

**Statement for
the Record**

**Reserve Officers Association of the United States
And
Reserve Enlisted Association**

for the

**House Armed Services Committee
Subcommittee on Military Personnel**

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“Serving Citizen Warriors through Advocacy and Education since 1922.”™



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The Reserve Officers Association of the United States (ROA) is a professional association of commissioned and warrant officers of our nation's seven uniformed services, and their spouses. ROA was founded in 1922 during the drawdown years following the end of World War I. It was formed as a permanent institution dedicated to National Defense, with a goal to teach America about the dangers of unpreparedness. When chartered by Congress in 1950, the act established the objective of ROA to: "...support and promote the development and execution of a military policy for the United States that will provide adequate National Security." The mission of ROA is to advocate strong Reserve Components and national security, and to support Reserve officers in their military and civilian lives.

The Association's 60,000 members include Reserve and Guard Soldiers, Sailors, Marines, Airmen, and Coast Guardsmen who frequently serve on Active Duty to meet critical needs of the uniformed services and their families. ROA's membership also includes officers from the U.S. Public Health Service and the National Oceanic and Atmospheric Administration who often are first responders during national disasters and help prepare for homeland security. ROA is represented in each state with 55 departments plus departments in Latin America, the District of Columbia, Europe, the Far East, and Puerto Rico. Each department has several chapters throughout the state. ROA has more than 450 chapters worldwide.

ROA is a member of The Military Coalition where it co-chairs the Tax and Social Security Committee. ROA is also a member of the National Military/Veterans Alliance. Overall, ROA works with 75 military, veterans and family support organizations.

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The Reserve Enlisted Association is an advocate for the enlisted men and women of the United States Military Reserve Components in support of National Security and Homeland Defense, with emphasis on the readiness, training, and quality of life issues affecting their welfare and that of their families and survivors. REA is the only Joint Reserve association representing enlisted reservists – all ranks from all five branches of the military.

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DISCLOSURE OF FEDERAL GRANTS OR CONTRACTS

The Reserve Officers and Reserve Enlisted Associations are member-supported organizations. Neither ROA nor REA have received grants, sub-grants, contracts, or subcontracts from the federal government in the past three years. All other activities and services of the associations are accomplished free of any direct federal funding.

INTRODUCTION

On behalf of our members, the Reserve Officers Association and the Reserve Enlisted Association thank the committee for the opportunity to submit testimony on military personnel issues. ROA and REA applaud the ongoing efforts by Congress to address readiness, recruiting and retention issues.

As contingency operations continue with Reserve Component members will continue to mobilize and deploy. Many of these outstanding citizen Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen have put their civilian careers on hold while they serve their country in harm's way.

As we have learned over the last ten years, they share the same risks as their counterparts in the Active Components. Just this month we passed the 800,000 mark for the number of Reserve and Guard service members who have been activated since post-9/11. More than 275,000 have been mobilized two or more times. The United States is creating a new generation of combat veterans that come from its Reserve Components (RC). It is important, therefore, that we don't squander this valuable resource of experience, nor ignore the benefits that they are entitled to because of their selfless service to their country.

EXECUTIVE SUMMARY

The Reserve Officers Association CY-2011 Legislative Priorities are:

- Recapitalize the Total force to include fully funding equipment and training for the National Guard and Reserves.
- Assure that the Reserve and National Guard continue in a key national defense role, both at home and abroad.
- Provide adequate resources and authorities to support the current recruiting and retention requirements of the Reserves and National Guard.
- Support warriors, families and survivors

Issues supported by the Reserve Officers and Reserve Enlisted Associations are to:

Changes to retention policies:

- Permit service beyond the current Reserve Officers Personnel Management Act (ROPMA) limitations.
- Support incentives for affiliation, reenlistment, retention and continuation in the Reserve Component.
- Advocate against cuts in Reserve Component; support Reserve commissioning programs
- Reauthorize yellow ribbon program to support demobilized Guard and Reserve members.

Pay and Compensation:

- Reimburse a Reserve Component member for expenses incurred in connection with round-trip travel in excess of 50 miles to an inactive training location, including mileage traveled, lodging and subsistence.
- Obtain professional pay for Reserve Component medical professionals, consistent with the Active Component.
- Eliminate the 1/30th rule for Aviation Career Incentive Pay, Career Enlisted Flyers Incentive Pay, Diving Special Duty Pay, and Hazardous Duty Incentive Pay.
- Simplify the Reserve duty order system without compromising drill compensation.
- Renew Reserve Income Replacement program for mobilized reserve components.

Education:

- Include Title 14 Coast Guard Reserve duty in eligibility for the Post 9/11 GI Bill.
- Exempt earned benefit from GI Bill from being considered income in need based aid calculations.
- Develop a standard nation-wide payment system for private schools.
- Re-examine qualification basis for yellow ribbon program, rather than first come first serve.
- Increase MGIB-Selected Reserve (MGIB-SR) to 47 percent of MGIB-Active.
- Include 4-year reenlistment contracts to qualify for MGIB-SR.

Employee Support:

- Permit delays or exemptions while mobilized of regularly scheduled mandatory continuing education and licensing /certification/promotion exams.
- Continue to support a law center dedicated to USERRA/SCRA problems of deployed Active and Reserve service members.

Health Care:

- Improve continuity of health care for all drilling Reservists and their families by:
 - Monitoring the implementation of DoD paying a stipend toward employer's health care for dependents.
 - Seeking an audit by GAO to evaluate the TRICARE Retired Reserve premium rates.
 - Include a self plus one premium for TRR.
 - Permitting active members in the Individual Ready Reserve (IRR) who qualify for a 20-year retirement to buy-into TRICARE.
 - Allowing demobilized Retirees and Reservists involuntarily returning to IRR to qualify for subsidized TRS coverage.
 - Providing TRS coverage to mobilization ready IRR members; levels of subsidy would vary for different levels of readiness.
 - Improve post deployment mental health evaluations of returning Reserve Component members.
- Fund restorative dental care prior to mobilization.
- Extend military coverage for restorative dental care following deployment to 90 days.
- Evaluate the Post Deployment Medical Evaluation process.

Mobilization:

- Oversee service sections' policies to reimburse mobilized Reservists on Temporary Duty Orders (TDY) orders with lengths over 179 days.
- Provide differential pay for deployed federal employees permanently.

Spouse Support:

- Expand eligibility of surviving spouses to receive Survivor Benefit Plan (SBP)-Dependency Indemnity Clause (DIC) payments with no offset.
- Provide employment protection and provide family leave for spouses and family care-givers of mobilized Guard and Reserve for a period of time prior to or following the deployment of the military member.

Deferred Benefits and Retirement:

- Extend current early retirement legislation retroactively to Sept. 11, 2001.
- Promote improved legislation on reducing the Reserve Component retirement age.
- Permit mobilized retirees to earn additional retirement points with less than two years of activated service, and codify retirement credit for serving members over age 60.

- Modify US Code that requires repayment of separation bonuses if an individual receives a Uniformed Service retirement annuity.
- Change US Code to eliminate the Fiscal Year barrier toward full credit toward early retirement.
- Continue to protect and sustain existing retirement benefits for currently retired.

Voting:

- Ensure that every deployed service member has an opportunity to vote by:
 - Working with the Federal Voting Assistance Program.
 - Supporting electronic voting.
- Ensure that every military absentee ballot is counted.



Only issues needing additional explanation are included below. Self-explanatory or issues covered by other testimony will not be elaborated upon, but ROA and REA can provide further information if requested.

READINESS DISCUSSION

Operational versus strategic missions for the Reserve Component

The Reserve forces are no longer a part-time strategic force but are an integral contributor to our nation’s operational ability to defend our soil, assist other countries in maintaining global peace, and fight in overseas contingency operations.

National security demands both a strategic and an operational reserve. The operational reserve requires a more significant investment of training and equipment resources, and places greater demands on its personnel as compared to the strategic reserve. Those serving in operational reserve units must be fully aware of the commitment required to maintain the expected level of readiness. A similar awareness and commitment is necessary for those responsible for providing resources to the operational reserve.

Planners also must recognize that few individuals can remain in the operational reserve for an entire career. There will be times when family, education, civilian career, and the other demands competing for their time and talents take priority. Such an approach requires the ability to move freely and without penalty between the operational and strategic elements of the Reserve Component as a continuum of service.

Each service has its own force generation models and the services organize, train and equip their Reserve Components to a prescribed level of readiness prior to mobilization to limit post-mobilization training and to maximize operational deployment time. **ROA and REA urge Congress to continue to support and fund each service’s authority to manage the readiness of its own reserve forces as one model does not fit all.**

In an era of constrained budgets, a capable and sustainable Reserve and National Guard is a cost-effective element of national security.

Junior Officer and Enlisted Drain

As an initial obligated period draws to the end, many junior officers and enlisted choose to leave, creating a critical shortage of experienced young people in the leadership conduit. This challenge has yet to be solved.

As the services face pending end strength reduction, they approach this challenge with an inverse solution, by ridding out junior people, as the Air Force and Marine Corps are doing. Cutting the most junior people does not provide the same amount of savings in that it creates an older top heavy organization and does not make room for the newest generation of combat veterans. These cuts also reduce a fresh prospective brought by younger members.

Another solution to reduce the end strength is to slow down the input into the system. Both ROA and REA are concerned that ROTC scholarships and commissioning are being reduced. Last year, the Chief of Naval Operations announced a 30 percent reduction in NROTC scholarships. The U.S. Air Force will be screening this year's sophomore class, only allowing 60 percent of the class to advance as Juniors; next year only 45 percent will be allowed to advance next year.

End Strength and Preparedness

Part of the President's budget includes planned reductions for both the Army and Marine Corps, by 27,000 and 15,000, respectively. It should be remembered that individuals cannot be brought quickly on to active duty on a temporary basis, but it is an accumulation of experience and training that is acquired over years that becomes an asset for the military. Reducing the force will also foreshorten dwell time.

Before cuts to the USA and USMC are made, ROA and REA hope that Congress requests a report from services and DOD on the effect in the short and long term. These cuts need to be carefully evaluated to ensure that it is not based on budgetary concerns, but on capability.

Traditionally, it has been the Reserve Component that has provided the temporary surge to fill-in the active duty numbers. The end strengths included in the President's budget appear to maintain current numbers. As end strengths are cut, **ROA and REA support transferring both manpower and equipment into the National Guard and Reserve to provide operational flexibility in the future.**

ROA and REA are concerned that the ongoing cuts to the Navy's Reserve will continue and this is a trend that needs to be reversed. The reported end strength of the Navy Reserve is just above 64 thousand. A new manpower study needs to be done and published by the Navy Reserve to calculate the actual manning level requirements: this study should be driven by readiness and not budgetary requirements. According to the president's budget, the Navy Reserve will face another 2,900 cut.

Following World War I, Lieutenant General James Guthrie Harbord, USA, General John J. Pershing's chief of staff, was quoted in a 1922 New York Times as saying, "The size of our debt, incurred through unpreparedness, brings a demand for economy, and we continue unprepared. Thus unpreparedness brings the debt, and the debt continues unpreparedness."

Without external threats, the USA has traditionally reduced the size of its armed forces. Since the 1990's the Pentagon has recommended proportional cuts be taken in the Reserve Component when taken in the Active force. This reasoning fails in many ways. It results in a hollowing out of the force and preparedness, undermines morale, and undercuts retention. National security is put at risk.

There is a need to maintain a national position of readiness, and the Reserve component is a cost-effective solution of being prepared. **As cuts are taken in the Active Component, the Reserve Component should grow in size to maintain a place for readiness capability.**

PROPOSED LEGISLATION

Retirement

Fixing early retirement—the concept whereby Reservists and Guardsmen can subtract time from age 60 when they would otherwise begin drawing their reserve retirement—has been at the front of ROA’s advocacy agenda for a number of years.

ROA and REA continue to thank Congress for passage the Fiscal Year 2008 National Defense Authorization act, which established early retirement of 90 days for every consecutive 90 day period of active duty. However, the one major flaw in the law neglects the operational reservists who mobilized prior to that date.

Newly acquired data supports backdating early retirement to 2001. Those who served prior to 2008, when the law was established, faced higher risks and took more casualties.

Between 2001 and the date the law took effect, 82 percent (926 deaths) of National Guard and Reserve deaths had already occurred. Unfortunately, Congress overlooked this early sacrifice by not yet correcting the early retirement statute to include those who served between 2001 and 2008.

1. **ROA and REA endorse H.R.181, the National Guardsmen and Reservists Parity for Patriots Act**, which is a corrective measure to Section 12731(f)(2)(A) of title 10, United States Code. Over 600,000 were unfairly excluded. We realize the expense of this corrective measure scored by CBO is \$1.3 billion over ten years, but hope that offset dollars can be found or the correction can be phased-in.

2. ROA and REA don’t view this congressional solution as the final retirement plan. The Commission on the National Guard and Reserve recommends that Congress should amend laws to place the active and reserve components into the same retirement system. Secretary of Defense Robert Gates refers to the Tenth Quadrennial Review of Military Compensation’s comprehensive review of the military retirement systems for suggested reform. The latter report suggests a retirement pay equal to 2.5 percent of basic pay multiplied by the number of years of service.

ROA and REA agree that a retirement plan, at least for the Reserve Component, should be based on accrual of active and inactive duty. Early retirement should not be based on the type of service, but on the aggregation of duty. It shouldn’t matter if a member’s contributions were paid or non-paid; inactive duty, active duty for training, special works or for mobilization. Under a continuum of service, this approach would provide both the Active or Reserve Component members with an element of personal control to determine when they retire and will encourage increased frequency of service beyond 20 years within the Reserve.

3. Despite efforts by Congress, it appears that DoD will not be altering how it credits days toward early retirement that overlap the beginning of the new Fiscal Year. **ROA and REA endorse legislation that will be reintroduced by Rep. Tom Latham (R-Iowa) to correct existing Section 12731(f)(2)(A) of title 10, United States Code.**

4. With an ongoing need for mid-grade officers Congress should reexamine the DOPMA and ROPMA laws to:

- a. permit O-3s without prior enlisted service to be able to retire at 20 years of service. Many of badly needed skills that the services would like to retain, yet must be discharged if passed over for promotion to often.
- b. To allow O-4 officers who, after a break in service from active duty, return to the Reserve Component to retire. After being encouraged to return a number of officers find they are not eligible for non-regular retirement. When reaching 20 years of commissioned service they find they may have only 15 good federal years.

Education

1. Montgomery "GP" Bill-Selected Reserve (MGIB-SR): To assist in recruiting efforts for the Marine Corps Reserve and the other uniformed services, **ROA and REA urge Congress to reduce the obligation period to qualify for MGIB-SR (Section 1606) from six years in the Selected Reserve to four years in the Selected Reserve** plus four years in the Individual Ready Reserve, thereby remaining a mobilization asset for eight years.

2. Extending MGIB-SR eligibility beyond Selected Reserve Status: Because of funding constraints, no Reserve Component member will be guaranteed a full career without some period in a non-pay status. BRAC realignments are also restructuring the RC force and reducing available paid billets. Whether attached to a volunteer unit or as an individual mobilization augmentee, this status represents periods of drilling without pay. **MGIB-SR eligibility should extend for 10 years beyond separation or transfer from a paid billet.**

Leadership

ROA and REA urges the Congress to change sections 5143 and 5144 of US Code Title 10 to only permit appointments from the Navy or Marine Corps' Reserve Component.

Both the Army and Air Force Reserve Chiefs may only be selected from general officers from that component's reserve, yet the Navy and the Marine Corps can select its reserve leadership from either active or reserve flag officers. (U.S. Code Title 10, section 3038 states that "The President, by and with the advice and consent of the Senate, shall appoint the Chief of Army Reserve from general officers of the Army Reserve..." and section 8038 uses similar language for the appointment of the Chief of the Air Force Reserve, while U.S. Code Title 10, section 5143 only requires the President to appoint the Chief of Navy Reserve from flag officers of the Navy, and section 5144 only requires the President to appoint the Commander, Marine Forces Reserve, from general officers of the Marine Corps.) The Reserve Chief of a service's reserve needs to have an understanding of both the citizen warriors who are reporting to him or her, and the system through which they report.

Military Voting

ROA and REA thank Congress for the improvements made to absentee voting in the FY-2010 Defense Authorization. Military personnel, overseas citizens and their families residing outside their election districts deserve every reasonable opportunity to participate in the electoral process. Yet, studies by Congressional Research Service show that 25 percent of military member and family votes were not counted in the 2008 election.

ROA and REA urge Congress to direct the Government Accountability Office to report further on the effectiveness of absentee voting assistance to Military and Overseas Citizens for the 2010 General Election and determine how Federal Voting Assistance Program's efforts to facilitate absentee voting by military personnel and overseas citizens differed between the 2008 and 2010 national elections.

During the 2010 elections there were at least a dozen states that had one or more counties that failed to comply with the MOVE Act, but we do applaud the Department of Justice for their fortitude in enforcing provisions of the law.

ROA and REA hope that Congress encourages the Secretary of Defense, in conjunction with States and local jurisdictions, to gather and publish national data about the 2010 election by voting jurisdiction on disqualified military and overseas absentee ballots and reasons for disqualification.

In addition ROA and REA encourage the committee to endorse new legislation, H.R.702 introduced by Congressman David (Phil) Roe (R-Tenn.) that would amend the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) to help ensure that states count the ballots through delaying the process of certification of results of normally scheduled general elections for Federal office up to 10 days.

CONCLUSION

ROA and REA reiterate our profound gratitude for the progress achieved by this committee by providing parity on pay and compensation between the Active and Reserve Components, with the sub-committee also understanding the difference in service between the two components.

ROA and REA look forward to working with the personnel sub-committee where we can present solutions to these and other issues, and offers our support in anyway.