

**Federal Benefits on Title 32 and State Active Duty Orders  
(Personnel)  
Resolution No. 21-04 (Not approved)**

**WHEREAS**, National Guard servicemembers do not always receive Federal benefits when they are ordered to state active duty even if that duty provides federal mission support; and

**WHEREAS**, Title 32 and state active duty orders are often used in lieu of Title 10 orders because National Guard are needed immediately for duty; and

**WHEREAS**, state active duty compensation and benefits are inconsistent and vary from state-to-state; and

**WHEREAS**, National Guard servicemembers on state active duty are excluded from benefits including Tricare health coverage for themselves and their dependents, Basic Allowance for Housing, points toward retirement, and GI Bill benefits accrual; and

**WHEREAS**, when Guardsmen are placed on Title 32 Section 502(f) federal orders, they are deliberately cut short one day before benefits are earned, as recently experienced during COVID-19 deployments; and

**WHEREAS**, National Guard only earn GI Bill benefits for Title 32 Sec 502(f) orders of 90 days or more when the president declares a state of national emergency; and

**WHEREAS**, Guardsmen are not entitled to employment discrimination laws for their service while on state orders; and

**WHEREAS**, the approval process for DoD Title 10 orders is bureaucratic in nature and practice, lengthy and cannot be done quickly to meet emergency or short-notice requirements for the Department of Defense; and

**WHEREAS**, legislation had to be enacted to ensure National Guard members received the same benefits as their federal counterparts when they supported the COVID-19 pandemic; and

**WHEREAS**, National Guard servicemembers and their families should not have to ask and wait for legislation to be enacted to access benefits; and

**WHEREAS**, duty status reform to fix legal authority for orders and benefits has been delayed by DoD and Congress for several years that if passed would resolve some benefit parity issues,

**NOW, THEREFORE, BE IT RESOLVED**, that ROA, chartered by Congress, strongly urges Congress to pass duty status reform and ensure equitable benefits are attached to duty status.

Adopted by the National Convention, 14 Mar 2021  
Submitted: National Capitol Region, 16 Feb 2021