

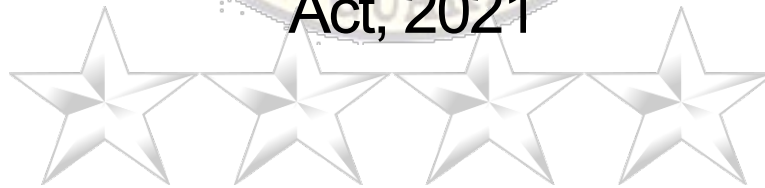


National Guard Bureau  
Office of Legislative Liaison



**FY21**  
**Conferenced Defense**  
**Appropriations Act**

Summary of H.R. 133 Consolidated Appropriations  
Act, 2021



*As of December 27th, 2020*

***Bill Status***

	Passed in Committee	Passed in Chamber	Agreement	Final Passage	Signed into Law
<b>House</b>	July 14 <sup>th</sup> , 2020	July 31 <sup>st</sup> , 2020	December 20 <sup>th</sup> , 2020	December 21 <sup>st</sup> , 2020	December 27 <sup>th</sup> , 2020
<b>Senate</b>	November 10 <sup>th</sup> , 2020	N/A		December 21 <sup>st</sup> , 2020	

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## Executive Summary

This guide provides a short summary of the Consolidated Appropriations Act, 2021, or “Omnibus bill” with a focus on Defense related appropriations. 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 December 21 2020, the Conferenced FY21 Defense Appropriations Act was released. This bill appropriates \$627.2 billion for base defense spending, \$68.7 billion for OCO, and \$152 million non-defense spending for a total of \$696 billion.

### Highlights:

- Funds a 3.0% military pay raise
- Adds \$100M for National Guard Counter-Drug Program
- Adds \$20M for National Guard Counter-Drug Schools
- Adds \$570M for six C-130J aircraft for the Air National Guard
- Adds \$141M for six HH-60M helicopters for the National Guard
- Adds \$75M for F-16 AESA radars for the Air National Guard
- Adds \$79M for C-130 engine upgrades
- Adds \$180M for C-130 eight blade propellers
- Adds \$4.6M for C-130 Modular Airborne Firefighting System (MAAFS)
- Provides \$570M in NGREA funding for NGB (\$285M for ANG & ARNG)
- Adds \$75M for National Guard Youth Challenge Program
- Adds \$41M for STARBASE
- Adds \$11.3M to support Wildfire Training in the National Guard
- Adds \$6.1M for the Advanced Trauma Training Program
- Adds \$35M for PFAS remediation in O&M funding
- Adds \$4M for Tuition Assistance for ANG

# National Guard Accounts Overview

(All Dollars in Thousands)

Army National Guard	FY21 President's Budget Request	FY21 HAC-D Mark	Delta from Request	FY21 SAC-D Mark	Delta from Request	FY21 Conference
ARNG Personnel	\$8,830,111	\$8,639,005	\$191,106	\$8,702,813	\$127,298	\$8,663,999
ARNG Personnel OCO	\$195,314	\$195,314	--	\$195,314	--	\$195,314
ARNG O&M	\$7,420,014	\$7,611,147	\$191,133	\$7,349,548	\$70,466	\$7,350,837
ARNG O&M OCO	\$79,792	\$79,792	--	\$79,792	--	\$79,792
NGREA	--	\$300,000	\$300,000	\$272,000	\$272,000	\$285,000

Air National Guard	FY21 President's Budget Request	FY21 HAC-D Mark	Delta from Request	FY21 SAC-D Mark	Delta from Request	FY21 Conference
ANG Personnel	\$4,547,087	\$4,525,466	\$21,621	\$4,527,419	\$19,668	\$4,530,091
ANG Personnel OCO	\$5,800	\$5,800	--	\$5,800	--	\$5,800
ANG O&M	\$6,753,642	\$6,853,942	\$100,300	\$6,784,996	\$31,354	\$6,785,853
ANG O&M OCO	\$175,642	\$175,642	--	\$175,642	--	\$175,642
NGREA	--	\$300,000	\$300,000	\$272,000	\$272,000	\$285,000



# Army National Guard

## Army National Guard Personnel

(All Dollars in Thousands)

ARNG Personnel Appropriation	FY21 President's Budget Request	FY21 HAC-D Mark	Delta from Request	FY21 SAC-D Mark	Delta from Request	FY21 Conference
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	\$2,711,190	\$2,711,190	--	\$2,711,190	--	\$2,711,190
PAY GROUP F TRAINING (RECRUITS)	\$549,848	\$549,848	--	\$549,848	--	\$ 549,848
PAY GROUP P TRAINING (PIPELINE RECRUITS)	\$45,649	\$45,649	--	\$45,649	--	\$45,649
SCHOOL TRAINING	\$575,633	\$575,633	--	\$575,633	-	\$575,633
SPECIAL TRAINING	\$817,826	<b>\$832,326<sup>1,2</sup></b>	<b>\$14,500</b>	<b>\$824,326<sup>4</sup></b>	<b>\$6,500</b>	\$838,826 <sup>6-8</sup>
ADMINISTRATION AND SUPPORT	\$4,052,288	\$4,052,288	--	\$4,052,288	--	\$4,052,288
THRIFT SAVINGS PLAN MATCHING CONTRIBUTIONS	\$29,324	\$29,324	--	\$29,324	--	\$ 29,324
EDUCATION BENEFITS	\$48,353	\$48,353	--	\$48,353	--	\$ 48,353
<b>TOTAL, BUDGET ACTIVITY 1 (BAC-01)</b>	<b>\$8,830,111</b>	<b>\$8,844,611</b>	<b>\$14,500</b>	<b>\$8,836,611</b>	<b>\$6,500</b>	<b>\$ 8,851,111</b>
UNDISTRIBUTED ADJUSTMENT	--	<b>-\$207,140<sup>3</sup></b>	<b>\$207,140</b>	<b>-\$135,332<sup>5</sup></b>	<b>-\$135,332</b>	<b>-\$188, 646<sup>9-11</sup></b>
TRAUMA TRAINING	--	<b>+\$1,534</b>	<b>\$1,534</b>	<b>+\$1,534</b>	<b>\$1,534</b>	<b>+\$1,534</b>
<b>TOTAL, ARNG PERSONNEL</b>	<b>\$8,830,111</b>	<b>\$8,639,005</b>	<b>\$191,106</b>	<b>\$8,702,813</b>	<b>\$127,298</b>	<b>\$8,663,999</b>

### HAC-D Items

1. Program Increase – State Partnership Program: \$13,500
2. Program Increase - Critical Cybersecurity Skillsets: \$1,000
3. Historical Unobligated Balances: -\$207,140

### SAC-D Items

4. Program Increase - Wildfire Training: \$6,500
5. Historical Unobligated Balances: -\$135,332

### Conference/Omnibus Items

6. Program Increase – State Partnership Program: \$13,500
7. Program Increase - Critical Cybersecurity Skillsets: \$1,000
8. Program Increase – Wildfire Training: \$6,500
9. Historical Unobligated Balances: -\$101,745
10. Revised Budget Estimate: -\$83,250
11. Rate Adjustment: -\$3,651

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

ARNG Personnel (OCO) Appropriation	FY21 President's Budget Request	FY21 HAC-D Mark	Delta from Request	FY21 SAC-D Mark	Delta from Request	FY21 Conference
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	\$62,718	\$62,718	--	\$62,718	--	\$62,718
SCHOOL TRAINING	\$3,752	\$3,752	--	\$3,752	--	\$3,752
SPECIAL TRAINING	\$107,242	\$107,242	--	\$107,242	--	\$107,242
ADMINISTRATION AND SUPPORT	\$21,602	\$21,602	--	\$21,602	--	\$21,602
<b>TOTAL ARNG PERSONNEL (OCO)</b>	<b>\$195,314</b>	<b>\$195,314</b>	<b>--</b>	<b>\$195,314</b>	<b>--</b>	<b>\$195,314</b>

### Army National Guard Operations & Maintenance

ARNG O&M Appropriation	FY21 President's Budget Request	FY21 HAC-D Mark	Delta from Request	FY21 SAC-D Mark	Delta from Request	FY21 Conference
MANEUVER UNITS	\$769,449	\$769,449	--	<b>\$781,449<sup>9</sup></b>	<b>\$12,000</b>	\$781,449 <sup>19</sup>
MODULAR SUPPORT BRIGADES	\$204,604	\$204,604	--	\$204,604	--	\$204,604
ECHELONS ABOVE BRIGADE	\$812,072	\$812,072	--	\$812,072	--	\$812,072
THEATER LEVEL ASSETS	\$103,650	<b>\$101,150<sup>1</sup></b>	<b>\$2,500</b>	<b>\$93,650<sup>10</sup></b>	<b>\$10,000</b>	\$97,650 <sup>20</sup>
LAND FORCES OPERATIONS SUPPORT	\$32,485	\$32,485	--	\$32,485	--	\$32,485
AVIATION ASSETS	\$1,011,142	\$1,011,142	--	<b>\$995,142<sup>11</sup></b>	<b>\$16,000</b>	\$995,142 <sup>21</sup>
FORCE READINESS OPERATIONS SUPPORT	\$712,881	<b>\$713,414<sup>2</sup></b>	<b>\$533</b>	<b>\$716,915<sup>12-14</sup></b>	<b>\$4,034</b>	\$716,915 <sup>22-24</sup>
LAND FORCES SYSTEMS READINESS	\$47,732	\$47,732	--	\$47,732	--	\$47,732
LAND FORCES DEPOT MAINTENANCE	\$265,408	<b>\$263,908<sup>3</sup></b>	<b>\$1,500</b>	\$265,408	--	\$263,908 <sup>25</sup>
BASE OPERATIONS SUPPORT	\$1,106,704	<b>\$1,154,304<sup>4</sup></b>	<b>\$47,600</b>	<b>\$1,122,704<sup>15-17</sup></b>	<b>\$16,000</b>	\$1,124,704 <sup>26-28</sup>
FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	\$876,032	<b>\$1,064,032<sup>5</sup></b>	<b>\$188,000</b>	\$876,032	--	\$901,032 <sup>29</sup>
MANAGEMENT AND OPERATIONAL HQ	\$1,050,257	\$1,050,257	--	\$1,050,257	--	\$1,050,257
CYBERSPACE ACTIVITIES – CYBERSPACE OPERATIONS	\$7,998	<b>\$8,998<sup>6</sup></b>	<b>\$1,000</b>	\$7,998	--	\$8,998 <sup>30</sup>

CYBERSPACE ACTIVITIES – CYBERSECURITY	\$7,756	\$7,756	--	\$7,756	--	\$7,756
<b>TOTAL, BUDGET ACTIVITY ONE (BAC- 01)</b>	\$7,008,170	\$7,241,303	\$233,133	\$7,014,204	\$6,034	\$7,044,704
SERVICEWIDE TRANSPORTATION	\$8,018	\$8,018	--	\$8,018	--	\$8,018
ADMINISTRATION	\$74,309	\$78,309 <sup>7,8</sup>	\$4,000	\$74,309	--	\$78,309 <sup>31,32</sup>
SERVICEWIDE COMMUNICATIONS	\$66,140	\$66,140	--	\$66,140	--	\$66,140
MANPOWER MANAGEMENT	\$9,087	\$9,087	--	\$9,087	--	\$9,087
RECRUITING AND ADVERTISING	\$251,714	\$251,714	--	\$248,214 <sup>18</sup>	\$3,500	\$248,214
REAL ESTATE MANAGEMENT	\$2,576	\$2,576	--	\$2,576	--	\$2,576
<b>TOTAL, BUDGET ACTIVITY FOUR (BAC- 04)</b>	\$411,844	\$415,844	\$4,000	\$408,344	\$3,500	\$412,344
HISTORICAL UNOBLIGATION	--	-\$5,000	\$5,000	--	--	\$5,000
RESTORE READINESS	--	+\$103,000	\$103,000	--	--	--
OVERESTIMATION OF CIVILIAN FTE TARGETS	--	-\$50,000	\$50,000	--	--	--
UNDISTRIBUTED REDUCTION – EXCESS TO NEED	--	-\$94,000	\$94,000	-\$73,000	\$73,000	-\$41,211
UNJUSTIFIED GROWTH	--	--	--	--	--	-\$60,000
<b>TOTAL, ARNG O&amp;M</b>	\$7,420,014	\$7,611,147	\$191,133	\$7,349,548	\$70,466	\$7,350,837

#### HAC-D Items

1. Insufficient Justification: -\$2,500
2. Program Increase – Advanced Trauma Training Program: \$533
3. Insufficient Justification: -\$1,500
4. Program Increase – PFAS Remediation: \$47,600
5. Program Increase: \$188,000
6. Program Increase – Cyber Security Training Center: \$1,000
7. Program Increase – State Partnership Program: \$3,500
8. Program Increase – State Partnership Virtual Language: \$500

#### SAC-D Items

9. Program Increase - Exercise NORTHERN STRIKE: \$12,000
10. Unjustified Growth: -\$10,000
11. Unjustified Growth: -\$16,000
12. Program Increase - Corrosion Control: \$2,000
13. Program Increase - Wildfire Training: \$1,500
14. Program Increase - Advanced Trauma Training Program: \$534
15. Remove One-Time FY20 Cost: -\$7,000
16. Program Increase - PFAS Remediation: \$20,000
17. Program Increase - Warrior Resiliency and Fitness: \$3,000
18. Remove One-Time FY20 Cost: -\$3,500

#### Conference/Omnibus Items

19. Program Increase: Exercise NORTHERN STRIKE: \$12,000
20. Unjustified Growth: -\$6,000
21. Unjustified Growth: -\$16,000
22. Program Increase - Advanced Trauma Training Program: \$534
23. Program Increase - Corrosion Control: \$2,000

- 24. Program Increase - Wildfire Training: \$1,500
- 25. Insufficient Justification: -\$1,500
- 26. Program Increase - PFAS Remediation: 20,000
- 27. Remove One-Time FY20 Cost: -\$5,000
- 28. Program Increase - Warrior Resiliency and Fitness: \$3,000
- 29. Program Increase: \$25,000
- 30. Program Increase – Cyber Security Training Center: \$1,000
- 31. Program Increase – State Partnership Program: \$3,500
- 32. Program Increase – State Partnership Virtual Language: \$500
- 33. Remove One-Time FY20 Cost: -\$3,500

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

ARNG O&M (OCO) Appropriation	FY21 President's Budget Request	FY21 HAC-D Mark	Delta from Request	FY21 SAC-D Mark	Delta from Request	FY21 Conference
MANEUVER UNITS	\$25,746	\$25,746	--	\$25,746	--	\$25,746
MODULAR SUPPORT BRIGADES	\$40	\$40	--	\$40	--	\$40
ECHELONS ABOVE BRIGADE	\$983	\$983	--	\$983	--	\$983
THEATER LEVEL ASSETS	\$22	\$22	--	\$22	--	\$22
AVIATION ASSETS	\$20,624	\$20,624	--	\$20,624	--	\$20,624
FORCE READINESS OPERATIONS SUPPORT	\$7,914	\$7,914	--	\$7,914	--	\$7,914
BASE OPERATIONS SUPPORT	\$24,417	\$24,417	--	\$24,417	--	\$24,417
SERVICEWIDE COMMUNICATIONS	\$46	\$46	--	\$46	--	\$46
<b>TOTAL, ARNG O&amp;M (OCO)</b>	<b>\$79,792</b>	<b>\$79,792</b>	<b>--</b>	<b>\$79,792</b>	<b>--</b>	<b>\$79,792</b>





# Air National Guard

## Air National Guard Personnel

(All Dollars in Thousands)

ANG Personnel Appropriation	FY201 President's Budget Request	FY21 HAC-D Mark	Delta from Request	FY21 SAC-D Mark	Delta from Request	FY21 Conference
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	\$949,382	\$949,382	--	\$949,382	--	\$949,382
PAY GROUP F TRAINING (RECRUITS)	\$97,078	\$97,078	--	\$97,078	--	\$97,078
PAY GROUP P TRAINING (PIPELINE RECRUITS)	\$7,829	\$7,829	--	\$7,829	--	\$7,829
SCHOOL TRAINING	\$361,527	\$361,527	--	\$361,527	--	\$361,527
SPECIAL TRAINING	\$245,500	\$252,177 <sup>1,2</sup>	\$6,677	\$248,215 <sup>4</sup>	\$2,715	\$254,892 <sup>6-8</sup>
ADMINISTRATION AND SUPPORT	\$2,857,955	\$2,857,955	--	\$2,857,955	--	\$2,857,955
THRIFT SAVINGS PLAN MATCHING CONTRIBUTIONS	\$14,675	\$14,675	--	\$14,675	--	\$14,675
EDUCATION BENEFITS	\$13,141	\$13,141	--	\$13,141	--	\$13,141
<b>TOTAL, BUDGET ACTIVITY 1 (BAC-01)</b>	\$4,547,087	\$4,553,764	\$6,677	\$4,549,802	\$2,715	\$4,556,479
UNDISTRIBUTED ADJUSTMENT	--	-\$30,540 <sup>3</sup>	\$30,540	-\$24,625 <sup>5</sup>	\$24,625	-\$28,630 <sup>9,10</sup>
TRAUMA TRAINING	--	+\$2,242	\$2,242	+\$2,242	\$2,242	+\$2,242
<b>Total, National Guard Personnel, Air Force</b>	\$4,547,087	\$4,525,466	\$21,621	\$4,527,419	\$19,668	\$4,530,091

### HAC-D Items

1. Program Increase - State Partnership Program \$4,677
2. Program Increase - Critical Skillsets Crosstraining: \$2,000
3. Historical Unobligated Balances: -\$30,540

### SAC-D Items

4. Program Increase - Wildfire Training: \$2,715
5. Historical Unobligated Balances: -\$24,625

### Conference/Omnibus Items

6. Program Increase - State Partnership Program \$4,677
7. Program Increase - Critical Skillsets Crosstraining: \$2,000
8. Program Increase - Wildfire Training: \$2,715
9. Historical Unobligated Balances: -\$4,005
10. Revised Budget Estimate: -\$24,625

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

ANG Personnel (OCO) Appropriation	FY21 President's Budget Request	FY20 HAC-D Mark	Delta from Request	FY21 SAC-D Mark	Delta from Request	FY21 Conference
SPECIAL TRAINING	\$5,800	\$5,800	--	\$5,800	--	\$5,800
<b>TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE (OCO)</b>	<b>\$5,800</b>	<b>\$5,800</b>	<b>--</b>	<b>\$5,800</b>	<b>--</b>	<b>\$5,800</b>

### Air National Guard Operations & Maintenance

ANG O&M Appropriation	FY21 President's Budget Request	FY21 HAC-D Mark	Delta from Request	FY21 SAC-D Mark	Delta from Request	FY21 Conference
AIRCRAFT OPERATIONS	\$2,476,205	<b>\$2,464,205<sup>1</sup></b>	<b>\$12,000</b>	\$2,476,205	--	\$2,468,205 <sup>17</sup>
MISSION SUPPORT OPERATIONS	\$611,325	<b>\$615,125<sup>2-4</sup></b>	<b>\$3,800</b>	<b>\$628,679<sup>9-13</sup></b>	<b>\$17,354</b>	\$630,697 <sup>18-24</sup>
DEPOT MAINTENANCE	\$1,138,919	<b>\$1,118,919<sup>5</sup></b>	<b>\$20,000</b>	\$1,138,919	--	\$1,128,919 <sup>25</sup>
FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	\$323,605	<b>\$433,605<sup>6</sup></b>	<b>\$110,000</b>	\$323,605	--	\$348,605 <sup>26</sup>
CYBERSPACE ACTIVITIES	\$16,380	\$16,380	--	\$16,380	--	\$16,380
CYBERSPACE SUSTAINMENT	\$27,028	\$27,028	--	\$27,028	--	\$27,028
CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	\$1,100,828	\$1,100,828	--	\$1,100,828	--	\$1,100,828
BASE OPERATING SUPPORT	\$962,438	<b>\$978,938<sup>7</sup></b>	<b>\$16,500</b>	<b>\$977,438<sup>14</sup></b>	<b>\$15,000</b>	<b>\$977,438<sup>27</sup></b>
<b>TOTAL, BUDGET ACTIVITY ONE (BAC-01)</b>	<b>\$6,656,728</b>	<b>\$6,755,028</b>	<b>\$98,300</b>	<b>\$6,689,082</b>	<b>\$32,354</b>	<b>\$6,698,100</b>
ADMINISTRATION	\$48,218	\$48,218	--	<b>\$37,218<sup>15</sup></b>	<b>\$11,000</b>	\$48,218
RECRUITING AND ADVERTISING	\$48,696	<b>\$45,696<sup>8</sup></b>	<b>\$3,000</b>	\$48,696	--	\$45,696 <sup>28</sup>
<b>TOTAL, BUDGET ACTIVITY FOUR (BAC-04)</b>	<b>\$96,914</b>	<b>\$93,314</b>	<b>\$3,000</b>	<b>\$85,914</b>	<b>\$11,000</b>	<b>\$93,914</b>
HISTORICAL UNOBLIGATION	--	<b>-\$10,000</b>	<b>\$10,000</b>	--	--	<b>-\$10,000</b>
RESTORE READINESS	--	<b>+\$100,000</b>	<b>\$100,000</b>	<b>+\$70,000<sup>16</sup></b>	<b>\$70,000</b>	<b>+\$70,000<sup>29</sup></b>
OVERESTIMATION OF CIVILIAN FTE TARGETS	--	<b>-\$25,000</b>	<b>\$25,000</b>	--	--	--

UNDISTRIBUTED REDUCTION – EXCESS TO NEED	--	-\$60,000	\$60,000	-\$60,000	\$60,000	-\$26, 161
UNJUSTIFIED GROWTH	--	--	--	--	--	-\$40,000
<b>TOTAL, O&amp;M, AIR NATIONAL GUARD</b>	<b>\$6,753,642</b>	<b>\$6,853,342</b>	<b>\$100,300</b>	<b>\$6,784,996</b>	<b>\$31,354</b>	<b>\$6,785,853</b>

#### HAC-D Items

1. Insufficient Justification: -\$12,000
2. Program Increase – Trauma Training Program: \$1,800
3. Program Increase – State Partnership Program: \$1,500
4. Program Increase – State Partnership Virtual Language: \$500
5. Unjustified Increase: -\$20,000
6. Program Increase: \$110,000
7. Program Increase – PFAS Remediation: \$16,500
8. Insufficient Justification: -\$3,000

#### SAC-D Items

9. Program Increase – Joint Terminal Attack Controller Training: \$8,000
10. Program Increase – Tuition Assistance: \$4,000
11. Program Increase – Advanced Trauma Training Program: \$1,782
12. Program Increase – Wildfire Training: \$572
13. Program Increase – Warrior Resiliency and Fitness: \$3,000
14. Program Increase – PFAS Remediation: \$15,000
15. Overestimation of Civilian FTEs: -\$11,000
16. Restore A-10: \$70,000

#### Conference/Omnibus

17. Insufficient Justification: -\$8,000
18. Program Increase – Trauma Training Program: \$1,800
19. Program Increase – State Partnership Program: \$1,500
20. Program Increase - State Partnership virtual language - \$500
21. Program Increase - Joint Terminal Attack Controller: \$8,000
22. Program Increase – Tuition Assistance: \$4,000
23. Program Increase – Wildfire Training: \$572
24. Program Increase – Warrior Resiliency and Fitness: \$3,000
25. Unjustified Increase: -\$10,000
26. Program Increase: \$25,000
27. Program Increase - PFAS Remediation: \$15,000
28. Insufficient Justification: -\$3,000
29. Restore A-10: \$70,000

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

ANG O&M (OCO) Appropriation	FY21 President's Budget Request	FY21 HAC-D Mark	Delta from Request	FY21 SAC-D Mark	Delta from Request	FY21 Conference
MISSION SUPPORT OPERATIONS	\$3,739	\$3,739	--	\$3,739	--	\$3,739
DEPOT MAINTENANCE	\$61,862	\$61,862	--	\$61,862	--	\$61,862
CONTRACTOR LOGISTICS SUPPORT AND SYSTEM	\$97,108	\$97,108	--	\$97,108	--	\$97,108
BASE SUPPORT	\$12,933	\$12,933	--	\$12,933	--	\$12,933
<b>TOTAL, ANG O&amp;M (OCO)</b>	<b>\$175,642</b>	<b>\$175,642</b>	<b>--</b>	<b>\$175,642</b>	<b>--</b>	<b>\$175,642</b>

## **Legislative Provisions**

### **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. 8056**

(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. 8063**

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. 8065**

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.

## **Conference Report Language/Items of Interest**

### ***Readiness -***

The agreement recommends an additional \$300,500,000 in title VIII 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.

***Reserve Component Budget Reporting -***

The Secretary of Defense is directed to provide a semi-annual detailed report to the congressional defense committees which shows transfers between sub-activities within the military personnel appropriation. Reports shall be submitted not later than 30 days after the end of the second quarter and not later than 30 days after the end of the fiscal year.

***Reprogramming Guidance for Operation and Maintenance Accounts (Including Base and Overseas Contingency Operations Funding) -***

The Secretary of Defense is directed to submit the Base for Reprogramming (DDForm 1414) for each of the fiscal year 2021 appropriation accounts not later than 60 days after the enactment of this Act. The Secretary of Defense is prohibited from executing any reprogramming or transfer of funds for any purpose other than originally appropriated until the aforementioned report is submitted to the House and Senate Defense Appropriations Subcommittees.

The Secretary of Defense is directed to use the normal prior approval reprogramming procedures to transfer funds in the Services' operation and maintenance accounts between O-1 budget activities, or between sub-activity groups in the case of Operation and Maintenance, Defense-Wide, in excess of \$10,000,000. In addition, the Secretary of Defense shall follow prior approval reprogramming procedures for transfers in excess of \$10,000,000 out of the following readiness sub-activity groups:

Air National Guard: Aircraft Operations  
(Other sub-activity groups within the other Branches listed in text)

Additionally, the Secretary of Defense is directed to use normal prior approval reprogramming procedures when implementing transfers in excess of \$10,000,000 into the following budget sub-activities:

Operation and Maintenance, Army:  
    Recruiting and advertising  
Operation and Maintenance, Army National Guard:  
    Other personnel support/recruiting and advertising

***Operation and Maintenance Budget Execution Data -***

The Secretary of Defense is directed to continue to provide the congressional defense committees with quarterly budget execution data. Such data should be provided not later than 45 days after the close of each quarter of the fiscal year, and should be provided for each O-1 budget activity, activity group, and sub-activity group for each of the active, defense-wide, reserve, and National Guard components. For each O-1 budget activity, activity group, and sub-activity group, these reports should include the budget request and actual obligation amount, the distribution of unallocated congressional adjustments to the budget request, all adjustments made by the Department in establishing the Base for Reprogramming (DD Form 1414) report, all adjustments resulting from below threshold reprogrammings, and all adjustments resulting from prior approval reprogramming requests.

***Uncontaminated Water for Agricultural Purposes -***

The Secretary of Defense and the Secretary of the Air Force are urged to implement section 343 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92).

***Feasibility of Language and Cultural Competency Training for State Partnership Program -***

Secretary of Defense is directed to perform a feasibility study for a language skills and cultural competency pilot program through existing Defense Language and National Security Education Office contracts to benefit the State Partnership Program between National Guard units and partner governments. The pilot should look at multiple partnerships to provide insight into program design, curriculum, and utilization of accredited universities local to National Guard units to improve State Partnership Program interactions.

### ***C-130 Fleet Management Plan and Modernization Roadmap -***

The Secretary of the Air Force is directed to submit a report to the congressional defense committees, not later than 60 days after the submission of the fiscal year 2022 budget request, which provides a C-130 fleet management plan and modernization roadmap. The report shall include an analysis of the theater and domestic airlift requirements of the National Defense Strategy, the number of C-130 aircraft needed to fulfill those requirements, justification for any planned or proposed reduction in fleet size, and the extent to which these requirements need to be refined by further study and analysis. The report shall also provide, through the entire future years defense program (FYDP), the current and projected C-130 total active aerospace vehicle inventory and backup aerospace vehicle inventory by unit and variant, including aircraft in attrition reserve. Further, the report shall describe modernization and recapitalization plans for C-130 aircraft through the FYDP, along with funding requirements by appropriation and budget line item. Finally, to the extent that the Air Force plans or proposes to reduce aircraft inventory from fiscal year 2021 through the end of the fiscal year 2022 FYDP, the report shall describe plans to modify proficiency training or deployment requirements for affected units to account for planned or proposed reduction in the number of aircraft assigned to those units. This language replaces the language under the heading "C-130 Fleet Management Plan" in House Report 116-453.

### ***LC-130H -***

The Secretary of the Air Force is directed to submit a report to the congressional defense committees on LC-130H aircraft not later than 90 days after the enactment of this Act. The report shall include information on the age and estimated service life of the aircraft, trends in operating costs and mission capable rate, known sustainment and safety problems, the benefits of both completed and planned aircraft modifications, and an estimate of the cost of replacing these aircraft with C-130Js, including the cost of the required unique mission modifications. Further, the report shall be submitted with comments from the Chief of the National Guard Bureau to include, at minimum, an analysis of current LC-130H fleet force structure and capabilities requirements and an itemized list of unfunded recapitalization and modernization requirements. This language replaces the language under the heading "LC-130H Aircraft" in House Report 116-453.

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

The agreement includes funds requested for international programs in the Northern Command and Southern Command areas of responsibility, including \$17,080,000 to support counter illicit drug trafficking operations in Southern Command. The Secretary of Defense is directed to ensure that international programs requested and supported by this account do not duplicate programs funded under the Defense Security Cooperation Agency in the Operation and Maintenance, Defense-Wide account.

The agreement also includes \$194,211,000 for the National Guard Counter-Drug Program and an additional \$31,768,000 is included under Counter-Narcotics Support for operational support to the National Guard.

The Secretary of Defense is directed to provide quarterly reports to House and Senate Appropriations Committees on the use and status of funds provided under this heading, including information for each project as identified in the PB-4 7 Project Definitions budget exhibit of the fiscal year 2021 budget justification materials and other documentation supporting the fiscal year 2021 Department of Defense budget request.

### ***National Guard and Reserve Equipment -***

The agreement provides \$950,000,000 for National Guard and Reserve Equipment. Of that amount \$285,000,000 is designated for the Army National Guard; \$285,000,000 for the Air National Guard; \$155,000,000 for the Army Reserve; \$52,500,000 for the Navy Reserve; \$17,500,000 for the Marine Corps Reserve; and \$155,000,000 for the Air Force 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 agreement directs the component commanders of the Army Reserve, Marine Forces Reserve, Air Force Reserve, Army National Guard and Air National Guard to submit to the congressional defense committees a detailed assessment of their component's modernization priorities, not later than 30 days after the enactment of this Act.

***High Priority Items -***

The Secretary of Defense is directed to ensure that the account is executed by the Chiefs of the National Guard and reserve components with priority consideration given to the following items: acoustic hailing devices; counter-VAS systems; crashworthy, ballistically tolerant auxiliary fuel systems; containerized ice making systems; gamma radiation protection; helmet-mounted display system; hypervisor-based cross domain access solution; training systems and simulators; virtual language training systems; cold weather and mountaineering gear and equipment, including small unit support vehicles; MQ-9 deployable launch & recovery element mission support kits; solar mobile power systems; KC-135 aircraft forward area refueling/defueling stations; ALR-69A digital radar warning receivers; AN/PDR-75A radiac sets; modular small arms ranges and range simulators; radiological screening portals; radiological isotope identification/detection equipment; and detect and avoid systems for MQ-9 aircraft.

***Special Victims' Counsel Program -***

The agreement includes a provision proposed by the House which provides funding to the Sexual Assault Special Victim's Counsel Program.

***Sexual Assault Prevention Plan of Action -***

The agreement recommends an additional \$7,500,000 for the Sexual Assault Prevention and Response Office for continued implementation of the Prevention Plan of Action and to fund prevention efforts throughout the Services. The Director of the Sexual Assault Prevention and Response Office is directed to brief the House and Senate Appropriations Committees on its spend plan for the \$7,500,000 not later than 90 days after the enactment of this Act.

***Federal Payment for the District of Columbia National Guard -***

For a Federal payment to the District of Columbia National Guard, \$600,000, to remain available until expended for the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program.

**House Committee Items of Interest*****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.

***Joint Force Headquarters Analysis Cells***

Intelligence fusion centers are information sharing hubs that provide threat-related information to federal, state, and local agencies. These centers allow the flexibility to determine which critical infrastructure areas merit the dedication of resources on each governmental level. The Committee recognizes that the National Guard Bureau is developing a Joint Force Headquarters Analysis Cell concept to expand state-level intelligence capabilities. As this work progresses, the Committee encourages the Chief, National Guard Bureau to consult with state-level entities, particularly individual state National Guard units who specialize in this area, to integrate key aspects of concepts that have already proved successful at the state level.

***Suicide Prevention and Outreach***

The Committee is alarmed by the growing number of suicides among servicemembers. The Department's first Annual Suicide Re- port, released in 2019, found a statistically significant increase in the military's

suicide rate among active duty servicemembers. The report found in just five years the rate of suicide rose by more than one-third, from 18.5 to 24.8 suicides per 100,000 active duty members. For the National Guard, the report found the rate of suicide was statistically higher than that of the American population at 30.6 suicides per 100,000 members of the National Guard regardless of duty status. 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. The Committee acknowledges the Defense Suicide Prevention Office's (DSPO) hard work and dedication to advance holistic, data-driven suicide prevention through its partnership with the Services. However, the most recent report emphasizes the need for a more dedicated response to address the troubling rise of suicide among servicemembers. Despite statements by the Secretary of Defense that the military, "has the means and the resources to get ahead of this and do better than our civilian counterparts," the Department's investment in DSPO is negligible at best. The budget for staffing and programming of DSPO has remained flat despite the uptick in suicides among servicemembers. Instead of seeking to expand resources available to the Services, the Department has prioritized finding nominal cuts through the Defense-Wide Review for this office. The Committee is disappointed by the Department's failure to prioritize appropriate resources for DSPO and invest in efforts to understand the efficacy and effectiveness of its own suicide prevention programs.

In addition to the Annual Suicide Report, the Committee directs the Director of the DSPO to brief the House and Senate Appropriations Committees not later than 30 days after the enactment of this Act and quarterly thereafter, on the initiatives the Department is implementing to prevent military suicide, as well as the efforts underway to develop robust research, evaluation, and analytics to assess the effectiveness of its prevention efforts. Further, the Committee directs the Secretary of Defense to submit to the House and Senate Appropriations Committees, not later than 90 days after the enactment of this Act, and monthly thereafter, a report on suicide among members of the armed forces. The report shall provide the number of suicides, attempted suicides, and occurrences of suicidal ideation involving a member of the armed forces, including the reserve components. The report all include the gender, age, rank, and method of suicide for each.

### **Senate Committee Items of Interest**

#### ***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 and critical care training, including public health, bio-environmental, and biomedical instruction to sustain medics' and medical providers' capabilities of the National Guard Enhanced Response Forces Packages [CERFP], National Guard Homeland Response Forces [NGHRF], the Army Reserve Consequence Management Response Forces [CCMRF], and other National Guard and Reserves medical conversion/ readiness requirements. The Committee encourages the National Guard and Reserves 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 medical and critical care preparedness medical training programs focusing on public health curriculums and the epidemiology of public health diseases, 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.

#### ***Uncontaminated Water for Agricultural Purposes –***

Congress has provided new authority to the Secretary of Defense and the Secretary of the Air Force in section 343 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) in order to promptly address perfluorooctanoic acid [PFOA] and perfluorooctane sulfonate [PFOS] contamination in agricultural water resources and prevent further spread and damage. While the Office of the Secretary of Defense recently issued implementation guidance for this new authority, the Committee is concerned that it does not direct remediation of contaminated water above the Lifetime Health Advisory issued by the Environmental Protection Agency as stated in section 343, but rather through the Comprehensive Environmental Response, Compensation, and Liability Act process. The Committee urges the Air Force to



act expeditiously to implement this new guidance to prevent further harmful PFOA and PFOS contamination on agricultural lands.

***Feasibility of Language and Cultural Competency Training for State Partnership Program -***

Through the Defense Language and National Security Education Office [DLNSEO], the Department of Defense provides critical language training and cultural competency to DoD personnel. The Secretary of Defense is directed to submit a feasibility study for a pilot of a language skills and cultural competency program through existing DLNSEO contracts to benefit the State Partnership Program [SPP] between National Guard units and partner governments. The pilot should look at multiple partnerships to provide insight into program design, curriculum, and utilization of accredited universities local to National Guard units to improve SPP interactions.

***State Partnership Program –***

The State Partnership Program [SPP] has been successfully building relationships for over 25 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 78 unique security partnerships involving 84 nations around the globe. The Committee recognizes the importance of SPP and encourages continued robust support of this important partnership program.

***LC-130H Recapitalization –***

The Committee notes that the Air National Guard operates the Department of Defense's LC-30H fleet, which is a ski-equipped version of the C-130 cargo plane. This unique capability provides the Department of Defense with access to remote polar regions, otherwise inaccessible with traditional aircraft. Under Presidential Decision Memorandum 6646, the Department also provides reimbursable transportation services to the National Science Foundation for its efforts at McMurdo Station, Antarctica. The Committee believes that recapitalizing this fleet to the newer J model aircraft will ensure continued access to these polar regions in the future, a vital capability to preserving our national interests in the region. Therefore, the Committee directs the Chief of the National Guard Bureau to provide a report to the congressional defense committees, not later than 120 days after enactment of this act, on the plan for managing and modernizing the existing LC-130H fleet. This plan should include, at a minimum, an analysis of the current fleet force structure and capabilities requirements, a modernization roadmap, and a list of the fleet's unfunded priorities. Further, the Committee encourages the Secretary of the Air Force to program and budget for recapitalization of the LC- 130H in future year's budget cycles.

***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 urges 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 servicemember'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 servicemembers.