SEC. ___. MODIFICATION OF LIMITATION OF AUTHORIZED PERIOD OF ACTIVE DUTY OF CERTAIN RESERVE COMPONENT GENERAL AND FLAG OFFICERS.

Section 526(c)(2) of title 10, United States Code, is amended by striking "of not more than 365 days" and inserting "not to exceed two years".

[Please note: The "Changes to Existing Law" section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal would increase the opportunities available to reserve component general or flag officers to gain broadening experiences in positions where 24 months is considered to be optimal. Specifically, this proposal would amend section 526(c)(2) of title 10, United States Code, to allow reserve component general or flag officers to serve on active duty for a period of not more than two years without counting toward the strength limitations applicable to active duty general officers under section 526(a) of title 10. This additional authority would provide reserve component general and flag officers with enhanced opportunities for professional development assignments at the Department of Defense (DoD) and with their respective Services.

Existing law allows up to 10 percent of the reserve component general or flag officers for each armed force to serve on active duty for a period of not more than 365 days without counting toward the active duty strength limitations of section 526(a) of title 10. The proposal would only modify the duration of the active duty period during which reserve component officers are excluded from the active duty strength limitations of section 526(a) of title 10; that is, the proposal would increase the maximum active duty period from 365 days to two years. The proposal would not increase the total numbers of officers that may use the exclusion provided in section 526(c)(2) of title 10, which is limited to 10 percent of the number of reserve component general or flag officers authorized by section 12004 of title 10. Moreover, the proposal would not modify the total numbers of reserve component general or flag officers that are authorized to be in an active status pursuant to section 12004 of title 10.

To attain requisite competencies, the average duration for active duty general officer assignments is normally between 24 and 36 months. Allowing a small percentage of reserve component officers to serve in general or flag officer assignments for a period of up to two years would provide these officers with crucial expertise in the operational and functional competencies demanded of senior officers for success in the modern joint environment. In addition to better preparing these officers for senior leadership positions, this increased assignment length would benefit the commands in which the officers serve on active duty because of the breadth and depth of experience of these officers during the second year of their assignments. The additional flexibility will further assist DoD and the Services with meeting

their leadership and management needs, while providing broadening experiences for reserve component general and flag officers.

The proposal would also improve efficiencies and reduce costs. Travel time, in processing, out processing, and the use of leave results in the loss of nearly two months from a typical reserve component officer's 365-day assignment. A two-year assignment period reduces the costs associated with moving two members to only one, and extending the professional development period from 10 months to 21 months. Finally, this change would allow DoD and the Services to better utilize reserve component officers within the standard, two-year assignment scheduled for general officers.

Budget Implications: The proposal does not affect the authorized number of general officers and would not result in increased resource requirements.

Section 12004 of title 10 authorizes the strengths of the Army (207), Air Force (157), Navy (48) and Marine Corps (10) in reserve general officers in an active status, and the authorized strength of the Navy in reserve officers in the grades of rear admiral (lower half) and rear admiral in an active status. In accordance with Army Regulation 135-156, the United States Army Reserve is authorized 115 and the Army National Guard is authorized 92 Army reserve component general officers. As stated above, current law authorizes 10 percent of reserve component general or flag officers authorized to serve on active duty; therefore, the Army Reserve and Army National Guard are authorized 11 and 9 general officers, respectively. The resources reflected in the table below are funded within the FY 2017 President's Budget.

RESOURCE REQUIREMENTS ($MILLIONS)									
Service	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Army National Guard	16.762	16.139	16.434	16.712	17.080	National Guard Personnel, Army	01	080	0904901A
Army Reserve	1.5	1.8	1.5	1.8	1.5	Reserve Personnel, Army	01	080	0532214A
Navy does not intend to use this authority, which would have been funded from the following account: Reserve Personnel, Navy									
Marine Corps does not intend to use this authority, which would have been funded from the following account: Reserve Personnel, Marine Corps									
Air National Guard does not intend to use this authority, which would have been funded from the following account: National Guard Personnel, Air Force.									
Air Force Reserve does not intend to use this authority, which would have been funded from the following account: Reserve Personnel, Air Force.									
Total	18.262	17.939	17.934	18.512	18.580				

NUMBER OF PERSONNEL AFFECTED									
Service	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Army National	4	5	4	5	4	National Guard	01	080	0904901A

Guard						Personnel, Army			
Army Reserve	5	6	5	6	5	Reserve Personnel, Army	01	080	0532214A
Navy does not intend to use this authority, which would have been funded from the following account: Reserve Personnel, Navy									
Marine Corps does not intend to use this authority, which would have been funded from the following account: Reserve Personnel, Marine Corps									
Air National Guard does not intend to use this authority, which would have been funded from the following account: National Guard Personnel, Air Force.									
Air Force Reserve does not intend to use this authority, which would have been funded from the following account: Reserve Personnel, Air Force.									
Total	9	11	9	11	9				

Changes to Existing Law: This proposal would make the following change to section 526 of title 10, United States Code:

TITLE 10, UNITED STATES CODE

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§ 526. Authorized strength: general and flag officers on active duty

(a) LIMITATIONS.—The number of general officers on active duty in the Army, Air Force, and Marine Corps, and the number of flag officers on active duty in the Navy, may not exceed the number specified for the armed force concerned as follows:

(1) For the Army, 231.
(2) For the Navy, 162.
(3) For the Air Force, 198.
(4) For the Marine Corps, 61.

(b) LIMITED EXCLUSION FOR JOINT DUTY REQUIREMENTS.—***

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(c) EXCLUSION OF CERTAIN RESERVE OFFICERS.—

(1) The limitations of this section do not apply to a reserve component general or flag officer who is on active duty for training or who is on active duty under a call or order specifying a period of less than 180 days.

(2) The limitations of this section also do not apply to a number, as specified by the Secretary of the military department concerned, of reserve component general or flag officers authorized to serve on active duty for a period ~~of not more than 365 days~~ <u>not to exceed two years</u>. The number so specified for an armed force may not exceed the number equal to 10 percent of the authorized number of general or flag officers, as the case may be, of that armed force under section 12004 of this title. In determining such number, any fraction shall be rounded down to the next whole number, except that such number shall be at least one.

(3) The limitations of this section do not apply to a reserve component general or flag officer who is on active duty for a period in excess of 365 days but not to exceed three years, except that the number of such officers from each reserve component who are covered by this paragraph and not serving in a position that is a joint duty assignment for purposes of chapter 38 of this title may not exceed 5 per component, unless authorized by the Secretary of Defense.

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