

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 1879

---

IN THE SENATE OF THE UNITED STATES

MARCH 25, 2010

Received; read twice and referred to the Committee on Veterans' Affairs

---

## AN ACT

To amend title 38, United States Code, to provide for employment and reemployment rights for certain individuals ordered to full-time National Guard duty.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Guard Em-  
3 ployment Protection Act of 2010”.

4 **SEC. 2. REEMPLOYMENT RIGHTS FOLLOWING CERTAIN NA-  
5 TIONAL GUARD DUTY.**

6 (a) REEMPLOYMENT RIGHTS.—Section 4312(c)(4) of  
7 title 38, United States Code, is amended—

8 (1) by striking “or” at the end of subparagraph  
9 (D);

10 (2) by striking the period at the end of sub-  
11 paragraph (E) and inserting “; or”; and

12 (3) by adding at the end the following new sub-  
13 paragraph:

14 “(F) ordered to full-time National Guard  
15 duty under the provisions of section 502(f) of  
16 title 32 when the period of duty is expressly  
17 designated in writing by the Secretary of De-  
18 fense as covered by this subparagraph.”.

19 (b) EFFECTIVE DATE.—Subparagraph (F) of section  
20 4312(c)(4) of title 38, United States Code, as added by  
21 subsection (a), shall apply with respect to an individual  
22 ordered to full-time National Guard duty under section  
23 502(f) of title 32, United States Code, on or after Sep-  
24 tember 11, 2001, and shall entitle such individual to rights

1 and benefits under chapter 43 of title 38 of such Code  
2 on or after that date.

Passed the House of Representatives March 24,  
2010.

Attest:                      LORRAINE C. MILLER,  
*Clerk.*