



May 16, 2018

The Honorable Mac Thornberry
Chairman
House Armed Services Committee
2216 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Adam Smith
Ranking Member
House Armed Services Committee
2216 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Thornberry and Ranking Member Smith,

On behalf of the members of the National Guard Association of the United States (NGAUS) and the Enlisted Association of the National Guard of the United States (EANGUS), we write to express our opposition to two provisions in the current version of H.R. 5515, the Fiscal Year 2019 National Defense Authorization Act.

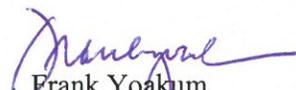
Specifically, Section 506: Retention of Military Technicians Who Lose Dual Status Under Certain Circumstances would significantly alter Title 10 United States Code § 10216, which protects dual status technicians from losing their civilian jobs due to combat-related disabilities. Sec. 506 would broaden this protection well beyond combat injury, up to and including election to leave military service. Removing the requirement for military service effectively eliminates the dual status technician program in its current form. Furthermore, we are concerned that Sec. 506 would create a scenario where an individual who separates from the National Guard could retain that position for an extended period of time, thus depriving younger servicemembers the opportunity to advance their career at an acceptable rate. The result of a stagnant career track will cause the National Guard to lose talented servicemembers mid-career, as these individuals separate earlier than anticipated.

Additionally, Section 511: Placement of National Guard Military Technicians (dual status) in the Competitive Service would complicate the employment appointment and delay hiring processes. Transitioning these positions from exempt to competitive would burden state authorities regarding the hiring and management of its personnel. As highlighted in the National Guard Bureau Input for Statement of Administration Policy for H.R. 5515, converted dual status employees are unique from competitive service federal employees as they are permanently assigned to non-federal military units. Sec. 511 would unnecessarily increase bureaucracy and create undue expenses in a budget conscience environment.

NGAUS and EANGUS appreciate the opportunity to bring these concerns to your attention. In closing, we would also suggest the 115th Congress consider exploring the feasibility of transitioning the dual status technician program to Active Guard and Reserve (AGR) positions. Should you or your staff have any questions, please contact Mike Hadley, NGAUS Legislative Director, and Scott Bousum, EANGUS Legislative Director. Thank you and your staff for your continued support of soldiers and airmen of the National Guard.

Sincerely,


J. Roy Robinson
Brigadier General (Ret)
President, NGAUS


Frank Yoakum
Sergeant Major (Ret)
Executive Director, EANGUS