

Congress of the United States
Washington, DC 20515

October 26, 2017

The Honorable Mac Thornberry
Chair
Committee on Armed Services
2216 Rayburn House Office Building
U.S. House of Representatives
Washington, DC 20515

The Honorable John McCain
Chair
Committee on Armed Services
228 Russell Senate Building
U.S. Senate
Washington, DC 20510

The Honorable Adam Smith
Ranking Member
Committee on Armed Services
2216 Rayburn House Office Building
U.S. House of Representatives
Washington, DC 20515

The Honorable Jack Reed
Ranking Member
Committee on Armed Services
228 Russell Senate Building
U.S. Senate
Washington, DC 20510

RE: Support for Section 503 of the House NDAA (provides equal treatment of orders to serve on active-duty under sec. 12304a and 12304b of title 10, United States Code)

Dear Chairmen Thornberry and McCain and Ranking Members Smith and Reed:

As you work to finalize a conference agreement on H.R. 2810, the Fiscal Year 2018 National Defense Authorization Act (NDAA), we urge you to retain Section 503 (provides equal treatment of orders to serve on active-duty under §12304a and §12304b of Title 10, United States Code) contained in the House version of the FY2018 NDAA. Section 503 would authorize Reserve Component members activated under the authority provided by either §12304a or §12304b of title 10, United States Code, to receive pre-mobilization and transitional TRICARE health care. This provision was not included in the Senate version of the NDAA.

This inequity originated in 2012 when 10 USC §12304b was created to give combatant commanders the authority to utilize the Reserve Component more broadly in order to meet combatant commander requirements. Unfortunately, when involuntarily mobilized under this authority, members of the National Guard and Reserves are not granted benefits equal to the active-duty military members with whom they serve. These Reserve Component troops who mobilize under §12304b do not currently receive pre-mobilization and transitional TRICARE access, eligibility for educational benefits such as Post-9/11 GI bill, high temp deployment accounting, or early retirement credit.

While deployed in such places as the Sinai Peninsula, Kosovo, the Americas, and across Eastern Europe, these Reserve Component troops perform the same missions and duties as active-duty

troops, but are not entitled to the same benefits. This is unjust and wrong. Along with their active-duty counterparts, Reserve and Guard troops have served in a variety of essential missions, including the European Reassurance Initiative in Germany and Ukraine to counter Russian aggression. Fixing this inequity – getting our Reserve Component service members the benefits they earned for their active-duty service – is a high priority for the National Guard Bureau, the Office of the Chief of the Army Reserve, other service Reserve Components, as well as many state governors across the country.

Drawn from H.R. 1384, the Reserve Component Benefits Parity Act, this provision contained within H.R. 2810 corrects part of the inequity by providing pre-mobilization and transitional TRICARE benefits for those mobilized under §12304b. If retained in the Conference Report, this provision will, upon final passage of the NDAA, allow such Guard members and Reservists to access the healthcare they need before and after mobilization. This provision represents a necessary step in the right direction.

H.R. 1384 corrects the remainder of inequities under §12304b, and has been endorsed by a host of organizations, including: National Guard Association of the United States (NGAUS), Military Coalition (TMC), Reserve Officers Association (ROA), Enlisted Association of the National Guard of the United States (EANGUS), Iraq and Afghanistan Veterans of America (IAVA), American Legion, Veterans of Foreign Wars of the United States (VFW), Military Officers Association of America (MOAA), National Military Family Association, United States Army Warrant Officers Association (USAWOA), Student Veterans of America (SVA), Fleet Reserve Association (FRA), Air Force Association, Air Force Sergeants Association, AMVETS, Army Aviation Association of America, AMSUS, Naval Enlisted Reserve Association, Association of the United States Army (AUSA), Association of the United States Navy (AUSN), Retired Enlisted Association, Military Chaplains Association of the USA, Tragedy Assistance Program for Survivors, Commissioned Officers Association of the US Public Health Service, INC, USCG Chief Petty Officers Association, Gold Star Wives of America, Military Order of the Purple Heart (MOPH), and Jewish War Veterans of the USA.

Given the severe inequity in benefits provided to Reserve Component troops deploying under §12304b, who deserve full parity in benefits with their active-duty counterparts in this time of increasing operational utilization of the Reserve Components, we urge you to retain Section 503 of the House-passed FY2018 NDAA.

We thank you for your consideration of our request.

Sincerely,



Carol Shea-Porter
Member of Congress



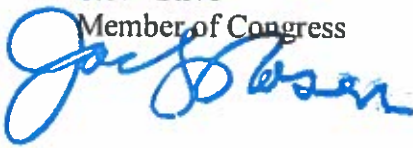
Steven Palazzo
Member of Congress



Tim Walz
Member of Congress


Steve Stivers
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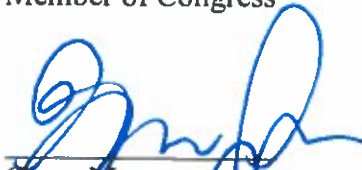

Madeleine Bordallo
Member of Congress




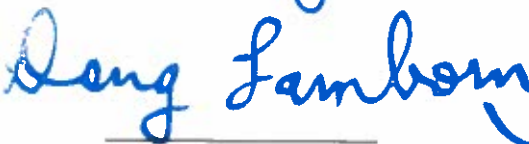
Jacky Rosen
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Owen Moore
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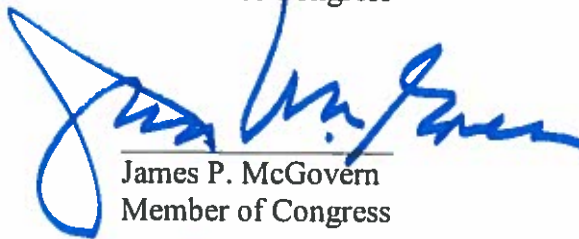



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