



National Guard Bureau
Office of Legislative Liaison



FY23 Senate Appropriations Committee Defense Appropriations Act



As of August 31st, 2022

Bill Status

	Passed in Committee	Passed in Chamber	Final Passage	Signed into Law
House	22 June 22			
Senate	Chairman's Mark released 28 Jul 22			

Table of Contents

EXECUTIVE SUMMARY	- 2 -
ARMY NATIONAL GUARD PERSONNEL	- 6 -
ARMY NATIONAL GUARD OPERATIONS & MAINTENANCE.....	- 7 -
AIR NATIONAL GUARD PERSONNEL	- 2 -
AIR NATIONAL GUARD OPERATIONS & MAINTENANCE.....	- 3 -
OPERATIONS AND MAINTENANCE INTEREST ITEMS.....	- 4 -
GENERAL PROVISIONS	- 5 -
LEGISLATIVE PROVISIONS.....	- 5 -
ITEMS OF INTEREST	- 6 -

Executive Summary

This guide provides a short summary of the subcommittee markup for the Senate Fiscal Year 2023 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: <https://www.nationalguard.mil/leadership/joint-staff/personal-staff/legislative-liaison/>.

Status:

On July 28, 2022 the Senate Appropriations Committee released the FY23 Defense Appropriations Act. The bill appropriates \$792.1 billion, an increase of \$63.6 billion above the fiscal year 2022 enacted level, excluding emergency spending.

Highlights:

- The bill fully funds the 4.6 percent pay raise for troops
- adds \$248M for military family support programs
- \$85M for the National Guard Youth Challenge
- \$25M for the Beyond Yellow Ribbon program
- \$1.7B for 16 additional C-130J aircraft, to modernize two Air National Guard operational units
- \$1.5B for the National Guard and Reserve Equipment Account
- Funds an end strength of 336,000 for the ARNG and 108,400 (100 above FY22) for the ANG
- \$9.3B for ARNG Personnel, an increase of \$50.2M from the FY23 PBR
- \$5B for ANG Personnel, a decrease of \$107M from the FY23 PBR

- \$8.3B for ARNG O&M, an increase of \$180M from the FY23 PBR
- \$7.3B for ANG O&M, an increase of \$378.1M from the FY23 PBR
- Appropriates \$502.2M for the ARNG and \$471.7M for the ANG in NGREA
- Adds \$20M for C-130 Improved Modular Airborne Firefighting Systems
- Adds \$350M for 12 MQ-1C Gray Eagle Extended Range for the National Guard
- Adds \$50M for STARBASE
- Adds \$85M for the National Guard Youth ChalleNGe Program
- National Guard Counter-Drug Program
 - Funds \$200.3M for National Guard Counter-Drug Program, an increase of \$100M from the FY23 PBR
 - Funds \$25.9M for National Guard Counter-Drug Schools, an increase of \$20.0M from the FY23 PBR
- Additional Funds for ARNG Programs
 - Adds \$1.2M Personnel and \$2.5M O&M for Advanced Trauma and Public Health Direct Training Services
 - Adds \$750K O&M for International Advanced Trauma and Public Health Training
 - Adds \$8.5M Personnel and \$11.5M O&M for Exercise Northern Strike
 - Adds \$750K Personnel for Army Mountain Warfare School Operations
 - Adds \$132M for Facilities Sustainment, Restoration & Modernization
 - Adds \$85M for Marketing and Advertising
 - Adds \$13M for Army National Guard Special Training including:
 - \$8.5M Personnel and \$1.5M O&M for Wildfire Training
 - \$1.5M Personnel and \$1.5M O&M for Irregular Warfare Training Exercises
- Additional Funds for ANG Programs
 - Adds \$2.7M Personnel and \$3.8M O&M for Advanced Trauma and Public Health Direct Training Services
 - Adds \$6M Personnel and \$1.5M O&M for Wildfire Training
 - Adds \$2.5M for Warrior Resiliency and Fitness
 - Adds \$6.5M Personnel and \$1.5M for Combat Readiness Training Centers
 - Adds \$55M for Facilities Sustainment, Restoration & Modernization

- Adds \$15.4M for PFAS Environmental Activities
 - Adds \$45M for Aqueous Film Forming Foam Removal and Disposal
 - Adds \$50M for Marketing and Advertising
- Prohibits funds from being used to reduce authorized positions for National Guard military technicians

National Guard Accounts Overview

(All Dollars in Thousands)

Army National Guard	FY23 President's Budget Request	FY23 HAC-D Mark	Delta from Request	FY23 SAC-D Mark	Delta from Request	FY23 Conference
ARNG Personnel	\$9,324,813	\$9,324,213	-\$600	\$9,375,029	\$50,216	
ARNG O&M	\$8,157,237	\$8,094,937	-\$62,300	\$8,337,287	\$180,050	
NGREA	--	\$349,000	\$349,000	\$502,266	\$502,266	

Air National Guard	FY23 President's Budget Request	FY23 HAC-D Mark	Delta from Request	FY23 SAC-D Mark	Delta from Request	FY23 Conference
ANG Personnel	\$5,127,335	\$5,123,235	-\$4,100	\$5,020,248	-\$107,087	
ANG O&M	\$6,900,679	\$6,908,979	\$8,300	\$7,278,779	\$378,100	
NGREA	--	\$290,000	\$290,000	\$471,700	\$471,700	



Army National Guard

Army National Guard Personnel

(All Dollars in Thousands)

ARNG Personnel Appropriation	FY23 President's Budget Request	FY23 HAC-D Mark	Delta from Request	FY23 SAC-D Mark	Delta from Request	FY23 Conference
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	\$2,657,734	\$2,657,734	--	\$2,657,734	--	
PAY GROUP F TRAINING (RECRUITS)	\$552,298	\$552,298	--	\$552,298	--	
PAY GROUP P TRAINING (PIPELINE RECRUITS)	\$47,941	\$47,941	--	\$47,941	--	
SCHOOL TRAINING	\$587,537	\$587,537	--	588,064 ²	\$750	
SPECIAL TRAINING	\$757,064	\$766,764 ¹	\$9,700	767,064 ^{3,4}	\$10,000	
ADMINISTRATION AND SUPPORT	\$4,642,452	\$4,642,452	--	\$4,642,452		
THRIFT SAVINGS PLAN MATCHING CONTRIBUTIONS	\$70,700	\$70,700	--	\$70,700	--	
EDUCATION BENEFITS	\$9,087	\$9,087	--	\$9,087	--	
TOTAL, BUDGET ACTIVITY 1 (BAC-01)	\$9,324,813	\$9,334,513	\$9,700	\$9,335,563	\$10,750	
UNDISTRIBUTED ADJUSTMENT	--	-\$20,000	-\$20,000	\$39,466 ⁵⁻¹¹	\$39,466	
ADVANCED TRAUMA AND PUBLIC HEALTH DIRECT TRAINING SERVICES	--	\$1,200	\$1,200	--	--	
EXERCISE NORTHERN STRIKE	--	\$8,500	\$8,500	--	--	
TOTAL, TITLE I, ARNG PERSONNEL	\$9,324,813	\$9,324,213	-\$600	\$9,375,029	\$50,216	
HEALTH CARE CONTRIBUTION (RC)	\$874,195	\$873,000 ²	--	\$874,091	-\$104	
TOTAL TRICARE ACCRUAL PAYMENTS	\$874,195	\$873,000 ²	--	\$874,091	-\$104	
TOTAL, NATIONAL GUARD PERSONNEL, ARMY	\$10,199,008	\$10,197,213	-\$600	\$10,249,120	\$50,112	

HAC-D Items

1. Special Training; Program increase – State Partnership Program \$9,700
2. The HAC-D Funding Table lists a discrepancy associated with the FY23 Budget Estimate. NGB-LL is communicating with the committee reference the discrepancy.

SAC-D Items

2. School Training; Program increase – Army Mountain Warfare School Operations \$750
3. Special Training; Program increase – Wildfire training \$8,500
4. Special Training; Program increase – Irregular warfare training exercises \$1,500
5. Undistributed; Underexecution of average strength -\$25,164
6. Undistributed; Revised budget estimate -\$20,902
7. Undistributed; Program increase – Basic allowance for subsistence \$14,482
8. Undistributed; Program increase – Basic allowance for housing \$41,399
9. Undistributed; Program increase – Special and incentive pays \$20,000
10. Undistributed; Program increase – Advanced trauma and public health direct training services \$1,151
11. Undistributed; Program increase – Exercise Northern Strike \$8,500

Army National Guard Operations & Maintenance

ARNG O&M Appropriation	FY23 President's Budget Request	FY23 HAC-D Mark	Delta from Request	FY23 SAC-D Mark	Delta from Request	FY23 Conference
MANEUVER UNITS	\$964,237	\$960,737 ^{1,2}	-\$3,500	\$975,737 ⁷	\$11,500	
MODULAR SUPPORT BRIGADES	\$214,191	\$214,191	--	\$214,191	--	
ECHELONS ABOVE BRIGADE	\$820,752	\$820,752	--	\$820,752	--	
THEATER LEVEL ASSETS	\$97,184	\$97,184	--	\$97,184	--	
LAND FORCES OPERATIONS SUPPORT	\$54,595	\$52,595 ³	-\$2,000	\$54,595	--	
AVIATION ASSETS	\$1,169,826	\$1,160,826 ⁴	-\$9,000	\$1,149,826 ⁸	-\$20,000	
FORCE READINESS OPERATIONS SUPPORT	\$722,786	\$722,786	--	\$720,038 ⁹⁻¹³	-\$2,750	
LAND FORCES SYSTEMS READINESS	\$46,580	\$46,580	--	\$46,580	--	
LAND FORCES DEPOT MAINTENANCE	\$259,765	\$259,765	--	\$259,765	--	
BASE OPERATIONS SUPPORT	\$1,151,215	\$1,146,215 ⁵	-\$5,000	\$1,151,215	--	
FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	\$1,053,996	\$1,053,996	--	\$1,185,996 ¹⁴	\$132,000	
MANAGEMENT AND OPERATIONAL HQ	\$1,148,286	\$1,148,286	--	\$1,161,586 ^{15,16}	\$13,300	
CYBERSPACE ACTIVITIES – CYBERSPACE OPERATIONS	\$8,715	\$8,715	--	\$8,715	--	
CYBERSPACE ACTIVITIES – CYBERSECURITY	\$8,307	\$8,307	--	\$8,307	--	
TOTAL, BUDGET ACTIVITY 1 (BAC-01)	\$7,720,437	\$7,700,937	-\$19,500	\$7,854,487	\$134,050	
SERVICEWIDE TRANSPORTATION	\$6,961	\$6,961	--	\$6,961	--	
ADMINISTRATION	\$73,641	\$81,841 ⁶	\$8,200	\$79,641 ¹⁷	\$6,000	
SERVICEWIDE COMMUNICATIONS	\$100,389	\$100,389	--	\$100,389	--	
MANPOWER MANAGEMENT	\$9,231	\$9,231	--	\$9,231	--	
OTHER PERSONNEL SUPPORT	\$243,491	\$243,491	--	\$323,491 ¹⁸	\$80,000	
REAL ESTATE MANAGEMENT	\$3,087	\$3,087	--	\$3,087	--	
TOTAL, BUDGET ACTIVITY 4 (BAC-04)	\$436,800	\$445,000	\$8,200	\$522,800	\$86,000	
HISTORICAL UNOBLIGATION	--	-\$54,000	-\$54,000	--	--	
TRAUMA TRAINING	--	\$3,000	\$3,000	--	--	
READINESS/OPERATIONAL SHORTFALLS	--	--	--	--	--	
UNJUSTIFIED GROWTH	--	--	--	-\$85,000	-\$85,000	
PROGRAM INCREASE	--	--	--	\$45,000 ¹⁹	\$45,000	
TOTAL, ARNG O&M	\$8,157,237	\$8,094,937	-\$62,300	\$8,337,287	\$180,050	

HAC-D Items

1. Maneuver Units; Program increase – Northern Strike \$11,500

2. Maneuver Units; Unjustified growth -\$15,000

3. Land Forces Operations Support; Unjustified growth -\$2,000
4. Aviation Assets; Unjustified growth -\$9,000
5. Base Operations Support; Unjustified growth -\$5,000
6. Administration; Program increase – State Partnership Program \$8,200

SAC-D Items

7. Maneuver Units; Program Increase – Exercise Northern Strike \$11,500
8. Aviation Assets; Unjustified growth -\$20,000
9. Force Readiness Operations Support; Program decrease unaccounted for -\$9,000
10. Force Readiness Operations Support; Program increase – Advanced trauma and public health direct training services \$2,500
11. Force Readiness Operations Support; Program increase – International advanced trauma and public health training \$750
12. Force Readiness Operations Support; Program increase – Irregular warfare training exercises \$1,500
13. Force Readiness Operations Support; Program increase – Wildfire training \$1,500
14. Facilities Sustainment, Restoration & Modernization; Program increase \$132,000
15. Management and Operational Headquarters; Program increase – Mental health providers \$7,300
16. Management and Operational Headquarters; Program increase – Star behavioral health program \$6,000
17. Administration; Program increase – State Partnership Program \$6,000
18. Other Personnel Support; Program increase – Army National Guard marketing and advertising \$85,000
19. Undistributed; Program increase – Impact of inflation on utility costs, supplies, and materials \$45,000



Air National Guard

Air National Guard Personnel

(All Dollars in Thousands)

ANG Personnel Appropriation	FY23 President's Budget Request	FY23 HAC-D Mark	Delta from Request	FY23 SAC-D Mark	Delta from Request	FY23 Conference
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	\$934,473	\$934,473	--	\$940,973 ²	\$6,500	
PAY GROUP F TRAINING (RECRUITS)	\$147,492	\$147,492	--	\$147,492	--	
PAY GROUP P TRAINING (PIPELINE RECRUITS)	\$5,808	\$5,808	--	\$5,808	--	
SCHOOL TRAINING	\$380,343	\$380,343	--	\$380,343	--	
SPECIAL TRAINING	\$267,431	\$270,931 ¹	\$3,500	\$273,431 ³	\$6,000	
ADMINISTRATION AND SUPPORT	\$3,363,168	\$3,363,168	--	\$3,229,968 ^{4,5}	-\$133,200	
THRIFT SAVINGS PLAN MATCHING CONTRIBUTIONS	\$19,559	\$19,559	--		--	
EDUCATION BENEFITS	\$9,061	\$9,061	--		--	
TOTAL, BUDGET ACTIVITY 1 (BAC-01)	\$5,127,335	\$5,130,835	\$3,500	\$5,006,635	-\$120,700	
UNDISTRIBUTED ADJUSTMENT	--	-\$17,295	\$17,295	\$13,613 ⁶⁻¹⁰	\$13,613	
Total, Title I National Guard Personnel, Air Force	\$5,127,335	\$5,123,235	-\$4,100	\$5,020,248	-\$107,087	
HEALTH CARE CONTRIBUTION (RC)	\$336,040	\$336,000 ²	--	336,040	--	
TOTAL, TRICARE ACCRUAL PAYMENTS	\$336,040	\$336,000 ²	--	336,040	--	
Total, National Guard Personnel, Air Force	\$5,463,335	\$5,459,235	-\$4,100	\$5,356,288	-\$107,087	

HAC-D Items

1. Program Increase – State Partnership Program \$3,500
2. The HAC-D Funding Table lists a discrepancy associated with the FY23 Budget Estimate. NGB-LL is communicating with the committee reference the discrepancy.

SAC-D Items

2. Pay Group A Training; Program increase – Combat readiness training centers \$6,500
3. Special Training; Program increase – Wildfire training \$6,000
4. Administration and Support; Program increase – Warrior Resiliency and Fitness \$500
5. Administration and Support; Transfer to Operation and Maintenance, ANG -\$133,700
6. Undistributed; Underexecution of average strength -\$16,277
7. Undistributed; Program increase – Basic allowance for subsistence \$1,421
8. Undistributed; Program increase – Basic allowance for housing \$10,721
9. Undistributed; Program increase – Special and incentive pays \$15,000
10. Undistributed; Program increase – Advanced trauma and public health direct training services \$2,748

Air National Guard Operations & Maintenance

ANG O&M Appropriation	FY23 President's Budget Request	FY23 HAC-D Mark	Delta from Request	FY23 SAC-D Mark	Delta from Request	FY23 Conference
AIRCRAFT OPERATIONS	\$2,301,784	\$2,294,784 ^{1,2}	-\$7,000	\$2,397,984 ¹¹⁻¹⁴	\$96,200	
MISSION SUPPORT OPERATIONS	\$587,793	\$598,193 ³⁻⁵	\$10,400	\$633,393 ¹⁵⁻²²	\$45,600	
DEPOT MAINTENANCE	\$1,193,699	\$1,201,699 ⁶	\$8,000	\$1,173,999 ²³⁻²⁵	-\$19,700	
FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	\$437,042	\$471,042 ^{7,8}	\$34,000	\$570,442 ²⁶⁻²⁹	\$133,400	
CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	\$1,284,264	\$1,269,264 ⁹	-\$15,000	\$1,303,964 ^{30,31}	\$19,700	
BASE OPERATING SUPPORT	\$967,169	\$969,569 ¹⁰	\$2,400	\$981,069 ^{32,33}	\$13,900	
CYBERSPACE SUSTAINMENT	\$12,661	\$12,661	--	\$12,661	--	
CYBERSPACE ACTIVITIES	\$15,886	\$15,886	--	\$15,886	--	
TOTAL, BUDGET ACTIVITY 1 (BAC-01)	\$6,800,298	\$6,833,098	\$32,800	\$7,089,398	\$289,100	
ADMINISTRATION	\$52,075	\$52,075	--	\$61,075 ³⁴	\$9,000	
RECRUITING AND ADVERTISING	\$48,306	\$48,306	--	\$98,306 ³⁵	\$50,000	
TOTAL, BUDGET ACTIVITY 4 (BAC-04)	\$100,381	\$100,381	--	\$159,381	\$59,000	
HISTORICAL UNOBLIGATION	--	-\$30,000	-\$30,000	--	--	
TRAUMA TRAINING	--	\$3,000	\$3,000	--	--	
DENY CLOSURE OF COMBAT READINESS TRAINING CENTER	--	\$2,500	\$2,500	--	--	
UNJUSTIFIED GROWTH	--	--	--	-\$10,000	-\$10,000	
PROGRAM INCREASE	--	--	--	\$40,000 ³⁶	\$40,000	
TOTAL, O&M, AIR NATIONAL GUARD	\$6,900,679	\$6,908,979	\$8,300	\$7,278,779	\$378,100	

HAC-D Items

1. Aircraft Operations; Program increase – Northern Strike \$1,000
2. Aircraft Operations; Unjustified growth -\$8,000
3. Mission Support Operations; Program increase – State Partnership Program \$5,100
4. Mission Support Operations; Program increase – ANG JTAC contractor support \$8,000
5. Mission Support Operations; Transfer to OP AF PE 52831F -\$2,700
6. Depot Purchase Equipment Maintenance; Program increase – KC-135 \$8,000
7. Real Property Maintenance; Program increase – runway renovation projects \$16,000
8. Real Property Maintenance; Program increase – facility enhancements for future foreign military training sites \$18,000
9. Contractor Logistics Support and System Support; Unjustified growth -\$15,000
10. Base Operations Support; Program Increase – MQ-9 dissemination hub \$2,400

SAC-D Items

11. Aircraft Operations; Transfer from National Guard Personnel, Air Force for full time support \$86,700
12. Aircraft Operations; Program increase – Exercise Northern Strike \$1,000
13. Aircraft Operations; Program increase – Optimization of the Human Weapons System \$5,000

14. Aircraft Operations; Program increase – Combat readiness training centers \$3,500
15. Mission Support Operations; Transfer from National Guard Personnel, Air Force for full time support \$24,600
16. Mission Support Operations; Program increase – Advanced trauma and public health direct training services \$3,800
17. Mission Support Operations; Program increase – Joint Terminal Attack Controller training \$8,000
18. Mission Support Operations; Program increase – Mental health providers \$2,000
19. Mission Support Operations; Program increase – State Partnership Program \$2,500
20. Mission Support Operations; Program increase – Combat readiness training centers \$1,200
21. Mission Support Operations; Program increase – Warrior Resiliency and Fitness \$2,000
22. Mission Support Operations; Program increase – Wildfire training \$1,500
23. Depot Purchase Equipment Maintenance; Program decrease unaccounted for -\$30,000
24. Depot Purchase Equipment Maintenance; Transfer, ANG-requested transfer to SAG 11W for Weapon System sustainment -\$49,700
25. Depot Purchase Equipment Maintenance; Program increase – Weapon System Sustainment \$60,000
26. Facilities Sustainment, Restoration & Modernization; Program increase \$55,000
27. Facilities Sustainment, Restoration & Modernization; Program increase – Facility enhancements for future foreign military training sites \$18,000
28. Facilities Sustainment, Restoration & Modernization; Program increase – PFAS environmental activities \$15,400
29. Facilities Sustainment, Restoration & Modernization; Program increase – Aqueous film forming foam removal and disposal \$45,000
30. Contractor Logistics Support and System Support; Program decrease unaccounted for -\$30,000
31. Contractor Logistics Support and System Support; Transfer, ANG-requested transfer from SAG 11M for Weapon System sustainment \$49,700
32. Base Support; Transfer from National Guard Personnel, Air Force for full time support \$13,400
33. Base Support; Program increase – Combat readiness training centers \$500
34. Administration; Transfer from National Guard Personnel, Air Force for full time support \$9,000
35. Recruiting and Advertising; Program increase – Air National Guard marketing and advertising \$50,000
36. Undistributed; Program increase – Impact on inflation on utility costs, supplies, and materials \$40,000

Operations and Maintenance Interest Items

Army National Guard Sustainment, Restoration and Modernization Funding

The Committee recommends a robust funding level in fiscal year 2023 for facility sustainment, restoration and modernization. The Chief of the National Guard Bureau is encouraged to use a portion of these funds to modernize state Army National Guard facilities to address inequities that exist related to facilities and spaces provided to address the needs of female service members.

Muscatatuck Cyber Training Center

The Muscatatuck Urban Training Center provides a unique training platform for the military services, including the National Guard. The Committee notes that prior investments there have improved cyber-physical and hardware-in-the-loop training opportunities across all components and encourages the Army National Guard to adequately fund sustainment of these capabilities.

Warrior Resiliency and Fitness

The Committee notes with approval the Army National Guard's inclusion of Warrior Resiliency and Fitness in its fiscal year 2023 President's budget request and urges the Army National Guard to continue incorporating analytic tool development for Adjutants General and state pilot programs as an incubator for innovative approaches to preventative mental health efforts.

ENVIRONMENTAL RESTORATION, ARMY

Budget estimate, 2023	\$196,244,000
Committee recommendation	238,244,000

The Committee recommends an appropriation of \$238,244,000. This is \$40,000,000 above the budget estimate for the Army and Army National Guard to address costs associated with remediating contamination caused by per- and polyfluoroalkyl substances and \$2,000,000 above the budget estimate for Restoration Advisory Boards.

ENVIRONMENTAL RESTORATION, AIR FORCE

Budget estimate, 2023	\$314,474,000
Committee recommendation	466,474,000

The Committee recommends an appropriation of \$466,474,000. This is \$150,000,000 above the budget estimate for the Air Force and Air National Guard to address costs associated with remediating

contamination caused by per- and polyfluoroalkyl substances and \$2,000,000 above the budget estimate for Restoration Advisory Boards.

General Provisions

READINESS

The Committee recommends an additional \$3,000,000,000 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. 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.

National Guard and Reserve Equipment Account

The Committee recommends an appropriation of \$1,500,000,000. This is \$1,500,000,000 above the budget estimate. The appropriation includes direction for 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 enactment of this act.

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: airfield lighting system; aviation status dashboard; acoustic hailing devices; ballistically tolerant auxiliary fuel systems; C-130 H/J /WC ground mapping radar replacement; containerized ice making systems; KC-135 aircraft forward area refueling/defueling stations; lightweight rapidly deployable computer-based artillery call for fire [CFF] training and simulation; pilot physiological monitoring systems; small unmanned aerial systems and tethered drones; special tactics [ST] squadrons and joint terminal attack controllers [JTACs] tethered drone; software defined radios; tactical rinse systems; UH-72 security and support [S&S] mission equipment modernization; and vehicle-mounted and man-portable radiological nuclear detection systems.

Legislative Provisions

Sec. 8048 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. 8050 In this fiscal year and each fiscal year thereafter, funds appropriated 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. 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. 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.

Items of Interest

Advanced Trauma and Public Health Direct Training Services for the National Guard

The Committee recognizes the valuable support universities and hospitals 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, National Guard Civil Support Teams, and other National Guard medical conversion/readiness requirements. The Committee directs the National Guard to continue pursuing state-of-the-art trauma training, critical care, behavioral health, public health training and other ancillary, direct training with civilian and international partners. Doing so will maintain unit readiness postures at optimum levels as National Guard personnel maintain their skills to provide effective mitigation, intervention and prevention responses, and successful medical outcomes to trauma incidents on the homeland and abroad.

Air National Guard Units with Space Missions

The Committee notes that there are Air National Guard Units conducting space missions and that there is disagreement within the Department of the Air Force on how best to allocate those forces following establishment of the Space Force. The Committee believes that any decision on transferring or reducing those missions should be made only after a full analysis of the costs, benefits, and unit impacts. Therefore, the Committee directs the Secretary of the Air Force to provide a report to the congressional defense committees detailing any plans to transfer space missions, personnel, or equipment of the Air National Guard to the Space Force. The report shall be submitted not later than 30 days after the transfer decision is made. Further, this report shall include fiscal year 2024 cost estimates through the Future Years Defense Program, the rationale for the decision, an explanation of organizational benefits, and any follow-on missions identified for the Air National Guard units that are losing space elements following the transfer. Further, the Secretary of the Air Force is directed to certify in writing that such transfer is consistent with the mission of the Space Force and will not have an adverse impact on the Air National Guard.

PROCUREMENT OVERVIEW

Army Organic Industrial Base

The Committee directs the Secretary of the Army to provide 45-day written notification to the congressional defense committees prior to the Secretary approving civilian reductions in force that will result in an employment loss of 50 or more full-time employees at any Army organic industrial base facility. The notification shall include the impact that the proposed reduction in force will have on the ability to maintain the organic industrial base critical manufacturing capabilities as delineated in the Army Organic Industrial Base Strategy Report, a detailed accounting of the costs of implementing the reduction in force, and an assessment of the cost of, and time necessary, to re store any lost capability to meet future organic wartime manufacturing needs.

Polar Tactical Airlift

The Air National Guard currently maintains and operates a fleet of LC-130H aircraft that provide assured access to the polar regions in support of Presidential Decision Memorandum 6646 and the United States Northern Command's [USNORTHCOM] mission requirements. The Committee notes that these aircraft still possess approximately 15 years of service life and are being upgraded with advanced avionics, eight-blade propellers and new engines. Given the ever increasing importance of the polar regions in our National defense strategy, and our adversary's excursion into those regions, the Committee believes that this vital capability must be maintained, modernized, and eventually replaced in an appropriate and timely fashion.

Therefore, the Committee directs the Secretary of the Air Force to begin the requirements definition process for the follow-on aircraft to fulfill the polar tactical airlift mission set and recommends an additional \$1,000,000 to conduct the studies and analyses to inform those requirements. Further, the Committee directs the Secretary of the Air Force in coordination with the Commander, USNORTHCOM, and Director, Air National Guard, to submit to the congressional defense committees, not later than 120 days following enactment of this act, an initial cost estimate and capabilities review of C-130J aircraft and the associated modifications to fulfill the polar tactical airlift mission set.

Classic Associations

The Committee notes that pending the resolution and passage of the National Defense Authorization Act for Fiscal Year 2023, the Secretary of the Air Force may develop a plan to transfer KC-135 aircraft to air refueling wings of the Air National Guard that are operating as classic associations with active duty units of the Air Force. Therefore, the Committee directs the Secretary of the Air Force to provide a copy of the plan and the associated implementation costs by appropriation and budget line item across the Future Years Defense Program, to the Committees on Appropriations of the House of Representatives and Senate.