

FY2024 NDAA: Junior Reserve Officers' Training Corps (JROTC) Matters

Updated December 29, 2023

Background

The Junior Reserve Officers' Training Corps (JROTC) is a [congressionally mandated](#) and funded Department of Defense (DOD) program of instruction with participation of [approximately 500,000 students in more than 3,400 secondary schools](#). It is administered by the military departments (Army, Navy, and Air Force) and instruction is provided primarily by retired military servicemembers. The military services exercise oversight for the program in coordination with local educational agencies (LEAs).

The program has garnered attention in the 117th and 118th Congresses following reporting on [instructor misconduct](#), [curriculum standards](#), and [allegations of coerced enrollment](#), among [other matters](#). While program oversight has raised concerns, a [2023 study by the RAND Corporation of JROTC outcomes](#) has linked high school participation in the program with increased likelihood for graduation, higher attendance rates, and lower disciplinary actions. It also found that JROTC participants are more likely than other high school students to enlist, complete their first term of enlistment, and to pursue science, technology, engineering, and mathematics (STEM)-related occupational specialties than other enlistees in the Army. In 2020, the [National Commission on Military, National, and Public Service](#) pointed to JROTC as a catalyst for increasing civic education and sparking interest in military service, and [recommended expanding and strengthening JROTC programs](#). [Some observers](#) have suggested that expanding the JROTC program could help to mitigate recruiting shortfalls by increasing youth [propensity to serve](#).

For additional background, see CRS In Focus IF11313, *Defense Primer: Junior Reserve Officers' Training Corps*, by Kristy N. Kamarck.

Legislation

During consideration of the National Defense Authorization Act for Fiscal Year 2024 (NDAA; H.R. 2670; S. 2226), the House and Senate proposed several amendments to JROTC authorities related to program

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IN12205

structure and accountability. The enacted FY2024 NDAA (P.L. 118-31) adopted nearly all of provisions. See **Table 1** and discussion of provisions below.

Table 1. Selected JROTC Provisions in the FY2024 NDAA

House-passed (H.R. 2670)	Senate-passed (S. 2226)	Enacted (P.L. 118-31)
Program Structure		
No similar provision.	Section 571 would mandate at least 3,400 JROTC units and no more than 4,000, and would strike statutory language about “fair and equitable distribution” of units.	Section 551 adopted the Senate provision.
Section 553 would prohibit the establishment or maintenance of a JROTC unit at an educational institution owned, operated, or controlled by the Chinese Communist Party.	No similar provision.	Section 554 adopted the House provision.
Section 552 would clarify eligibility requirements for JROTC instructors and modify how instructor salaries are determined.	Section 574 is similar to the House provision but includes language indicating that individual’s eligible “request such employment.”	Section 553 adopted the Senate provision with an amendment that prohibits DOD from reducing the pay of any JROTC instructor employed as of the date of enactment.
Program Accountability		
No similar provision.	Section 572 would codify the authority to suspend or place on probation JROTC units and would require reports to Congress on suspended and probationary units.	Section 555 adopted the Senate provision with a technical amendment.
No similar provision.	Section 573 would require DOD to establish a standard memorandum of understanding (MOU) for institutions hosting JROTC units with processes for reporting conduct violations.	Section 552 adopted the Senate provision with a technical amendment.
No similar provision.	Section 575 would require an annual report to Congress on allegations of sexual misconduct in JROTC units.	Section 556 adopted the Senate provision with a technical amendment.
No similar provision.	Section 576 would require a Government Accountability Office (GAO) report on DOD efforts to increase transparency and reporting on sexual violence in JROTC.	Not adopted; conferees directed a GAO report on topics related to JROTC and sexual misconduct.

Source: CRS analysis of legislation on Congress.gov.

Program Structure

[Section 551 of the FY2024 NDAA](#) set mandatory parameters for the number of JROTC units (between 3,400 and 4,000). The military departments reported 3,499 total units in FY2023 (see **Table 2**) with a planned increase of 15 units in FY2024. Section 551 also removed language under [10 U.S.C. §2031\(a\)](#) that mandates “fair and equitable distribution” of units throughout the Nation.

[Section 554](#) of final bill adopted a House provision that prohibits the establishment or maintenance of a JROTC unit at an educational institution owned, operated, or controlled by an individual or entity with connections to the Chinese Communist Party. [Some observers](#) have raised concerns about China's influence and [investment](#) in elementary and secondary education in the United States.

Table 2. Number of Funded JROTC Units

Military Service Branch	FY2023	FY2024 (request)
Army	1,729	1,734
Navy	658	658
Marine Corps	254	252
Air Force	848	853
Space Force	10	17
Total	3,499	3,514

Source: Military Department budget justification books. Navy and Marine Corps figures include [Navy National Defense Cadet Corps \(NNDCC\)](#) units.

[Section 553](#) of the enacted FY2024 NDAA adopted similar provisions from the House and Senate bills (Sections 552 and 574, respectively) that clarify [the authority](#) to employ certain non-retirement eligible veterans and reserve component members as JROTC instructors. This follows an expansion of instructor eligibility in the FY2023 NDAA (P.L. 117-263, §512).

Section 553 also directs a new pay structure for instructors. Under the existing system, military departments subsidize JROTC instructors by reimbursing the host LEA for a portion of the salary. The services fund these subsidies through military personnel (MILPERS) appropriations. The [Minimum Instructor Pay \(MIP\)](#) required to be paid by the LEA is the difference between the (1) active duty pay the instructor would receive if recalled to active duty and (2) instructor's retired pay entitlement. The military service is required by [10 U.S.C. §2031\(e\)](#) to reimburse the LEA for up to one-half of the MIP. Changes to the [military retirement system](#) in the FY2016 NDAA (P.L. 114-92) that reduced the retired pay multiplier (thereby increasing the MIP) would likely increase DOD's costs for instructor salaries under this legacy system.

Section 553 of the enacted FY2024 NDAA requires a new "joint service instructor pay scale" (JSIPS) system. Under the scale, DOD is to subsidize a minimum of half of the JSIPS salary and the host LEA is responsible for the remaining salary. The legislation did not define parameters for the JSIPS, thus providing discretionary authority to DOD to establish such parameters under its [financial management regulations for JROTC instructor pay](#). The final bill also included an amendment that prohibits DOD from reducing the total compensation of any JROTC instructors or administrators who were employed as of the date of enactment.

Program Accountability

The enacted FY2024 NDAA adopted several Senate-proposed provisions designed to improve JROTC oversight and accountability, in particular with respect to sexual misconduct by JROTC instructors. [Section 552](#) requires DOD to establish a standard memorandum of understanding (MOU) for JROTC units and LEAs specifying requirements and processes for reporting allegations of misconduct, certifying instructors, inspecting units, and training students. [Section 555](#) codified authorities to suspend or place units on probation for violating the established standards, and requires DOD to report annually on violations. [Section 556](#) requires annual reporting for a period of five years starting in March 2024 on

allegations of sexual misconduct and harassment in JROTC units and actions that DOD is taking to mitigate these activities.

[Section 576 of the Senate bill](#) would have required the U.S. Government Accountability Office (GAO) to report on DOD's implementation of these mandated activities. This provision was not adopted; [conferees directed GAO](#) to conduct a review of DOD efforts to increase transparency and reporting on sexual violence and to submit a report within one year of enactment of the FY2024 NDAA.

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