

Enlisted Association of the National Guard of the United States (EANGUS)

2022 Report of the EANGUS Committee on RESOLUTIONS



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2022 EANGUS Draft Resolutions

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**Enlisted Association National Guard of the United States
Resolution 22-01**

Title: Implementation of Maternity Leave Benefits

Description: Section 603 of the 2021 NDAA authorized 12 drill periods to be paid for maternity leave but additional guidance is needed to implement.

Proposal Type: New

Initial Submission Date: 22Apr22

Submitter: Courtney Tyrrell

State: SD

Business Case: Army Directive 2022-06 dated 22 April 2022 provided necessary guidance for the Army components to implement paid maternity leave. The Air Force is hopefully following suit but we would like it to be expedited.

Recommendation: The Enlisted Association of the National Guard of the United States recommends to the Congress of the United States provide necessary guidance to implement maternity leave benefits as authorized in the 2021 NDAA section 603 in regard to 12 paid drill periods.

**Enlisted Association National Guard of the United States
Resolution 22-02**

Title: ANG Federal Tuition Assistance

Description: The ANG ran a pilot program to test the National Guard Federal Tuition Assistance Program, however it was not rolled out due to funding.

Proposal Type: New

Initial Submission Date: 22Apr22

Submitter: Courtney Tyrrell

State: SD

Business Case: The ARNG has enjoyed this benefit and we would like the ANG to also have this opportunity. With civilian education continuing to have increasing importance for promotions and leadership opportunities, we believe that it is very important to provide additional resources for Airmen to continue their civilian education.

Recommendation: That the Enlisted Association of the National Guard of the United States urges Congress to fund federal tuition assistance for the ANG.

Enlisted Association National Guard of the United States Resolution 22-03

Title: Total Force Policy

Description: Support Directing the Department of Defense to conduct a study and publish a total force policy.

Proposal Type: New

Initial Submission Date: 22Apr22

Submitter: Courtney Tyrrell

State: SD

Business Case: We believe that we need to support Directing the Department of Defense to conduct a study and publish a total force policy. This would give both the Reserve forces and the National Guard a clear path forward in their operational training.

The DoD lacks a current, written, or relevant Total Force Policy. Section 1101 of NDAA 1991 states, “The Department of Defense has not adequately implemented the Total Force Policy since 1973.” One could argue that the 1991 NDAA statement is still true over thirty years later. Secretary Melvin Laird initiated the Total Force policy concept in August 1970, over a half-century ago. Six subsequent Secretaries of Defense have issued a notable policy on Active Component (AC) and Reserve Component (RC) Integration. Secretary Gates signed out the last policy in January 2007 principally on limiting mobilizations to 12 months and resetting mobilization to dwell time clocks.

Recommendation: The Enlisted Association of the National Guard of the United States urges Congress to provide legislation directing the Department of Defense to conduct a study and publish a total force policy.

**Enlisted Association National Guard of the United States
Resolution 22-04**

Title: National Guard Cybersecurity Support Act

Description: Pass and appropriate funds for HR 2982 and S. 70

Proposal Type: New

Initial Submission Date: 22Apr22

Submitter: Courtney Tyrrell

State: SD

Business Case: Cyber threats on critical infrastructure are a vulnerability in each state that implicate severe national security risks. National Guard Cyber teams are trained and ready to assess cyber vulnerability and protect networks from cyber-attacks. DoD previously used policy memorandums to guide the use of National Guard personnel and equipment to assist state and local governments in preventing critical infrastructure. Still, these policies are insufficient to meet the current threat.

We believe that we need to urge Congress to pass and appropriate funds for HR 2982 and S. 70, which will modify title 32 U.S. Code § 502(f) to allow governors to authorize cyber missions and other training.

Recommendation: The Enlisted Association of the National Guard of the United States recommends to the Congress of the United States to pass and appropriate funds for HR 2982 and S. 70, which will modify title 32 U.S. Code § 502(f) to allow governors to authorize cyber missions and other training.

Enlisted Association National Guard of the United States Resolution 22-05

Title: Amend tax code to change the above-the-line deductions

Description: Amend Title 26 USC §62(a)(2)(E) to decrease the distance for the above-the-line deduction for travel expenses

Proposal Type: New

Initial Submission Date: 22Apr22

Submitter: Courtney Tyrrell

State: SD

Business Case: Currently, the law only allows the deduction when performing military duty 100 miles from their home. This change would bring the Guard and Reserve in line with comparable 50-mile criteria for other deductions such as moving expenses and funeral honors. One might say that this is a change that should have occurred ten years ago when the 2005 Defense Base Realignment and Closure Commission recommended a total of 182 closures or realignment recommendations. History has shown that BRAC implementations result in fewer installations, increasing the distance Guard and Reserve members must travel to perform duty.

Recommendation: The Enlisted Association of the National Guard of the United States urges Congress to update the distance for above-the-line deduction for travel expenses.

Enlisted Association National Guard of the United States Resolution 22-06

Title: TSP Contribution Limits

Description: Exempt Title 26 USC 401(k) Guard and Reserve employee and government contribution limits from the new “blended retirement” plan.

Proposal Type: New

Initial Submission Date: 22Apr22

Submitter: Courtney Tyrrell

State: SD

Business Case: Under the new blended retirement program, some Guard and Reserve members will be forced to surrender some of their civilian retirement if they want to contribute to their military retirement because of contribution limits set by the IRS. Many individuals work in civilian jobs with 401k retirement programs when not in military service. For example, while members could split the \$18,000 (2015) limit between the two places of employment, they would be undercutting their retirement pensions in both their civilian and military retirement plans. EANGUS met with senior leaders from the Pentagon, and they expressed that it was not their intent to reduce retirement benefits for Guard and Reserve through tax law. EANGUS believes this was an unintended consequence due to being unfamiliar with Title 26.

Recommendation: The Enlisted Association of the National Guard of the United States urges Congress to exempt Title 26 USC 401(k) Guard and Reserve employee and government contribution limits from the new “blended retirement” plan.

Enlisted Association National Guard of the United States Resolution 22-07

Title: Tax Penalties Waiver

Description: Allow Guard and Reserve members on military deployment to qualify for a waiver of the 60-day rollover requirement.

Proposal Type: New

Initial Submission Date: 22Apr22

Submitter: Courtney Tyrrell

State: SD

Business Case: Of the eleven conditions specified by the IRS as acceptable reasons to request a penalty waiver for exceeding the 60-day rollover requirement, none allow for a release in the event of a military deployment. Some of the conditions the IRS does consider valid to justify a release include the taxpayer losing the check, if a taxpayer's family member died or was seriously ill, and even if the taxpayer was incarcerated. EANGUS believes that a taxpayer who is a military member on deployment should be afforded at least the same consideration as a taxpayer in jail, who faced a postal error, or who dealt with a family illness. IRS Revenue Procedure 2016-47 "... guides waivers of the 60-day rollover requirement contained in §§ 402(c)(3) and 408(d)(3)" in Title 26. The complete list of valid conditions can be found at (<https://www.irs.gov/pub/irs-drop/rp-16-47.pdf>)

Recommendation: The Enlisted Association of the National Guard of the United States urges Congress to update IRS Revenue Procedure 2016-47 to allow Guard and Reserve members on military deployment to qualify for a waiver of the 60-day rollover requirement of a qualified retirement plan.

Enlisted Association National Guard of the United States Resolution 22-08

Title: Spouse Employment

Description: Incentivizing businesses with a much-needed tax benefit to hire National Guard and Reserve spouses

Proposal Type: New

Initial Submission Date: 22Apr22

Submitter: Courtney Tyrrell

State: SD

Business Case: Since the Reserve and National Guard are considered local military forces, many believe that spouses could not have the same problem with employment as active-duty spouses. However, that is not the case according to the 2017 Military One Source spouse survey that shows a higher unemployment rate for Reserve and National Guard U.S. Army E1-E4s, minority and service members with no college\some college. Because of reductions in military strength for the Reserve Component, many more people are moving for promotion opportunities.

A solution is to create a target group for uniformed services spouses under the Work Opportunity Tax Credits to drive down the unemployment rate while incentivizing businesses with a much-needed tax benefit. 26 U.S.C. § 51(d)(1)

Recommendation: The Enlisted Association of the National Guard of the United States urges Congress to create a target group for uniformed services spouses under the Work Opportunity Tax Credits to drive down the unemployment rate while incentivizing businesses with a much-needed tax benefit. 26 U.S.C. § 51(d)(1)

**Enlisted Association National Guard of the United States
Resolution 22-09**

Title: Dependent Care Flexible Spending Account

Description: Offer FSAs to the unformed service Reserve Component performing inactive and active duty.

Proposal Type: New

Initial Submission Date: 22Apr22

Submitter: Courtney Tyrrell

State: SD

Business Case: Unlike most active-duty families, the opportunity for Reserve Component members to use daycare on installations that offers reduced tuition is almost nonexistent. Offering an FSA would provide them with relief to high daycare costs and is portable for use with off-installation facilities. This is a no-cost, no-share benefit that DoD could provide to Active and Reserve families.

Recommendation: The Enlisted Association of the National Guard of the United States urges Congress to encourage the Department of Defense to offer Dependent Care Flexible Spending Accounts to the unformed service Reserve Component performing inactive and active duty.

Enlisted Association National Guard of the United States Resolution 22-11

Title: Amendment to EANGUS Resolution 21-07

Description: Title 32 full-time service is counted as creditable service for leave accrual and seniority as a federal civilian employee

Proposal Type: Initial

Initial Submission Date: 2022

Submitter: EANGUT

State: UT

Business Case: EANGUT seeks to resubmit EANGUS Resolution 21-07 to include changing the U.S. Code such that Title 32 full-time service, otherwise known as ‘Full-Time National Guard Duty’ is counted as creditable service for leave accrual and seniority as a federal civilian employee. The amended Resolution would be written as follows: “This is a recommendation for Congress to enact law establishing parity of compensation for special skills, seniority, leave accrual, and qualifications of National Guardsmen consistent with active component special pays, compensation, and benefits, by revising USC Title 5 to allow military service performed under USC Title 32 to be treated equally with that performed under USC Title 10.”

Recommendation: The Enlisted Association of the National Guard of the United States urges Congress to enact law establishing parity of compensation for special skills, seniority, leave accrual, and qualifications of National Guardsmen consistent with active component special pays, compensation, and benefits, by revising USC Title 5 to allow military service performed under USC Title 32 to be treated equally with that performed under USC Title 10.”

Enlisted Association National Guard of the United States Resolution 22-12

Title: NDAA Support for increasing AGR End Strength

Description: NDAA Support for increasing AGR End Strength

Proposal Type: Initial **Initial Submission Date:** 2022

Submitter: Wyatt Davis, SGM **State:** UT

Business Case: The 117th Congress of the United States has an exceptional ability to evaluate, update, and influence the National Guard’s ability to effectively manage Organization, Personnel, Training, Service, Supply, and Procurement, and perform Homeland Defense Activities. T-32 of United State Code defines these principles and assigns them to the Active Duty contingent of the National Guard, known as AGRs. For years, the United States Congress has limited the requirements of the AGR program to effectively 50-75% of what is truly required to perform these functions. Very limited organizations required 100% authorization of their requirement. This limitation throughout the force does not minimize or limit the amount of tasking, requirements, mobilization, or training that is imposed upon the National Guard, as the National Guard has transitioned from a ready reserve service to an operational force. In doing so, the workload has increased substantially particularly on the middle and lower management levels. We are repeatedly ask to do more with less by our SR Leaders, and while a failure would demonstrate inability to continue. The National Guard force, nor should they be, refuses to quit or fail. See attached G3 input to Senator Lee, and 2019 FTS Talking Points.

Recommendation: The Enlisted Association of the National Guard of the United States urges Congress to increasing AGR End Strength.

Enlisted Association National Guard of the United States Resolution 22-13

Title: TRICARE for All

Description: Providing TRICARE for all service members of the National Guard and Reserves at no cost to the service member

Proposal Type: Initial

Initial Submission Date: 5/26/2022

Submitter: National Guard Association of Michigan

State: MI

Business Case: Healthcare and health readiness for the National Guard and Reserves remains a critical issue impacting readiness and deployability. The post 9/11 introduction of TRICARE Reserve Select (TRS) was intended to address the issue with the increase of activations, the Department of Defense needed the Reserve Component to be ready to deploy; medical readiness was an individual readiness issue, which remains true today.

Soldiers and Airmen are still expected to maintain the same level of health readiness as active component counterparts, but are expected to do so on private insurance, personal expense, or by paying for TRS. TRS has some limitations that create barriers to the intent of unifying AC/RC medical readiness. The most challenging is the re-enrollment gap requirements that exist if a Guardsman comes off a Title 10 then reverts to Title 32. TRS not being the same program of record as TRICARE, it also creates a diversity in health care records keeping. Medical records and documentation at civilian providers, TDY locations, or unit of record do not retain consistency, making it almost impossible to monitor a service member's deployable status. All of the disparity in TRS and health readiness standards could be addressed by providing a TRICARE Prime Remote version of health care at no cost to the entire RC. This benefit would directly impact readiness.

Recommendation: The Enlisted Association of the National Guard of the United States urges Congress to enact legislation that would support a program to provide "TRICARE For All" at no cost to enhance the readiness of the Reserve Component.

Enlisted Association National Guard of the United States Resolution 22-14

Title: Call for Fire Trainer Modernization

Description: Modernization of the current Call for Fire Trainers across the Army and ARNG

Proposal Type: Initial **Initial Submission Date:** 5/26/2022

Submitter: National Guard Association of Michigan **State:** MI

Business Case: Current Call For Fire Trainers have been sunset, and the Army is no longer providing sustainment dollars to maintain the equipment, requiring states to either self- repair/sustain or depend on state funded contractors to maintain equipment. While this is a known issue for the Department of the Army, the current plan is to not field a new system until 2030. Per Army standards (and some Air Guard positions) infantryman and artillery personnel are required to trained on proper call for fire procedures. Not only are the current systems difficult to use, but they also require extensive manpower and are often non-operational. To meet this critical training need, a new virtual, deployable system that can be used in both classroom and instructorless mode to train Call for Indirect Fire fundamentals is needed immediately. Providing the newest, most advanced technology is critical for maintaining the skills needed for the National Guard to be trained at the highest level. More importantly, increasing the amount of training available will increase skill retention and will lead to less friendly fire and other deadly events in wartime operations.

Recommendation: The Enlisted Association of the National Guard of the United States urges Congress to fund the National Guard to field a new, modern, and advanced Call For Fire Trainer across the entire force immediately and not wait until the current 2030 sunset date.

Enlisted Association National Guard of the United States Resolution 22-15

Title: Limited Federal Retirement Points for non-federal service

Description: Allowing a limited number of retirement points to be awarded for State Active Duty

Proposal Type: Initial **Initial Submission Date:** 5/26/2022

Submitter: National Guard Association of Michigan **State:** MI

Business Case: Responding to emergency activations causes significant rescheduling of personal and military obligations that may impact a guardsmen's ability to attend otherwise scheduled training. If a guardsman does not attend enough training to earn 50 retirement points each year, that year does not count toward retirement. Periods of state emergency activation does not allow guardsmen to earn retirement points, and the scheduling conflicts results in either additional time off from work or away from home, or just the forfeiture of the retirement points for the year. Over the last decade, the quantity of guardsmen falling short of a creditable retirement year has gone from .64% in 2012 to 3.85% in 2021. This is a small percent of the total force, and many factors are at play, but the jump since 2019 clearly indicates excessive non-federal activations are contributing to the issue. 2022 proposed legislation, S. 4379, "No Guardsman Left Behind Act" from SEN Peters (MI) would provide for a capped quantity, up to 15 per year, federal retirement points for non-federal activations counted as creditable service for guardsmen falling short of 50 points yet have state active-duty days that could be counted toward a shortage of points. This legislation only targets a small population of the National Guard that are unintentionally disadvantaged when called to emergency services. The 15 points will be credited on a one for one ratio per day of state active duty and will only be used to get the guardsman up to 50 points for a good year; these specifically awarded points will not be allowed to go beyond the 50-point threshold needed.

Recommendation: The Enlisted Association of the National Guard of the United States urges Congress to enact legislation that will allow for federal retirement points, under a limited capped plan, for non-federal service to eligible guardsman who have non-federal service time but do not reach 50 federal retirement points that makes them eligible for a good year of service.

Enlisted Association National Guard of the United States Resolution 22-16

Title: Language Change in Post 9/11 GI Bill

Description: This is to allow BAH to be pro-rated for active-duty service during a semester.

Proposal Type: Resubmission **Initial Submission Date:** 2019 (NR19-03)

Submitter: **State:** Ohio

Business Case: When BAH is paid under the 9/11 GI Bill education benefit, it is prorated if the individual doesn't attend school for a full month. For example, if the school year starts on August 20th, they receive BAH for August 20-31 which is very reasonable. Unfortunately, if the individual serves even one day on active duty during the time period they are receiving the BAH under the 9/11 GI Bill, they forfeit the entire month of BAH. For example, the individual is attending school for the fall semester and thus receiving BAH, but serves 1 day on active duty in October, the individual forfeits the entire month of BAH instead of just the one day served.

Recommendation: That the Enlisted Association of the National Guard of the United States urges Congress to alter the Post 9/11 GI Bill to allow BAH to be prorated for each day served on active duty during the month instead of forfeiting the entire month of BAH if even one day of active duty is served.

Enlisted Association National Guard of the United States Resolution 22-17

Title: Eliminate 5 Year Requirement for VA Health Care

Description: Deployers since 2003 are only eligible to register for VA Health Care 5 Years after the qualifying service.

Proposal Type:: Initial

Initial Submission Date: 8/7/22

Submitter: Eugene Bradley

State: KS

Business Case: According to the VA, enrolled veterans and new enrollees who have served in a theater of combat operations after November 11, 1998 and those who were discharged from active duty on or after January 28, 2003 are eligible for the enhanced benefits for Five years post discharge or end of orders.

They are limited to a 5 year window to enroll to receive free VA health care. No other service era has time limits on their eligibility (WWII, Korea, Vietnam, Desert Storm). Guardsmen and Reservists are the big losers with that policy. They may not even know they are eligible for VA health care until after that 5 year window closes.

Recommendation: The Enlisted Association of the National Guard Association of the United States to pass and appropriate funds similar to the Army Fee Assistance program for the National Guard while performing military duty.

Enlisted Association National Guard of the United States Resolution 22-18

Title: Child Care Assistance Program

Description Resolving National Guard Childcare Issues

Proposal Type:Typ Initial **Initial Submission Date:** 8/8/22

Submitter: SGM Alan Thomas

State: IN

Business Case: The Army Fee Assistance Program provides authorized Reserve and Active-Duty personnel assistance in locating, selecting, and offsetting civilian childcare costs (Child Care Aware, n.d.). When on-base childcare is unavailable, or a viable option for the service member and their family, the Army Fee Assistance Program fills the gap. However, Title-32 National Guardsmen are not eligible unless they are active in a Title-10 status or active guard reserve (AGR). The hole in eligibility leaves thousands of guardsmen without childcare assistance. Since the National Guard wants to stay with a high level of readiness, Congress should pass legislation to support childcare vouchers similar to the Army Fee Assistance Program.

Soldiers and Airmen volunteered to protect and serve our nation; however, they do not relinquish their desire to raise a family and live the American Dream. Children are our most valuable resource, and they don't need charity; they need investment. The childcare issue in America is becoming a bigger problem in this post-pandemic world. U.S. Congress has identified childcare as an issue through multiple legislative proposals. We need to ensure the National Guard has the same opportunities.

Recommendation: The Enlisted Association of the National Guard Association of the United States to pass and appropriate funds similar to the Army Fee Assistance program for the National Guard while performing military duty.

Enlisted Association National Guard of the United States Resolution 22-19

Title: Support of the structure and equipment issues that are endorsed by the National Guard Association of the United States (NGAUS) and the Adjutants General Association of the United States (AGAUS).

Description: EANGUS will continue to support the structure and equipment issues that are endorsed by the National Guard Association of the United States (NGAUS) and the Adjutants General Association of the United States (AGAUS) that contribute to the accomplishment of the purposes and goals of the Enlisted Association of the National Guard of the United States (EANGUS).

Proposal Type: New

Submitter: EANGUS Resolutions Committee

Business Case: Multiple force structure, mission and equipment issues are of interest to our membership. EANGUS is unable to address the multitude of these issues and must focus on “people” issues in support of our enlisted force. A single resolution provides the EANGUS leadership the flexibility to address the non-personnel issues as the opportunity arises and resources permit. EANGUS is dedicated to promoting the status, welfare, and professionalism of the men and women of the Army and Air National Guard. Our goal is to provide quality, motivated, professional soldiers, airmen, noncommissioned officers to the National Guard. Our primary focus is to accomplish our purpose and goals in the best interest of the National Guard Enlisted Force. Issues of force structure, missions, and effective equipment to accomplish those missions are more appropriately addressed by NGAUS and AGAUS.

Recommendation: The Enlisted Association of the National Guard of the United States continues to pledge support to those NGAUS and AGAUS initiatives that contribute to the accomplishment of the EANGUS purpose and goals.

Enlisted Association National Guard of the United States Resolution 22-20

Title: EANGUS appreciation of Little Rock, Arkansas, the Arkansas Enlisted Association of the National Guard of the United States and Auxiliary

Description: Appreciation for the Hospitality and Efforts by the State of Arkansas, the City of Little Rock and the Arkansas Enlisted Association of the National Guard of the United States and Auxiliary.

Proposal Type: New

Submitter: EANGUS Resolutions Committee

Business Case: The 51st General Conference of the Enlisted Association of the National Guard of the United States met in Little Rock, AR from 7 through 10 August 2022. The City of Little Rock and the Arkansas Enlisted Association of the National Guard of the United States and Auxiliary acted as gracious hosts and hostesses to their fellow National Guard members, their spouses, and guests. The tireless efforts and dedication of the Arkansas Conference Committee made significant contributions to ensure an incredibly successful General Conference.

Recommendation: The Enlisted Association of the National Guard of the United States commends the State of Arkansas, the City of Little Rock and the Arkansas Enlisted Association of the National Guard of the United States and Auxiliary for the support they have given and outstanding hospitality they have extended to make the 51st General Conference most successful and memorable.

2022 EANGUS Draft Resolution Not Carried

2022-14Draft

TSP for Guard Retirees

HI

Enlisted Association National Guard of the United States

Resolution NR22-14

Title: TSP for Guard Retirees

Description: Allow National Guardsmen to Continue Contributing to TSP After Retirement

Proposal Type: Initial **Initial Submission Date:** 5/26/2022

Submitter: Maui Quizon, SMSgt (ret) **State:** HI

Business Case: This is a recommendation for Congress to enact law establishing eligibility for National Guardsmen to elect in continuing contributing to their Thrifts Savings Plan after retirement. By revising 37 USC 211: Participation in Thrift Savings Plan, provide extended eligibility for guardsmen to continue TSP contributions five years upon retirement or up to age 60 whichever comes first The Thrift Savings Plan (TSP) is a retirement program open to all National Guardsmen. A valuable benefit that allows Guardsmen to contribute pre-tax earnings with a variety of investment options available, designed to suit guardsmen's comfortability with managing fund and individual goals. The TSP is a valuable benefit and investment tool that hundreds of thousands of guardsmen have come to rely on for their financial planning, however once they leave the uniformed services, guardsmen no longer are able to make contributions to their Thrift Savings Plan. Although they can still change their investment mix, transferring eligible money into their account, and enjoy low costs while your TSP account continues to accrue earnings, once they leave the Guard guardsmen no longer can continue making contributions to your military TSP plan. The Thrift Savings Plan is one of the best tools military members must prepare for retirement. Like a civilian 401k plan, the Thrift Savings Plan is a uniformed services retirement plan which allows participants to save money for retirement directly from their paycheck. The added benefit is the money guardsmen contribute isn't taxed in the year they make the contribution, and it can grow tax-free until you make withdrawals. Because of the many benefits provided by the Thrift Savings Plan, many military members want to continue using it when they leave the service; but unfortunately, it isn't allowed. Therefore, this resolution proposal is a recommendation for Congress to enact law establishing eligibility for National Guardsmen to elect in continuing contributing to their Thrifts Savings Plan after retirement. By revising 37 USC 211: Participation in Thrift Savings Plan, provides for extended eligibility for guardsmen to continue TSP contributions five years upon retirement or up to age 60 whichever comes first.

Recommendation: The Enlisted Association of the National Guard of the United States recommends to the Congress of the United States legislation in support of enacting law providing the option for National Guardsmen to continue contributions to Thrifts Savings Plan after retirement.

2022 EANGUS Draft Resolutions

Withdrawn

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| NR22-05 | Tax Laws and Policies to establish a tax credit for employers | SD |
| NR22-19 | Military Skills Credit Impact on Satisfactory Academic Progress | OH |

**Enlisted Association National Guard of the United States
Resolution 22-05**

Title: Tax Laws and Policies to establish a tax credit for employers

Description: Establish a tax credit for employers who hire National Guard and Reserve members and retain them through periods of deployment.

Proposal Type: New

Initial Submission Date: 22Apr22

Submitter: Courtney Tyrrell

State: SD

Business Case: Guard and Reserve servicemembers continue to experience problems maintaining employment because of the demands for meeting the increased operational support provided to active duty. While employers have tried to support national security, it would be naïve to think they are not encountering their problems during these times. Companies are absorbing the cost of replacing servicemembers with temporary employees or increasing overtime to fill the vacancy of mobilizations.

Recommendation: That the Enlisted Association of the National Guard of the United States urges Congress to provide tax benefits to employers who hire National Guard and Reserve members and retain them through periods of deployment.

Enlisted Association National Guard of the United States Resolution 22-19

Title: Military Skills Credit Impact on Satisfactory Academic Progress

Description: Veterans and service members are penalized or cut off from federal financial aid based on credit hours that were never eligible for federal aid in the first place (military training – paid by taxpayers).

Proposal Type: Resubmission **Initial Submission Date:** 2019 (NR19-01)

Submitter: **State:** Ohio

Business Case: Satisfactory Academic Progress (SAP) monitors grades/credit hours and ties it to financial aid eligibility. However, within SAP there is something known as “The Maximum Timeframe Rule” commonly referred to as the “150% completion rule”. What this rule states is that federal financial aid is cut off once a student has exceeded 150% of the credit hours required for a degree (e.g. 180+ hours of a 120 hour bachelor degree).

When military credit is posted to a students’ transcript it becomes part of the hours for the 150% completion rule. Someone who was, say an NCO medic, in the Air Force likely could have 60-80 semester hours of military credit posted. As they start working on their bachelors sometime in their sophomore or junior year, they will exceed the 180 hours and will potentially be penalized with a cut in federal aid.

There is a massive push in the Midwest to award academic credit for military training experience and coursework backed by groups like the Multi-State Collaborative on Military Credit that is tackling this task. All steps should be taken to support the collaborative efforts and expedite the degree process for veterans and service members to avoid a repeat of courses they already have knowledge in or that the taxpayers have already paid for via military training.

Recommendation: That the Enlisted Association of the National Guard of the United States urges the Congress of the United States to enact legislation exempting military training and coursework from the 150% completion rule potentially saving millions of dollars in unnecessary duplication of course credits and cementing the value higher education places on military courses and skills.

2021 EANGUS Resolutions

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| 21-01 | Tricare Reserve Select Extension for Surviving Families | NE |
| 21-02 | Affordable Tricare for Grey Area Retirees | ND |
| 21-03 | Retiree continued contributions to the Thrift Savings Plan | SD |
| 21-04 | Military Occupation compatibility with Civilian Certificates | SD |
| 21-05 | Automatic re-enrollment in Tricare Reserve Select (TRS) after Active Duty (AD) when Tricare Prime was in effect | SD |
| 21-06 | TRS eligibility for Reserve Component to take effect before SD January 1, 2030 | SD |
| 21-07 | Personnel Pay & Member Benefits | HI |
| 21-08 | National Guard Counterdrug Program | HI |
| 21-09 | Personnel Training | HI |
| 21-10 | Retirement & Veterans Issues | HI |
| 21-11 | Education and the GI Bill | HI |
| 21-12 | Tricare Coverage of Infertility Treatments | TN |
| 21-13 | National Guard Childcare Navigator Position Proposal | WA |
| 21-14 | Support the National Guard Association of the United States | EANGUS |
| 21-15 | EANGUS appreciation of Albuquerque, New Mexico The Enlisted Association of the National Guard of New Mexico and Auxiliary | EANGUS RESOLUTIONS COMMITTEE |

Enlisted Association National Guard of the United States Resolution 21-01

Title: Tricare Reserve Select Extension for Surviving Families

Description: Family members enrolled in Tricare Reserve Select at the time of their sponsor's death

Proposal Type: Resubmission Initial Submission Date: 2016

Submitter: Pam Whisenhunt

Business Case: Guardsmen with 20 years service are eligible for Tricare at age 60. If the Guardsmen is participating in Tricare Reserve Select and dies before age 60, the surviving spouse and family members lose that benefit. The Surviving spouse could possibly remain on TRS for up to 6 months. After the 6 month period, the surviving spouse has to find other insurance. This leaves a gap in Tricare coverage for those who intended to remain in the National Guard till age 60.

Both Gray area retiree and Servicemembers with 20 years of service (and still serving) are eligible for some form of Tricare.

A spouse (as long as they do not remarry) is eligible for Tricare on the date the deceased guardsman would have reached age 60.

One case: A Traditional Guardsmen serving in the National Guard (and has Tricare) passed at age 54. He had 28 years of service. His spouse could remain on Tricare for an additional 180 days. At that point has to find other health insurance until eligible for Tricare in another 6 years.

Recommendation: That the Enlisted Association of the National Guard of the United States urges the Congress of the United States to enact legislation that would extend Tricare Reserve Select to surviving Spouses and family members to when the Guardsmen would have turned age 60 or Extend the 180 window to match Active Duty Survivor Benefits of 3 years. After 3 years of Tricare Reserve Select, they would roll into a "Survivor" status and use Tricare Retired.

Enlisted Association National Guard of the United States
Resolution 21-02

Title: Affordable Tricare for Grey Area Retirees

Description: Maintain Affordability of Tricare for Grey Area Retirees

Proposal Type: New Submission Initial Submission Date:

Submitter: North and South Dakota

Business Case: As a Traditional Guardsmen, Soldiers and Airmen have the option to receive Tricare Reserve Select, an affordable insurance that they can purchase for a monthly premium of \$76, or \$256 to cover their family. This increases Readiness, Retention, and the welfare of Soldiers, Airmen, and their families while they serve. Upon 20 years of service, Guardsmen can retire from service and opt to purchase Tricare Retired Reserve for a monthly premium of \$485, or \$1165 to cover their family. This would be a shock to any budget and is not consistent with the transition of Tricare to Active Duty Service Members. Current law does not provide any subsidy for Tricare Retired Reserve so retired members must bear the full cost of insurance.

Recommendation: That the Enlisted Association of the National Guard of the United States urges the Congress of the United States to pursue legislation that will provide subsidies to cover some of the cost for Grey Area Retirees.

Enlisted Association National Guard of the United States

Resolution 21-03

Title: Retiree continued contributions to the Thrift Savings Plan

Description: Allow retirees the opportunity to continued contribution to their existing TSP

Proposal Type: New Submission Initial Submission Date:

Submitter: SD, SSG Courtney Tyrrell

Business Case: After you retire from the National you are not able to continue to contribute to your TSP Account. You are able to roll you TSP over to another civilian IRA, but the TSP is a low cost program and a great benefit to our Airmen and Soldiers. A similar resolution was proposed at the 2019 National EANGUS Conference, Continued Contribution to the TSP after Expiration of Service Obligation, and was voted down by the Resolutions Committee. The discussion was that you need a DFAS paycheck for the payment to come out of. And there was also a lot of talk about how this is a retention tool but if we make it available after leaving the service then it isn't a retention tool. Now that this is changed to Retiree instead of just anyone who ETS', we hope that it becomes a greater recruiting and retention tool.

Recommendation: That the Enlisted Association of the National Guard of the United States urges the Congress of the United States to pursue allowing retirees the opportunity to contribute to their existing TSP.

Enlisted Association National Guard of the United States

Resolution 21-04

Title: Military Occupation compatibility with Civilian Certificates

Description: Find to way to connect the two skill sets to provide a certificate for the service member

Proposal Type: New Submission Initial Submission Date:

Submitter: SD, SSG Courtney Tyrrell

Business Case: Many Military Occupations and Schools are closely related to civilian education and training requirements that provide certificates. We don't want to limit this to very specific things like CDL or Journeyman trades, but we have support from the National Office to expand the discussion on this topic. I know of one specific Soldier who owns and operates a fuel transportation company and has nearly 20 years' experience, but he still has to go to 4 weeks of MOS Qualification to become a certified army fueler, this could be an Exception to Policy for training. We have the COOL program that helps pay for Soldiers to get civilian certificates, but it still doesn't always translate to military certifications.

Recommendation: That the Enlisted Association of the National Guard of the United States urges the Congress of the United States to pursue to find a way to connect the two skill sets to provide a certificate for the service member.

Enlisted Association National Guard of the United States

Resolution 21-05

Title: Automatic re-enrollment in Tricare Reserve Select (TRS) after Active Duty (AD) when Tricare Prime was in effect

Description: Automatic re-enrollment in Tricare Reserve Select (TRS) and current dental carrier after Active Duty (AD) time in which Tricare Prime automatically kicked in

Proposal Type: New Submission Initial Submission Date:

Submitter: SD, SSG Courtney Tyrrell

Business Case: If you are currently enrolled in TriCare Reserve Select, but go on Active Duty orders for over 30 days you automatically are enrolled into Tricare Prime and Active Duty Dental. When your orders end, so does your health and dental insurance and the providers do not remind you that you have to re-apply for TriCare Reserve Select or dental coverage. Numerous Service Members have re-applied for TRS shortly before their orders ended but their application was not processed because they were on AD orders. There seems to be a large disconnect between DEERS and TriCare in regards to the length of AD orders. This has left many Service Members and their families without health insurance coverage. This resolution was approved by the body at the 2017 National EANGUS conference but no changes have not yet been approved and therefore we need to continue to push the issue.

Recommendation: That the Enlisted Association of the National Guard of the United States urges the Congress of the United States to pursue TriCare and dental carriers to re-enroll Soldiers and Airmen back into TriCare Reserve Select and dental coverage if you were enrolled before their long tour Active Duty orders where they were auto-enrolled into TriCare Prime.

Enlisted Association National Guard of the United States
Resolution 21-06

Title: Reserve Component (RC) health care benefits eligibility

Description: Ensure Reserve Component (RC) health care benefits eligibility for all RC personnel regardless of employment or employer, and to take effect prior to January 1, 2030

Proposal Type: New Submission Initial Submission Date:

Submitter: SD, SSG Courtney Tyrrell

Business Case: Situation: Since the creation of these programs (Tricare for NG), Congress has considered various proposals to remove the statutory prohibitions on TRS or TRR eligibility. Section 701 of the FY2020 NDAA (P.L. 116-92) removes the statutory prohibition for TRS eligibility and is to take effect on January 1, 2030.

<https://fas.org/sgp/crs/misc/R45968.pdf>

Discussion: We would really like this to take effect much sooner than currently planned.

Recommendation: The Enlisted Association of the National Guard of the United States urges Congress to consider moving the start date in Section 701 of the FY2020 NDAA (P.L. 116-92) that removed the statutory prohibition for TRS eligibility to take effect prior to January 1, 2030.

Enlisted Association National Guard of the United States

Resolution 21-07

Title: Personnel Pay & Member Benefits

Description: Establish parity of compensation for special skills and qualifications of National Guardsmen consistent with active component special pays, compensation, and benefits

Proposal Type: New Submission (Ref NGAUS Resolutions) Initial Submission Date:

Submitter: Hawaii

Business Case: This is a recommendation for Congress to enact law establishing parity of compensation for special skills and qualifications of National Guardsmen consistent with active component special pays, compensation, and benefit, by revising USC Title 5 to allow military service performed under USC Title 32 to be treated equally with that performed under USC Title 10.

Recommendation: The Enlisted Association of the National Guard of the United States recommends to the Congress of the United States legislation in support of enacting law establishing parity of compensation for special skills and qualifications of National Guardsmen consistent with active component special pays, compensation, and benefits.

Enlisted Association National Guard of the United States

Resolution 21-08

Title: National Guard Counterdrug Program

Description: Provide Annual Funding to National Guard Counterdrug Programs

Proposal Type: New Submission (Ref NGAUS Resolutions) Initial Submission Date:

Submitter: Hawaii

Business Case: In order to facilitate for more effective planning and execution this is a recommendation for Congress to provide for increased annual funding to National Guard Counterdrug Program State Plans. The successful partnership between the National Guard and local State and Federal law enforcement inherent in the National Guard Counterdrug Program, a partnership executed under USC Title 32, Chapter 112, facilitates National Guard soldiers and airmen to protect and secure our communities.

Recommendation: The Enlisted Association of the National Guard of the United States recommends to the Congress of the United States legislation in support of providing increased annual funding to National Guard Counterdrug Programs.

Enlisted Association National Guard of the United States
Resolution 21-09

Title: Personnel Training

Description: Providing Full Funding to States for Personnel Attendance to Army and Air Schools

Proposal Type: New Submission (Ref NGAUS Resolutions) Initial Submission Date:

Submitter: Hawaii

Business Case: This is a recommendation for Congress to provide full funding to each State to send their officers, warrant officers, noncommissioned officers, and enlisted personnel to the Joint Army and Air schools they need to effectively operate in their respective occupation and at their current rank, and authorizing change in laws to remove limitations on Guardsmen performing annual training.

Recommendation: The Enlisted Association of the National Guard of the United States recommends to the Congress of the United States legislation in support of providing full funding to States for personnel attendance to Army and Air Schools.

Enlisted Association National Guard of the United States

Resolution 21-10

Title: Retirement & Veterans Issues

Description: Enacting laws to provide the same level of benefits to every National Guard veteran, regardless of the dates or theater of operations of their military service, from the conflicts in Iraq and Afghanistan as well as those veterans from previous era conflicts

Proposal Type: New Submission (Ref NGAUS Resolutions) Initial Submission Date:

Submitter: Hawaii

Business Case: This is a recommendation for Congress to enact laws to provide the same level of benefits to every National Guard veteran, regardless of the dates or theater of operations of their military service, from the conflicts in Iraq and Afghanistan as well as those veterans from previous era conflicts, allowing members of the National Guard who have served honorably to be qualify for receipts of retired pay and benefits consistent with active components.

Recommendation: The Enlisted Association of the National Guard of the United States recommends to the Congress of the United States legislation in support of enacting law to provide the same level of benefits to every National Guard veteran consistent with active components.

Enlisted Association National Guard of the United States
Resolution 21-11

Title: Education and the GI Bill

Description: Establishing parity with the active forces in the administration, rates and eligibility standard

Proposal Type: New Submission (Ref NGAUS Resolutions) Initial Submission Date:

Submitter: Hawaii

Business Case: This is a recommendation for Congress to establish parity for National Guard soldiers and airmen with the active forces in the administration, rates and eligibility standards.

Recommendation: The Enlisted Association of the National Guard of the United States recommends to the Congress of the United States legislation in support of enacting law to establish parity for National Guard soldiers and airmen with the active forces in the administration, rates and eligibility standards.

Enlisted Association National Guard of the United States

Resolution 21-13

Title: National Guard Childcare Navigator Position Proposal

Description: The Child Care Navigator would support Guardsmen (Army, Air, & State Guard) in activities and research in the following program areas: Child Care Availability for Guardsmen, Resource Funding State Child Care Aware, Joint Services Support, Family Readiness Groups and Command Teams on best practices, trainings, resources, etc., Coordinate Awareness Campaigns for Child Care Options, and Reports to JSS Director

Proposal Type: New Submission Initial Submission Date:

Submitter: Naziroh Brockman, SMSgt, WA ANG

Business Case: On March 19, 2021, representatives from Joint Services Support, NGAW, and Army Family Readiness came together to discuss solutions for childcare support. As vaccines were provided and restrictions lifted, Command Teams decided to implement back to Drill in person for all Guardsmen. The issue at hand was lack of childcare availability for Guardsmen Parents. The work from home option provided flexibility for Guardsmen. (We could insert cases here where Soldiers left the military – I believe Deb had a story on this.)

Through facilitation of resources available and research on what was done previously to address childcare concerns (survey done by Army Family Readiness in 2019), the team decided to put together a survey to see if there was indeed a current problem in childcare for Guardsmen. Based on the Survey the team had several goals in mind: education on resources available, a dedicated employee to assist Guardsmen with childcare needs, and gaining military leadership support.

The Survey Results:

197 Responses

87 Army 59 Air 4 State Guard

145 w/kids in childcare (74%)

119 have experienced issues while serving in a National Guard capacity (60%)

133 they would take advantage of onsite childcare on drill weekends (68%)

109 people said do not know who turn to for childcare support and resources (55%)

2 most common limitations for accessing childcare were cost & availability (29%)

Recommendation: That the Enlisted Association of the National Guard of the United States urges the Congress of the United States to pursue childcare programs equal to active duty as a readiness and retention tool.

Enlisted Association National Guard of the United States

Resolution 21-14

Title: Support of the structure and equipment issues that are endorsed by the National Guard Association of the United States (NGAUS) and the Adjutants General Association of the United States (AGAUS)

Description: EANGUS will continue to support the structure and equipment issues that are endorsed by the National Guard Association of the United States (NGAUS) and the Adjutants General Association of the United States (AGAUS) that contribute to the accomplishment of the purposes and goals of the Enlisted Association of the National Guard of the United States (EANGUS)

Proposal Type: New Initial Submission Date:

Submitter: EANGUS Resolutions Committee

Business Case: Multiple force structure, mission and equipment issues are of interest to our membership. EANGUS is unable to address the multitude of these issues and must focus on “people” issues in support of our enlisted force. A single resolution provides the EANGUS leadership the flexibility to address the non- personnel issues as the opportunity arises and resources permit.

EANGUS is dedicated to promoting the status, welfare, and professionalism of the men and women of the Army and Air National Guard. Our goal is to provide quality, motivated, professional soldiers, airmen, noncommissioned officers to the National Guard. Our primary focus is to accomplish our purpose and goals in the best interest of the National Guard Enlisted Force. Issues of force structure, missions, and effective equipment to accomplish those missions are more appropriately addressed by NGAUS and AGAUS.

Recommendation: The Enlisted Association of the National Guard of the United States continues to pledge support to those NGAUS and AGAUS initiatives that contribute to the accomplishment of the EANGUS purpose and goals.

Enlisted Association National Guard of the United States

Resolution 21-15

Title: EANGUS appreciation of Albuquerque, New Mexico The Enlisted Association of the National Guard of New Mexico and Auxiliary

Description: Appreciation for the Hospitality and Efforts by the State of New Mexico, the City of Albuquerque and the New Mexico Enlisted Association of the National Guard of the United States and Auxiliary

Proposal Type: New Initial Submission Date:

Submitter: EANGUS Resolutions Committee

Business Case: The 50th General Conference of the Enlisted Association of the National Guard of the United States met in Albuquerque from 8 through 11 August 2021. The City of Albuquerque and the Enlisted Association of the National Guard of New Mexico and Auxiliary acted as gracious hosts and hostesses to their fellow National Guard members, their spouses and guests. The tireless efforts and dedication of the New Mexico Conference Committee made significant contributions to ensure an incredibly successful General Conference.

Recommendation: The Enlisted Association of the National Guard of the United States commends the State of New Mexico, the City of Albuquerque and the Enlisted Association of the National Guard of New Mexico and Auxiliary for the support they have given and outstanding hospitality they have extended to make the 50th General Conference most successful and memorable.

2019 EANGUS Resolutions – Current Standing Resolutions

(Reaffirmed for 1 Year)

| | | |
|-------|---|----|
| 19-01 | Military Skills Credit Impact on Satisfactory Academic Progress | OH |
| 19-04 | Tax Credit for Employers who have National Guard Soldiers currently deployed and/or on State Active Duty Orders | OH |
| 19-11 | Retirement Points for State Active Duty (SAD) | WV |

Enlisted Association National Guard of the United States

Resolution 19-01

Title: Military Skills Credit Impact on Satisfactory Academic Progress

Short Description: Veterans and service members are penalized or cut off from federal financial aid based on credit hours that were never eligible for federal aid in the first place (military training – paid by taxpayers).

Proposal Type: New Submission

Submitter: Ohio

Business Case: Satisfactory Academic Progress (SAP) monitors grades/credit hours and ties it to financial aid eligibility. However, within SAP there is something known as “The Maximum Timeframe Rule” commonly referred to as the “150% completion rule”. What this rule states is that federal financial aid is cut off once a student has exceeded 150% of the credit hours required for a degree (e.g. 180+ hours of a 120 hour bachelor degree).

When military credit is posted to a students’ transcript it becomes part of the hours for the 150% completion rule. Someone who was, say an NCO medic, in the Air Force likely could have 60-80 semester hours of military credit posted. As they start working on their bachelors sometime in their sophomore or junior year, they will exceed the 180 hours and will potentially be penalized with a cut in federal aid.

There is a massive push in the Midwest to award academic credit for military training experience and coursework backed by groups like the Multi-State Collaborative on Military Credit that is tackling this task. All steps should be taken to support the collaborative efforts and expedite the degree process for veterans and service members to avoid a repeat of courses they already have knowledge in or that the taxpayers have already paid for via military training.

Recommendation: That the Enlisted Association of the National Guard of the United States urges the Congress of the United States to enact legislation exempting military training and coursework from the 150% completion rule potentially saving millions of dollars in unnecessary duplication of course credits and cementing the value higher education places on military courses and skills.

Enlisted Association National Guard of the United States Resolution 19-04

Title: Tax Credit for Businesses who employ members of the Reserve Component.

Description: To support tax credits that would allow businesses to claim tax credits for those currently serving in the National Guard.

Proposal Type: New

Submitter: Ohio

Business Case: Currently, businesses are allowed to obtain tax credits for employing those with Veteran Status. Those currently serving in the National Guard who are not deployed, or on State Active Duty Orders do not count for any type of tax credit. Creating and implementing a tax credit for businesses who hire those currently serving in a Reserve Component of the US Military which would improve recruitment and retention.

Recommendation: That the Enlisted Association of the National Guard of the United States supports tax credits to employers who recruit and retain those service members in the Reserve Component.

Enlisted Association National Guard of the United States

Resolution 19-11

Title: Retirement Points for State Active Duty (SAD)

Description: 10 U.S. Code § 12732 currently prohibits the award of retirement points for service in a non-federally recognized status in the National Guard. Each year, thousands of National Guard members are called to State Active Duty (SAD) for domestic emergency response operations without the award of any retirement points for their reserve component service, and with many incurring a further loss of contributions towards their civilian retirement during the period.

Proposal Type: New

Submitter: CSM(R) Keith Hammack, West Virginia

Business Case: The foundation of the National Guard is its dual Federal and State mission. Each year, the President declares between 80 and 242 federal disasters (source: FEMA), and each year, National Guard members throughout the states and territories pull together to provide emergency relief and support to their communities. These selfless Guard members leave their families, employers and businesses behind for days or often weeks-on-end while serving in this SAD status. Though they may wear the uniform, because their service is not “federally recognized,” these members do not earn any credit towards their reserve component retirement.

Extended disaster relief – sometimes lasting 60-90 days – precludes members from drilling in a traditional IDT status for that period, potentially costing the Soldier 12 or more retirement points towards their reserve component retirement. On rare occasion, this service could even cost a member a “good year” towards retirement. With the vast majority of personnel serving on a SAD status being “traditional” or M-Day Guardsmen, many of these members also incur a loss of civilian retirement contributions during the period of service as well.

In every recent major disaster – from major hurricanes Maria and Katrina, to the Carolina and Texas flooding, National Guard members have answered the call. National Guard members should not be penalized for their selflessness and sacrifice in support of their communities. Awarding retirement points for members on SAD in support of a federally-declared disaster would go a long way towards bridging the gap between federally recognized service and SAD.

Recommendation: The Enlisted Association of the National Guard of the United States urges Congress to amend 10 U.S. Code § 12732 to allow for the award of one retirement point for each day of State Active Duty performed by National Guard members in support of a federally-declared disaster, not to exceed 90 points per member per disaster operation.