



STATEMENT OF

THE MILITARY COALITION (TMC)

for the

**SENATE ARMED SERVICES COMMITTEE
SUBCOMMITTEE ON PERSONNEL**

Concerning

Uniformed Services Personnel, Healthcare, and Compensation Matters

May 8, 2023

MADAM CHAIRWOMAN, MR. RANKING MEMBER, AND DISTINGUISHED MEMBERS OF THE SUBCOMMITTEE, The Military Coalition (TMC), a consortium of nationally prominent uniformed services and veterans' organizations, is grateful to the committee for this opportunity to express our views concerning personnel and compensation issues affecting the uniformed services community. This statement provides the collective views of the Coalition, which is made up of the following military and veterans' organizations, which represent approximately 5.5 million current and former members of the eight uniformed services, their families, and survivors.

The Military Coalition:

Air Force Sergeants Association (AFSA)
AMVETS (American Veterans)
AMSUS, the Society of Federal Health Professionals
Association of the United States Navy (AUSN)
Blinded Veterans Association (BVA)
Blue Star Families
Commissioned Officers Association of the US Public Health Service (COA)
Chief Warrant Officers Association of the US Coast Guard (CWOA)
Fleet Reserve Association (FRA)
Gold Star Wives of America (GSW)
Iraq and Afghanistan Veterans of America (IAVA)
Jewish War Veterans of the United States of America (JWV)
K9s for Warriors
Marine Corps League (MCL)
Marine Corps Reserve Association (MCRA)
Military Chaplains Association of the United States of America (MCA)
Military Officers Association of America (MOAA)
National Military Family Association (NMFA)
Naval Enlisted Reserve Association (NERA)
Non-Commissioned Officers Association (NCOA)
Reserve Organization of America (ROA)
Service Women's Action Network (SWAN)
The Independence Fund (TIF)
The Retired Enlisted Association (TREA)
Tragedy Assistance Program for Survivors (TAPS)
United States Army Warrant Officers Association (USAWOA)
USCG Chief Petty Officers Association (CPOA)
Veterans of Foreign Wars (VFW)
VetsFirst, United Spinal Association
Vietnam Veterans of America (VVA)
Wounded Warrior Project (WWP)

The Military Coalition, Inc. does not receive any grants or contracts from the federal government.

Continuing Resolutions

TMC thanks Congress and the Personnel Subcommittee for your efforts to overcome arbitrary budget caps – the product of sequestration legislation – in favor of a more responsible approach to funding national defense, to include the requirements for our military personnel, their families, Defense Department civilians, and other critical programs. Nonetheless, we have seen a return to the use of continuing resolutions (CRs), which cause budget instability and degrade readiness for the uniformed services. Thus, we begin our recommendations for the Subcommittees with an overarching request for a return to an on-time National Defense Authorization Act (NDAA), together with on-time appropriations, for Defense and Military Construction, and Veterans Affairs.

Currently Serving Issues

Military Force Levels

TMC urges the Subcommittee to take steps to protect the all-volunteer force. Reduced end-strength and declining propensity to serve directly threaten our all-volunteer force. Undermanned units often result in morale problems and stressors, affect the quality of life and contribute to rising suicide rates. The Coalition requests the Subcommittee continue to address quality of life problems facing the uniformed community and sustain needed personnel strengths in both active and reserve components to meet mission requirements.

Uniformed Services Pay Raise

TMC appreciates the Subcommittee's commitment in recent years to keep uniformed services pay increases commensurate with service and aligned with private sector wage increases as determined by the Bureau of Labor Statistics through their Employment Cost Index (ECI) – currently 5.2 percent for Fiscal Year (FY) 2024 (as reported in October 2022). We request the Subcommittee's support for this military pay raise and seek full restoration of previously capped pay raises resulting in a cumulative gap of 2.6 percent between 2014 and 2016. Considering the impact of recent inflation, this would better help sustain our service members and their families.

Basic Allowance for Housing

Basic Allowance for Housing (BAH) is an essential component of regular military compensation and like pay, BAH is applicable to all eight of the uniformed services. TMC applauds Congress' action to protect BAH in recent years. The Coalition urges the Subcommittee to continue sustaining current applicable BAH calculations for all service members and endeavor to restore BAH rates to match 100 percent of housing costs, thus eliminating the 5 percent out-of-pocket costs to the service members and their families. This is especially important with rising housing costs and inflation since the pandemic.

Sexual Harassment and Assault Prevention

We want to thank Congress for continuing to ensure the recommendations of the Independent Review Commission (IRC) on Sexual Harassment and Assault are implemented and that there is oversight to ensure proper resourcing for investigators and legal personnel across the services. TMC requests Congress establish a 90-day time standard for sexual harassment and assault investigations, ensuring timely resolution of allegations, and an appropriate number of assigned investigators to meet the time standard.

Housing and Barracks Standards

We ask lawmakers to increase oversight of privatized and government-owned family housing and barracks to ensure our government provides quality housing to include equitable utility rates, and ensures health and safety hazards are properly addressed, abated, and prevented.

Childcare

We appreciate the significant mentions of childcare studies and improvements in the FY 2023 NDAA, and we ask the Subcommittee to ensure that momentum is fueled and kept on track. We see the need to prioritize improved access to safe high quality and affordable childcare through expanded funding, staffing, and renovations and new construction of child development centers.

Pay All Uniformed Services During a Government Shutdown

Ensure continuation of pay to Coast Guard, and the Commissioned Corps of the USPHS, and NOAA personnel, to align with the other uniformed services, to guarantee no disruption in pay for service members, retirees, and survivors during a government shutdown. We understand the challenges these three services face, given they are part of varying departments with their own secretaries. This can be solved by Congress with agreed support from the relevant committees and subcommittees. The DoD Compensation Office has regular meetings with representatives from all eight services – we ask this subcommittee to intervene with the support of DoD to legislate the alignment we seek and these service members deserve.

Retirement Issues

Concurrent Receipt

TMC supports legislation expanding the immediate payment of concurrent receipt of full military retired pay and veterans' disability compensation for disabled retirees. Specifically, TMC is seeking the enactment of the **Major Richard Star Act (H.R. 1282/S. 344)** that authorizes expansion of concurrent receipt of retired pay and VA disability compensation, by expanding concurrent receipt to include Combat Related Special Compensation (CRSC) beneficiaries who are medically retired with less than 20 years of service (Chapter 61). This legislation received strong support in the 117th Congress, with 336 cosponsors in the House and 67 cosponsors in the Senate. Reducing retired pay because a medically retired combat veteran receives a VA disability check is an injustice. The will of Congress is there, let's get this done, this year.

Repeal 180-Day Delay for Retirees

The Coalition supports legislation (S. 2161/H.R. 4031) authorizing repeal of the requirement for those retiring from military service to wait 180 days before entering the Department of Defense (DoD) civil service General Schedule (GS) positions for GS13 and below. The FY 2021 NDAA included a temporary 3-year pilot program for depots and industrial activities. TMC welcomed the recent improvement, but more work needs to be done. The 180-day waiting period has resulted in a talent management problem for hiring officials who are grappling with an antiquated hiring process that takes too long to hire a qualified candidate with a current security clearance. TMC will work to include this legislation in the FY

2024 NDAA to permanently authorize military retirees to transition to DoD GS13 and below positions for all DoD facilities, not just depots.

Retired Pay Cost of Living Adjustments (COLA)

TMC applauds the appropriate 8.7 percent COLA increase in 2023, and continues to strongly oppose any initiatives which would further reduce the value of the military retirement benefit earned after 20 years of service. The retirement benefit is the primary offset provided uniformed service members for enduring a career of unique and extraordinary sacrifices that few Americans are willing to do for one year, let alone 20 or 30 years. After two decades of extraordinary challenges in the all-volunteer force, the group that joined after September 11, 2001, will have served their entire careers during wartime, and should not see their retirement decremented as a bill-payer.

Guard and Reserve Issues

Since Operation Desert Shield, the Reserve Components have shifted from an exclusively Strategic Reserve to a role encompassing operational reserve. The Reserve Components are essential to the effectiveness of the Total Force and routinely participate in contingency operations worldwide.

Operational reserve battle rhythm: fast facts

- Since Sept. 11, 2001, more than one million Reserve Component members have been involuntarily activated in support of overseas contingency operations.
- Over 50 percent of Reserve Component members have been mobilized for active-duty more than once.
- As of 2019, 89 percent of Reserve Component mobilizations have resulted in deployments to combat zones.
- In 2020 alone, Reserve Component members provided support to law enforcement agencies in 38 states, were mobilized to support severe weather events in 22 states, and responded to over 52,000 wildfires covering over 9.5 million acres in 19 states.

Today, the National Guard has an estimated 22,000 service members deployed overseas. To meet the increases in operational demands and tempo, the Reserve Components must maintain a rapidly deployable force, requiring an enterprise-wide focus on premobilization training and unit readiness. This necessitates a Reserve Component personnel and equipment capability that achieves interoperability with the Active Component. In turn, this also requires a thorough investigation into the disparities that exist between components in receiving service-earned benefits and careful consideration of how an increased operational tempo impacts employers of reserve component service.

To this end, TMC firmly believes Congress should ensure the Reserve Components are adequately manned, trained, and equipped as a vital partner of the Total Force and urges the members of this Subcommittee to support:

- Providing premium-free, zero cost-sharing medical and dental coverage for Selected Reserve service members eligible for TRICARE Reserve Select (TRS), regardless of duty status, because medical readiness is a requirement for service -- not a benefit. (10 USC 1076d)

- Ensuring that the time during which members of the National Guard and Reserve serve on active duty for training qualifies for educational assistance under the Post-9/11 G. I. Bill. (38 USC 3301/3311(b))
- Amending USERRA to bar binding arbitration agreements on USERRA issues.

Survivor Issues

Recognizing the sacrifices survivors have endured, TMC works to improve and protect existing survivor benefits issued by the Department of Defense (DoD) and the Department of Veterans Affairs (VA) and to eliminate benefit inequities. We ask Congress to consider improvement in the following areas:

Improve Dependency and Indemnity Compensation (DIC).

- TMC seeks establishment of DIC equity with other federal survivor benefits.
- We also ask Congress to increase DIC payable to survivors of catastrophically disabled veterans to match other Federal survivor benefit plans.
- We also seek improvement in the speed of adjudicating and granting DIC to survivors of deaths caused by service-connected disability.

Authorization for survivors of retirees to draw full month's retired pay for the month in which retirees die.

Retain Survivor Benefits Upon Remarriage

- Seek legislation to allow surviving spouses to remarry at any age and retain benefits, to include Dependency and Indemnity Compensation (DIC), Survivor Benefit Plan (SBP), education benefits, and medical military ID cards.
- Update the definition of surviving spouse in 38 USC § 101 Paragraph 3 by removing the “hold yourself out to be married” clause and term “opposite sex.”
- Allow surviving spouses to maintain education benefits after remarriage.
- Consistent with the Federal Employee Health Benefit Plan (FEHBP) and CHAMPVA, allow surviving spouses to retain TRICARE with remarriage at age 55.
- Seek legislation to reinstate TRICARE benefits for remarried survivors when the second marriage ends.
- Ensure surviving spouses’ access to electronic medical records and referrals for their children.

Military Health Care

TMC understands the goal of the Military Health System (MHS) is to ensure a medically ready force to execute the NDS, and a ready medical force to support our uniformed services throughout the world. Additionally, we appreciate the goals of MHS Reform include improved readiness, increased efficiencies, and enhanced access, quality of care and an improved patient experience for beneficiaries. However, we remain concerned that some MHS Reform initiatives have the potential to undermine these goals. TMC is also committed to working with DoD and Congress to ensure fulfillment of the nation’s obligations to service members and their families, survivors, and retirees who have served a full career. As such, we ask Congress to:

- Protect the value of the TRICARE health benefit by opposing any legislation or policy change that would disproportionately increase enrollment fees, deductibles, copays/cost shares or the catastrophic cap. Seek roll back of copay increases for prescription drugs and mental health and physical/speech/ occupational therapy visits. Proportionate increases are those based on COLA.
- Ensure TRICARE policy is updated to cover new technology and evolving treatment protocols as well as benchmarks established by commercial plans and other government payers.
- Ensure that the TRICARE Pharmacy benefit meets the needs of all beneficiaries, including rural families, those residing in long-term care facilities and patients who rely on specialty, compound, or infusion medications.
- Require DoD to establish a well-publicized problem reporting system for TRICARE beneficiaries experiencing access to care challenges, including an annual report to Congress on the number and types of beneficiary access complaints (disaggregated by MTF/Prime Service Area) and steps taken to address systemic access problems.

Defense Resale

Commissary and Exchanges provide a vital non-pay compensation benefit to service members, retirees, their families, and survivors. The military community consistently ranks them as a top compensation benefit, yielding returns to military families and the DoD that far outweigh taxpayer support.

TMC thanks Congress and DoD for their continued vigilance over commissary and broader defense resale reforms, particularly during these inflationary times, and we support reforms that protect the commissary benefit, the longevity of the defense resale system, its dividends for MWR, savings for patrons, customer satisfaction, and product quality. We ask Congress to:

- Preserve the Commissary benefit as part of the overall pay and compensation package, including high quality products, maintained savings, access, and customer satisfaction.
- We are pleased to see the President's Budget for FY 2024 includes \$1.4 billion to sustain commissaries – we seek the same for the FY 2024 NDAA to ensure access to a balanced portfolio of family assistance programs.
- Offset the impact of \$15 per hour minimum wage mandate on non-appropriated fund instrumentalities.
- Ensure any modernization efforts of the Commissary and Exchange systems in no way degrades the earned benefit.

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