



National Guard Bureau
Office of Legislative Liaison



FY17 Omnibus Appropriations - Defense



As of 01 May 2017

Status of Appropriations Bills

	Passed in Committee	Passed in Chamber	Omnibus Agreement	Final Passage	Signed into Law
House	17 May 2016 ☒	16 June 2016 ☒	Introduced on 01 May 2017	03 May 2017 ☒	Signed into law 05 May 2017
Senate	26 May 2016 ☒			04 May 2017 ☒	

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Executive Summary

This guide provides a short summary for the Fiscal Year 2017 Omnibus Appropriations Act. 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 10) for situational awareness.

Status:

On Monday, May 1st 2017, the House and Senate Defense Appropriators released an omnibus bill for the final FY17 Appropriations. The measure would provide \$593 billion, including \$61.8 billion for overseas operations.

National Guard Highlights:

- Funds 343,000 end strength for ARNG and 105,700 end strength for ANG
 - o Adds \$96.5 million for increased ARNG end strength
- Appropriates \$750 million for the National Guard and Reserve Equipment Account in OCO
 - o Includes \$247.5 million for the Army National Guard and Air National Guard each
- Appropriates \$234 million for the National Guard Counterdrug Program
- Appropriates \$20 million for Counterdrug Schools
- Adds \$19 million for Operation Phalanx
 - o \$9 million in ARNG Operations & Maintenance and \$10 million in ARNG Personnel
- Adds \$9.9 million for ARNG Cyber protection teams
 - o \$3 million in ARNG Operations & Maintenance and \$6.9 million in ARNG Personnel
- Adds \$8 million to the State Partnership Program
 - o \$1.15 million in ARNG Operation & Maintenance and \$3.75 million in ARNG Personnel
 - o \$1.15 million in ANG Operation & Maintenance and \$1.95 million in ANG Personnel
- Adds \$339.9 million for 15 ARNG Blackhawks in Army Procurement
- Adds \$100 million for ARNG HMMWV Modernization in Army Procurement
- Adds \$60 million for ARNG and Army Reserve HMMWV Ambulances
- Adds \$160 million for two ANG C-130Js
- Adds \$97.5 million for C-130 modernization in Air Force Procurement
 - Adds \$16 million for C-130 propellers
 - Adds \$13.5 million for C-130 prop control system
 - Adds \$1.5 million for C-130 in flight prop balance
 - Adds \$41.5 million for C-130 engine enhancement
 - Adds \$25 million for C-130H modernization
- Adds \$15.9 million for F-16 AESA radars in Air Force Procurement
- Adds \$20 million for MQ-9 modernization in Air Force Procurement
- Adds \$19.7 million for E-8 PME-DMS in Air Force Procurement
- Adds \$10.3 million for Youth Challenge
- Adds \$25 million for Sexual Assault Special Victims Council Program
- Adds \$20 million for Beyond the Yellow Ribbon
- Adds \$30 million for STARBASE
- Adds \$87.9 million for ARNG O&M (Maneuver Units, Aviation Assets, Land Forces Depot Maintenance, Base Operations Support) in Title X Additional Appropriations (OCO)
- Adds \$23 million for ANG O&M for depot maintenance in Title X Additional Appropriations (OCO)
- Adds \$12 million for ARNG Military Construction and \$13 million for ANG Military Construction in OCO (MILCON/VA)

National Guard Accounts Overview

(All Dollars in Thousands)

Army National Guard	FY17 President's Budget Request	FY17 HAC-D Mark	FY17 SAC-D Mark	FY17 Conference	FY17 Omnibus	Delta from Request
ARNG Personnel	\$7,910,694	\$7,827,440	\$7,781,224	\$7,899,423	\$7,899,423	-\$11,271
ARNG Personnel OCO	\$196,472	\$436,968	\$196,472	\$96,472	\$196,472	-
ARNG O&M	\$6,825,370	\$6,923,595	\$6,765,385	\$6,861,478	\$6,861,478	+36,108
ARNG O&M OCO	\$127,035	\$380,221	\$127,035	\$127,035	\$127,035	-
ARNG O&M Supplemental		-	-	-	\$87,868	
NGREA	n/a	\$330,000	\$250,000	\$247,500	\$247,500	+\$247,500

**Recommend staff reference numbers in bold

(All Dollars in Thousands)

Air National Guard	FY17 President's Budget Request	FY17 HAC-D Mark	FY17 SAC-D Mark	FY17 Conference	FY17 Omnibus	Delta from Request
ANG Personnel	\$3,280,065	\$3,271,215	\$3,271,538	\$3,283,982	3,283,982	+\$3,917
ANG Personnel OCO	\$5,288	\$4,125	\$5,288	\$5,288	\$5,288	-
ANG O&M	\$6,703,578	\$6,708,200	\$6,600,000	\$6,615,095	\$6,615,095	-\$88,483
ANG O&M OCO	\$20,000	\$279,036	\$20,000	\$20,000	\$20,000	-
ANG O&M Supplemental		-	-	-	\$23,000	
NGREA	n/a	\$330,000	\$192,500	\$247,500	\$247,500	+\$247,500

**Recommend staff reference numbers in bold



Army National Guard

Army National Guard Personnel

(All Dollars in Thousands)

ARNG Personnel Appropriation	FY17 President's Budget Request	FY17 HAC-D Mark	FY17 SAC-D Mark	FY17 Conference	FY17 Omnibus	Delta from Request
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	\$2,561,418	\$2,561,418	\$2,561,418	\$2,561,418	\$2,561,418	-
PAY GROUP F TRAINING (RECRUITS)	\$551,868	\$551,868	\$550,868	\$551,868	\$551,868	-
PAY GROUP P TRAINING (PIPELINE RECRUITS)	\$46,202	\$46,202	\$46,202	\$46,202	\$46,202	-
SCHOOL TRAINING	\$546,563	\$536,563	\$546,563	\$536,563	\$536,563 ¹	-\$10,000
SPECIAL TRAINING	\$570,009	\$590,635	\$576,909	\$590,659	\$590,659 ²⁻⁴	+\$20,650
ADMINISTRATION AND SUPPORT	\$3,632,138	\$3,632,138	\$3,632,138	\$3,632,138	\$3,632,138	-
EDUCATION BENEFITS	\$2,496	\$2,496	\$2,496	\$2,496	\$2,496	-
TOTAL, BUDGET ACTIVITY 1 (BAC-01)	\$7,910,694	\$7,921,320	\$7,916,594	\$7,921,344	\$7,921,344	+\$10,650
UNDISTRIBUTED ADJUSTMENT		-\$93,890	-\$135,370	-\$21,921	-\$21,921 ⁵⁻⁷	-\$21,921
TOTAL, ARNG PERSONNEL	\$7,910,694	\$7,827,440	\$7,781,224	\$7,899,423	\$7,899,423	-\$11,271

**Recommend staff reference numbers in bold

Omnibus Items

1. Unjustified increase -\$10,000
2. Program increase – State Partnership Program +\$3,750
3. Cyber Protection Teams +\$6,900
4. Operation Phalanx +\$10,000
5. Unobligated/Unexpended balances -\$120,000
6. Program increase—trauma training
7. Increase in Army National Guard end strength/pay raise

Army National Guard Personnel (Overseas Contingency Operations)

(All Dollars in Thousands)

ARNG Personnel (OCO) Appropriation	FY17 President's Budget Request	FY17 HAC-D Mark	FY17 SAC-D Mark	FY17 Conference	FY17 Omnibus	Delta from Request
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	\$33,702	\$33,702	\$33,702	\$33,702	\$33,702	-
SCHOOL TRAINING	\$47,658	\$47,658	\$47,658	\$47,658	\$47,658	-
SPECIAL TRAINING	\$105,939	\$105,939	\$105,939	\$105,939	\$105,939	-
ADMINISTRATION AND SUPPORT	\$9,173	\$9,173	\$9,173	\$9,173	\$9,173	-
TOTAL, BUDGET ACTIVITY 1 (BAC-01)	\$196,472	\$196,472	-	\$196,472	\$196,472	-
REDUCTION TO SUPPORT READINESS SHORTFALLS	-	-\$82,523	-	-	-	-
OPERATIONAL SUPPORT FOR DEPLOYED END STRENGTH OF 9,800 IN AFGHANISTAN	-	\$6,565	-	-	-	-
SUBTOTAL OCO/GWOT	\$196,472	\$120,514	-	-	-	-
INCREASE ARMY END STRENGTH		\$316,454	-	-	-	-
TOTAL ARNG PERSONNEL	\$196,472	\$463,968	\$196,472	\$196,472	\$196,472	-

**Recommend staff reference numbers in bold

Army National Guard Operations & Maintenance

(All Dollars in Thousands)

ARNG O&M Appropriation	FY17 President's Budget Request	FY17 HAC-D Mark	FY17 SAC-D Mark	FY17 Conference	FY17 Omnibus	Delta from Request
MANEUVER UNITS	\$708,251	\$708,251	\$708,251	\$708,251	\$708,251	-
MODULAR SUPPORT BRIGADES	\$197,251	\$197,251	\$197,251	\$197,251	\$197,251	-
ECHELONS ABOVE BRIGADE	\$792,271	\$788,178	\$792,271	\$788,271	\$788,271 ¹	-\$4,000
THEATER LEVEL ASSETS	\$80,341	\$84,341	\$80,341	\$84,341	\$84,341 ²	+\$4,000
LAND FORCES OPERATIONS SUPPORT	\$37,138	\$37,138	\$37,138	\$37,138	\$37,138	-
AVIATION ASSETS	\$887,625	\$889,825	\$867,625	\$881,125	\$881,125 ^{3,4}	-\$6,500
FORCE READINESS OPERATIONS SUPPORT	\$696,267	\$693,153	\$669,782	\$669,993	\$669,993 ⁵⁻⁸	-\$26,274
LAND FORCES SYSTEMS READINESS	\$61,240	\$61,240	\$56,240	\$56,240	\$56,240 ⁹	-\$5,000
LAND FORCES DEPOT MAINTENANCE	\$219,948	\$219,948	\$219,948	\$219,948	\$219,948	-
BASE OPERATIONS SUPPORT	\$1,040,012	\$1,038,189	\$1,031,512	\$1,029,512	\$1,029,512 ¹⁰	-\$10,500
FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	\$676,715	\$692,947	\$676,715	\$692,947	\$692,947 ¹¹	+\$16,232
MANAGEMENT AND OPERATIONAL HQ	\$1,021,144	\$1,008,817	\$1,021,144	\$1,011,144	\$1,011,144 ¹²	-\$10,000
TOTAL, BUDGET ACTIVITY ONE (BAC-01)	\$6,418,203	\$6,419,278	\$6,358,218	\$6,376,161	\$6,376,161	-\$42,042
SERVICEWIDE TRANSPORTATION	\$6,396	\$6,396	\$6,396	\$6,396	\$6,396	-
ADMINISTRATION	\$68,528	\$69,678 ¹²	\$68,528	\$69,678	\$69,678 ¹³	+\$1,150
SERVICEWIDE COMMUNICATIONS	\$76,524	\$76,524	\$76,524	\$76,524	\$76,524	-
MANPOWER MANAGEMENT	\$7,712	\$7,712	\$7,712	\$7,712	\$7,712	-
OTHER PERSONNEL SUPPORT	\$245,046	\$245,046	\$245,046	\$245,046	\$245,046	-
OTHER CONSTRUCTION SUPPORT AND REAL ESTATE MANAGEMENT	\$2,961	\$2,961	\$2,961	\$2,961	\$2,961	-
TOTAL, BUDGET ACTIVITY FOUR (BAC-04)	\$407,167	\$408,317	\$407,167	\$408,317	\$408,317	+\$1,150
MAINTAIN 4 APACHE BATTALIONS	-	+\$46,000	-	-	-	-
OPERATIONAL SUPPORT FOR INCREASE IN ARNG END STRENGTH	-	-	-	+\$57,000	+\$57,000	+\$57,000
RESTORE READINESS	-	+\$50,000	-	+\$20,000	+\$20,000	+\$20,000
TOTAL, ARNG O&M	\$6,825,370	\$6,923,595	\$6,765,385	\$6,861,478	\$6,861,478	+\$36,108

**Recommend staff reference numbers in bold

Omnibus Items

1. Unjustified program growth -\$4,000
2. Program Increase Operation Phalanx +\$4,000
3. Program Increase Operation Phalanx +\$5,000
4. Unjustified program growth -\$11,500
5. Unjustified program growth -\$30,000
6. Program increase cyber protection teams +\$3,000
7. Program increase language capabilities +\$200
8. Program increase trauma training +\$526
9. Program decrease not properly accounted -\$5,000
10. Unjustified program growth -\$10,500
11. Program increase +\$16,232
12. Unjustified program growth -\$10,000
13. Program increase State Partnership Program +\$1,150

Army National Guard Operations & Maintenance (Overseas Contingency Operations)

(All Dollars in Thousands)

ARNG O&M (OCO) Appropriation	FY17 President's Budget Request	FY17 HAC-D Mark	FY17 SAC-D Mark	FY17 Conference	FY17 Omnibus	Delta From Request
MANEUVER UNITS	\$16,149	\$16,149	\$16,149	\$16,149	\$16,149	-
MODULAR SUPPORT BRIGADES	\$748	\$748	\$748	\$748	\$748	-
ECHELONS ABOVE BRIGADE	\$34,707	\$34,707	\$34,707	\$34,707	\$34,707	-
THEATER LEVEL ASSETS	\$10,472	\$10,472	\$10,472	\$10,472	\$10,472	-
AVIATION ASSETS	\$32,804	\$32,804	\$32,804	\$32,804	\$32,804	-
FORCE READINESS OPERATIONS SUPPORT	\$12,435	\$12,435	\$12,435	\$12,435	\$12,435	-
BASE OPERATIONS SUPPORT	\$18,800	\$18,800	\$18,800	\$18,800	\$18,800	-
MANAGEMENT AND OPERATIONAL HEADQUARTERS	\$920	\$920	\$920	\$920	\$920	-
REDUCTION TO SUSTAIN MINIMAL READINESS LEVELS	-	-\$51,446	-	-	-	-
OPERATIONAL SUPPORT FOR DEPLOYED END STRENGTH OF 9,800 IN AFGHANISTAN	-	+\$66,752	-	-	-	-
FACILITY SUSTAINMENT, RESTORATION & MODERNIZATION	-	+\$58,800	-	-	-	-
OPERATIONAL SUPPORT FOR INCREASE IN ARMY GUARD END STRENGTH	-	+\$159,080	-	-	-	-
RESTORE READINESS	-	+\$20,000	-	-	-	-
TOTAL, ARNG O&M (OCO)	\$127,035	\$380,221	\$127,035	\$127,035	\$127,035	-

**Recommend staff reference numbers in bold



Air National Guard

Air National Guard Personnel

(All Dollars in Thousands)

ANG Personnel Appropriation	FY17 President's Budget Request	FY17 HAC-D Mark	FY17 SAC-D Mark	FY17 Conference	FY17 Omnibus	Delta from Request
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	\$934,650	\$934,650	\$934,650	\$934,650	\$934,650	-
PAY GROUP F TRAINING (RECRUITS)	\$131,022	\$131,022	\$123,022	\$131,022	\$131,022	-
PAY GROUP P TRAINING (PIPELINE RECRUITS)	\$10,555	\$10,555	\$10,555	\$10,555	\$10,555	-
SCHOOL TRAINING	\$349,904	\$349,904	\$349,904	\$349,904	\$349,904	-
SPECIAL TRAINING	\$167,077	\$168,227	\$167,077	\$169,027	\$169,027 ¹	+\$1,950
ADMINISTRATION AND SUPPORT	\$1,678,355	\$1,678,355	\$1,678,355	\$1,678,355	\$1,678,355	-
EDUCATION BENEFITS	\$8,502	\$8,502	\$8,502	\$8,502	\$8,502	-
TOTAL, BUDGET ACTIVITY 1 (BAC-01)	\$3,280,065	\$3,281,215	\$3,272,065	\$3,282,015	\$3,282,015	+\$1,950
UNDISTRIBUTED ADJUSTMENT	-	-\$10,000	-\$527	+1,967	+1,967 ²⁻⁴	+1,967
TOTAL ANG PERSONNEL	\$3,280,065	\$3,271,215	\$3,271,538	3,283,982	3,283,982	+\$3,917

**Recommend staff reference numbers in bold

Omnibus Items

1. Program Increase State Partnership Program +\$1,950
2. Unobligated/Unexpended balances -8,000
3. Program Increase trauma training +1,367
4. Air National Guard pay raise +8,600

Air National Guard Personnel (Overseas Contingency Operations)

(All Dollars in Thousands)

ANG Personnel (OCO) Appropriation	FY17 President's Budget Request	FY17 HAC-D Mark	FY17 SAC-D Mark	FY17 Conference	FY17 Omnibus	Delta from Request
SPECIAL TRAINING	\$5,288	\$5,288	\$5,288	\$5,288	\$5,288	-
TOTAL, BUDGET ACTIVITY 1 (BAC-01)	\$5,288	\$5,288	\$5,288	\$5,288	\$5,288	-
REDUCTION TO SUPPORT READINESS SHORTFALLS	-	-\$1,725	-	-	-	-
OPERATIONAL SUPPORT FOR DEPLOYED END STRENGTH OF 9,800 IN AFGHANISTAN	-	\$562	-	-	-	-
TOTAL ANG PERSONNEL	\$5,288	\$4,125	\$5,288	\$5,288	\$5,288	-

**Recommend staff reference numbers in bold

Air National Guard Operations & Maintenance

(All Dollars in Thousands)

ANG O&M Appropriation	FY17 President's Budget Request	FY17 HAC-D Mark	FY17 SAC-D Mark	FY17 Conference	FY17 Omnibus	Delta from Request
AIRCRAFT OPERATIONS	\$3,282,238	\$3,266,057	\$3,197,238	\$3,193,238	\$3,193,238 ^{1,2}	-\$89,000
MISSION SUPPORT OPERATIONS	\$723,062	\$725,012	\$712,484	\$713,579	\$713,579 ³⁻⁵	-\$9,483
DEPOT MAINTENANCE	\$1,824,329	\$1,824,329	\$1,816,329	\$1,816,329	\$1,816,329 ⁶	-\$8,000
FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	\$245,840	\$255,840	\$245,840	\$255,840	\$255,840 ⁷	+\$10,000
BASE OPERATING SUPPORT	\$575,548	\$556,507	\$575,548	\$566,548	\$566,548 ⁸	-\$9,000
TOTAL, BUDGET ACTIVITY ONE (BAC-01)	\$6,651,017	\$6,637,745	\$6,547,439	\$6,545,534	\$6,545,534	-\$105,483
ADMINISTRATION	\$23,715	\$23,715	\$23,715	\$23,715	\$23,715	-
RECRUITING AND ADVERTISING	\$28,846	\$28,846	\$28,846	\$28,846	\$28,846	-
TOTAL, BUDGET ACTIVITY FOUR (BAC-04)	\$52,561	\$52,561	\$52,561	\$52,561	\$52,561	-
LOWER THAN BUDGETED CIVILIAN COMPENSATION	-	-\$32,106	-	-	-	-
RESTORE READINESS	-	\$50,000	-	\$17,000	\$17,000	+\$17,000
TOTAL, AIR NATIONAL GUARD O&M	\$6,703,578	\$6,708,200	\$6,600,000	\$6,615,095	\$6,615,095	-\$88,483

**Recommend staff reference numbers in bold

Omnibus Items

1. Unjustified program growth -\$74,000
2. MIP program decrease not properly accounted -\$15,000
3. Program increase State Partnership Program +\$1,150
4. Maintain program affordability – unjustified growth -\$12,000
5. Program increase trauma training +\$1,367
6. MIP program unjustified growth -\$8,000
7. Program increase +\$10,000
8. Unjustified growth -\$9,000

Air National Guard Operations & Maintenance (Overseas Contingency Operations)

ANG O&M (OCO) Appropriation	FY17 President's Budget Request	FY17 HAC-D Mark	FY17 SAC-D Mark	FY17 Conference	FY17 Omnibus	Delta from Request
MISSION SUPPORT OPERATIONS	\$3,400	\$3,400	\$3,400	\$3,400	\$3,400	-
BASE SUPPORT	\$16,600	\$16,600	\$16,600	\$16,600	\$16,600	-
REDUCTION TO SUSTAIN MINIMAL READINESS LEVELS	-	-\$2,632	-	-	-	-
OPERATIONAL SUPPORT FOR DEPLOYED END STRENGTH OF 9,800 IN AFGHANISTAN	-	+\$13,718	-	-	-	-
DEPOT MAINTENANCE	-	+\$40,000	-	-	-	-
FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	-	+\$120,950	-	-	-	-
RECRUITING AND ADVERTISING	-	+\$67,000	-	-	-	-
RESTORE READINESS	-	+\$20,000	-	-	-	-
TOTAL, ANG O&M (OCO)	\$20,000	\$279,036	\$20,000	\$20,000	\$20,000	-

**Recommend staff reference numbers in bold

Title X - Additional Appropriations (Overseas Contingency Operations)

The omnibus provides \$14.8 billion in additional appropriations in OCO.

ARNG O&M (OCO) Additional Appropriation	FY17 Omnibus
MANEUVER UNITS	\$8,000
AVIATION ASSETS	\$44,000
LAND FORCES DEPOT MAINTENANCE	\$30,000
BASE OPERATIONS SUPPORT	\$5,868
TOTAL, ARNG O&M (OCO)	\$87,868

ANG O&M (OCO) Additional Appropriation	FY17 Omnibus
DEPOT MAINTENANCE	\$23,000
TOTAL, ANG O&M (OCO)	\$23,000

Army Procurement

- Adds \$50M for AH-64 Modernization
- Adds \$8.3M for Stryker Modernization

Air Force Procurement

- Adds \$38.5M for A-10 Modernization
- Adds 144.1M for F-16 Modernization
- Adds \$123.5M for C-130 Modernization

Legislative Provisions (Text is taken directly from the omnibus bill)

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

SEC. 8014. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8033. None of the funds made available by this Act may be used to— (1) disestablish, or prepare to disestablish, a Senior Reserve Officers' Training Corps program in accordance with Department of Defense Instruction Number 1215.08, dated June 26, 2006; or (2) close, downgrade from host to extension center, or place on probation a Senior Reserve Officers' Training Corps program in accordance with the information paper of the Department of the Army titled "Army Senior Reserve Officers' Training Corps (SROTC) Program Review and Criteria", dated January 27, 2014.

SEC. 8040. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this or any other Act may be used to consolidate or relocate any element of a United States Air Force Rapid Engineer Deployable Heavy Operational Repair Squadron Engineer (RED HORSE) outside of the United States until the Secretary of the Air Force—(1) completes an analysis and comparison of the cost and infrastructure investment required to consolidate or relocate a RED HORSE squadron outside of the United States versus within the United States; (2) provides to the congressional defense committees a report detailing the findings of the cost analysis; and (3) certifies in writing to the congressional defense committees that the preferred site for the consolidation or relocation yields the greatest savings for the Air Force: *Provided*, That the term “United States” in this section does not include any territory or possession of the United States.

SEC. 8044. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8046. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8047. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8057. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis. (b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8059. Of the funds appropriated in this Act under the heading “Operation and Maintenance, Defense wide”, \$25,000,000 shall be for continued implementation and expansion of the Sexual Assault Special Victims’ Counsel Program: *Provided*, that the funds are made available for transfer to the Department of the Army, the Department of the Navy, and the Department of the Air Force: *Provided further*, That funds transferred shall be merged with and available for the same purposes and for the same time period as the appropriations to which the funds are transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority provided in this Act.

SEC. 8066. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8068. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8116. None of the funds made available by this Act may be used to divest, retire, transfer, or place in storage or on backup aircraft inventory status, or prepare to divest, retire, transfer, or place in storage or on backup aircraft inventory status, any A-10 aircraft, or to disestablish any units of the active or reserve component associated with such aircraft.

SEC. 8123. None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round.

Omnibus Report Language (Text is taken directly from the omnibus bill)

NATIONAL GUARD STATE PARTNERSHIP PROGRAM LANGUAGE ENHANCEMENT PROGRAM

For more than twenty years, the National Guard State Partnership Program (SPP) has been successfully building unique security relationships with more than 75 nations around the globe. To build on the success of this program, the agreement recommends that the Chief of the National Guard Bureau encourage the enhancement of individual language skills and prioritize language school appointments of soldiers and airmen within the program to help further strengthen these international relationships. Additionally, servicemembers of the National Guard that participate in, and are from states with units assigned to state partnership activities should strive to attend language schools, both defense-sponsored and otherwise; obtain computer-assisted language-learning software; and use international visits through the SPP as a means of language skill immersion.

NATIONAL GUARD AND RESERVE EQUIPMENT

The agreement provides \$750,000,000 for National Guard and Reserve Equipment. Of that amount \$247,500,000 is designated for the Army National Guard, \$247,500,000 for the Air National Guard, \$105,000,000 for the Army Reserve, \$105,000,000 for the Air Force Reserve, \$37,500,000 for the Navy Reserve, and \$7,500,000 for the Marine Corps Reserve.

This funding will allow the reserve components to procure high priority equipment that may be used for combat and domestic response missions. Current reserve component equipping levels are among the highest in recent history and the funding provided by the agreement will help ensure component interoperability and sustained reserve component modernization.

The Secretary of Defense is directed to ensure that the account be executed by the Chiefs of the National Guard and reserve components with priority consideration given to the following items: acoustic hailing devices including hail and warning escalation of force systems, advanced cargo handling systems for CH-47, air broadband for C-12, airborne sense and avoid systems for remotely piloted aircraft, AU-digital radar warning receivers, chemical biological protective shelters, combat uniforms and cold weather protective clothing, common access card for remote access virtual private network with pre-tunnel authentication, computer-assisted language learning software, crashworthy ballistically tolerant auxiliary fuel systems, integrated facial protection components for standard issue helmets, large aircraft infrared countermeasures, advanced targeting pods, electromagnetic in-flight propeller balance systems, electro-optical infrared sensors, frequency hopping multiplexers, handheld and man pack and mid-tier networking vehicular radios, handheld explosives and chemical weapons detection capabilities, HMMWV rollover mitigation and control technologies, lightweight wide-area motion imagery systems,

modular small arms and self-contained ranges, joint threat emitters, mandible protection, Marine Corps tactical radio digital communications, the mobile user objective system, modular fuel systems, palletized loading systems, multi-temperature refrigerated container systems, near infrared aiming and illumination systems, out of band infrared pointer and illuminator systems, radio sets, semi-trailers, unstabilized gunnery crew trainer and small arms simulation trainers, and wireless mobile mesh self-healing network systems.

HAC Report Language (Text is taken directly from report)

MILITARY PERSONNEL OVERVIEW

The Committee recommendation provides \$128,168,468,000 for the military personnel accounts, which funds military pay and allowances, recruitment and retention initiatives, and overall quality of life programs for active duty, National Guard, and reserve personnel. The recommendation provides the resources required for an additional 27,000 active forces and 25,000 selected reserve forces above the requested end strength levels in order to meet operational needs for fiscal year 2017. The recommendation also provides increased basic pay for all military personnel by 2.1 percent as authorized by current law, effective January 1, 2017. The Committee continues to encourage constructive evaluations of recruitment and retention programs, bonus and special pay incentives, and personnel benefit programs for fiscal year 2017. The Committee remains supportive of programs intended to enhance the morale and quality of life of military personnel and their families.

FULL-TIME SUPPORT STRENGTHS

There are four categories of full-time support in the National Guard and reserve components: military technicians (dual status), Active Guard and Reserve, non-technician civilians, and active component personnel. Full-time support personnel organize, recruit, train, maintain, and administer the reserve components. Military technicians (dual status) directly support units and are critical to helping units maintain readiness and meet the wartime missions of the Army and Air Force.

ACTIVE, RESERVE, AND NATIONAL GUARD MILITARY PERSONNEL

In title I of the bill, the Committee recommends a total of \$128,168,468,000 for active, reserve, and National Guard military personnel, a decrease of \$733,864,000 below the budget request, and a decrease of \$1,060,190,000 below the fiscal year 2016 enacted level. The Committee recommendation provides funding to increase basic pay for all military personnel by 2.1 percent, as authorized by current law, effective January 1, 2017. The recommendation provides the resources required for an additional 28,715 active forces and 25,000 Selected Reserve forces above the requested end strength levels in order to meet operational needs in fiscal year 2017.

ARMY, ARMY NATIONAL GUARD, AND ARMY RESERVE CYBERSPACE OPERATIONS

The Committee recommendation includes \$1,330,000,000 across appropriation accounts to the Department of the Army, including the Army National Guard and the Army Reserve, for cyberspace operations in fiscal year 2017, an increase of \$384,000,000 over the fiscal year 2016 enacted level. The Army's contribution to the joint Cyber Mission Forces (CMF) is 41 teams made up of active duty personnel. In addition to the 41 active duty CMF teams, the Department of the Army has chosen to grow 21 Cyber Protection Teams (CPTs) in the reserve component. While the Committee strongly supports the Army CMF efforts to reach full operating capability by fiscal year 2018, the Committee is concerned that because the Army Reserve and the Army National Guard are not formally part of the CMF, they are not resourced through the United States Cyber Command training pipeline, which hinders access to training. As a result, the Army National Guard has chosen to establish a separate training course at its Professional Education Center. While the Committee supports the intent of this course, it is concerned that this is not the most efficient use of Army National Guard resources in the current constrained budget environment.

The Committee is aware that the Army Cyber Center of Excellence at Fort Gordon is growing capabilities and capacity and will provide training to the reserve component beginning in the summer of 2016. The Committee is also aware that the reserve component has not fully identified its training throughput requirements to support development of the 21 reserve component CPTs, which has made it difficult to ensure that reserve cyber warriors receive the training they need. The Committee directs the Commander, United States Cyber Command, the Secretary of the Army, the Chief of the Army Reserve, and the Director of the Army National Guard to cooperate to ensure that the Army National Guard and Army Reserve have adequate access to the Army training pipeline to ensure the reserve component CFTs will meet full operating capability within their current fielding plans and to submit a report to the congressional defense committees not later than 120 days after the enactment of this Act detailing the implementation of this plan. The Committee also encourages the Director of the National Security Agency (NSA), to collaborate with the Secretary of the Army to ensure that training courses that require NSA certification are reviewed in a timely manner.

The Committee recognizes the threat that attempted attacks to critical infrastructure and associated control systems by cyber hackers presents both domestically and internationally. The Committee supports collaborative efforts by the Department of Homeland Security, the Department of Energy national laboratories, universities, and private industry in order to spur innovation and create cost efficiencies while addressing these threats across multiple sectors. In addition, the Committee recognizes that the Army National Guard, through its CPTs, offers a flexible and ready force that can provide specialized experience. The Committee supports efforts by the Army National Guard, as part of its title 32 duties, to partner with these entities to provide training focused on protecting industrial control systems associated with critical infrastructure. The Committee further supports Army Reserve efforts to engage with universities and the private sector to develop formal cyber public-private partnerships to further cyber training and employment for Army Reserve cyber warriors. The Committee understands that the Army Reserve has experienced challenges in certifying the cyber public-private partnership program due to the classified nature of the cyber common technical core course. The Committee encourages the Director of the NSA and the Commander, United States Cyber Command to work with the Chief of the Army Reserve to provide a pathway for certification of this program.

MQ-9 FLEET SIZE

The Committee notes the objective procurement quantity of MQ- 9 Reapers has declined from over 400 as recently as fiscal year 2014 to 347 in the fiscal year 2017 budget request, and the current plan does not include procurement of any further MQ-9 aircraft after fiscal year 2017, despite an increasing demand for intelligence, surveillance, and reconnaissance from the combatant commanders and the attrition of at least 22 aircraft since 2009. The Committee understands that the Air Force is currently conducting a new analysis of the objective MQ-9 fleet, including an updated attrition model, and directs the Secretary of the Air Force to report the results of this study to the congressional defense committees not later than 30 days after its completion.

JOINT SURVEILLANCE TARGET ATTACK RADAR SYSTEM RECAPITALIZATION

The Committee is concerned by further delays in the acquisition schedule for the recapitalization of the E-8 Joint Surveillance Target Attack Radar System (JSTARS) fleet. The Committee is also concerned by direction from the Office of the Secretary of Defense that would appear to contemplate further delays to entering the engineering and manufacturing development phase of the program based on progress in radar risk reduction. The Committee urges the Secretary of Defense and the Secretary of the Air Force to avoid any further slips to the present schedule. The Committee recommends that the Secretary of the Air Force adopt a clear size, weight, power, and cooling requirement based on data and analysis that takes into account both prior experience on past acquisition programs and the present state of technology. The Committee also recommends that the Secretary of the Air Force consider an increase in the number of developmental aircraft

and utilize a contracting method that will incentivize the prime contractor to accelerate delivery of JSTARS recap aircraft and expedite the achievement of initial operating capability, which is currently projected to occur in fiscal year 2024. In order to preclude further delays to the program, the Committee recommendation includes a provision that prohibits the obligation or expenditure of JSTARS recapitalization program funds for pre-milestone B activities, including radar technology maturation and risk reduction, beyond December 31, 2017. Finally, in order to preserve JSTARS capability for the combatant commanders during the transition to a recapitalized fleet, the Committee also recommends an increase of \$19,700,000 above the budget request to complete modifications to the primary mission equipment of the existing operational E-8 JSTARS fleet. A recent report from the Air Force noted that two aircraft have not received these modifications solely due to budget restraints and that these modifications are essential to ensuring continued JSTARS mission relevance in the near term.

REPROGRAMMING GUIDANCE FOR THE DEFENSE HEALTH PROGRAM

The Committee remains concerned regarding the transfer of funds from the In-House Care budget sub-activity to pay for contractor- provided medical care. To limit such transfers and improve oversight within the Defense Health Program operation and maintenance account, the Committee includes a provision which caps the funds available for Private Sector Care under the TRICARE program subject to prior approval reprogramming procedures. The provision and accompanying report language should not be interpreted as limiting the amount of funds that may be transferred to the In-House Care budget sub-activity from other budget sub-activities within the Defense Health Program. In addition, funding for the In-House Care budget sub-activity continues to be designated as a congressional special interest item. Any transfer of funds from the In-House Care budget sub-activity into the Private Sector Care budget sub-activity or any other budget sub-activity requires the Secretary of Defense to follow prior approval reprogramming procedures for operation and maintenance funds. The Committee remains concerned that transfers of funds from the Private Sector Care budget sub-activity often occur without the submission of written notification as required by prior year Department of Defense Appropriations Acts. The Committee directs the Secretary of Defense to provide written notification to the congressional defense committees of cumulative transfers in excess of \$10,000,000 out of the Private Sector Care budget sub-activity not later than fifteen days after such a transfer. Furthermore, the Committee directs the Secretary of Defense to provide a report to the congressional defense committees not later than 30 days after the enactment of this Act that delineates transfers of funds, and the dates any transfers occurred, from the Private Sector Care budget sub-activity to any other budget sub-activity for fiscal year 2016. The Committee further directs the Assistant Secretary of Defense (Health Affairs) to provide quarterly reports to the congressional defense committees on budget execution data for all of the Defense Health Program budget activities and to adequately reflect changes to the budget activities requested by the Services in future budget submissions.

NATIONAL GUARD AND RESERVE EQUIPMENT

The Committee recommendation provides \$1,000,000,000 for National Guard and Reserve Equipment. Of that amount, \$330,000,000 is for the Army National Guard; \$330,000,000 is for the Air National Guard; \$140,000,000 is for the Army Reserve; \$50,000,000 is for the Navy Reserve; \$10,000,000 is for the Marine Corps Reserve; and \$140,000,000 is for the Air Force Reserve to meet urgent equipment needs that may arise in fiscal year 2017. This funding will allow the National Guard and reserve components to procure high priority equipment that may be used by these units for both their combat missions and their missions in support of state governors. The funding within this account is not to be used to procure equipment that has been designated as high density critical equipment item, major weapon systems, aircraft, and other items of equipment central to a unit's ability to perform its doctrinal mission. The funding within this account is not to be used to procure equipment that should be purchased by the senior Service, to expand or accelerate current Service procurement plans increasing program risk borne by the reserve components, to purchase expendable items, or to purchase facilities or equipment for any requirement that can be satisfied elsewhere. The Committee directs the Secretary of Defense to

ensure that the National Guard and Reserve Equipment account shall be executed by the Chiefs of the National Guard and reserve components with priority consideration given to the following items: acoustic hailing devices, airborne sense and avoid systems, common access card for remote access virtual private network with pre-tunnel authentication, crashworthy ballistically tolerant auxiliary fuel systems, integrated facial protection components for standard issue helmets, large aircraft infrared countermeasures, advanced targeting pods, electromagnetic in-flight propeller balance system, handheld and manpack and mid-tier networking vehicular radios, handheld explosives and chemical weapons detection capabilities, HMMWV rollover mitigation, modular small arms and self-contained ranges, joint threat emitter, Marine Corps tactical radio digital communications, the mobile user objective system, all-digital radar warning receivers, unstabilized gunnery crew trainer and small arms simulation trainers, and wireless mobile mesh self-healing network systems.

PILOT PROGRAM TO ASSIST MEMBERS OF THE ARMED FORCES

The Committee remains concerned with the ability of service members to attain employment after they leave the military and understands that a pilot program to address this issue was authorized in the National Defense Authorization Act for fiscal year 2015. The Committee directs the Secretary of Defense, in coordination with the Secretary of Veterans Affairs, to submit a report to the congressional defense committees not later than January 15, 2017, that details the feasibility of establishing a pilot program to assist members of the armed forces in obtaining post-service employment, the program requirements set forth in the National Defense Authorization Act for fiscal year 2015, and the annual funding required by the Department of Defense and the Department in such a program.

SAC Report Language (Text is taken directly from report)

Reserve Component Budget Reporting

The Committee continues its requirement for the Department to provide a semi-annual detailed report to the congressional defense committees showing transfers between subactivities within the military personnel appropriation. Reports shall be submitted not later than 30 days following the end of the second quarter and 30 days following the end of the fiscal year.

Advanced Trauma Training Program for National Guard and Reserve

The Committee recognizes the valuable support universities, hospitals, and other military partners provide by offering civilian-based emergency response trauma training to sustain medics' and medical providers' capabilities of the National Guard Enhanced Response Forces Packages [CERFP], National Guard Homeland Response Forces [NGHRF], and the Army Reserve Consequence Management Response Forces [CCMRF]. The Committee encourages the National Guard and Reserve to continue pursuing state-of-the-art trauma training with these civilian partners, thus maintaining unit medical readiness postures at optimum levels as military healthcare providers in CERFPs, NGHRFs, and CCMRFs maintain their individual skills to respond effectively to emergency incidents on the homeland. Furthermore, in order to minimize the civilian-military operational gaps in the event of a catastrophic incident, the Committee also encourages the development of enhanced preparedness medical training programs focusing on mass casualty triage, advanced disaster life support, advanced hazardous material life support, emergency dental, and psychological health by increasing civilian-based advanced trauma expertise gained through day-to-day experiences and medical research programs.

Remotely Piloted Aircraft Pilot Shortfall

The Committee is deeply concerned with the continuing shortage of Remotely Piloted Aircraft [RPA] pilots. As a result of shortfalls in incentivizing, training, and retaining RPA pilots, the fiscal year 2017 budget request proposes contractors to fill in for RPA operators. Contractors are not

authorized to operate on unmanned platforms in the same capacity as airmen, yet will be paid more for their work. This solution is not sustainable due to cost and the limits on missions performed by contractor pilots. To avoid this less than optimal temporary solution and improve retention, the Committee supports the use of critical skill bonus payments in order to direct and incentivize talent specifically for the RPA platform. The Committee believes skill bonus payments are not meant to support parity among platforms or services but to acknowledge the scarcity of an indispensable skill. The critical need for RPA pilots will continue to be an enduring requirement for the Air Force, and the Committee directs the Secretary of the Air Force to provide additional solutions.

Readiness

The Committee recommends an additional \$1,450,000,000 in title VIII and \$1,000,000,000 in title IX of this act to be transferred to the operation and maintenance accounts and be divided proportionately among the services and the National Guard and reserve components. This funding shall be used only to improve military readiness, including increased training, depot maintenance, and base operations support. None of the funding provided may be used for recruiting, marketing, or advertising programs. The funding provided is a congressional special interest item. The Secretary of Defense and the Service Secretaries are directed to submit a detailed spending plan by sub-activity group to the House and Senate Appropriations Committees not less than 30 days prior to the obligation of these funds. These transfers may be implemented 30 days after congressional notification unless an objection is received from either the House or Senate Appropriations Committees.

Cyber Mission Force Training and Readiness

The Committee supports efforts by the Department of Defense to grow a capable and trained cyber mission force, however, the Department is experiencing challenges in providing necessary training for military personnel in a timeframe that meets the demand. Given the urgent need to develop a capable cyber mission force, the Committee recommends that the Secretary of Defense, in coordination with the Service Secretaries and the Active and Reserve components, develop a strategy to address the current training delay, to include procedures and plans to increase training opportunities. The strategy should include an assessment of the feasibility of expanding training to sites with Active or Reserve components with secure infrastructure and qualified cyber personnel, including aggressor units and cyber red team units, capable of training military personnel in various cyber missions.

Cyber Mission Force Training Curriculum

The Committee recognizes the need for the U.S. military to have the most competitive cyber-security force in the world, both in offense and defense. The Committee also recognizes that hacking contests, such as the CyberStakes platform, offer a scalable platform that achieves an ever increasing level of competence among participants. The Committee directs the Director of Force Readiness and Training to develop, as part of the cyber training curriculum, a competitive hacking environment that includes the ability for participants to build novel working exploits and defend against them. The Director shall report back to the Committee within 120 days after enactment of this act on the training environment and steps that will be taken to measure participant capabilities.

Arctic Search and Rescue requirements

The Committee notes the increased utilization of the Arctic region by commercial air and vessel traffic and believes that this requires an update of search and rescue requirements in the region. The Committee understands that the Alaska Air National Guard 176th Wing is the closest dedicated rescue force, but maintains only a single Arctic sustainment package for alerts and partial package for training. The Secretary of the Air Force is directed to review Arctic search and rescue requirements and to submit with the fiscal year 2018 President's budget a report detailing the results of this review.

Cyber Command Elevation

The Committee understands that the Department of Defense and Congress are considering elevating Cyber Command to a full Combatant Command. The Committee recognizes that if such a transition takes place, it will take time to develop staffing plans, hire and clear needed personnel, and transfer military personnel to the new Command. The Committee believes that funds from within the fiscal year 2017 budget for Cyber Command are sufficient to meet the Command's early needs. The Committee expects that additional funds will be needed in fiscal year 2018 to support an elevated Cyber Command and directs the Secretary of Defense to present its plan for necessary funding in the fiscal year 2018 budget request if Cyber Command elevation is approved.

Long-Term Temporary Per Diem

In November, 2014, the Department of Defense [DOD] implemented a change to the Joint Travel Regulation [JTR] cutting per diem rates during long-term temporary duty travel. The Committee is concerned about the effect of the flat rate per diem policy on long-term temporary duty travelers. This policy has discouraged experienced employees of shipyards, depots, and arsenals from across the DOD from volunteering to fulfill mission critical requirements due to concerns of paying for expenses related to official travel out of pocket. The Committee is aware of legislative proposals and administrative policy that allow DOD to waive the flat rate per diem. However, the Committee is concerned that this waiver authority has generated greater uncertainty in the DOD workforce, particularly since the authority is split across proposed legislation and administrative policy, with meals and incidentals covered by pending legislation, and lodging by policy. Moreover, the Committee is concerned that these various waiver authorities create additional obstacles that discourage DOD's most experienced professionals from volunteering for mission essential work. The Committee worries that this affects the savings that accrue to DOD by adding maintenance days as a result of having less experienced workers volunteering for longterm missions.

The Committee notes that section 623 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-49) directed a review by the Comptroller General of the United States on the impact DOD's long-term temporary duty per diem policy has on affected employees. The Committee will carefully consider the findings of this review and will continue to work with stakeholders on potential policy changes, including a reversal of the flat rate per diem policy on long-term temporary duty travel if such a change becomes prudent. While the Committee awaits the results of that study, DOD is encouraged to allow the Service Secretaries to waive the per diem rates of long-term duty travelers up to the full amount based on actual costs incurred.

Special Victims' Counsel Program

The Committee remains concerned with the level of sexual assault in the military and supports the Department's continuing efforts to strengthen its sexual assault prevention and response program. The needs of victims of sexual assault for legal advice and guidance are particularly acute. To ensure that the Department continues to make progress protecting a victim's confidentiality and ending alienation during the investigation and prosecution of their case, the Committee recommends an additional \$25,000,000 for implementation of the Special Victims' Counsel Program across the services.

Youth Serving Organizations

The Committee recognizes that the dependent children of uniformed service members often experience turbulence and instability during their developmental years as a result of frequent deployments, permanent change of station moves, and training requirements borne by their parents in the service of the nation. The Committee further recognizes the importance of youth outreach programs that provide military children opportunity and mentorship as they cope with the turbulence that often accompanies military service. Therefore, the Committee recommends an

additional \$5,000,000 to support youth serving organizations and to expand efforts to support free memberships for military children who reside off base and wish to join off-installation sponsored youth serving organizations.

State Partnership Program

The State Partnership Program [SPP] has been successfully building relationships for over 20 years by linking a State's National Guard with the armed forces or equivalent of a partner country in a cooperative, mutually beneficial relationship. It includes 70 unique security partnerships involving 76 nations around the globe. The Committee recognizes the importance of SPP and encourages continued robust support of this important partnership program.

Equipment Modernization Reporting

The Committee continues to support maintaining fully modernized reserve components. However, the methods used by the services to characterize and report the status of military equipment modernization hinder Congress' ability to determine relative levels of modernization across the active and reserve components. The services must establish and codify modernization principles that articulate the definition of the term "modern equipment" in such a way as to allow for transparent appropriation decisions. The Committee also notes that equipment listed on service divestiture lists is not acceptable for characterization as "modern" if fielded to the reserve components. The Committee directs the Secretary of Defense to promulgate service standards for reporting modern equipment in time for those standards to be reflected in the National Guard and Reserve Equipment Report for Fiscal Year 2018.

HMMWV Modernization

The Committee recognizes the critical role that technologies like antilock brakes and electronic stability control play in mitigating rollover accidents, although such technologies are not common on military tactical wheeled vehicles. The Army and Marine Corps recently completed a congressionally mandated study of potential up-armored High Mobility Multipurpose Wheeled Vehicle [HMMWV] automotive improvements, which included such technologies. As a result of the Modernization Expanded Capability Vehicle-Automotive study, the Committee understands that safety-improvement technologies exist which could be applied to today's HMMWV fleet. The Committee encourages the Army to initiate the necessary engineering and logistical analyses necessary to develop and compete an engineering proposal for Army up-armored HMMWV safety improvement kits as an element of future modernization efforts for HMMWVs in the Regular Army, Army National Guard, and Army Reserve fleets.

HMMWV Ambulances

The Committee notes that the average age of ground ambulance fleets within the active and reserve components of the Army is 28 years. At current levels of investment, these fleets will remain less than 25 percent modernized across the Future Years Defense Program, impairing the total Army's ability to execute its Federal and State missions. The Committee recommends an additional \$110,000,000 for High Mobility Multipurpose Wheeled Vehicle ambulances, of which \$50,000,000 is intended for the Regular Army, \$40,000,000 for the Army National Guard and \$20,000,000 for the Army Reserve.

Tactical Bridging

The Committee is aware that the Army is replacing its aging MK II Bridge Erection Boats [BEB] with a newly designed BEB upgraded to meet current survivability, transportability, and interoperability requirements. It will provide Regular Army, Army National Guard, and Army Reserve engineer bridge companies with enhanced capability to conduct bridging, dive support, rafting, and patrols. The program expects to transition to full rate production in fiscal year 2017 and eventually procure 379 vessels. The Committee encourages the Army maintain close oversight of production to keep program costs low and meet planned acquisition objectives.

KC-46 Tanker

The Committee supports the budget request of \$2,884,591,000 to procure 15 KC-46 Tanker aircraft; however, the Committee is concerned with several aspects of the program. First, the fiscal year 2017 request was originally planned to be the first year of full rate production with a maximum production quantity of 15 aircraft per year, requiring approval from the Under Secretary of Defense for Acquisition, Technology, and Logistics [AT&L]. Unfortunately, the full rate production decision has been delayed and the fiscal year 2017 aircraft buy was downgraded to a low rate initial buy at the same quantity but without a formal review by AT&L. Second, the program has only completed roughly 20 percent of development flight test and recently identified a critical issue with the refueling boom. The Air Force is still performing testing to determine if the solution requires software or hardware changes, or both. Third, the Committee is concerned with the numerous delays in key milestones. Specifically, the approval to begin production (milestone C) has slipped 10–11 months; initial operational test and evaluation has slipped 11 months; and delivery of the first aircraft has slipped 9 months. The current schedule indicates that all of these milestones are now projected to occur near the contractually established delivery dates leaving little schedule margin to meet the required assets availability requirement of August 2018. The Committee fully funds the fiscal year 2017 budget request to maintain the acquisition strategy, with concerns noted above, and directs Secretary of the Air Force to continue providing quarterly program updates.

UH-1 Replacement

The Committee recognizes the urgent need to replace the current Air Force fleet of UH-1N aircraft supporting the emergency response mission of the intercontinental ballistic missile [ICBM] sites. Therefore, the Committee recommends \$75,000,000 for the Air Force and directs the Air Force to expedite procurement of replacement aircraft in compliance with 10 U.S.C. 2304. Additionally, the Committee directs the Commander of the United States Strategic Command [USSTRATCOM], not later than 30 days after the date of enactment of this act, to submit a classified report to the congressional defense committees that includes (1) a description of potential threats to the security of ICBM sites as a result of the UH-1N not meeting current mission requirements; (2) a list of helicopter capabilities needed to meet current mission requirements; (3) the minimum number of aircraft needed for emergency response mission; and (4) an assessment of the security risks associated with any shortfalls identified. Therefore, until the UH-1N aircraft supporting the ICBM sites are replaced, the Committee directs the Secretary of Defense, in coordination with the Secretary of the Air Force, Secretary of the Army, and the Chairman of the Joint Chiefs of Staff, to mitigate the air support security risks with additional air support. Further, the Committee directs the Secretary of Defense, not later than 180 days after the date of enactment of this act, to submit a report, with certification from the Commander, USSTRATCOM, that the security risk mitigation actions taken do effectively address the shortfalls identified by the report from USSTRATCOM.

Joint Surveillance Target Attack Radar System [JSTARS]

The Committee supports the JSTARS recapitalization program, an essential warfighting capability. The Committee expects the Air Force will take no action to prematurely retire E-8C aircraft until the new capability delivers. Accordingly, the Committee directs the Secretary of the Air Force to fund all necessary modifications of the E-8C fleet and maintain all E-8C aircraft in a common configuration to support world-wide missions, avoid the degradation of mission performance, and meet combatant commander requirements.

National Guard Air Superiority Mission

The Committee recognizes the benefit to the U.S. Northern Command combatant commander, responsible for homeland defense, to have access to lethal air superiority aircraft that are able to perform the air superiority mission for extended periods of time, with only limited air refueling assets. The Committee encourages the Air Force to review the benefits and costs of fully equipping Air National Guard F-15C/D aircraft with conformal fuel tanks and additional weapons stations to enhance homeland defense capability.

Advanced Pilot Training Program

The fiscal year 2017 budget request includes \$12,377,000 to develop the Advanced Trainer Replacement to replace the T-38 aircraft and the associated ground based training system. The average age of T-38 aircraft is nearly 50 years and the fleet is reaching the end of its third service life. The Committee fully funds the fiscal year 2017 budget request and encourages the Air Force's Air Education and Training Command to accelerate Initial Operational Capability as the program moves forward. Separately, the Navy and the Air Force's Air Combat Command [ACC], who also operate T-38 aircraft, should leverage the Advanced Pilot Training Program. The Committee directs the Secretary of the Navy and the Commander of Air Combat Command to provide a business case analysis to congressional defense committees not later than 120 days after enactment of this act to begin considering alternatives for replacing their aging T-38 trainers and adversary aircraft.

F-15 Survivability

The Committee supports the fiscal year 2017 request for the F-15 Eagle Passive/Active Warning and Survivability System [EPAWSS] program. The F-15 EPAWSS program is critical to the survivability and lethality of the fleet to counter current and future electronic warfare threats. Given the strategic importance of the program for homeland defense and overseas contingencies, the Committee encourages the Air Force to review its plan and funding through fiscal year 2021 to fully equip Air National Guard F-15 aircraft with EPAWSS.

Joint Surveillance and Target Attack Radar System [JSTARS]

The fiscal year 2017 budget request includes \$128,019,000 for the JSTARS recapitalization program, of which \$102,800,000 supports a new radar risk reduction phase to mature two competing radars over an 18-month period through the end of fiscal year 2017. The Department of Defense [DOD] revised the JSTARS recapitalization program schedule, delaying the start of the Engineering and Manufacturing Development [EMD] phase to fiscal year 2018, extending the EMD phase from four to five and a half years, and delaying initial operational capability [IOC] to 2024 and full operational capability [FOC] to 2028. In the reports accompanying the Senate versions of the Department of Defense Appropriations Acts, 2015 and 2016 (Senate Reports 113-211 and 114-63), the Committee voiced its support of the JSTARS recapitalization program and directed the Air Force to accelerate the acquisition schedule. The JSTARS recapitalization program is necessary to replace an aging, low density, and high demand E8-C fleet. From the outset, the recapitalization program was primarily intended to be an integration effort of mature technologies onto an existing platform to achieve the most cost-effective and low risk solution. Instead, the DOD has delayed EMD and requested additional funds for radar risk reduction. The Committee believes there is less risk related to available systems and mature technologies and that the greater programmatic risk associated with integration of the radar and battle management, command, and control system onto a new aircraft be addressed earlier in the program.

The Committee notes that the fiscal year 2017 request for JSTARS recapitalization does not support a timely fielding acquisition strategy. Therefore, the Committee directs that \$102,800,000 of the request for radar risk reduction only be used to fund the EMD contract award or support the EMD source selection process. The Committee directs the Secretary of the Air Force and the Under Secretary of Defense for Acquisition, Technology, and Logistics to provide a briefing to the congressional defense committees not later than 90 days after enactment of this act on a compressed acquisition schedule and funding profile to achieve IOC and FOC as early as possible.

F-16 Modernization

The Committee understands that the advance of threats on U.S. aircraft have increased to a level where the F-16 struggles to maintain air superiority. The Committee further notes that without a funding plan to modernize the F-16 fleet, which will remain in the inventory for 15-20 additional years, the aircraft will be at a serious disadvantage when operating against both air-to-air and

surface-to-air threats. Therefore, the Committee encourages the Air Force to ensure that the F-16 fleet is modernized appropriately to maintain air superiority against current and future threats.

Simulation Training

The Committee supports the Department of Defense's continued expansion of the full range of simulation training as a cost-effective means by which the military can improve tactical decision-making skills in realistic scenarios only found in theater combat operations. The Committee encourages the Department of Defense to continue developing and supporting efficient simulation training programs through a combination of both government-owned and operated simulators, as well as support from industry that can provide frequent hardware and software updates.

Mental Health Professionals

The Committee recognizes that service members and their families face unique stresses beyond those of everyday life. After over a decade of war, the need for mental health professionals in the Department is at an all-time high, and the Committee believes that every beneficiary of the Military Health System should have timely access to mental health services. However, the Committee is concerned with the Department's inability to recruit and retain enough psychiatrists, psychologists, social workers, nurse practitioners, and registered nurses to provide adequate mental healthcare. The Government Accountability Office [GAO] review of this issue found that progress is being made regarding the annual reporting of mental health professional staffing needs. However, GAO also noted that the services need to accurately report any additional measures used to supplement the Psychological Health Risk-Adjusted Model for Staffing [PHRAMS] as well as report their PHRAMS-generated estimates in the requirements fields of the Defense Health Agency's [DHA] quarterly mental health staffing reports.

The Committee encourages the Assistant Secretary of Defense (Health Affairs), the Director of the Defense Health Agency, and the Service Surgeons General to continue to work together to ensure annual estimates of mental health professionals meet the needs of all beneficiaries in the military health system. In addition, the Assistant Secretary of Defense (Health Affairs) is directed to prepare as part of DHA's fiscal year 2018 budget submission a review of these estimates as well as an outline of current challenges in recruiting and retaining mental health professionals by the Department of Defense.

Behavioral and Mental Health Care for National Guard and Reserve

The Committee recognizes that the men and women of the National Guard and Reserve components need greater access to care if they are to maintain a high state of medical readiness to support regularly occurring deployments. It also recognizes that the suicide rate in the reserve components is consistently higher than the suicide rate for both the active duty military and the civilian population. Therefore, the Committee encourages the Department to better ensure that periodic health assessments are followed by medical treatment to address any behavioral or mental health conditions that could impact a service member's ability to deploy, even if such care falls outside of the pre-deployment window. This practice would allow for a more medically ready, deployable force and would expand access to behavioral and mental healthcare for reserve component service members.

Biological Dosimetry Network for Radiological/Nuclear Events

The Committee is concerned that the detonation of a nuclear weapon at a Department of Defense facility or in a combat zone has the potential to expose numerous military and civilian personnel to radiation and non-radiation effects. This type of event could overwhelm medical personnel unless effective triage is in place. A biodosimetry network could provide an estimate of the radiation dose an individual actually received and would clearly identify those in need of further treatment. The

Committee understands that the Department is in the process of developing a biodosimetry network and encourages the expeditious development and testing of such a network. Further, the Department should coordinate its efforts with the Departments of Health and Human Services, Homeland Security, the Food and Drug Administration and other agencies as appropriate.

National Guard Counter-Drug Program

The Committee remains concerned that the Department continues to reduce overall funding for the National Guard Counter-Drug program, and disagrees with the fiscal year 2017 President's budget request which does not fund these activities under an independent budget line. The Committee recommends \$214,000,000 for the National Guard Counter-Drug program and directs the Department to include an individual budget line for this program in its fiscal year 2018 budget submission.

National Guard Counter-Drug Schools

The Committee continues to support the counter-drug schools' mission of providing combatant commands, law enforcement agencies, community-based organizations, and military personnel with training to support and enhance their capabilities to detect, interdict, disrupt, and curtail drug trafficking as an important component of our overall effort to reduce drug crimes and protect national security. The Committee recommends \$20,000,000 for the counter-drug schools to achieve their full mission and directs the Department to include an individual budget line for this program in its fiscal year 2018 budget submission.

High-Priority Items

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: Control Technologies for HMMWV, Digital Radar Warning Receiver [ALR-69A] for ANG F-16 and C-130, Large Aircraft Infrared Countermeasures System, Generation 4 Targeting Pods, Electro-Optical Infrared Sensors, Hail and Warning Escalation of Force Systems, Out of Band Infrared Pointer and Illuminator Systems, Near Infrared Aiming and Illumination Systems, CAC VPN Connection with Pre-Tunnel Authentication, Acoustic Hailing Devices, Sense and Avoid Systems for MQ-9, Multi-temperature Refrigerated Container Systems, Modular Fuel Systems, Palletized Loading Systems, Semi-trailers, Frequency Hopping Multiplexers, Mandible Protection, In-Flight Propeller Balancing Systems, Combat Uniforms and Cold Weather Protective Clothing, Air Broadband for C-12, AN/PDR-75A Radiac Sets, Chemical Biological Protective Shelters, Lightweight Wide area Motion Imagery Systems, and Advanced Cargo Handling Systems for CH-47.