

Fiscal Year 2011 Legislative Accomplishments, only half the story

Due largely to the political climate before and after the November elections, the National Guard's budget and policy guidance provided by Congress is half way there. The FY-2011 National Defense Authorization Act (NDAA) was signed into law on January 7th, representing the authorization pillar supporting the Department of Defense. The second pillar, the defense appropriations which represents the legal authority to actually spend funds, is currently operating under a temporary funding measure known as a continuing resolution (CR). The present CR expires on March 4, 2011. Congress is debating H.R.1, and should it pass both chambers of Congress, it will fund appropriations for the federal government until the end of FY-2011 on September 30, 2011. The following are issues that EANGUS has advocated on your behalf, and keep in mind that we are still very much in the process of determining the final product.

1. Post 9/11 Veterans Education Improvement Act of 2010 - Signed into law on January 4th, this legislation expands GI Bill benefits to over 84,000 members of the National Guard. This will allow, for the first time, soldiers and airmen who have served under Title 32 full GI Bill educational benefits.

2. National Guard & Reserve Equipment Account (NGREA) \$700 million – FY-11 NDAA authorizes \$700 million in NGREA to provide equipment for Title 32 and Title 10 operations.

3. Military Construction \$1.068 billion – ARNG facilities will receive \$873 million and ANG to receive \$194 million in military construction funds. While this represents an adequate funding level, the out years are below the needs to improve and maintain over 3,000 readiness centers, of which 40% are over 50 years old. The NDAA mandates that the Secretary of the Army report back to Congress on the present condition of readiness centers and the funding required to properly maintain the Guard's facility infrastructure.

4. Banned transfer of Guard & Reserve C-130s to active units – The NDAA halted Air Force attempt to take C-130s from both Guard and Reserve units across the country and place designated aircraft with an active-component unit. The Secretary of the Air Force must now submit to Congress a written agreement between all involved parties that details any plan to transfer aircraft from one component to another.

5. Access to the Operational Reserve - Also included in the NDAA report language is the opinion of the Committee that current legal authorities may not offer the flexibility for the effective use of the operational reserve and recommends that the Secretary of Defense review current authorities and submit legislative proposals for additional authority needed to facilitate involuntary activation of reserve component members or units to support operational requirements.

6. Temporarily hiring non-dual status technicians – This represents a partial victory, as the ARNG will be given the authority to hire only for two years 1,600 non-dual status technicians to make up for permanent technicians who are on Title 10 orders. This is in contrast to the President's budget request of 2,520 non-dual status technicians.