

Subsec. (d). Pub. L. 110-181, §1826, added subsec. (d).
 1994—Pub. L. 103-337 renumbered section 115b of this title as this section and substituted “National Guard and reserve component equipment: annual report to Congress” for “Annual report on National Guard and reserve component equipment” as section catchline.
 1992—Subsec. (b)(8). Pub. L. 102-484 added par. (8).

EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-181, div. A, title III, §351(c)(1), Jan. 28, 2008, 122 Stat. 70, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to reports submitted after the date of the enactment of this Act [Jan. 28, 2008].”

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-337 effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as an Effective Date note under section 10001 of this title.

§ 10542. Army National Guard combat readiness: annual report

(a) IN GENERAL.—The Secretary of the Army shall include in the annual report of the Secretary to Congress known as the Army Posture Statement a detailed presentation concerning the Army National Guard, including particularly information relating to the implementation of the Army National Guard Combat Readiness Reform Act of 1992 (title XI of Public Law 102-484; 106 Stat. 2536) (hereinafter in this section referred to as “ANGCRRA”).

(b) MATTERS TO BE INCLUDED IN REPORT.—Each presentation under subsection (a) shall include, with respect to the period covered by the report, the following information concerning the Army National Guard:

(1) The number and percentage of officers with at least two years of active-duty before becoming a member of the Army National Guard.

(2) The number and percentage of enlisted personnel with at least two years of active-duty before becoming a member of the Army National Guard.

(3) The number of officers who are graduates of one of the service academies and were released from active duty before the completion of their active-duty service obligation and, of those officers—

(A) the number who are serving the remaining period of their active-duty service obligation as a member of the Selected Reserve pursuant to section 1112(a)(1) of ANGCRRRA; and

(B) the number for whom waivers were granted by the Secretary under section 1112(a)(2) of ANGCRRRA, together with the reason for each waiver.

(4) The number of officers who were commissioned as distinguished Reserve Officers' Training Corps graduates and were released from active duty before the completion of their active-duty service obligation and, of those officers—

(A) the number who are serving the remaining period of their active-duty service obligation as a member of the Selected Reserve pursuant to section 1112(a)(1) of ANGCRRRA; and

(B) the number for whom waivers were granted by the Secretary under section

1112(a)(2) of ANGCRRRA, together with the reason for each waiver.

(5) The number of officers who are graduates of the Reserve Officers' Training Corps program and who are performing their minimum period of obligated service in accordance with section 1112(b) of ANGCRRRA by a combination of (A) two years of active duty, and (B) such additional period of service as is necessary to complete the remainder of such obligation served in the National Guard and, of those officers, the number for whom permission to perform their minimum period of obligated service in accordance with that section was granted during the preceding fiscal year.

(6) The number of officers for whom recommendations were made during the preceding fiscal year for a unit vacancy promotion to a grade above first lieutenant and, of those recommendations, the number and percentage that were concurred in by an active-duty officer under section 1113(a) of ANGCRRRA, shown separately for each of the three categories of officers set forth in section 1113(b) of ANGCRRRA.

(7) The number of waivers during the preceding fiscal year under section 1114(a) of ANGCRRRA of any standard prescribed by the Secretary establishing a military education requirement for noncommissioned officers and the reason for each such waiver.

(8) The number and distribution by grade, shown for each State, of personnel in the initial entry training and nondeployability personnel accounting category established under section 1115 of ANGCRRRA for members of the Army National Guard who have not completed the minimum training required for deployment or who are otherwise not available for deployment.

(9) The number of members of the Army National Guard, shown for each State, that were discharged during the previous fiscal year pursuant to section 1115(c)(1) of ANGCRRRA for not completing the minimum training required for deployment within 24 months after entering the National Guard.

(10) The number of waivers, shown for each State, that were granted by the Secretary during the previous fiscal year under section 1115(c)(2) of ANGCRRRA of the requirement in section 1115(c)(1) of ANGCRRRA described in paragraph (9), together with the reason for each waiver.

(11) The number of members, shown for each State, who were screened during the preceding fiscal year to determine whether they meet minimum physical profile standards required for deployment and, of those members—

(A) the number and percentage who did not meet minimum physical profile standards required for deployment; and

(B) the number and percentage who were transferred pursuant to section 1116 of ANGCRRRA to the personnel accounting category described in paragraph (8).

(12) The number of members, and the percentage of the total membership, of the Army National Guard, shown for each State, who underwent a medical screening during the pre-

vious fiscal year as provided in section 1117 of ANGCRRA.

(13) The number of members, and the percentage of the total membership, of the Army National Guard, shown for each State, who underwent a dental screening during the previous fiscal year as provided in section 1117 of ANGCRRA.

(14) The number of members, and the percentage of the total membership, of the Army National Guard, shown for each State, over the age of 40 who underwent a full physical examination during the previous fiscal year for purposes of section 1117 of ANGCRRA.

(15) The number of units of the Army National Guard that are scheduled for early deployment in the event of a mobilization and, of those units, the number that are dentally ready for deployment in accordance with section 1118 of ANGCRRA.

(16) The estimated post-mobilization training time for each Army National Guard combat unit, and a description, displayed in broad categories and by State, of what training would need to be accomplished for Army National Guard combat units in a post-mobilization period for purposes of section 1119 of ANGCRRA.

(17) A description of the measures taken during the preceding fiscal year to comply with the requirement in section 1120 of ANGCRRA to expand the use of simulations, simulators, and advanced training devices and technologies for members and units of the Army National Guard.

(18) Summary tables of unit readiness, shown for each State, and drawn from the unit readiness rating system as required by section 1121 of ANGCRRA, including the personnel readiness rating information and the equipment readiness assessment information required by that section, together with—

(A) explanations of the information shown in the table; and

(B) based on the information shown in the tables, the Secretary's overall assessment of the deployability of units of the Army National Guard, including a discussion of personnel deficiencies and equipment shortfalls in accordance with such section 1121.

(19) Summary tables, shown for each State, of the results of inspections of units of the Army National Guard by inspectors general or other commissioned officers of the Regular Army under the provisions of section 105 of title 32, together with explanations of the information shown in the tables, and including display of—

(A) the number of such inspections;

(B) identification of the entity conducting each inspection;

(C) the number of units inspected; and

(D) the overall results of such inspections, including the inspector's determination for each inspected unit of whether the unit met deployability standards and, for those units not meeting deployability standards, the reasons for such failure and the status of corrective actions.

(20) A listing, for each Army National Guard combat unit, of the active-duty combat unit

associated with that Army National Guard unit in accordance with section 1131(a) of ANGCRRA, shown by State and to be accompanied, for each such National Guard unit, by—

(A) the assessment of the commander of that associated active-duty unit of the manpower, equipment, and training resource requirements of that National Guard unit in accordance with section 1131(b)(3) of ANGCRRA; and

(B) the results of the validation by the commander of that associated active-duty unit of the compatibility of that National Guard unit with active duty forces in accordance with section 1131(b)(4) of ANGCRRA.

(21) A specification of the active-duty personnel assigned to units of the Selected Reserve pursuant to section 414(c) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (10 U.S.C. 12001 note), shown (A) by State, (B) by rank of officers, warrant officers, and enlisted members assigned, and (C) by unit or other organizational entity of assignment.

(Added Pub. L. 103-160, div. A, title V, §521(a), Nov. 30, 1993, 107 Stat. 1652, §3082; renumbered §10542 and amended Pub. L. 103-337, div. A, title XVI, §1661(d)(3), Oct. 5, 1994, 108 Stat. 2982; Pub. L. 104-106, div. A, title XV, §1501(b)(8), Feb. 10, 1996, 110 Stat. 496; Pub. L. 104-201, div. A, title X, §1074(a)(21), Sept. 23, 1996, 110 Stat. 2660.)

REFERENCES IN TEXT

The Army National Guard Combat Readiness Reform Act of 1992, referred to in text, is title XI (§§1101-1137) of div. A of Pub. L. 102-484, Oct. 23, 1992, 106 Stat. 2536, as amended, which is set out as a note under section 10105 of this title.

AMENDMENTS

1996—Subsec. (b)(21), Pub. L. 104-201 substituted "10 U.S.C. 12001 note" for "10 U.S.C. 261 note".

Subsec. (d), Pub. L. 104-106 struck out subsec. (d) which read as follows: "DEFINITION.—In this section, the term 'State' includes the District of Columbia, Puerto Rico, Guam, and the Virgin Islands."

1994—Pub. L. 103-337 renumbered section 3082 of this title as this section, struck out "reform" after "readiness" in section catchline, and struck out heading and text of subsec. (c). Text read as follows: "The requirement to include in a presentation required by subsection (a) information under any paragraph of subsection (b) shall take effect with respect to the year following the year in which the provision of ANGCRRA to which that paragraph pertains has taken effect. Before then, in the case of any such paragraph, the Secretary shall include any information that may be available concerning the topic covered by that paragraph."

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-106 effective as if included in the Reserve Officer Personnel Management Act, title XVI of Pub. L. 103-337, as enacted on Oct. 5, 1994, see section 1501(f)(3) of Pub. L. 104-106, set out as a note under section 113 of this title.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-337 effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as an Effective Date note under section 10001 of this title.

§ 10543. National Guard and reserve component equipment procurement and military construction funding: inclusion in future-years defense program

(a) IN GENERAL.—The Secretary of Defense shall specify in each future-years defense program submitted to Congress under section 221 of this title the estimated expenditures and the proposed appropriations, for each fiscal year of the period covered by that program, for the procurement of equipment and for military construction for each of the reserve components of the armed forces.

(b) ASSOCIATED ANNEXES.—The associated annexes of the future-years defense program shall specify, at the same level of detail as is set forth in the annexes for the active components, the amount requested for—

(1) procurement of each item of equipment to be procured for each reserve component; and

(2) each military construction project to be carried out for each reserve component, together with the location of the project.

(c) REPORT.—(1) If the aggregate of the amounts specified in paragraphs (1) and (2) of subsection (b) for a fiscal year is less than the amount equal to 90 percent of the average authorized amount applicable for that fiscal year under paragraph (2), the Secretary of Defense shall submit to Congress a report specifying for each reserve component the additional items of equipment that would be procured, and the additional military construction projects that would be carried out, if that aggregate amount were an amount equal to such average authorized amount. The report shall be at the same level of detail as is required by subsection (b).

(2) In this subsection, the term “average authorized amount”, with respect to a fiscal year, means the average of—

(A) the aggregate of the amounts authorized to be appropriated for the preceding fiscal year for the procurement of items of equipment, and for military construction, for the reserve components; and

(B) the aggregate of the amounts authorized to be appropriated for the fiscal year preceding the fiscal year referred to in subparagraph (A) for the procurement of items of equipment, and for military construction, for the reserve components.

(3) A report required under paragraph (1) for a fiscal year shall be submitted not later than 90 days after the date on which the President submits to Congress the budget for such fiscal year under section 1105(a) of title 31.

(Added Pub. L. 104–201, div. A, title XII, §1257(a)(1), Sept. 23, 1996, 110 Stat. 2699; amended Pub. L. 105–85, div. A, title X, §1009(a), Nov. 18, 1997, 111 Stat. 1872; Pub. L. 106–398, §1 [[div. A], title IX, §931], Oct. 30, 2000, 114 Stat. 1654, 1654A–237; Pub. L. 112–81, div. A, title X, §1064(11), Dec. 31, 2011, 125 Stat. 1587.)

AMENDMENTS

2011—Subsec. (c)(3). Pub. L. 112–81 substituted “90 days” for “15 days”.

2000—Subsec. (c)(3). Pub. L. 106–398 added par. (3).

1997—Pub. L. 105–85 designated existing provisions as subsec. (a), inserted heading, and added subsecs. (b) and (c).

EFFECTIVE DATE

Pub. L. 104–201, div. A, title XII, §1257(b), Sept. 23, 1996, 110 Stat. 2699, provided that: “Section 10543 of title 10, United States Code, as added by subsection (a), shall apply with respect to each future-years defense program submitted to Congress after the date of the enactment of this Act [Sept. 23, 1996].”

REQUIRED LEVEL OF DETAIL

Pub. L. 105–85, div. A, title X, §1009(b), Nov. 18, 1997, 111 Stat. 1872, provided that: “The level of detail provided for procurement and military construction in the future-years defense programs for fiscal years after fiscal year 1998 may not be less than the level of detail provided for procurement and military construction in the future-years defense program for fiscal year 1998.”

PART II—PERSONNEL GENERALLY

Table with 2 columns: Chap. and Sec. listing various personnel categories like Authorized Strengths and Distribution in Grade, Enlisted Members, etc.

AMENDMENTS

1997—Pub. L. 105–85, div. A, title V, §515(b), Nov. 18, 1997, 111 Stat. 1733, substituted “12551” for “[No present sections]” in item for chapter 1215.

1996—Pub. L. 104–106, div. A, title V, §512(a)(2), Feb. 10, 1996, 110 Stat. 305, added item for chapter 1214.

CHAPTER 1201—AUTHORIZED STRENGTHS AND DISTRIBUTION IN GRADE

Table with 2 columns: Sec. and description of authorized strengths and distribution in grade for various military components.