



## **Fact Sheet: National Defense Authorization Act of Fiscal Year 2013 (S. 3254)**

*Senate Democrats are committed to maintaining the capability of the world's strongest military to defend against existing and emerging threats. The bipartisan National Defense Authorization Act (NDAA) would provide the resources, tools, and talent needed to maintain a strong and flexible national defense at home and around the world. By increasing military pay and safeguarding benefits, the NDAA would ensure that the highly trained and skilled professionals of our Armed Forces receive the compensation they've earned in service to their country. Because U.S. security in the world also depends on a strong economy at home, the NDAA would make tough decisions and reforms to ensure that taxpayer dollars are not wasted.*

### **Securing the United States Against Existing and Emerging Threats**

- **The NDAA would authorize the appropriation of funds the military needs to secure our nation.** The NDAA would authorize \$631.4 billion for national defense programs, which is \$234 million less than the President's budget request. This total includes \$525.8 billion for the Department of Defense (DOD) base budget (\$498 million more than the request); \$88.2 billion for the DOD Overseas Contingency Operations (OCO) budget (\$301 million less than the request); and \$17.3 billion for Atomic Energy Defense Programs (\$431 million less than the request). Authorizations are subject to appropriations, which must conform to the levels set in the Budget Control Act. [[Senate Armed Services Committee](#), 5/24/12]
- **The NDAA would support military personnel levels that will safeguard American personnel and interests.** The legislation would decrease personnel levels ("end strength") from FY12 for all four branches of the military and the reserve components, except for the Air Force Reserve, which would be authorized at an increased end strength level over last year. Personnel levels for the active duty, reserve, and guard forces for the Army, Navy, and Marine Corps would all be equal to the President's budget request. The active duty Air Force, Air Force Guard, and Air Force Reserve would be authorized at end strength levels above the President's budget to support force structure changes adopted by the Armed Services Committee that were not requested in the President's budget. [[Senate Armed Services Committee](#), 5/24/12; Committee Report [112-173](#)]

- **The NDAA would provide critical resources and strategic guidance in the fight against terrorists.** The legislation would authorize \$10.5 billion for the U.S. Special Operations Command, which plays a critical role in countering nontraditional threats such as al Qaeda and other extremist groups. [[Senate Armed Services Committee, 5/24/12](#)]
  - **Building Partner Counterterrorism Capacity:** The NDAA would authorize for an additional year the DOD global train and equip program that provides up to \$350 million to build the capacities of foreign military forces to conduct counterterrorism and stabilization operations.
  - **Combatting Al Qaeda and Affiliates:** The NDAA would extend DOD's authority to train and equip certain security forces in Yemen to counter al Qaeda in the Arabian Peninsula and certain security forces in East Africa to counter al Qaeda affiliates and elements of al Shabaab. The bill would make \$75 million available for capacity building efforts in Yemen and East Africa, respectively. [[Senate Armed Services Committee, 5/24/12](#)]
  - **Lord's Resistance Army (LRA):** The LRA is a small, dispersed Ugandan rebel group that emerged in the late 1980s. The LRA, which is now active in the border zones of the Democratic Republic of Congo, Central African Republic and South Sudan, is notorious for using child soldiers and threatens regional stability in central Africa. In late 2011, the U.S. deployed 100 troops to Uganda to advise and assist the local forces in their efforts to dismantle the remaining vestiges of the LRA. The bill would authorize appropriations of \$50 million to enhance and expand intelligence, surveillance, and reconnaissance support to Operation Observant Compass – DOD's ongoing operation to support central African forces conducting operations against the LRA. [[CRS, 4/23/12](#); [ICG, 1/10/12](#); [Senate Armed Services Committee, 5/24/12](#)]
  
- **The NDAA would continue efforts to counter threats from nuclear, chemical, and biological weapons.**
  - **Nuclear:** The NDAA would authorize \$2.5 billion for the National Nuclear Security Administration's (NNSA) Defense Nuclear Nonproliferation programs. NNSA manages and maintains oversight responsibility for the nuclear nonproliferation programs at the Department of Energy. It would also authorize \$7.6 billion for nuclear modernization activities at the Department of Energy, which is consistent with commitments under the New START Treaty. The Senate's version of the NDAA does not contain any limits on the New START Treaty's implementation. [[Senate Armed Services Committee, 5/24/12](#); [Center for Arms Control and Non-Proliferation](#)]
  - **Chemical and Biological:** The NDAA would authorize \$1.4 billion for the Chemical and Biological Defense Program. It would also include authorization of \$1.5 billion for chemical demilitarization programs, which were created to eliminate existing chemical weapons stockpiles in compliance with the Chemical Weapons Convention (CWC) signed in 1997. [[Senate Armed Services Committee, 5/24/12](#); [Department of Defense](#)]

- **The NDAA would provide resources to amplify the Defense Department's cybersecurity and cyber capabilities.**
  - DOD is probed millions of times a day by malicious cyber actors. By September 2011, DOD had identified over 70 million cumulative malware threats against its networks. Foreign nations and intelligence organizations are working to exploit DOD's networks and some have the capacity to disrupt elements of our information infrastructure. [[Testimony of Assistant Secretary Zachary Lemnios](#), 3/20/12; [DOD Strategy for Operating in Cyberspace](#), 7/11]
  - The NDAA would require DOD to consolidate networks to improve security and management, and to free up personnel for re-assignment to Cyber Command's offensive missions, which are understaffed. It also would require DOD officials to improve security, quality, and competition in the acquisition of software, and to develop a strategy to acquire next-generation host-based cybersecurity tools and capabilities. [[Senate Armed Services Committee](#), 5/24/12]
  
- **The NDAA would authorize additional resources to combat the threat of improvised explosive devices (IEDs).**
  - **Defeating IED attacks:** IEDs have been a major cause of fatalities for U.S. Armed Forces in Afghanistan. The bill would authorize \$1.7 billion to support the ongoing activities of the Joint Improvised Explosive Device Defeat Organization (JIEDDO). JIEDDO is the coordinating agency established six years ago by DOD to lead, advocate, and coordinate responses to the IED threat across the Defense Department. JIEDDO works to rapidly provide counter-IED capabilities that will minimize IED's impacts and effectiveness. [[CSIS](#), 11/10/10; [Senate Armed Services Committee](#), 5/24/12; [JIEDDO](#)]
  - **Preventing the manufacture of IEDs:** According to the Government Accountability Office, approximately 80% of the IEDs in Afghanistan are constructed using homemade explosives that are smuggled from Pakistan. The most common chemicals that are used in IEDs are materials that are often used in fertilizer and for other legal necessities. The NDAA would authorize the Secretary of Defense to support efforts in Pakistan to counter the flow of improvised explosive device chemical precursors. [[GAO](#), 7/12/12; [Senate Armed Services Committee](#), 5/24/12]
  
- **The NDAA would support efforts to wind down the war in Afghanistan.** The legislation would extend a number of authorities that are essential for our military commanders to conclude their mission in Afghanistan as we bring the war to an end. The NDAA would: [[Senate Armed Services Committee](#), 5/24/12]
  - Reauthorize support for the reintegration of insurgent fighters back into Afghan society.
  - Provide \$200 million for the Commanders' Emergency Response Program to enable military commanders to fund small-scale humanitarian projects that help secure the support of the Afghan people. That authorization would be \$200 million below the President's request, due to reduced requirements in connection with the U.S. force drawdown.

- Provide \$350 million for the Afghanistan Infrastructure Fund to support infrastructure projects that are high-priority for the civil-military campaign, particularly the electrification of the Kandahar area.
- Fully fund the \$5.7 billion requested for the Afghanistan Security Forces Fund to build the capacity of the Afghan Army and Police so those forces can transition to taking the security lead throughout Afghanistan by 2014.

### **Support the Men and Women in Uniform**

- **The NDAA would raise military pay.** The NDAA would include a cost-of-living adjustment that would provide all members of the uniformed services with a 1.7% across-the-board pay raise. [[Senate Armed Services Committee](#), 5/24/12]
- **The NDAA would keep TRICARE affordable for beneficiaries.** The legislation would not authorize the Defense Department's proposals to establish enrollment fees for TRICARE Standard and TRICARE for Life and increase TRICARE deductibles and the annual catastrophic cap. [[Senate Armed Services Committee](#), 5/24/12]

### **Standing by Israel**

- **The NDAA would authorize critical assistance to Israel.** The NDAA would expand existing efforts to support Israel and provide it with the resources and technology it needs to defend itself against these attacks. [[Senate Armed Services Committee](#), 5/24/12]
  - The NDAA would authorize \$210 million to provide to the Government of Israel to procure additional "Iron Dome" short-range rocket defense systems.
  - The legislation would authorize an increase of \$100 million to accelerate and enhance joint U.S.-Israeli cooperative missile defense programs, including \$20 million for improving the Arrow Weapon System; \$20 million for development of the Arrow-3 upper-tier interceptor; and \$60 million for development of the "David's Sling" short-range missile defense system.

### **Fighting Waste and Protecting Taxpayer Dollars**

- The NDAA would cut more than \$660 million from the President's budget for military construction and family housing projects, including more than \$200 million in incrementally funded projects. These cuts would improve efficiency and prevent waste through more efficient cash flow of large projects. [[Senate Armed Services Committee](#), 5/24/12]
- The NDAA would reduce \$200 million in undistributed funding for Joint Improvised Explosive Device Defeat Organization (JIEDDO) because of duplication of effort with the military services, excessive contractor support costs, and organizational inefficiencies. [[Senate Armed Services Committee](#), 5/24/12; Committee Report [112-173](#)]

- The legislation would prohibit any spending in FY 2013 for the tri-national Medium Extended Air Defense System (MEADS), which has sustained schedule delays and cost overruns. The Department of Defense has decided not to procure MEADS, which is designed to intercept short-range ballistic and cruise missiles, and also shoot down planes and drones. The President requested \$401 million for the program in his budget. [[Senate Armed Services Committee](#), 5/24/12; Committee Report [112-173](#); [The Washington Post](#), 3/9/10]
- The NDAA would add \$20.75 million for the DOD Corrosion Prevention and Control shortfall. DOD estimates that corrosion of military equipment costs over \$22 billion per year, and investment in corrosion control yields a 14:1 return on investment. [[Senate Armed Services Committee](#), 5/24/12]
- The NDAA would add \$59.1 million for the DOD Inspector General (IG) to enable the IG to continue growth designed to provide more effective oversight and help identify waste, fraud, and abuse in DOD programs, especially in the area of procurement. DOD IG reviews resulted in an estimated \$2.6 billion savings in FY11 – a return on investment of \$8.79 for every \$1 spent. [[Senate Armed Services Committee](#), 5/24/12]

### **Greater Energy Security and Independence**

- The NDAA would authorize \$150 million for the Energy Conservation Investment Program, which is tasked with reducing energy consumption and greenhouse gas emissions, and increasing the use of renewable energy. [[Senate Armed Services Committee](#), 5/24/12; Committee Report [112-173](#)]
- The legislation would authorize \$200 million in funding for the Defense Research and Development (R&D) Rapid Innovation Program to aid in technology transition across a broad spectrum of technologies, including those which will improve energy efficiency, enhance energy security, and reduce the Department's dependence on fossil fuels. [[Senate Armed Services Committee](#), 5/24/12]

### **Other Notable Provisions**

- **The NDAA would extend expiring detainee transfer restrictions for one year.** The Defense Authorization Act would extend restrictions included in the FY 2012 NDAA that prevent DOD from using funds to build a facility in the U.S. to house Guantanamo detainees. The FY 2013 NDAA would also extend for one year the certification requirement included in last year's NDAA regarding transfers of Guantanamo detainees to foreign countries and other foreign entities. [Committee Report [112-173](#)]
- **New rounds of Base Realignment and Closure (BRAC) would not be authorized.** In his budget request, the President requested two rounds of base realignment and closure to take place in 2013 and 2015, respectively. The NDAA would not include authorization to pursue new BRAC rounds. [[Senate Armed Services Committee](#), 5/24/12]
- **The NDAA would prevent the Air Force from implementing force structure reductions that fall more heavily on the Air National Guard and establish a National Commission on the Structure of the Air Force.** In the meantime, during fiscal year 2013, the Air Force would be precluded from divesting, retiring or transferring aircraft assigned to the Air National Guard and Air Force Reserve.