



Zero One Strategies

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Primer: National Defense Authorization Act Process

The process of negotiating and passing the annual National Defense Authorization Act (NDAA) is a multi-step procedure that involves several stages of legislative activity in both the House of Representatives and the Senate. Recently, the process has been different year-by-year, based on the political and legislative realities of that particular Congress. Below is an overview of the NDAA legislative process.

1. Presidential Budget Request

The NDAA process begins with the submission of the President’s budget request to Congress, typically on or around the first Monday in February each year. This request includes policy proposals and legislative requests from the Department of Defense (DOD) and other agencies relevant to defense policy.

2. Committee Hearings and Markup

The House Armed Services Committee (HASC) and the Senate Armed Services Committee (SASC) each review the President’s budget request and conduct a series of hearings to discuss the budget and related defense matters. Following these hearings, both committees draft and mark up their own versions of the NDAA. In markup, amendments unrelated to defense issues are unlikely to be considered.

Committee markups generally occur in May and June. HASC approved its FY 2025 NDAA bill ([H.R. 8070](#)) on May 22, 2024 and SASC approved its NDAA version ([S. 4638](#)) on July 8, 2024.

3. Committee Reports and Floor Consideration

Once the committees complete their markups, they report their versions of the NDAA to their respective chambers. In the House, the bill will first move to the Rules Committee, which will consider hundreds of amendments and vote on which amendments will be made “in order,” or eligible for a vote on the House floor. These amendments offered in the Rules Committee need not be limited to defense funding but can pertain to any policy issue except revenue. Some amendments will be directly accepted by the Chair of HASC and included in the “Chairman’s Mark,” the bill that will ultimately be considered for passage on the House floor.





In the Senate, Senators can file amendments directly with SASC for consideration on the Senate floor. For the FY 2025 NDAA, Senators filed over 1,000 [amendments](#). The Senate Majority Leader and leaders of SASC play a key role in structuring the floor debate and determining which of the hundreds of amendments will be considered. The floor voting process can stretch over days and nights until the vote on final passage.

This Senate process is not necessarily required to advance the NDAA. For various reasons, including the leadership agreement to avoid public consideration of controversial policies or lack of time on the Senate calendar and competing priorities on the Senate floor schedule, Senate leadership might bypass regular order on the Senate floor and decide internally which amendments to accept.

4. Passage in Each Chamber

After amendments are considered by either the House Rules Committee or on the Senate floor, each chamber votes on its version of the NDAA. If both the House and Senate pass their respective versions, the next step is to reconcile any differences between the two bills.

House and Senate passage usually occurs in June and July. The House passed [H.R. 8070](#), The Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025 on June 14, 2024.

Passage in each chamber is not required to advance the NDAA toward law. For the FY 2025 NDAA, S. 4638 did not move from SASC approval to the Senate floor. Instead, the “eight corners,” the Chairs and Ranking Members of SASC and HASC and the Republican and Democratic leaders in the House and Senate, determined which amendments would be added to the Senate bill.

5. Conference Committee

To resolve differences between the House and Senate versions, a conference committee is typically formed. This committee is composed of members from both the HASC and SASC, as well as other members chosen by House and Senate leadership. The conferees negotiate to produce a unified version of the bill, known as the conference report. Conferees can negotiate to add additional provisions not considered as amendments during the House and Senate debates. To be successful, there must generally be support for a new provision from the “eight corners.”

The conference committee usually aims to complete negotiations by early December. The House and Senate are not required to organize a formal conference committee. For the FY 2025 NDAA, negotiations were led by the “four corners” of Congress, the Senate Majority and Minority Leaders and the House Speaker and Democratic Leader. The leaders agreed to final legislative text and filed the “Servicemember Quality of Life Improvement





and National Defense Authorization Act for Fiscal Year 2025” on December 7, 2024.

6. Conference Report / Final NDAA Approval

The conference report (or final NDAA if there was no conference) is then submitted to both the House and Senate for approval. The report is subject to debate but cannot be amended. In the Senate, a vote on the conference report may require three-fifths of the Senate to invoke cloture to end debate and proceed to a vote. This usually occurs in mid-December. The [FY 2024 NDAA](#) received final passage on December 12, 2023.

7. Presidential Signature

Once both chambers approve the conference report, the final version of the NDAA is enrolled and sent to the President for signature. Upon the President’s approval, the bill becomes law. If the President vetoes the bill, Congress can attempt to override the veto with a two-thirds majority vote in both chambers.

Questions?

Congressional procedures are complicated and political dynamics are always changing. If you have questions about policy or strategy, please email me at Stacey@ZeroOneStrategies.com.

