



CHAIRMAN

OFFICE OF THE SECRETARY OF DEFENSE  
RESERVE FORCES POLICY BOARD

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JUN 28 2017

INFO MEMO

FOR: SECRETARY OF DEFENSE

DepSec Action \_\_\_\_\_

FROM: MajGen Arnold L. Punaro, USMCR (Ret), Chairman, Reserve Forces Policy Board

SUBJECT: Report of the Reserve Forces Policy Board on Support for H.R. 1384 and S. 667 – Reserve Component Benefits Parity Act and changes to Department of Defense policy to address certain benefits not provided under 12304b involuntary mobilization authority.

The Reserve Forces Policy Board (RFPB) is a federal advisory committee established in law to provide you with independent advice and recommendations on strategies, policies and practices designed to improve and enhance the capabilities, efficiency, and effectiveness of the Reserve Components.

The RFPB met on 7 June 2017 and discussed proposed legislation to amend Titles 5, 10, 37, and 38 of the United States Code to ensure that an order to serve on active duty under sections 12304a and 12304b of Title 10, United States Code, is treated the same as other orders to serve on active duty for determining the eligibility of members of the uniformed services and veterans for certain benefits and for calculating the deadlines for certain benefits. The Board also discussed additionally identified benefits not provided under 12304b or addressed in the proposed legislation. After careful review and analysis, the RFPB recommends the Department of Defense fully support these bills, and address the additional benefits through policy. TAB A provides the background.

**Recommendation: The Department support the Reserve Component Benefits Parity Act as a step towards standardization of 10 U.S. Code § 12304b benefits.**

**Recommendation: The Secretary amend DoD policy to include eligibility for Post Deployment/Mobilization Respite Absence and the Armed Forces Medal "M" Device under 12304b authority.**

As required by the Federal Advisory Committee Act, the recommendations were deliberated and approved in an open, public session. The briefing presented to and approved by the Board is located at TAB B and will be posted to the RFPB web site. Copies of the Senate and House bills are provided at TABs C and D. Background information about the RFPB is at TAB E.

COORDINATION: NONE

Attachment(s):  
As stated

Prepared by: Col Matt Groves, 703-681-0600

TAB

A

## **BACKGROUND and DISCUSSION**

Members of the Reserve Component activated under 12304b involuntary mobilization authority are not eligible for certain benefits available under other mobilization authorities. This ineligibility creates the possibility for scenarios where military members performing the same duty in the same location would be accruing vastly different benefits, or where members performing a repeated mission would not receive the same benefits each time.

Numerous activations/deployments of Reserve Component organizations under 12304b have resulted in negative press, congressional complaints, and decreased morale. Continued unmodified use of the authority could easily undermine recruiting and retention efforts.

S. 667 and H.R. 1384, also cited as the Reserve Component Benefits Parity Act, seek to provide eligibility for certain benefits under 12304b requiring statutory modification. Both bills include eligibility for pre-mobilization health care, transitional health care, reduced retirement age, protection against recoupment of voluntary separation pay, vocational rehabilitation, federal civilian differential pay, and Post-9/11 education benefits.

Post-Deployment/Mobilization Respite Absence and the Armed Forces Medal "M" device were also identified as ineligible benefits under 12304b. These are not addressed by the Reserve Component Benefits Parity Act, but could be addressed through modification of Department of Defense policy.

RFPB board member discussions on 12304b and the Reserve Component Benefits Parity Act emphasized that while the ultimate goal is benefits parity through comprehensive duty status reform, this is not realistically immediately attainable. Reserve Component members continue to be activated under 12304b, and the services are programming for continued future use, so addressing the disparity of benefits of this single authority would be a positive action, but ideally just a step in the process of simplifying and improving duty status.

**TAB**  
**B**



**Subcommittee on  
Ensuring a Ready, Capable, Available, and  
Sustainable Operational Reserve**

**As approved by RFPB – 7 June 2017**

**Vice Admiral John Cotton, USN (Ret)  
Subcommittee Chair**



**Operational Reserve  
Recommended Definition**



**From the 9 March 2016 RFPB Meeting:**

**“Operational Reserve”** – An Operational Reserve provides ready capabilities and capacity that are accessible, routinely utilized, and fully integrated for military missions that are planned, programmed, and budgeted in coordination with the Active Component.

- Formal RFPB recommendation was submitted by Chairman Punaro and delivered to the Executive Secretary on 11 April 2016
- OSD took no further action based on pending administration changes/appointments



## Desired Outcomes



1. **SECDEF accepts RFPB definition** and amends/updates DODD 1200.17 (Managing the Reserve Components as an Operational Force) to provide standardization
2. **Definition is incorporated** into subsequent Joint Publication updates
3. **Services and components incorporate definition** to ensure dissemination and clarification
4. **Definition is socialized** with Think Tanks and Advocacy Groups to encourage inclusion in regular vernacular

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## Follow on COAs



1. **Recommended definition of Operational Reserve was included in the RFPB transition book and 2016 RFPB Annual Report** for attention of incoming senior civilian and military DoD leadership in the new administration
2. **RFPB Staff is working with OSD Reserve Integration on rewrite of DoDD 1200.17** to include language from RFPB-proposed definition

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## **Presidential DNE and Authority to Access RC**



**Primary method of involuntary mobilization for RC members/units since 9/11 has been through Title 10 U.S. Code Section 12302**

- 12302 authorizes access for up to 1 million personnel for up to 24 months, but requires a Presidential Declaration of National Emergency (DNE)
- DNE was originally provided by President Bush on 14 September 2001, and has since been annually renewed

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## **DNE & Authority to Access RC**



**DEPSECDEF Work tasked DoD/Services to examine effects and provide COAs for mitigation should DNE expire in 2016, and provided a follow-up letter in June 2016**

- Based on findings, recommended 1-year extension of DNE to President
- FY 2017 renewal approved on 30 August 2016
- Directed Service Secretaries and CJCS to develop a plan by 1 December 2016 to transition from 12302 to 12304b by 30 September 2017

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## DNE & Authority to Access RC



### Services provided plans to OSD in December 2016

- **OSD currently staffing a recommendation for continuation of DNE for FY 2018**
- Multiple instances of negative press on 12304b activations (mostly lack of benefits)
- Services are continuing/increasing use of 12304b, but no consolidated tracking method

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## DNE & Authority to Access RC



### 12302

- Maximum 1,000,000 Ready Reservists on active duty
- Not more than 24 consecutive months

### 12304b

- Maximum 60,000 on active duty at any one time
- Limited to 365 consecutive days
- Manpower and costs are specifically included and identified in the submitted defense budget for anticipated demand
- Budget information includes description of the mission and the anticipated length of time for involuntary order to active duty
- Secretary invoking section 12304b of Reference (d) must submit to Congress a written report detailing circumstances of the call-up

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## Potential Problems with 12304b



- 1. Lack of Flexibility** – Pre-budgeted/pre-planned is good for predictability, but requires manpower and associated costs to be included in FY budget proposals of anticipated activation with a description of mission and duration, which provides little flexibility for use of the RC for emergent requirements in the year of execution
- 2. Mission Duration** – 365 day limit on activation (including pre-mob, post-mob, and leave) may require modifications to deployment schedules for some services/components
- 3. Disparities in Benefits** – Many benefits are tied to specific authorities, and recent use of 12304b has resulted in service members not receiving benefits they would have received under 12302, which creates potential for same mission and different benefits



## Negative Press



### **“New Rules Block Benefits for Some Reserve Deployments”**

Military Times, Jan 7, 2017 “...In many cases, no one told the reservists before their deployments of the changed situation. Moreover, use of the authority — one of several the services can use to call reservists to active duty — has been inconsistent, some would say inscrutable. And although the authority applies only to involuntary mobilizations, in many cases the majority of reservists on the deployments have, in fact, volunteered to go.”

### **“No G.I. Bill for Oregon Marine Reservists Deployed to Honduras”**

Washington Times, Dec 25, 2016 “...But when he and his fellow reservists got back to the States just before Thanksgiving, they found an unpleasant surprise waiting for them: Unlike the regular Marines who took part in the Honduran deployment, the reservists would not be receiving any credit toward their G.I. Bill and other benefits for their months of active duty.”

### **“Unfair Treatment for Guard and Reserves”**

American Legion, Feb 23, 2017 “...Under this little-known provision of the 2012 National Defense Authorization Act, reservists and Guard members can be involuntarily activated without receiving service credit toward benefits such as the Post-9/11 GI Bill, health insurance or early retirement. Even more alarming is that the military has other authorization mechanisms that can be used to deploy these men and women. But they can choose to not use them. The main purpose of this insidious code appears to be budget savings.”



## Important Benefits NOT provided by 12304b



1. **Reduced Retirement Age from age 60**
2. **Post 9/11 GI Bill Credit**
3. Vocational Rehabilitation
4. Voluntary Separation Pay Recoup Protection
5. **Pre-Mobilization Health Care**
6. Transition Assistance Management Program (TAMP)
7. **Federal Civilian Differential Pay**
8. Post Deployment/Mobilization Respite Absence (PDMRA)
9. Reserve Educational Assistance Program (REAP)
10. Armed Forces Reserve Medal "M" Device

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## RC Benefits Parity Act



1. Introduced in the Senate as S. 667 and in the House as H.R. 1384
2. Addresses all previously mentioned omitted benefits under 12304b other than **PDMRA, REAP and "M" Device**
3. Bills are almost identical –Senate version contains a section to make changes **retroactive back to January 1, 2012**, and House version contains a section that **prevents educational benefits from being charged** against a member discontinuing studies for activation.
4. Supported by NGAUS, EANGUS, ROA

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## Proposed Recommendations



1. Recommend SECDEF support S. 667 and H.R. 1384, Reserve Component Benefits Parity Act **as a step towards standardization of 10 U.S. Code §12304b benefits.**
2. Further recommend SECDEF amend DoD policy to include eligibility for Post Deployment/Mobilization Respite Absence and the Armed Forces Reserve Medal "M" Device under 12304b authority.

**Voted on and unanimously  
approved by RFPB**

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## Proposed COAs



1. **Continue to monitor** DNE/2017 Budget developments, Draft Legislation
2. **Track DoD internal proposed changes, initiatives, and application of benefits**
3. **Coordinate with service comptrollers** for FYDP forecasting and budgeting for 12304b
4. **Emphasize with services** the need for proactive expectation management and education regarding eligibility for benefits for members scheduled for activation under 12304b
5. **Revisit monthly** to determine whether RFPB action is warranted to ensure authorities do not limit regular operational employment of the RC

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## Back-up Slides

Vice Admiral John Cotton, USN (Ret)  
Subcommittee Chair



DoDI 1235.12, June 7, 2016

Table 1. Reserve Access Authorities

Statute	Utilization Process	Intended Use	Requirements
	<b>Involuntary</b>		
Section 12301(a) of Reference (a) Full Mobilization	Congressional Declaration of War or National Emergency	Rapid expansion of Military Services to meet an external threat to national security	-No personnel limitations -Duration of war or national emergency plus 6 months -Applicable to all reservists (including inactive and retired)
Section 12302 of Reference (a) Partial Mobilization	Presidential Declaration of National Emergency	Marginal expansion to meet external threat to national security or domestic emergency	-Maximum 100,000 Ready Reservists on active duty -Not more than 34 consecutive months
Section 12304 of Reference (a) Presidential Selected Reserve Call-Up	President determines RE requirement is required other than during war or national emergency	Support the active forces for an unusual operational mission, or to provide assistance for responding to an emergency involving the use or threatened use of a weapon of mass destruction, or a terrorist attack, or a threatened terrorist attack, in the United States that could result in significant loss of life or property	-Maximum 200,000 members of Selected Reserve Individual Ready Reserve on active duty -May include up to 30,000 Individual Ready Reserve -Limited to 365 consecutive days active duty -Prohibited for support of federal government or a State during a domestic security normal or non-military disaster, accident or catastrophe -Prohibited for use in repelling aggression, suppressing insurrection, rebellions, domestic violence, individual criminality, or espionage, or executing U.S. laws
Section 12304 of Reference (a) Reserve Emergency Call-Up	Secretary of Defense authority in response to Congress's request for federal assistance in accordance with section 5121 of Title 42, U.S.C. (Reference (a)). Presidential determination of major disaster or emergency required	Marginal expansion for response to a major disaster or emergency in the United States and its territories	-No personnel limitations -Limited to continuous period of not more than 120 days -Does not apply to National Guard or Coast Guard Reserve -Secretaries of the Military Departments may approve 120-day extensions provided the orders are 30 days or less in duration
Section 12304b of Reference (a) Reserve Preplanned Call-Up	Secretary of Military Department authority to order any unit of that Selected Reserve to active duty for pre-planned and pre-authorized mission	Support AC for any preplanned mission in support of U.S. SOT requirements	-Maximum 40,000 on active duty at any one time -Limited to 365 consecutive days -Transport and costs are specifically included and identified in the submitted defense budget for anticipated demand -Disaster information includes description of the mission and the anticipated length of time for involuntary order to active duty -Secretary must submit section 12304b of Reference (a) report to Congress a written report detailing circumstances of the call-up
Section 12301(b) of Reference (a) 15-Day Status	Service Secretary authority to order to active duty without consent of person affected	Annual training or operational mission	-15 days active duty once per year. Congress's consent required for National Guard



## DNE & Authority to Access RC



Section 12302 of Reference (d) Partial Mobilization	Presidential Declaration of National Emergency	Manpower required to meet external threat to national security or domestic emergency	-Maximum 1,000,000 Ready Reservists on active duty -Not more than 24 consecutive months
Section 12304b of Reference (d) Reserve Preplanned Call-Up	Secretary of Military Department authority to order any unit of the Selected Reserve to active duty for pre-planned and pre-budgeted missions	Augment AC for any preplanned missions in support of CCMD requirements	-Maximum 60,000 on active duty at any one time -Limited to 365 consecutive days -Manpower and costs are specifically included and identified in the submitted defense budget for anticipated demand -Budget information includes description of the mission and the anticipated length of time for involuntary order to active duty -Secretary invoking section 12304b of Reference (d) must submit to Congress a written report detailing circumstances of the call-up

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## Proposed Improvements



### Relevant recommendations from the NCFA:

- **Recommendation 29:** The Congress should expand 12304b authority to include operational requirements that emerge within the programmed budget timeline, including the year of execution.
- **Recommendation 30:** The Army should budget for and the Congress should authorize and fund no fewer than 3,000 man years annually for 12304b utilization of the reserve components. SECDEF in conjunction with the Army and OMB should also provide for the use of Overseas Contingency Operations and supplemental funding for reserve component utilization under 12304b.

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## Accessing the RC Via Title 10

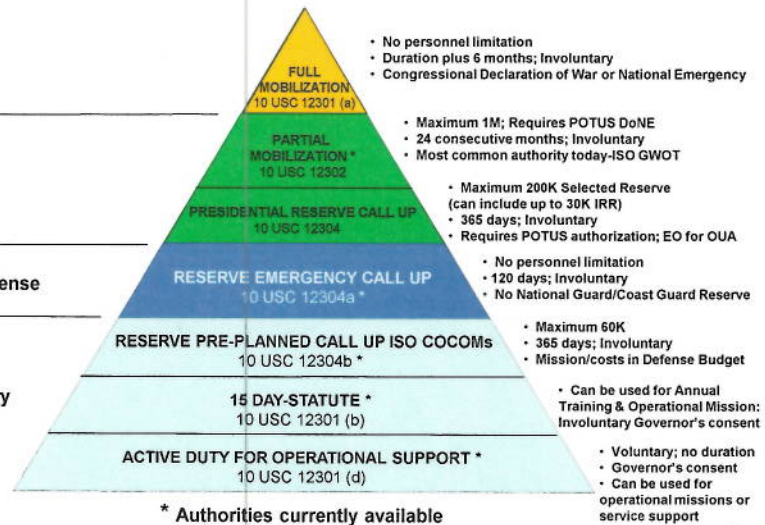


Congress

President

Secretary of Defense

Service Secretary



# TAB C

# S. 667

To amend titles 5, 10, 37, and 38, United States Code, to ensure that an order to serve on active duty under section 12304a or 12304b of title 10, United States Code, is treated the same as other orders to serve on active duty for determining the eligibility of members of the uniformed services and veterans for certain benefits and for calculating the deadlines for certain benefits.

## IN THE SENATE OF THE UNITED STATES MARCH 15, 2017

Mr. FRANKEN (for himself, Mrs. CAPITO, Ms. KLOBUCHAR, and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on Armed Services

# A BILL

To amend titles 5, 10, 37, and 38, United States Code, to ensure that an order to serve on active duty under section 12304a or 12304b of title 10, United States Code, is treated the same as other orders to serve on active duty for determining the eligibility of members of the uniformed services and veterans for certain benefits and for calculating the deadlines for certain benefits.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Reserve Component Benefits Parity Act”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

[Sec. 1. Short title; table of contents.](#)

[Sec. 2. Eligibility of reserve component members for pre-mobilization health care.](#)

[Sec. 3. Eligibility of reserve component members for transitional health care.](#)

[Sec. 4. Consideration of service on active duty to reduce age for eligibility for retired pay for non-regular service.](#)

[Sec. 5. Eligibility of reserve component members for high-deployment allowance for lengthy or numerous deployments and frequent mobilizations.](#)

[Sec. 6. Eligibility of reserve component members for post-9/11 educational assistance.](#)

[Sec. 7. Eligibility of reserve component members for nonreduction in pay while serving in the uniformed services or National Guard.](#)

[Sec. 8. Effect of order to serve on active duty on eligibility for or use of certain military benefits.](#)

[Sec. 9. Retroactive applicability of amendments.](#)

## SEC. 2. ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR PRE-MOBILIZATION HEALTH CARE.

Section 1074(d)(2) of title 10, United States Code, is amended by striking “in support of a contingency operation under” and inserting “under section 12304b of this title or”.

## SEC. 3. ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR TRANSITIONAL HEALTH CARE.

Section 1145(a)(2)(B) of title 10, United States Code, is amended by striking “in support of a contingency operation” and inserting “under section 12304b of this title or a provision of law referred to in section 101(a)(13)(B) of this title”.

## SEC. 4. CONSIDERATION OF SERVICE ON ACTIVE DUTY TO REDUCE AGE FOR ELIGIBILITY FOR RETIRED PAY FOR NON-REGULAR SERVICE.

Section 12731(f)(2)(B)(i) of title 10, United States Code, is amended by striking “under a provision of law referred to in section 101(a)(13)(B) or under section 12301(d)” and inserting “under section 12301(d) or 12304b of this title or a provision of law referred to in section 101(a)(13)(B)”.

## SEC. 5. ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR HIGH-DEPLOYMENT ALLOWANCE FOR LENGTHY OR NUMEROUS DEPLOYMENTS AND FREQUENT MOBILIZATIONS.

Section 436(a)(2)(C)(ii) of title 37, United States Code, is amended by inserting after “under” the first place it appears the following: “section 12304b of title 10 or”.

## SEC. 6. ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR POST-9/11 EDUCATIONAL ASSISTANCE.

Section 3301(1)(B) of title 38, United States Code, is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

## SEC. 7. ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR NONREDUCTION IN PAY WHILE SERVING IN THE UNIFORMED SERVICES OR NATIONAL GUARD.

Section 5538(a) of title 5, United States Code, is amended in the matter preceding paragraph (1) by inserting after “under” the following: “section 12304b of title 10 or”.

#### SEC. 8. EFFECT OF ORDER TO SERVE ON ACTIVE DUTY ON ELIGIBILITY FOR OR USE OF CERTAIN MILITARY BENEFITS.

(a) EXCEPTION TO VOLUNTARY SEPARATION PAY REPAYMENT REQUIREMENT FOR MEMBERS WHO RETURN TO ACTIVE DUTY.—Section 1175a(j)(2) of title 10, United States Code, is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

(b) TIME LIMITATION FOR TRAINING AND REHABILITATION FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES.—Section 3103(f) of title 38, United States Code, is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

#### SEC. 9. RETROACTIVE APPLICABILITY OF AMENDMENTS.

The amendments made by this Act shall apply with respect to any order for a member of a reserve component to serve on active duty under section 12304a or 12304b of title 10, United States Code, issued on or after January 1, 2012.

**TAB**  
**D**

# H. R. 1384

To amend titles 5, 10, 37, and 38 of the United States Code to ensure that an order to serve on active duty under sections 12304a and 12304b of title 10, United States Code, is treated the same as other orders to serve on active duty for determining the eligibility of members of the uniformed services and veterans for certain benefits and for calculating the deadlines for certain benefits.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2017

Mr. PALAZZO (for himself, Mr. WALZ, Ms. SHEA-PORTER, and Mr. FRANKS of Arizona) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committees on Veterans' Affairs, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend titles 5, 10, 37, and 38 of the United States Code to ensure that an order to serve on active duty under sections 12304a and 12304b of title 10, United States Code, is treated the same as other orders to serve on active duty for determining the eligibility of members of the uniformed services and veterans for certain benefits and for calculating the deadlines for certain benefits.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Reserve Component Benefits Parity Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

[Sec. 1. Short title; table of contents.](#)

[Sec. 2. Eligibility of reserve component members for pre-mobilization health care.](#)

[Sec. 3. Eligibility of reserve component members for transitional health care.](#)

[Sec. 4. Consideration of service on active duty to reduce age for eligibility for retired pay for non-Regular service.](#)

[Sec. 5. Eligibility of reserve component members for high-deployment allowance for lengthy or numerous deployments and frequent mobilizations.](#)

[Sec. 6. Eligibility of reserve component members for post-9/11 educational assistance.](#)

[Sec. 7. Eligibility of reserve component members for nonreduction in pay while serving in the uniformed services or National Guard.](#)

[Sec. 8. Effect of order to serve on active duty on eligibility for or use of certain military benefits.](#)

## SEC. 2. ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR PRE-MOBILIZATION HEALTH CARE.

Section 1074(d)(2) of title 10, United States Code, is amended by striking “in support of a contingency operation under” and inserting “under section 12304b of this title or”.

## SEC. 3. ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR TRANSITIONAL HEALTH CARE.

Section 1145(a)(2)(B) of title 10, United States Code, is amended by striking “in support of a contingency operation” and inserting “under section 12304b of this title or a provision of law referred to in section 101(a)(13)(B) of this title”.

## SEC. 4. CONSIDERATION OF SERVICE ON ACTIVE DUTY TO REDUCE AGE FOR ELIGIBILITY FOR RETIRED PAY FOR NON-REGULAR SERVICE.

Section 12731(f)(2)(B)(i) of title 10, United States Code, is amended by striking “under a provision of law referred to in section 101(a)(13)(B) or under section 12301(d)” and inserting “under section 12301(d) or 12304b of this title or a provision of law referred to in section 101(a)(13)(B)”.

## SEC. 5. ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR HIGH-DEPLOYMENT ALLOWANCE FOR LENGTHY OR NUMEROUS DEPLOYMENTS AND FREQUENT MOBILIZATIONS.

Section 436(a)(2)(C)(ii) of title 37, United States Code, is amended by inserting after “under” the first place it appears the following: “section 12304b of title 10 or”.

## SEC. 6. ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR POST-9/11 EDUCATIONAL ASSISTANCE.

Section 3301(1)(B) of title 38, United States Code, is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

## SEC. 7. ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR NONREDUCTION IN PAY WHILE SERVING IN THE UNIFORMED SERVICES OR NATIONAL GUARD.

Section 5538(a) of title 5, United States Code, is amended in the matter preceding paragraph (1) by inserting after “under” the following: “section 12304b of title 10 or”.

**SEC. 8. EFFECT OF ORDER TO SERVE ON ACTIVE DUTY ON ELIGIBILITY FOR OR USE OF CERTAIN MILITARY BENEFITS.**

(a) **EXCEPTION TO VOLUNTARY SEPARATION PAY REPAYMENT REQUIREMENT FOR MEMBERS WHO RETURN TO ACTIVE DUTY.**—Section 1175a(j)(2) of title 10, United States Code, is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

(b) **EFFECT OF BREAK IN STUDIES ON EDUCATIONAL ASSISTANCE FOR RESERVE COMPONENT MEMBERS SUPPORTING CONTINGENCY OPERATIONS AND CERTAIN OTHER OPERATIONS.**—Section 16162(d)(2)(B)(i) of title 10, United States Code, is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

(c) **TIME LIMITATION FOR TRAINING AND REHABILITATION FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES.**—Section 3103(f) of title 38, United States Code, is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

# TAB E

## **The Reserve Forces Policy Board – Basic Overview**

The Reserve Forces Policy Board (RFPB) is a federal advisory committee mandated by law in the Office of the Secretary of Defense to "serve as an independent adviser to the Secretary of Defense to provide advice and recommendations to the Secretary on strategies, policies, and practices designed to improve and enhance the capabilities, efficiency, and effectiveness of the reserve components." As required by statute, the board also produces an annual report which the Secretary of Defense transmits to the President and Congress on reserve component matters the board considers appropriate to include in the report.

The board consists of 20 members; a civilian chairman, a general/flag officer from each of the seven reserve components, a two-star military executive, a senior enlisted advisor, plus ten other U.S. citizens, who may or may not be government employees, with significant knowledge of and experience in policy matters relevant to national security and reserve component matters.

The board is supported by a staff consisting of a Colonel or Navy Captain from each of the six DoD reserve components. There is also a Coast Guard staff officer. These officers also serve as liaisons between their respective components and the board. The law requires them "to perform their staff and liaison duties under the supervision of the military executive officer of the board in an independent manner reflecting the independent nature of the board."

Established in 1951, the board is one of the oldest advisory committees in the Department of Defense.

In the National Defense Authorization Act of 2011, Congress significantly revised the operating framework and membership of the RFPB. Previously, other than the chairman, the board included only DoD officials and made recommendations through the Assistant Secretary of Defense for Reserve Affairs. In 2008, the Commission on the National Guard and Reserves recommended that the RFPB's governing statute (10 USC 10301) be amended because the board was not structured to obtain and provide directly to the Secretary of Defense a wide range of independent advice on National Guard and Reserve matters due to the nature of its membership and its subordination to other offices within DoD. The revised law was effective 1 July 2011.

On 12 September 2011, retired Marine Corps Major General Arnold Punaro was sworn in as the first chairman of the board under the revised structure. Other new members were sworn in at an organizational meeting on 13 October.

The board is organized into three subcommittees: Ensuring a Ready, Capable, Available and Sustainable Operational Reserve; Enhancing DoD's Role in the Homeland; and Supporting and Sustaining Reserve Component Personnel. Subcommittees meet as required. The full board meets quarterly. The RFPB website is at <http://rfpb.defense.gov/>.