



National Guard Bureau  
Office of Legislative Liaison



# FY20 House Appropriations Committee Defense Appropriations Act



*As of October 9, 2019*

**Bill Status**

	Passed in Committee	Passed in Chamber	Final Passage	Signed into Law
House	20 May 2019	19 June 2019		
Senate	12 September 2019			

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## Executive Summary

This guide provides a short summary of the initial subcommittee markup for the Fiscal Year 2020 Defense Appropriations Act. To obtain a complete understanding of any particular provision, users are encouraged to review the actual legislative language. Bill text and report language can be found on the LL website: [www.nationalguard.mil/ll](http://www.nationalguard.mil/ll).

### Status:

On June 19, 2019, the House of Representatives passed H.R. 2740, which includes the Department of Defense Appropriations for Fiscal Year 2020. The bill appropriates \$622.1 billion for base defense spending and \$68.1 billion for OCO, for a total of \$690.2 billion. The total is \$15.8 billion above the fiscal 2019 level.

### Highlights:

- Funds a 3.1% military pay raise
- Funds an end strength of 336,000 (7,500 below FY19) for the ARNG and 107,700 (600 above FY19) for the ANG
- Appropriates \$375M each for the ARNG and ANG in NGREA (\$46M below FY19)
- The Appropriations Committee recommendation does not fully fund the request to establish the proposed Space Force. It appropriates \$15M to examine and refine alternative organizational options that will streamline the management and decision-making process and minimize overhead cost and bureaucracy.
- Provides funding for Space Unified Combatant Command
- Adds \$50M for Youth Challenge
- Adds \$35M for STARBASE
- Appropriates \$172.2M for the National Guard Counterdrug Program (\$44.9 below FY19 Mark) and \$5.3M for Counterdrug Schools
- Adds \$3.6M for State Partnership Program (\$4.1M below FY19 add)
- Adds \$10M for Innovative Readiness Training
- Adds \$30M to Restore Readiness
- Provides funding for:
  - 90 F-35 (12 more than President's Budget): 60 for Air Force;
  - 8 F-15EX;
  - 16 C/MC/KC-130J (4 more than President's Budget AFRC);
  - 15 MQ-9: 12 for Air Force;
  - 12 KC-46;
  - 12 Combat Rescue Helicopters;

- Congressional add of \$75M to accelerate F-16 AESA upgrades (Not specific to ANG)
- Provides no funds for the AF Light Attack program
- Increased C-130 engine enhancement program and eight-blade propeller upgrade program by \$79M and \$55M respectively
- Congressional add of \$100M for ARNG HMMWV modernization
- Add statutory language that directs SECDEF to submit for approval to congressional defense committees for reprogramming above \$10M for MILPERS, O&M, Procurement, RDT&E

# National Guard Accounts Overview

(All Dollars in Thousands)

Army National Guard	FY20 President's Budget Request	FY20 HAC-D Mark	Delta from Request	FY20 SAC-D Mark	Delta from Request	FY20 Conference
ARNG Personnel	\$8,808,305	\$8,664,535	-\$143,770	\$8,912,605	\$104,300	
ARNG Personnel OCO	\$202,644	\$202,644	-	\$202,644	-	
ARNG O&M	\$7,629,403	\$7,448,536	-\$180,867	\$7,588,903	-\$40,500	
ARNG O&M OCO	\$83,291	\$83,291	-	\$83,291	-	
NGREA	-	\$375,000	+\$375,000	\$272,000		

Air National Guard	FY20 President's Budget Request	FY20 HAC-D Mark	Delta from Request	FY20 SAC-D Mark	Delta from Request	FY20 Conference
ANG Personnel	\$4,063,845	\$4,032,521	-\$31,324	\$4,086,045	+\$22,200	
ANG Personnel OCO	\$5,624	\$5,624	-	\$5,624	-	
ANG O&M	\$6,727,229	\$6,602,589	-\$134,640	\$6,732,792	+\$5,563	
ANG O&M OCO	\$176,927	\$176,927	-	\$176,927	-	
NGREA	-	\$375,000	+\$375,000	\$272,000		

\*HAC/SAC-D did not include the OCO for Base funding in their Mark. The Committee shifted the funding into base, which is represented in this summary.



# Army National Guard

## Army National Guard Personnel

(All Dollars in Thousands)

ARNG Personnel Appropriation	FY20 President's Budget Request	FY20 HAC-D Mark	Delta from Request	FY20 SAC-D Mark	Delta from Request	FY20 Conference
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	\$2,607,324	\$2,607,324	-	\$2,607,324	-	
PAY GROUP F TRAINING (RECRUITS)	\$539,742	\$539,742	-	\$539,742	-	
PAY GROUP P TRAINING (PIPELINE RECRUITS)	\$44,401	\$44,401	-	\$44,401	-	
SCHOOL TRAINING	\$529,639	\$529,639	-	\$529,639	-	
SPECIAL TRAINING	\$813,283	\$827,903 <sup>1,2,3,4</sup>	+\$14,620	\$818,283 <sup>5</sup>	+\$5,000	
ADMINISTRATION AND SUPPORT	\$4,182,249	\$4,182,249	-	\$4,182,749 <sup>6</sup>	+\$500	
THRIFT SAVINGS PLAN MATCHING CONTRIBUTIONS	\$19,194	\$19,194	-	\$19,194	-	
EDUCATION BENEFITS	\$72,473	\$72,473	-	\$72,473	-	
<b>TOTAL, BUDGET ACTIVITY 1 (BAC-01)</b>	<b>\$8,808,305</b>	<b>\$8,822,925</b>	<b>+\$14,620</b>	<b>\$8,813,805</b>	<b>+\$5,500</b>	
UNDISTRIBUTED ADJUSTMENT	-	-\$159,590	-159,590	-\$121,800 <sup>7,8</sup>	-\$121,800	
TRAUMA TRAINING	-	+\$1,200	+\$1,200	+\$1,100 <sup>9</sup>	+\$1,100	
OPERATION GUARDIAN SUPPORT	-	-	-	+\$219,500 <sup>10</sup>	+\$219,500	
<b>TOTAL, ARNG PERSONNEL</b>	<b>\$8,808,305</b>	<b>\$8,664,535</b>	<b>-\$143,770</b>	<b>\$8,912,605</b>	<b>+\$104,300</b>	

### HAC-D & SAC-D Items

1. Program increase: SPP +\$1,620
2. Program increase: CMATs +\$2,000
3. Program increase: Critical Cybersecurity skillsets +\$1,000
4. Program increase: Northern Strike +\$10,000
5. Program increase: Wildfire training +\$5,000
6. Program increase: Preventative mental health program
7. Improving funds management: Revised budget estimate
8. Improving funds management: Rate adjustment
9. Program increase: Advanced trauma training
10. Program increase: Operation Guardian Support

### Army National Guard Personnel (Overseas Contingency Operations)

ARNG Personnel (OCO) Appropriation	F20 President's Budget Request	FY20 HAC-D Mark	Delta from Request	FY20 SAC-D Mark	Delta from Request	FY20 Conference
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	\$65,231	\$65,231	-	\$65,231	-	
SCHOOL TRAINING	\$3,324	\$3,324	-	\$3,324	-	
SPECIAL TRAINING	\$115,437	\$115,437	-	\$115,437	-	
ADMINISTRATION AND SUPPORT	\$18,652	\$18,652		\$18,652	-	
<b>TOTAL ARNG PERSONNEL (OCO)</b>	\$202,644	\$202,644	-			

### Army National Guard Operations & Maintenance

ARNG O&M Appropriation	FY20 President's Budget Request	FY20 HAC-D Mark	Delta from Request	FY20 SAC-D Mark	Delta from Request	FY20 Conference
MANEUVER UNITS	\$805,671*	\$797,671 <sup>1</sup>	-\$8,000	\$775,671 <sup>13</sup>	-\$30,000	
MODULAR SUPPORT BRIGADES	\$195,334*	\$193,334 <sup>2</sup>	-2,000	\$195,334	-	
ECHELONS ABOVE BRIGADE	\$771,048*	\$771,548 <sup>3</sup>	-\$500	\$771,048	-	
THEATER LEVEL ASSETS	\$94,726*	\$91,826 <sup>4</sup>	-\$2,900	\$94,726	-	
LAND FORCES OPERATIONS SUPPORT	\$33,696*	\$35,185 <sup>5,6</sup>	+\$1,489	\$33,696	-	
AVIATION ASSETS	\$981,819*	\$973,819 <sup>7</sup>	-\$8,000	\$981,819	-	
FORCE READINESS OPERATIONS SUPPORT	\$743,206	\$743,206	-	\$745,106 <sup>14,15</sup>	+\$1,900	
LAND FORCES SYSTEMS READINESS	\$50,963	\$50,963	-	\$50,963	-	
LAND FORCES DEPOT MAINTENANCE	\$258,278*	249,778 <sup>8</sup>	-\$8,500	\$258,278	-	
BASE OPERATIONS SUPPORT	\$1,153,076*	\$1,121,576 <sup>9</sup>	-\$31,500	\$1,145,576 <sup>16,17,18</sup>	-\$7,500	
FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	\$1,113,475	\$1,013,475 <sup>10</sup>	-\$100,000	\$1,113,475	-	
MANAGEMENT AND OPERATIONAL HQ	\$1,001,042	\$987,042 <sup>11</sup>	-\$14,000	\$986,042 <sup>19</sup>	-\$15,000	
CYBERSPACE ACTIVITIES – CYBERSPACE OPERATIONS	\$8,448	\$8,448	-	\$8,448	-	
CYBERSPACE ACTIVITIES – CYBERSECURITY	\$7,768	7,768	-	\$7,768	-	

<b>TOTAL, BUDGET ACTIVITY ONE (BAC-01)</b>	<b>\$7,218,550</b>	<b>\$7,044,639</b>	<b>-\$173,911</b>	<b>\$7,167,950</b>	<b>-\$50,600</b>	
SERVICEWIDE TRANSPORTATION	\$9,890	\$9,890	-	\$9,890	-	
ADMINISTRATION	\$71,070	\$72,114 <sup>12</sup>	+\$1,044	\$71,070	-	
SERVICEWIDE COMMUNICATIONS	\$68,213	\$68,213	-	\$62,213 <sup>20</sup>	-\$6,000	
MANPOWER MANAGEMENT	\$8,628	\$8,628	-	\$8,628	-	
RECRUITING AND ADVERTISING	\$250,376	\$250,376	-	\$250,376	-	
REAL ESTATE MANAGEMENT	\$2,676	\$2,676	-	\$2,676	-	
<b>TOTAL, BUDGET ACTIVITY FOUR (BAC-04)</b>	<b>\$410,853</b>	<b>\$411,897</b>	<b>+\$1,044</b>	<b>\$404,853</b>	<b>-\$6,000</b>	
RESTORE READINESS	-	+\$20,000	+\$20,000	-	-	
HISTORICAL UNOBLIGATION	-	-\$28,000	-\$28,000	-	-	
OVERESTIMATION OF CIVILIAN SUPPORT	-	-	-	-\$20,000 <sup>21</sup>	-\$20,000	
OPERATION GUARDIAN SUPPORT	-	-	-	+\$36,100 <sup>22</sup>	+\$36,100	
<b>TOTAL, ARNG O&amp;M</b>	<b>\$7,629,403</b>	<b>\$7,448,536</b>	<b>-\$180,867</b>	<b>\$7,588,903</b>	<b>-\$40,500</b>	

NOTE: \* represent the total budget request from Base and OCO for Base in the President's Budget; OCO for Base was not included in the House Appropriations Mark

**HAC-D & SAC-D Items**

1. Excess growth: -\$8,000
2. Excess growth: -\$2,000
3. Excess growth: -\$500
4. Excess growth: -\$2,900
5. Program increase: advanced trauma training program: +\$489
6. Program increase: corrosion control: +\$1,000
7. Excess growth: -\$8,000
8. Insufficient justification: -\$8,500
9. Insufficient justification: -\$31,500
10. Insufficient justification: -\$100,000
11. Insufficient justification: -\$14,000
12. Program increase: SPP +\$1,044
13. Improving funds management: Unaccounted for: -\$30,000
14. Program increase: Advanced trauma training program: +\$900
15. Program increase: Wildfire training: +\$1,000
16. Maintain program affordability: Unjustified growth: -\$20,000
17. Program increase: PFAS remediation: +\$9,500
18. Program increase: Preventative mental health: +\$3,000
19. Improving funds management: Unaccounted for: -\$15,000
20. Improving funds management: Unaccounted for: -\$6,000
21. Maintain program affordability: Overestimation of civilian FTE targets: -\$20,000
22. Program increase: Operation Guardian Support: +\$36,100

**Army National Guard Operations & Maintenance (Overseas Contingency Operations)**

ARNG O&M (OCO) Appropriation	FY20 President's Budget Request	FY20 HAC-D Mark	Delta from Request	FY20 SAC-D Mark	Delta from Request	FY20 Conference
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MANEUVER UNITS	\$45,896*	\$45,896*	-	\$45,896*	-	
MODULAR SUPPORT BRIGADES	\$180*	\$180*	-	\$180*	-	
ECHELONS ABOVE BRIGADE	\$2,982*	\$2,982*	-	\$2,982*	-	
THEATER LEVEL ASSETS	\$548*	\$548*	-	\$548*	-	
AVIATION ASSETS	\$9,229*	\$9,229*	-	\$9,229*	-	
FORCE READINESS OPERATIONS SUPPORT	\$1,584*	\$1,584*	-	\$1,584*	-	
BASE OPERATIONS SUPPORT	\$202,063*	\$202,063*	-	\$202,063*	-	
MANAGEMENT AND OPERATIONAL HEADQUARTERS	\$606	\$606	-	\$606	-	
SERVICEWIDE COMMUNICATIONS	\$203	\$203	-	\$203	-	
<b>TOTAL, ARNG O&amp;M (OCO)</b>	<b>\$83,291</b>	<b>\$83,291</b>	<b>-</b>	<b>\$83,291</b>		

Note: \* Represent OCO for war request; OCO for Base was not included in this calculation



# Air National Guard

## Air National Guard Personnel

(All Dollars in Thousands)

ANG Personnel Appropriation	FY20 President's Budget Request	FY20 HAC-D Mark	Delta from Request	FY20 SAC-D Mark	Delta from Request	FY20 Conference
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	\$935,299	\$935,299	-	\$935,299	-	
PAY GROUP F TRAINING (RECRUITS)	\$81,644	\$81,644	-	\$81,644	-	
PAY GROUP P TRAINING (PIPELINE RECRUITS)	\$7,969	\$7,969	-	\$7,969	-	
SCHOOL TRAINING	\$357,890	\$357,890	-	\$357,890	-	
SPECIAL TRAINING	\$218,104	\$218,680 <sup>1</sup>	+\$576	\$220,104 <sup>3</sup>	+\$2,000	
ADMINISTRATION AND SUPPORT	\$2,438,963	\$2,438,963	-	\$2,439,463 <sub>4</sub>	+\$500	
THRIFT SAVINGS PLAN MATCHING CONTRIBUTIONS	10,083	\$10,083	-	\$10,083	-	
EDUCATION BENEFITS	\$13,893	\$13,893	-	\$13,893	-	
<b>TOTAL, BUDGET ACTIVITY 1 (BAC-01)</b>	<b>\$4,603,845</b>	<b>\$4,064,421</b>	<b>+\$576</b>	<b>\$4,066,345</b>	<b>+\$2,500</b>	
UNDISTRIBUTED ADJUSTMENT	-	-\$33,700 <sup>2</sup>	-\$33,700	-\$12,200 <sup>5,6</sup>	-\$12,200	
TRAUMA TRAINING		+\$1,800	+\$1,800	+\$2,200 <sup>7</sup>	+\$2,200	
OPERATION GUARDIAN SUPPORT	-	-	-	\$29,700 <sup>8</sup>	+\$29,700	
<b>Total, National Guard Personnel, Air Force</b>	<b>\$4,063,845</b>	<b>\$4,032,521</b>	<b>-\$31,324</b>	<b>\$4,086,045</b>	<b>+\$22,200</b>	

### HAC-D & SAC-D Items

1. Program increase: SPP +\$576
2. Historical unobligated balance: -\$1,000
3. Program increase: Wildfire training: +\$2,000
4. Program increase: Preventive mental health program: +\$500
5. Improving funds management: Revised budget estimate: -\$11,200
6. Improving funds management: Rate adjustment: -\$1,000
7. Program increase: Advanced trauma training
8. Program increase: Operation guardian Support

## Air National Guard Personnel (Overseas Contingency Operations)

ANG Personnel (OCO) Appropriation	FY20 President's Budget Request	FY20 HAC-D Mark	Delta from Request	FY20 SAC-D Mark	Delta from Request	FY20 Conference
SPECIAL TRAINING	\$5,624	\$5,624	-	\$5,624	-	

**TOTAL, NATIONAL GUARD  
PERSONNEL, AIR FORCE  
(OCO)**

\$5,624    \$5,624    -    \$5,624    -

**Air National Guard Operations & Maintenance**

ANG O&M Appropriation	FY20 President's Budget Request	FY20 HAC-D Mark	Delta from Request	FY20 SAC-D Mark	Delta from Request	FY20 Conference
AIRCRAFT OPERATIONS	\$2,497,967	\$2,419,267 <sup>1</sup>	-\$78,700	\$2,482,967 <sup>11</sup>	-\$15,000	
MISSION SUPPORT OPERATIONS	\$600,377	\$596,037 <sup>2,3,4,5,6</sup>	-\$4,340	\$612,477 <sup>12,13,14,15,16,17</sup>	+\$12,100	
DEPOT MAINTENANCE	\$879,467*	\$867,467 <sup>7</sup>	-\$12,000	\$879,467	-	
FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	\$400,734	\$395,134 <sup>8</sup>	-\$5,600	\$401,902 <sup>18</sup>	+\$1,168	
CYBERSPACE ACTIVITIES	\$25,507	\$25,507		\$25,507	-	
CYBERSPACE SUSTAINMENT	\$24,742*	\$24,742		\$24,742	-	
CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	\$1,299,089*	\$1,285,089 <sup>9</sup>	-\$14,000	\$1,299,089	-	
BASE OPERATING SUPPORT	\$911,775	\$901,775	-\$10,000	\$945,270 <sup>19,20</sup>	+\$33,495	
<b>TOTAL, BUDGET ACTIVITY ONE (BAC-01)</b>	\$6,639,658	\$6,515,018	-\$124,640	\$6,671,421	+\$31,763	
ADMINISTRATION	\$47,215	\$47,215	-	\$47,215	-	
RECRUITING AND ADVERTISING	\$40,356	\$40,356	-	\$40,356	-	
<b>TOTAL, BUDGET ACTIVITY FOUR (BAC-04)</b>	\$87,571	\$87,571	-	\$87,571	-	
RESTORE READINESS	-	+\$10,000	+\$10,000	-	-	
HISTORICAL UNOBLIGATION	-	-\$20,000	-\$20,000	-	-	
OVERESTIMATION OF CIVILIAN FTE TARGETS	-	-	-	-\$30,000 <sup>21</sup>	-\$30,000	
OPERATION GUARDIAN SUPPORT	-	-	-	+\$3,800 <sup>22</sup>	+\$3,800	
<b>TOTAL, O&amp;M, AIR NATIONAL GUARD</b>	\$6,727,229	\$6,592,589	-\$114,640	\$6,732,792	+\$5,563	

NOTE: \* represent the total budget request from Base and OCO for Base in the President's Budget; OCO for Base was not included in the House Appropriations Mark

**HAC-D & SAC-D Items**

1. Insufficient justification: -\$78,700
2. Insufficient justification: -\$15,000
3. Program increase: SPP +\$360
4. Program increase: State Partnership virtual language project +\$500
5. Program increase: trauma training program +\$1,800
6. Program increase: JTAC training +\$8,000
7. Excess growth: -\$12,000
8. Insufficient Justification: -\$5,600
9. Excess growth: -\$14,000
10. Insufficient justification: -\$10,000
11. Maintain program affordability: Projected under execution: -\$15,000
12. Improving funds management: Unaccounted for: -\$12,000
13. Program increase: Joint Terminal Attack Controller training: +\$8,000
14. Program increase: Tuition assistance: +\$10,800
15. Program increase: Advanced trauma training program: +\$1,800
16. Program increase: Wildfire training: +\$500
17. Program increase: Preventative mental health: +\$3,000
18. Program increase: Range expansion: +\$1,168
19. Transfer, Air Force-requested transfer from O&M Air Force for environmental compliance
20. Program increase: PFAS remediation: +\$29,000
21. Maintain program affordability: Overestimation of civilian FTE targets
22. Program increase: Operation Guardian Support

**Air National Guard Operations & Maintenance (Overseas Contingency Operations)**

ANG O&M (OCO) Appropriation	FY20 President's Budget Request	FY20 HAC-D Mark	Delta from Request	FY20 SAC-D Mark	Delta from Request	FY20 Conference
MISSION SUPPORT OPERATIONS	\$3,666*	\$3,666*	-	\$3,666*	-	
DEPOT MAINTENANCE	\$66,944*	\$66,944*	-	\$66,944*	-	
CONTRACTOR LOGISTICS SUPPORT AND SYSTEM	\$93,620*	\$93,620*	-	\$93,620*	-	
BASE SUPPORT	\$12,679*	\$12,679*	-	\$12,679*	-	
<b>TOTAL, ANG O&amp;M (OCO)</b>	<b>\$176,909*</b>	<b>\$176,909</b>	<b>-</b>	<b>\$176,909</b>		

Note: \* represent OCO for war request; OCO for Base was not included in this calculation

**Legislative Provisions**

**National Guard Personnel, Army**

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under sections 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$8,664,535,000.

**National Guard Personnel, Air Force**

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under sections 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code,

or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$4,032,521,000.

#### **Operation and Maintenance, Army National Guard**

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), \$7,448,536,000.

#### **Operation and Maintenance, Air National Guard**

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, \$6,592,589,000.

#### **Drug Interdiction and Counter-Drug Activities, Defense**

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, \$816,755,000, of which \$517,171,000 shall be for counter-narcotics support; \$121,922,000 shall be for the drug demand reduction program; \$172,291,000 shall be for the National Guard counter-drug program; and \$5,371,000 shall be for the National Guard counter-drug schools program: Provided, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act: Provided further, That section 284 of title 10, United States Code, may only be carried out using amounts appropriated under this heading for counter-narcotics support: Provided further, That amounts appropriated under this heading for counter-narcotics support may not be used for the construction of fences pursuant to subsection (b)(7) of such section: Provided further, That the transfer authority contained in section 8005 in title VIII of this Act shall not apply to amounts made available under this heading: Provided further, That funds appropriated under this heading for counter-narcotics support may only be transferred 15 days following written notification to the congressional defense committees.

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

For procurement of rotary-wing aircraft; combat, tactical and support vehicles; other weapons; and other procurement items for the reserve components of the Armed Forces, \$1,300,000,000, to remain available for obligation until September 30, 2022: Provided, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: Provided further, That none of the funds made available by this paragraph may be used to procure manned fixed wing aircraft, or procure or modify missiles, munitions, or ammunition: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## General Provisions

**Sec. 8042** 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. 8044** 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. 8053** (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. 8060** 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. 8062** 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.

## Report Language

### TRAUMA TRAINING PROGRAM

The Committee recognizes the valuable support that universities, hospitals, and other military partners provide by offering civilian based emergency response trauma and critical care training including public health, bio-environmental, and biomedical instruction to sustain capabilities of the National Guard Enhanced Response Forces Packages, National Guard Homeland Response Forces, and Army Reserve Consequence Management Response Forces. The Committee encourages the Director of the National Guard Bureau and the Chiefs of the reserve components to continue pursuing advanced trauma and public health training with these civilian partners in order to maintain unit readiness. The Committee also encourages the development of enhanced medical and critical care preparedness programs.

### SEXUAL ASSAULT PREVENTION AND RESPONSE

The Committee is troubled by the ongoing epidemic of sexual assault in the military and at the Service academies and believes that this will persist until a change in culture occurs across all Services at every level. The Department of Defense provides an annual report to Congress which provides details on sexual assaults involving servicemembers. However, the most recent report's findings make it clear that more action by the Department is necessary to combat this widespread problem. In addition to the annual report, the

Committee directs the Director of the Department of Defense Sexual Assault Prevention and Response Office to brief the House and Senate Appropriations Committees not later than 30 days after the enactment of this Act on the initiatives the Department is implementing to reform how the military prevents, responds to, and adjudicates sexual assault cases, as well as the efforts underway to develop robust research, evaluation, and analytics to assess the effectiveness of its prevention efforts.

The Committee fully funds the budget request of \$259,222,000 for Sexual Assault Prevention and Response programs at the Service level and provides an additional \$35,000,000 for the Department of Defense Sexual Assault Prevention and Response Program Office for transfer to the Services, including the National Guard and reserve components.

### **SUICIDE PREVENTION AND OUTREACH**

The Committee is concerned by the number of suicides among servicemembers. The Committee recognizes that programs like the National Guard Bureau's national counseling and suicide prevention peer-to-peer outreach programs are vital to reducing the number of suicides among guardsmen. The Committee encourages the Chief of the National Guard Bureau to continue supporting such programs.

### **HIGH MOBILITY MULTIPURPOSE WHEELED VEHICLE MODERNIZATION AND RECAPITALIZATION**

The Committee recommendation includes \$25,000,000 for High Mobility Multipurpose Wheeled Vehicle (HMMWV) Modernization or HMMWV Recapitalization to obtain new HMMWVs or "like-new" HMMWVs fully restored to zero-hours, zero-miles condition by the installation of a new powered chassis. This approach leverages a low-risk, highly effective, and cost-efficient model created for the Army National Guard HMMWV Modernization Program. Modernizing or recapitalizing HMMWVs with a new, up-to-date chassis of a more consistent configuration will enable future technology insertions and capability upgrades to the HMMWV fleet and will reduce sustainment costs and logistics challenges otherwise created by obsolete, inefficient, and less-capable parts.

### **RECAPITALIZING THE F-15C/D FLEET**

The Committee recommendation includes \$985,500,000 to procure the first eight new-build F-15EX aircraft. The Committee finds that the F-15EX request, while unanticipated, must be considered within the context of the aging F-15C/D fleet. The Committee views the F-15EX as the fastest and most cost-effective path to preserving the F-15C/D fleet, including Air National Guard units stationed in California, Florida, Louisiana, Massachusetts, and Oregon. According to the Air Force, the F-15C/D fleet has consumed 83 percent of its service life on average, with twelve aircraft currently over 100 percent.

Additionally, the Committee is concerned by the growing number of aircraft that are failing longeron inspections. The Committee notes that prior to the fiscal year 2020 request, the Air Force had planned on longeron and wing service life extension programs designed to keep the F-15C/Ds flying past 2040. The Committee has not seen any analysis, including the "Air Force We Need" analysis, that denies the need to continue operating the F-15C/D fleet and other "fourth generation" fighter aircraft such as the F-15E, A-10, and F-16 well past 2030, or disputes that such aircraft will continue to make critical contributions to the implementation of the National Defense Strategy. The F-15EX program will begin recapitalizing this fleet with a new aircraft with an estimated service life of 20,000 hours and possessing upgrades that the Air Force has been pursuing as modifications to the F-15C/D fleet. The Committee further finds that considerations of parts commonality, low conversion cost, and operator familiarity make the F-15EX procurement a sensible if regrettably necessary investment.

At the same time, the Committee notes that the F-15EX request has been submitted with key questions unanswered, such as the specific acquisition strategy and timeline. The Committee directs the Secretary of the Air Force to submit a report to the congressional defense committees, not later than 30 days prior to issuing a final request for proposal or executing a contract action for the procurement of F-15EX aircraft, which details an approved acquisition strategy along with updates to the fielding timeline and cost estimates (if applicable), an explanation of the scope and schedule for the testing plan, and options for accelerating fielding in comparison to the budget exhibits submitted with the fiscal year 2020 request.

### **SUPPORTING "THE AIR FORCE WE NEED"**

The Committee finds that the Air Force's requested investments in the development of future capability generally are consistent with the requirements identified in the "Air Force We Need" analysis and considerations of affordability. The Committee's recommendations with respect to the Air Force's request include: full funding of the request for the F-35 continuous capability development and delivery program, also known as Block 4; full funding of the request for the B-21 bomber program; full funding of the request for the Stand-in Attack Weapon program; full funding of the request for hypersonic weapons (including the Air-launched Rapid Response Weapon and Hypersonic Conventional Strike Weapon prototyping efforts); an additional \$20,000,000 above the request for directed energy prototyping; full funding of the request for advanced engine development (which has the potential to provide increased capability and lower fuel consumption costs for the F-35 and potential future aircraft); an additional \$75,000,000 to accelerate active electronically scanned array radar upgrades for the F-16; an additional \$50,000,000 for the Low Cost Attributable Aircraft Technology program; and \$500,000,000 for the Next Generation Air Dominance program.

### **PFOS/PFOA EXPOSURE ASSESSMENT**

The National Defense Authorization Act for Fiscal Year 2019 authorized a study and assessment of the health implications of perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) contamination on military installations. The Committee recommendation includes \$13,000,000 for the study and assessment, which shall be limited to current or former domestic military installations known to have PFOS/PFOA contamination in drinking water, ground water, and any other sources of water and relevant exposure pathways. The Committee also directs the Assistant Secretary of Defense (Energy, Installations, and Environment) to submit a report to the House and Senate Appropriations Committees not later than 30 days after the enactment of this Act on the Department's strategy to execute this funding.

The Committee remains deeply concerned about PFOS/PFOA contamination on current and former domestic military installations. As the Department conducts its exposure assessment on all installations known to have PFOS/PFOA drinking water contamination, the Committee directs the Assistant Secretary of Defense (Energy, Installations, and Environment) to publicly release the measured levels of contamination found at each installation. For all remediation activities, the Department is directed to achieve a drinking water cleanup standard no higher than the threshold of the Environmental Protection Agency (EPA) health advisory level (currently 70 parts per trillion) for federally controlled sites and surrounding communities whose water sources were contaminated as a result of Department activities.

### **DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES**

The Committee recommendation includes \$517,171,000 for Counter-Narcotics Support, the same as the fiscal year 2019 enacted level.

The Committee recommendation includes \$121,922,000 for the Drug Demand Reduction Program, including requested funding to add fentanyl to the list of drugs tested under this program.

The Committee recognizes the important role of the National Guard Counter-Drug program in assisting local and state agencies in addressing national drug-related challenges. The Committee encourages the administrators of the National Guard Counter-Drug program to continue their close coordination with communities, regions, and other organizations to help alleviate the national drug crisis.

The fiscal year 2020 request includes no funding, and the Committee recommendation includes no funding, to construct a border wall or fence (or any portion thereof) along the southern land border of the United States.

### **NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT**

The Committee recommends \$1,300,000,000 for the National Guard and Reserve Equipment Account. Of that amount, \$375,000,000 is for the Army National Guard; \$375,000,000 is for the Air National Guard; \$215,000,000 is for the Army Reserve; \$80,000,000 is for the Navy Reserve; \$40,000,000 is for the Marine Corps Reserve; and \$215,000,000 is for the Air Force Reserve to meet urgent equipment needs in the coming fiscal year.

This funding will allow the National Guard and reserve components to procure high priority equipment used by these components for both their military missions and missions in support of State governors. The funding within this account is not to be used to procure equipment designated as high-density critical equipment,



major weapon systems, aircraft, and other equipment central to a unit's ability to perform its doctrinal mission. The funding within this account is not to be used to procure equipment purchased by the senior Service, to expand or accelerate current Service procurement plans, to purchase expendable items, or to purchase facilities or equipment for any requirement able to be satisfied elsewhere.

The Committee directs the Secretary of Defense to ensure that the National Guard and Reserve Equipment Account is executed by the Chiefs of the National Guard and reserve components with priority consideration given to the following items: acoustic hailing devices; crash-worthy, ballistically tolerant auxiliary fuel systems; counter-UAS systems; detect and avoid systems; modular small arms range simulators; MQ-9 deployable launch and recovery element mission support kits; radiological screening portals; and training systems and simulators.

### **ORGANIZATION AND MANAGEMENT OF SPACE PROGRAMS**

The Committee recognizes that unfettered access to and freedom to operate in space is vital to national security. Space provides the nation with critical information and global situational awareness to anticipate threats, respond to crises, project power across the globe, and conduct military operations. Therefore, the Committee is very concerned with the rapid advances potential adversaries are making to develop capabilities that threaten United States space assets on orbit.

The Committee commends the Department of Defense for its increased focus on addressing these threats and developing capabilities to improve the resilience of United States space systems. Further, the Committee understands that this is an urgent problem that will require the Department to reorient its strategies, organizational constructs, and program priorities to meet the reality of these threats.

The Department proposed a three-pronged approach to address these challenges: (1) establishment of a Unified Combatant Command for space, the United States Space Command; (2) stand up of a new military service, the United States Space Force; and (3) creation of a Space Development Agency, separate from the Space Force, and under the management of the Under Secretary of Defense for Research and Engineering.

The Committee supports the establishment of a Unified Combatant Command for space and believes the command is an important step in strengthening the operational focus and emphasis on protecting and defending national space capabilities. The Committee recommendation fully funds the United States Space Command at the requested level.

The Department has also proposed legislation to establish the Space Force as a separate service within the Department of the Air Force, with an Under Secretary for Space and a Chief of Staff for Space. While the Committee appreciates the intent of the proposal, the plan leaves many unanswered questions and lacks important details and supporting analysis to justify the proposed size, scope, cost, roles, and authorities for the new military service. Further, the Committee notes that it is fully within the Department's current authority to make space a higher priority without creating a new military service and is not persuaded that the specific plan proposed justifies the additional overhead cost and disruption across the Department.

Therefore, the Committee recommendation does not fully fund the request to establish the proposed Space Force. The Committee makes this decision without prejudice and includes funds for the Department to examine and refine alternative organizational options that will streamline the management and decision-making process and minimize overhead cost and bureaucracy.

The fiscal year 2020 budget request also includes funds to create a new Space Development Agency within the Office of the Under Secretary of Defense for Research and Engineering. The Committee recognizes the need for rapid development and fielding of space assets to meet the current threat environment as outlined by the National Defense Strategy.

However, while the Committee is generally supportive of the concept of the Space Development Agency, the Committee is concerned that this effort may create a parallel space program that will overlap and duplicate existing programs and missions in the Air Force.

Therefore, the Committee recommendation includes a legislative provision requiring the Space Development Agency and the Air Force to work together to define a unified and integrated space architecture and to clarify roles and responsibilities.

## General Provisions

**Section 8042** prohibits funds made available in this Act from being used to reduce authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve, and Air Force Reserve unless such reductions are a direct result of a reduction in military force structure.

**Section 8044** provides for reimbursement to the National Guard and reserve when members of the National Guard and reserve provide intelligence or counterintelligence support to the combatant commands, defense agencies, and joint intelligence activities.

**Section 8053** provides conditions for the use of equipment of the National Guard Distance Learning Project on a space-available, reimbursable basis.

**Section 8060** provides for the use of National Guard personnel to support ground-based elements of the National Ballistic Missile Defense System.

**Section 8062** provides for a waiver by the Chief of the National Guard Bureau or his designee for all or part of consideration in cases of personal property leases of less than one year.

Language is included under the heading "National Guard and Reserve Equipment Account" providing for the procurement of certain items and the submission of modernization priority assessments.

Language is included that prohibits the use of funds made available in this Act from being used to reduce authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve, and Air Force Reserve unless such reductions are a direct result of a reduction in military force structure.

Language is included that provides for the use of operation and maintenance funds appropriated in this Act for reimbursement to the National Guard and reserve when members of the National Guard and reserve provide intelligence or counterintelligence support to the Combatant Commands, Defense Agencies, and Joint Intelligence Activities.

Language is included that provides conditions for the use of equipment of the National Guard Distance Learning Project on a space-available, reimbursable basis.

Language is included that provides for a waiver by the Chief of the National Guard Bureau or his designee for all or part of consideration in cases of personal property leases of one year or less to certain organizations specified by section 508(d) of title 32, United States Code.