

United States Senate

WASHINGTON, DC 20510

May 17, 2012

The Honorable Daniel B. Ginsberg
Assistant Secretary of the Air Force for Manpower and Reserve Affairs
1670 Air Force Pentagon
Washington, DC 20330-1660

Dear Assistant Secretary Ginsberg,

We are writing to inquire about the implementation status of the National Guard Employment Protection Act. As I am sure you are aware, this critical law amends the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). With passage of the act, the Secretary of Defense has been charged with extending USERRA protections to Guardsmen when they are called up by the President or Secretary of Defense for the purpose of responding to national emergencies.

It has come to our attention that the Department of Defense has yet to issue any guidance for implementation of this new law. Many citizen-soldiers are impacted by the inclusion of Title 32 duties, and they question how it will change their new and existing orders. Without the protections of USERRA, these Airmen and Soldiers will be forced to leave their current positions with the National Guard and return to their civilian jobs at a time when our military needs them the most.

At no time in America's history has the Guard played such a vital role in the security of our nation. As a partner in overseas contingency operations and primary component of our homeland defense, the National Guard is routinely called to perform full-time duty. For example, Guardsmen in the state of Missouri recently responded to devastating tornados that tore through the town of Joplin, and then deployed to Afghanistan as an agri-business development team.

The passage of this act allows highly experienced guardsmen to continue filling critical full-time positions both here and abroad. As a nation, we must honor our men and women in uniform by providing them with the protections necessary to complete their mission. The National Guard Employment Protection Act is an issue of basic fairness, and I look forward to hearing from you on the status of its implementation.

Sincerely,



Roy Blunt
United States Senator



Kirsten Gillibrand
United States Senator

Cc:

General Craig R. McKinley, Chief of the National Guard Bureau
David McGinnis, Acting Assistant Secretary of Defense for Reserve Affairs