

House Joint Memorial 10

Sponsored by Representative EVANS; Representatives ALONSO LEON, BYNUM, HOLVEY, MEEK, RAYFIELD

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Urges President and Congress to enact and sign legislation that extends certain benefits to Reserve and National Guard units deployed under 10 U.S.C. 12304b that are comparable to benefits received by Reserve and National Guard units under other mobilization authority.

JOINT MEMORIAL

1
2 To the President of the United States and the Senate and the House of Representatives of the United
3 States of America, in Congress assembled:

4 We, your memorialists, the Seventy-ninth Legislative Assembly of the State of Oregon, in legis-
5 lative session assembled, respectfully represent as follows:

6 Whereas Reserve divisions of each branch of the armed forces of the United States and the
7 Army and Air National Guard serve as critical components of our nation's defenses, and yet are
8 largely composed of part-time personnel with civilian duties and responsibilities in addition to their
9 Reserve or National Guard duties; and

10 Whereas Reserve and National Guard personnel may be deployed with little notice to overseas
11 combat operations or foreign aid missions; and

12 Whereas Title 10 of the United States Code contains several independent legal bases through
13 which federal authorities may mobilize and deploy Reserve and National Guard forces; and

14 Whereas the National Defense Authorization Act for Fiscal Year 2012 (P.L. 112-81) in part en-
15 acted 10 U.S.C. 12304b, a new mobilization authority that permits federal authorities to order a
16 mandatory deployment of Reserve or National Guard forces to augment active forces in support of
17 a preplanned mission pertaining to combat or foreign aid operations; and

18 Whereas unlike other mandatory deployments, deployments under 10 U.S.C. 12304b do not qual-
19 ify for certain benefits, including but not limited to Post-9/11 Veterans Educational Assistance Act
20 (P.L. 110-252) benefits, pre- and post-mobilization TRICARE health care benefits, or creditable time
21 towards educational assistance or retirement benefits; and

22 Whereas deployed troops are often unaware that they will not be receiving these benefits, as for
23 example when 200 Marine reservists, including 36 from Oregon, that served in the Springfield-based
24 Engineer Services Company Marine Combat Logistics Battalion 23 were deployed for three months
25 of training in North Carolina and six months of foreign aid service in Honduras, only to learn upon
26 their return that they would not be receiving the benefits that deployed troops under other
27 mobilization authority receive; and

28 Whereas Oregon has no active duty bases and therefore is a National Guard state that is dis-
29 proportionately negatively impacted by mobilizations under 10 U.S.C. 12304b; and

30 Whereas mobilizations under 10 U.S.C. 12304b have numbered about 4,700 since the law's in-
31 ception in 2012 and will likely continue to be used for future deployments; and

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 Whereas Reserve and National Guard units that are deployed work side-by-side with full-time
2 armed forces and yet under 10 U.S.C. 12304b do not receive the same benefits regular troops receive;
3 and

4 Whereas such different benefits for the same work are demoralizing for our Reserve and Na-
5 tional Guard forces and simply a wrong result for such integral and important components of our
6 national defense, emergency response and civil defense structures in this state and nation; now,
7 therefore,

8 **Be It Resolved by the Legislative Assembly of the State of Oregon:**

9 That we, the members of the Seventy-ninth Legislative Assembly, urge the Congress to pass and
10 the President to sign legislation that would extend like benefits to Reserve and National Guard
11 personnel deployed under 10 U.S.C. 12304b as are received under other mobilization authority; and
12 be it further

13 Resolved, That those benefits be applied both prospectively and retroactively to Reserve and
14 National Guard personnel already deployed under 10 U.S.C. 12304b; and be it further

15 Resolved, That a copy of this memorial shall be sent to the President of the United States, to
16 the Senate Majority Leader, to the Speaker of the House of Representatives and to each member
17 of the Oregon Congressional Delegation.

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