



NATIONAL GUARD ASSOCIATION OF THE UNITED STATES, INC.

ONE MASSACHUSETTS AVENUE, NORTHWEST WASHINGTON, D.C. 20001 (202) 789-0031 FAX (202) 682-9358

July 10, 2018

The Honorable John McCain
Chairman
U.S. Senate Committee on Armed Services
228 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Jack Reed
Ranking Member
U.S. Senate Committee on Armed Services
228 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Mac Thornberry
Chairman
U.S. House Committee on Armed Services
2216 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Adam Smith
Ranking Member
U.S. House Committee on Armed Services
2216 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman McCain, Chairman Thornberry, Ranking Member Reed, and Ranking Member Smith,

On behalf of the 45,000 members of the National Guard Association of the United States (NGAUS) and the nearly 500,000 soldiers and airmen of the National Guard, we write to you outlining specific provisions we believe will significantly impact the National Guard as you formulate the final Fiscal Year 2019 National Defense Authorization Act (NDAA). We appreciate your consideration of our views as we continue our work to benefit the men and women of our National Guard while simultaneously improving their training, retention, and readiness.

1. House Section 513: National Guard Promotion Accountability

We request you retain House Section 513, which requires the Secretaries of the Army, and Air Force to provide back pay and time-in-grade for National Guard officers whose promotions are delayed during Department of Defense (DoD) review. According to DoD data, currently more than 6,500 Guardsmen are waiting an average of 265 days for federal recognition of their promotion. This issue negatively impacts retention of qualified servicemembers, as thousands of National Guard officers experience promotion delays and often perform the job of a higher rank at a lower rank's pay. Timely recognition of officer promotions is paramount to morale and retention and adopting this provision would improve National Guard personnel management.

2. House Section 1638: Study and Report on Reserve Component Cyber Civil Support Teams

We request you retain House Section 1638, which would require the Secretaries of Defense and Homeland Security to study establishing Reserve Component state-based cyber civil support teams (CSTs) under the command and control of the Governor. The National Guard excels in providing critical skillsets, including civilian expertise, to the DoD Cyber Mission Force and is more than capable in applying those skillsets to the diverse missions in each state. Requiring this report would better enable the National Guard to provide a model for state-based cyber response, especially in an environment of ever-evolving and persistent array of cyber-based threats to our nation.

3. House Section 7101: Authorization for Procurement of AH-64 Apache and UH-60 Black Hawk Aircraft for the Army National Guard

We request you retain House Section 7101 (Line 009) to authorize \$192.0 million for additional procurement of AH-64Es to address Army National Guard shortfalls. The inclusion of this provision will begin to bring Army Guard Apache battalions into compliance with the Army MTOE requirement of 24 aircraft per battalion, as these four battalions are currently equipped with 18 aircraft each.

We also request you retain House Section 7101 (Line 011) to authorize \$85.0 million for additional UH-60Ms for the Army National Guard to ensure mission readiness and interoperability of the Army Guard's rotary wing aviation assets. The inclusion of this provision is integral in closing a growing capability gap and support the Army Guard in overseas combat operations, and in response to domestic emergencies.

4. Senate Sections 606 and 607: Reserve Component High Deployment Allowance and Non-Reduction in Pay while serving under 12304b of Title 10, United States Code

We request you retain Senate Section 606, which would allow Reserve Component servicemembers to receive high deployment allowance when deployed under 12304b of Title 10, United States Code. Inclusion of this provision is vital, as we believe all Guardsmen and Reservists deployed on rapid, successive deployments under these orders should be afforded protection from financial hardship the same as they would under other mobilization authorities.

We also request you retain Senate Section 607, which would prevent pay reduction for Reserve Component servicemembers who are also federal employees and deploy under 12304b of Title 10, United States Code. These protections already exist when Guardsmen and Reservists serve on deployments under other mobilization authorities. With the increased reliance on the operational reserve, to include increased man-hours, deployments under 12304b, and the growing demand from Combatant Commands for Reserve Component forces, these protections are essential to providing maximum readiness for DoD and the nation.

In addition, we believe the provisions cited below are cause for concern and respectfully request they not be included in the final bill.

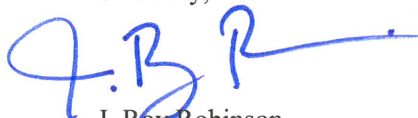
1. House Sections 506 and 511: Proposed Changes to the National Guard Dual-Status Technician Program

House Section 506 would significantly alter Section 10216 of Title 10, United States Code, to effectively eliminate the dual-status technician program in its present form. Currently, this Section of Title 10 protects National Guard dual-status technicians from losing their civilian jobs due to combat-related disabilities. House Section 506 would create a scenario where an individual who separates from the National Guard could retain that position indefinitely, thus depriving younger servicemembers the opportunity to advance their career. The result of stagnant career opportunities will negatively impact retention of talented National Guard servicemembers mid-career, as these individuals could separate earlier than anticipated.

We are also concerned with House Section 511, regarding placement of National Guard dual-status technicians in the Competitive Service. This Section would delay the hiring process and complicate employment appointment. Additionally, changing these positions from Exempt to Competitive status would remove the states from the hiring and management process by transitioning these authorities to the Office of Personnel Management.

Once again, we appreciate your consideration of our perspective as we work together toward ensuring our Reserve Component servicemembers have the tools and benefits needed to continue to carry out their role in the Total Force mission. Thank you for your continued support of the men and women of the National Guard.

Sincerely,



J. Roy Robinson
Brigadier General (Ret.)
President, NGAUS