

# Protecting National Guard Equities in Duty Status Reform

Fiscal Year 2021 Fact Sheet



NGAUS



## The Issue

National Guard and Reserve servicemembers continue to face challenges in obtaining health care access to meet medical readiness requirements and ensuring continuity of care, especially when deploying overseas. Significant numbers of servicemembers without health care directly impacts National Guard deployability levels.

◀ Sgt. Nathan McLaughlin, Utah Army National Guard, rescues a lost hiker, Staff Sgt. Christian Larsen, Utah Army National Guard, during a search and rescue training exercise, on Camp W.G. Williams in Riverton, Utah.

## Background

The National Guard is unique in that it is the only United States military entity with a dual mission and can serve in state or federal status. National Guard servicemembers currently fulfill operational responsibilities as the primary combat reserve of the Army and Air Force.

However, years of statutory changes have led to an extremely complex personnel system that complicates how National Guard and Reserve servicemembers are called to serve, as well as which statuses account for benefits accrual (e.g. military health care, education benefits, and early retirement credit). The Fiscal Year (FY) 2018 National Defense Authorization Act (NDAA) requires the Department of Defense to streamline and consolidate Reserve Component duty statuses.

As Congress considers the Department's recommendations, known as "duty status reform," the authorities vested in governors to mobilize the National Guard in a state status to respond to state emergencies should remain. Additionally, this effort should enhance and streamline benefits received by Reserve Component servicemembers, especially when called into federal service. It should also ease servicemember transition between state and federal service.

When non-federal service, National Guard servicemembers remain in an "inactive" and state status.

This is critical because it allows the governors to call on the National Guard to quickly mobilize to respond to state and local emergencies. It results in a swift and efficient National Guard response because those servicemembers live and work in their communities, know them best, and are experts in state emergency and disaster response. Governors should retain this incredibly important power. Additionally, duty status reform should enhance and streamline National Guard and Reserve benefits. The current Reserve Component duty status structure utilizes too many authorities and a patchwork of benefits for servicemembers. Access to military health care, GI Bill education benefits accrual, or early retirement credit, among others, are not always guaranteed if a National Guard servicemember is activated on federal orders.

At a minimum, benefits currently accrued by Reserve Component servicemembers should be retained within the new duty status structure. However, duty status reform also provides an opportunity to strengthen those benefits, which ultimately leads to better recruiting, retention, and transition between state and federal service. Overall, duty status reform should retain state National Guard authorities, yield enhanced and streamlined servicemember benefits, better enable tracking of operational and training missions, increase efficiency, and facilitate a more seamless transition process for Reserve Component servicemembers.

## Recommendation

Ensure the new, streamlined military duty status structure:

- Provides equitable benefits for Reserve Component servicemembers
- Does not remove benefits Reserve Component servicemembers currently receive
- Retains state abilities to swiftly deploy National Guard personnel in response to domestic emergencies

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