



Resolution 19-6

For

MNGEA / EANGUS Resolutions Process

Date: 19 April 2019

POC Making Input (name, e-mail, phone): Ray Kennedy, ray.kennedy7@outlook.com, 651 402-8786

Chapter/Area:

Category (Joint, ARNG, ANG): Joint

Type Resolution - change to resolution 17-7

Relating To - Amending 10 USC 1209, section 12304b

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 findings of the Military Compensation and Retirement Modernization Commission's final report from 2015 similarly recommended a dramatic decrease in duty statuses.

There is a disparity in benefits currently not attributed to Guard and Reserve Service members 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. However benefits such as tuition assistance, early retirement credit, transitional healthcare access, and Post-9/11 G.I. Bill are not funded under 10 U.S.C. §12304b status. Those who served under this authority should have benefits retroactively awarded. 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.

Proposed Recommendation -

MNGEA urges Congress to enact legislation similar to HR1384 and S667 that would 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 Service members deploying under 10 U.S.C. §12304b Duty Status, and rescinding or revising U.S.C. §12304b.

Urge the MN CODEL to introduce legislation amending federal law to include active orders under United States Code, title 10, chapter 1209, section 12304b, for as a qualifying service for

- Purposes of the Post-9/11 GI Bill education benefits under United States Code, title 38, chapter 33.
- Pre- and post-deployment health care
- Reduction of mandatory retirement below age 60.

Forward this resolution for inclusion at the EANGUS National Conference to urge Congress to enact legislation, amending 10 USC, chapter 1209, section 12304b

Resolution #: 19-6 Date Rec'd: _____ Disposition: recommend adoption *Passed*