LAW REVIEW[1] 22043
July 2022

U.S. Department of Justice Sues the State of Illinois and Obtains an Excellent Settlement the Next Day.

By Captain Samuel F. Wright, JAGC, USN (Ret.)[2]

1.1.1.7—USERRA applies to state and local governments
1.1.3.3—USERRA applies to National Guard service
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United States of America v. Illinois Department of Corrections, **Case No. 3:22-CV-50167 (Northern District of Illinois).**

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[1] I invite the reader's attention to www.roa.org/lawcenter. You will find more than 2,000 "Law Review" articles about the Uniformed Services Employment and Reemployment Rights Act (USERRA), the Servicemembers Civil Relief Act (SCRA), the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), the Uniformed Services Former Spouses' Protection Act (USFSPA), and other laws that are especially pertinent to those who serve our country in uniform. You will also find a detailed Subject Index, to facilitate finding articles about specific topics. The Reserve Officers Association, now doing business as the Reserve Organization of America (ROA), initiated this column in 1997. I am the author of more than 90% of the articles, but we are always looking for "other than Sam" articles by other lawyers.

[2] BA 1973 Northwestern University, JD (law degree) 1976 University of Houston, LLM (advanced law degree) 1980 Georgetown University. I served in the Navy and Navy Reserve as a Judge Advocate General's Corps officer and retired in 2007. I am a life member of ROA. For 45 years, I have collaborated with volunteers around the country to reform absentee voting laws and procedures to facilitate the enfranchisement of the brave young men and women who serve our country in uniform. I have also dealt with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and the Veterans' Reemployment Rights Act (VRRA—the 1940 version of the federal reemployment statute) for 38 years. I developed the interest and expertise in this law during the decade (1982-92) that I worked for the United States Department of Labor (DOL) as an attorney. Together with one other DOL attorney (Susan M. Webman), I largely drafted the proposed VRRA rewrite that President George H.W. Bush presented to Congress, as his proposal, in February 1991. On 10/13/1994, President Bill Clinton signed into law USERRA, Public Law 103-353, 108 Stat. 3162. The version of USERRA that President Clinton signed in 1994 was 85% the same as the Webman-Wright draft. USERRA is codified in title 38 of the United States Code at sections 4301 through 4335 (38 U.S.C. §§ 4301-35). I have also dealt with the VRRA and USERRA as a judge advocate in the Navy and Navy Reserve, as an attorney for the Department of Defense (DOD) organization called Employer Support of the Guard and Reserve (ESGR), as an attorney for the United States Office of Special Counsel (OSC), as an attorney in private practice, and as the Director of the Service Members Law Center (SMLC), as a full-time employee of ROA, for six years (2009-15). Please see Law Review 15052 (June 2015), concerning the accomplishments of the SMLC. My paid employment with ROA ended 5/31/2015, but I have continued the work of the SMLC as a volunteer. You can reach me by e-mail at mailto:swright@roa.org.

On 5/23/2022, the United States Department of Justice (DOJ) filed this lawsuit against the Illinois Department of Corrections (ILDOC), a State agency, in the United States District Court for the Northern District of Illinois. The next day, IDOC came to its senses and settled. I am attaching (below) the DOJ release dated 5/24/2022. I congratulate DOJ and the Veterans' Employment and Training Service of the United States Department of Labor (DOL-VETS) for their excellent work on behalf of Roderick Workman and other members of the Reserve Components (RC) of the United States armed forces and for the excellent result they obtained in this case. I especially commend DOJ attorneys Dena E. Robinson and Hillary K. Valderrama for their excellent work in this case.

I will use a question-and-answer format to explain how this case developed and the importance of the case.

Q: What are the facts of this case?

A: Roderick Workman is an enlisted member of the Illinois Air National Guard (ILANG).[3] He has served in the Air Force and the ILANG since 1991 and has been stationed in Iraq, Guantanamo Bay (Cuba), the United Arab Emirates (UAE), and Japan, as well as traditional Air National Guard service in Illinois and other States. He began his career as a Corrections Officer (CO) for IDOC on 11/9/1998.

Workman was most recently on active duty from 4/3/2019 until 11/19/2019, and during that period he served in the UAE. It is not disputed that he met the five conditions for reemployment under the Uniformed Services Employment and Reemployment Rights Act (USERRA).[4] Workman returned to work in December 2019. The issue in this case is that Workman was not reemployed in the correct position of employment, with the correct rate of pay.

Under the collective bargaining agreement (CBA) between ILDOC and the union that represents corrections officers, promotions are based on seniority. When there is a vacancy, the opportunity to bid is posted, and the most senior qualified bidder gets the promotion. For many

[3] Workman is certainly eligible for membership in our organization, the Reserve Organization of America, but he is not currently a member. We are trying to recruit him.

[4] As I have explained in detail in Law Review 15116 (December 2015) and many other articles, to have the right to reemployment a service member or veteran must have left a civilian job (federal, state, local, or private sector) to perform voluntary or involuntary uniformed service and must have given the employer prior oral or written notice. The person must not have exceeded the cumulative five-year limit on the duration of the person's period or periods of uniformed service, relating to the person's employment relationship with that employer. *See* Law Review 16043 (May 2016) for a detailed summary of what counts and what does not count toward exhausting the five-year limit. The person must have been released from the period of service without having received a disqualifying bad discharge from the military. After release, the person must have made a timely application for reemployment with the pre-service employer. Workman clearly met these five conditions.

years, Workman's colleagues and supervisors knew of his interest in being promoted to the grade of Corrections Transportation Office 1 (CTO-1). In 2014, there was a vacancy for CTO-1 at the facility where Workman was employed. Workman did not bid for that position because he knew that he had less seniority than another employee who was planning to bid and did bid and was awarded the position. That other employee retired in 2019, creating a new vacancy. In 2019, Workman was the most senior CO who met the qualifications for the position.

The CTO-1 promotion opportunity was posted on 9/5/2019, and the deadline to apply was 9/18/2019. Workman was unable to bid because, at the time, he was serving thousands of miles away, in the UAE, and was fully engaged with his military duties, but Workman had made it known, before he left, that he wanted to apply for the opportunity if it were posted during his Air Force service in the UAE.

Another qualified employee bid for the position and was awarded it. The successful bidder had less seniority than Workman. It is clear, beyond doubt, that Workman would have received this promotion but for his Air Force service.

Q: The DOJ press release refers to Workman's "escalator position." What does that mean?

A: As I have explained in footnote 2 and in Law Review 15067 (August 2015) and many other articles, Congress enacted USERRA and President Bill Clinton signed it into law on 10/13/1994, as a long-overdue update and rewrite of the Veterans' Reemployment Rights Act (VRRA), which was originally enacted in 1940.

In its first case construing the 1940 reemployment statute, the Supreme Court enunciated the "escalator principle" when it held: "[The returning veteran] does not step back on the seniority escalator at the point he stepped off. He steps back on at the precise point he would have occupied had he kept his position continuously during the war."[5] The escalator principle is codified in the 1994 version of the reemployment statute, as follows:

> A person who is reemployed under this chapter is entitled to the seniority and other rights and benefits determined by seniority that the person had on the date of commencement of service in the uniformed services plus the additional seniority and rights and benefits that such person would have attained if the person had remained continuously employed.[6]

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[5] *Fishgold v. Sullivan Drydock & Repair Corp.,* 328 U.S. 275, 284-85 (1946).

[6] 38 U.S.C. § 4316(a). Also relevant is section 4313(a)(2)(A), which provides that a person who meets the five USERRA conditions and returns to work for the pre-service employer is entitled to be reemployed "in the position of employment in which the person would have been employed if the continuous employment of such person with the employer had not been interrupted by such service, or a position of like seniority, status and pay, the duties of which the person is qualified to perform." 38 U.S.C. § 4313(a)(2)(A).

If it is "reasonably certain" that Workman would have been promoted to the CTO-1 position, but for his uniformed service, he is entitled to that promotion upon reemployment.[7]

Q: What is the relationship between USERRA and the CBA between IDOC and the union? Is the CBA relevant?

A: The CBA is certainly relevant in determining what *would have happened* to Workman if his IDOC career had not been interrupted by this 2019 period of uniformed service, but the CBA cannot and does not override the protections afforded by USERRA. In its first case construing the 1940 reemployment statute, the Supreme Court held:

> This legislation is to be liberally construed for the benefit of those who left private life to serve their country in its hour of great need. *See Boone v. Lightner,* 319 U.S. 561, 575. *And no practice of employers or agreements between employers and unions can cut down the service adjustment benefits that Congress has secured the veteran under the Act.*[8]

Under section 4302 of USERRA, this Federal law is a floor and not a ceiling on the rights of the service member or veteran. Section 4302 provides:

> **(a)** Nothing in this chapter shall supersede, nullify or diminish any Federal or State law (including any local law or ordinance), contract, agreement, policy, plan, practice, or other matter that establishes a right or benefit that is more beneficial to, or is in addition to, a right or benefit provided for such person in this chapter.
>
> **(b)** This chapter supersedes any State law (including any local law or ordinance), contract, agreement, policy, plan, practice, or other matter that reduces, limits, or eliminates in any manner any right or benefit provided by this chapter, including the establishment of additional prerequisites to the exercise of any such right or the receipt of any such benefit.[9]

Q: Was Workman required to file a grievance with his union as a condition precedent to filing this lawsuit or making a USERRA complaint to DOL-VETS?

A: No. USERRA's legislative history includes the following important paragraphs:

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[7] In this case, it is more than reasonably certain that Workman would have been promoted. The degree of certainty approaches absolute certainty.

[8] *Fishgold,* 328 U.S. at 285 (emphasis supplied).

[9] 38 U.S.C. § 4302.

> Section 4302(a) would reaffirm that, to the extent that a Federal or State law or employer plan or practice provides greater rights than those provided under the Committee [House Committee on Veterans' Affairs] bill, those greater rights would not be ``preempted by chapter 43 [USERRA].
>
> Section 4302(b) would reaffirm a general preemption as to State and local laws and ordinances, as well as to employer practices and agreements, which provide fewer rights or otherwise limit rights provided under amended chapter 43 or put additional conditions on those rights. *See Peel v. Florida Department of Transportation,* 600 F.2d 1070 (5th Cir. 1979); *Cronin v. Police Department of the City of New York,* 675 F. Supp. 847 (S.D.N.Y. 1987), and *Fishgold, supra,* 328 U.S. at 285, which provide that no employer practice or agreement can reduce, limit or eliminate any right under chapter 43. *Moreover, this section would reaffirm that additional resort to mechanisms such as grievance procedures or arbitration or similar administrative appeals is not required. See McKinney v. Missouri-K-T R. Co.,* 357 U.S. 265, 270 (1958); *Beckley v. Lipe-Rollway Corp.,* 448 F. Supp. 563, 567 (N.D.N.Y. 1978). It is the Committee's intent that, even if a person protected under this Act resorts to arbitration, any arbitration decision shall not be binding as a matter of law. *See Kidder v. Eastern Airlines, Inc.,* 469 F. Supp. 1060, 1064-65 (S.D. Fla. 1978).[10]

Workman was not required to file a complaint with his union before complaining to DOL-VETS, but he in fact did complain to his union that his USERRA rights had been violated. The union refused to submit a grievance on his behalf.

Q: How did this case get to DOJ?

A: In accordance with section 4322(a) of USERRA,[11] Workman filed a formal, written USERRA complaint with DOL-VETS and, in accordance with section 4322(d),[12] that agency investigated his complaint and found it to have merit. DOL-VETS then tried to persuade ILDOC to comply with USERRA, in accordance with section 4322(d).[13] ILDOC rejected the DOL-VETS efforts and persisted in its violation of USERRA.

In accordance with section 4322(e),[14] DOL-VETS advised Workman, in writing, of the results of the investigation and of Workman's right to request referral to DOJ. In accordance with section

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[10] Report of the House Committee on Veterans' Affairs, House Committee Report, (emphasis supplied), H.R. Rep. 103-65 (Part 1), April 28, 1993. This Committee report is reprinted in full in Appendix D-1 of *The USERRA Manual,* by Kathryn Piscitelli and Edward Still. The quoted paragraphs can be found on page 801 of the 2021 edition of the *Manual.*

[11] 38 U.S.C. § 4322(a).

[12] 38 U.S.C. § 4322(d).

[13] Id.

[14] 38 U.S.C. § 4322(e).

4323(a)(1),[15] Workman asked DOL-VETS to refer the case file to DOJ, and DOL-VETS complied with that request. DOJ concurred with the DOL-VETS conclusion that the Workman complaint had probable merit. In accordance with section 4323(a)(1),[16] DOJ filed suit against the ILDOC in the United States District Court for the Northern District of Illinois.

Q: I have read the complaint that DOJ filed. I noticed that the named plaintiff in this case is the United States of America (USA), not Roderick Workman. I thought that all USERRA cases are filed in the name of the individual service member or veteran, even when DOJ is providing free legal representation. Why was this case filed in the name of the USA as plaintiff?

A: The pertinent subsection of USERRA is as follows:

> ***(1)*** A person who receives from the Secretary [of Labor] a notification pursuant to section 4322(e) of this title [38 USCS § 4322(e)] of an unsuccessful effort to resolve a complaint relating to a State (as an employer) or a private employer may request that the Secretary refer the complaint to the Attorney General. Not later than 60 days after the Secretary receives such a request with respect to a complaint, the Secretary shall refer the complaint to the Attorney General. If the Attorney General is reasonably satisfied that the person on whose behalf the complaint is referred is entitled to the rights or benefits sought, the Attorney General may appear on behalf of, and act as attorney for, the person on whose behalf the complaint is submitted and commence an action for relief under this chapter [38 USCS §§ 4301 et seq.] for such person. *In the case of such an action against a State (as an employer), the action shall be brought in the name of the United States as the plaintiff in the action.*[17]

In accordance with the final sentence of section 4323(a)(1), italicized above, this case was filed by DOJ in the name of the USA, as plaintiff in the action.

Q: Why does section 4323(a)(1) provide that, in cases filed by DOJ against State government agencies as employers, the named plaintiff is to be the USA, not the individual veteran or service member?

A: As originally enacted in 1994, USERRA permitted an individual (like Workman) to sue a State government agency (like ILDOC) in Federal court, in his or her own name and with his or her own lawyer, or, alternatively, to file a formal complaint under USERRA with DOL-VETS. In 1998,

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[15] 38 U.S.C. § 4323(a)(1).
[16] Id.
[17] Id. (emphasis supplied).

the United States Court of Appeals for the 7th Circuit[18] held USERRA to be unconstitutional, under the 11th Amendment, as far as it permitted an individual to sue a State government in Federal court.[19]

The 11th Amendment provides:

> The Judicial Power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.[20]

In response to *Velasquez,* Congress amended USERRA later in 1998, adding the final sentence to section 4323(a)(1). The 11th Amendment bars a suit against a State by a citizen—it does not refer to a suit against a State by the United States. This is a clever way of getting around the *Velasquez* problem. In two contested cases of which I am aware, this strategy succeeded.[21]

Q: If DOJ had declined his request to file suit for him, would Workman have been left without a remedy?

A: That is unclear. The pertinent subsection of USERRA is as follows: "In the case of an action against a State (as an employer) by a person, the action may be brought in a State court of competent jurisdiction in accordance with the laws of the State."[22]

***Clark v. Virginia Department of State Police,* 793 S.E.2d 1 (Va. 2016), *cert. denied,* 138 S. Ct. 500 (2017).**

Jonathan R. Clark is an Army Reserve officer and a member of our organization, the Reserve Organization of America (ROA). On the civilian side, he is a Virginia State Police (VSP) officer. He applied for a VSP promotion but was not selected. He claimed that the VSP discriminated against him based on his membership in the Army Reserve, his performance of military service, and his obligation to perform future service. He claimed that, but for his Army Reserve membership and service, he would have received the promotion.

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[18] The 7th Circuit is the Federal appellate court that sits in Chicago and hears appeals from district courts in Illinois, Indiana, and Wisconsin.

[19] *See Velasquez v. Frapwell,* 160 F.3d 389 (7th Cir. 1998).

[20] United States Constitution, Amendment 11, ratified 2/7/1795. Yes, it is capitalized just that way, in the style of the late 18th Century. Although the 11th Amendment, by its terms, refers to a suit against a State by a citizen of another State, the Supreme Court long ago held that the 11th Amendment also bars a suit against a State by a citizen of that same State. *See Hans v. Louisiana,* 134 U.S. 1 (1890).

[21] *See United States v. Alabama Department of Mental Health and Mental Retardation,* 673 F.3d 1320 (11th Cir. 2012); *United States v. Nevada,* 817 F. Supp. 2d 1230 (D. Nev. 2011).

[22] 38 U.S.C. § 4323(b)(2). This subsection was added by the same 1998 amendment that added the final sentence of section 4323(a)(1).

Clark sued the VSP in the Circuit Court of Chesterfield County, Virginia. The VSP argued that the suit should be dismissed based on Virginia's sovereign immunity. Judge Lynn S. Brice agreed with Virginia's argument and dismissed Clark's lawsuit for want of jurisdiction.

Clark appealed to the Virginia Supreme Court, which affirmed Judge Brice's dismissal of the case. The State high court agreed with our argument that section 4322(b)(2)[23] means that State courts *must* hear and adjudicate USERRA claims against State agencies as employers, but the Virginia Supreme Court held that USERRA was unconstitutional as far as it commanded the State courts to hear and adjudicate these claims. The Virginia Supreme Court quoted a single sentence from a 1999 United States Supreme Court decision: "We hold that the powers delegated to Congress under Article I of the United States Constitution do not include the power to subject non-consenting States to suits for damages in State courts."[24]

We believe and we argued in the amicus curiae briefs that we filed in the Virginia Supreme Court and the United States Supreme Court in the *Clark* case, that *Alden v. Maine* is distinguishable, but the Virginia Supreme Court held that only the United States Supreme Court, not a State high court, should try to distinguish or overrule a United States Supreme Court precedent. Clark applied to the United States Supreme Court for certiorari (discretionary review), but the Supreme Court denied certiorari and the *Clark* case became final in 2017.

***Texas Department of Public Safety v. Torres,* 583 S.W.3d 221 (Tex. App.-Corpus Christi-Edinburg 2018), *petition denied,* No. 19-0107 (2020 Tex. LEXIS 518 (Tex. June 5, 2020), *certiorari granted,* No. 20-603, 2021 U.S. LEXIS 6281 (Dec. 15, 2021).**

Leroy Torres is a retired Army Reserve Captain and a member of ROA. He was employed as a State Trooper for the Texas Department of Public Safety until 2007, when he was called to active duty by the Army and deployed to Iraq, where he was exposed to toxic "burn pit" smoke and developed constrictive bronchiolitis as a service-connected disability. He met the five USERRA conditions for reemployment, and he was reemployed, but only briefly.

Under section 4313(a) of USERRA,[25] the State of Texas (not just the Department of Public Safety) was required to make reasonable efforts to accommodate Torres' service-connected disability and, if his disability could not reasonably be accommodated in his State Trooper position, to reemploy him in some other position for which he was qualified or could become qualified with reasonable employer efforts. The Department of Public Safety flouted its USERRA responsibilities and forced Torres to resign.

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[23] 38 U.S.C. § 4322(b)(2).
[24] *Alden v. Maine,* 527 U.S. 706, 712 (1999).
[25] 38 U.S.C. § 4313(a).

Through his attorney Brian Lawler, also a member of ROA, Torres sued the State of Texas in State court in Corpus Christi. Through the Texas Attorney General, the State of Texas filed a motion to dismiss, arguing that the State court did not have jurisdiction because of Texas' sovereign immunity. The trial court judge refused to dismiss the case on that basis, but the Attorney General appealed to Texas' intermediate appellate court, which agreed to hear the matter on an interlocutory basis (not waiting for a dispositive ruling in the trial court).

The intermediate appellate court held that the State of Texas has sovereign immunity and that the *Torres* lawsuit should be dismissed for want of jurisdiction. Torres appealed to the Texas Supreme Court, which refused to hear the case.

Torres then applied to the United States Supreme Court for certiorari (discretionary review), and the Supreme Court granted certiorari on 12/15/2021. ROA filed an amicus curiae brief in the Supreme Court, urging the Court to grant certiorari. After the high Court took up the case, we filed a new amicus brief on the merits. Oral argument in the Supreme Court was held on 3/29/2022, and the decision is expected to be released before the end of the current Supreme Court term, on or about 7/1/2022.

Please see Law Review 22001 (January 2022) for a detailed discussion of the *Torres* case. We will write and publish a new article as soon as possible after the Supreme Court releases its decision in this extraordinarily important case.[26]

Q: The DOJ press release refers to the settlement of the case as a "consent decree." What is a consent decree?

The term "consent decree" has been defined as follows:

> A consent decree is a settlement that is contained in a court order. The court orders injunctive relief against the defendant and agrees to maintain jurisdiction over the case to ensure that the settlement is followed. Injunctive relief is a remedy imposed by a court in which a party is instructed to do or not do something. Failure to obey the order may lead the court to find the party in contempt and impose other penalties.[27]

Q: Under the consent decree, what is the Illinois Department of Corrections ordered to do?

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[26] As of 6/26/2022, we are still awaiting the release of the Supreme Court decision in this case.

[27] https://legal-dictionary.thefreedictionary.com/consent+decree#:~:text=A%20consent%20decree%20is%20a%20settlement%20that%20is,is%20instructed%20to%20do%20or%20not%20do%20something.

A: First, ILDOC will belatedly promote Roderick Workman to the appropriate position of employment. Second, the agency will award Workman $9,026.71 in back pay, plus interest.[28] Third, ILDOC will amend its written policies to make them consistent with USERRA. Fourth, ILDOC will conduct comprehensive training on USERRA.

I am most pleased with these remedies. They not only compensate Mr. Workman for the wrongs done to him, but they also ensure that other service members, going forward, will be treated correctly.

Here is a copy of the DOJ press release on the Workman case:

FOR IMMEDIATE RELEASE

Tuesday, May 24, 2022

Justice Department Secures Settlement of Employment Claim for Air National Guard Reservist Against the Illinois Department of Corrections

The Justice Department announced that it has agreed to settle its complaint against the Illinois Department of Corrections, which alleged that the IDOC violated the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) by failing to properly reemploy Illinois Air National Guard Reservist Roderick Workman in his proper "escalator position" following his return from military service.

"Those who serve in our Armed Forces make incredible sacrifices on behalf of our country and the Justice Department remains committed to enforcing civil rights laws that protect them in their civilian careers," said Assistant Attorney General Kristen Clarke of the Justice Department's Civil Rights Division. "Reservists who leave their jobs to serve our country should not lose employment and advancement opportunities when they return from duty. The department will vigorously enforce USERRA to ensure reservists are placed in their rightful positions."

In its complaint, the United States alleged that the IDOC failed to properly reemploy Workman as a Correctional Transportation Officer I (CTO I) when he returned from military service in December 2019. USERRA requires employers to reemploy eligible employees returning from military service in their "escalator position," which is the job it is reasonably certain the employee would have been in had he or she not been called to military service. The United States claimed the CTO I position, which became available during Workman's military absence, was his escalator position because he was qualified for the position and tried to apply for the position before he left for military duty, and IDOC would have selected Workman had he been there to bid based on his seniority and qualifications.

Under the terms of the consent decree, subject to court approval, the IDOC will pay Workman $9,026.71 in backpay and interest, make changes to its policies, and conduct comprehensive training on USERRA for its employees.

[28] The back pay has been computed as follows: What he should have earned in the promoted position minus what he did earn in the lesser position.

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This article is one of 2,000-plus "Law Review" articles available at www.roa.org/lawcenter. The Reserve Officers Association, now doing business as the Reserve Organization of America (ROA), initiated this column in 1997. New articles are added each month.

ROA is almost a century old—it was established on 10/1/1922 by a group of veterans of "The Great War," as World War I was then known. One of those veterans was Captain Harry S. Truman. As President, in 1950, he signed our congressional charter. Under that charter, our mission is to advocate for the implementation of policies that provide for adequate national security. For almost a century, we have argued that the Reserve Components, including the National Guard, are a cost-effective way to meet our nation's defense needs.

Through these articles, and by other means, including amicus curiae ("friend of the court") briefs that we file in the Supreme Court and other courts, we educate service members, military spouses, attorneys, judges, employers, DOL investigators, ESGR volunteers, congressional and state legislative staffers, and others about the legal rights of service members and about how to exercise and enforce those rights. We provide information to service members, without regard to whether they are members of ROA, but please understand that ROA members, through their dues and contributions, pay the costs of providing this service and all the other great services that ROA provides.

If you are now serving or have ever served in any one of our nation's eight[29] uniformed services, you are eligible for membership in ROA, and a one-year membership only costs $20 or $450 for a life membership. Enlisted personnel as well as officers are eligible for full membership, and eligibility applies to those who are serving or have served in the Active Component, the National Guard, or the Reserve. If you are eligible for ROA membership, please join. You can join on-line at www.roa.org or call ROA at 800-809-9448.

If you are not eligible to join, please contribute financially, to help us keep up and expand this effort on behalf of those who serve. Please mail us a contribution to:

Reserve Organization of America
1 Constitution Ave. NE
Washington, DC 20002[30]

[29] Congress recently established the United States Space Force as the 8th uniformed service.
[30] You can also contribute on-line at the ROA website, www.roa.org.