

UNCLAS

SUBJECT: VOLUNTARY EXTENDED ACTIVE DUTY (EAD) ISO CONTINGENCY  
OPERATIONS

1. REFERENCES:

1A. ASSISTANT SECRETARY OF THE ARMY (MANPOWER AND RESERVE AFFAIRS),  
MEMORANDUM, DECEMBER 2, 2003, SUBJECT: VOLUNTEER DUTY BEYOND 24  
MONTHS FOR STABILIZATION OF INDIVIDUAL RESERVE COMPONENT SOLDIERS.

1B. HQDA MESSAGE 171635Z SEP 02, SUBJECT: CONSOLIDATED PPG FOR  
OPERATIONS NOBLE EAGLE AND ENDURING FREEDOM.

1C. AR 135-210, ORDER TO ACTIVE DUTY AS INDIVIDUALS FOR OTHER THAN A  
PRESIDENTIAL SELECTED RESERVE CALL-UP, PARTIAL OR FULL MOBILIZATION.

1D. AR 600-8-101, PERSONNEL PROCESSING (IN- AND OUT- AND MOBILIZATION  
PROCESSING).

1E. AR 600-8-105, MILITARY ORDERS.

1F. AR 635-5, SEPARATION DOCUMENTS.

1G. UNDER SECRETARY OF DEFENSE (PERSONNEL AND READINESS),  
MEMORANDUM, JULY 3, 2003 SUBJECT: MOBILIZATION OF RESERVE AND NATIONAL  
GUARD BEYOND 24 MONTHS - TASK FORCE RESULTS, RECOMMENDATIONS, AND  
GUIDANCE.

1H. UNDER SECRETARY OF DEFENSE (PERSONNEL AND READINESS),  
MEMORANDUM, JULY 19, 2002, SUBJECT: ADDENDUM TO  
MOBILIZATION/DEMOBILIZATION PERSONNEL AND PAY POLICY FOR RESERVE  
COMPONENT MEMBERS ORDERED TO ACTIVE DUTY IN RESPONSE TO THE WORLD  
TRADE CENTER AND PENTAGON ATTACKS.

11. UNDER SECRETARY OF DEFENSE (PERSONNEL AND READINESS), MEMORANDUM, SEPTEMBER 20, 2001, SUBJECT: MOBILIZATION/DEMOBILIZATION PERSONNEL AND PAY POLICY FOR RESERVE COMPONENT MEMBERS ORDERED TO ACTIVE DUTY IN RESPONSE TO THE WORLD TRADE CENTER AND PENTAGON ATTACKS.

2. BACKGROUND.

2.A. MANY RESERVE COMPONENT (RC) SOLDIERS HAVE COMPLETED OR ARE NEARING TWO YEARS OF MOBILIZATION UNDER THE EXISTING PARTIAL MOBILIZATION AUTHORITY (10 USC 12302), FOLLOWED BY A CONTINGENCY TEMPORARY TOUR OF ACTIVE DUTY (COTTAD) OF 179 OR 270 DAYS AT THE END OF THEIR TWO-YEAR MOBILIZATION.

2.B. THE COMMANDS TO WHICH THESE SOLDIERS ARE ASSIGNED, AS WELL AS MANY OF THE SOLDIERS THEMSELVES, DESIRE TO CONTINUE OR RESUME THEIR ACTIVE DUTY SERVICE. ONE OPTION IS FOR ELIGIBLE SOLDIERS TO SERVE IN A VOLUNTARY EAD STATUS UP REF. 1A, FOR A MINIMUM OF TWO YEARS WITH AN ARMY-INITIATED OPTION FOR A THIRD YEAR. SOLDIERS APPROVED FOR EAD UNDER THIS POLICY, WILL RECEIVE ACTIVE DUTY PAY AND BENEFITS.

2.C. UP REF. 1A, THE ASA (M&RA), HAS GRANTED AUTHORITY TO THE DCS, G-3, TO APPROVE UP TO 2,500 RC SOLDIERS TO SERVE IN AN EAD STATUS IN SUPPORT OF CURRENT CONTINGENCY OPERATIONS. EAD UNDER THIS POLICY IS IN ADDITION TO, BUT DISTINCT FROM, OTHER EAD PROGRAMS CONDUCTED IAW AR 135-210; ACCORDINGLY, SPECIFIC PROVISIONS OF THIS EAD POLICY MAY NOT NECESSARILY APPLY TO OTHER EAD PROGRAMS. .

2.D. ONLY RC SOLDIERS CURRENTLY SERVING ON ACTIVE DUTY ISO THE GLOBAL WAR ON TERRORISM (GWOT) UP 10 USC 12302 (PARTIAL MOBILIZATION), OR SOLDIERS WHO HAVE BEEN REFRAD FROM SUCH CALL TO ACTIVE DUTY ARE ELIGIBLE FOR CONTINGENCY EAD UP THIS POLICY.

2.E. RC OFFICERS WHO ARE ORDERED TO EAD UP OF THIS POLICY SHALL REMAIN ON THE RESERVE ACTIVE STATUS LIST (RASL) AND HAVE THEIR ORDERS STATE THAT THE OFFICER SHALL BE RETAINED ON THE (RASL).

3. 1,000 OF THE 2,500 EAD AUTHORIZATIONS WILL BE USED FOR FILLING VALIDATED INDIVIDUAL AUGMENTATION (IA) REQUIREMENTS CONTROLLED BY THE WORLDWIDE INDIVIDUAL AUGMENTATION SYSTEM (WIAS). THE INTENT IS TO USE THESE AUTHORIZATIONS TO REPLACE ("BUY OUT") EXISTING IA REQUIREMENTS CURRENTLY MANNED BY ACTIVE COMPONENT SOLDIERS AND NOT TO SUPPORT NEW REQUIREMENTS. HQDA, DCS, G-3, DAMO-ODO, WILL CONTINUE ITS EFFORTS TO FIND UNIT SOURCING SOLUTIONS TO MEET FUTURE IA REQUIREMENTS.

3.A. HQDA, DCS, G-3, DAMO-ODO, WILL COORDINATE DIRECTLY WITH THE RESPECTIVE IA ACCOUNT HOLDERS TO SUPPORT THE DISTRIBUTION OF THESE AUTHORIZATIONS.

3.B. HQDA, DCS, G-3, DAMO-ODO, WILL CANCEL EACH WIAS BILLET FILLED BY A QUALIFIED EAD RC SOLDIER BASED ON THE COORDINATION CONDUCTED IAW PARAGRAPH 3.A. OF THIS MESSAGE.

4. SOLDIERS WILL ONLY BE ASSIGNED TO VALID MOB TDA BILLETS.

5. SUBMITTING REQUESTS FOR EAD:

5.A. THE ARMY COMPONENT COMMANDER OF THE SUPPORTED COMBATANT COMMANDER, SUPPORTED MACOM/FIELD COMMAND, OR DEFENSE AGENCY WILL FORWARD RC SOLDIERS' REQUEST PACKETS FOR VOLUNTARY EAD UNDER THIS POLICY THROUGH THE SUPPORTING COMMAND/MACOM TO HQDA, DCS, G-3, DAMO-ODM, NLT 120 DAYS PRIOR TO THE REQUESTED START DATE. THE FOLLOWING INFORMATION MUST BE PROVIDED FOR EACH REQUEST:

5.B.1. MOB TDA DOC NO.

5.B.2. MOB TDA CCNUM.

5.B.3. MOB TDA EDATE.

5.B.4. MOB TDA BILLET – PARA/LIN #.

5.C. FOR RC SOLDIERS CURRENTLY SERVING ON ACTIVE DUTY, REQUEST PACKETS MUST INCLUDE A TAG/GOVERNOR RELEASE FOR ARMY NATIONAL GUARD SOLDIERS, A USAR COMMAND RELEASE FOR ARMY RESERVE (TPU) SOLDIERS, A COMPLETED DA FORM 160R (APPLICATION FOR ACTIVE DUTY), COPIES OF ALL PREVIOUS MOBILIZATION/TTAD/EAD ORDERS, AND ALL ASSOCIATED TEMPORARY CHANGE OF STATION (TCS) ORDERS. THERE IS NO REQUIREMENT TO SUBMIT VERIFICATION OF HUMAN IMMUNODEFICIENCY VIRUS (HIV) TEST, DA FORM 7349 (INITIAL MEDICAL REVIEW – ANNUAL MEDICAL CERTIFICATE), OR MEDICAL EXAMINATION BECAUSE THE SOLDIER IS ALREADY ON ACTIVE DUTY AND THESE REQUIREMENTS SHOULD HAVE BEEN COMPLETED AND VERIFIED DURING THE INITIAL READINESS AND DEPLOYMENT PROCESSING.

5.D. FOR SOLDIERS NOT CURRENTLY SERVING ON ACTIVE DUTY, REQUEST PACKETS MUST INCLUDE A TAG/GOVERNOR RELEASE FOR ARMY NATIONAL GUARD SOLDIERS, A USAR COMMAND RELEASE FOR ARMY RESERVE (TPU) SOLDIERS, A COMPLETED DA FORM 160R (APPLICATION FOR ACTIVE DUTY), DA FORM 2A/2-1 OR ORB/ERB, VERIFICATION OF HUMAN IMMUNODEFICIENCY VIRUS (HIV) TEST, DA FORM 7349 (INITIAL MEDICAL REVIEW – ANNUAL MEDICAL CERTIFICATE), CURRENT PHYSICAL, NGB 23 OR ARPC 249, AND COPIES OF ALL DD 214. COMMANDERS WILL ENSURE ALL ELIGIBILITY REQUIREMENTS OUTLINED IN AR 135-210 ARE MET.

6. HQDA, DCS, G-3, DAMO-ODO, WILL DETERMINE WHETHER TO VALIDATE THE NEED TO CONTINUE TO FILL POSITIONS UNDER THIS POLICY BASED ON THE NEEDS OF THE ARMY, AND WHETHER TO APPROVE THE RC SOLDIER'S REQUEST FOR EAD UP THIS POLICY. VALIDATED REQUIREMENTS AND APPROVED REQUESTS WILL BE FORWARDED TO U.S. ARMY HUMAN RESOURCES COMMAND (HRC) FOR EAD

PROCESSING. HRC WILL PUBLISH AN EAD ORDER, AFTER VERIFYING THE SOLDIER MEETS ELIGIBILITY REQUIREMENTS. HRC WILL ENSURE APPROPRIATE DISTRIBUTION OF THE EAD ORDER.

7. FOR SOLDIERS APPROVED FOR EAD UNDER THIS POLICY RESULTING IN PERIODS OF CONSECUTIVE ACTIVE DUTY:

7.A. THE ORDER WILL INDICATE, "YOU HAVE BEEN ORDERED TO ACTIVE DUTY IN SUPPORT OF THE NATIONAL EMERGENCY DECLARED UNDER PRESIDENTIAL PROCLAMATION 7463, DATED SEPTEMBER 14, 2001. UNDER THE PROVISIONS OF TITLE 38, UNITED STATES CODE, SECTION 4312 (c)(4)(B), THIS PERIOD OF ACTIVE DUTY IS EXEMPT FROM THE FIVE-YEAR CUMULATIVE SERVICE LIMIT ON REEMPLOYMENT RIGHTS UNDER TITLE 38, UNITED STATES CODE, CHAPTER 43." THE START DATE OF THE EAD WILL BE IMMEDIATELY FOLLOWING THE END DATE OF THE PREVIOUS MOBILIZATION OR COTTAD ORDER FOR THOSE CURRENTLY ON ACTIVE DUTY TO ENSURE THERE IS NO BREAK IN SERVICE.

7.B. CURRENT PERSONNEL POLICY AND PROCEDURES WILL REMAIN IN EFFECT DURING THE VOLUNTARY EAD.

7.C. PREPARATION OF DD FORM 214 (CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY). TO ENSURE IDENTIFICATION OF QUALIFICATION FOR VETERANS' AND OTHER BENEFITS, A DD FORM 214 WILL BE ISSUED UP AR 635-5 TO ARNGUS AND USAR SOLDIERS ON ACTIVE DUTY UNDER 10 USC SECTIONS 12302 AND/OR 12301(d) WHEN THEY ARE REFRAD. ALL PERIODS OF ACTIVE DUTY WILL BE ENTERED ON THE DD 214. ITEM 26 (SEPARATION CODE) FOR RC SOLDIERS SEPARATING FOR COMPLETION OF REQUIRED ACTIVE SERVICE, INCLUDE: "LBK". THE DD 214 WILL BE PUBLISHED UPON FINAL RELEASE FROM ACTIVE DUTY.

7. D. LEAVE. SOLDIERS WITH ACCRUED LEAVE SHALL BE TREATED IAW 37 USC 501. COMMANDERS SHOULD ALLOW SOLDIERS THE OPPORTUNITY TO USE ACCRUED

LEAVE WITHIN THE CURRENT OR NEW ACTIVE DUTY PERIOD. BECAUSE THERE IS NO BREAK IN SERVICE, SOLDIERS CAN CARRY LEAVE OVER WITH NO PENALTY SUBJECT TO THE LIMITATIONS IN 10 USC 701; HOWEVER A STATEMENT OF ACCRUED LEAVE WILL NEED TO BE PROVIDED TO HRC BEFORE IT CAN BE ENTERED INTO THE PAY SYSTEM.

8. SANCTUARY/18-YEAR LOCK-IN.

8. A. UP 10 USC SECTION 12686(A), RC SOLDIERS WHO, ON THE DATE WHICH THEY WOULD OTHERWISE BE RELEASED FROM ACTIVE DUTY (OTHER THAN FOR TRAINING), ARE WITHIN TWO YEARS OF BECOMING ELIGIBLE FOR RETIRED OR RETAINER PAY UNDER A PURELY MILITARY RETIREMENT SYSTEM, MAY NOT BE INVOLUNTARILY REFRAD BEFORE BECOMING ELIGIBLE FOR THAT PAY UNLESS SUCH RELEASE IS APPROVED BY THE SECRETARY OF THE ARMY (THIS AUTHORITY IS DELEGATED TO THE ASA (M&RA)).

8. B. INDIVIDUALS WHO FALL IN THIS CATEGORY SHOULD IMMEDIATELY CONTACT HRC, AHRC-PDZ-RC, DSN 221-5067, FOR A DETERMINATION OF APPROPRIATE ACTIONS AND VERIFICATION OF ACTIVE FEDERAL SERVICE. CONTACT SHOULD BE MADE AT THE EARLIEST POSSIBLE DATE AND, IF POSSIBLE, AT LEAST 90 DAYS PRIOR TO THE END OF THE ACTIVE DUTY PERIOD TO ENSURE THE SOLDIER HAS FOLLOW-ON ASSIGNMENT INSTRUCTIONS. SOLDIERS RETAINED ON ACTIVE DUTY UP THIS EAD POLICY AND SUBJECT TO SANCTUARY WILL BE REASSIGNED BASED ON NEEDS OF THE SERVICE UPON COMPLETION OF THEIR EAD, IF REQUIRED.

8. C. HQDA, DCS, G-3, DAMO-ODO, WILL EXERCISE REASONABLE EFFORTS TO SELECT OTHER QUALIFIED RC SOLDIERS FOR EAD UNDER THIS POLICY BASED ON THE NEEDS OF THE ARMY BEFORE APPROVING RC SOLDIERS WITHIN THIS CATEGORY.

8. D. UP 10 USC 12737, RC SOLDIERS MAY NOT BE ORDERED TO ACTIVE DUTY SOLELY FOR THE PURPOSE OF QUALIFYING FOR RETIREMENT.

9. THIS POLICY DOES NOT PROHIBIT THE USE OF COTTAD IN SUPPORT OF THE COMBATANT COMMANDER WHEN MISSION REQUIREMENTS DO NOT EXCEED 270 DAYS. HOWEVER, CONSECUTIVE PERIODS OF ACTIVE DUTY PERFORMED UNDER 12301(d) (WHICH INCLUDES ADSW, TTAD, AND EAD) MAY NOT EXCEED A THREE-YEAR PERIOD. AN RC SOLDIER WHO WILL OTHERWISE FALL WITHIN THE SANCTUARY PROVISIONS OF 10 USC 12686 MAY NOT BE ORDERED TO ACTIVE DUTY FOR A PERIOD OF LESS THAN 180 DAYS UNLESS SUCH SOLDIER AFFIRMATIVELY WAIVES IN WRITING THE SANCTUARY PROVISIONS OF 10 USC 12686 FOR THAT PERIOD OF ACTIVE DUTY.

10. SOLDIERS VOLUNTEERING FOR EAD UNDER THE PROVISIONS OF THIS MESSAGE SHOULD NOT BE DISADVANTAGED IN CAREER PROGRESSION. THE COMMANDER AND THE ARMY HUMAN RESOURCES COMMAND MUST APPROVE ATTENDANCE AT CAREER DEVELOPMENT COURSES. THERE IS NO GUARANTEE THAT A SOLDIER WILL BE ABLE TO ATTEND PROFESSIONAL DEVELOPMENT EDUCATION/TRAINING WHILE PERFORMING EAD; THEREFORE, SOLDIERS WHO REQUIRE COMPLETION OF PROFESSIONAL DEVELOPMENT EDUCATION/TRAINING TO BE ELIGIBLE FOR PROMOTION CONSIDERATION DURING THE PERIOD OF ACTIVE DUTY SHOULD NOT PERFORM EAD.

11. REQUESTS FOR EXCEPTION TO POLICY FOR EARLIER REFRAID OF EAD WILL BE ADDRESSED TO HRC, AHRC-PDZ-RC, DSN 221-5067.

12. HQDA, DCS, G3, DAMO-ODM, POCS ARE LTC ROBERT VARELA AT DSN 227-4777 OR COL PETE UTLEY AT DSN 227-2968; HRC POCS ARE CW5 SHUTTLEWORTH SSG MARTIN, DSN 221-5067.

13. EXPIRATION DATE CANNOT BE DETERMINED.



Subject: 3RF MOD 1 TO ALARACT VOLUNTARY EXTENDED ACTIVE

G-3/5/7 READING FILE

RAAUZYUW RUEADWD6041 0331336-UUUU--RUEASRA.  
ZNR UUUUU ZYW ZOC ZEO T ALL US ARMY REPS AND ACTIVITIES  
R 021335Z FEB 04  
FM DA WASHINGTON DC//DAMO-AOC//  
TO ALARACT  
ZEN/ALARACT  
BT  
UNCLAS ALARACT 012/2004

SUBJ: [REDACTED]

CONTINGENCY OPERATIONS

THIS MESSAGE HAS BEEN SENT BY THE PENTAGON TELECOMMUNICATIONS CENTER ON BEHALF OF DA WASHINGTON DC//DAMO-AOC// UNCLASSIFIED//FOR OFFICIAL USE ONLY.

REF/A/HQDA/MSG/261817ZJAN04//

AMPN/(U) MESSAGE DEFINING THE POLICY FOR VOLUNTARY EXTENDED ACTIVE DUTY (EAD) ISO CONTINGENCY OPERATIONS.//

1. (FOUO) REPLACE PARAGRAPH 5.A. WITH THE FOLLOWING: 5.A. (FOUO) TO REQUEST VOLUNTARY EAD UNDER THIS POLICY, THE ARMY COMPONENT COMMANDER OF THE SUPPORTED COMBATANT COMMANDER, SUPPORTED MACOM/FIELD COMMAND, OR DEFENSE AGENCY WILL FORWARD THE DOCUMENTATION AS SPECIFIED IN PARAGRAPH 5.C. AND 5.D OF THIS MESSAGE THROUGH THE SUPPORTING COMMAND/MACOM TO THE ARMY HUMAN RESOURCES COMMAND, ALEXANDRIA, VA.

ATTN: AHRC-PDZ-RC. HRC ALEXANDRIA WILL PRE-SCREEN EACH SOLDIER'S PACKET FOR EAD TOUR, THEN FORWARD THE REQUEST TO HQDA DCS, G-3, DAMO-ODO FOR VALIDATION AS PRESCRIBED IN PARAGRAPH 6 OF THIS MESSAGE. REQUESTS FOR EAD WILL BE SUBMITTED 120 DAYS PRIOR TO THE REQUESTED START DATE, AND WILL PROVIDE THE FOLLOWING INFORMATION:

2. (FOUO) REPLACE PARAGRAPH 6 WITH THE FOLLOWING: 6. (FOUO) HQDA, DCS, G-3, DAMO-ODO, WILL DETERMINE WHETHER TO VALIDATE THE NEED TO CONTINUE TO FILL POSITIONS UNDER THIS POLICY BASED ON THE NEEDS OF THE ARMY, AND WHETHER TO APPROVE THE RC SOLDIER'S REQUEST FOR EAD UNDER PROVISIONS OF THIS POLICY. VALIDATED REQUIREMENTS WILL BE FORWARDED TO HRC ALEXANDRIA, WHERE SCREENING WILL BE COMPLETED TO ENSURE THAT THE SOLDIERS MEET ELIGIBILITY REQUIREMENTS. ONCE COMPLETED, HRC ALEXANDRIA WILL PUBLISH AN EAD ORDER, AND ENSURE APPROPRIATE DISTRIBUTION OF THE EAD ORDER.

3. (U) POCs. HQDA, DCS, G1, PCC AT DSN 223.7720/227.4873; HQDA, DCS, G3, DAMO-ODM AT DSN 223.8983/227.4375; HQDA, DCS, G3, DAMO-ODO AT DSN 227.2968; HRC POCs ARE CW5 SHUTTLEWORTH AND SSG MARTIN, DSN 221-5067.

4. (FOUO) EXPIRATION DATE CANNOT BE DETERMINED.

BT



DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT SECRETARY  
MANPOWER AND RESERVE AFFAIRS  
111 ARMY PENTAGON  
WASHINGTON DC 20310-0111

MEMO referenced in  
IA of message.

December 2, 2003

MEMORANDUM THRU ASSISTANT SECRETARY OF THE ARMY (FINANCIAL  
MANAGEMENT AND COMPTROLLER)

DIRECTOR, ARMY STAFF

FOR DEPUTY CHIEF OF STAFF, G-1

DEPUTY CHIEF OF STAFF, G-3

SUBJECT: Volunteer Duty Beyond 24 Months for Stabilization of Individual Reserve  
Component Soldiers

Reference USD (P&R) memorandum, dated July 3, 2003, subject Mobilization of Reserve and National Guard Beyond 24 Months—Task Force Results, Recommendations, and Guidance.

As the Global War on Terrorism (GWOT) and other contingencies continue, a number of Reserve Component (RC) soldiers have already reached and will continue to reach 24 cumulative months of involuntary active duty UP 10 U.S.C. § 12302 (Partial Mobilization). Based upon DoD policy, in order for a RC soldier to remain on active duty beyond 24 cumulative months, they must volunteer UP 10 U.S.C. § 12301(d) (Contingency Operations Temporary Tour of Active Duty (COTTAD)). Otherwise, they must be released from active duty (REFRAD) and cannot be ordered to active duty again UP 10 U.S.C. § 12302 under the current mobilization authority.

If RC soldiers who volunteer for active duty UP 10 U.S.C. § 12301(d) serve for greater than 179 days or greater than 270 days (in support of a Combatant Commander), then UP 10 U.S.C. § 115, they are counted against end strength. When feasible, retain these volunteer soldiers after 24 months of mobilization on an Extended Active Duty (EAD) status for up to 3 years commencing January 1, 2004. The use of EAD tours fill individual requirements mandated by GWOT and other contingency operations, promotes stability in units, and provides predictability for the individual soldier. Do not extend a soldier beyond three years without my prior approval. Additionally, you may use EAD tours to replace the approximately 1,000 Active Component (AC) personnel currently serving in positions as individual augmentees with RC volunteers in order to return these AC soldiers to their parent units. Based upon anticipated requirements, I am imposing a 2,500 cap for RC personnel on contingency EADs. The EAD process will be funded by the fiscal year 2004

Supplemental. I will continue using this authority as long as the supplemental funding is available.

Procedurally, the G-3 validates requirements and determines the period of EAD; however, the standard tour length will be two years, with an option to extend for a third year. The G-1 will provide me a monthly status of EADs. The G-3 will prepare a message (ALARACT) delineating the approval process with an effective date of January 1, 2004. Before publishing the message, the G-3, in coordination with G-1, will present the implementing instructions for my approval. The implementing instructions must ensure:

- a. The needs of the Army take precedence.
- b. All requirements support contingencies in support of the GWOT with priority to volunteers for OEF and OIF.
- c. A quality control process that involves the soldier's current chain of command in cases involving soldiers who volunteer UP 10 U.S.C. § 12301(d) to exceed 24 months of involuntary active duty.
- d. Fair implementation of this policy.

I have determined that all RC personnel ordered to or retained on active duty under this process are placed on such orders based upon the Presidential Proclamation 7463, dated September 14, 2001, declaring a "National Emergency by Reason of Certain Terrorist Attacks." Further, I have determined that in accordance with 38 U.S.C. § 4312 (c)(4)(B) and DoD Instruction 1205.12, paragraph 6.6, that the periods of service occurring during the National Emergency, occurring on or after September 14, 2001, performed by members who volunteer for active duty UP 10 U.S.C. § 12301(d), (other than for training) in direct or indirect support of Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom or other missions and operations associated with the National Emergency are exempt from the Uniformed Services Employment and Reemployment Rights Act (USERRA) five-year cumulative active duty limit for reemployment rights for such periods of service.

If the purpose of a member's orders is for the direct or indirect support of such missions and operations, then affected members are to have the following language included in their orders: "You have been ordered to active duty in support of the National Emergency declared under Presidential Proclamation 7463, dated September 14, 2001. Under the provisions of Title 38, United States Code, Section 4312(c)(4)(B), this period of active duty is exempt from the five-year cumulative service limit on reemployment rights under Title 38, United States Code, Chapter 43." If circumstances prevent placing this authority on activation orders, the authority shall be included in a separate document and retained in the service member's personnel file.

My point of contact for this action is LTC Kevin Watson. He can be reached at 697-4581 or by email: [Kevin.Watson@hqda.army.mil](mailto:Kevin.Watson@hqda.army.mil).

A handwritten signature in black ink, appearing to read "Reginald W. Brown". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Reginald W. Brown  
Assistant Secretary of the Army  
(Manpower and Reserve Affairs)

CF:  
Chief, National Guard Bureau  
Chief, Army Reserve