

112TH CONGRESS
1ST SESSION

S. 1823

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

IN THE SENATE OF THE UNITED STATES

NOVEMBER 8, 2011

Mr. BLUNT (for himself and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Guard Em-
5 ployment Protection Act of 2011”.

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

3 (a) **IN GENERAL.**—Section 4312(c)(4) of title 38,
4 United States Code, is amended—

5 (1) in subparagraph (D), by striking “or” at
6 the end;

7 (2) in subparagraph (E), by striking the period
8 at the end and inserting “; or”; and

9 (3) by adding at the end the following new sub-
10 paragraph:

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

16 (b) **EFFECTIVE DATE.**—Subparagraph (F) of such
17 section 4312(c)(4), as added by subsection (a)(3), shall
18 apply with respect to an individual ordered to full-time
19 National Guard duty under section 502(f) of title 32 of
20 such Code, on or after September 11, 2001, and shall enti-
21 tle such individual to rights and benefits under chapter
22 43 of title 38 of such Code on or after that date.

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