



NGAUS
The National Guard Association of the United States

Legislative Report

*The National Defense Authorization Act
(NDAA) for Fiscal Year 2016,
Conference Report, S. 1356*

**As of November 30, 2015, (Signed by President Obama into
law on November 25)**

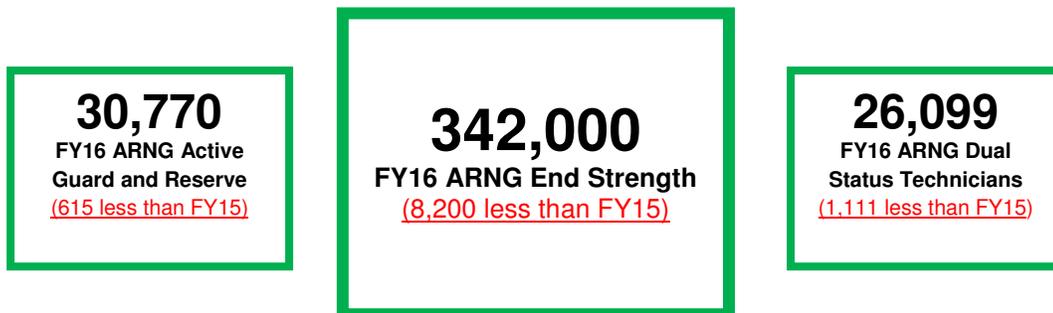
Overview

On November 25, 2015, President Obama signed into law S. 1356, the *National Defense Authorization Act for Fiscal Year 2016*. The bill was initially vetoed by the President in October over budgetary concerns that were resolved after the White House and Congress agreed to a two-year spending framework. S. 1356 was modified and subsequently passed by both chambers, which reduced Overseas Contingency Operations funding by \$5 billion.

The FY16 NDAA authorizes **\$548 billion** in spending for national defense and an additional **\$58 billion** for Overseas Contingency Operations (OCO) for a topline of **\$607 billion**. For full text of the NDAA, please see: <https://www.congress.gov/114/bills/s/1356/BILLS-114s1356enr.pdf>

Army National Guard End Strength

The Army National Guard's (ARNG) overall end strength level decreased by 8,200 and the authorized number of Active Guard and Reserve decreased by 615. The legislation also reduces dual-status technicians by 1,111 from last year's levels.

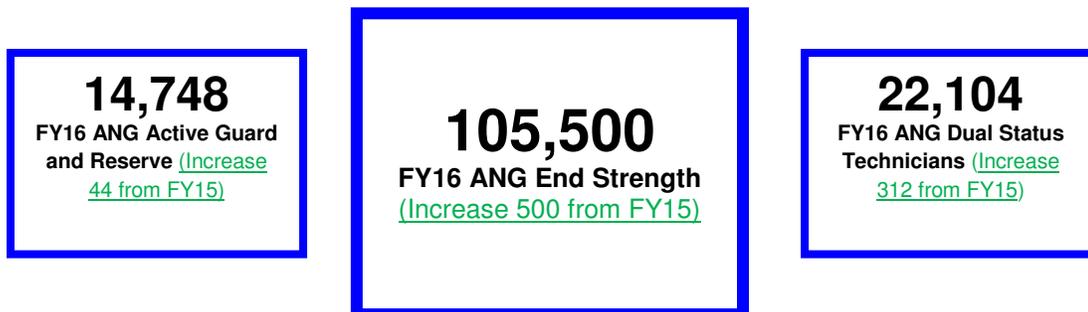


ARNG Non-Dual Status Technicians: 1,600 (same as FY15)

ARNG ADOS: 17,000 (same as FY15)

Air National Guard End Strength

In the Conference Report of the NDAA, the bill increased the end strength of the ANG by 500. The amount of Active Guard and Reserve increased by 44 while ANG Dual Status Technicians increased by 312 from FY15 levels.



ANG Non-Dual Status Technicians: 350 (same as FY15)
ANG ADOS: 16,000 (same as FY15)

Operation and Maintenance Authorizations

The Base Funding for ARNG O&M is increased from the President's Budget request for FY16. For ANG O&M, the NDAA Conference Report authorizes a decrease in funding from the President's budget request for FY16.

For Army National Guard Operation and Maintenance (ARNG O&M) Base Funding in Fiscal Year 2016, the President requested **\$6.717 billion**. S. 1356 authorizes **\$7.139 billion** in total funding. This is an **INCREASE** of **\$421.5 million** from the President's budget request. Additionally, the bill authorizes **\$60.845 million** in Overseas Contingency Operation O&M funding, which matches the President's request.

For Air National Guard Operation and Maintenance (ANG O&M) Base Funding in Fiscal Year 2016, the President requested **\$6.956 billion**. S. 1356 authorizes **\$6.819 billion**, which is a **DECREASE** of **\$136.7 million** from the President's budget request. The bill also includes funding for **\$19.9 million** in Overseas Contingency Operation O&M funding, which matches the President's request.

Military Construction Authorizations

Over the past few years, NGAUS and others in the Guard community have placed an increased priority on modernizing National Guard facilities across the country. S. 1356 increases funding for Air and Army National Guard Military Construction from the President's budget request.

For Army National Guard Military Construction, the President requested **\$197.237 million**. S. 1356 authorizes **\$248.537 million**, which is an **INCREASE** of **\$51.3 million** above the President's request.

For Air National Guard Military Construction, the President requested **\$123.538 million**. S. 1356 authorizes **\$129.638 million**, which is an **INCREASE** of **\$6.1million** above the President's request.

National Guard State Partnership Program

NGAUS has lauded the vital importance of the National Guard State Partnership Program (SPP) and advocated for its reauthorization. Without congressional action, the State Partnership Program's authorization is set to lapse at the end of the FY16 fiscal year. S. 1356 reauthorizes the program for five years. The language also enhances the program by tying its operations to national global cooperation strategies, creates state coordinator positions, and interjects oversight mechanisms for greater accountability and secure funding. The NDAA Conference Report included an additional **\$2.1 million** for SPP.

Other Provisions

Counterdrug Programs:

- Increases Drug Interdiction and Counterdrug Activities (Defense-Wide): **\$880.598 million**

Air National Guard Procurement and Modernization:

- Adds AESA radar upgrades for F-15C: **\$48 million**
- Adds AESA radar upgrades for F-15D: **\$192.5 million**
- Adds ADCP II Upgrades for F-15: **\$10 million**
- Adds EPAWSS Upgrade for F-15: **\$11.6 million**
- Adds Funding for Restructured C-130 Avionics Modernization Program (AMP) Increments 1 & 2: **\$75 million**
- Adds Electronic Propeller Control System for C-130H: **\$13.5 million**
- Adds In-Flight Propeller Balancing System for C-130H: **\$1.5 million**
- Adds T-56 3.2 Engine Modernization for C-130H: **\$33.2 million**
- Adds Eight-Bladed Propeller for C-130H: **\$16 million**
- Force Structure Restoration for A-10: **\$235.3 million**
- Restores funding for A-10 Wing Replacement Program: **\$240 million**
- Adds KC-135 Modernization Funding: **\$49.043 million**
- Adds E-8 (JSTARS) Modernization Funding: **\$18.001 million**
- Provides funding for UH-1N Replacement Aircraft: **\$2.456 million**
- Adds HH-60 Modernization Funding: **\$45.731 million**
- Adds MQ-1 Modernization Funding: **\$3.173 million**
- Adds MQ-9 Modernization Funding: **\$115.226 million**
- Provides CV-22 Modernization Funding: **\$58.828 million**

Army National Guard Procurement and Modernization:

- Provides additional funding for UH-60M multi-year procurement: **\$128 million**
- Funds CH-47 Procurement: **\$1.02 billion**
- Funds AH-64 Block III Reman: **\$1.17 billion**
- Provides additional Funding for Javelin System: **\$91 million**
- Funds Stryker Procurement: **\$181.2 million**
- Provides additional Funding for Stryker Lethality Upgrades: **\$314 million**

- Provides additional Funding for M1 Abrams Tank Modifications: **\$40 million**
- Funds Paladin Integrated Management: **\$273.9 million**
- Funds the Joint Light Tactical Vehicle: **\$308.3 million**
- Funds WIN-T: **\$643.4 million**

Miscellaneous:

- Adds **\$250 million** in NGREA Funding in OCO Procurement
- Reduces ARNG Marketing: **-11.5 million**
- Reduces ARNG O&M and ANG O&M to Streamline HQs: **-\$26.6 million for ARNG, -\$3 million for ANG**
- Zeroes out funding for STARBASE

Legislative Provisions

S. 1356 contains a number of provisions pertaining to the National Guard. Below you will find a summary, primarily compiled from the bill text:

Section 111 – Prioritization of upgraded UH-60 Black Hawk helicopters within Army National Guard

This section would require the chief of the National Guard Bureau to issue guidance that prioritizes UH-60 helicopter upgrades within the Army National Guard to those units with the highest flight hour aircraft and highest utilization rates, as well as require the chief to submit a report to the congressional defense committees within 30 days after issuing such guidance that describes such guidance.

Section 113 – Report on Options to Accelerate Replacement of UH-60A Black Hawk Helicopters of Army National Guard

This section would require the secretary of the Army to submit a report to the congressional defense committees by March 1, 2016, containing detailed options for the potential acceleration of the replacement of all UH-60A helicopters of the Army National Guard.

Section 141 – Backup Inventory Status of A-10 Aircraft

This Section would amend Section 133(b) (2) (a) of the FY2015 NDAA to where the secretary of the Air Force may not move more than 18 A-10 aircraft in the active component to backup flying status pursuant to an authorization made by the defense secretary under such section.

Section 142 – Prohibition on Availability of Funds for Retirement of A-10 Aircraft

This section prohibits the use of funds to retire, plan to retire, or place in storage or backup aircraft inventory an A-10 aircraft and requires the Air Force to maintain a minimum of 171 A-10 aircraft designated as primary mission aircraft inventory. This section also requires an independent assessment of the required capabilities or mission platform to replace the A-10. The conference report aligns technical provisions of the House and Senate section and refers to Sec. 141 regarding moving A-10 aircraft to backup inventory status.

Section 144 – Restriction on retirement of the Joint Surveillance Target Attack Radar System (JSTARS), EC-130H Compass Call, and Airborne Early Warning and Control (AWACS) Aircraft

This section prohibits the Air Force from retiring the JSTARS, EC-130H or AWACS in Fiscal Years 2016 and 2017.

Section 147 – Limitation on transfer of C-130 aircraft

This section prohibits funds being used to transfer C-130H aircraft, initiate C-130 manpower authorization adjustments, retire or prepare to retire any C-130H aircraft, or close any C-130H unit until 90 days after the secretaries of the Army and Air Force, in consultation with commanders of the 82nd Airborne Corps and Army Special Operations Command, certifies that the AF will maintain a dedicated C-130 wing to support daily training and contingency requirements for the XVIII Airborne Corps, 82nd Airborne Division.

Section 151 – Limitation on Retirement of Air Force Fighter Aircraft

This section requires the secretary of the Air Force to maintain a minimum total active inventory of 1,950 fighter aircraft, within which the secretary must also maintain a minimum of 1,116 fighter aircraft as primary mission aircraft inventory (combat-coded). The bill further limits fighter retirements unless the secretary provides a specified certification. This section also strikes the amendment to Section 8062 of Title 10, changes the limitation period to a two-year period beginning October 1, 2015, and reduces the minimum number of fighters required to be maintained by the Air Force to 1,900 total aircraft inventory and 1,100 primary mission aircraft inventory (combat-coded). The amendment would also eliminate the certification and detailed report requirements, and require specified information in a report to be included in the material submitted in support of the budget for a particular fiscal year, if proposing the retirement of fighter aircraft in that fiscal year's budget.

Organization and Management:

Section 341 – Prohibition on Contracts to Facilitate Payments for Honoring Members of the Armed Forces at Sporting Events

This section provides a sense of the Senate that any organization wishing to honor members of the Armed Forces should do so on a voluntary basis and that DoD should ensure that no payments be made for such activities in the future.

Section 345 – Limitation on Use of Funds for Department of Defense sponsorships, advertising, or marketing associated with sports-related organizations or sporting events

This section prohibits the Department of Defense from using no more than 75 percent of authorized funding for sponsorship, advertising, or marketing associated with a sports-related organization or sporting event until a review of current contracts and task orders for such events is completed. The committee also directs the comptroller general of the United States to assess DoD sponsorship, sports marketing and advertising activities, including the active duty, Reserve and Guard components.

Section 346 - Additional Requirements for Streamlining of Department of Defense Management Headquarters

This section requires the department to plan and budget for \$10 billion in cost savings in its headquarters, administrative and support activities between fiscal year 2015 and 2019. The amendment would also require at least a 25 percent reduction to headquarters activities, which would count towards the \$10 billion savings. Finally, the amendment would require a comprehensive review of headquarters, administrative and support functions with an eye towards streamlining and consolidating these functions across the Department of Defense.

Military Personnel Authorizations:

Section 411 – Authorization End Strengths for Selected Reserve

This section authorizes the end strengths for reserves on active duty in support of the reserves as of September 30, 2016.

Section 412 – Authorization End Strengths for Reserves on Active Duty in Support of the Reserves

Section 413 – Authorization End Strengths for Military Technicians (Dual Status)

Section 414 – Authorization Fiscal Year 2016 Limitation on Number of Non-Dual Status Technicians

Section 415 – Maximum number of Reserve Personnel Authorized to be on Active Duty for Operational Support

Section 504 – Authority to defer until age 68 mandatory retirement for age of a general or flag officer serving as Chief or Deputy Chief of Chaplains of the Army, Navy, or Air Force

Section 506 – Implementation of Comptroller General Recommendation on the Definition and Availability of Costs Associated with General and Flag Officers and their Aides

Reserve Management Provisions:

Section 512 – Clarification of Purpose of Reserve Component Special Selection Boards as Limited to Correction of Error at a Mandatory Promotion Board

This section would amend Section 14502(b) of Title 10, United States Code, concerning reserve-component special selection boards and whether an officer or former officer could request a special selection board based on having not been selected by a previous special selection board vice being considered by a mandatory promotion board convened under Section 14101(a) of Title 10, United States Code. This section would better align the statutory language regarding active-component and reserve-component mandatory promotion boards.

Section 513 – Increase in number of days of Active Duty required to be performed by reserve component members for duty to be considered Federal service for purposes of unemployment compensation for ex-service members

This section would increase from 90 to 180 days the number of continuous days of active duty required to be performed by reserve-component members for that duty to be considered satisfactory federal service for purposes of unemployment compensation for ex-service members.

Section 514 – Temporary Authority to Use Air Force Reserve Component Personnel to Provide Training and Instruction Regarding Pilot Training

This section authorizes the secretary of the Air Force to utilize, during fiscal year 2016, up to 50 Active, Guard and Reserve (AGR) members and dual-status military technicians to provide training and instruction to active duty and foreign military personnel in excess of what is currently authorized by the AGR and military technician statutes. The provision would also require the secretary, by no later than 180 days after the date of enactment of this Act, to provide the Senate and House Armed Services Committees a report setting forth a plan to eliminate pilot training shortages within the Air Force using authorities available to the secretary under current law.

Section 515 – Assessment of Military Compensation and Retirement Modernization Commission Recommendation Regarding Consolidation of Authorities to order members of Reserve Components to Perform Duty

This section requires the defense secretary to submit a report to House and Senate Armed Services Committees not later than 180 days after the date of enactment of this Act, containing the secretary's assessment of the Military Compensation and Retirement Modernization Commission's recommendation to consolidate the statutory authorities by which members of the reserve components may be ordered to perform duty. The report shall include the secretary's assessment of the commission's recommendation to consolidate 30 reserve-component duty statuses into six broader statuses, with an analysis of each of the statuses recommended by the Commission. If the secretary determines that a different consolidation is preferable, the report should clearly articulate why the secretary's recommendation is preferable to the specific recommendation of the commission. The report should include draft legislation to implement the recommendations of the Secretary not later than October 1, 2018.

General Service Authorities:

Section 542 – Comptroller General of the United States Reports on Prevention and Response to Sexual Assault by the Army National Guard and the Army Reserve

This section requires the comptroller general of the United States to submit a report of the extent to which the Army National Guard and Army Reserve have in place policies and programs to prevent and respond to incidents of sexual assault involving members of the Army National Guard and Army Reserve, and provide medical and mental health services to members of the Army National Guard and Army Reserve following a sexual assault, and to identify whether service in the Army National Guard or Army Reserve poses challenges to the prevention of or response to sexual assault. The comptroller general will provide the initial report to Congress not later than April 1, 2016.

Member Education, Training and Transition:

Section 551 – Enhancements to Yellow Ribbon Reintegration Program

This section would: (1) expand eligibility for the Yellow Ribbon Reintegration Program; (2) authorize the Secretary of Defense to enter into partnerships or offer grants for the provision of quality-of-life services under the program; (3) provide flexibility in the number of events and activities provided under the program; and (4) require the Office of Reintegration Programs to collect and analyze best practices in suicide prevention.

Section 555 – Termination of Program of Educational Assistance for Reserve Component Members Supporting Contingency Operations and Other Operations

This section terminates the program of educational assistance for reserve-component members supporting contingency operations and other operations as recommended by the Military Compensation and Retirement Modernization Commission. This program is duplicative with the Post-9/11 GI Bill, which provides a more robust benefit for service members.

Miscellaneous Reports and Other Matters:

Section 595 – Remotely Piloted Aircraft Field Manning Shortfalls

This section would require the secretary of the Air Force to submit a report to the congressional defense committees on remotely piloted aircraft career-field manning levels and actions the Air Force will take to rectify personnel shortfalls. The provision would also limit the availability of not more than 85 percent of the fiscal year 2016 operation and maintenance funding for the Office of the Secretary of the Air Force until 15 days following the submission of the required report.

Bonuses and Special and Incentive Pays:

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

This section would extend for one year the authority to pay the Selected Reserve re-enlistment 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 re-enlistment bonus for persons with prior service, the Selected Reserve enlistment and re-enlistment bonus for persons with prior service, travel expenses for certain inactive-duty training, and income replacement for reserve-component members experiencing extended and frequent mobilization for active-duty service.

Disability Pay, Retired Pay, and Survivor Benefits:

Section 631 – Modernized retirement system for members of the uniformed services

This section includes the House provision with an amendment that would limit service members who may opt-in to the new retirement system to those with less than 12 years of service. The agreement also includes an amendment that would repeal the modified cost-of-living adjustment for members under the age of 62 made by Section 403 of the Bipartisan Budget Act of 2013 (Public Law 113-67; 127 Stat. 1186), as amended by Section 10001(a) of the Department of Defense Appropriations Act, 2014 (Division C of Public Law 113-76; 128 Stat. 151), Section 2 of Public Law 113-82 (128 Stat. 1009), and Section 623 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3403).

Section 632 – Full Participation for Members of Uniformed Services in the Thrift Savings Plan

This section would set the applicable initial entry date at January 1, 2018, provide a maximum government contribution of 5 percent (with the first 1 percent being an automatic agency contribution), in the TSP through 26 years of service. The conferees note that all uniformed service members who would enter and serve prior to the date of implementation of the modernized retirement system would be grandfathered into the old retirement system.

Section 633 – Lump Sum Payments of Certain Retired Pay

This section would allow members who elect to take the lump sum an option of choosing to take 50 percent or 25 percent of the discounted present value of their defined retirement benefit that would be due to them prior to becoming fully eligible for Social Security. The conferees strongly urge the secretaries concerned to coordinate with the secretary of Veterans Affairs on counseling, or otherwise informing, new retirees on the impact this election may have on their eligibility for certain benefits administered by the secretary of Veterans Affairs.

Section 634 – Continuation Pay After 12 Years of Service for Members of the Uniformed Services Participating in the Modernized Retirement Systems

This section directs the secretary concerned to provide continuation pay to service members serving under the new military retirement system described above who reach 12 years of service, contingent upon such members agreeing to serve another four years of service.

Section 635 – Effective Date of Implementation for Modernized Retirement System

This section provides for an effective date of January 1, 2018 for the modernized military retirement system. The provision also requires an implementation plan due to the appropriate committees of Congress on March 1, 2016.

Healthcare Provisions:

Section 701 – Access to TRICARE Prime for Certain Beneficiaries

Section 703 – Expansion of Continued Health Benefits Coverage to Include Discharged and Released Members of the Selected Reserve

Miscellaneous Authorities and Limitations:

Section 1053 – Management of Military Technicians

This section would convert not less than 20 percent of the general administration, clerical, financial, and office service occupation positions identified in the report of the defense secretary under Section 519 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 112-81; 125 Stat. 1397) from military technician (dual status) positions to positions filled by individuals who are employed under Section 3103 of Title 5, United States Code, by no later than January 1, 2017. The provision also requires the phased-in termination of military technicians (non-dual status) to begin on January 1, 2017.

Section 1054 – Limitation on Transfer of Certain AH-64 Apache Helicopters from Army National Guard to Regular Army and Related Personnel Levels

This section amends Section 1712(b) of the FY15 NDAA to preserve the 60-day congressional review of the report from the National Commission on the Future of the Army. No movement may occur before the later of June 30, 2016 or the end of the 60-day period after commission reports its findings.

Studies and Reports:

Section 1061 – Expedited Meetings of the National Commission on the Future of the Army

This section excludes the application of Section 10 of the Federal Advisory Committee Act to meetings of the National Commission on the Future of the Army with less than five members present.

Section 1066 – Reports on Options to Accelerate the Training of Remotely Piloted Aircraft Pilots

This section would require the secretary of the Air Force to submit, not later than February 1, 2016, a report to the congressional defense committees addressing the immediate and critical training and operational needs of the remotely piloted aircraft community.

Other Matters:

Section 1088 – Modification of Requirements for Transferring Aircraft within the Air Force Inventory

This section would amend Section 345 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) to ease administrative burdens and facilitate non-contentious transfers of aircraft from the Air Reserve Components to the regular component of the Air Force.

Section 1203 – National Guard State Partnership Program

This section modifies the FY14 NDAA's scope of authority for the State Partnership Program to permanently extend the program, and requires the DoD comptroller and the undersecretary of defense for policy to submit a report setting forth a joint assessment on the feasibility of establishing a central fund to manage funds for the programs under the State Partnership Program. This section also requires the of defense secretary to submit a legislative proposal if it is found to be advisable and feasible to establish a central fund for the program, and would extend the underlying authority for the program for five years.

Section 1404 – Drug Interdiction and Counter-Drug Activities, Defense-Wide

This section would authorize additional appropriations for drug interdiction and counter drug activities, Defense Department-wide at the level identified in Section 4502 of Division D of this Act.

Strategic Programs, Cyber, and Intelligence Matters:

Section 1637 – Report on Air National Guard Contributions to the RQ-4 Global Hawk Mission

This section requires the secretary of the Air Force, in coordination with the chief of staff of the Air Force and the chief of the National Guard Bureau, on the feasibility of using ANG in association with active-duty Air Force to operate and maintain the RQ-4 Global Hawk.

Section 1649 - Sense of Congress on Reviewing and Considering Findings and Recommendations of Council of Governors on Cyber Capabilities of the Armed Forces

This section would express that it is the sense of Congress that the defense secretary should review and consider any findings and recommendations of the Council of Governors pertaining to cyber-mission force requirements and any proposed reductions in and synchronization of the cyber capabilities of active or reserve components of the Armed Forces.

Project Authorizations and Authorizations of Appropriations:

Section 2601 – Authorization ARNG Construction and Land Acquisition Projects

State	Location	Amount
Alabama	Camp Foley	\$4,500,000
Connecticut	Camp Hartell	\$11,000,000
Florida	Palm Coast	\$18,000,000
Georgia	Fort Stewart	\$6,800,000
Illinois	Sparta	\$1,900,000
Kansas	Salina	\$6,700,000
Maryland	Easton	\$13,800,000
Mississippi	Gulfport	\$40,000,000
Nevada	Reno	\$8,000,000
Ohio	Camp Ravenna	\$3,300,000
Oregon	Salem	\$16,500,000
Pennsylvania	Fort Indiantown Gap	\$16,000,000
Vermont	North Hyde Park	\$7,900,000
Virginia	Richmond	\$29,000,000

Section 2604 – Authorization ANG Construction

State	Location	Amount
Alabama	Dannelly Field	\$7,600,000
California	Moffett Field	\$6,500,000
Colorado	Buckley Air Force Base	\$5,100,000
Florida	Cape Canaveral Air Force Station	\$6,100,000
Georgia	Savannah/Hilton Head International Airport	\$9,000,000
Iowa	Des Moines Municipal Airport	\$6,700,000
Kansas	Smokey Hill Range	\$2,900,000
Louisiana	New Orleans	\$10,000,000
Maine	Bangor International Airport	\$7,200,000

New Hampshire	Pease International Trade Port	\$2,800,000
New Jersey	Atlantic City International Airport	\$10,200,000
New York	Niagara Falls International Airport	\$7,700,000
North Carolina	Charlotte/Douglas International Airport	\$9,000,000
North Dakota	Hector International Airport	\$7,300,000
Oklahoma	Will Rogers World Airport	\$7,600,000
Oregon	Klamath Falls International Airport	\$7,200,000
West Virginia	Yeager Airport	\$3,900,000

Report Language:

House Report Language (114-102)

C-130 Aircraft Modernization:

The committee is encouraged that the Chief of Staff of the Air Force has proposed a plan that finally addresses the committee's longstanding concern for the modernization of C-130H aircraft that reside primarily in the National Guard and Reserve components of the Department of the Air Force. The Department of the Air Force has briefed the committee on multiple occasions on a new plan, which is being referred to as the Avionics and Modernization Program (AMP) Increments 1 and 2 that appears to address many of the committee's concerns. However, the committee remains concerned that the plan's timeline for implementation may still leave some C-130H aircraft noncompliant with future airspace requirements and still susceptible to increased diminishing manufacturing sources (DMS) and obsolescence issues. Specifically, the proposed timeline proposes to complete certain Federal Aviation Administration (FAA) compliance concerns by 2022, two years after FAA direction, requiring noncompliant aircraft to seek waivers or limit flight operations. Additionally, the AMP increment 2 only supports 8 aircraft modernizations per year which also does not appear to support a fleet viability requirement.

The committee supports an acceleration of the modernization effort both in terms of meeting FAA compliance by the 2020 deadline and acceleration of the increment 2 modernization plan. Therefore, the committee directs the Secretary of the Air Force to submit a report on the implementation of C-130H AMP Increments 1 and 2 to the congressional defense committees by March 1, 2016. At a minimum, this report should address:

- (1) The timeline for implementation of both AMP Increments 1 and 2;
- (2) An assessment to accelerate AMP Increment 1 to ensure all C-130H aircraft are compliant with all airspace requirements by 2020 to include the possibility of using existing contracting offices such as the Rapid Acquisition Office to accelerate these upgrades;
- (3) An assessment to accelerate the build rate for AMP Increment 2 in order to address future DMS and obsolescence issues; and
- (4) Any plans for recapitalization of Air National Guard and Air Force Reserve C-130 aircraft.

The committee understands that the Department of the Air Force will require additional resources to begin implementing this new plan and therefore recommends \$10.0 million for C-130 AMP, an increase of \$10.0 million.

Table Reductions: In Section 4101 of division D, relating to Aircraft Procurement, Air Force, line 033, reduce the amount for C-37 communications upgrades by \$10,000,000.

Table Increases: In Section 4101 of division D, relating to Aircraft Procurement, Air Force, line 044, increase the amount for C-130 by \$10,000,000.

Counterdrug Activities:

The committee acknowledges the continued contributions of the National Guard to domestic counterdrug programs. The National Guard, working with law enforcement agencies and community-based organizations, performs interdiction and anti-drug activities to counter illicit drug trafficking. It also operates regional counterdrug training centers across the country to provide education and training to local, State, and Federal law enforcement in counternarcotics and global threat reduction efforts.

For the past 5 fiscal years, the budget request for National Guard Counterdrug Programs has not included sufficient funds to meet program requirements. Recognizing this shortfall in funding, Congress has consistently provided additional funds to enable the Guard to meet its requirements. However, this additional funding has been made available for execution by the Guard in the third or fourth quarter of the fiscal year, making it difficult for the Guard to execute it by the end of the fiscal year. The committee recognizes that this is not the most efficient or effective way to plan for and execute a successful program. The committee continues to encourage the Department of Defense to submit an accurate budget request for National Guard Counterdrug Programs consistent with its requirements.

However, the committee also believes that, with appropriate planning, the National Guard should be able to obligate and expend additional funds, if made available, for its counterdrug programs even if received late in the fiscal year. Therefore, the committee directs the Chief of the National Guard Bureau to brief the House Committee on Armed Services, not later than October 1, 2015, on the Guard's plan for how it can improve its execution of additional funding should the program receive it. Lastly, as the tight fiscal environment continues, the committee continues to encourage the National Guard, in conjunction with the Secretary of Defense, to refine its priorities and missions.

KC-46A Quarterly Report:

The committee supports the current acquisition strategy associated with the KC-46A aircraft. Therefore, the committee directs the Under Secretary of Defense for Acquisition, Technology, and Logistics to discontinue the quarterly reporting associated with the KC-46A aircraft required in the committee report (H.Rept. 112-78) accompanying the National Defense Authorization Act for Fiscal Year 2012.

Long-range strike bomber:

The Department of Defense has indicated that it intends to pursue the acquisition of future long-range strike capabilities for operating in anti-access/area denial environments. According to the budget request for fiscal year 2016, the Secretary of Defense expects to significantly increase annual investments in long range strike development over the next 5 years, with investments from fiscal year 2016-20 projected to total nearly \$14.00 billion. The acquisition of a new bomber is one of the key elements in the Department's planned long-range strike investments.

Given the size of the planned investments and the strategic importance of successfully acquiring a new bomber, the committee directs the Comptroller General of the United States to conduct a review of the U.S. Air Force bomber acquisition program and to provide a briefing to the House Committee on Armed Services by March 1, 2016, on the findings of the review. Specifically, the Comptroller General shall include an examination of the bomber program's technology maturity in comparison with other Air Force acquisition programs at similar milestone events. This brief should also include an examination of the Air Force's: (1) overall acquisition strategy; (2) technology, design, and production readiness; (3) development, testing, and fielding progress; (4) cost and schedule implications; and (5) technical performance.

The committee expects the Secretary of the Air Force shall ensure timely access to the necessary program information including, but not limited to, cost and budget information, detailed schedules, contractor data, program management reports, decision briefings, risk and technology readiness assessments, and technical performance measures.

Air Force Remotely Piloted Aircraft Manning Issues:

The committee is concerned about the Air Force's management of critical shortfalls in training remotely piloted aircraft (RPA) pilots and system operators. Demand for combat air patrols continues to increase, resulting in an unsustainable operation tempo and exodus from the service of trained RPA pilots and operators.

Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services by January 1, 2016, with a complete human capital plan detailing the measures taken to mitigate the shortfalls in manning of RPA weapon systems. Specifically, the briefing shall address: (1) strategies and actual programs in place to increase manning in training, increase retention of RPA operations personnel, increase crew ratios, and maintain a sustainable recruiting and retention program; and (2) a projected date by which the Air Force believes it will have mitigated the manning shortfall challenges that reside in the RPA community today.

Tracking for Non-Disability Mental Conditions:

The committee is encouraged by the progress the Department of Defense (DOD) has made in accounting for non-disability mental conditions but is still concerned that these conditions are not properly documented as a service member transitions from service. The committee believes that the Department of Defense needs to improve the identification of service members separated for non-disability mental conditions, and to provide reasonable assurance that service members, including Reserve Component members, separated for non-disability mental conditions are separated appropriately and in accordance with standard DOD procedures and documentation requirements. Therefore, the committee directs that the Secretary of Defense shall:

- (1) Develop methods to uniformly track separations due to non-disability mental conditions in an easily retrievable manner and conduct a comprehensive review of separation program designator codes, as well as any information shown on the Department of Defense Form 214.
- (2) Take steps to ensure there is an appropriately staffed process to identify administratively separated enlisted National Guard members who are unable to function effectively in the National Guard because of a non-disability mental condition.
- (3) Direct the military services to update their administrative separation policies to be consistent with DOD regulations for those service members separated for all non-disability mental conditions.
- (4) Ensure the military services implement processes to oversee separations for non-disability mental conditions, such as reinstating the requirement of annual compliance reporting of a sample of administrative separations, using current DOD policy requirements as review criteria for service members of all military services and their Reserve Components.
- (5) Ensure that the military services planned oversight of separations for non-disability mental conditions is implemented and incorporates Reserve and National Guard members separated for such conditions, or that the services implement other processes to oversee such administrative separations using current DOD policy requirements as review criteria for all service members, including Reserve and National Guard members.
- (6) Direct the Under Secretary of Defense for Personnel and Readiness to review any processes used by the military services to oversee such administrative separations to ensure compliance with DOD policy requirements.

Joint surveillance and target attack system sustainment report:

The E-8C aircraft was developed for ground surveillance, targeting, and battle management. Air battle managers onboard the E-8C joint surveillance target attack radar system (JSTARS) aircraft use its wide-area ground surveillance radar to build situation awareness and identify targets which are passed to strike assets or cross-cued with other intelligence, surveillance, and reconnaissance platforms.

The committee notes that the Department of the Air Force plans a JSTARS recapitalization program which would replace the aging E-8C aircraft with a modern, more efficient, and capable aircraft and mission systems, with an initial operational capability of 2023 and a full operational capability in subsequent years. Until the JSTARS replacement aircraft attains full operational capability, the committee believes that the current E-8C JSTARS aircraft will require a modest amount of sustainment funding, especially to address the issue of diminishing manufacturing sources.

Therefore, the committee directs the Secretary of the Air Force to submit a report to the congressional defense committees by February 15, 2016, which describes all actions required to avoid degradation to the performance of the E-8C radar and fleet, each upgrade required to meet minimum warfighter requirements for combat operations and to pace evolving threats during this period, and the Secretary's plan, schedule and budgets to accomplish this objective between fiscal years 2016 and the time that the JSTARS replacement aircraft achieves full operational capability.

Next Generation Joint Surveillance Target Attack Radar System operational Concepts:

The budget request contained \$44.3 million in PE 37581F for the Next Generation (NextGen) Joint Surveillance Target Attack Radar System (JSTARS) program. The committee is aware that the Department of the Air Force has a requirement for a new manned command-and-control/intelligence, surveillance, reconnaissance aircraft given that the current, high-demand E-8C JSTARS aircraft are facing low availability rates, end-of-life issues, and growing sustainment costs.

The committee encourages the Air Force to take into consideration a platform that is able to grow and adapt for unknown future threats and game-changing technologies. In addition, the committee would like to better understand the relationship between the system requirements and how the Department of the Air Force intends to employ JSTARS in the future. Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services by February 29, 2016, detailing the planned operational mission concepts for the NextGen JSTARS. This briefing should include, but not be limited to, how the aircraft and mission system will be employed in various phases of peacetime and combat operations. Additionally, the briefing should explain concepts for mission training, aircraft maintenance, force protection, aircraft security, crew manning, and future sustainability and modernization to include growth margin. The committee recommends \$44.3 million, the full amount requested, in PE 37581F for the NextGen JSTARS program.

Comptroller General Assessment of Army and Air Force Training Requirements:

For more than a decade, the Army and Air Force focused the training of their forces on supporting operations in Iraq and Afghanistan. Commanders established a range of resource-intensive training requirements deemed necessary to conduct missions in these locations and de-prioritized training in other areas. In the coming years, both the Army and Air Force will confront an increasingly complex security environment that will demand a wider range of missions, such as defeating terrorist organizations and responding to other emerging threats. To accomplish a broader set of missions, both military departments have established plans to refocus their training to conduct the full spectrum of military operations.

However, they face an environment of constrained budgetary resources until at least 2021. For example, in fiscal year 2013, the Department of Defense's operation and maintenance accounts were reduced by

approximately \$20.00 billion under sequestration. Due to these reductions, the Army curtailed training for all units except those deployed, preparing to deploy, or stationed overseas; and the Air Force ceased flight operations from April through June 2013 for about one-third of Active Duty combat units and reduced the number of larger training exercises. The services face the possibility of sequestration-level funding again in fiscal year 2016.

The committee is concerned about the Army's and Air Force's ability to balance training investments with available resources and believes the services will need to fundamentally re-examine the requirements for training their forces. It further believes the military departments should explore whether they can achieve additional efficiencies or cost savings in their training approaches, such as by increasing reliance on simulator technologies to meet some training tasks.

Therefore, the committee directs the Comptroller General of the United States to provide to the congressional defense committees a report, by April 1, 2016, that evaluates Army and Air Force training requirements and includes an assessment of the following:

- (1) The extent to which the Army and Air Force have established readiness goals, plans, and timeframes to train their forces for full-spectrum operations;
- (2) The extent to which the Army and Air Force have adjusted training plans and identified resource needs in light of their experiences preparing forces for contingency operations in Iraq and Afghanistan;
- (3) The extent to which the Army and Air Force have considered options for increasing the use of simulated training and other technologies to achieve efficiencies or other cost savings in their training programs; and
- (4) Any other issues the Comptroller General determines appropriate with respect to Army and Air Force training. The committee also directs the Comptroller General to provide a briefing to the House Committee on Armed Services by March 1, 2016, on the Comptroller General's preliminary findings.

Comptroller General Assessment of Plans to Rebuild Readiness:

For more than a decade the Department of Defense has maintained a high pace of operations, and supporting those operations has had a severe impact on the readiness of the overall force. Today, relatively few non-deployed forces could assemble quickly to perform their full mission should a large-scale crisis occur. In recent months, the service chiefs have begun to sound an increasingly shrill alarm about the impacts this pace has had on their units and the personnel in them. The service chiefs have raised questions about their ability to maintain the current pace and rebuild readiness, especially if budgets are reduced to sequestration levels. Steady-state combatant command demands are high and growing, with some key current demands going unmet. Looking forward, demands are not likely to recede, as forces are now needed to stabilize emerging crises in the Middle East and Eastern Europe. According to the service chiefs, it will be at least 5 to 8 years (2020 to 2023) before their respective services can rebuild acceptable overall readiness levels.

Amid declining budgets and force structure, the committee is growing increasingly concerned about the Department's ability to rebuild readiness while meeting the persistent demands of the combatant commands. To inform its oversight, the committee directs the Comptroller General of the United States to submit a report to the congressional defense committees by April 1, 2016, that provides a comprehensive, independent assessment of the Department of Defense's efforts to rebuild readiness. The reviews that support this assessment should consider historical readiness trends and focus on assessing the plans of the military services going forward including:

- (1) The force structure planned to meet strategic guidance;
- (2) The goals for rebuilding required readiness and the underlying assumptions and analysis behind those goals;

- (3) The departmental or military service efforts to set interim goals and assess progress toward those goals; and
- (4) The barriers, if any, facing the military services in reaching their readiness goals and plans to mitigate those barriers.

The review should consider how the Department and military services will identify and address key capability and capacity gaps across the Department for major combat units as well as low-density units and personnel who are in perennially high demand. In assessing the plans, the Comptroller General should also consider how the Department intends to balance the demands of the combatant commands in the future with the need to provide a more sustainable pace for service members.

Given the key role of the military services in rebuilding readiness, the Comptroller General should, at a minimum, provide reports that assess the plans of the Departments of the Army, Air Force, and Navy. The Comptroller General may, at his discretion and in consultation with the committee, provide additional reports that address recurrent themes across the Department, cross-cutting issues, or other issues deemed appropriate. The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services by February 15, 2016, on the Comptroller General's preliminary findings.

Civil Support Team Information Management System:

The committee is aware that the National Guard Bureau Weapons of Mass Destruction-Civil Support Teams (CST) currently field a system called 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. Given that other National Guard Bureau forces, such as the Chemical, Biological, Radiological, Nuclear, and High explosive Enhanced Response Force Package (CERFP) and Homeland Defense Response Force (HRF) units are in need of similar capabilities, and in order for these forces to effectively communicate and operate during large scale domestic events, the committee encourages the National Guard Bureau to expand CIMS to those CERFP and HRF forces.

Furthermore, the committee believes it is important that this CIMS capability increase interoperability and efficiently use prior investments to expand and enhance communication capability without creating unwarranted redundancy.

Therefore, the committee directs the Secretary of Defense to provide a report to the Committee on Armed Services of the House of Representatives by November 1, 2015, detailing what steps have been taken to date to expand CIMS to CERFP and HRF units, as well as what action is planned with regard to the expansion of CIMS to CERFP and HRF forces to include timeline, milestones, and a detailed description of any other influencing factors.

Comptroller General Review of Homeland Response Forces:

The National Guard has completed fielding 10 regionally aligned Homeland Response Forces to assist civil authorities in responding to disasters, including Chemical, Biological, Radiological, Nuclear, and Explosives (CBRNE) incidents. The Homeland Response Forces are also meant to serve as a bridge between initial National Guard response to an incident and the arrival of assistance from Federal military forces. Each Homeland Response Force is designed to provide life-saving, command and control, and security capabilities and is expected to plan, train, and exercise within its designated region with the goal of establishing links between local, State, and Federal authorities. Previous Government Accountability Office work identified personnel, training, equipment, and command and control challenges with related National Guard response forces that could materially affect the preparedness or operational effectiveness of the Homeland Response Forces. The committee directs the Comptroller General of the United States to assess the preparedness of the Homeland Response Forces to accomplish their mission. The Comptroller

General should provide a briefing on preliminary results of the assessment to the House Committee on Armed Services by March 1, 2016.

The assessment should address the following:

- (1) The current state of readiness of each Homeland Response Force with respect to personnel, training, and equipment on hand, and their capability to respond to CBRNE events.
- (2) The extent to which the Department of Defense has integrated the Homeland Response Forces operationally with other Federal and State-level response forces, including the National Guard's Civil Support Teams and CBRNE Enhanced Response Force Packages, and the Defense CBRNE Force.
- (3) Any related matters the Comptroller General finds appropriate. The committee further directs the Comptroller General to provide the Comptroller General's final results to the House Committee on Armed Services at a subsequent date and format to be agreed upon at the time of briefing.

Cyber Support to Civil Authorities:

The committee recognizes that the danger of disruptive and destructive cyber attacks is growing and that the U.S. military and civilian cyber infrastructure is being targeted by malicious government, criminal, and individual actors who try to avoid attribution. Although the Department of Defense generally does not resource support to civil authorities in response to a domestic cyber incident, the Department possesses an array of capabilities that may be requested when civilian response capabilities are overwhelmed or exhausted, or in instances where the Department offers unique capabilities not likely to be found elsewhere. For instance, the nexus with the authorities and responsibilities of the National Guard provides a valuable link between military capabilities and civilian State, local, tribal and Federal needs.

In 2012, the Government Accountability Office highlighted gaps in the Department of Defense's plans and guidance for assisting civil authorities in the event of a domestic cyber incident. The committee notes that the Department of Defense has worked in coordination with the Department of Homeland Security and the Department of Justice to agree upon shared roles and responsibilities for Federal cyber security. The committee also notes that among the challenges the Department of Defense continues to face are determining the scope of the potential cyber support it may be requested to provide, and the appropriate mixture and involvement of Active and Reserve Component military cyber forces to meet anticipated defense cyber civil support needs. In testimony before the Subcommittee on Emerging Threats and Capabilities on March 4, 2015, the Commanding General of U.S. Army Cyber Command stated that "While title 10 authorities are clear, title 32 and State active duty require the application of varied State constitutional, legislative, and executive authorities and coordination with state Agencies and officials. While every State is different, there is merit in developing a common approach for authorities and capabilities to facilitate rapid and effective response in cyberspace."

Therefore, the committee directs the Comptroller General of the United States to assess the Department of Defense's plans and actions for providing support to civil authorities in the event of a domestic cyber incident, and to provide a report on the findings to the Committees on Armed Services of the Senate and the House of Representatives. The Comptroller General should provide a briefing on preliminary results to the House Committee on Armed Services by March 1, 2016, with the report to follow on a date agreed to at the time of briefing.

The assessment should address the following:

- (1) To what extent has the Department of Defense planned and identified its critical capabilities for responding to domestic cyber civil support incidents, including the use of Active and Reserve Component cyber capabilities and personnel for civil support?

(2) To what extent has the Department of Defense trained and exercised for domestic cyber civil support incidents and coordinated with the Department of Homeland Security and other relevant Federal agencies?

(3) To what extent has the Department of Defense or the Department of Homeland security developed a common approach for title 32 and State Active Duty forces that balances the differences in State approaches, authorities, and responsibilities?

Air National Guard Wildfire Assistance:

The committee notes that the U.S. Global Change Research Program has determined that the frequency of large wildfires and the length of the fire season have increased substantially in recent decades.

The committee acknowledges that the U.S. Geological Survey Federal Fire Occurrence Database indicates that the occurrences of catastrophic wildfires in the United States are more prevalent in the western half of the country. Air National Guard units flying C-130 aircraft equipped with Modular Airborne Firefighting System (MAFFS) have been an integral part of wildfire suppression, saving not only property but lives.

The committee acknowledges that as catastrophic wildfires continue to grow in severity, it is important to provide the assistance of our Air National Guard. The committee believes that MAFFS should be located in positions that maximize the effectiveness of MAFFS units consistent with the highest probability of risk for the United States.

Therefore, the committee directs the Secretary of the Air Force to prepare a brief to the House Committee on Armed Services by September 1, 2015 that assess the locations of C-130 MAFFS units. Such a briefing should provide a listing of the 40 current United States Air Force units, their utilization rates, and a future force allocation determination that most efficiently utilizes the MAFFS units. This briefing shall specifically assess opportunities to expand coverage of MAFFS units in the western United States.

Tracking for Non-Disability Mental Conditions:

The committee is encouraged by the progress the Department of Defense (DOD) has made in accounting for non-disability mental conditions but is still concerned that these conditions are not properly documented as a service member transitions from service. The committee believes that the Department of Defense needs to improve the identification of service members separated for non-disability mental conditions, and to provide reasonable assurance that service members, including Reserve Component members, separated for non-disability mental conditions are separated appropriately and in accordance with standard DOD 222 procedures and documentation requirements.

Therefore, the committee directs that the Secretary of Defense shall:

(1) Develop methods to uniformly track separations due to non-disability mental conditions in an easily retrievable manner and conduct a comprehensive review of separation program designator codes, as well as any information shown on the Department of Defense Form 214.

(2) Take steps to ensure there is an appropriately staffed process to identify administratively separated enlisted National Guard members who are unable to function effectively in the National Guard because of a non-disability mental condition.

(3) Direct the military services to update their administrative separation policies to be consistent with DOD regulations for those service members separated for all non-disability mental conditions.

(4) Ensure the military services implement processes to oversee separations for non-disability mental conditions, such as reinstating the requirement of annual compliance reporting of a sample of administrative separations, using current DOD policy requirements as review criteria for service members of all military services and their Reserve Components.

(5) Ensure that the military services planned oversight of separations for non-disability mental conditions is implemented and incorporates Reserve and National Guard members separated for such conditions, or that the services implement other processes to oversee such administrative separations using current DOD policy requirements as review criteria for all service members, including Reserve and National Guard members.

(6) Direct the Under Secretary of Defense for Personnel and Readiness to review any processes used by the military services to oversee such administrative separations to ensure compliance with DOD policy requirements.

MH-60R and MH-60S service life extension plans:

The budget request contained \$995.2 million for procurement of MH-60S and MH-60R helicopters. 33 The committee notes that production of new MH-60S helicopters will end in fiscal year 2015 and that production of new MH-60R helicopters will end in fiscal year 2018. The committee also notes that the long timeline for the future vertical lift program will likely require a service life extension program (SLEP) for the MH- 60S and MH-60R fleets in order to keep the required number of aircraft in service.

Therefore, the committee directs the Secretary of the Navy to provide a briefing to the House Committee on Armed Services by March 1, 2016, that includes a detailed layout of the timeline and funding for a potential SLEP program that maintains enough aircraft to meet requirements through fiscal year 2030 or beyond for the MH-60S and MH-60R helicopter fleets. The committee recommends \$995.2 million, the full amount requested, for the MH-60S and MH-60R helicopters.

Bradley Fighting Vehicles:

The committee is aware that the US Army is working to standardize its fleet of Bradley Fighting Vehicles to two digital configurations; the M2A3 and the M2A2 ODS-SA. The committee understands that the majority of Active Duty and National Guard units are equipped with the most advanced versions of these vehicles that include digitized fire control and communications systems.

The committee is aware that two units in particular, the 11th Armored Cavalry Regiment and the Nevada National Guard, as well as several other active duty Brigade Engineer Battalions are equipped with the least modernized M2A2-0DS variant. The committee acknowledges that the Bradley Family of Vehicles, to include the M2A2 ODS, M2A2 ODS-SA, and M2A3, share the same materiel engineering and construction with no differences in protection or survivability and that all three variants are deployable for combat.

The committee is concerned that soldiers in the units M2A2 ODS versions lack the technical proficiency necessary to operate the advanced Bradley vehicles utilized in combat operations. The committee is concerned that this could degrade combat effectiveness and pose additional risk to units who deploy with the older Bradley variant. The committee understands that the Army provides new equipment training for units scheduled to fall-in on equipment with unfamiliar capabilities upon deployment to combat theaters of operation. The committee also understands that the Army maintains a program of record for remanufacturing M2A2- 0DS Bradley's that ceased production in 2014 and notes that the budget request did not include funding to modernize these remaining vehicles.

As such, the committee directs the Secretary of the Army to brief the House Armed Services Committee not later than February 15, 2016 on what resources would be required to maintain the readiness and technical proficiency of these units as well as current and long terms plans for modernizing the remaining vehicles.

M1 Abrams Tank Fleet Configuration:

The committee notes that the M1A2 System Enhancement Program (SEP) v2 Abrams tank is the Army's premier ground combat system and has demonstrated its value on the battlefields of Iraq. Its built-in test system ensures that diagnosis and repair are fast and efficient, improving combat availability and saving operational costs. Improved digital displays provide tank commanders and crews with a better understanding of their tank's operational status and their situation on the battlefield.

However, despite the capabilities of the M1A2 SEP v2, the committee is aware that the Army maintains two configurations of Abrams tanks, and believes that this dual configuration is inefficient and increasingly expensive. The committee further notes that all Armor Brigade Combat Teams (ABCT) in the active component are equipped with M1A2 SEP v2 tanks, but that only two out of seven ABCTs in the National Guard are equipped with new M1A2 SEP v2 tanks. The other five ABCTs in the National Guard, and the three separate Combined Arms Battalions, are equipped with less-capable M1A1 Situational Awareness (SA) tanks. Finally, the committee also notes that the Army intends to begin fielding a new version of the M1 Abrams tank, the M1A2 SEP v3, in 2018. The committee understands that this tank will be an incremental improvement from the M1A2 SEP v2 and retain significant commonality.

The committee believes that the Army should take advantage of upcoming changes to its ABCT force structure to achieve a pure fleet of M1A2 SEP v2 tanks across both the active duty Army and Army National Guard. The committee believes that maintaining only one type of tank in the Army will reduce support and training costs, allow better integration the Army National Guard, and provide a more capable overall tank fleet for the Army. The committee directs the Secretary of the Army to provide a briefing to the House Armed Services Committee, not later than January 30, 2016, on the potential force structure changes and production programs necessary to achieve a pure fleet of M1 Abrams tanks across the Army.

Senate Report Language (114-49):

Limitation on Retirement of Air Force Fighter Aircraft:

The committee recommends a provision that would amend section 8062 of title 10, United States Code, by adding a new subsection requiring the Secretary of the Air Force to maintain a minimum total active inventory of 1,950 fighter aircraft, within which the Secretary must also maintain a minimum of 1,116 fighter aircraft as primary mission aircraft inventory (combat-coded).

The provision would also provide additional limitations on fighter retirements by requiring the Secretary of the Air Force to certify to the defense committees that: (1) the retirement of such fighter aircraft will not increase the operational risk of meeting the National Defense Strategy; and (2) the retirement of such aircraft will not reduce the total fighter force structure below 1,950 fighter aircraft or primary mission aircraft inventory below 1,116 and would require a report.

Lastly, the provision would also require a report at least 90 days prior to the date on which a fighter aircraft is retired.

Prohibition on Retirement of A-10 Aircraft:

The committee recommends a provision that would prohibit the use of any funds during fiscal year 2016 to retire, prepare to retire, or place in storage any A-10 aircraft. The provision would also require the Secretary of the Air Force to maintain a minimum of 171 A-10 aircraft in primary mission aircraft inventory (combat-coded) status. The committee directs the Secretary of the Air Force to commission an independent entity outside the Department of Defense to conduct an assessment of the required capabilities and mission platform to replace the A-10 aircraft. The committee expects the Air Force to execute the fiscal year program in accordance with the spirit of this provision.

The committee believes that the Air Force is proposing the retirement of the A-10 fleet purely on the basis of the fiscal environment and not on grounds of the ability of the combat air forces to effectively meet the requirements of the combatant commanders and defense strategy. Specifically, the Secretary of the Air Force should ensure that the Air Force does not close or consolidate A-10 units, make changes to standard sustainment processes, or reduce A-10 pilot training or A-10 flying hours disproportionately to reductions applied to pilots or flying hours for other Air Force aircraft.

The Air Force is encouraged to find the billets necessary to fill A-10 and F-35 manpower authorizations from within the 2,200 billets reduced from its management headquarters and its 6,000 billet increase request authorized in title IV of this Act.

Limitation on Transfer of C-130 Aircraft:

The committee recommends a provision that would place a limitation on all of the funds authorized or appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force that may be obligated or expended to transfer from one facility of the Department of Defense to another any C-130H aircraft, initiate any C-130 manpower authorization adjustments, retire or prepare to retire any C-130H aircraft, or close any C-130H unit until 90 days after the date on which the Secretary of the Air Force, , certifies to the committees on Armed Services of the Senate and of the House of Representatives that: (1) the United States Air Force will maintain dedicated C-130 wings to support the daily training and contingency at manning levels required to support and operate the number of aircraft that existed as part of the regular and reserve Air Force operations in support of such units as of September 30, 2014; and (2) failure to maintain such Air Force operations will not adversely impact the daily training requirement of those airborne and special operations units.

Restriction on retirement of the Joint Surveillance Target Attack Radar System (JSTARS), EC-130H Compass Call, and Airborne Early Warning and Control (AWACS) aircraft:

The committee recommends a provision that would restrict the Secretary of the Air Force from retiring any Joint Surveillance Target Attack Radar System (JSTARS), EC-130H Compass Call, and Airborne Early Warning and Control System (AWACS) aircraft until the follow-on replacement aircraft program enters low-rate initial production.

Sense of Congress on F-16 Active Electronically Scanned Array (AESA) radar upgrade:

The committee recommends a provision that would express the sense of the Congress on F-16 Active Electronically Scanned Array (AESA) radar upgrades.

MQ-9:

The budget request included \$553.0 million in Aircraft Procurement, Air Force (APAF), for 29 MQ-9 aircraft. The committee recommends an increase of \$480.0 million in APAF for 24 additional MQ-9 aircraft and initial spares to support increased combatant commander requirements for medium altitude intelligence, surveillance, and reconnaissance support. Additional funding was included on the Chief of Staff of the Air Force's unfunded priorities list.

The committee also recommends under title V in this Act a provision that would direct the Secretary of the Air Force to submit a report on actions the Air Force will take to rectify persistent remotely piloted aircraft career field manning shortfalls. The committee expects the Air Force to take required actions to correct these shortfalls to facilitate these additional aircraft to fulfill combatant commander requirements.

F–15 Capability Upgrades:

The budget request included \$464.4 million in Aircraft Procurement, Air Force (APAF), for F–15 fighter aircraft modifications. The F–15 series of fighter aircraft will be operated through the 2030 decade, and must have capability upgrades to increase its operational effectiveness against advanced threats and operate in increasingly contested environments, and training aircraft modified to mirror combat configurations for the most effective aircrew training.

Additional funding was included in the Chief of Staff of the Air Force’s unfunded priorities list.

Therefore, the committee recommends an increase of \$11.6 million for the Eagle Passive/Active Warning Survivability System (EPAWSS), an increase of \$48.0 million for six F–15C advanced electronically scanned array (AESA) radar upgrades, an increase of \$192.5 million for 24 F–15D AESA radar upgrades, and an increase of \$10.0 million for Advanced Display/Core Processor II (ADCP II) upgrades to support AESA upgrades. The total recommended increase for APAF is \$262.1 million.

C–130H Propulsion System Enhancements:

The budget request included \$7.0 million in Aircraft Procurement, Air Force (APAF), for C–130 modifications. The Air National Guard and Air Force Reserve will operate C–130H aircraft for the next two decades. Enhancements to the C–130H propulsion system will provide increased performance, improved fuel efficiency, and greater reliability. Therefore, the committee recommends increases of \$33.2 million for T–56 3.5 Engine Modifications, \$1.5 million for In-flight Propeller Balancing System certification, and \$13.5 million for Electronic Propeller Control System for a total increase in APAF of \$48.2 million.

C–130H Avionics Modernization Program:

The budget request included no funding in Aircraft Procurement, Air Force (APAF), for the C–130H Avionics Modernization Program (AMP). The committee believes the term “‘avionics modernization program of record for C–130 aircraft” in section 134 of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) includes C–130H safety modifications and airspace compliance modifications that will be required to operate in both Federal Aviation Administration-controlled airspace and International Civil Aviation Organization-controlled airspace after January 1, 2020.

The current Air Force plan includes making those airspace compliance modifications within the C–130H Avionics Modernization Program (AMP) effort. However, as the Air Force plan for making airspace compliance modifications (AMP Increment 1) would not achieve airspace compliance for the entire C–130H aircraft fleet until well after that deadline, the committee expects the Air Force to accelerate the AMP Increment I schedule as rapidly as possible.

Additionally, the committee also expects the Air Force to accelerate the effort for AMP increment 2 modifications, using previously purchased components and leveraging research and development efforts to the maximum extent practical. The committee expects the Air Force to comply with the spirit and intent of section 134 of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) for executing the C–130H AMP program of record.

The committee understands that the Air Force is restructuring the AMP program of record, but also recognizes that it has no completed design, cost estimates, or schedule plan on how it will execute AMP Increment 2. The committee expects the Air Force to continue to execute AMP and field C-130H aircraft previously upgraded by the AMP program until the Air Force provides a concrete plan that describes the final modification configuration for AMP Increment 2, a service cost position, and a procurement and installation schedule that would realistically support a fleet viability requirement. Therefore, the committee recommends an increase of \$75.0 million in APAF for C-130H AMP aircraft modifications.

Army UH-60A to UH-60L conversions for the National Guard:

The committee is aware that the UH-60 Black Hawk helicopter is one of the most versatile and heavily used aviation capabilities in the Army National Guard, as well as by all the states in which they serve. The UH-60A is the oldest model Black Hawk in service and currently flown almost exclusively by the Army National Guard. Although old, these A-model Black Hawks continue to provide a reliable and critically important medium-lift capability to the National Guard in support of its state role in homeland defense and support for civil authorities in response to emergencies. While the Army National Guard currently uses UH-60A Black Hawk helicopters for the range of state and domestic requirements for medium-lift, the lack of modern on-board capabilities means these helicopters are not ordinarily available for deployment overseas into hostile environments without significant upgrades to their current configuration.

The committee notes that based on the Army's current budget projections Army National Guard units will not replace their aging UH-60A Black Hawk helicopters until the end of fiscal year 2025. To sustain the readiness and increase the availability of the Army National Guard's UH-60 fleet, and close the A-model capability gap, the committee encourages the Army to review the feasibility of accelerating the replacement of all UH-60A aircraft through the production of new UH-60M helicopters, the UH-60V upgrade program, and the conversion of A-model Black Hawks to UH-60L model aircraft.

Comptroller General of the United States review of the implementation of recommendations from the National Commission on the Structure of the Air Force:

The committee is concerned that although the Air Force was required by the statute to provide discernible milestones for review of the recommendations or preliminary implementation plans, none were included in the initial report required by Section 1055 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291). Additionally, several of the Commission's recommendations concerned the force mix ratio between the active and reserve components, which the Air Force elected to review through its High Velocity Analysis process. None of the analysis from this process was included in the report.

Additionally, the law required the Secretary of the Air Force to submit to the congressional defense committees an assessment of the costs and benefits of the proposed transfer from one facility of the Department of Defense to another of C-130H or C-130J aircraft. The committee received this report in April 2015.

The committee is concerned that while the Air Force stated it would provide a review of the force mix balance between the active and reserve components through its High Velocity Analysis process, , no reference to observations, conclusions, or recommendations are found in the C-130 force structure report. In addition, the report also contains no range or weighting of criteria, similar to the Air Force's strategic basing process that would determine the operational effectiveness of stationing C-130 units at one location over another.

The committee directs the Comptroller General of the United States to review the Air Force's methodology and effectiveness in its effort to plan for and implement the National Commission recommendations. The review should include, at a minimum, assessments of:

- (1) the Air Force's plans for review and implementation of the Commission's recommendations;
- (2) the sufficiency of the Air Force's High Velocity Analysis process to provide decision level information to senior Air Force leaders on appropriate force mix balance between the components;
- (3) the applicability and appropriateness of the models used in the High Velocity Analysis process;
- (4) the decision process used following data collection and analysis; and
- (5) any other matters the Comptroller General determines are appropriate during the review.

The Comptroller General shall submit a preliminary review to the congressional defense committees not later than August 31, 2015, and a final report to follow on February 1, 2016.

KC-46 aerial refueling tanker aircraft program:

The budget request included \$602.4 million in PE 65221F for KC-46A tanker development and \$2.4 billion in Aircraft Procurement, Air Force (APAF) for 12 KC-46A tanker aircraft. The KC-46 tanker aircraft is being developed and procured to replace the aging Department of the Air Force KC-135 aerial refueling tanker fleets.

The committee continues its long-standing support of the KC-46A tanker aircraft program, and believes that the KC-46A tanker aircraft is necessary to meet current and future warfighter requirements for aerial refueling and airlift.

The committee understands that the reduction of funds in fiscal year 2016 will not impact the program delivery schedule of the KC-46A tanker aircraft. Therefore, the committee recommends a decrease of \$200.0 million in PE 65221F and \$24.0 million in APAF due to availability of unobligated prior year funds.

Modification of requirements for transferring aircraft within the Air Force inventory:

The committee recommends a provision to ease administrative burdens and facilitate non-contentious transfers of aircraft from the Air Reserve Components (ARC) to the regular component of the Air Force (RegAF).

The provision would remove uncontentious, routine transfers, and short-term transfers from Section 345 reporting requirements. The provision also would exempt transfers that terminate the reserve component's interest in the aircraft (due to aircraft retirement or mission transfer) when that transfer has been the subject of prior notification to the defense committees.

The provision would not create an oversight vacuum or allow aircraft transfers to occur without coordination and agreement. The Air Force would still be required to comply with Department of Defense Instruction 1225.06, Equipping the Reserve Forces, May 16, 2012, Enclosure 3, which requires coordination, approval, and a written agreement signed by a general officer or civilian equivalent for equipment transfers, including aircraft.

Limitation on use of funds for Department of Defense sponsorships, advertising, or marketing associated with sports-related organizations or sporting events:

The committee recommends a provision that would prohibit the Department of Defense (DOD) from using appropriated funds to procure sponsorships, advertising, or marketing associated with sports-related organizations or sporting events until the Director, Accessions Policy within the Office of the Under Secretary of Defense for Personnel and Readiness conducts a review of current departmental activities in

this area, including those by the active duty, reserve, and guard components to ensure that such activities enable the DOD to achieve recruiting goals and provide an appropriate return on investment. The committee is aware that for fiscal year 2016, DOD has requested \$507.5 million to fund its advertising activities.

While the committee recognizes that sports marketing and advertising activities can help DOD achieve its recruiting and retention goals, the committee is also concerned that in a period of declining budgets, the Department may not be ensuring that it is maximizing its return on investment of sports marketing and advertising funds. In particular, the committee is concerned with the Department's continued use of funds for sports-related sponsorships, advertising and marketing. The committee notes that DOD components do not appear to be utilizing specific metrics, such as leads generated that lead to recruit accessions, in a uniform and consistent way to measure the return on investment associated with these activities. The committee further notes that the approach to managing contracts used to procure these activities differs across DOD components, and in the case of the Army National Guard, is highly decentralized and managed at the individual state level. The committee is concerned that such differences and decentralization hinder the ability to apply best practices, minimize potential duplication, and ensure that appropriate oversight into these activities occurs.

Accordingly, the committee directs the Comptroller General of the United States to assess DOD sponsorship, sports marketing and advertising activities, including the active duty, and reserve, and guard components. The assessment shall include, but not be limited to: (1) Whether DOD marketing and advertising activities are achieving their stated goals; (2) How DOD determines whether its marketing and advertising activities are effective and providing an appropriate return on investment; (3) The extent to which the effectiveness of DOD marketing and advertising activities are consistent with best commercial practices; (4) DOD actions to reduce unnecessary redundancies in its marketing and advertising activities; and (5) an assessment of the activities required under section (a)(1) and (a)(2) in this provision.

The committee directs the Comptroller General to deliver a report to the Committees on Armed Services of the Senate and the House of Representatives no later than March 1, 2016.

Army and Air National Guard Operation Phalanx increase:

The budget request included \$6.7 billion in Operation and Maintenance, Army National Guard (OMARNG), of which \$88.7 million was for SAG 114 Theater Level Assets and \$943.6 million was for SAG 116 Aviation Assets. The budget request also included \$6.9 billion in Operation and Maintenance, Air National Guard (OMANG), of which \$740.7 million was for SAG 11G Mission Support Operations.

The committee remains concerned that the southern border of the United States remains insecure. The committee notes that the Army National Guard has been providing support to the Department of Homeland Security along the southwest border under a program entitled Operation Phalanx since 2010. Since its inception, Operation Phalanx has consisted of ground-based Entry Identification Teams, criminal analyst support, and aerial surveillance support to civil authorities along the southwest border. According to the Army National Guard, since Operation Phalanx began in July of 2010, operations have contributed to the apprehension of over 122,000 individuals and the seizure of over 377,000 pounds of marijuana. Accordingly, the committee recommends the following increases in OMARNG: \$7.7 million for SAG 114 Theater Level Assets, and \$13.0 million for SAG 116 Aviation Assets. Additionally, the committee recommends an increase of \$2.6 million in OMANG for SAG 11G Mission Support Operations.

Army National Guard portrait cuts:

The budget request included \$6.7 billion in Operation and Maintenance, Army National Guard (OMARNG), of which \$59.6 million was for SAG 431 Administration.

The committee understands that a portion of the requested increase is for the Chief National Guard Bureau (CNBG) Heritage Paintings, which the CNBG commissions each year. The committee also understands that this increase would be to pay for a backlog of four other paintings at a cost of \$62,500 thousand per painting, which includes personnel and framing associated costs. The committee believes these funds should be realigned to support higher priority readiness requirements. Accordingly, the committee recommends a decrease of \$250,000 in OMARNG for SAG 431 Administration.

Army National Guard marketing program reduction:

The budget request included \$283.6 million in Other Personnel Support within Operation and Maintenance, Army National Guard (OMARNG), of which \$283.0 million was for SAG 434 Other Personnel Support.

The committee understands that \$11.5 million is an increase to the Army Marketing Program. The committee believes that these funds should be realigned to support higher priority readiness requirements. Accordingly, the committee recommends a decrease of \$11.5 million for SAG 434 Other Personnel Support.

Army National Guard readiness funding increase:

The budget request included \$6.7 billion in Operation and Maintenance, Army National Guard (OMARNG), of which \$166.8 million was for \$943.6 million in SAG 116 Aviation Assets and SAG 123 Land Forces Depot Maintenance. The committee understands that the Army National Guard has identified specific amounts in these readiness accounts that could accelerate readiness recovery while also increasing both actual and simulated flying hour programs increasing aviator readiness.

Accordingly, the committee recommends the following increases in OMARNG: \$39.6 million in Aviation Assets and \$22.5 million for SAG 123 Land Forces Depot Maintenance.

Defense-wide funding decrease for base realignment and closure planning and support:

The budget request included \$32.4 billion for Operation and Maintenance, Defense-wide (OMDW), of which \$1.3 billion was for SAG 4GTN Office of the Secretary of Defense. The committee understands that \$10.5 million was to be used for base realignment and closure (BRAC) planning and support. The bill recommended by the committee would prohibit the expenditure of funds for a new BRAC round. Accordingly, the committee recommends a decrease of \$10.5 million in OMDW for SAG 4GTN Office of the Secretary of Defense.

End strengths for reserves on active duty in support of the reserves:

The provision also expresses the sense of Senate that the National Guard Bureau should account for States that routinely recruit and retain members of the National Guard in excess of State authorizations when allocating fulltime duty personnel. The committee further recommends that the Chief of the National Guard Bureau shall take into account the actual number of members of the Army National Guard of the United States serving in each State as of September 20 each year when allocating full-time duty personnel in the Army National Guard of the United States.

Chief of the National Guard Bureau authority in increase certain end strengths applicable to the Army National Guard:

The committee recommends a provision that would provide the Chief of the National Guard Bureau with the authority to increase the fiscal year 2016 end strength of the Selected Reserve personnel of the Army National Guard as specified in section 411(a)(1) by up to 3,000 members, the end strength of the Reserves serving on fulltime duty for the Army National Guard as specified in section 412(1) by 615 Reserves, and military technicians (dual status) for the Army National Guard as specified in section 413(1) by 1,111.

The provision contains a limitation stating that the Chief of the National Guard Bureau may only increase an end strength using the authority contained in this section if such increase is paid for entirely out of the readiness funds appropriated for fiscal year 2016 for Operation and Maintenance, Army National Guard.

Authority to designate certain Reserve officers as not to be considered for selection for promotion:

The committee recommends a provision that would modify section 14301 of title 10, United States Code, to authorize the secretaries of the military departments to defer promotion consideration for reserve component officers in a non-participatory (membership points only) status. Currently, section 14301 of title 10, United States Code, requires servicemembers identified on the Reserve Active Status List to be considered for promotion to the next higher grade. This includes certain categories of reservists on the Reserve Active Status List who, by Department of Defense guidance, are in the Individual Ready Reserve and the Standby Reserve and who remain eligible for promotion consideration, but are not actively participating in Reserve duty because they are in a status in which they are receiving membership only points for Reserve credit.

Under current law, some individuals assigned to the Individual Ready Reserve may be discharged from the reserve component upon their second deferral for promotion because they are considered to have twice failed for promotion. This provision would provide the reserve component flexibility to remove individuals from promotion consideration during a period when they are least competitive for promotion, and would allow the services to retain servicemembers with significant military training as well as civilian technical and professional skills that could contribute to their desirability for selection to be promoted should the individual elect to return to military service.

Authority for certain Air Force reserve component personnel to provide training and instruction regarding pilot instructor training:

The committee recommends a provision that would authorize the Secretary of the Air Force to utilize, during fiscal year 2016, up to 50 Active, Guard, and Reserve (AGR) members and dual status military technicians to provide training and instruction to active duty and foreign military personnel in excess of what is currently authorized by the AGR and military technician statutes. The provision would also require the Secretary, by no later than 180 days after the date of enactment of this Act, to provide the Committees on Armed Services of the Senate and House of Representatives a report setting forth a plan to eliminate pilot instructor shortages within the Air Force using authorities available to the Secretary under current law.

Establishment of Office of Complex Investigations within the National Guard Bureau:

The committee recommends a provision that would add a new section to Chapter 1101 of title 10, United States Code, that would establish an Office of Complex Investigations within the National Guard Bureau (NGB), with authority to assist the States in administrative investigations of sexual assault involving members of the National Guard, and circumstances involving members of the Guard where States have limited jurisdiction or authority and such other circumstances as the Chief of the NGB directs. It also allows individual investigators established under this provision to request information from any Federal, State or local government.

Comptroller General of the United States reports on prevention and response to sexual assault by the Army National Guard and the Army Reserve:

The committee recommends a provision that would require the Comptroller General of the United States to submit a report of the extent to which the Army National Guard and Army Reserve have in place policies and programs to prevent and respond to incidents of sexual assault involving members of the Army National Guard and Army Reserve, and provide medical and mental health services to members of the Army National Guard and Army Reserve following a sexual assault, and to identify whether service in

the Army National Guard or Army Reserve pose challenges to the prevention of or response to sexual assault. The Comptroller General will provide the initial report Congress not later than April 1, 2016.

Improvement of financial literacy and preparedness of members of the Armed Forces:

The committee recommends a provision that would require servicemember financial literacy training upon arrival at the first duty station and upon arrival at each subsequent duty station for servicemembers below the pay grade of E-5 in the case of enlisted personnel and below the pay grade of O-4 in the case of officers. The provision would further require financial literacy training for each servicemember at various career and life milestones. The provision would also direct the Department of Defense to include a financial literacy and preparedness survey in the status of forces survey. This provision was recommended by the Military Compensation and Retirement Modernization Commission.

Financial literacy training with respect to certain financial services for members of the uniformed services:

The committee recommends a provision that would direct the Secretary concerned to provide financial literacy training to members of the uniformed services under the jurisdiction of such Secretary commencing not later than 6 months after the date of the enactment of this Act. The provision is based on the final report of the Military Compensation and Retirement Modernization Commission.

Sense of Congress on financial literacy and preparedness of members of the Armed Forces:

The committee recommends a provision that would express the sense of the Congress that the Secretary of Defense should work with other departments, agencies, and nonprofit organizations to improve financial literacy and preparedness with support from the Joint Chiefs of Staff and service secretaries.

Enhancements to Yellow Ribbon Reintegration Program:

The committee recommends a provision that would amend section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181) to enhance and improve the Yellow Ribbon Reintegration Program for National Guard and Reserve members and their families. The provision would provide flexibility to deliver events and activities through alternate methods, and would eliminate redundancy by reducing the number of required events and activities to a minimum of four during a servicemember's deployment cycle. The provision would continue strong support for suicide prevention efforts and outreach programs led by the states.

Increase in number of days of Active Duty required to be performed by reserve component members for duty to be considered federal service for purposes of unemployment compensation for ex-servicemembers:

The committee recommends a provision that would increase from 90 to 180 days the number of continuous days of Active Duty required to be performed by reserve component members for that duty to be considered satisfactory federal service for purposes of unemployment compensation for ex-servicemembers.

Cyber security training, testing and certification:

The committee continues to encourage the Department of Defense (DOD) to enhance its ongoing efforts related to providing certifications to personnel pursuant to Department of Defense Directive (DODD) 8570.01. While DODD 8570.01 is highly effective, this program is limited to coverage to only DOD personnel with information assurance (IA) job responsibilities. The committee believes in addition to these IA functions, technical support and network infrastructure oversight remain critical areas for network defense. Ensuring these positions receive training, testing, and industry-recognized certification would enhance the security of DOD networks and ensure members of the Armed Forces receive the same credentials recognized in the civilian workforce. By instituting testing after training, DOD can ensure that

cyber security and IT skills are retained. Therefore, the committee urges DOD to include them in DODD 8570.01 and any successor directives.

National Guard and Reserve headquarters:

The committee notes that the reserve component, both the National Guard and Reserves, are key components of the Department of Defense's (DOD) organizational structure and strategic capability. Reserve components comprise approximately 50 percent of the Army's total end strength, while reserve components comprise about 30 percent of the Air Force's total end strength. The committee notes that the Government Accountability Office (GAO) found in 2013 that amid the DOD's efforts to trim budgets by finding efficiencies and reducing overhead, some reserve component headquarters have grown. In its report, the GAO found the processes intended to efficiently size and oversee reserve component headquarters have not been consistently applied. The committee is interested in determining whether DOD has taken steps to eliminate overlapping, fragmented, or duplicative functions within the National Guard and Reserve headquarters could lead to greater efficiencies and cost reductions within the reserve components.

Accordingly, the committee directs the Comptroller General of the United States to evaluate the extent to which the National Guard and Reserves have taken steps to eliminate or consolidate overlapping, fragmented, or duplicative functions, and whether the National Guard reviewed its Joint Force Headquarters for greater efficiencies by consolidating roles that are filled by both Army and Air National Guard members. The committee directs the Comptroller General to submit a report to the Committees on Armed Services of the Senate and the House of Representatives no later than March 15, 2016.

Thrift Savings Plan participation for members of the uniformed services:

The committee recommends a series of provisions that would implement recommendations of the Military Compensation and Retirement Modernization Commission concerning reform and modernization of the military retirement benefit for new entrants into service. This provision would provide a government-matching Thrift Savings Plan (TSP) element for those who would enter uniformed service on or after January 1, 2018, or a member serving before that date who makes a voluntary election to opt-in to the new plan. The TSP element would provide a 1 percent automatic agency contribution to all uniformed service members who would reach 60 days of service and continue until they would reach their second year of service. Once a servicemember passes the 2 years of service point, that member's TSP account would vest and the Secretary concerned would begin matching TSP contributions up to 5 percent of that servicemember's base pay at 2 years and 1 day of service. Uniformed service members would be automatically enrolled at 3 percent matching contributions with the option to raise or lower their contribution level. TSP government-funded matching contributions would continue until a uniformed service member reaches 20 years of service.

The committee notes that all uniformed service members who would enter and serve prior to the date of implementation of the modernized retirement system would be grandfathered into the old retirement system.

Modernized retirement system for members of the uniformed services:

The committee recommends a provision that would establish a new military retirement defined benefit that, when combined with the government-matching Thrift Savings Plan, as described elsewhere in this Act, would comprise a new hybrid retirement system. This new system would apply to new entrants after January 1, 2018, and to those already serving members who choose to opt-in to the new system. The new defined benefit would continue to apply only to those members who reach 20 years of service, with a multiplier rate of 2.0 times years of service rather than the current rate of 2.5 times years of service.

Lump sum payments of certain retired pay:

The committee recommends a provision that would allow the voluntary election of lump sum payments of retired pay for those serving 20 or more years of service. Members who elect to take the lump sum may choose to take 100 percent or 50 percent of the discounted present value of their defined retirement benefit that would be due to them prior to becoming fully eligible for Social Security.

The committee strongly urges the Secretaries concerned to coordinate with the Secretary of Veterans Affairs on counseling, or otherwise informing, new retirees on the impact this election may have on their eligibility for certain benefits administered by the Secretary of Veterans Affairs.

Continuation pay after 12 years of service for members of the uniformed services participating in the modernized retirement systems:

The committee recommends a provision that would direct the Secretary concerned to provide continuation pay to servicemembers, serving under the new military retirement system described above, who reach 12 years of service contingent upon such members agreeing to serve another 4 years of service.

A member receiving continuation pay may elect to take the continuation pay in a lump sum or in installments of not more than four payments. A member who receives continuation pay and fails to complete the obligated service requirement shall be subject to repayment. The rate for active duty continuation pay would be 2.5 times a member's monthly basic pay with the Secretary concerned having discretionary authority to increase that amount to up to 13 times monthly basic pay for retention and force shaping purposes. The rate for members of the reserve components would be 0.5 times a reserve member's monthly basic pay with the Secretary concerned having discretionary authority to increase that amount to up to 6 months of monthly basic pay as needed for retention and force shaping purposes. The committee notes that the secretaries concerned would manage continuation pay through their special and incentive pay accounts and should take into consideration any other incentive pay a member may be receiving with any concurrent service obligations owed.

Authority for retirement flexibility for members of the uniformed services:

The committee recommends a provision that would give the Secretary concerned the flexibility to modify the years of service required for non-disability retirement under the new military retirement system for particular occupational specialties or other groupings in order to facilitate force shaping or to correct manpower shortages within an occupational specialty. The Secretary concerned shall be required to provide notice to Congress 1 year in advance of making such a change.

Improvement of mental health care provided by health care providers of the Department of Defense:

The committee recommends a provision that would require the Secretary of Defense to ensure that all primary care and mental health care providers of the Department of Defense receive, or have already received, initial evidence based training on the recognition, assessment, and management of individuals at risk for suicide and any additional training that may be required based on evidence based changes in mental health practice. Within 1 year of the date of enactment of this Act, the Secretary would be required to provide a report to the Committees on Armed Services of the Senate and the House of Representatives that assesses the mental health workforce of the Department and the long-term mental health care needs of servicemembers and their dependents. The provision would also require the Secretary to develop procedures to measure mental health data relating to outcomes, variations in outcomes among military medical treatment facilities, and barriers to implementation of clinical practice guidelines and other evidence-based treatments by mental health providers of the Department of Defense.

Reform of the TRICARE program:

Congress established the Military Compensation and Retirement Modernization Commission in section 671 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to conduct a

review of the military compensation and retirement systems and to make recommendations to modernize those systems.

The Commission released its report in January 2015. The Commission's health care recommendations included a reform plan to improve access to care and expand beneficiaries' choices of health plans by allowing beneficiaries, other than Active-Duty servicemembers, to obtain health care coverage from a selection of military-unique commercial health insurance plans offered through a new DOD health benefit program administered by the Office of Personnel Management.

Following release of the Commission's report, the Personnel Subcommittee of the Committee on Armed Services of the Senate held a hearing to explore the health care recommendations in detail after which staff members met with various stakeholders to ensure full consideration of their views on the recommendations. Throughout those meetings, stakeholders encouraged the committee to take more time to study the healthcare recommendations before enacting comprehensive legislation to reform TRICARE. Although the committee believes that the Commission's healthcare recommendations may address lingering problems within the military health system, the committee feels it is prudent to take a very deliberate approach to enacting TRICARE reform legislation.

The committee must better understand the implications and unintended consequences of any plan to transform a large, complex health program like TRICARE. The committee has recommended provisions in this Act, however, that would ensure the Department of Defense improves access to care, delivers better health outcomes, enhances the experience of care for beneficiaries, and controls health care costs. These provisions help lay the foundation for comprehensive TRICARE modernization and reform legislation in the near future.

Extension of limitations on the transfer to the regular Army of AH-64 Apache helicopters assigned to the Army National Guard:

The committee recommends a provision that would strike "March 31, 2016" each place it appears and inserting "September 30, 2016" in Section 1712 of the Carl Levin National Defense Authorization Act for Fiscal Year 2015. The provision would also strike "fiscal year 2015" and insert "fiscal years 2015 and 2016."

Treatment of certain previously transferred Army National Guard helicopters as counting against number transferrable under exception to limitation on transfer of Army National Guard helicopters:

The committee recommends a provision that would require the Secretary of the Army not later than 90 days after the date of enactment of this Act to submit a report to the congressional defense committees the number of AH-64 Apaches that have been transferred from the Army National Guard (ARNG) to the original equipment manufacturer for remanufacture. The Secretary of the Army shall treat the number of helicopters specified in the report as counting against the total number of AH-64s that may be transferred from the ARNG to the regular Army pursuant to the Carl Levin National Defense Authorization Act for Fiscal Year 2015.

Management of Military Technicians:

The committee recommends a provision that would convert not less than 20 percent of the general administration, clerical, and office service occupation positions identified in the report of the Secretary of Defense under section 519 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 112-81; 125 Stat. 1397) from military technician (dual status) positions to positions filled by individuals who are employed under section 3103 of title 5, United States Code, by no later than January 1, 2017.

The committee also recommends the phased-in termination of military technicians (non-dual status) to begin on January 1, 2017. The committee directs the Secretary of Defense to submit by February 1, 2016, to the Committees on Armed Services of the Senate and the House of Representatives, and to the Comptroller General of the United States, a report setting forth the Department of Defense's plan for converting military technician (dual status) positions to positions filled by individuals who are employed under section 3103 of title 5, United States Code, to include: (1) An analysis of placing such individuals under the control and authority of the State Adjutants General; (2) an analysis of the employment rights that will now be granted to such individuals; (3) an analysis of any statutory change the Secretary believes is necessary to execute this provision; and (4) such other mechanisms for implementation that the Secretary shall recommend, as appropriate.

National Guard Counterdrug Program:

The committee notes that the Department of Defense (DOD) requests funding annually to support the National Guard Counterdrug Program (CDP). The committee believes that the CDP plays an important role in providing military-specific capabilities and expertise resident within the National Guard to support the counterdrug activities of federal, state, and local authorities.

The committee notes that budgetary pressures have led DOD to decrease the annual budget request for the CDP in recent years, which the committee understands may have caused some disruption or curtailment of CDP operations and activities. The committee encourages DOD to continue its support, to the extent practicable, for the CDP and to provide sufficient funding to ensure the effectiveness and sustainability of the program. The committee understands that the National Guard Bureau has expressed concerns about its ability to execute funding for the CDP in a timely manner. The committee encourages DOD to work with the National Guard Bureau to improve fiscal management and execution rates for the CDP and expects to receive periodic updates on the CDP, to include ongoing and planned CDP programs, budget execution rates, and lessons learned.

Redesignation, modification, and permanent extension of National Guard State Partnership Program:

The committee recommends a provision that would amend section 1205 of the National Defense Authorization Act for fiscal year 2014 (Public Law 114-66) to provide for the extension of the Department of Defense State Partnership Program and direct the Under Secretary of Defense (Comptroller) and Under Secretary of Defense (Policy) to conduct a advisability and feasibility study as to whether a central fund should be created to support the activities associated with the State Partnership Program.

Reserve component Cyber Protection Teams:

The committee has a strong interest in Department of Defense (DOD) plans for establishing Cyber Protection Teams (CPTs) in the reserve components to meet the needs of United States Cyber Command (CYBERCOM), and the states, in defending DOD networks and assisting the states in the event of serious cyber attacks. The committee notes that the Army and the Army reserve components intend to field 21 CPTs in fiscal years 2016-2018, one in active status, and 10 each in the Guard and Reserve. These CPTs are not currently planned to be included in the forces assigned to CYBERCOM. The Air Force intends to establish 12 CPTs in the Air National Guard, which will be manned to achieve the equivalent of 2 active CPTs dedicated to the Cyber Mission Forces (CMF) on behalf of the Air Force.

The committee commends the Department and the reserve components for planning for a robust number of CPTs, but has concerns about implementation. Specifically, training costs have not been budgeted yet, and the Department does not yet have a plan for sustaining the current training infrastructure after fiscal year 2016, when funding provided by the Office of the Secretary of Defense for the standup of the CMF ends. The Army Reserve included \$10.6 million in the budget request for training the 3 CPTs it plans to

establish in fiscal year 2016. However, the \$9.0 million required to train the 3 Army National Guard CPTs to be fielded in 2016 has not yet been allocated. Outyear funding to train the remaining 14 CPTs is not budgeted.

The committee directs the following actions. First, the committee directs the Army and Army National Guard to notify the congressional defense committees when a decision is made to allocate funding in fiscal year 2016 for training the CPTs. Second, the committee directs the Secretary of the Army, the Secretary of the Air Force, the Principal Cyber Advisor (PCA), the Commander of CYBERCOM, and the Chief of the National Guard Bureau to report to the congressional defense committees on how the basing and intended use of the reserve component CPTs reflects an appropriate balance between, on the one hand, the core mission of the reserve component's CPTs to provide surge capacity for CYBERCOM, and, on the other hand, the needs of the states, and the defense of the reserve components' networks. Third, the committee directs the PCA, the Service Secretaries, and the Commander of CYBERCOM to develop a plan for the Services to sustain the individual training capabilities that have been centrally funded and maintained since the CMF were first created.

The committee urges the Department to create a federated and joint training model and discourages having each service build separate training capabilities for its cyber contingent. The committee directs that the plan provide for a training capacity in fiscal years 2017 and 2018 that is adequate to complete all required training for the reserve component CPTs and the sustainment of the active CMF units. The plan should be available for briefing to the congressional defense committees when the President submits the budget request for fiscal year 2017.

Guard and Reserve Forces Facilities Summary:

The Department of Defense requested authorization of appropriations of \$517.3 million for military construction in fiscal year 2016 for facilities for the National Guard and reserve components. The committee recommends authorization of appropriations of \$636.8 million for military construction in fiscal year 2016 for facilities for the National Guard and reserve components. The detailed funding recommendations are contained in the state list table included in this report. The committee recognizes that in difficult budget times military construction funding is often deferred in favor of other priorities and notes the National Guard and Reserve forces have identified significant unfunded military construction priorities, including a tactical aerial unmanned systems hangar at Fort Stewart, Georgia; an equipment concentration point at Fort A.P. Hill, Virginia; an access control point at Fort Buchanan, Puerto Rico; an aviation classification and repair depot at Gulfport, Mississippi; a fire station security complex at Dobbins, Georgia; a space control facility at Cape Canaveral, Florida; an F-22 composite repair facility at Joint Base Pearl Harbor-Hickam, Hawaii; a building modification for the KC-46 fuselage trainer at Pease, New Hampshire; operations and deployment facilities at Bradley Air National Guard Base, Connecticut; and a vehicle maintenance shop at Camp Foley, Alabama.

The committee notes that these projects were identified as the top unfunded priorities of their respective service chiefs or the Chief of the National Guard Bureau. Funding for these projects has been added as outlined in the tables in this title and section 4601.

Project Authorizations and Authorizations of Appropriations Authorized Army National Guard construction and land acquisition projects:

The committee recommends a provision that would authorize military construction projects for the Army National Guard for fiscal year 2016. The authorized amounts are listed on an installation-by-installation basis.

Authorized Air National Guard construction and land acquisition projects:

The committee recommends a provision that would authorize military construction projects for the Air National Guard for fiscal year 2016. The authorized amounts are listed on an installation-by- installation basis.

Authorization of appropriations, National Guard and Reserve:

The committee recommends a provision that would authorize appropriations for the reserve component military construction projects authorized for construction for fiscal year 2016 in this Act. This provision would also provide an overall limit on the amount authorized for military construction projects for each of the reserve components of the military departments. The state list contained in this report is the binding list of the specific projects authorized at each location.

Change in authorities relating to scope of work variations for military construction projects:

The committee recommends a provision that would amend section 2853 of title 10, United States Code, to authorize a military service to increase the scope of a military construction project by up to 10 percent once the service secretary involved approves the increase and notifies the congressional defense committees of the increase and the reasons for it. The committee recognizes that there are valid reasons why the square footage of a facility might be appropriately increased as new electronic systems are incorporated, new security requirements are identified, or other needs emerge after authorization. Rather than requiring a delay in the project as new authority is sought, or sub-optimizing the project in order to avoid delays, the committee believes that the ability of a service to increase the scope by up to 10 percent, subject to congressional notification and a waiting period of 14 days, is warranted.

Increase of threshold of notice and wait requirement for certain facilities for reserve components and parity with authority for unspecified minor military construction and repair projects:

The committee recommends a provision that would modify section 18233a of title 10, United States Code, relating to unspecified minor military construction and repair of facilities for the reserve components to conform to sections 2805 and 2811 of title 10, United States Code.