



2024 Legislative Committee Report

8 March 2024

1. NGAUS/NGAJ Legislative Partnership. We have worked hard this past year to increase our influence in Congress and in the NJ Assembly. We proudly partnered with NGAUS where we could on some very important issues. We hope you see the benefit of joining your Association and with helping to advance what is important to you.

2. Legislative Accomplishments:

a. Early Retirement Credit Under 12304b Orders.

The Issue:

National Guard servicemembers have deployed under U.S.C Title 10, Section 12304b orders since 2012 for pre-planned missions in support of Combatant Commands, but are not authorized to receive the same benefits provided under other overseas mobilization authorities.

Accomplishment:

Section 604 of the Fiscal Year (FY) 2020 National Defense Authorization Act (NDAA) authorizes early retirement credit for National Guard and Reserve servicemembers serving under Title 10, Section 12304b orders

b. TRICARE Reserve Select Access Starting in 2030

The Issue:

National Guard servicemembers can face unique challenges in obtaining health care access or ensuring continuity of care. Significant numbers of servicemembers without health care can directly impact deployability of National Guard forces.

Accomplishment:

Section 701 of the Fiscal Year (FY) 2020 National Defense Authorization Act (NDAA) authorizes, beginning in 2030, access to TRS for federal employees who serve in the National Guard, including National Guard dual-status technicians

c. F-16 Viper Modernization

The Issue:

The Air National Guard operates significant numbers of F-16 Viper aircraft. Robust funding is required to ensure aircraft are modernized and can operate safely, reliably, and effectively during overseas deployments and in protecting U.S. airspace.

Accomplishment:

Fiscal Year 2021 Department of Defense appropriations legislation provides \$75.0 million for F-16 Viper Active Electronically Scanned Array (AESA) radars for the Air National Guard

d. Continued UH-60 Black Hawk Modernization & Recapitalization

The Issue:

The Army National Guard Black Hawk helicopter fleet continues to age, with many units operating aircraft that are over 25 years old.

Accomplishment:

Fiscal Year 2021 Department of Defense appropriations legislation provides \$862.0 million for UH-60 Black Hawk M model helicopters for the Army consistent with the FY21 budget request

3. Legislative Priorities:

a. Benefits & Leave Policies Befitting the Operational National Guard

The Issue:

The National Guard is fully integrated in ongoing national security missions around the world, having transitioned into an “operational reserve” since 9/11. This has led to increased military and training requirements, which can go beyond the statutorily-required 39 days of training to requirements totaling 80 or more days per year.

Recommendation:

Amend Title 5 of the United States Code to increase federal military leave from 15 to 30 days, which would help offset the impact of increased Department of Defense readiness and training requirements to support the National Defense Strategy

Amend the law to allow Reserve Component servicemembers to contribute a full \$18,500 annual contribution to each of their military TSP and civilian retirement accounts

b. ANG Fighter Recapitalization

The Issue:

The Air National Guard fighter fleet continues to deteriorate and requires modernization and recapitalization with new equipment to effectively support and meet the readiness and lethality requirements of the National Defense Strategy.

Recommendation:

FY24, language requiring SECDEF provide a roadmap for recapitalization before the closure of Air National Guard units and prevent loss of any ANG fighter force structure.

FY24, request plan and design MILCON funding to modernize ANG facilities to accommodate recapitalized platforms.

FY25, language requiring recapitalization of Air National Guard units at a one-for-one rate as units divest legacy combat aircraft to ensure no gaps in mission.

FY25, funding for 40 fighter aircraft (F-35A and F-15EX) annually for the next ten years to fully recapitalize legacy-equipped Air National Guard units.

c. The National Guard Counterdrug Program

The Issue:

The opioid epidemic is wreaking havoc across the United States.

Since 1989, the National Guard has been combating the crisis in every state, territory, and zip code through the National Guard Counterdrug Program (CDP). This program provides trained professionals from the National Guard to work alongside local law enforcement and help get drugs off the street.

Despite proven success and the growing fentanyl crisis, CDP funding has remained stagnant since the early 1990s, at roughly \$200M annually. Stagnant funding has resulted in the loss of over 100 full-time personnel annually since 2018. Between much-needed salary increases and inflation, the CDP is continually asked to do more with less.

Recommendation:

We request the Senate and House provide \$460M in funding to support the full 4,000 guardsmen IAW 32 USC 1123, with an additional \$30M for the schools, IAW public law 109-469.

4. Find more information at <https://www.ngaus.org/legislation>.



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