



2017 LEGISLATIVE REQUEST

DUTY STATUS REFORM & 10 U.S.C. §12304b DISPARITY

ISSUE: Support Reduction of National Guard and Reserve Duty Statuses & Solve 10 U.S.C. §12304b Duty Status Disparity

BACKGROUND:

S. 1356, The National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) requested the Department of Defense (DOD) submit a report to Congress regarding consolidation of statutory authorities by which members of the reserve components of the Armed Forces may be ordered to perform duty. The Department conducted its study and officials will brief the Congressional Defense Committees about its findings to decrease duty statuses to four, down from thirty-two. The aforementioned associations supported the findings of the Military Compensation and Retirement Modernization Commission's final report from 2015 that similarly recommended a dramatic decrease in duty statuses, and feel strongly that the Department's and Commission's findings should be made Public Law.

Of particular concern to our membership is the disparity in benefits currently not attributed to Guard and Reserve Servicemembers deploying under 10 U.S.C. §12304b status. Since its creation in 2012, to give Combatant Commanders authority to utilize the Reserve Component, 12304b has been a mechanism used at increasing man hour rates per year. While our constituency wants to serve in any capacity (state or federal), we believe that they should be afforded benefits such as: tuition assistance, early retirement credit, transitional healthcare access, and Post-9/11 G.I. Bill benefits currently not funded under 10 U.S.C. §12304b status. Furthermore, we feel it appropriate to retroactively extend retirement credit and education benefits to Servicemembers that recently deployed under 10 U.S.C. §12304b status, and who failed to receive these earned benefits. National Guard and Reserves members deploy in support of operational support to the nation, and should receive the same benefits and entitlements as those serving alongside them on active duty. Our associations ask that the 115th Congress support the following recommendations.

RECOMMENDATIONS:

- Reduce the number of Guard and Reserve Duty Statuses to four as recommended by the Department of Defense
- Fund all benefits currently not attributed to Guard and Reserve Servicemembers deploying under 10 U.S.C. §12304b Duty Status

For more information, please contact Ms. Susan Lukas, Reserve Officers Association, slukas@roa.org; Mr. Matt Pincus, National Guard Association of the U.S., matt.pincus@ngaus.org; Mr. Scott Bousum, Enlisted Association of the National Guard of the U.S., scott.bousum@eangus.org