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Today, the American military may be in one of the best positions of any military in history. It should follow that the U.S. Navy and the U.S. Naval Reserve Force are in one of their best positions. The victories in Afghanistan and Iraq, along with the continued Global War on Terrorism, have solidified the transformation of the U.S. military, but have changed the way we conduct war. The continued transformation and these victories have changed the way the world sees the U.S. and the U.S. military. We are engaged on several fronts against a wide perception of threats. There can be little doubt that the American military is at its height of military power and respect.

We have to ask, are the challenges facing the military, including the Naval Reserve Force, less daunting, or are opportunities available that could extend our military and national ascendancy? Tensions remain high throughout the world, and we do not have to look far to find a potential enemy. Those who think that our military is not stretched are not listening to the real Sailor, Marine, Airman, Soldier, or Coast Guardsman.

Current civilian leadership has opted for transformation towards high-tech technology that is efficient and effective, saves resources, and remakes forces' surge forces (for the Navy). I contend that current planning is relying on technology rather than the Sailor, Marine, Airman, Soldier, or Coast Guardsman.

## At War, Internally

A lesson I learned: rely and ask the person in the loop (not the flag officer) first and last, if something is going to work. As we have taken stock in a "Revolution in Military Affairs," it should follow that we consider adopting a "Revolution in Human Affairs." This internal pull and push with network warfare has not been solved. As we move headstrong into more efficient and more effective technology, we should improve all forces that have shown success and efficiency already. I submit that a well-trained, well-equipped Guard and Reserve is a force multiplier that is just being recognized for what it really and truly provides our nation. HCS-5, VFA-201, Cargo Handlers, Medical, Intel units, and NCW are just some examples for the Naval Reserve. The Guard and Reserve Forces are surge forces that are always there at a much more efficient price than recognized. Proof of this is readily available as we prepare to switch out forces for Iraq.

As we prepare for the next phase of the Global War on Terrorism, decisions on change for the Naval Reserve Force are being made that involve ignoring the lessons learned from the past. The active Navy force, historically skeptical of its reserve force, due to ignorance, is reshaping the Naval Reserve Force based on dollars and force structure alone. As most other services are embracing their reserve forces in a new way, the Navy has decided to transform the Naval Reserve Force based on dollars, and Active concepts of operations. What happened to efficiency, effectiveness, and surgability? Morale in the military is soft, based on being stretched from what we hear. We must do all we can at this time to ensure that we maintain and gain the right retention and recruiting tools to maintain the people to go along with the influx of technology. There can be no doubt that

we are using the Guard and Reserve Forces at higher rates. We have to mold the technology transformation with the transformation of the humans and their understanding of technology, especially with the Guard and Reserve Forces.

The first Session of the 108<sup>th</sup> Congress was a resounding success for improving the continuum of services for the people (the humans in the loop) in the Reserve Components of the U.S. military and providing for a transformation of the human element. The second Session of the 108<sup>th</sup> Congress will be more challenging in making the improvements in what it means to be a Guardsman or a Reservist in the U.S. military. Getting Congress to focus on what our Reservists are doing every day, providing what the fleet wants, is not going to be easy. We still have Naval Reservists serving in Operation Iraqi Freedom, and we will have more mobilized and returning to Iraq soon. Their service is important. Their families and their employer service are also important and should not get lost in the shuffle of "that's just the way it is." The synopsis below by Captain McAtee provides a summary of these benefits and entitlements.

One of the recent improvements gained has been in health care for Guard and Reserve Forces. As we begin the second Session of the 108<sup>th</sup> Congress, we hope to improve more of the continuum of services for the humans in the loop of the Naval Reserve Force. Please see the following link, <<http://www.tricare.osd.mil/TRHCP.cfm>> to read about the new TRICARE for Guard and Reserve. At this writing, the implementation procedures have still not been published, but hopefully will be soon. Along with others, we are pushing to get this process implemented as soon as possible and extended beyond the one year period. ↴

## THUMBNAIL SUMMARY OF RECENTLY ENACTED LEGISLATION

*By CAPT Tom McAtee, USNR (RET)*

Here are legislative amendments that have been passed through several Congressional bills. They either have an impact on or are of interest to Naval Reservists. The following are only summaries, not complete amendment language.

NDAAs for FY 2004 (Unless specified otherwise, effective date is 24 November 2003):

- > Navy end strength 373,800.
- > Naval Reserve end strength 85,900.

- > Navy FTS end strength 14,384
- > Authority to reduce TIG for O-5 and above no longer has an expiration date. The previous authority had an expiration date of 31 December 2003. Procedure for requesting a waiver remains unchanged. Go to our home page <www.navy-reserve.org> and click on TIG information under "Career."
- > Authority for Reserve and Retired Regular officer to hold state and local office notwithstanding call to active duty.
- > Retired Reservists under age 60 ("gray area") are now eligible to participate in the Federal Long-Term Care Insurance Program. Go to <www.ltcfeds.com>, or call 800-582-3337 for additional information.
- > Increase in basic pay for 2004, averaging 4.15 percent.
- > Computation of basic pay for commissioned officer with prior enlisted service. Those Reservists with enlisted service points of 1460 or higher will be paid from O-1E through O-3E tables regardless of funding source. Previously, only orders paid from funds appropriated for Reserve personnel could be paid from the O-1E through O-3E basic pay tables. *NOTE: For those who were on mobilization orders or on active duty orders funded by an active duty account (MPN) on or after 24 November 2003, orders may have to be resubmitted to receive pay increase.*
- > Increase in Family Separation Allowance from \$100 to \$250 per month for the period 1 October 2003 and ending 31 December 2004. Effective 10 September 2001.
- > Increase in Hostile Fire and Imminent Danger special pay from \$150 to \$225 per month for the period 1 October 2003 and ending on 31 December 2004.
- > Payment of lodging expenses for members during authorized leave from a temporary duty location. This amendment corrects the situation of a Reservist on temporary duty, such as occurred on certain mobilization orders, losing a portion of lodging expense for the days in a leave status.
- > Phase-in of full concurrent receipt of military retired pay and veteran's disability compensation for certain military retirees. *NOTE: This is a complicated amendment; call the Association for additional information.*
- > Survivor Benefit Plan (SBP) annuity may now be paid to the surviving spouse of a Reservist who was not eligible for retirement but who died from a cause incurred or aggravated while on inactive-duty training (IDT). Effective 10 September 2001.
- > Increase in death gratuity from \$6,000 to \$12,000, effective 11 September 2001.
- > Unlimited commissary access for Selected Reserve, Ready Reserve, and Reserve retirees under age 60. Effective 24 November 2003, commissary cards are no longer required since access is now unlimited.
- > Medical and dental screening and care for Ready Reserve members alerted (informed) for mobilization orders for a period of more than 30 days. Care may be provided to meet medical and dental standards for deployment prior to commencement of active duty.

- > TRICARE program coverage for certain members of the Ready Reserve under certain circumstances. May enroll in TRICARE and receive benefits for any period the Reservist is:
  - a. An eligible unemployment compensation recipient.
  - b. Not eligible for health care benefits under an employer – sponsored plan.
 Coverage may be self or self and family. *NOTE: Currently awaiting enrollment/implementation criteria from DoD.*
- > Earlier eligibility date (before commencement of active duty) for TRICARE program for Reservist in receipt of orders for more than 30 days. Reservist shall be treated as being on active duty on the latter of the date:
  - a. Issuance of orders.
  - b. 90 days before commencement of active duty to which ordered.
- > Simplification of annual participation for purposes of Ready Reserve Training Requirements. Changes requirement from 48 drill periods and 14 days annual training to a total of 38 day training per duty year.
- > Reserve health care assistance amendment requires each TRICARE Region to provide beneficiary counseling to assist Reservists and families.

### Service Member's Civil Relief Act

(Effective on 19 December 2003)

*NOTE: This act rewrites the previous 63-year-old Soldiers and Sailors' Civil Relief Act (SSCRA)*

- > Automatic 90-day stay of legal proceedings when duties interfere with ability to appear.
- > Clarifies the six percent interest rate cap.
- > Raises the amount of life insurance the government will protect from default for nonpayment to \$250, 000 while Reservists are on active duty.
- > Member sent to new duty station or deployed for at least 90 days could terminate housing leases without penalty.
- > Active Duty or Reserve members deployed overseas or called-up for at least 180 days could terminate auto lease without penalty.

### Veterans Benefits Act of 2003

(Effective 16 Dec 2003)

- > Certain veterans' survivor benefits for surviving spouses remarrying after age 57. Previously DIC benefits were terminated upon remarriage regardless of age.
- > Lower VA loan origination fee for Reservists effective 1 January 2004, at 2.4 percent.
- > Eligibility of surviving spouses, who remarry, for burial in national cemeteries.
- > Permits member with severe disabilities to apply for housing grants before being discharged.