



National Guard Bureau Office of Legislative Liaison



FY2013 National Defense Authorization Act

*Analysis of H.R. 4310, the National Defense Authorization Act for
Fiscal Year 2013.*

As of 11 April 2012

Bills Status

| | Passed in Committee | Passed in Chamber | Agreement | Final Passage | Signed into Law |
|--------------------|------------------------|----------------------|-----------|---------------|-----------------|
| House H.R. 4310 | | | | | |
| Senate | | | | | |

<http://www.ng.mil/ll>

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Executive Summary

This guide provides only a short summary and analysis of the many National Guard-related provisions. To obtain a complete understanding of any particular provision, users are encouraged to review the actual legislative language contained in the applicable section of the bills, accompanying reports, or public law. The bill is available on the NGB-LL web page at [HTTP://WWW.NG.MIL/LL/](http://www.ng.mil/LL/)

STATUS

The Chairman and Ranking Member of the House Armed Services Committee have introduced the National Defense Authorization Act (NDAA) for Fiscal Year 2013. The bill, H.R. 4310, includes provisions submitted by the Department of Defense to create the basis for the NDAA Congress will eventually mark-up. The Department will continue to submit proposals for the NDAA that will be reflected during Committee work. The Senate Armed Services Committee traditionally introduces their version of the NDAA after completing work at the Committee level.

The House Armed Services Committee will take up the NDAA during the week of 23 April. The Personnel Subcommittee and Seapower and Projection Forces Subcommittee will mark-up the bill on 26 April. The Tactical Air and Land Forces Subcommittee and Readiness Subcommittee will mark-up the bill on 27 April. The full House Armed Services Committee is expected to approve the bill on 9 May.

The Senate Armed Services Committee is tentative scheduled to work on the bill during the week of 21 May.

Army National Guard

Authorization of Funding

(All Dollars in Thousands)

| Army National Guard | President's FY13 Budget Request | HASC Mark | Delta from PB | SASC Mark | Delta from PB | Conference Report | FY13 Delta from PB |
|---------------------|---------------------------------|-----------|---------------|-----------|---------------|-------------------|--------------------|
| O&M* | \$7,108,612 | | | | | | |
| OCO O&M* | \$382,448 | | | | | | |
| MILCON* | \$613,799 | | | | | | |

Army National Guard End Strength

| Army National Guard | President's FY12 Budget Request | HASC Mark | Delta from PB | SASC Mark | Delta from PB | Conference Report | FY13 Delta from PB |
|-----------------------------|---------------------------------|-----------|---------------|-----------|---------------|-------------------|--------------------|
| End Strength | 358,200 | | | | | | |
| AGR | 32,060 | | | | | | |
| Dual Status Technicians | 28,380 | | | | | | |
| Non-Dual Status Technicians | 1,600 | | | | | | |
| ADOS | 17,000 | | | | | | |

Air National Guard

Authorization of Funding

(All Dollars in Thousands)

| Air National Guard | President's FY12 Budget Request | HASC Mark | Delta from PB | SASC Mark | Delta from PB | Conference Report | FY13 Delta from PB |
|--------------------|---------------------------------|-----------|---------------|-----------|---------------|-------------------|--------------------|
| O&M* | \$6,015,455 | | | | | | |
| OCO O&M* | \$19,975 | | | | | | |
| MILCON* | \$42,386 | | | | | | |

Air National Guard End Strength

| Air National Guard | President's FY12 Budget Request | HASC Mark | Delta from PB | SASC Mark | Delta from PB | Conference Report | FY12 Delta from PB |
|-----------------------------|---------------------------------|-----------|---------------|-----------|---------------|-------------------|--------------------|
| End Strength | 101,600 | | | | | | |
| AGR | 14,305 | | | | | | |
| Dual Status Technicians | 21,101 | | | | | | |
| Non-Dual Status Technicians | 350 | | | | | | |
| ADOS | 16,000 | | | | | | |

Appropriations

Reduction of Strategic Airlift Requirement: The shell would reduce the number of strategic airlift airframes that must be maintained by the Air Force from 301 to 275 (Sec. 118). The Fiscal Year 2012 NDAA included a provision that lowered the number of strategic airlift airframes from 316 to 301.

Quadrennial Long-Term Plan for Procurement of Navy and Air Force Aircraft: The shell would require the Secretary of Defense to submit a plan for the procurement of Navy and Air Force Aircraft to support the recommendations of the Quadrennial Defense Review (QDR). The report would be submitted with the budget during each year a QDR is submitted. The report would include a detailed 10-year procurement plan and a notional 20-year procurement plan (Sec. 119).

Military Personnel Policy

Lawful Permanent Residents Appointed as Officers in the National Guard: The shell would allow lawful permanent residents to be appointed as officers in the National Guard (Sec. 511). This provision would bring appointment requirements under title 32 into alignment with those provisions under title 10.

Placement of Non-Dual Status Technicians in the Excepted Service: The shell would place members serving as National Guard Non-Dual Status Technicians in the excepted service will all Dual-Status Technicians (Sec. 512).

Additional Behavioral Health Professional to Conduct Pre-Separation Medical Exams for PTSD: The shell would enlarge the pool of behavioral health professionals that are authorized to conduct pre-separation medical exams for Post-Traumatic Stress Disorder to include psychiatrists, licensed clinical social workers, and psychiatric nurse practitioners (Sec. 542).

Other Authorizations

Drug Interdiction and Counter Drug: The shell would authorize \$999,363,000* for drug interdiction and counter drug activities of the Department of Defense (Sec. 1305).

*Indicates that the funding is Authorized and is subject to Appropriations funded within the Fiscal Year 2013 Defense Appropriations Act, or the Fiscal Year 2013 Military Construction Appropriations Act