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## Guarding Readiness Resources Act

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The brave men and women of our National Guard respond frequently to local emergencies and civil disturbances in a State Active Duty (SAD) status. Federal law allows for the use of federal assets, like helicopters and trucks, to accomplish SAD missions, but states are responsible for paying the costs associated with their use of these assets to the federal government. Once a mission is complete, the state's appointed U.S. Property and Fiscal Officer (USPFO) sends an invoice to the state or territory for reimbursement. The state validates this invoice and sends reimbursement funds back to the USPFO.

The reimbursement funds are meant to replace money that has already been appropriated by Congress, but because the state's payment comes from a non-congressional source, it triggers the Miscellaneous Receipts Act<sup>1</sup> (MRA). The MRA mandates that inflows to the executive branch from non-congressional sources be sent directly to the U.S. Treasury, leaving the National Guard with serious budgeting shortfalls.

According to the National Guard Bureau, "Since it is not possible to plan for the amount of SAD missions that will be performed in any given year, the inability to retain those funds for maintenance and repair of Federal National Guard equipment after use by the states is a risk to the National Guard's readiness for federal missions.... The ability to retain and execute those reimbursed funds in the fiscal year they are received by the USPFO would have had a significant, positive impact on National Guard training and readiness."<sup>2</sup>

### Bill Specifics

Provides an exemption from the Miscellaneous Receipts Act for SAD reimbursement payments. By adding a Miscellaneous Receipts exemption to section 710 of title 32, Congress will ensure that:

- The USPFO can direct reimbursement money back to National Guard units.
- National Guard units will have available funding for maintenance, repair, and replacement costs of federal equipment when needed.
- National Guard equipment, property, and training funds will remain ready for National Guard federal missions.

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<sup>1</sup> [31 U.S. Code § 3302](#)

<sup>2</sup> National Guard Report to Congress: Retention of State Active-Duty Reimbursement Funds

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*For more information concerning this bill or to be added as a cosponsor, please contact Katherine Thompson (Katherine\_Thompson@lee.senate.gov) or Karina Mariotti (Karina\_Mariotti@lee.senate.gov) in Senator Lee's office.*