

Benefits & Leave Policies Befitting the Operational National Guard

Fiscal Year 2023 Fact Sheet



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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.

◀ Soldiers and Airmen training with the Cyber Yankee 2018 exercise prepare counter cyber-attacks to scenarios given them during the exercise at Joint Base Cape Cod, Mass.

Background

As the National Guard continues its role as the primary combat reserve of the Army and Air Force, military requirements to ensure soldier and airman readiness continue to increase beyond the traditional 39 day annual training structure. National Guard service is inherently part-time and policies should be enacted to ensure robust civilian employment for servicemembers.

Many servicemembers are required to complete additional military work outside of drill weekends and two week annual week training. Advanced military education, planning for more complex training scenarios, and fewer National Guard full time staffing positions have led to many servicemembers to complete military work outside of dedicated training time. Additionally, increased large-scale training exercises, such as Combat Training Center (CTC) rotations for the Army National Guard, require greater lead-time to plan and conduct mock operations with the Active Component and allied nations.

Increasing the statutorily mandated military leave for federal employees to 30 days annually would greatly alleviate the already-constrained time commitments for servicemembers, especially because a significant percentage of the National Guard and Reserve serve as federal employees in their civilian capacity. Under Title 5 of the United States Code, all federal employees are currently entitled to 15 days of military leave.

Additionally, it is critical that servicemembers are able to fully invest in both their military and civilian retirement accounts. Currently, the tax code does not treat military and civilian retirement accounts as separate entities.

With the implementation of the Blended Retirement System that includes a federal government match of servicemembers contributions to their TSPs, National Guard and Reserve servicemembers are only able to contribute \$9,750 annually to their separate civilian and military TSP retirement accounts. Congress should pass legislation to exempt military retirement accounts from this limitation for servicemembers to make a full \$19,500 allowable contribution to both their Thrift Savings Plan (TSP) and civilian employment retirement account.

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



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