



H.R. 4909 — National Defense Authorization Act for Fiscal Year 2017 (Rep. Thornberry, R-TX)

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FLOOR SCHEDULE:

Scheduled for consideration on May 17, 2016, under a structured rule

NOTE: A separate Legislative Bulletin summarizing amendments ruled in order and any key vote alerts will be forthcoming.

TOPLINE SUMMARY:

[H.R. 4909](#) (NDAA) would authorize **\$602.2 billion** in discretionary spending for national defense. Within the topline, the NDAA would authorize **\$543.4 billion** in base funding for requirements of the Department of Defense within the House Armed Services Committee's jurisdiction. Additionally, the NDAA provides a total of **\$58.8 billion** for cap-exempt Global War on Terror/Overseas Contingency Operations (OCO) accounts. Of the OCO amount, **\$23.1 billion would be used** for base requirements, while the remaining **\$35.7 billion** would cover contingency operations abroad until April, 2017. An additional \$7.8 billion is allocated for activities outside of the House Armed Services Committee jurisdiction. This proposal is consistent with the president's topline budget request for \$610.5 billion in defense discretionary spending.

Purpose	Amount (In billions)
DOD Discretionary Base Budget	\$523.6
DOE Discretionary Base Budget	\$19.5
Defense-Related Activities	\$0.3
FY17 Base Budget NDAA Topline	\$543.4
Overseas Contingency Operations for Base Requirements	\$23.1
FY17 Funded Base Budget Requirements	\$566.5
Overseas Contingency Operations	\$35.7
FY17 Discretionary NDAA Topline ¹	\$602.2
Defense Mandatory Spending ²	\$8.3
FY17 NDAA Topline	\$610.5

¹ Does not include \$7.8 billion of authorizations not within HASC jurisdiction

² Includes statutory requirements for Concurrent Receipt; does not include \$0.6 billion outside HASC jurisdiction.

Table provided courtesy of the House Armed Services Committee

COST:

The Congressional Budget Office (CBO) [estimates](#) that the appropriation of the authorized amounts in the NDAA would result in outlays of \$587 billion over the 2017-2021 period. Of the amount that would be authorized for 2017, \$567.0 billion would be for base budget costs for defense programs, \$0.4 billion would be for nondefense programs, and \$35.7 billion would be to cover a portion (seven months) of the costs of war-related activities. Funds for the cost of war-related activities for the remaining five months of 2017—roughly \$20 billion—could be provided in supplemental appropriations at a later date; the bill, however, would not authorize additional funds for that purpose. Any such funds late appropriated for the OCO accounts would be exempt from the statutory spending caps imposed under the Budget Control Act and the Bipartisan Budget Act of 2015.

If appropriated, \$544.0 billion of the authorized amounts would count against the 2017 defense cap set in the Budget Control Act, as amended and \$0.4 billion would count against the nondefense cap. An additional \$58.8 billion would be authorized for OCO and if appropriated would not count against the caps. Of the amount designated for OCO, \$23.1 billion would be used in support of base budget requirements while the remaining \$35.7 billion would be for war-related activities. CBO estimates that enacting the bill would lower direct spending by about \$206 million over the 2017-2026 period. H.R. 4909 would increase revenues by an insignificant amount. Because enacting the bill would affect direct spending and revenues, pay-as-you-go procedures apply.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Some conservatives may be concerned that, while potentially necessary to prevent severe readiness shortfalls, shifting OCO funds to cover base needs without adequately funding overseas activities could result in pressure to increase both defense and non-defense spending later in 2016 or early in 2017.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

The House report (H. Rept. 114-537) accompanying H.R. 4909 can be found [here](#) (Part 1) and [here](#) (Part 2). A Fact Sheet on the FY 2017 NDAA from the Congressional Research Service can be found [here](#). The committee's summary for the FY 2017 NDAA can be found [here](#).

Highlights of the major provisions of note are included below:

Personnel:

- **Troop Pay:** The bill would support a 2.1 percent military pay raise for Fiscal Year (FY) 2017, in accordance with current law ([section 1009 of title 37, United States Code](#)), to ensure that military pay increases to keep pace with the pay increases in the private sector, as measured by the [Employment Cost Index](#).
- **Compensation and Benefits:** The NDAA would extend the authority of the Secretary of Defense for one year to temporarily increase the rates of basic allowance for housing in areas impacted by natural disasters or experiencing a sudden influx of personnel. The bill would authorize funding of over \$2.5 billion in unfunded training and maintenance to include maximizing flight training hours for Soldiers and Marines, which were unfunded in the President's Budget Request. Title VI of the bill would extend certain bonus and special pay authorities for reserve forces, health care professionals, and nuclear officers. The bill

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

- **TRICARE:** The FY 2017 NDAA authorizes a series of reforms regarding the military health system and TRICARE. Title VII of the bill would simplify TRICARE options by providing two comprehensive options designed to meet the health care needs of service members, families and retirees: a managed care option (TRICARE Prime) and a no-referral network option (TRICARE Preferred). Section 701 would establish TRICARE Preferred as the self-managed, preferred provider option that would replace TRICARE Standard and Extra. Title VII of the bill would also establish annual enrollment fees and fixed-dollar copayments for Active Duty family members and retirees who join the armed services on or after January 1, 2018, and enroll in TRICARE Preferred or in TRICARE Prime, the managed care option. The Secretary of Defense would be authorized to establish an annual enrollment fee for TRICARE Preferred for beneficiaries who were in the Active Duty or retired categories prior to January 1, 2018.

Sections 704 and 705 would eliminate referral requirements for urgent care and ensure urgent care access for military families through 11:00PM; and would extend care at Military Treatment Facilities (MTF) primary care clinics beyond normal business hours. The bill would expand public-private partnerships to increase and complement MTF services provided to beneficiaries, and enable retirees to purchase durable medical equipment at Department of Defense (DOD) level cost. Section 710 would require the Department of Defense to standardize appointment scheduling and first-call resolutions when contacting clinics, increase the number of available appointments, and maximize the use of telehealth and secure messaging. Section 711 would require the Secretary of Defense to adopt core quality performance measures agreed upon by a collaborative group of Federal agencies, health plans, national physician organizations, employers, and consumers. The core quality measures would be used to evaluate performance of the Military Health System and the TRICARE network.

The bill would further require the Department to establish new Joint Trauma Centers at military medical centers in areas with unmet demand, and would establish additional partnerships to enable military trauma specialists and support staff to work in civilian trauma centers for training purposes. Title VII would authorize an increase in training opportunities by concentrating military provider resources at MTFs in locations with a high volume of active duty members, families and retirees. The Defense Health Agency would be authorized to establish an executive-level management office consisting of professional health care administrators to manage health care operations, finance and budget, information technology, and medical affairs across all military treatment facilities.

- **Commissaries:** The FY 2017 NDAA would to authorize the Secretary of Defense to develop and implement a comprehensive strategy to optimize practices across the defense commissary and exchange system that reduces the reliance of the system on appropriated funds without reducing the benefits to the patrons of the system, the revenue generated by non-appropriated fund entities, or instrumentalities of the Department of Defense for the morale, welfare, and recreation of members of the Armed Forces.
- **Combatting Sexual Assault in the Military:** The NDAA would extend the requirement for the [Sexual Assault Prevention and Response Office](#) (SAPRO) report through January 31, 2021, and would express the sense of Congress that the Secretary of Defense should enhance access to intensive medical and mental health treatment for male victims of sexual assault.
- **Uniform Code of Military Justice Reform:** Section 6005 of the NDAA would make a series of reforms to the Uniform Code of Military Justice (UCMJ), including clarifying the procedure for an appointment of individuals to assume the rights of a victim who is under 18 years of age, incompetent, incapacitated, or

deceased; and clarifying the relationship between the rights provided to victims under the UCMJ and the exercise of disposition discretion under [articles 30 and 34](#), regarding pre-trial procedures.

- **Deferred Action for Childhood Arrivals:** No provisions or language on Deferred Action for Childhood Arrivals was included in the committee-passed version of the FY 2017 NDAA. Sec. 597 does include a statement of current law allowing the Secretary to enlist otherwise ineligible individuals if it is in the national interest as provided by [10 U.S.C. 504\(b\)](#).
- **Selective Service:** The NDAA would require a report on the current and future need for a centralized registration system for military selective service. The report would include: (1) a detailed analysis of the current benefits derived, both directly and indirectly, from the Military Selective Service System; (2) an analysis of the functions currently performed by the Selective Service System that would be assumed by the Department in the absence of a national registration capability; (3) an analysis of the systems, manpower, and facilities that would be needed by the Department to physically mobilize inductees in the absence of the Selective Service System; (4) a detailed analysis of the Department's manpower needs in the event of an emergency requiring mass mobilization; and (5) a list of the assumptions used by the Department when conducting their analysis.

During the markup of H.R. 4909, an amendment [was adopted](#) by the committee (section 528) that would require both male and female United States citizens, and every other male or female citizen residing in the United States, between the ages of 18 and 26, to register with the Selective Service.

- **Force Structure:** The FY 2017 NDAA increases active duty force structure by preserving Army levels at 480,000 personnel, adding 3,000 Marines, and 4,000 Airmen.

Readiness:

- **Readiness, Operations and Maintenance:** The FY 2017 NDAA increases overall funding for readiness and maintenance accounts. This increase comes in response to a series of military readiness shortfalls. According to the House Armed Services Committee, "in the Marine Corps, [Class A Mishaps](#), accidents that result in fatalities or the loss of aircraft, are 84% above their 10-year average, and have increased 50% since sequestration took hold". The NDAA would include more than \$5.0 billion in additional funds above the president's request for ship and aircraft depot maintenance; aviation training and readiness; and long-neglected facilities sustainment, restoration, and modernization accounts—all of which were identified as unfunded requirements by the military services. The bill would direct several assessments on the military departments' plans to rebuild readiness, enhance exercises, and modernize training requirement. The bill would increase Navy Ship and Aircraft depot maintenance and afloat readiness by \$530 million and Air Force depot maintenance by \$430 million, while also including \$160 million for Navy Cruiser modernization and \$67 million for Marine Corps logistics. Section 1101 would provide direct-hire authority for Department of Defense industrial base facilities, including depots located in the United States, as well as the Major Range and Test Facilities Base, for 2 years. The NDAA would also restore a 10th Carrier Air Wing, 11 additional F-35s and 14 F-18E/Fs to address a critical strike fighter shortage. The bill would also provide for the procurement of three additional C-130Js, four C-40s, two V-22 aircraft, 36 UH-60 Blackhawks, and five AH-64 Apaches. The NDAA would also invest \$592 million to address war reserve [shortfalls](#) in critical munitions.
- **Facilities:** The NDAA would support 90% of requirements for facilities sustainment and 88% of requirements for facilities restoration and modernization. This is an increase of 19% above the president's budget in each category. The funding would be used to restore and maintain real property, ranging from barracks to hangars, and runways to hospitals. The NDAA's division B would authorize appropriations in the amount of \$7.8 billion for military construction.

- **Overseas Contingency Operations:** The NDAA further authorizes \$35.7 billion for Global War on Terror/Overseas Contingency Operations (OCO) to cover contingency operations abroad until April, 2017. Such funding levels would require supplemental appropriations in order to maintain operations after April, 2017. The bill provides \$23.1 billion for base requirements taken from the Global War on Terror/Overseas Contingency Operations (OCO) accounts, an \$18 billion plus-up to base requirements compared to the [president's budget request](#). The OCO total authorization of \$58.8 billion is exempt from the statutory spending caps.
- **Intelligence:** The FY 2017 NDAA would direct the Commander of U.S. Central Command (CENTCOM), which covers the Middle East, to formally review and document all necessary processes, policies, and procedures to ensure the effective implementation of Intelligence Community tradecraft requirements and best practices, in order to document the command's intelligence processes. The NDAA would direct the Inspector General of the Defense Intelligence Agency to review intelligence processes and procedures in other combatant commands. Additionally, the NDAA would restrict funding for the CENTCOM intelligence Fusion Center until Congress receives documentation about the center's operation and the DOD IG inquiry has been completed. This proposal relates to an ongoing investigation by the House Committee on Armed Services, the House Permanent Select Committee on Intelligence, and the House Appropriations Subcommittee on Defense, which established a Joint Task Force to investigate [allegations](#) that senior intelligence leaders at U.S. Central Command (CENTCOM) improperly influenced intelligence analysis.
- **Cybersecurity:** The NDAA authorizes \$6.7 billion for cyber operations, a \$900 million increase over the FY 2016 [enacted](#) base budget. The bill supports the readiness of the Cyber Mission Forces, including the 133 teams across the Services, cyber tools, and capabilities. The bill would also provide special procurement authority to facilitate recovery from a cyber-attack, as well as to increase resiliency for DOD networks, weapons systems, and capabilities. Additionally, the legislation would support the funding and enhanced oversight of the development of a new security clearance information technology architecture to replace legacy compromised networks in the Office of Personnel Management, and also includes provisions designed to enhance information assurance and to mitigate against insider threats. Section 911 would establish a unified combatant command for cyber operations with the primary function to prepare cyber operations forces to carry out assigned missions.
- **BRAC:** The NDAA would not authorize an additional Base Realignment and Closure (BRAC) round. Section 2702 would state that nothing in the bill would be construed to authorize an additional Base Realignment and Closure (BRAC) round, affirming congressional intent to reject the president's budget request to authorize another BRAC round in 2019. This section would additionally clarify that this prohibition would not affect the authority of the Secretary of Defense to comply with any requirement under law, or with any request of a congressional defense committee, to conduct an analysis, study, or report of the infrastructure needs of the Department of Defense.

Procurement:

- **Weapon Systems:** The bill would authorize \$103.06 billion for procurement, an increase of \$1.09 billion from the FY 2017 president's request. The FY 2017 NDAA would:
 - Restore funding for the A-10 and prohibits its retirement. The NDAA would require the Air Force to maintain a minimum of 171 A-10 aircraft designated as primary mission aircraft inventory, and would prohibit the Secretary of the Air Force from making any significant reductions to manning levels with respect to any A-10 aircraft squadron or division until the Director of Operational Test and Evaluation, and the Secretary of the Air Force, submit reports to Congress on the results and findings of the initial operational test and evaluation of the F-35 aircraft program, as well as the comparison test and evaluation that examines the capabilities of the F-35A and A-10C.

- Authorize the Navy and Marine Corps' request for two additional C-40A aircraft, each from their respective unfunded requirements lists.
 - Authorize the modernization of 172 legacy C-130H tactical airlifters operated primarily by the Air National Guard and Air Force Reserve.
 - Authorize three additional C-130J aircraft from the Air Force's unfunded requirements list. The NDAA would also authorize the procurement of 15 KC-46A Pegasus tankers to begin recapitalizing the Eisenhower-era KC-135 and Reagan-era KC-10 fleets.
 - Authorize 14 additional F/A-18 Super Hornets for the Navy and 11 additional F-35s. Section 144 would require GAO to conduct an analysis of status of and approaches considered in the sustainment support strategy for the F-35 Joint Strike Fighter program.
 - Direct the Secretary of the Air Force to conduct a comprehensive assessment and study of the costs associated with resuming production of F-22 aircraft. Production of the F-22 fifth-generation tactical aircraft concluded in 2009. 187 aircraft were produced, far short of the initial program objective of 749 aircraft, as well as of the Air Combat Command's stated requirement of 381 aircraft.
 - Reverse the administration's proposal to terminate Tomahawk cruise missile production. The NDAA would recommend \$262.9 million, an increase of \$76.0 million above the president's request, in Weapons Procurement, Navy for procurement of 198 Tomahawk missiles and to reduce risk to the Tomahawk missile industrial base.
 - Fund additional 36 UH-60M Blackhawks in order to help accelerate rotorcraft modernization for the Army National Guard.
 - Fund five AH-64E Apache gunship helicopters. The NDAA would support the National Commission of the Future of the Army's recommendation to retain 4 Apache attack helicopter battalions in the National Guard and an 11th combat aviation brigade in the Regular Army.
 - Recommend \$14.1 million for the UH-1N replacement program, the full amount requested, in Research, Development, Test, and Evaluation account, and \$98.3 million, an increase of \$80.0 million, in Aircraft Procurement account.
 - Address Intelligence, Surveillance, and Reconnaissance (ISR) shortfalls by requesting options for the potential acceleration of the new [JSTARS](#) platform's development and fielding. The bill would also authorize several ISR platforms be modernized or purchased, including [Army Grey Eagles](#), MQ-9 Reapers, and a Navy Triton MQ-4.
 - Limit funding for the Patriot lower-tier air and missile defense capability of the Army until it develops a new acquisition strategy for the replacement of the Patriot Radar System. According to the [House Armed Services Committee](#): "The Army strategy would delay fielding a new radar, despite high-technology readiness levels, until 2028; this means our warfighters will be deployed with a 58-year old radar before they get a modernized capability."
 - Clarify policies in the [FY2015 NDAA](#) that prohibit the modification of the Evolved Expendable Launch Vehicle ([EELV](#)) block buy to ensure that additional launches cannot be added into the block buy without competition. Section 1602 would state that the prohibition on contracting with Russian suppliers of rocket engines for EELV program would not apply to the placement of orders that include the use of a total of 18 rocket engines designed or manufactured in the Russian Federation in addition to the Russian-designed or manufactured engines. The FY 2017 NDAA would focus on the development of a new American engine to replace the Russian RD-180 by 2019 to protect assured access to space and to end reliance on Russian engines by authorizing \$95.6 million in FY 2017 for a replacement.
- **Ship Procurement and Retention:** The NDAA would recommend \$3.64 billion, an increase of \$433.0 million above the president's request, for procurement of an additional *Arleigh Burke* class destroyer for a total of three destroyers in FY 2017 and would support the Navy's 11 carrier fleet. The NDAA would add one amphibious ship (LPD-29 or LX(R)), and would preserve the 10th carrier air wing, which the president's budget planned to eliminate. The NDAA would authorize phased modernization of *Ticonderoga* class

cruisers, rejecting the president's plan to layup more cruisers. The NDAA would authorize \$1.85 billion, an increase of \$85.0 million, for the *Virginia* Class Submarine Advance Procurement, requesting two *Virginia* class submarines.

- **Strategic Deterrence Forces:** The FY 2017 NDAA would authorize the first year of ship construction for the [Ohio-class replacement](#), a program that is scheduled to carry 70% of our nation's strategic weapons. The Navy's 14 current *Ohio*-class ballistic submarines are slated to be taken out of service in the 2020s. According to the [Congressional Research Service](#):

"The first of the 14 Ohio-class SSBNs (SSBN-730) will reach the end of its 42-year service life in 2027. The remaining 13 will reach the ends of their service lives at a rate of roughly one ship per year thereafter, with the 14th reaching the end of its service life in 2040."

During debate on the FY 2016 NDAA and DOD appropriations act some conservatives raised concerns with the funding of the *Ohio*-class replacement program outside of the Navy's shipbuilding account. This large single procurement would consume nearly to the total of the average appropriation for this account, but some conservatives argued that the account should be increased to accommodate the higher spending needs rather than creating a new budgetary account that could lead to pressure for higher spending in the long run. Other conservatives argue that the National Sea-Based Deterrence Fund which funds the *Ohio*-replacement program is essential to ensuring the modernization of the United States' most survivable leg of the nuclear triad while as the same time preventing the Navy's shipbuilding account from being crowded out by the program.

The NDAA would fully authorize the research, development, test and evaluation of the new B-21 stealth bomber program intended to recapitalize the aging B-1 and B-52 fleets. The bill would direct the Secretary of the Air Force to submit an initial B-21 Development Progress Matrix.

- **Nuclear weapons:** The NDAA would provide \$13.25 billion for the National Nuclear Security Administration's (NNSA) nuclear weapons activities, including critical programs to modernize the nuclear weapons stockpile, an increase of \$370.0 million to the budget request. The NDAA would address the \$3.7 billion backlog of deferred maintenance at NNSA that is threatening worker safety and mission performance. Section 1671 would provide enhanced authority for the Department of Energy to mitigate threats from unmanned aircraft at its most sensitive nuclear facilities. The bill would prohibit funding for the retirement of nuclear weapons under the [New Start Treaty](#) unless the Chairman of the Joint Chiefs of Staff submits a report to Congress and the Director of National Intelligence submits a National Intelligence Estimate regarding such retirement, and a period of 180 days has elapsed since the latest respective submission. Section 1646 would consolidate and strengthen the Air Force's organizational structures to ensure the nation's nuclear command and control and missile warning systems remain robust.
- **Missile Defense:** Section 1663 would require the Director of the Missile Defense Agency to issue a request for proposals for a medium-range discrimination radar by not later than October 1, 2017. This section would also require the Director to plan to procure a medium-range discrimination radar or equivalent sensor to improve the ballistic missile defense of Hawaii.

Defense Reforms:

- **Acquisition Reform:** The NDAA includes a series of provisions on DOD acquisition reform, requiring weapon systems to be designed with open architectures that can easily be upgraded as technology and threats evolve. The NDAA would further define the responsibilities for acquisition between DOD and the Services, and would give the Secretary of Defense more tools to manage and approve cost, schedule, and technological risk for major acquisition programs. It would also set upfront conditions for cost and schedule, and then hold the Services accountable.

Section 1702 would require a major defense acquisition program (MDAP) initiated after January 1, 2019 to include only technical development that the milestone decision authority determines, with a high degree of confidence, would not delay the fielding target for the program. This section would provide flexible funding to experiment with new technology, while simplifying the process and expanding the avenues of competition for suppliers. Section 1703 would require the Secretary of Defense, or a designee, to assign program cost and fielding targets when major defense acquisition programs are initiated. The NDAA grants Milestone Decision Authority for Joint Programs to Military Services after October 1, 2019. These reforms originate in H.R. 4741 The Acquisition Agility Act, introduced on March 15, 2016. A fact sheet on H.R. 4741 can be found [here](#).

In order to help preserve intellectual property, the NDAA would require that all components conform to well-defined interfaces in order to plug into the overall system. Privately-funded components “inside the black box” would remain the intellectual property of the developer, while jointly-funded capability would be subject to negotiation between the government and the developer.

- **Institutional Reform:** The FY 2017 NDAA would initiate a series of institutional reforms regarding the responsibilities of the Chairman of the Joint Chiefs (CJCS). The current role and function of the Joint Chiefs and the combatant commands was established in the Goldwater-Nichols Department of Defense Reorganization Act of 1986 ([Public Law 99-433](#)), which instituted a series of sweeping organizational reforms to the Department of Defense including: (1) improving military advice to the president and the Secretary of Defense; (2) improving joint officer management; (3) placing clear responsibility on the commanders of the combatant commands; and (4) increasing attention to the formulation of strategy and to contingency planning.

Section 903 would establish a commission to be known as the “Commission on National Defense Strategy for the United States” to examine and make recommendations with respect to national defense strategy for the United States. Section 905 would require the Chairman of the Joint Chiefs of Staff to prepare a new National Military Strategy or to update a previous one in conjunction with the other members of the Joint Chiefs of Staff and the commanders of the unified and specified combatant commands. Section 907 would extend the term of office of the Chairman of the Joint Chiefs of Staff from 2 years to 4 years, and would also limit the reappointment of the Chairman to additional terms only in a time of war, and limit the combined period of service of an officer serving as Chairman or Vice Chairman of the Joint Chiefs of Staff to 8 years. Section 910 would reduce top-heavy command headquarters by reducing the rank of service and functional component commanders from Four Stars to Three Stars. The NDAA would expand the definition of jobs that qualify for joint duty credit and decreases joint tour lengths from three years to a minimum of two years because operation currency has its own value in improving jointness.

The NDAA would elevate US. Cyber Command (CYBERCOM) to a unified command and would direct GAO to study the CYBERCOM Commander’s dual-hat responsibility as the Director of the National Security Agency.

Title IX of the NDAA would streamline strategic planning within the Department of Defense, and would eliminate the Quadrennial Defense Review. The NDAA would replace it with a new framework for Secretary-led strategic guidance. The Secretary would be required to issue top-down Defense Strategic Guidance every four years that sets force structure and resource priorities. This guidance would be implemented through classified annual program and budget guidance and biennial contingency planning guidance that Congress would receive to support its

oversight. Title XII would direct the GAO to submit a report to Congress on the interagency processes for implementing the Foreign Military Financing (FMF) and FMS programs.

- **Religious Freedom:** During the markup of H.R. 4909, an amendment was [adopted](#) by the committee (section 1094) that would require that religious organizations that are recipients of or offerors for a Federal Government contract be provided the protections and exemptions for religious organizations under the Civil Rights Act and the Americans with Disabilities Act.
- **Biodefense and Countering Weapons of Mass Destruction:** The NDAA would implement a quality control and quality assurance program regarding biodefense, studying the DOD select agent enterprise structure, and require annual reporting on the select agent program. The NDAA would also direct a National Biodefense Strategy to be submitted jointly by the Secretary of Defense and the Secretaries of Homeland Security, Health and Human Services, and Agriculture.
- **Afghanistan:** The FY 2017 NDAA would include the resources to sustain at least 9,800 U.S. troops in Afghanistan through April 2017, to preserve options and provide time for the next president to assess the security environment and U.S. military missions in Afghanistan. H.R. 4909 would also extend key authorities and express the House Armed Services Committee's view that the president should provide additional resources to strike the Islamic State of Iraq and the Levant (ISIL) in Afghanistan; authorize unilateral strikes against the Taliban and the Haqqani Network; and provide support for 352,000 Afghan National Defense and Security Forces. The NDAA would extend the Commander's Emergency Response Program (CERP) during FY 2017 for one year, and authorize the acquisition of goods on the routes of supply and continuing support for the Afghanistan National Security Forces (ANSF) to sustain stability and security in the country. Section 1212 would limit the overall amount available for reimbursement to \$1.10 billion, of which \$900.0 million would be available for reimbursement to Pakistan, pending a review of the reimbursements made to Pakistan and how it comports with the future of U.S. policy, including key counterterrorism and security objectives, in the region.
- **Iran:** The FY 2017 NDAA would express a sense of Congress that the Joint Comprehensive Plan of Action (JCPOA) does not address the totality of the malign activities of Iran. Additionally, the bill would state that the United States should increase its efforts to counter the continued expansion of Iran's malign activities in the Middle East; should ensure that it has robust, enduring military posture and capabilities forward deployed to deter Iranian aggression; and should strengthen ballistic missile defense capabilities and increase security assistance to partners and allies in the region. Section 1253 would amend current law by adding two reporting requirements to the [Annual Report on the Military Power of Iran](#) on: (1) Iran's cyber capabilities, and (2) Iranian military and security organizations responsible for detaining U.S. Armed Forces or interfering in U.S. military operations.
- **Israel:** The NDAA would provide \$600 million for Israeli cooperative missile defense, including \$62 million for Iron Dome, \$150 million for David's Sling coproduction, and \$120 million for Arrow 3 coproduction, totaling \$460 million above the President's request.
- **Islamic State of Iraq and the Levant (ISIL):** The NDAA would extend the "Syria train and equip" program through December 31, 2017, and would extend the reprogramming requirement, requiring House Armed Services Committee approval, through December 31, 2017. More information on the Syria train and equip program can be found in the RSC's 2014 [legislative bulletin](#) on the McKeon amendment to the 2015 Continuing Resolution (CR). The NDAA would support the president's request to train and equip appropriately-vetted, moderate Syrian forces, but would require funds be disbursed through the reprogramming process to maximize congressional oversight. The Secretary of Defense would be required to certify that there are enough U.S. forces deployed in the region to support the strategy for Syria and a plan to retake and hold the ISIL stronghold of Raqqa, in Northern Syria.

The FY 2017 NDAA would additionally increase the president's request for funds to train and equip Iraqi Security Forces as part of Operation Inherent Resolve, by \$50 million, and would require the increase in funding to be provided directly to Kurdish, Sunni, and other local forces in the fight against ISIL. A quarter of the remaining funds would be restricted until the Secretary of Defense submits a plan to retake and hold the ISIL stronghold of Mosul. However, of the funds authorized to be appropriated for this purpose, \$50.0 million is not subject to such restriction and is available for stipends and sustainment to the Iraqi Kurdish Peshmerga, the Sunni tribal security forces, or other local security forces with a national security mission. Further, of the \$50.0 million for stipends and sustainment, not less than 33 percent of such funds must be available for the Iraqi Kurdish Peshmerga. The Secretary would be required to certify that the Government of Iraq is taking reasonable steps to keep U.S.-provided equipment and resources out of the hands of terrorists. Section 1222 would also authorize the Secretary of Defense, in coordination with the Secretary of State, to provide \$680.0 million in assistance in FY 2017 to the military and other security forces of, or associated with, the Government of the Republic of Iraq, including Kurdish and Sunni tribal security forces or other local security forces with a national security mission, through December 31, 2017.

- **Counterterrorism:** The FY 2017 NDAA would extend DOD authorities utilized by Special Operations Forces (SOF), including Non-Conventional Assisted Recovery, which is utilized to rescue isolated servicemen and women and U.S. citizens. The legislation also extends the 1208 counterterrorism authority utilized by SOF to work with indigenous or surrogate forces in support of ongoing U.S. counterterrorism objectives. To improve congressional oversight, the NDAA would require additional reporting of Sensitive Military Activities, and would increase the frequency of the statutory requirement for counterterrorism operational briefs to Congress from quarterly to monthly. The legislation also would direct a Government Accountability Office (GAO) review of DOD biometrics and forensics capabilities used to successfully identify, target, and disrupt terrorists and enemy combatants.
- **Security Cooperation:** Section 1205 would modify and codify certain reports to Congress for programs carried out by the Department of Defense to provide training, equipment, or other assistance or reimbursement relating to security cooperation authorities. The NDAA would streamline and consolidate authorities scattered throughout various sections of current law, and create a single, comprehensive chapter in Title 10 of U.S. Code entitled, "Security Cooperation," which combines certain authorities, while at the same time codifying others and placing them into this new chapter. The NDAA would authorize \$750 million for the Counterterrorism Partnerships Fund (CTPF) to provide assistance to foreign security forces.
- **Ukraine, Russia, and Europe:** To counter the growing threat posed by an expansionist Russia, the FY 2017 NDAA would increase funding to the European Reassurance Initiative (ERI) in order to begin the transition from an assurance posture to deterrence against Russian aggression. These resources would be allocated to specific requirements, including heel-to-toe rotations of U.S. presence in the region, the pre-positioning of an Armored Brigade Combat Team's worth of equipment in Europe, and additional training and exercises. The NDAA would also provide increased funding for U.S. intelligence and warning capabilities, technologies supporting U.S. information operations and strategic communications activities, the Javelin missile system, vehicle active protection systems, aircraft survivability equipment, and recommended at the Army's request, a realignment of funds within the ERI for the procurement of upgraded Abrams tanks and Bradley fighting vehicles. The NDAA would increase funding for Cyber multi-national information sharing and international Cyber exercises and engagements. Increased Special Operations Forces funding for partnership activities in Central/Eastern Europe, as well as SOF funding for presence, activities, and training ranges and Information Operations in U.S. European Command (EUCOM) would additionally be included.

The NDAA would prohibit funding related to presidential approval of advanced Russian sensors under the [Open Skies Treaty](#) while Russia is in violation of the treaty and until the DOD and the Intelligence Community state Russia no longer poses a threat to U.S. national security. The NDAA would also withhold DOD funding to support the Executive Office of the President until the White House ceases preventing the implementation of the Chairman of the Joint Chiefs of Staff's military options to respond to Russia's violation of the Intermediate-range Nuclear Forces (INF) treaty.

Section 1235 of the NDAA would authorize \$150 million for the Ukraine Security Assistance Initiative to help train, equip, and assist the Ukrainian military, National Guard, and security services. Section 1236 would prohibit the use of fiscal year 2017 funds to implement any activity that recognizes the sovereignty of the Russian Federation over Crimea. The section would also allow the Secretary of Defense, in concurrence with the Secretary of State, to waive the prohibition if the Secretary certifies that doing so would be in the national security interest of the United States. The NDAA would further require the Secretary of Defense to provide a briefing to Congress on how efforts, inherent to the Department of Defense's European Reassurance Initiative and the Ukraine Security Assistance Initiative, including any plans to preposition military weapons, munitions, and equipment in Europe, may facilitate the Department of Defense's capacity to respond to the potential need for additional military assistance to the Government of Ukraine.

- **Guantanamo Bay Detention Center:** Sections 1032 and 1033 of the NDAA would reauthorize the prohibition against transferring detainees to the United States and against building detention facilities within the U.S. for the purpose of housing them. Section 1034 would prohibit the use of funds by DOD to transfer, release, or assist in the transfer or release of any individual detained at Guantanamo Bay to Libya, Somalia, Syria, or Yemen. Section 1035 would prohibit the use of funds to the Department of Defense for fiscal year 2017 to close or transfer Guantanamo Bay to Cuba. Specifically, the provision would prohibit funds for the closure or abandonment of United States Naval Station, Guantanamo Bay, Cuba, the relinquishment of control of Guantanamo Bay to the Republic of Cuba, or the implementation of a material modification to the Treaty Between the United States of America and Cuba signed in the District of Columbia on May 29, 1934, that constructively closes United States Naval Station, Guantanamo Bay.
- **Asia Rebalance:** The NDAA would require the Secretary of Defense to provide a briefing to Congress on the merits of continued Chinese participation in forthcoming Rim of the Pacific (RIMPAC) exercises. The United States has maintained its invitation to China to participate, to a limited extent, in RIMPAC exercise for 2016, despite China's concerning actions in the South China Sea. Section 1303 would require that the Secretary of Defense obligate and expend funds on Cooperative Threat Reduction (CTR) activities in the People's Republic of China on a quarterly basis. This section would further require that the Secretary of Defense not obligate or expend funds for CTR activities in China the Secretary submits submitted a certification regarding certain nonproliferation benchmarks (including the arrest of [Li Fangwei, also known as "Karl Lee"](#)) with respect to China.
- **Plan Central America:** The NDAA would recommend an increase of \$30 million for Department of Defense United States Southern Command Operational Support within the Drug Interdiction and Counterdrug Activities Appropriation. The bill would further require the Secretary of Defense and the Secretary of State to jointly submit a report to Congress on the military units that have been assigned to policing or citizen security responsibilities in the Republic of Guatemala, the Republic of Honduras, and the Republic of El Salvador.
- **Authorizations for End Strengths as of September 30, 2017** (from the House Armed Services Committee Report):

- *Active Duty Personnel:* 480,000 (Army), 324,615 (Navy), 185,000 (Marine Corps), 321,000 (Air Force). These levels represent an increase of 27,015 service members from the previous year's authorization.
- *Selected Reserves:* 350,000 (Army National Guard), 205,000 (Army Reserve), 58,000 (Navy Reserve), 38,500 (Marine Corps Reserve), 105,700 (Air National Guard), 69,000 (Air Force Reserve). These levels represent an increase of 9,800 service members from the previous year's authorization.
- *Military Technicians:* 25,507 (Army National Guard), 7,570 (Army Reserve), 22,103 (Air National Guard), 10,061 (Air Force Reserve). These levels represent a decrease of 171 from the previous year's authorization.

Authorization Levels (charts provided by the House Armed Services Committee Report begin on page 14)

Table 2: Examples of Reallocated Resources in comparison to the President's budget request (provided by the House Armed Services Committee Fact Sheet)

COMPARISON OF PRESIDENT'S REQUEST TO FY17 NDAA PROPOSAL

	President's Budget Request	Service/COCOM Identified Shortfall	Chairman's Mark Provides
Army End Strength	460,000 Active (450,000 by FY18) 333,500 Guard 195,00 Reserve	20,000 Active 15,000 Guard 10,000 Reserve	480,000 Active 350,000 Guard 205,000 Reserve
Marine Corps End Strength	182,000 Active	3,000 Active	185,000 Active
Air Force End Strength	317,000 Active	4,000 Active	321,000 Active
Military Pay Raise	Requested 1.6%, 0.5% below ECI	* Committee action following 3 years of reduced pay raises	Funds 2.1%, matching ECI as required by law
U.S. Force Levels in Afghanistan	Drawdown from 9,800 to 5,500 by January 2017	OEF Commander testimony regarding limitations at 5,500	Maintains support for a minimum of 9,800 in theater
Navy Ship and Aircraft Depot Maintenance and Afloat Readiness	\$12.035 Billion	\$530 Million	\$12.565 billion
Facilities Sustainment	Funds 75% of requirements	Compounding sustainment shortfalls, taking years to restore	Supports 90% of requirements for facilities sustainment

COMPARISON OF PRESIDENT'S REQUEST TO FY17 NDAA PROPOSAL

	President's Budget Request	Service/COCOM Identified Shortfall	Chairman's Mark Provides
Facilities Restoration & Modernization	Funds 69% of requirements	Compounding readiness & modernization shortfalls, taking years to restore	Supports 88% of requirements for facilities throughout DOD
Navy Cruiser Modernization	No Funds Requested	\$430 Million	\$430 Million
Air Force Depot Maintenance	\$10.420 Billion	\$160 Million	\$10.580 Billion
USMC Logistics	\$1.622 Billion	\$43 Million	\$1.665 Billion
F-35s	43 F-35A aircraft 16 F-35B aircraft 4 F-35C aircraft	5 F-35A aircraft 2 F-35B aircraft 4 F-35C aircraft	48 F-35A aircraft 18 F-35B aircraft 8 F-35C aircraft
F/A 18's	2 F/A-18 E/F aircraft	14 F/A-18 E/F aircraft	16 F/A-18 E/F aircraft
Aviation Restructire Initiative (ARI)	Cut 24 UH-60 Blackhawks Cut 9 AH-64 Apaches No LUH requested	36 UH-60s; 5 AH-64s; 10 AH-64 Adv Proc; 17 LUHs	Restores 24 UH-60 Blackhawks, and adds 12 more Restores 5 Apaches Support 17 LUH aircraft
C-130J	3 C-130J Aircraft	8 C-130J aircraft	6 C-130J aircraft
V-22	16 MV-22 aircraft	2 MV-22 aircraft	18 MV-22 Aircraft
DDG-51	Requested 2	1 DDG-51 destroyers	Funds 3
LX(R)	No funds requested	* Committee action. Current shipbuilding plan does not meet USMC requirements.	Initiates the procurement of 1 Next Generation Amphibious Ship
Littoral Combat Ships	Cut one Littoral Combat Ship (2 requested)	* Committee action. Current shipbuilding plan does not meet USN Force Structure Assessment.	Restores 1 for a total of 3 ships
Ship to Shore Connector	2 SSC craft	3 SSC craft	5 Ship to Shore Connectors
Javelin	309 requested	591 Javelin Missiles	900 Javelin missiles
Guided MLRS Rocket	1,068 requested	1,158 GLMRS rockets	2,226 GMLRS rockets
Army Tactical Missile Systems (ATACMS)	183 requested	17 ATACMs	200 ATACMS; mitigates critical shortfall in Army War Reserve requirements
Hydra guided rockets	100 requested	500 guided Hydra rockets	600 guided Hydra rockets; mitigates critical shortfall in Army War Reserve requirements
AIM-9X Sidewinder Missiles	152 requested	75 Sidewinder missiles	227 Sidewinder missiles; restores procurement levels

(Table courtesy of the House Armed Services Committee)

Base Defense Funding Summary

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2017

(In Thousands of Dollars)

	FY 2017 Request	House Change	House Authorized
DISCRETIONARY AUTHORIZATIONS WITHIN THE JURISDICTION OF THE ARMED SERVICES COMMITTEE			
National Defense Funding, Base Budget Request			
Function 051, Department of Defense-Military			
Division A: Department of Defense Authorizations			
Title I—Procurement			
Aircraft Procurement, Army	3,614,787	34,020	3,648,807
Missile Procurement, Army	1,519,966	172,210	1,692,176
Weapons & Tracked Combat Vehicles, Army	2,265,177	376,134	2,641,311
Procurement of Ammunition, Army	1,513,157	217,963	1,731,120
Other Procurement, Army	5,873,949	599,528	6,473,477
Aircraft Procurement, Navy	14,109,148	-72,300	14,036,848
Weapons Procurement, Navy	3,209,262		3,209,262
Procurement of Ammunition, Navy & Marine Corps	664,368		664,368
Shipbuilding & Conversion, Navy	18,354,874	-773,138	17,581,736
Other Procurement, Navy	6,338,861	-65,900	6,272,961
Procurement, Marine Corps	1,362,769		1,362,769
Aircraft Procurement, Air Force	13,922,917	13,700	13,936,617
Missile Procurement, Air Force	2,426,621		2,426,621
Space Procurement, Air Force	3,055,743	27,100	3,082,843
Procurement of Ammunition, Air Force	1,677,719		1,677,719
Other Procurement, Air Force	17,438,056		17,438,056
Procurement, Defense-Wide	4,524,918	410,700	4,935,618
Joint Urgent Operational Needs Fund	99,300	-99,300	0
National Guard & Reserve Equipment		250,000	250,000
Subtotal, Title I—Procurement	101,971,592	1,090,717	103,062,309

Title II—Research, Development, Test and Evaluation

Research, Development, Test & Evaluation, Army	7,515,399	3,900	7,519,299
Research, Development, Test & Evaluation, Navy	17,276,301	63,100	17,339,401
Research, Development, Test & Evaluation, Air Force	28,112,251	-7,230	28,105,021
Research, Development, Test & Evaluation, Defense-Wide	18,308,826	168,300	18,477,126
Operational Test & Evaluation, Defense	178,994	10,000	188,994
Subtotal, Title II—Research, Development, Test and			
Evaluation	71,391,771	238,070	71,629,841

Title III—Operation and Maintenance

Operation & Maintenance, Army	33,809,040	26,400	33,835,440
Operation & Maintenance, Army Reserve	2,712,331	-6,600	2,705,731
Operation & Maintenance, Army National Guard	6,825,370	-26,276	6,799,094
Operation & Maintenance, Navy	39,483,581	-569,200	38,914,381
Operation & Maintenance, Marine Corps	5,954,258	-37,200	5,917,058
Operation & Maintenance, Navy Reserve	927,656	-26,600	901,056
Operation & Maintenance, Marine Corps Reserve	270,633	-800	269,833
Operation & Maintenance, Air Force	37,518,056	-817,635	36,700,421
Operation & Maintenance, Air Force Reserve	3,067,929	-59,700	3,008,229
Operation & Maintenance, Air National Guard	6,703,578	-115,176	6,588,402
Operation & Maintenance, Defense-Wide	32,571,590	-360,430	32,211,160
US Court of Appeals for the Armed Forces, Defense	14,194		14,194
Overseas Humanitarian, Disaster and Civic Aid	105,125		105,125
Cooperative Threat Reduction	325,604		325,604
Environmental Restoration, Army	170,167		170,167
Environmental Restoration, Navy	281,762		281,762
Environmental Restoration, Air Force	371,521		371,521
Environmental Restoration, Defense	9,009		9,009
Environmental Restoration, Formerly Used Sites	197,084		197,084
Subtotal, Title III—Operation and Maintenance	171,318,488	-1,993,217	169,325,271

Title IV—Military Personnel			
Military Personnel Appropriations	128,902,332	–419,418	128,482,914
Medicare-Eligible Retiree Health Fund Contributions	6,366,908		6,366,908
Subtotal, Title IV—Military Personnel	135,269,240	–419,418	134,849,822
Title XIV—Other Authorizations			
Working Capital Fund, Army	56,469		56,469
Working Capital Fund, Air Force	63,967		63,967
Working Capital Fund, Defense-Wide	37,132		37,132
Working Capital Fund, DECA	1,214,045		1,214,045
National Defense Sealift Fund		85,000	85,000
National Sea-Based Deterrence Fund		773,138	773,138
Chemical Agents & Munitions Destruction	551,023		551,023
Drug Interdiction and Counter Drug Activities	844,800	30,000	874,800
Office of the Inspector General	322,035		322,035
Defense Health Program	33,467,516	–419,500	33,048,016
Subtotal, Title XIV—Other Authorizations	36,556,987	468,638	37,025,625
Total, Division A: Department of Defense Authorizations	516,508,078	–615,210	515,892,868

Division B: Military Construction Authorizations

Military Construction

Army	503,459	69,500	572,959
Navy	1,027,763	366,916	1,394,679
Air Force	1,481,058	21,665	1,502,723
Defense-Wide	2,056,091	-126,448	1,929,643
NATO Security Investment Program	177,932		177,932
Army National Guard	232,930	67,500	300,430
Army Reserve	68,230	86,500	154,730
Navy and Marine Corps Reserve	38,597		38,597
Air National Guard	143,957	23,000	166,957
Air Force Reserve	188,950	17,450	206,400
Subtotal, Military Construction	5,918,967	526,083	6,445,050

Family Housing

Construction, Army	200,735	-43,563	157,172
Operation & Maintenance, Army	325,995		325,995
Construction, Navy and Marine Corps	94,011		94,011
Operation & Maintenance, Navy and Marine Corps	300,915		300,915
Construction, Air Force	61,352		61,352
Operation & Maintenance, Air Force	274,429		274,429
Operation & Maintenance, Defense-Wide	59,157		59,157
improvement Fund	3,258		3,258
Subtotal, Family Housing	1,319,852	-43,563	1,276,289

Base Realignment and Closure

Base Realignment and Closure—Army	14,499	10,000	24,499
Base Realignment and Closure—Navy	134,373	15,000	149,373
Base Realignment and Closure—Air Force	56,365		56,365

Subtotal, Base Realignment and Closure	205,237	25,000	230,237
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Undistributed Adjustments

Prior Year Savings	0	-257,576	-257,576
Subtotal, Undistributed Adjustments	0	-257,576	-257,576

Total, Division B: Military Construction Authorizations ...	7,444,056	249,944	7,694,000
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Total, 051, Department of Defense-Military	523,952,134	-365,266	523,586,868
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Department of Energy National Security Component Funding Summary

Division C: Department of Energy National Security Authorization and Other Authorizations

Function 053, Atomic Energy Defense Activities

Environmental and Other Defense Activities

Nuclear Energy	151,876	-15,260	136,616
Weapons Activities	9,243,147	316,000	9,559,147
Defense Nuclear Nonproliferation	1,807,916	94,000	1,901,916
Naval Reactors	1,420,120		1,420,120
Federal salaries and expenses	412,817	-40,000	372,817
Defense Environmental Cleanup	5,382,050	-92,100	5,289,950
Other Defense Activities	791,552	9,000	800,552
Subtotal, Environmental and Other Defense Activities	19,209,478	271,640	19,481,118

Independent Federal Agency Authorization

Defense Nuclear Facilities Safety Board	31,000		31,000
Subtotal, Independent Federal Agency Authorization	31,000	0	31,000

Subtotal, 053, Atomic Energy Defense Activities	19,240,478	271,640	19,512,118
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Overseas Contingency Operations Funding Summary (Global War on Terror Funding)

National Defense Funding, Overseas Contingency Operations

National Defense Funding, Overseas Contingency Operations Budget Request

Function 051, Department of Defense-Military

	FY 2017 Request	House Change	House Authorized
Procurement			
Aircraft Procurement, Army	235,131	-4,420	230,711
Missile Procurement, Army	482,817	-172,210	310,607
Weapons & Tracked Combat Vehicles, Army	153,544	-131,134	22,410
Procurement of Ammunition, Army	301,523	-213,063	88,460
Other Procurement, Army	1,211,110	-612,028	599,082
Joint Improvised-Threat Defeat Fund	295,000	-25,000	270,000
Aircraft Procurement, Navy	358,830		358,830
Weapons Procurement, Navy	8,600		8,600
Procurement of Ammunition, Navy & Marine Corps	66,229		66,229
Other Procurement, Navy	64,877		64,877
Procurement, Marine Corps	118,939		118,939
Aircraft Procurement, Air Force	679,969	-25,600	654,369
Missile Procurement, Air Force	154,845		154,845
Procurement of Ammunition, Air Force	164,408		164,408
Other Procurement, Air Force	3,696,281		3,696,281
Procurement, Defense-Wide	234,434		234,434
Subtotal, Procurement	8,226,537	-1,183,455	7,043,082
Research, Development, Test and Evaluation			
Research, Development, Test & Evaluation, Army	100,489		100,489
Research, Development, Test & Evaluation, Navy	40,333		40,333
Research, Development, Test & Evaluation, Air Force	32,905		32,905
Research, Development, Test & Evaluation, Defense-Wide	162,419		162,419
Subtotal, Research, Development, Test and Evaluation ..	336,146	0	336,146

Operation and Maintenance

Operation & Maintenance, Army	13,724,112	-5,197,330	8,526,782
Operation & Maintenance, Army Reserve	24,120	-6,594	17,526
Operation & Maintenance, Army National Guard	66,907	-19,392	47,515
Afghanistan Security Forces Fund	3,448,715	-1,168,747	2,279,968
Iraq Train & Equip Fund	630,000	-217,913	412,087
Syria Train & Equip Fund	250,000	-98,497	151,503
Operation & Maintenance, Navy	5,345,875	-2,226,518	3,119,357
Operation & Maintenance, Marine Corps	944,359	-331,293	613,066
Operation & Maintenance, Navy Reserve	26,265	-10,448	15,817
Operation & Maintenance, Marine Corps Reserve	3,304	-1,302	2,002
Operation & Maintenance, Air Force	9,374,830	-3,683,011	5,691,819
Operation & Maintenance, Air Force Reserve	57,586	-22,788	34,798
Operation & Maintenance, Air National Guard	20,000	-7,880	12,120
Operation & Maintenance, Defense-Wide	5,944,129	-2,239,278	3,704,851
Subtotal, Operation and Maintenance	39,860,202	-15,230,991	24,629,211

Military Personnel

Military Personnel Appropriations	3,499,293	-1,299,721	2,199,572
Subtotal, Military Personnel	3,499,293	-1,299,721	2,199,572

Other Authorizations

Working Capital Fund, Army	46,833	-18,452	28,381
Working Capital Fund, Defense-Wide	93,800	-36,956	56,844
Drug Interdiction and Counter Drug Activities	191,533		191,533
Office of the Inspector General	22,062		22,062
Defense Health Program	331,764	-130,711	201,053
Counterterrorism Partnerships Fund	1,000,000	-250,000	750,000
Ukraine Security Assistance		150,000	150,000
Subtotal, Other Authorizations	1,685,992	-286,119	1,399,873

Military Construction

Army	18,900		18,900
Navy	21,400		21,400
Air Force	88,740	-449	88,291
Defense-Wide	5,000		5,000
Subtotal, Military Construction	134,040	-449	133,591

Subtotal, Overseas Contingency Operations 53,742,210 -18,000,735 35,741,475

Subtotal, 051, Department of Defense-Military 53,742,210 -18,000,735 35,741,475

**Total, National Defense Funding, Overseas Contingency
Operations Budget Request** 53,742,210 -18,000,735 35,741,475

National Defense Funding, Overseas Contingency Operations Funding for Base Requirements

Function 051, Department of Defense-Military

Procurement			
Aircraft Procurement, Army	78,040	1,060,200	1,138,240
Missile Procurement, Army	150,000	196,100	346,100
Weapons & Tracked Combat Vehicles, Army		267,100	267,100
Procurement of Ammunition, Army		287,700	287,700
Other Procurement, Army	161,900	106,800	268,700
Joint Improvised-Threat Defeat Fund	113,272		113,272
Aircraft Procurement, Navy	34,200	3,177,800	3,212,000
Weapons Procurement, Navy		127,100	127,100
Procurement of Ammunition, Navy & Marine Corps		77,200	77,200
Shipbuilding & Conversion, Navy		2,267,000	2,267,000
Other Procurement, Navy	59,329	118,900	178,229
Procurement, Marine Corps		54,800	54,800
Aircraft Procurement, Air Force	179,430	1,699,600	1,879,030
Missile Procurement, Air Force	184,700		184,700
Procurement of Ammunition, Air Force	323,000		323,000
Procurement, Defense-Wide	4,000		4,000
Subtotal, Procurement	1,287,871	9,440,300	10,728,171
Research, Development, Test and Evaluation			
Research, Development, Test & Evaluation, Army	33	63,700	63,733
Research, Development, Test & Evaluation, Navy	37,990	50,400	88,390
Operational Test & Evaluation, Defense		300,000	300,000
Subtotal, Research, Development, Test and Evaluation ..	38,023	414,100	452,123
Operation and Maintenance			
Operation & Maintenance, Army	1,586,475	2,294,934	3,881,409
Operation & Maintenance, Army Reserve	14,559	220,900	235,459
Operation & Maintenance, Army National Guard	60,128	326,100	386,228
Operation & Maintenance, Navy	1,481,516	1,300,740	2,782,256
Operation & Maintenance, Marine Corps	300,000	189,050	489,050
Operation & Maintenance, Navy Reserve		12,100	12,100
Operation & Maintenance, Marine Corps Reserve		7,700	7,700
Operation & Maintenance, Air Force	124,000	1,038,700	1,162,700
Operation & Maintenance, Air Force Reserve		20,500	20,500
Operation & Maintenance, Air National Guard		171,500	171,500
Operation & Maintenance, Defense-Wide	38,044		38,044
Subtotal, Operation and Maintenance	3,604,722	5,582,224	9,186,946
Military Personnel			
Military Personnel Appropriations	62,965	2,509,750	2,572,715
Medicare-Eligible Retiree Health Fund Contributions		49,900	49,900
Subtotal, Military Personnel	62,965	2,559,650	2,622,615

Other Authorizations			
Drug Interdiction and Counter Drug Activities	23,800		23,800
Subtotal, Other Authorizations	23,800	0	23,800
Military Construction			
Navy	38,409		38,409
Subtotal, Military Construction	38,409	0	38,409
Subtotal, 051, Department of Defense-Military	5,055,790	17,996,274	23,052,064

Total National Defense Discretionary Funding Summary

	FY 2017 Request	House Change	House Authorized
Summary, Discretionary Authorizations Within the Jurisdiction of the Armed Services Committee			
SUBTOTAL, DEPARTMENT OF DEFENSE (051)	523,952,134	-365,266	523,586,868
SUBTOTAL, ATOMIC ENERGY DEFENSE PROGRAMS (053)	19,240,478	271,640	19,512,118
SUBTOTAL, DEFENSE-RELATED ACTIVITIES (054)	211,000	88,997	299,997
TOTAL, NATIONAL DEFENSE (050)—BASE BILL	543,403,612	-4,629	543,398,983
TOTAL, OVERSEAS CONTINGENCY OPERATIONS	58,798,000	-4,461	58,793,539
GRAND TOTAL, NATIONAL DEFENSE	602,201,612	-9,090	602,192,522
Budget Authority Implication, National Defense Discretionary and Mandatory			
Department of Defense--Military (051)	590,021,134	-369,727	589,651,407
Atomic Energy Defense Activities (053)	20,512,478	271,640	20,784,118
Defense-Related Activities (054)	8,404,000	88,997	8,492,997
Total BA Implication, National Defense Discretionary and Man- datory	618,937,612	-9,090	618,928,522

ADDITIONAL INFORMATION:

The NDAA has been signed into law for 54 consecutive years.

COMMITTEE ACTION:

H.R. 4909 was introduced on April 12, 2016 and was referred to the House Armed Services Committee. The NDAA was ordered to be reported (amended) by the yeas and nays: [60-2](#), on April 28, 2016.

ADMINISTRATION POSITION:

The administration strongly opposes H.R. 4909. A full Statement of Administration Policy is available [here](#).

CONSTITUTIONAL AUTHORITY:

According to the sponsor: "Congress has the power to enact this legislation pursuant to the following: The constitutional authority on which this bill rests is the power of Congress "to provide for the common Defence", "to raise and support Armies", "to provide and maintain a Navy" and "to make Rules for the Government and Regulation of the land and naval Forces" as enumerated in Article I, section 8 of the United States Constitution.

NOTE: *RSC Legislative Bulletins are for informational purposes only and should not be taken as statements of support or opposition from the Republican Study Committee.*