



National Guard Bureau  
Office of Legislative Liaison



# FY17 House Armed Services National Defense Authorization Act (NDAA)

*Summary of H.R. 4909,  
The House Version  
National Defense Authorization Act for Fiscal Year 2017*

*As of 22 June 2016*

	Passed in Committee	Passed in Chamber	Agreement	Final Passage	Signed into Law
House	28 April 2016 <input checked="" type="checkbox"/>	18 May 2016 <input checked="" type="checkbox"/>			
Senate	12 May 2016 <input checked="" type="checkbox"/>	6 June 2016 <input checked="" type="checkbox"/>			

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## Executive Summary

This guide provides a short summary of the initial draft House Armed Services Fiscal Year 2017 National Defense Authorization Act (NDAA). To obtain a complete understanding of any particular provision, users are encouraged to review the actual legislative language. Beyond the legislative provision, there are a number of directive reports with specific relevance to the National Guard. Readers are encouraged to review this report language (starting on page 13) for their own situational awareness.

### Status:

On Thursday, 28 April, the House Armed Services Committee approved its version of the fiscal year 2017 National Defense Authorization Act at a vote of 60-2. The bill authorizes \$610 billion for defense spending in FY17 - \$551 billion for base requirements and \$59 billion for overseas contingency operations.

### Highlights:

- Delays Section 1053 technician conversion from 1 January 2017 to 1 October 2017.
- Authorizes Army National Guard end strength at 350,000 and Air National Guard end strength at 105,700
- Provides a 2.1 percent pay raise for military personnel
- Includes a variety of reforms pertaining to Goldwater-Nichols
- Authorizes multiyear procurement authorities for UH-60 Black Hawk helicopters and AH-64 Apache attack helicopters to generate better cost savings for the taxpayer and provide the most modernized helicopters for the Active and Reserve components
- Supports the National Commission on the Future of the Army's (NCFA) recommendations in regards to the Army's Aviation Restructure Initiative (ARI)
- Requires an assessment of Army modernization and capacity shortfalls, including ways to eliminate those shortfalls, as recommended by the NCFA
- Authorizes additional funding for UH-60M Blackhawks, LUH-72 Lakotas and AH-64E Apaches so that the National Guard can retain four Apache battalions
- Authorizes \$250 million for the National Guard and Reserve Equipment Account in base procurement
- Authorizes \$16.5 million for the State Partnership Program, an increase of \$6.7 million over the President's budget request
- Increases the authorization for the National Guard Counterdrug Program by \$30 million
- Requires the Secretary of Defense to review and approve the curriculum and program structure of each of the National Guard counterdrug schools
- Exempts military technicians (dual status) from civilian furlough
- Requires the Chief of the National Guard Bureau to provide an annual report on personnel, training and equipment for the non-federalized National Guard on support to civilian authorities in prevention and response to domestic disasters
- Authorizes members of the National Guard be treated as if they were on Active Duty for purposes of coverage under TRICARE while performing disaster response duty, if the period immediately follows a period of fulltime National Guard duty, unless a Governor determines that it is not in the best interest of the member or State.

# National Guard Accounts Overview

**RECOMMENDED FUNDING AUTHORIZATIONS DO NOT EQUAL FINAL FUNDING. FINAL FUNDING LEVELS WILL BE DECIDED BY APPROPRIATIONS BILLS**



## Army National Guard - Authorization of Funding (All Dollars in Thousands)

Army National Guard	FY17 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY17 Delta from PB
O&M	\$6,825,370	\$6,799,094	-\$26,276				
OCO for Base O&M	\$60,128	\$382,828	+\$322,700				
OCO O&M	\$66,907	\$47,515	-\$19,392				
MILCON	\$232,930	\$300,430	+\$67,500				

### Army National Guard End Strength

Army National Guard	FY17 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY17 Delta from PB
End Strength	335,000	350,000	+15,000				
AGR	30,155	30,155	-				
Dual Status Technicians	25,507	25,507	-				
Non-Dual Status Technicians	1,600	1,600	-				
ADOS	17,000	17,000	-				



## Air National Guard - Authorization of Funding (All Dollars in Thousands)

Air National Guard	FY17 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY17 Delta from PB
O&M	\$6,703,578	\$6,588,402	-\$115,176				
OCO for Base O&M	-	\$348,900	+\$348,900				
OCO O&M	\$20,000	\$12,120	-\$7,880				
MILCON	\$143,957	\$166,957	+\$23,000				

### Air National Guard End Strength

Air National Guard	FY17 PB Request	HASC Mark	Delta from PB	SASC Mark	Delta from PB	Conference Report	FY17 Delta from PB
End Strength	105,700	105,700	-				
AGR	14,764	14,764	-				
Dual Status Technicians	22,104	22,104	-				
Non-Dual Status Technicians	350	350	-				
ADOS	16,000	16,000	-				

## BILL TEXT:

### PROCUREMENT PROVISIONS

#### **Section 111—Multiyear Procurement Authority for AH-64E Apache Helicopters**

This section would authorize the Secretary of the Army to enter into one or more multiyear contracts for AH-64E Apache helicopters beginning in fiscal year 2017, in accordance with section 2306b of title 10, United States Code.

#### **Section 112—Multiyear Procurement Authority for UH-60M and HH-60M Black Hawk Helicopters**

This section would authorize the Secretary of the Army to enter into one or more multiyear contracts for UH-60M and HH-60M Black Hawk helicopters beginning in fiscal year 2017, in accordance with section 2306b of title 10, United States Code.

#### **Section 113—Assessment of Certain Capabilities of the Department of the Army**

This section would require the Secretary of Defense, in consultation with the Secretary of the Army and the Chief of Staff of the Army, to provide an assessment to the congressional defense committees by April 1, 2017, of the ways, and associated costs, to reduce or eliminate shortfalls in responsiveness and capacity of the following capabilities:

- (1) AH-64-equipped Attack Reconnaissance Battalion capacity to meet future needs;
- (2) Air defense artillery (ADA) capacity, responsiveness, and the capability of short range ADA to meet existing and emerging threats (including unmanned aerial systems, cruise missiles, and manned aircraft), including an assessment of the potential for commercial-off-the-shelf solutions;
- (3) Chemical, biological, radiological, and nuclear capabilities and modernization;
- (4) Field artillery capabilities and the changes in doctrine and war plans resulting from the memorandum of the Secretary of Defense dated June 19, 2008, regarding the Department of Defense policy on cluster munitions and unintended harm to civilians, as well as required modernization or munition inventory shortfalls;
- (5) Fuel distribution and water purification capacity and responsiveness;
- (6) Army watercraft and port opening capabilities and responsiveness;
- (7) Transportation (fuel, water, and cargo) capacity and responsiveness;
- (8) Military police capacity; and
- (9) Tactical mobility and tactical wheeled vehicle capacity and capability, to include adequacy of heavy equipment prime movers.

#### **Section 131—Elimination of Annual Report on Aircraft Inventory**

This section would strike the requirement from section 231a of title 10, United States Code, for the Secretary of Defense to deliver an annual report on the military services' aircraft inventory to the congressional defense committees.

#### **Section 132—Repeal of the Requirement to Preserve Certain Retired C-5 Aircraft**

This section would amend section 141 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to terminate the requirement for the Secretary of the Air Force to continue to preserve certain C-5 aircraft in a storage condition that would allow a recall of retired aircraft to future service in the Air Force Reserve, Air National Guard, or Active Force structure.

#### **Section 134-Prohibition on Availability of Funds for Retirement of A-10 Aircraft**

This section would prohibit funds authorized to be appropriated by this Act, or otherwise made available for fiscal year 2017, for the Department of the Air Force to retire, prepare to retire, or place in storage any A-10 aircraft. This section would also maintain a minimum of 171 A-10 aircraft designated as primary mission aircraft inventory, and prohibit the Secretary of the Air Force from making any significant reductions to manning levels with respect to any A-10 aircraft squadron or

division until the Director of Operational Test and Evaluation, and the Secretary of the Air Force, submit reports to the congressional defense committees on the results and findings of the initial operational test and evaluation of the F-35 aircraft program, as well as the comparison test and evaluation that examines the capabilities of the F-35A and A-10C. The provision allows the Secretary of the Air Force to transition the A-10 unit at Ft Wayne ANG base to an F-16 unit.

**Section 135-Prohibition on Availability of Funds for Retirement of Joint Surveillance Target Attack Radar System Aircraft**

This section would prohibit the Air Force from retiring or preparing to retire any Joint Surveillance Target Attack Radar System aircraft. The provision allows the Secretary of the Air Force, on a case-by-case basis, to retire aircraft that have been damaged or non-operational.

**Section 144—Comptroller General Review of F-35 Lightning II Aircraft Sustainment Support**

This section would require the Comptroller General of the United States to conduct an analysis of status of and approaches considered in the sustainment support strategy for the F-35 Joint Strike Fighter program. This section would also require the Comptroller General to submit a report of the analysis to the congressional defense committees by April 1, 2017. The committee encourages the Comptroller General to consider best practices for contractor logistic support during the conduct of this review.

**Section 219-Restructuring of the Distributed Common Ground System of the Army**

This section would require the Secretary of the Army to discontinue development efforts for any component of the Distributed Common Ground System of the Army after Increment 1 where commercial software exists that is capable of fulfilling at least 80 percent of the system requirements. This section would also require a review of the acquisition strategy to ensure commercial software procurement is the preferred method to meet program requirements.

**Section 333-Report on Average Travel Costs for Members of the Reserve Component**

This section would require the Secretary of Defense to submit a report within 180 days after enactment of this act to Congress on the travel expenses of members of the reserve component associated with performing active duty service, active service, full-time National Guard duty, active Guard and Reserve duty, and inactive-duty training, to include the average annual cost for all travel expenses for a member of the reserve component.

**Section 352-Increase in Funding for National Guard Counterdrug Program**

**MILITARY PERSONNEL AUTHORIZATIONS**

**Section 411—End Strengths for Selected Reserve**

This section would authorize end strengths for Selected Reserve personnel, including the end strength for Reserves on Active Duty in support of the Reserves, as of September 30, 2017

**Section 412—End Strengths for Reserves on Active Duty in Support of the Reserves**

This section would authorize end strengths for Reserves on Active Duty in support of the Reserves as of September 30, 2017

**Section 413—End Strengths for Military Technicians (Dual Status)**

This section would authorize end strengths for military technicians (dual status) as of September 30, 2017

**Section 414—Fiscal Year 2017 Limitation on Number of Non-Dual Status Technicians**

This section would establish the maximum end strengths for the Reserve Components of the Army and Air Force for non-dual status technicians as of September 30, 2017.

**Section 415—Maximum Number of Reserve Personnel Authorized To Be on Active Duty for Operational Support**

This section would authorize, as required by section 115(b) of title 10, United States Code, the maximum number of Reserve Component personnel who may be on Active Duty or full-time National Guard duty during fiscal year 2017 to provide operational support. The personnel authorized here do not count against the end strengths authorized by section 401 or section 412 of this Act unless the duration on Active Duty exceeds the limitations in section 115(b)(2) of title 10, United States Code.

**Section 416—Sense of Congress on Full-Time Support for the Army National Guard**

This section would provide a sense of Congress that an adequately supported, full-time support force is essential to maintaining the readiness of the Army National Guard and that the current size of the full-time support force for the Army National Guard is the minimum required to maintain foundational readiness requirements.

**RESERVE MANAGEMENT PROVISIONS**

**Section 511—Extension of Removal of Restrictions on the Transfer of Officers Between the Active and Inactive National Guard**

This section would amend section 512 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66) to extend the authorization to allow officers to participate in the Inactive National Guard for 3 years, from December 31, 2016 until December 31, 2019. The extension would give the National Guard more flexibility to access departing Active Component members during the drawdown and provide a 5-year period to evaluate the benefits of Inactive National Guard transferability.

**Section 512—Extension of Temporary Authority to use Air Force Reserve Component Personnel to Provide Training and Instruction Regarding Pilot Training**

This section would extend Section 514(a)(1) of the FY16 NDAA.

**Section 513—Limitations on Ordering Selective Reserve to Active Duty for Preplanned Missions in Support of Combatant Commands**

This section would amend Section 12304(b) of Title 10, US Code to allow the Secretary of Defense to order units to active duty if the manpower and associated costs have been identified as an emerging requirement in the year of execution and a 30-day advance notification is provided to the congressional defense committees identifying funds required to support the order and a description and length of the unit's mission.

**Section 514—Exemption of Military Technicians (Dual Status) from Civilian Employee Furlough**

This section would amend Section 10215(b)(3) of Title 10 US Code to exempt military technicians (dual status) from furlough or temporary reduction by furlough.

**Section 515—Electronic Tracking of Operational Active-Duty Service Performed by Members of the Ready Reserve of the Armed Forces**

This section would require the Secretary of Defense to establish an electronic tracker of the Ready Reserve's operational active-duty service performed after January 28, 2008. The tour calculator shall specify early retirement credit authorized for each qualifying tour of active duty, as well as cumulative early reserve retirement credit

**Section 521—Technical Correction to Annual Authorization for Personnel Strengths**

This section would amend section 115 of title 10, United States Code, to update the references to section 502(f) of title 32, United States Code, as amended by the John Warner National Defense

Authorization Act for Fiscal Year 2007 (Public Law 109-364). Section 502(f) provides for the conditions under which the Secretary of the Army or the Secretary of the Air Force may order a member of the National Guard to perform training or other duty in addition to required drills and field exercises.

**Section 523—Revision of Deployability Rating System and Planning Reform**

This section would amend chapter 1003 of title 10, United States Code, to revise the Department of the Army's deployability rating system and manner in which the Army is required to track prioritization of deployable units. To the extent it would apply across all Army components, this section would facilitate implementation of the Army "Total Force" Policy by requiring systems to identify the priority of deployment and track readiness for all Army units, not just for the Reserve Components. Currently, the Army is operating under the construct set forth in the Army National Guard Combat Readiness Reform Act of 1992 (title XI of Public Law 102-484; 10 U.S.C. 10105 note), which was enacted after the experience of Operation Desert Storm when several Army National Guard combat brigades were mobilized for, but not deployed to, combat.

**OTHER PROVISIONS**

**Section 525—Technical Correction to Voluntary Separation Pay and Benefits**

This section would amend section 1175a of title 10, United States Code, by updating the references to section 502(f) of title 32, United States Code, and the list of involuntary mobilization authorities.

**Section 527—Pilot Program on Consolidated Army Recruiting**

This section would direct the Secretary of the Army to establish a 3-year pilot program in which recruiters from all three components (Regular, Reserve, and National Guard) are authorized to recruit individuals into any of the components, and receive credit toward periodic enlistment goals for each enlistment regardless of component. Not later than 1 year after implementation of the pilot program, the Secretary of the Army shall submit to the Committees on Armed Services of the House of Representatives and the Senate a detailed report on the design of the program. The Secretary would also be required to submit a final report at the conclusion of the pilot period.

**Section 528-Report on Purpose and Utility of Registration System under Military Selective Service Act**

This section would require that the Secretary of Defense, no later than 1 July 2017, to submit a report on the current and future need for a centralized registration system under the Military Selective Service Act.

**COMPENSATION, PERSONNEL BENEFITS AND RETIREMENT**

**Section 542—Extension of the Requirement for Annual Report Regarding Sexual Assaults and Coordination with Release of Family Advocacy Report**

This section would extend the requirement for the Sexual Assault Prevention and Response Office (SAPRO) report through January 31, 2021. In addition, it would require the release of the SAPRO report to be timed to coincide with the release of the Family Advocacy Program Report, as required elsewhere in this Act. This amendment would supersede section 1080 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92).

**Section 566-Direct Employment Pilot Program for Members of the National Guard and Reserve**

This section would allow the Secretary of Defense to carry out a pilot program to enhance the efforts of the Department of Defense to provide job placement assistance and related employment services directly to members of the National Guard and Reserve which will be offered to and



administered by the Adjutants General. The provision requires the States to contribute at least 30 percent of the funding to this program and a comparison of the pilot program to other DOD and VA unemployment and underemployment programs.. This provision also requires a report, no later than January 31, 2021, that the Secretary, in coordination with the Chief of the National Guard Bureau, provide an assessment of the personnel participating and impact of the program.

**Section 601-Annual Adjustment of Monthly Basic Pay**

This section would provide a 2.1 percent increase to basic pay.

**Section 602-Extension of Authority to Provide Temporary Increase in Rates of Basic Allowance for Housing Under Certain Circumstances**

**Section 611—One-Year Extension of Certain Bonus and Special Pay Authorities for Reserve Forces**

This section would extend the authority, through December 31, 2017, for the Selected Reserve reenlistment bonus, the Selected Reserve affiliation or enlistment bonus, special pay for enlisted members assigned to certain high-priority units, the Ready Reserve enlistment bonus for persons without prior service, the Ready Reserve enlistment and reenlistment bonus for persons with prior service, the Selected Reserve enlistment and reenlistment bonus for persons with prior service, the authority to reimburse travel expenses for inactive duty training outside of normal commuting distance, and income replacement payments for Reserve Component members experiencing extended and frequent mobilization for Active Duty service.

**Section 614—One-Year Extension of Authorities Relating to Title 37 Consolidated Special Pay, Incentive Pay, and Bonus Authorities**

This section would extend the general bonus authority for enlisted members, the general bonus authority for officers, the special bonus and incentive pay authority for nuclear officers, special aviation incentive pay and bonus authorities, the special health professions incentive pay and bonus authorities, contracting bonus for Senior Reserve Officers' Training Corps cadets and midshipmen, hazardous duty pay, assignment pay or special duty pay, skill incentive pay or proficiency bonus, and the retention bonus for members with critical military skills or assigned to high-priority units, until December 31, 2017.

**Section 622—Continuation Pay for Full Thrift Savings Plan Members Who Have Completed 8 to 12 Years of Service**

This section would amend section 356 of title 37, United States Code, to authorize the Department of Defense the flexibility to pay continuation pay at any point between the time the member completes 8 years of service and before the member reaches 12 years of service, in exchange for an agreement to continue serving for a period of not less than 3 additional years.

**Section 624-Equal Benefits Under Survivor Benefit Plan for Survivors of Reserve**

Component Members who Die in the Line of Duty during Inactive-Duty Training This section would amend section 1451(c)(l)(A) of title 10, United States Code, to eliminate the different treatment under the Survivor Benefit Plan accorded members of the Reserve Component who die from an injury or illness incurred or aggravated in the line of duty during Inactive-Duty training, as compared to the treatment of members of the Armed Forces who die in the line of duty while on Active Duty.

**Section 641—Maximum Reimbursement Amount for Travel Expenses of Members of the Reserves Attending Inactive Duty Training Outside of Normal Commuting Distances**

This section would amend section 478a(c) of title 37, United States Code, to authorize the Secretary concerned, on a case-by-case basis, to reimburse travel expenses at a higher amount for Reserve Component members traveling to training from rural areas.

**Section 701-TRICARE Preferred and Other TRICARE Reform**

This section would establish TRICARE Preferred as the self-managed, preferred provider option that would replace TRICARE Standard and Extra. This section would also establish annual enrollment fees and fixed dollar copayments for Active Duty family members and retirees who join the Armed Services on or after January 1, 2018 and enroll in TRICARE Preferred or in TRICARE Prime, the managed-care option.

**Section 712-Study on Improving Continuity of Health Care Coverage for Reserve Components**

This section would require the Secretary of Defense to study the options for providing health care coverage to certain current and former members of the Selected Reserve. The section would require the Secretary to submit a report of the findings and recommendations to the congressional defense committees not later than 180 days after the date of the enactment of this Act.

**Section 722-Extended TRICARE Program Coverage for Certain Members of the National Guard and Dependents During Certain Disaster Response Duty**

This section would require that members of the National Guard be treated as if they were on Active Duty for purposes of coverage under TRICARE while performing disaster response duty, if the period immediately follows a period of fulltime National Guard duty, unless a Governor determines that it is not in the best interest of the member or State.

**GOLDWATER NICHOLS REFORMS**

**Section 901-Sense of Congress on Goldwater-Nichols Reform**

This section would express the sense of Congress that certain principles should be adhered to in any reform of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (Public Law 99-433). These principles shape the legislative recommendations contained in this subtitle and will inform the committee's consideration of future reform proposals.

**Section 902-Repeal of Defense Strategy Review**

This section would repeal section 118 of title 10, United States Code, which requires the Secretary of Defense to conduct a comprehensive examination of the national defense strategy. Elsewhere in this Act, the committee includes provisions that would recommend comprehensive reform of the defense and military Strategies of the Department of Defense.

**Section 903-Commission on National Defense Strategy for the United States**

This section would establish a commission to be known as the "Commission on National Defense Strategy for the United States" to examine and make recommendations with respect to national defense strategy for the United States. This section would further set the composition and duties of the commission, and require the commission to submit a final report to the President, Secretary of Defense, and the specified congressional committees on its findings, conclusions, and recommendations, and to provide an interim briefing to the specified congressional committees.

**Section 904--Reform of Defense Strategic and Policy Guidance**

This section would amend section 113(g) of title 10, United States Code, regarding Secretary of Defense Policy guidance. Specifically, this section would require the Secretary of Defense to provide:

- (1) Written strategic guidance every 4 years to components of the Department of Defense that expresses the national defense strategy of the United States;
- (2) Written policy guidance annually to components of the Department that provides program and budget guidance for the development of the force;
- (3) Written policy guidance every 2 years or more frequently, as needed, to the Chairman of the Joint Chiefs of Staff that provides contingency planning guidance; and

(4) A copy of all written guidance described above to the congressional defense committees not later than February 15th in any calendar year in which any of the guidance is required.

#### **Section 905-Reform of the National Military Strategy**

This section would strike Section 153(b)(1) of title 10, United States Code on the National Military Strategy (NMS) and replace it with a requirement for the Chairman of the Joint Chiefs of Staff to prepare a new National Military Strategy or to update a previous one in conjunction with the other members of the Joint Chiefs of Staff and the commanders of the unified and specified combatant commands. The section would also require that the NMS support the objectives of national security and defense strategic guidance issued by the President and the Secretary of Defense, and focus the NMS on, at a minimum:

- (1) Developing military ends, ways, and means to support national security objectives;
- (2) Assessing strategic and military risks, and developing risk mitigation options;
- (3) Establishing a strategic framework for the development of operational and contingency plans;
- (4) Prioritizing joint force capabilities, capacities, and resources; and
- (5) Establishing military guidance for the development of the joint force.

#### **Section 906-Modification to Independent Study of National Security Strategy Formulation Process**

This section would amend section 1064 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92), which requires an independent study of the national security strategy formulation process, by adding a requirement for the study to address the workforce responsible for conducting strategic planning and to examine how Congress fits into the strategy formulation process.

#### **Section 907-Term of Office for the Chairman of the Joint Chiefs of Staff**

This section would amend section 152(a) of title 10, United States Code, to extend the term of office of the Chairman of the Joint Chiefs of Staff from 2 years to 4 years. This section would also limit the reappointment of the Chairman to additional terms only in a time of war, and limit the combined period of service of an officer serving as Chairman or Vice Chairman of the Joint Chiefs of Staff to 8 years. The committee believes that a longer term of office for the Chairman provides greater stability and continuity of military leadership at the Department of Defense. Furthermore, by staggering the Chairman's term of office such that it is not aligned with the 4 year presidential election cycle, the committee believes that the Chairman's role in providing independent military advice to the President and Secretary of Defense is reinforced.

#### **Section 908-Responsibilities of the Chairman of the Joint Chiefs of Staff relating to Strategic Integration and Operations**

This section would amend section 153(a) of title 10, United States Code, which sets forth the functions of the Chairman of the Joint Chiefs of Staff, by codifying the Chairman's responsibility to provide advice to the President and the Secretary of Defense on ongoing military operations and to provide advice to the Secretary on the allocation and transfer of forces among combatant commands. While the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (Public Law 99-433) established the combatant commands to conduct operations at the direction of the President, through the Secretary of Defense, the committee recognizes that these commands individually develop and execute operational plans for specific regions and functional areas.

#### **Section 909-Assigned Forces within the Continental United States**

This section would amend section 162(a) of title 10, United States Code, to allow U.S. military forces within the continental United States to be assigned to a military department as directed by the Secretary of Defense.

**Section 910-Reduction in General Officer and Flag Officer Grades and Positions**

This section would amend section 164(e) of title 10, United States Code, on subordinate commanders of combatant commands to specify that the grade of an officer serving as the commander of a service or functional component command shall be no higher than lieutenant general or vice admiral. This section would further require that the total number of officers in the grade of general or admiral on active duty be reduced by five positions. Lastly, this section would require the Secretary of Defense to submit a report to the congressional defense committees on the Department's plan for implementing such reductions.

**Section 911-Establishment of Unified Combatant Command for Cyber Operations**

This section would establish a unified combatant command for cyber operations with the primary function to prepare cyber operations forces to carry out assigned missions.

**Section 912-Revision of Requirements Relating to Length of Joint Duty Assignments**

This section would amend section 664 of title 10, United States Code, to reduce the joint duty assignment tour length to a minimum of 2 years for officers of all ranks, and remove the statutory requirement for services to maintain a tour length average.

**Section 913-Revision of Definitions Used for Joint Officer Management**

This section would amend section 668 of title 10, United States Code, to revise the statutory definition of "joint matters" to more accurately reflect and properly clarify the types of joint duty positions for which an officer may receive joint duty credit to better capture the breadth of duties and positions that comprise joint matters experience.

**Section 914-Independent Assessment of Combatant Command Structure**

This section would require the Secretary to enter into a contract for an assessment on combatant command structure and provide recommendations for improving the overall effectiveness of combatant command structures due to Congress by 1 March 2017. The assessment shall examine:

- (1) The evolution of the combatant command requirements and resources over the past 15 years of conflict
- (2) The organization, composition and size of combatant commands
- (3) The resources of combatant commands, including the degree to which combatant commands are adequately resourced and the degree to which combatant command requirements for forces are met
- (4) The benefits, drawbacks and resource implications of eliminating, consolidating or altering the structure of combatant commands
- (5) A comparison of combatant command structure with alternative structures, including Joint Task Force or task-organized forces below the combatant command level

**MISCELLANEOUS PROVISIONS**

**Section 1012-Secretary of Defense Review of Curricula and Program Structures of National Guard Counterdrug Schools**

This section would amend section 901 of the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109-469) to authorize the Secretary of Defense to review and approve the curriculum and program structure of each of the National Guard counterdrug schools. The committee notes the importance of the National Guard counterdrug schools in the development, training, and maintenance of skills for Federal, State, local, and foreign government officials to combat illicit trafficking. The committee supports increased oversight by the Secretary of these schools to improve the alignment of curriculum to defense priorities and the allocation of limited resources.

**Section 1047-National Guard Flyovers of Public Events**

This section would establish as Department of Defense policy that flyovers of public events in support of community relations activities may be flown as part of an approved training mission at no additional expense to the Federal Government. This provision would allow the Adjutant General of a State, Territory of the District of Columbia the approval authority for all Air National Guard and Army National Guard flyovers in that State.

**Section 1069-Annual Report on Personnel, Training, and Equipment Requirements for the Non-Federalized National Guard to Support Civilian Authorities in Prevention and Response to Domestic Disasters**

This section would amend section 10504 of Title 10, US Code to require the Chief of the National Guard Bureau to provide an annual report setting forth the personnel, training and equipment required by the National Guard during the next fiscal year to carry out its mission, while not Federalized, to provide prevention, protection mitigation, response, and recovery activities in support of civilian authorities in connection with natural and man-made disasters.

**Section 1088—Modification of Requirements Relating to Management of Military Technicians**

This section would delay the implementation date of section 1053 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) from January 1, 2017, to October 1, 2017, and align the date of conversion for military technicians (non-dual status) with military technicians (dual status). This section would also clarify that the positions to be converted will be reviewed and determined by leadership from the Army Reserve, the Air Force Reserve, the National Guard Bureau, and the State Adjutants General for purposes of implementation. This section would also require the Secretary of Defense, in consultation with the Chief of the National Guard Bureau, to submit a report to the Committees on Armed Services of the Senate and the House of Representatives by March 1, 2017, on the feasibility and advisability of converting any remaining military technicians (dual status) to personnel performing Active Guard and Reserve Duty under section 328 of title 32, United States Code, or other applicable provisions of law

**Section 1638-Sense of Congress on Cyber Resiliency of Networks and Communications Systems of the National Guard**

This section would denote the Sense of Congress that the National Guard should be constantly seeking ways to improve and expand its communications and networking capabilities to provide for enhanced performance and resilience in the face of cyber attacks or disruptions, as well as other instances of degradation.

**Section 1639-Requirement for the Army National Guard Strategy to Incorporate Cyber Protection Teams into Department of Defense Cyber Mission Force**

This section would require the Secretary of the Army, within 180 days of enactment of this act, to provide a briefing to Congress outlining a strategy for incorporating Army National Guard cyber protection teams into the Department of Defense cyber mission force.

**OTHER FUNDING AUTHORIZATION PROVISIONS**

**Section 2601—Authorized Army National Guard Construction and Land Acquisition Projects**

This section would contain the list of authorized Army National Guard construction projects for fiscal year 2017. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

**Section 2604—Authorized Air National Guard Construction and Land Acquisition Projects**

This section would contain the list of authorized Air National Guard construction projects for fiscal

year 2017. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

**Section 2606—Authorization of Appropriations, National Guard and Reserve**

This section would authorize appropriations for the National Guard and Reserve military construction at the levels identified in section 4601 of division D of this Act.

**Section 2701—Authorization of Appropriations for Base Realignment and Closure**

This section would authorize appropriations for ongoing activities that are required to implement the Base Realignment and Closure activities authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510), at the levels identified in section 4601 of division D of this Act.

**Section 2702—Prohibition on Conducting Additional Base Realignment and Closure (BRAC) Round**

This section would state that nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round, affirming congressional intent to reject the budget request to authorize another BRAC round in 2019. This section also clarifies that this prohibition does not affect the authority of the Secretary of Defense to comply with any requirement under law, or with any request of a congressional defense committee, to conduct an analysis, study, or report of the infrastructure needs of the Department of Defense.

**Section 2837—Land Conveyance, St. George National Guard Armory, St. George, Utah**

**Section 2861—Designation of Portion of Moffett Federal Airfield, California, as Moffett Air National Guard Base**

**Section 6002—Clarification of Persons Subject to UCMJ while on Inactive-Duty Training**

This section would amend section 802 of title 10, United States Code (article 2 of the Uniform Code of Military Justice), to clarify jurisdiction over Reserve Component members performing periods of inactive-duty training. The amendment would provide commanders clearer authority to address misconduct that takes place during periods incident to inactive-duty training, and during intervals between inactive-duty training on consecutive days. This would only apply to guardsmen in federal service.

## **DIRECTIVE REPORT LANGUAGE**

### **Army National Guard M2 Bradley Infantry Fighting Vehicle upgrades**

The committee notes that the Army intends to maintain two versions of the M2 Bradley Infantry Fighting Vehicle (IFV) for the foreseeable future, with the M2A3 equipping Active Duty armored brigade combat teams (ABCT) and the M2A2 Operation Desert Storm Situational Awareness variant in the Army National Guard. While the committee understands the funding constraints that have led to this mixed fleet approach, the committee continues to be concerned about the potential divergence in capability between Active Duty ABCTs and Army National Guard ABCTs. Therefore, the committee encourages the Army to continue to work toward a pure fleet approach to M2 Bradley Infantry Fighting Vehicles in the Army. However, if funding is not available for that goal, the committee encourages the Army to continue to modernize M2 Bradley IFVs in the Army National Guard to the maximum extent possible.

### **Chemical, Biological, Radiological, and Nuclear Response Enterprise Information Management System**

The committee is aware that the National Guard Bureau Weapons of Mass Destruction-Civil Support Teams (CST) currently field a system, the CST Information Management System (CIMS), to provide a common operating picture, promote information sharing and real-time collaboration in an emergency situation, and support the CST mission of assisting and advising first responders and facilitating communications with other Federal resources. The committee is also aware that the CIMS system is being modified to establish an enterprise-capable tool, referred to as the National Guard Chemical, Biological, Radiological, and Nuclear Response Enterprise Information Management System 2018+ (NG CIMS 2018+), that will expand the capabilities of the CIMS to support the other National Guard Bureau forces, such as the Chemical, Biological, Radiological, Nuclear, and High-Explosive Enhanced Response Force Package and Homeland Defense Response Force units.

The committee believes it is important that this enhanced CIMS capability be fielded quickly and efficiently by utilizing prior investments to expand and enhance communication capability. The committee is aware of the plan to develop and establish the NG CIMS 2018+ through a multi-phase approach, including establishing initial operational capability in fiscal year 2016 and proving full operational capability in fiscal year 2018. Therefore, the committee directs the Secretary of Defense to provide a briefing to the Committee on Armed Services of the House of Representatives by December 1, 2016, detailing the status of the development of the NG CIMS 2018+ tool to date, as well as a description of the progress on providing the initial operational capability and an update on the future plans and milestones to establishment of full operational capability.

### **High Mobility Multipurpose Wheeled Vehicle ambulance recapitalization**

The committee recognizes the tactical importance of the High Mobility Multipurpose Wheeled Vehicle (HMMWV) fleet and the enduring requirement to maintain a capable HMMWV fleet supporting multiple relevant mission roles for Active and Reserve Component units. The committee notes that Congress has provided an additional \$520.0 million over the past 3 years to address unfunded modernization requirements for the Army Reserve (USAR) and Army National Guard (ARNG) HMMWV fleets.

The committee also recognizes the critical medical ground evacuation mission role provided by the HMMWV ambulance variant. The committee is concerned that the Army's current fleet of Active Component HMMWV ambulances are now on average 27 years old, exceeding the expected useful life of the vehicle by 12 years. The committee also understands the Army does not have a fully funded reset, recapitalization, or replacement plan in place for the entire HMMWV ambulance fleet. The committee is aware of the successful effort already underway to modernize the HMMWV

ambulance fleet for the ARNG and USAR through new production vehicles, the M997A3 variant. The committee believes the Army should consider a similar effort for the Active Component. The committee directs the Secretary of the Army to develop an acquisition strategy to modernize the current fleet of HMMWV ambulances for the Active Component and to provide a briefing to the Committee on Armed Services of the House of Representatives by March 1, 2017, on the details of this acquisition strategy.

### **A-10 aircraft**

The committee notes that the Department of the Air Force plans for the F-35A aircraft, a fifth-generation multi-role fighter, to replace A-10 and F-16 aircraft. The committee further notes that mission sets for F-35A include, but are not limited to, missions currently performed by the A-10, which are primarily close air support (CAS), combat search and rescue (CSAR), and forward air controller-airborne (FACA). The Air Force has taken the equivalent of four A-10 squadrons out of service over the last 4 years, and only nine operational A-10 squadrons remain across the Active Duty and Air Reserve Components, while the A-10 is currently deployed to three overseas locations including the Republic of Korea, Europe, and for Operation Inherent Resolve against the Islamic State of Iraq and the Levant. The committee also notes that the Department of Defense has made contradictory statements about the Future Years Defense Program for activation of F-35A units and divestiture of A-10 units. These contradictory statements, including the current plan to begin retiring more A-10s before there is a proven replacement for its capabilities, create uncertainty over the Department of the Air Force's ability to provide continuous CAS, CSAR, and FAC-A capabilities to the joint force.

The committee believes that the Department of the Air Force continues to suffer from capacity shortfalls in its fighter aircraft fleets, and that these shortfalls are being exacerbated by the near-term readiness challenges that are systemic across all the military services. As such, the committee believes that retiring any more A-10s without a proven replacement to its unique capabilities, or proof that the F-35A can replace the A-10's mission capabilities, is an unacceptable risk. The committee understands the F-35 is scheduled to complete an initial operational test and evaluation (IOT&E) in fiscal year 2018 or in early fiscal year 2019. Elsewhere in this Act, the committee includes a provision that would prohibit the retirement of A-10 aircraft until the Director of Operational Test and Evaluation (DOT&E) provides a report to the congressional defense committees on the results of the IOT&E. The IOT&E would include, but would not be limited to, a comparison test and evaluation that examines the capabilities of the F-35A and A-10C in conducting CAS, CSAR, and FAC-A missions. This provision would also require the Secretary of the Air Force to submit a report to the congressional defense committees on the Secretary's views of the results of this IOT&E, which should include any issues or concerns from the DOT&E report, a path forward for addressing any deficiencies or corrective actions identified by DOT&E, and the near- and long-term strategy for preserving the Air Force's capabilities in CAS, CSAR, and FAC-A.

The committee believes that to ensure combat realism, the comparative testing should include, but not be limited to, both pre-planned and emergency divert missions to address effectiveness in realistic, complex ground firefight scenarios. These scenarios should include those in which enemy forces are in close proximity to friendly forces where the pilot is required to visually identify the target and friendly forces in day and night conditions; armored targets; scenarios requiring continuous weapons delivery, command and control (C2), extended time over target, and simulated collateral damage restrictions; deception scenarios with degraded visual environments; low-altitude employment, including "shows of force" and strafe; survivability from simulated direct hits by small arms fire, light anti-aircraft artillery, and man-portable air defense systems; scenarios in which simulated aircraft systems are damaged; scenarios conducted without joint tactical air controller or higher headquarters control to test CAS aircraft suitability for forward air controller-airborne deconfliction of fires; and scenarios including joint fires coordination and timing, including Joint Air Attack Team attacks with Department of the Army aviation assets and artillery deconfliction. CSAR missions should compare effectiveness in the rescue mission commander



role, coordinating all aspects of an extended CSAR mission, including but not limited to: locating and protecting the isolated personnel with continuous firepower; controlling other fighters as FAC-A; coordinating electronic attack; intelligence, surveillance and reconnaissance; aerial refueling; C2; and rescue vehicle escort. The committee notes that previous aircraft programs such as the F-22 also conducted comparison testing as part of IOT&E. The committee also notes that at a hearing held by the House Committee on Armed Services' Subcommittee on Tactical Air and Land Forces on March 23, 2016, the Director of Operational Test and Evaluation testified that the cost of the F-35 and A-10 comparative testing would be between \$3.5 million and \$5.2 million, and that he was working to ensure that the F-35 and A-10 comparative testing is accomplished within the established budget for IOT&E. Additionally, the committee expects that the Department of Defense will provide the report required by section 142 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) on time, and based on that report, the committee may take further action on options for an A-10 replacement program.

### **Aerial refueling recapitalization**

The committee notes that the nation's ability to meet its air-refueling requirements must not be placed at increased risk while the Department of Defense executes its strategic aerial refueling recapitalization strategy. Specifically, the committee notes that the Department is currently executing its KC-46A Pegasus acquisition program to replace a number of aging KC-135 Stratotankers and that KC-46As will eventually replace the KC-10 Extender fleet. The committee strongly reiterates the importance of ensuring that the Department's execution of the phase-out and replacement portion of its aerial refueling recapitalization strategy does not compromise its ability to meet stated short- or long-term air-refueling requirements.

### **Air National Guard F-16 mission training centers**

The budget request contained \$15.2 million for F-16 aircraft support equipment and facilities, but contained no funding for the procurement of additional F-16 mission training centers (MTC) for the Air National Guard. The committee notes that an F-16 MTC allows pilots to train in scenarios that are either impossible or too expensive to conduct in home-station flying training, and believes that the MTC environment significantly improves F-16 pilot skill and readiness to perform actual combat missions with increased effectiveness. Each MTC includes high-fidelity simulator cockpits, instructor operator stations, a threat server, and briefing and debriefing capabilities. The MTC is also capable of linking and integrating into geographically distributed high-fidelity combat and combat support training devices that include command and control and intelligence, surveillance, and reconnaissance systems. This capability allows F-16 pilots at home stations to exercise and train at the operational and tactical levels of war, as well as conduct networked unit-level training, in large force employment scenarios with other Air Force aircraft integrated into the distributed mission operating architecture.

The committee understands that F-16 MTCs are currently planned for Hill Air Force Base (AFB), Utah; Shaw AFB, South Carolina; and Holloman AFB, New Mexico. The committee further understands that other F-16 pilots based in the United States would be required to travel to one of the three MTC locations to take advantage of its capabilities, and believes an additional MTC would avoid travel costs and make the F-16 block MTC more accessible to Total Force F-16 pilots, enabling the Air Force's current state of low readiness for full-spectrum combat capability to more quickly recover. Therefore, the committee recommends \$40.0 million, an increase of \$24.8 million, in F-16 aircraft support equipment and facilities for the procurement and installation of an additional F-16 MTC for the Air National Guard and utilization by all Total Force F-16 pilots.

### **Basing priorities for future Air National Guard Modular Airborne Firefighting Systems Missions**

The committee is concerned about the current positions of Modular Airborne Firefighting Systems (MAFFS) that are operated by Air National Guard (ANG) C-130s. As shown in the National Guard Bureau's brief to the committee on MAFFS, there is a current gap in northwest States based on the

current allocation of existing MAFFS unit locations. Additionally, the committee understands that the year 2015 was one of the most devastating fire seasons on record and, according to the National Interagency Fire Center, the most destructive forest fires occurred in the northwestern States of Montana, Oregon, Idaho, and Washington. One of the most important factors for fire suppression in high-density forested areas is the ability to contain forest fire immediately before the fire grows to catastrophic size. The committee believes that MAFFS units should be located in areas that have the ability to rapidly respond to areas with a high propensity for high-density forest fires.

The committee concurs with the U.S. Department of Agriculture (USDA) Forest Service recommendations that the location of MAFFS units should be in close proximity to fire-prone States, not located on the East Coast. The committee believes that these recommendations would be able to prevent a repeat of the 2015 fires season where over \$1.70 billion was spent by the USDA Forest Service alone for fire suppression. The committee believes that when making future basing decisions with regard to MAFFS units, the Air Mobility Command should consider geographical gaps of MAFFS units, and give preference to areas that are prone to high-density catastrophic forest fires.

### **C-130H Modernization**

The budget request contained \$9.2 million for C-130 modernization for the Avionics Modernization Program (AMP) Increment 1 program. This program will provide the mandated radios, Automated Dependent Surveillance Broadcast (ADS-B) Out and enhanced Mode S capabilities necessary to operate in international airspace by the year 2020. The committee fully supports this request and is committed to ensuring the long-term viability of the C-130H aircraft in the Air Force's Regular, Guard, and Reserve Components until they reach their expected service life or are recapitalized. By most estimates, with proper avionics upgrades, the roughly 172-aircraft C-130H fleet is viable until at least 2040. However, AMP Increment 1 only addresses 4 of the 12 Communication, Navigation, and Surveillance/Air Traffic Management compliance mandates and does not resolve the cockpit avionics obsolescence that limits the long-term viability of the aircraft. The planned follow-on AMP Increment 2 effort will replace the current cockpit with a modern digital "glass cockpit." This will allow the Air Force's fleet to be supported well into the future, resolve diminishing manufacturing sources, and increase mission availability. It will also provide upgraded Automatic Flight Control System capabilities to take advantage of more efficient airspace management capabilities, and eliminate some maintenance and readiness issues. The committee is aware of commercially available, non-developmental Increment 1 and Increment 2 solutions for C-130-derivative aircraft. The committee encourages the Secretary of the Air Force to fully pursue full and open competitions for both the Increment 1 and Increment 2 programs. The committee is encouraged by the Air Force's renewed commitment to upgrading C-130H aircraft and expects both AMP Increments 1 and 2 to continue to be fully funded in future budget requests.

In addition to avionics upgrades, the committee continues its strong support for C-130H propulsion and propeller system upgrades. The committee believes that these upgrades will provide cost savings through increased fuel efficiency and reduced maintenance requirements. The committee recommends \$81.7 million, an increase of \$72.5 million, for C-130H propulsion and propeller system upgrades.

### **C-130J Hercules aircraft**

The budget request contained \$146.0 million for the C-130J program. The committee is concerned by the Air Force plans to procure only two C-130Js in fiscal year 2017. The committee is concerned that the Air Force reduced two C-130J aircraft from the President's budget request due to fiscal constraints. These reductions have also put the initiation of Air National Guard and Air Force Reserve C-130H-to-J fleet recapitalization at increased risk. The committee notes that the Active Duty combat delivery fleet has essentially completed its replacement of legacy C-130H aircraft with the C-130J. Likewise, it is noted that the Air Force Special Operations Command and

U.S. Marine Corps, including the U.S. Marine Corps Reserves, are also well on their way to C-130J recapitalization completion. The committee recommends \$417.5 million, an increase of \$271.5 million, for the procurement of three additional C-130J aircraft.

**F-22 production restart assessment**

The committee notes that production of the F-22 fifth-generation tactical aircraft concluded in 2009, and notes 187 aircraft were produced, far short of the initial program objective of 749 aircraft, as well as the Air Combat Command's stated requirement of 381 aircraft. The committee also understands there has been interest within the Department of the Air Force, Department of Defense, and Congress in potentially restarting production of the F-22 aircraft. In light of growing threats to U.S. air superiority as a result of adversaries closing the technology gap and increasing demand from allies and partners for high performance, multi-role aircraft to meet evolving and worsening global security threats, the committee believes that such proposals are worthy of further exploration.

Therefore, the committee directs the Secretary of the Air Force to conduct a comprehensive assessment and study of the costs associated with resuming production of F-22 aircraft and provide a report to the congressional defense committees, not later than January 1, 2017, on the findings of this assessment. The committee expects the report to be unclassified, but may contain a classified annex. Further, the committee directs that the assessment and report consider and address the following:

- (1) Anticipated future air superiority capacity and capability requirements, based on anticipated near-term and mid-term threat projections, both air and ground; evolving F-22 missions and roles in anti-access/area-denial environments; F-15C retirement plans and service-life extension programs; estimated next generation aircraft initial operating capability dates; and estimated end-of-service timelines for existing F-22As;
- (2) Estimated costs to restart F-22 production, including the estimated cost of reconstituting the F-22 production line, and the time required to achieve low-rate production; the estimated cost of procuring another 194 F-22 aircraft to meet the requirement for 381 aircraft; and the estimated cost of procuring sufficient F-22 aircraft to meet other requirements or inventory levels that the Secretary may deem necessary to support the National Security Strategy and address emerging threats;
- (3) Factors impacting F-22 restart costs, including the availability and suitability of existing F-22A production tooling; the estimated impact on unit and total costs of altering the total buy size and procuring larger and smaller quantities of aircraft; and opportunities for foreign export and partner nation involvement if section 8118 of the Defense Appropriations Act, 1998 (Public Law 105-56) prohibiting export of the F-22 were repealed;
- (4) Historical lessons from past aircraft production restarts; and
- (5) Any other matters that the Secretary deems relevant.

**F-35 Lightning II aircraft program**

The F-35 Lightning II is the Department of Defense's largest acquisition program, which will eventually deliver 2,443 F-35 aircraft to the Departments of the Navy and Air Force. The committee believes that the F-35 will form the backbone of U.S. air combat superiority for decades to come, replacing or complementing the legacy tactical fighter fleets of the Air Force, Navy, and Marine Corps with a dominant, multi-role, fifth-generation aircraft capable of projecting U.S. power and deterring potential adversaries. The committee notes that for the F-35 program's international partners and foreign military sales customers, who are participating in the program, the F-35 will become a cornerstone for future coalition operations. The committee believes that the F-35 will help to close a crucial capability gap that will enhance the strength of our security alliances. Therefore, the committee continues its strong support of this crucial aircraft development and procurement program.

The F-35 Lightning II program is approximately 80 percent through its flight test program which is planned to be completed in the first quarter of fiscal year 2018. At a hearing held by the Subcommittee on Tactical Air and Land Forces of the House Committee on Armed Services on March 23, 2016, the F-35 Program Executive Officer (PEO) testified that the F-35 program is executing well across the spectrum of acquisition. However, the committee notes that the F-35 PEO has identified the software development for the final development software block, known as block 3F, as an area with some risk remaining that could result in a 4-month delay in delivery of software block 3F. This delay will not affect the Department of the Navy's initial operational capability for the F-35C in 2018. At that hearing on March 23, 2016, the F-35 PEO also identified the next version of the autonomic logistics information system (ALIS) as an area with some schedule risk. The Government Accountability Office's Director of Acquisition and Sourcing Management, who also testified at that hearing, likewise identified both completion of software block 3F and ALIS as risk areas. Accordingly, the committee continues to closely monitor both software progress and ALIS development. Looking toward the future, the committee is concerned about plans for F-35 sustainment. Consequently, elsewhere in this Act the committee includes a provision that would require the Comptroller General of the United States to provide a report to the congressional defense committees on the F-35 Lightning II aircraft program's sustainment support structure.

#### **MQ-9 production funding in Future Years Defense Program**

The budget request contained \$575.6 million in Aircraft Procurement, Air Force, for MQ-9 Reaper unmanned aerial systems (UAS). The committee supports the President's budget request for fiscal year 2017. However, the committee is concerned that there is no additional funding for procurement of additional MQ-9 UAS in the Future Years Defense Program. The committee notes that the Air Force recently announced a plan to increase intelligence, surveillance, and reconnaissance (ISR) capacity through a \$3.0 billion plan that includes basing expansions, increased manning, and procurement of additional MQ-9s. The committee understands that this plan may include establishment of up to 9 additional squadrons and 3,500 more personnel. Given this expansive new plan to increase ISR capacity, the committee encourages the Air Force to reconsider its Future Years Defense Program projections for the MQ-9 to ensure it includes the appropriate amount of new systems to support planned growth in ISR capacity. The committee recommends \$575.6 million, the full amount requested, in Aircraft Procurement, Air Force, for MQ-9 Reaper unmanned aerial systems.

#### **Reporting requirement for C-130H recapitalization and modernization**

The committee notes that the Air Force Reserve and Air National Guard, as well as the Special Operations Command, U.S. Marine Corps, and U.S. Coast Guard, are all well on their way to recapitalize their legacy C-130Hs with the newer, more cost effective, and more operationally capable, C-130Js. The Air Force has stated that some C-130H units within the Guard and Reserve will be modernized with upgraded avionics, while others will be recapitalized with C-130Js. What remains unclear at this point is which units will be modernized and which ones will be recapitalized.

Therefore, the committee directs the Secretary of the Air Force to submit a report to the congressional defense committees by February 28, 2017, on C-130H recapitalization and modernization that shall include the following elements:

- (1) C-130H to C-130J recapitalization timeline by unit for the Air National Guard and Air Force Reserve;
- (2) C-130H Avionics Modernization Program Increment 1 and Increment 2 fielding timeline by unit for the Air National Guard and Air Force Reserve; and
- (3) C-130H propulsion system upgrades: T56 3.5 engine modification, NP 2000 8-bladed propeller, and electronic propeller controller system, timeline by unit for the Air National Guard and Air Force Reserve.

#### **UH-1N replacement program**

The budget request contained \$14.1 million in Research, Development, Test, and Evaluation, Air Force, and \$18.3 million in Aircraft Procurement, Air Force, for the UH-1N replacement program. The UH-1N replacement program would replace the Department of the Air Force UH-1N fleet by acquiring a nondevelopmental commercial or U.S. Government vertical lift aircraft. In the committee report (H. Rept. 114-102) accompanying the National Defense Authorization Act for Fiscal Year 2016, the committee noted that the current UH-1N aircraft fleet fails to meet speed, range, payload, and defensive system requirements. The committee also noted that modifications to the existing fleet will not enable the UH-1N to meet mission requirements, and that the Department of the Air Force was assessing requirements for the UH-1N replacement, conducting market research, and developing UH-1N replacement acquisition alternatives. Since last year, the committee learned that nuclear weapons surety studies have highlighted a critical requirement for the replacement of the current fleet of UH-1N helicopters supporting the nuclear mission. However, while the committee notes that there is no validated Joint Urgent Operational Needs Statement (JUONS) associated with this requirement, the committee understands that a JUONS only applies to situations where U.S. military forces are actively engaged with enemy forces. Nevertheless, the committee believes that replacement of the helicopters performing the nuclear mission is now an urgent need based, in part, on the warning of the Commander of U.S. Strategic Command in an August 6, 2015, Memorandum to the Deputy Secretary of Defense and the Vice Chairman of the Joint Chiefs of Staff. In recent hearing testimony, Air Force officials stated that, in response to the concerns of operational commanders, the Air Force was considering a range of options to more quickly address the requirement for UH-1N replacement aircraft.

The committee understands that these options include deployment of existing units to provide additional capability through a formal Request for Forces to the Chairman of the Joint Chiefs of Staff, and a possible use of an Economy Act (31 U.S.C. 1535) decision, based on an “urgent and compelling need,” to procure UH-60M Black Hawk helicopters through the Department of the Army. The committee notes that in this case, an Economy Act decision to opt out of a competition would potentially allow for a sole-source contract award exceeding \$1.5 billion in value. However, the committee recognizes that the Secretary of the Air Force may proceed with such a non-competitive award if the Secretary determines the statutory requirements for doing so are met. The committee assumes that, if an Economy Act decision is made, procurement of the UH-60M aircraft could begin in fiscal year 2017, which would require more funding than requested in the budget request. Therefore, the committee recommends \$14.1 million, the full amount requested, in Research, Development, Test, and Evaluation, Air Force, and \$98.3 million, an increase of \$80.0 million, in Aircraft Procurement, Air Force, for the UH-1N replacement program. The committee expects these additional funds to be used to accelerate the program’s schedule if an Economy Act decision is made to procure UH-60M Black Hawk helicopters in lieu of conducting a competition.

#### **U.S. Air Force combat search and rescue**

In the committee report (H. Rept. 113-102) accompanying the National Defense Authorization Act for Fiscal Year 2014, the committee encouraged the Department of Defense to adopt concurrent and balanced fielding of new equipment between the Active Component (AC) and Reserve Component (RC). The committee believes that in many cases, concurrent and balanced fielding can better integrate AC and RC units and help ensure the RC remains an operational reserve. Furthermore, the committee notes that many major defense acquisition programs have followed concurrent and balanced fielding, including the F-35 Joint Strike Fighter.

The committee understands that the Air Force intends to field refurbished and upgraded HH-60G operational loss replacement (OLR) aircraft to RC combat search and rescue units in fiscal year 2018, and that these same units will receive new HH-60W combat rescue helicopter aircraft in the fiscal year 2027 to 2029 timeframe. The committee supports the plan to provide these OLR aircraft to RC units as soon as possible. However, the committee is concerned that there does not appear to be a plan to concurrently field the HH-60W to both AC and RC units, and that there is a potential 10-year gap between RC units receiving HH-60G OLR aircraft and the new HH-60W aircraft.

Additionally, the committee understands that the Department of the Air Force is undertaking an ongoing review to determine whether primary responsibility for combat search and rescue (CSAR) will remain with Air Combat Command or be moved to Air Force Special Operations Command. The committee notes the importance of the CSAR mission as the primary personnel recovery method for service men and women in extremis, as well as the complex nature of these operations that often require multi-service, dedicated, and fully trained forces. As the Air Force reviews this mission, the committee encourages an analysis of current and anticipated geographic combatant commander requirements and whether current force structure is capable of meeting those requirements with existing HH-60 and V-22 platforms. To address committee concerns, the committee directs the Secretary of the Air Force and relevant subordinate commands to brief the Committee on Armed Services of the House of Representatives not later than September 1, 2016, on Department of the Air Force plans for fielding the HH-60W to the AC and RC, and the status of the ongoing review for responsibility for the CSAR mission.

### **Joint Surveillance Target Attack Radar System recapitalization**

The budget request contained \$128.1 million for the Joint Surveillance Target Attack Radar System (JSTARS) recapitalization program. The committee notes that the fiscal year 2017 budget request projects a delay of at least 1 month in the engineering and manufacturing development (EMD) contract award, from the fourth quarter of fiscal year 2017 to the first quarter of fiscal year 2018, and a 1-year delay in Initial Operational Capability (IOC) from fiscal year 2023 to 2024 in the recapitalization of the JSTARS fleet. The committee believes JSTARS recapitalization offers significant advantages: it will decrease the logistics footprint, reduce sustainment costs, increase operational flexibility, and extend operations into anti-access/area denial environments. The committee recognizes that the overall delay is a consequence of: (1) a delay in the milestone A decision; and (2) analysis conducted by both the Department of the Air Force and the Office of the Secretary of Defense that indicates the EMD schedule will require 4 to 5.5 years. The committee supports and understands the need for a technology maturation and risk reduction (TMRR) phase as part of the JSTARS recapitalization program, as a means to decrease cost, schedule, and performance risk prior to entering the EMD phase. The committee understands that the Air Force's acquisition strategy includes considering two radar alternatives as part of the TMRR phase. The committee believes that the TMRR phase is the appropriate place to pursue such a strategy. However, the committee also believes that pursuing multiple radar technologies concurrently within the program of record into the follow-on development phase would be inconsistent with the committee's acquisition reform initiatives. The committee expects the Air Force to down select to one radar solution as part of the EMD phase in order to ensure the program does not continue to be delayed. If the Air Force believes that alternative radar capabilities should be pursued for risk mitigation or capability enhancements in the future, the Air Force should pursue such an approach outside of the program of record with the ability to incrementally integrate in the future if necessary.

The committee has continually expressed concern that a protracted acquisition program will result in a multiyear capabilities gap, which will leave combatant commanders without an acceptable level of ground moving target indicators and battle management command and control capability. The committee also believes that the use of existing technology combined with a commercially available jet aircraft can result in a significantly faster acquisition program. The committee notes this approach would be consistent with current acquisition reform policies that direct a more streamlined and incremental approach for major defense acquisition programs. While the committee understands that the Department of the Air Force is conducting a study to determine the E-8's widespread airframe fatigue risk, which will be complete in March 2017, the committee notes that under the most optimistic scenarios, the Department can expect a shortfall of 10 JSTARS aircraft in its fleet of 16 operational aircraft by late fiscal year 2025. Accordingly, the committee encourages the Secretary of the Air Force to develop a plan, including incentives in the JSTARS recapitalization EMD and procurement contracts, to accelerate the development, procurement, and

fielding of JSTARS recapitalization program. In addition, the committee believes the Air Force should program necessary funds in its future budget requests to accelerate the JSTARS recapitalization program in the Future Years Defense Program, and to eliminate the delay in delivering initial operational capability. The committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services, not later than December 1, 2016. The briefing should include one option that would accelerate the IOC to fiscal year 2022, and a second option that would accelerate the IOC to fiscal year 2023. The committee recommends \$128.1 million, the full amount requested, for the JSTARS recapitalization program.

#### **KC-46 aerial refueling tanker aircraft program**

The budget request contained \$261.7 million in PE 65221F for KC-46 tanker development. The committee continues its long-standing support of the KC-46 tanker aircraft program. The committee notes that the program has had no engineering change proposals and program officials have stated that they do not expect any engineering change proposals for the remainder of the fiscal year. The committee also notes that the program has not incurred any additional or unexpected test support costs. Because the program continues to demonstrate stable requirements and has had no requested engineering change proposals or test support cost growth, the Government Accountability Office identified \$140.0 million of the remaining \$170.0 million set aside in fiscal year 2016 for unknown risks as excess funds that could be used to offset fiscal year 2017 risk mitigation. Therefore, the committee recommends \$121.7 million, a decrease of \$140.0 million, in PE 65221F for KC-46 tanker development.

#### **Future Vertical Lift**

The committee recognizes that incremental improvements or upgrades to current Department of Defense rotorcraft will not fully meet future joint service operational requirements. With the exception of the V-22 Osprey, all U.S. rotorcraft deployed in the Republic of Iraq and the Islamic Republic of Afghanistan were designed during or before the Vietnam War. The committee continues to support the development of future vertical lift aircraft and encourages the Department to expand the prototyping program. Future Vertical Lift (FVL) is a joint program, with support from the Army, Navy, Air Force, Marine Corps, Special Operations Command, and Coast Guard. The committee understands that a key aspect of the FVL program is the Army's Joint Multi-Role (JMR) Technology Demonstrator. The JMR program includes related research on next-generation rotors, drivetrains, engines, sensors, and survivability that all feed into the FVL program. The committee notes that fiscal year 2017 is a critical year for technology development, with first flights of two demonstrator aircraft. Furthermore, wind-tunnel testing and other key milestones will reduce risk for the program of record and inform the FVL analysis of alternatives, which is expected to occur in the second half of 2017. However, the committee is concerned, due to the current resource constrained environment, that current funding levels are inadequate.

Therefore, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services by January 31, 2017, on the status of both the prototype air vehicle demonstrations and supporting initiatives. The briefing should include potential options and required resources for accelerating the FVL program.

#### **Army Aviation Multi-Component Pilot Program**

The National Commission on the Future of the Army (NCFA) recommended the Army develop "a substantial pilot program" to test multi-component approaches in the Army's aviation units. The committee believes that multi-component aviation units can improve readiness and enhance force integration by exploiting the differing strengths of the Regular Army and Reserve Components. The Army has begun limited use of multi-component approaches in aviation units with fixed-wing C-12 aircraft. Other co-located units, such as Black Hawk and Chinook helicopters in some States, allow units from different components to train together. The committee understands the Army is already pursuing implementation of the NCFA recommendation and is in the design phase of the pilot

program. The committee applauds the Army's efforts to test the aviation multi-component approach and expects the Army to provide progress reports as requested by the committee on the initiative as it moves forward.

#### **C-130 Aircraft Maintenance and Modernization**

Given current and future depot-level C-130 maintenance requirements, the likelihood of additional unscheduled requirements, depot capacity, the shortfall in depot maintainers, and broader responsibility for other military service C-130 maintenance requirements, the committee directs the Secretary of the Air Force to provide an unclassified briefing to the House Committee on Armed Services, not later than September 30, 2016, on the service's approach to C-130 maintenance, service life extension, and modernization requirements over the next 5 years.

#### **Force of the Future**

The committee is aware of the Department of Defense's personnel reforms collectively known as "Force of the Future." These reforms are "designed to provide the military services a balanced set of force management tools that will allow them to improve their return on investment in human capital, improving military readiness in the long-run, while preserving military readiness and acknowledging operational demands in the near-term." The Department has to date issued two tranches of these reform proposals and plans to deliver more as they are ready for implementation. The committee supports the Department's efforts to address shortcomings in its military and civilian personnel systems and encourages its attempts to find innovative solutions to attract and maintain quality personnel. However, the committee is concerned that the readiness implications of many of these proposals have not been adequately addressed.

Therefore, the committee directs the Secretary of Defense to provide a briefing to the Senate Committee on Armed Services and the House Committee on Armed Services by December 1, 2016, on the readiness impacts of each of the approved and pending Force of the Future proposals. At a minimum, the briefing shall include the estimated cost of each proposal across the Future Years Defense Program; the estimated loss of days, by service, of both military and civilian personnel; and details of how the Department plans to measure the performance and effectiveness of each proposal.

#### **Impact of Mandatory Training Requirements on Achieving Increased Readiness**

The committee understands that mandatory training requirements in the military services can range from training for nuclear, biological, and chemical defense to marksmanship qualification, suicide prevention, physical fitness, and sexual assault prevention, among others. A 2002 study at the Army company commander level found there were 297 days of annual mandatory training requirements for 256 available training days. Discussions across the force confirmed that commanders receive additional mandatory training requirements regardless of their units' ability to actually comply with the totality of the requirements. The Department of the Army Inspector General in 2012 reported that at none of the 16 locations inspected were companies in the Army Force Generation process able to complete all mandatory training. The Army responded to a February 2015 study for the U.S. Army War College, which stated overwhelming training requirements may contribute to military personnel exaggerating or falsely reporting compliance in meeting statistical training requirements, by undertaking the "Objective T" initiative. "Objective T" seeks to reset mandatory training for appropriate individual-, leader-and unit-level training; shift selected mandatory training tasks to "as-required" elements of command responsibility; establish a biennial cycle for select mandatory training tasks for the Reserve Components; and adopt new standards for mandatory training.

While the Army War College study focused on Army personnel, testimonies indicate this is a problem facing all branches of the U.S. military. The committee is concerned that the ever-increasing training demand forces military leaders at multiple levels in the chain of command to



make ethical decisions between actually training to standard or falsifying reporting, as well as choosing between training for mission essential tasks and those perceived to be of lesser value. In light of these concerns, the committee directs the Comptroller General of the United States to submit a report to the Senate Committee on Armed Services and the House Committee on Armed Services by February 1, 2017, addressing each of the following issues:

- (1) What is the level and range of mandatory training required annually in each of the military services, and do the requirements derive from law, policy, or guidance;
- 2) What processes do the military services use to establish and track mandatory training requirements for service members;
- (3) To what extent do the military services review and validate existing mandatory training requirements and assess the effectiveness of training strategies in meeting intended training objectives;
- (4) To what extent do the military services have processes in place to analyze the impact of mandatory training requirements and compliance checks on the training readiness and capabilities of their forces; and
- (5) To what extent do individual commanders have flexibility to prioritize mandatory training requirements in light of the amount of time available to complete individual and unit training. The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than December 1, 2016, on preliminary findings of the Comptroller General's study.

#### **Rotary-Wing Aviation Readiness and Safety**

The committee notes with concern the frequency of mishaps in rotary-wing aviation over the past 5 years. The committee further notes that the commander of the Army's Aviation Center of Excellence described home-station training as a significant concern due to the inability of the Army to provide sufficient flying hours for all pilots to meet established standards. Similarly, the committee notes that the Deputy Commandant of the Marine Corps for Aviation has described the reduction of funding for aviation training and maintenance as a critical concern. Further, the committee believes that the proficiency of rotary-wing pilots and the readiness of rotary-wing platforms provide crucial capabilities to the joint force. Therefore, the committee urges the Secretary of the Army and the Secretary of the Navy to prioritize rotary-wing aviation funding in order to ensure that the United States maintains this crucial capability into the future.

The committee directs the Chief of Staff of the Army, the Chief of Naval Operations, and the Commandant of the Marine Corps each to provide a report to the Senate Committee on Armed Services and the House Committee on Armed Services, not later than January 2, 2017, on the impact of reduced funding on rotary-wing aviation readiness and safety from fiscal year 2012 to the present and an estimate of the impact to aviation readiness and safety if funding were maintained at levels consistent with the Budget Control Act of 2011 (Public Law 112-25) through fiscal year 2023.

#### **Support Capabilities for Operations in Europe**

Since the end of the Cold War, the size and footprint of U.S. forces in Europe have decreased. Recently, however, Russian activities in the region have provided cause for reassessment. The Secretary of Defense recommended in the budget request for fiscal year 2017 to quadruple the allocation for the European Reassurance Initiative to \$3.40 billion, saying that this money will go to pay for increased rotations of U.S. forces to Europe, increased prepositioned stocks, and increased multinational training, among other things. Moreover, a significant part of the Department's future focus will be on Eastern Europe, where the United States has not previously had a significant military footprint. This increased U.S. effort in Europe raises concerns about the adequacy of the logistical and other support capabilities needed to sustain future operations.

In light of these concerns, the committee directs the Comptroller General of the United States to evaluate the following with regard to the Department's support capabilities for increased activities in Europe and provide a preliminary briefing to the House Committee on Armed Services on the following factors not later than February 1, 2017, with a report to follow at a date to be determined at the briefing: (1) To what extent have the U.S. European Command and supporting commands identified gaps in logistical and other support capabilities relevant to an increased presence under the European Reassurance Initiative; (2) How have the relevant Department of Defense organizations addressed any identified gaps in logistical and other support capabilities; and (3) To what extent have the relevant Department of Defense organizations evaluated requirements for prepositioned stocks and other forward-positioned equipment to support future operations in Europe and developed a joint strategy and plan to implement any needed changes to these items.

**Associated Unit Concept for Terminal High Altitude Area Defense Security Force Manning**

The committee recognizes the important mission of the Terminal High Altitude Area Defense (THAAD) deployment in Guam and supports permanent basing as a means of establishing persistent deter-and-defeat capabilities in defense of the homeland and reassuring allies and partners. The committee appreciates the Army's commitment to total force integration and is encouraged by its support of opportunities to leverage cost savings and enable Active-Duty units to fill unique combatant command requirements by incorporating National Guard units into the THAAD security-force mission. Accordingly, the committee encourages the Department of the Army and the National Guard Bureau to continue to work cooperatively to ensure there are adequate resources programmed in fiscal year 2018 to support an Active-Guard associated unit for THAAD security force manning on Guam.

**National Guard Cyber Protection Teams**

The committee is aware that the Army National Guard has developed a plan to establish 10 cyber protection teams (CPT) to complement the Army's build for its contribution to the cyber mission force. The committee also understands that decisions relating to the establishment of those teams, and where they would be based, were made late in the budget cycle, and thus were not properly synchronized in the fiscal year 2017 budget request. The committee is aware that the Army National Guard has established three CPTs, but because of the lack of funding in fiscal year 2017, it will not be on track with its schedule for establishing teams this year.

Further, the committee recognizes that these Army National Guard CPTs are not integrated into the Army Cyber Command structure for cyber mission teams. This is unlike the approach the Air Force has taken, which integrates some Air National Guard units as part of its cyber mission force structure. The committee notes that the National Guard brings important capabilities to the Army, including experience and skills from industry experts, and the ability to bring greater outreach and support to States. The committee believes that the Army needs to work more expeditiously to determine and codify the role National Guard forces should take in the cyber domain.

The committee supports the training of the National Guard CPTs planned for fiscal year 2017, and urges the Army, as well as the National Guard, to ensure that projected funding disconnects are resolved in the fiscal year 2018 budget request. The committee also urges Army Cyber Command to finalize and promulgate clear policy about the role of Reserve Component CPTs in the Army's cyber mission build.

**National Guard Unit for the Commonwealth of the Northern Mariana Islands**

In response to section 515 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66), the National Guard Bureau (NGB) in August 2015 reported that establishing National Guard units in both the Territory of American Samoa and the Commonwealth of the Northern Mariana Islands (CNMI) is feasible, but "major steps are necessary to reach that end state." Among the issues raised were the territories' limited ability to recruit, maintain, and sustain units, and that

the costing framework to transfer force structure from one State or territory to American Samoa or the CNMI would have an impact on the donor State's or territory's ability to accommodate the NGB's "Essential Ten" homeland capabilities.

With these issues in mind, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services, not later than February 1, 2017, on how the Department of Defense would establish, maintain, and sustain a National Guard unit in the Commonwealth of the Northern Mariana Islands. At a minimum, the briefing shall include details regarding force structure allocation, recruiting, and funding requirements, including military construction, that would allow the committee to evaluate the cost and overall impact of locating a National Guard unit in CNMI.

### **Public-Private Partnerships for Cyber Education and Training**

The committee is aware of the efforts of the Reserve Components of the military services, including the National Guard, to develop cyber protection teams that can leverage the best attributes, authorities, and capabilities of both civilian and military cyber practitioners. The committee recognizes that Reserve Component cyber personnel often bring a wealth of experience from their civilian life, coupled with the additional training and discipline instilled by military service. The committee is concerned, though, that the current training pipeline is a major bottleneck to fully manning and training cyber mission teams. This problem is exacerbated by the fact that current active units are prioritized in the current schoolhouses, which already have limited available training billets.

The committee believes that the Department of Defense should look at additional ways to diversify the training pipeline available to all cyber personnel to help relieve that bottleneck. Elsewhere in this report, the committee encourages the Department to use Reserve Officer Training Corps programs, as well as senior military academies, to develop and implement common curricula that can satisfy the joint training standard. Also elsewhere in this report, the committee directs the Department of Defense to review its cyber training equivalency process to help improve the ability to give cyber personnel credit for other experience, certifications, or commercial training they may have received that meets the joint training standard. The committee also encourages the Department to look at additional ways to build public-private partnerships with academia, industry, and non-profit institutions as a way to develop additional training curricula equivalent to the joint standard to diversify that pipeline.

### **National Guard Bureau Briefing Requirement**

The committee notes a perceived imbalance regarding manning and resource allocation on a State by State and territory by territory basis, therefore the National Guard Bureau is directed to provide a report to the Committee on Armed Services of the House of Representatives on the distribution of full-time manning and controlled grade positions as they relate to all 54 states and territories no later than February 1, 2017, that includes the following elements:

- (1) A description of the National Guard Bureau formula and allocation of full-time manning and how that number relates to resource end strength; why states are currently equally funded at the headquarters, staff and senior controlled grade level.
- (2) Analysis and recommendations of a manning and end strength formula based upon an equitable formula as opposed to equally divided among states and territories, to include why states are not resourced at the paid end strength levels with full-time manning when requested to increase end strength by National Guard Bureau.

### **Report on the Purpose and Utility of a Registration System for Military Selective Service**

The committee directs the Secretary of Defense to submit to the Senate Committee on Armed Services and the House Committee on Armed Service by July 1, 2017 a report on the current and future need for a centralized registration system for military selective service. The report under subsection shall include the following:

- (1) A detailed analysis of the current benefits derived, both directly and indirectly, from the Military Selective Service System, including:
  - (A) The extent to which mandatory registration benefits military recruiting;
  - (B) The extent to which a national registration capability serves as a deterrent to other nations.
- (2) An analysis of the functions currently performed by the Selective Service System that would be assumed by the Department in the absence of a national registration capability;
- (3) An analysis of the systems, manpower, and facilities that would be needed by the Department to physically mobilize inductees in the absence of the Selective Service System;
- (4) A detailed analysis of the Department's manpower needs in the event of an emergency requiring mass mobilization, including:
  - (A) A detailed timeline, along with the factors considered in arriving at this timeline, of when the Department of Defense would require:
    - (i) The first inductees to report for service;
    - (ii) The first 100,000 inductees to report for service;
    - (iii) The first medical personnel to report for service.
  - (B) An analysis of any additional critical skills that would be needed in the event of a national emergency, and a timeline for when the Department would require the first inductees to report for service.
- (5) A list of the assumptions used by the Department when conducting their analysis.

#### **Review of Qualified Joint Tours**

The committee commends the Department of Defense for its ongoing commitment to ensuring the interoperability of the joint force. The committee notes that operations conducted by the Department and the uniformed services at all levels of command are increasingly characterized by their joint nature. Accordingly, in light of the review of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (Public Law 99-433), the committee urges the Department to continue these efforts and directs the Secretary of Defense to provide a briefing to the Committee on Armed Services of the House of Representatives not later than December 1, 2016, on the composition of the Joint Duty Assignment List (JDAL) and recommendations for congressional action required to bring the current JDAL in line with the joint nature of the current force.

#### **Suicide Prevention**

The committee notes that the Department of Defense Inspector General report entitled "Assessment of DOD Suicide Prevention Process," dated September 30, 2015, made a series of recommendations to improve the Department's efforts to reduce the incidence of suicide in the U.S. military. The committee applauds the efforts by the Department of Defense and the military services to reduce suicide and improve prevention programs, but the committee believes that the Department can and should improve its efforts, based on the Inspector General's recommendations. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services not later than September 1, 2016, on the implementation of the recommendations made in the Department of Defense Inspector General's report.

#### **Private-Public Partnership in Military Treatment Facilities**

The committee is aware that there are significant challenges regarding access to health care on military bases particularly at smaller and mid-sized bases. The committee is committed to improving access to care at military treatment facilities (MTF) for military beneficiaries and to ensure the readiness of military medical providers. Therefore, the committee directs the Secretary of Defense to assess the feasibility of including private-public partnerships using contracted services to provide health care within MTFs. In conducting the assessment, the Secretary shall consider the benefit of providing additional services, not previously available at clinics, through the partnerships, hybrid models of privately contracted care with direct military oversight providing services within the MTFs, potential costs savings by operating an MTF through the partnership,

increased patient satisfaction, improved access to care measured by appointment availability and wait time, and overall improvement to service member medical readiness. Not later than December 1, 2016, the Secretary shall brief the Committee on Armed Services of the House of Representatives on the results of the assessment.

#### **Oversight and Management of Defense-Wide Training**

The committee notes that Department of Defense Directive 1322.18 pertaining to military training was last updated in January 2009. Since then, significant organizational changes within the Department have occurred, including the disestablishment of U.S. Joint Forces Command and the establishment of an Assistant Secretary of Defense for Readiness, directly affecting the oversight and management of defense-wide training policies, programs, and resources. The committee notes that section 4(d) of the Directive states that "The Department of Defense shall maintain a comprehensive and effective Service, Defense Agency, and joint training management capability to develop, execute, and assess military training throughout the Department." The committee is aware, however, that, since the disestablishment of U.S. Joint Forces Command, defense-wide training and training-related activities and programs have been dispersed throughout the Office of the Secretary of Defense, the Joint Staff, the military services, the combatant commands, and other defense organizations. The committee is concerned that such dispersal, combined with outdated policy guidance, has led to the ineffective oversight and management of defense-wide training and inefficient allocation of training-related resources. The committee believes that the Department should take a more holistic approach to managing the defense training enterprise to enhance the capability and readiness of the joint force, to include aligning the services' training investments to joint and common training needs, identifying opportunities for greater training integration and interoperability, and advancing innovative training methods and capabilities.

Therefore, the committee directs the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, to update Department of Defense Directive 1322.18. The committee further directs the Secretary and the Chairman to provide a briefing to the House Committee on Armed Services not later than December 1, 2016, on the status of the Department's efforts to update such Directive. The briefing should also address the following elements:

- (1) The scope of training programs, facilities, activities, and resources covered by the updated Directive;
- (2) The delineation of training roles and responsibilities among the Office of the Secretary of Defense, the Joint Staff, the military services, the combatant commands, and other relevant defense organizations;
- (3) An assessment of joint and common training requirements and the adequacy of current, planned, and programmed training capabilities, resources, and personnel to meet those requirements;
- (4) Any recommendations for improving the oversight and management of military training and related resources, including any recommendations for changes in authorities, budgeting structures, or organizational structures, including any recommendations for de-layering and consolidating defense-wide training organizations; and
- (5) Any other matters the Secretary determines to be appropriate.

#### **Air Force Combat Search and Rescue Associate Units**

The committee supports the National Commission on the Structure of the Air Force recommendation to expand the use of associate units, where appropriate.

The committee notes, however, that none of the three Air National Guard combat search and rescue units in Alaska, California, and New York are associate units. Therefore, the committee encourages the Air Force to consider options for making these units active associate units under an appropriate organizational structure based on their local mission and operational demands. In addition, the committee directs the Secretary of the Air Force to provide a briefing to the Committee on Armed Services of the House of Representatives not later than March 1, 2017, on the potential

options for transforming these units into associate units, including the potential cost, benefits, and challenges involved in each case.

**Army and Joint Force Integration of Former Unmanned Aircraft System Center of Excellence Responsibilities**

The committee notes that under the former Joint Forces Combatant Command (JFCOM), a Joint Center of Excellence for Unmanned Aircraft Systems (UAS) was established in 2005 by the Department of Defense at Creech Air Force Base, Nevada. A separate Unmanned Aircraft Systems Center of Excellence (COE) was established in 2008 by the Army at Fort Rucker, Alabama. The purpose of the UAS COEs was to establish organizations that could collaborate and create an environment among the military services that would foster unity of effort focused on all aspects of UAS requirements, system development, acquisition, testing, fielding, training, airspace integration, employment concepts, sustainment, interoperability, data dissemination, capability gaps, and shortfalls. Consequently, in 2010 when JFCOM was disestablished by the Secretary of Defense, both the Joint COE and the Army COE were subsequently disestablished. The committee understood at the time that all the responsibilities of the Joint COE would be divided between the Joint Staff J-8 Directorate for Force Structure, Resources, and Assessment, and the Department of Defense UAS Task Force. The committee further understood that all the responsibilities of the Army COE would be absorbed within the Capabilities Development and Integration Directorate of the Army's Aviation COE at the Army's Training and Doctrine Command. Although the committee has been assured by the Department that all aspects of the UAS COEs that were disestablished were reabsorbed into the aforementioned organizations, the committee seeks to gain a further understanding regarding particular aspects of UAS issues.

Therefore, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services, not later than October 1, 2016, that explains:

- (1) How the Army plans to grow resources and facilities to support the expansion of UAS orbits through 2030;
- (2) How increased Army UAS operations will fit into joint and executive branch interagency operations; and,
- (3) How the Army plans to mitigate frequency encroachment on test and training ranges.

The committee also directs the Chairman of the Joint Chiefs of Staff to provide a briefing to the House Committee on Armed Services, not later than October 1, 2016, that explains how the role, mission, and responsibilities of the former Joint UAS COE were absorbed into the governance architecture of the J-8 Directorate of the Joint Staff, and provide an assessment to the committee regarding the benefits and challenges of those responsibilities being executed within the J-8 Directorate.

**Recommendations of the National Commission on the Future of the Army**

The committee notes that Congress established the National Commission of the Future of the Army (NCFA) in the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291). The primary purpose of the NCFA was to address two major concerns:

- (1) How the Army should best organize and employ the Total Force in time of declining resources; and
- (2) Whether the Army should proceed with the transfer of AH-64 Apache aircraft from the Reserve Components to the Regular Army as directed by the Army's aviation restructure initiative.

In its final report, the NCFA made 63 recommendations that were directed to the President, Congress, Department of Defense, Joint Staff, combatant commands, and the Army. In considering these recommendations, based on the underlying law that established the NCFA, the commission was instructed to take into account "anticipated mission requirements for the Army at acceptable levels of national risk and in a manner consistent with available resources and anticipated future resources." Consequently, the commission presumed a budget request level for fiscal year 2016, and its recommendations assumed that a total Army force of 450,000 in the

Regular Army, 335,000 in the Army National Guard, and 195,000 in the Army Reserve could not be increased. Furthermore, all recommendations with funding implications assumed that the Army would have to take risk and make internal trades to resource the recommendations, as well as assumed that Congress would not provide additional resources across the Future Years Defense Program.

The committee commends the efforts of the commissioners and their staff for the on-time completion of the NCF A report and associated recommendations. In general, the committee is supportive of many of the commission's recommendations; however, the committee requires additional information from the Department of Defense and the Army, as well as more time for sufficient review in order to make informed decisions regarding most of the recommendations made by the NCF A. Of these recommendations, the committee supports the recommendation to retain 4 Apache attack helicopter battalions in the National Guard and an 11th combat aviation brigade in the Regular Army. The committee expects the Army to plan and program accordingly based on available resources across the Future Years Defense Program. The committee is also supportive of a permanent combat aviation brigade in the Republic of Korea, a permanent armored brigade combat team presence in Europe, and increasing armored brigade combat team capacity in the Army. The committee is also supportive of the recommendation to consolidate Army marketing functions under the authority of the Army Marketing Research Group to eliminate redundancy and gain unity of effort. The committee is not supportive, however, of any recommendation that would reduce the Army's current force structure or use reductions in combat force structure as offsets to resource any recommendation.

Elsewhere in this Act, the committee includes a provision that would address the commission's recommendations focusing on Army modernization capability and capacity shortfalls, as well as alternative Army force designs and modeling. Therefore, the committee directs the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Chief of Staff of the Army, to provide a written assessment of all of the NCF A recommendations that are within such official's respective jurisdiction to the congressional defense committees by December 1, 2016. The committee expects the Army's written assessment to be separate, and include comments from the Chief of the National Guard Bureau. The respective assessments should include, but not be limited to, the following:

- (1) Whether the recommendation is agreeable;
- (2) Potential implementation plans for those recommendations, to include resource options and timelines;
- (3) Costs anticipated in execution of those implementation plans; and
- (4) Any legislative assistance required.

#### **State Partnership Program Activities in Ukraine**

The committee supports the role of the State Partnership Program (SPP) in Department of Defense security cooperation efforts, including in activities to assist Ukraine. The National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) authorized the National Guard to conduct SPP activities with security forces and governmental organizations of a foreign country whose primary functions include disaster response or emergency response, if the Secretary of Defense, with the concurrence of the Secretary of State, determines and notifies Congress that the activity is in the national security interest of the United States. The committee is aware of delays in making determinations that would permit the National Guard to carry out SPP activities with Ukrainian security forces or with governmental organizations whose primary functions include disaster response or emergency response. The committee encourages the Secretary of Defense and Secretary of State to facilitate timely execution of such determinations, as appropriate.

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

The budget request for Overseas Contingency Operations contained no funding for a National Guard and Reserve Component equipment account. Elsewhere in this Act, the committee notes

that the base budget request contained \$3.0 billion for procurement of National Guard and Reserve Component equipment. Given the uncertainty of the current and projected fiscal environment, the availability of equipment needed to sustain and modernize the National Guard and Reserve Components as an operational reserve and for their domestic support missions remains a concern. The committee recognizes the National Guard and Reserve Components continue to report significant equipment shortages in modernized equipment and challenges associated with efficiently fulfilling combat readiness training requirements. For example, the committee notes there are significant modernization, capability, and training challenges associated with the current Air National Guard aircraft assigned to the Aerospace Control Alert mission, and those aircraft crews maintaining proficiency and readiness in other mission areas critical to full-spectrum combat readiness. The committee also notes the Army National Guard continues to experience modernization shortfalls in utility rotorcraft and heavy lift rotorcraft.

The committee believes additional funds would help eliminate identified shortfalls in the areas of critical dual-use equipment. The committee expects these funds to be used for the purposes of, but not limited to, the procurement of rotorcraft, avionics and radar upgrades for legacy strike fighter aircraft, wheeled and tracked combat vehicles, tactical wheeled vehicles, ammunition, small arms, tactical radios to include single channel ground and airborne radio systems, non-system training devices, logistics automation systems, sense and avoid system upgrades for unmanned aerial systems, civil support communication systems, hail and warning escalation of force systems, out of band infrared pointer and illumination systems, near infrared aiming and illumination systems, crashworthy, ballistically tolerant auxiliary fuel systems, Engagement Skills Trainer II systems, F-16 distributed operations mission training centers, mobile ad hoc network emergency communications equipment, and other critical dual-use, unfunded procurement items for the National Guard and Reserve Components.

The committee recommends additional funding for a National Guard and Reserve Component equipment account within the Overseas Contingency Operations budget request. The committee also recommends \$3.0 billion, the full amount of the base budget request, for National Guard and Reserve equipment.

### **Cyber Training Equivalency**

The committee is aware that the Department of Defense is in the process of rapidly expanding the cyber workforce in order to man the 133 teams of the cyber mission force. As articulated by the Commander of U.S. Cyber Command, the committee recognizes that a significant bottleneck in that process is the training pipeline. The committee believes that the Department should be looking for opportunities to help diversify the training pathways available to all members of the cyber mission team workforce, in order to more quickly and efficiently bring team members up to operational capacity. The committee believes that diversification can take many forms, such as utilization of Reserve Officer Training Corps courses, military academies, public-private partnerships with universities and other training providers, and senior leader military academies. The committee also believes that to make those other training pathways effective, the Department needs to have a robust process for determining equivalency, so that it is clear when those other avenues can be used to meet the currently defined joint training standard. The committee is concerned that the immaturity of that equivalency process may be further slowing up the training pipeline.

Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by January 30, 2017, on the training equivalency process for the Department. This briefing should address how the Department makes recommendations on equivalency for members of the active and reserve components, as well as for civilian team members. Specifically, this briefing should include:

- (1) What is the decision making chain for making equivalency decisions?



- (2) How does the Department communicate standardized courses that are eligible for equivalency?
- (3) When equivalency is denied, what is the feedback loop to communicate those decisions back to affected personnel?
- (4) What is the process for remediation for service members to determine what actions might be taken to gain equivalency certification?

### **Review of Dual-Hatting Relationship**

The committee is aware that U.S. Cyber Command (CYBERCOM) was established with an intertwined relationship with the National Security Agency (NSA) to help improve resourcing and decision making in this domain by unifying those organizations. The committee believes that making the Commander of U.S. Cyber Command and the Director of the National Security Agency a single individual made sense in 2010 in order to mature CYBERCOM quickly and prevent duplication of resources or lack of coordination.

Elsewhere in this Act, the committee includes a provision that would establish CYBERCOM as a combatant command under the Unified Command Plan. Therefore, the committee believes it is timely to reassess the dual-hat relationship. For example, the committee is concerned that with a dominant focus on cyber activities, other responsibilities of the NSA, such as signals intelligence and communications security, may not be gain adequate focus and attention. The committee is also aware that during the civilian workforce furloughs that took place in 2013 there were impacts on NSA employees supporting CYBERCOM that were not felt by NSA as a whole. The committee is also concerned that proper internal and external oversight of the two organizations' roles and responsibilities will become increasingly difficult to distinguish and manage the more cyber is operationalized, especially as it pertains to NSA's collection and other activities in support of national and Departmental priorities for foreign intelligence and counterintelligence, and CYBERCOM's intelligence activities to support cyber operations.

Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by November 1, 2016, on a review and assessment of the dual-hat relationship for CYBERCOM. This review should include the following:

- (1) Roles and responsibilities, including intelligence authorities, of each organization;
- (2) Assessment of the current impact of the dual-hat relationship, including both advantages and disadvantages;
- (3) Recommendations on courses of action for separating the dual-hat command relationship between the Commander of CYBERCOM and the Director of the NSA, if appropriate;
- (4) Suggested timelines for carrying out such courses of action; and
- (5) Recommendations for legislative actions as necessary.

### **Combat Aviation Hangar Sustainment**

The committee is concerned that the Army's aging maintenance hangars that support its combat aviation units have not been sustained to the level necessary to meet minimal operational requirements at the Combat Aviation Brigades. The committee recognizes that there is a requirement for the Army to develop an integrated combat aviation maintenance infrastructure modernization plan to account for the operational needs informed by future basing and the Aviation Restructure Initiative. Therefore, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services not later than February 1, 2017, on the current condition of the Army's Combat Aviation hangar infrastructure. At a minimum, the briefing should provide a list of the locations and facilities where combat aviation hangars have a facility index rating below 80, the required cost and scope of work required to restore the facilities, and the extent to which the degraded facilities pose a risk to maintenance crews, a hazard to aircraft, and have an adverse impact on military readiness.

### **Air Force Remotely Piloted Aircraft Stationing, Basing, and Laydown Selection Process**

The committee believes that the military departments' selection process for stationing, basing, and laydown decisions for units and missions should remain transparent, repeatable, and defensible in nature. The committee is supportive of the Air Force's strategic basing process and believes that it provides a thorough, consistent, and transparent process for basing decisions. With respect to basing decisions for remotely piloted aircraft (RPA), the committee believes that the Air Force should assess the ability of a military installation and its associated or adjacent training areas to support the unit or mission, the capacity of a military installation to accommodate the unit or mission, the costs associated with the stationing, basing, or laydown action, and encroachment and environmental considerations. Further, the committee is supportive of basing criteria that leverage available Air Force infrastructure and existing quality of life and base support facilities, and pairs RPA units with related missions.

**Explanation of Funding Adjustments for Guard and Reserve Forces Facilities**

The committee recommends the inclusion of funding for several projects requested by the Department of the Army for the Army Reserve that were not contained in the budget request for military construction and family housing. These increases include:

(1) \$30.0 million for an Army Reserve Center in Phoenix, Arizona. The committee notes that this project was included on a list of unfunded project requirements submitted by the Department of the Army. Therefore, the committee recommends \$30.0 million, an increase of \$30.0 million, for this project.

(2) \$29.0 million for an Equipment Concentration Site in Barstow, California. The committee notes that this project was included on a list of unfunded project requirements submitted by the Department of the Army. Therefore, the committee recommends \$29.0 million, an increase of \$29.0 million, for this project.

(3) \$27.5 million for an Army Reserve Center at Joint Base Lewis-McChord, Washington. The committee notes that this project was included on a list of unfunded project requirements submitted by the Department of the Army. Therefore, the committee recommends \$27.5 million, an increase of \$27.5 million, for this project.

In addition, the committee recommends the inclusion of funding for several projects requested by the Department of the Army for the Army National Guard that were not contained in the budget request for military construction and family housing. These increases include:

(1) \$31.0 million for a General Instruction Building at Camp Guernsey, Wyoming. The committee notes that this project was included on a list of unfunded project requirements submitted by the Department of the Army. Therefore, the committee recommends \$31.0 million, an increase of \$31.0 million, for this project.

(2) \$20.0 million for an Access Control Point at Fort Indiantown Gap, Pennsylvania. The committee notes that this project was included on a list of unfunded project requirements submitted by the Department of the Army. Therefore, the committee recommends \$20.0 million, an increase of \$20.0 million, for this project.

(3) \$16.5 million for a National Guard Readiness Center at Fort Carson, Colorado. The committee notes that this project was included on a list of unfunded project requirements submitted by the Department of the Army.

Therefore, the committee recommends \$16.5 million, an increase of \$16.5 million, for this project. In addition, the committee recommends the inclusion of funding for several projects requested by the Department of the Air Force for the Air Force Reserves that were not contained in the budget request for military construction and family housing. These increases include:

(1) \$9.2 million for an Indoor Small Arms Range at Westover Air Force Reserve Base, Massachusetts. The committee notes that this project was included on a list of unfunded project requirements submitted by the Department of the Air Force. Therefore, the committee recommends \$9.2 million, an increase of \$9.2 million, for this project.

(2) \$5.2 million for a Reserve Medical Training Facility at Andersen Air Force Base, Guam. The committee notes that this project was included on a list of unfunded project requirements submitted

by the Department of the Air Force. Therefore, the committee recommends \$5.2 million, an increase of \$5.2 million, for this project.

(3) \$3.1 million for ADAL Life Support Facility at Hill Air Force Base, Utah. The committee notes that this project was included on a list of unfunded project requirements submitted by the Department of the Air Force. Therefore, the committee recommends \$3.1 million, an increase of \$3.1 million, for this project.

Finally, the committee recommends the inclusion of funding for several projects requested by the Department of the Air Force for the Air National Guard that were not contained in the budget request for military construction and family housing. These increases include:

(1) \$6.0 million for an Indoor Small Arms Range at Toledo Express Airport, Ohio. The committee notes that this project was included on a list of unfunded project requirements submitted by the Department of the Air Force. Therefore, the committee recommends \$6.0 million, an increase of \$6.0 million, for this project.

(2) \$5.0 million for a Control Facility at Joint Base Andrews, Maryland. The committee notes that this project was included on a list of unfunded project requirements submitted by the Department of the Air Force. Therefore, the committee recommends \$5.0 million, an increase of \$5.0 million, for this project.

(3) \$12.0 million for unspecified minor military construction at unspecified worldwide locations. The budget request included \$17.5 million for unspecified minor military construction at unspecified worldwide locations. The committee notes that additional funding for unspecified minor military construction was included on a list of unfunded project requirements submitted by the Department of the Air Force. Therefore, the committee recommends \$29.5 million, an increase of \$12.0 million, for this project.