation to reduce troop end strength across the Services is budget driven rather than based on military requirements.

In addition, the Committee understands that accomplishing the drawdown of end strength so quickly could prove difficult as all Services are currently operating at or near their authorized end strengths and continue to meet or exceed their recruiting and retention goals. The Committee believes that in this uncertain world, any changes in force structure must be tempered by the need to provide a strong, capable, and highly qualified force ready to meet current obligations and respond to any future potential military needs.

SUICIDE PREVENTION TRAINING AND OUTREACH

Suicide remains an issue of ongoing concern among the Services, particularly in the National Guard and reserve components. Although the rate of suicides in the National Guard and reserve components has decreased somewhat from calendar year 2010 to calendar year 2011, it remains far too high. While servicemembers serving on active duty return from deployments to military bases which provide more structured support networks, returning guardsmen and reservists are frequently geographically isolated from their units and may not have the regular interactions with their peers and chain of command that their active duty counterparts experience.

The Committee is aware that suicide remains a problem among servicemembers who have never deployed as well as those who have deployed once or multiple times. The Committee acknowledges the steps the Services have taken to implement suicide prevention training and outreach efforts and to lower the rate of suicide among servicemembers. In addition, the Committee recognizes the important role that programs such as Yellow Ribbon serve in helping guardsmen and reservists transition to civilian life upon returning from deployments.

The Committee believes that more must be done to identify at risk servicemembers and to improve prevention and outreach efforts. For example, recent National Guard pilot programs embedding mental health providers in geographically separated or high risk units to make them readily available during annual training and inactive duty training have shown some initial successes. The Committee understands that the National Guard Bureau Office of the Joint Surgeon, Psychological Health is working with states to identify high-risk units for embedded counselor placement and supports efforts to improve access to mental health providers for all servicemembers, especially those in the National Guard and reserve components. In addition, the Committee provides increased funding for suicide prevention as well as the Air National Guard Yellow Ribbon program, which was underfunded in the budget request, and urges the Secretary of Defense to ensure that future budget requests include adequate funding for these important programs. The Committee urges the Services to continue to make suicide prevention a key priority and to regularly update the Committee on actions being taken.

VISIBILITY OF DEPOT MAINTENANCE FUNDING FOR AIR FORCE RESERVE AND AIR NATIONAL GUARD

The Air Force Reserve and Air National Guard have not properly justified \$104,111,000 and \$497,704,000, respectively, of depot maintenance funding contained in the fiscal year 2013 budget request by not correctly reflecting the requested funding for weapons system depot maintenance in the Depot Maintenance Subactivity Group. The Committee remains concerned that the lack of visibility of depot maintenance funding is an obstacle to effective management of a program which is critical to military readiness. The Consolidated Appropriations Act, 2012 consolidated all depot maintenance funding for the Air Force in the Depot Maintenance Subactivity Group. In fiscal year 2013, the Committee identifies and consolidates all depot maintenance funding contained in the Air Force Reserve and Air National Guard fiscal year 2013 budget requests in the respective Depot Maintenance Subactivity Groups. The Committee also directs the Secretary of the Air Force to display all depot maintenance funds requested in the fiscal year 2014 budget in the Depot Maintenance Subactivity Group.

The Committee is also concerned that the Department of the Air Force significantly underfunded Depot Maintenance for both the Air Force Reserve and Air National Guard. The Committee believes that failing to provide adequate funding for weapons system depot maintenance will impact readiness and cause aircraft to be grounded due to failure to meet maintenance requirements. The Committee restores funding for depot maintenance and expects that future budget requests to contain sufficient funding for the reserve component depot maintenance programs.

NATIONAL GUARD STATE PARTNERSHIP PROGRAM

The National Guard State Partnership Program (SPP) is an innovative program that partners individual National Guards with allied nations to exchange military skills and experience, share defense knowledge, enhance partnership capacity, and further mutual security cooperation. For twenty years, the SPP has played a critical role in extending U.S. military capabilities, enhancing bilateral relations, and supporting the missions of U.S. ambassadors and combatant commanders abroad by creating sustainable cooperative partnerships between the state and territorial National Guards and foreign partner nations. By promoting better understanding of one another's military needs and security concerns, the SPP helps lay the foundation for more effective teamwork and a more cooperative security environment among friendly and allied nations. The Committee fully funds the President's request for the SPP and supports the continued efforts of this program.

NATIONAL GUARD CIVIL SUPPORT TEAMS

The Deputy's Management Action Group (DMAG), created by the Deputy Secretary of Defense to eliminate wasteful spending, has chosen to eliminate two National Guard Weapons of Mass Destruction/Civil Support Teams (WMD/CSTs)—one each in New York and Florida.

WMD/CSTs were established to rapidly assist a local incident commander in determining the nature and extent of an attack or incident by identifying agents and substances, assessing current and projected consequences, advising on response measures, and assisting with requests for additional military support. Teams provide expert technical advice on WMD response operations and help identify and support the arrival of follow-on state and federal military response assets. They are joint units and, as such, might consist of both Army National Guard and Air National Guard personnel.

Currently there are 57 WMD/CSTs—one in each state, plus one in the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands, and two each in the states of California, New York, and Florida, due to the geographic separation and concentrations of populations in these three states.

The Committee believes that the DMAG's recommendation to eliminate WMD/CSTs from New York and Florida is an imprudent decision, especially given that the additional teams in New York and Florida were recently certified. The personnel and operation and maintenance costs for each team averages less than \$5,000,000 annually.

Given the geographic disparity and high population concentrations of these two states, the Committee directs that the Secretary of Defense review the DMAG's recommendations regarding this reduction and not later than 90 days after enactment of this Act provide a report to the congressional defense committees outlining in detail the savings expected by this reduction, and how these savings outweigh the benefit of providing WMD/CST coverage at these two important locations. Additionally, the Committee expects the Department of Defense to fully fund the two teams in New York and Florida in the fiscal year 2014 request.

C-27J SPARTAN, C-23 SHERPA, AND DIRECT SUPPORT

The Air Force's fiscal year 2013 budget request proposed terminating the C-27J Spartan, also known as the Joint Cargo Aircraft. The C-27J fleet is assigned to the Air National Guard and provides time sensitive/mission critical cargo delivery to ground forces in austere environments. Congress has fully funded the Air Force's program of record for 38 aircraft, of which twelve had been delivered and nine were in production as of February 2012.

The C-27J currently is operational in Afghanistan, and the Committee has been presented with no evidence that the aircraft is deficient in performance or otherwise fails to satisfy mission requirements. The Air Force's proposal is based on the contention that the C-27J's "niche" mission can be performed equally well by the C-130 fleet at less cost. Even if such considerations are valid, they were not made known to the Committee when the Air Force requested funds for the procurement of additional C-27J aircraft as recently as last year. The Committee is concerned both by the impact that termination of the C-27J would have on the Air National Guard and the wastefulness of disowning an investment of \$1,040,000,000 in a brand new aircraft recently considered by the Air Force and Army as vital to the direct support of forward deployed troops. When combined with the Army's proposal to phase out the Army National Guard's C-23 Sherpa fleet by 2015, the

termination of the C-27 indicates flagging commitment to ensuring the direct support mission within the Department of Defense, and the devaluation of the role that aircraft such as the C-23 and C-27 play in homeland defense and disaster response support to the States. The Committee therefore does not concur with the Air Force's proposal to terminate the C-27J program.

The Committee directs the Secretary of the Air Force to execute the existing funds provided by Congress in fiscal years 2011 and 2012 to procure up to 17 additional aircraft and includes bill language to this effect. The Committee recommends additional funds in this bill for the purchase of spares, interim contractor support, and other costs required to continue the C-27J program. Finally, the Committee includes bill language prohibiting the further retirement of C-23 Sherpa aircraft and includes funds to maintain the current fleet of 34 aircraft.

UH-72A LAKOTA LIGHT UTILITY HELICOPTERS

The budget request proposes \$271,983,000 to procure 34 UH-72A Lakota Light Utility Helicopters. The Committee is aware of the excellent performance of UH-72A helicopters in both active and reserve component Army units. The Committee recommendation provides the full amount requested for UH-72A Light Utility Helicopters. Additionally, the Committee recognizes the increased capability the UH-72A provides to the Army National Guard for homeland security, civil search and rescue, support to training centers including medical evacuation, and counter-drug operations. Accordingly, the Committee includes an additional \$23,997,000 above the budget request for a total of \$295,980,000. The additional funds are only for the procurement of three Lakota helicopters for the Army National Guard, including one to replace an aircraft lost in a training accident.

UH-60 BLACKHAWK HELICOPTERS

The budget request proposes \$1,107,087,000 to purchase 59 UH-60M helicopters. All of the aircraft are intended for the active duty Army. However, the Committee is aware that the Army National Guard operates a fleet of more than 815 Blackhawk helicopters. Many of the Army National Guard aircraft date back to the 1970s. The age of the National Guard fleet combined with the high operating tempo experienced over a decade of war argue for a combination of upgrades and new purchases to help maintain an acceptable state of readiness. However, at the current rate of upgrading the oldest UH-60s, the A models, the work will not be completed until 2027. The Committee finds this to be an unacceptable readiness risk. Accordingly, the Committee recommendation includes an additional \$199,000,000 above the budget request only for ten new UH-60M helicopters for the Army National Guard. The total provided for new UH-60s is \$1,306,087,000. Additionally, the Committee recommendation includes \$20,000,000 above the budget request of \$73,804,000 for a total of \$93,804,000 for conversion of Army National Guard UH-60A model aircraft to UH-60L model aircraft.

F-22 BACKUP OXYGEN SYSTEM

The Committee is concerned by the continuing problems with hypoxia-type events involving the F-22 and the Air Force's inability to determine a remediable root cause for this problem. As the military's only operational fifth generation fighter, the F-22 is critical to the implementation of the National Defense Strategy. Due to the small size of the F-22 fleet, and the utmost importance of preserving the safety and readiness of F-22 pilots, the Committee strongly supports Air Force efforts to address this problem. The Committee understands that the Air Force is in the final stages of selecting a design for an automated backup oxygen system as a mitigation measure. The Committee's recommendation therefore includes \$50,000,000 only for the procurement and installation of a backup oxygen system for the F-22. The Committee further directs the Air Force to provide regular updates to the Committee on physiological events involving F-22 pilots, impacts on flight operations, and the progress of efforts to discover and implement solutions.

C-130 AVIONICS MODERNIZATION PROGRAM

The Air Force's fiscal year 2013 budget request proposes to terminate the C-130 Avionics Modernization Program (AMP). The C-130 AMP effort modernizes and standardizes the avionics and cockpit configurations on legacy C-130H aircraft, increasing the efficiency of the fleet and satisfying Communication, Navigation, and Surveillance/Air Traffic Management (CNS/ATM) mandates. In lieu of AMP, the Air Force proposes to initiate a new start program to satisfy CNS/ATM mandates only. The Committee does not concur with the Air Force's proposal to terminate C-130 AMP. The Committee is not satisfied that the Air Force has performed adequate cost-benefit analysis on AMP termination. Even though previous Air Force budget documents have

stated that AMP will lower total ownership costs for the C-130 fleet, the Air Force has failed to provide the Committee with a life-cycle cost analysis that would allow the Committee to weigh the immediate budgetary benefits of AMP termination against the long term costs of maintaining a heterogeneous C-130H fleet and retaining the navigator position. At the same time, the Committee acknowledges the Air Force's need to lower the upfront costs of the program. The Committee recommends increases of \$10,000,000 each to the Aircraft Procurement, Air Force and Research, Development, Test and Evaluation, Air Force accounts to continue the current AMP program with the provision that the Secretary of the Air Force and the prime contractor should engage in efforts to reduce the average procurement unit cost of AMP modifications to less than \$10,000,000 in base year dollars.

C-130J - The Air Force's future years defense program for fiscal years 2012-2016 projected a requirement for twelve additional C-130J aircraft in fiscal year 2013. Congress authorized and appropriated \$120,000,000 in fiscal year 2012 for advance procurement of these 12 aircraft. The Air Force's fiscal year 2013 budget request includes only seven aircraft. The Committee's recommendation includes additional funds to restore procurement of one C-130J, two HC-130J, and two MC-130J aircraft. The Committee directs the Secretary of the Air Force to use fiscal year 2012 C-130J advance procurement funds for the purposes for which such funds were originally appropriated.

NATIONAL GUARD AND RESERVE EQUIPMENT

The National Guard and reserve forces regularly receive less than a proportionate share of funding to resource their dual-use equipment needs. However, the role of the reserve components in providing fully equipped, trained, and ready forces in the Services' force generation models is essential. The readiness of the National Guard and reserve units is imperative.

The Committee recommendation for the National Guard and Reserve Equipment Account (NGREA) is \$2,000,000,000. Of that amount, \$650,000,000 is for the Army National Guard; \$650,000,000 for the Air National Guard; \$300,000,000 for the Army Reserve; \$140,000,000 for the Navy Reserve; \$120,000,000 for the Marine Corps Reserve; and \$140,000,000 for the Air Force Reserve to meet urgent equipment needs that may arise in fiscal year 2013.

This funding will allow the Guard and reserve components to procure high priority equipment that may be used by these components for both their combat missions and their missions in support of state governors. This funding will allow the National Guard and reserve components to procure items such as: Generation 4 Advanced targeting pods, internal and external auxiliary fuel tank systems for Apaches and Chinooks, Green Laser Interdiction Systems, propeller balancing systems, ultra-light tactical vehicles, handheld laser trackers, tactical radios, tactical trailers, and field engineering, logistics, and maintenance equipment.

The use of simulation training systems has yielded a military that is better trained, more capable, and more confident as compared to units that do not have access to modern simulation training devices. Simulation training is a cost effective means by which reserve units can improve tactical decision-making skills and ultimately save lives. It is anticipated that a portion of this funding will be used to procure a variety of simulation training systems. To ensure the most efficient and effective training program, these systems should be a combination of both government owned and operated simulators and simulation support from a dedicated commercial activity capable of providing frequent hardware and software updates.

Additionally, the Committee recognizes that adding capability and modernizing equipment unique to the reserve component or legacy systems with limited active component investment may require design, integration, test, and software efforts prior to procurement.

Therefore, for fiscal year 2013, on a one year trial basis, bill language is included that will allow the use of up to three percent of the respective reserve component's NGREA appropriation, as needed, for research, development, test and evaluation for federal and domestic operations requirements as they relate to equipping the reserve components.

NATIONAL GUARD COUNTER-DRUG STATE PLANS

The Committee recommendation includes \$130,000,000 above the request to supplement the National Guard Counter-Drug Program. The Committee is discouraged that, in a misguided effort to produce savings, the budget request reduced the National Guard Counter-Drug Program by nearly forty percent from the fiscal year 2012 budget request, and by nearly fifty percent from the fiscal year 2012 enacted level. The Committee recognizes the importance of the mission of the National Guard Counter-Drug Program and encourages the continued use of the highly effective and efficient Threat Based Resource Model. Further, the Committee directs the Secretary of Defense to robustly fund the National Guard Counter-Drug Program in subsequent budget years and to ensure that funding levels for the National Guard Counter-Drug Program do not fall below twenty percent of the total Drug Interdiction and Counter-Drug Activities appropriations funded under title VI.

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AIR NATIONAL GUARD MAINTENANCE POSITIONS

The Committee has been informed that an agreement was reached between the Air National Guard and Pacific Air Forces [PACAF] to continue to use dual status maintenance technicians to perform maintenance on the additional four KC-135 aircraft that were transitioned to PACAF in a prior year Base Realignment and Closure initiative. This agreement would save the Air Force over \$6,000,000 since the Air Force would not be required to execute permanent change of station moves for 108 active duty airmen to perform the mission. This agreement is in jeopardy, however, due to Resource Management Directive 703 [RMD 703], which freezes civilian end strength at the fiscal year 2010 level. The Committee believes that the intent of RMD 703 was to produce cost savings, not give the services additional bills to pay. Therefore, the Committee strongly encourages the Department of Defense to provide exemptions to RMD 703 where savings can be identified and achieved.

AIR FORCE FORCE STRUCTURE MOVEMENTS

For the Department of the Air Force, in recognition of Title XVII of S. 3254, National Defense Authorization Act for Fiscal Year 2013, as reported, which pauses Air Force force structure movements for 1 year until a National Commission conducts a study of the current structure and makes recommendations to Congress on modifications to this force, the Committee provides over \$800,000,000 to fund the 1-year moratorium. The Committee directs that none of the funds made available by this act will be used to make proposed force structure adjustments by this act will be used to make proposed force structure adjustments, unless the Committee has approved the Air Force proposal elsewhere in this act, until after the National Commission's recommendations are provided to the congressional defense committees.

GLOBAL HAWK BLOCK 30 & C-27J

The Committee includes a provision requiring the Department to complete the execution of funds previously authorized and appropriated for Global Hawk Block 30 and C-27J aircraft instead of sending these new, highly capable aircraft into storage as the Air force proposed.

ADVANCE TRAUMA TRAINING PROGRAM FOR NATIONAL GUARD HOMELAND RESPONSE FORCES

The Committee recognizes the valuable support universities, hospitals, and other military partners provide in implementing the emergency response trauma training requirements to start up Homeland Response Forces [HRFs] initiated in the 2010 Quadrennial Defense Review [QDR]. The Committee encourages the National Guard to continue working with these partners as the Guard converts Chemical, Biological, Radiological and Nuclear [CBRNE] Enhanced Response Force Packages to HRFs and to ensure our National Guard medical professionals have the best training possible so they are prepared to respond to emergency situations here and abroad.

BEYOND YELLOW RIBBON PROGRAMS

The Committee provides an additional \$20,000,000 for the Department of Defense Education Activity's Joint Family Support and Assistance Program and is directed to use the funds for National Guard outreach and

reintegration programs, National Guard employment enhancement programs and peer-to-peer hotline services for mental health and suicide prevention initiatives.

NATIONAL GUARD AND RESERVE EQUIPMENT

The Committee directs that the National Guard and Reserve Equipment Account shall be executed by the Chiefs of the National Guard and Reserve components with priority consideration given to the following items: A-10 Situation Awareness Upgrade; ARC 210 Radios for ANG F-16s; Arctic Search and Rescue Package; Armory-Based Individual and Unstabilized Gunnery Trainers; Batteries and Battery Support Equipment; Bradley Modifications; C-130 Crash-Resistant Loadmaster Seat; C-130 Secure Line-of-Sight [SLOS] Beyond Line-of-Sight [BLOSJ] Capability; C-130/KC-135 Real Time Information in Cockpit [RTIC] Data Link; CH-47 Door Gun Mounts; Combat Mobility Equipment; Combined Arms Virtual Trainers; F-15 AESA Radars; Field Engineering, Logistics, Maintenance, and Security Equipment; Force Protection Equipment; Generation 4 Advanced Targeting Pods; HC-130 Forward Area Refueling Point; Helicopter Firefighting Equipment; Helmet-Mounted Cueing System; HMMWV Recapitalization; InFlight Propeller Balancing System; Internal and External Auxiliary Fuel Tanks for Apaches and Chinooks; Joint Threat Emitters; Large Aircraft Infrared Countermeasures [LAIRCM]; Light Utility Helicopters; Modular Airborne Firefighting System II; Modular Small Arms Training Systems; MRAP Vehicle Virtual Trainers; Naval Construction Force Tactical Vehicles and Support Equipment; Reactive Skin Decontamination Lotion; SATCOM Ground Stations; Simulation Training Systems; Support Wide Area Network [SWAN] D V3/MRT Packages; Targeting Pod Upgrades; Thermal Imaging Systems; Ultra-Light Tactical Vehicles; Unit Maintenance Aerial Recovery Kits; Virtual Convoy Operations Trainers; and Virtual Door Gunner Trainers.