

United States Senate

WASHINGTON, DC 20510

April 6, 2016

Honorable Ashton B. Carter,
Secretary of Defense
U.S Department of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Carter:

We write to express our concerns that some members of the National Guard who have been deployed into hostile environments have been ruled ineligible for post-9/11 GI Bill benefits, and to explain our willingness to work with you to rectify this injustice.

As you are aware, Section 12304b of Title 10 of U.S. Code provides the military with the ability to order reserve forces into active duty for preplanned missions in support of the combatant commands. In recent hearings, our military leaders made clear that the National Guard and Reserves will be called on for long duration operations under Section 12304b to meet our military's global commitments. We support the use of the National Guard and Reserves in these operational roles in active duty missions as a cost-effective means of meeting the needs of combatant commanders, and as a means of providing experience and utilizing our investment in readiness. When we do so, however, we must treat these service members with the proper respect and recognition that they deserve for undertaking these missions.

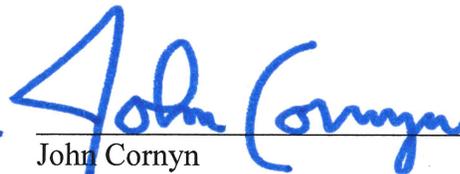
One recent case involves numerous members of the Guard who were deployed to the Sinai Peninsula in Egypt and carried out their mission in a hazardous, hostile environment, while subjected to artillery and mortar fire over a period of up to seven months. Upon their return from duty, they applied for educational benefits only to learn that the Department had directed the Department of Veterans Affairs to issue a denial for active service under Section 12304b. However, deployments with similar responsibilities and risks that are as short as 90-days under different authorities do qualify for post-9/11 GI Bill benefits.

We therefore respectfully request that you work with us in an expeditious manner to extend post-9/11 GI Bill benefits to National Guard and Reserve members who have served, are serving, or will serve under the Section 12304b designation, and stand ready to consider recommended legislative changes needed to assist you. We also ask that you provide us with other disparities between benefits available to service members who deploy under Section 12304b and those who deploy for similar lengths of time under other authorities, as well as any recommendations you have or actions you can take to achieve parity.

Sincerely,



Al Franken
United States Senator



John Cornyn
United States Senator