

**TESTIMONY OF THE
NATIONAL GUARD ASSOCIATION OF THE UNITED STATES**

Senate Committee on Veterans' Affairs

House Committee on Veterans' Affairs

Joint Hearing on Legislative Presentations

March 6, 2018

Chairman Isakson, Ranking Member Tester, Chairman Takano, Ranking Member Roe and other distinguished members of the Senate and House Committees:

Introduction:

On behalf of the almost 45,000 members of the National Guard Association of the United States and the nearly 450,000 soldiers and airmen of the National Guard, we greatly appreciate this opportunity to share with you our thoughts on today's hearing topics for the record. We also thank you for the tireless oversight you have provided to ensure accountability and improve our nation's services to veterans and their families.

In my testimony, I would like to focus on three specific issues impacting Guardsmen that fall under the jurisdiction of this Committee. These issues are: ensuring benefit parity for Guardsmen, improving mental health treatment in order to combat the high rate of suicides across the National Guard, and highlighting legislative initiatives that continue to support and protect Guardsmen, both in their civilian and military careers, as readiness requirements and operational tempo continue to increase.

Duty Status Reform and Benefit Parity

One of the primary legislative goals of NGAUS is to address the benefit disparity for Guardsmen under federal activation authorities. For the past two years, I have addressed this Committee and asked for your assistance in correcting numerous benefits not afforded to the thousands of Guard and Reserve service members deploying under 10 U.S.C. §12304b status. With the passage of the Forever G.I. Bill and the Fiscal Year 2018 National Defense Authorization Act (NDAA) in recent months, Guardsmen and Reservists are now eligible for nearly all of the same benefits as their active duty counterparts, including tuition assistance, transitional healthcare access, and Post-9/11 G.I. Bill benefits. This Committee and its members have been instrumental in closing the benefit gap for our members at a time when the Department of Defense is increasing its utilization of 12304b with more than 13,000 Guardsmen scheduled to deploy around the world over the next two years.

To complete this effort, we ask for your support in tackling the final piece of this benefits parity issue, granting early retirement credit under 12304b orders. While our service members are eager to continue to serve in any capacity, we believe that they should be afforded the same benefits enjoyed by active component members. Beyond just a benefit parity issue; it is a question of fairness for the men and women who choose to serve our nation.

Improving mental health treatment in the National Guard

I would like to convey our extreme concern with the high suicide rate across all components of the military, and focus specifically on the near-epidemic rate of suicides within the Army National Guard. While we greatly appreciate the efforts made by this Committee to begin

addressing suicides across the military and among our veteran population, I think we all agree that much more needs to be done to combat and reduce the rate of suicide.

NGAUS hopes to continue our work with this Committee and the National Guard Bureau to support and bolster specific initiatives to reduce suicides in the National Guard. Before identifying some of these specific initiatives, I would like to point out a few of the challenges we face in combating mental health issues.

Among the Air and Army National Guard, as well as within the 54 states and territories, we have seen numerous examples of inconsistencies in staffing and, perhaps most alarming, programs and key personnel working in silos and not sharing common analysis or reporting systems. We ask for this Committee's support to standardize the various mental and behavioral health programs within the Department of Defense, including in the National Guard Bureau.

In terms of staffing and personnel, there is currently insufficient funding for Army National Guard Directors of Psychological Health (DPH), who provide vitally important counseling services to our members. Research shows the importance and benefits of full-time chaplains at Air and Army Guard units. However, a combined 90 total chaplains across the Guard are unable to meet the needs of nearly 450,000 Guardsmen. We all must do more to ensure that members of the Reserve Component have regular access to guidance and counsel as well as to qualified mental health professionals. Increasing funding for hiring additional Directors of Psychological Health and full-time chaplains is a positive step forward.

Members of the Guard and Reserve struggle to access the same care as their active duty counterparts because they often live far from military installations. For this reason, we ask for your support in pursuing initiatives that utilize new technologies, including access to telehealth services, to deliver care to our most vulnerable members.

Currently, Guardsmen and Reservists undergo annual health assessments to identify medical issues that could impact their ability to deploy, but any follow-up care is often pursued at the expense of our service members. We support Ranking Member Tester's legislation, the CARE for Reservists Act that would allow Guardsmen and Reservists to access Vet Centers for mental health screening and counseling, employment assessments, education training, and other services to help them. We ask for your assistance in pursuing additional legislation that would provide all drilling Guard and Reserve members access to Vet Center counseling services regardless of whether they have been deployed.

While NGAUS continues to support the Department of Veterans Affairs (VA) mental health initiatives, we believe it is essential to establish a network of local, state, and federal resources centered at the community level in order to deliver evidence-based care to veterans whenever and wherever they are located. To leverage innovative mental health care providers in our communities, the VA can exercise its authority to contract with private entities in local communities, or alternatively implement a voucher program that would allow our veterans to seek fee-based treatment locally outside the brick and mortar VA facilities and Vet Centers.

The Military Support Program (MSP) established by the Department of Mental Health and Addiction in the state of Connecticut is one fantastic example of a community-based initiative. We believe the MSP could serve as a successful model for the rest of the nation. For just over \$500,000 annual operating budget, the MSP is available to all service members, veterans and their families in Connecticut. The MSP provides its clients with accessible, convenient and completely confidential counseling services through a geographically dispersed network of over 400 clinicians, as well as the staffing of a 24/7 call center.

The MSP also includes an Embedded Clinician Program, who are civilian providers made available to Connecticut National Guard personnel during their unit's weekend training periods and at any time over the phone. They get to know the unit members and are immediately accessible if a Guardsman needs assistance or would like to schedule follow-on counseling. We believe this program is successful because it focuses on accessibility and convenience for the men and women of the Connecticut National Guard. NGAUS would be more than willing to facilitate the establishment of a collaborative relationship between the Connecticut National Guard, MSP, and this Committee.

While we recognize there is no silver bullet in dealing with a myriad of mental health issues across all components of the military, NGAUS will support all legislative approaches that seek to expand quality, access and affordable healthcare options for our members.

Strengthening Service Member Civilian Employment

As the National Guard remains an integral part of our nation's defense, both at home and abroad. Increased training and readiness requirements combined with more frequent deployments has strained the traditional citizen-soldier construct, placing stressors on both the Guardsmen and their employers.

While I cannot anticipate future operational demands, what is clearly true is that the era of "one weekend a month and two weeks a year" is over. Our members are serving in uniform more days throughout the year and often completing military tasks on civilian time, all while undertaking additional military administrative and training duties due to insufficient levels of full-time support personnel. These duties often compete with their civilian careers and can have significant negative effects. As we continue to increase operational demands on our soldiers and airmen, their

employers are feeling the effects of their extended absence. In the wake of this new reality, we ask that the Committees support continued efforts to assist Reserve Component service members and their employers.

One major effort I would like to discuss with the committee today is the idea of providing zero-cost TRICARE health coverage to the National Guard and Reserve. While this is not an effort that will be concluded this year, I believe very strongly that the time is now to discuss if an Operational Reserve is better served through ensuring guaranteed medical coverage in lieu of the current disjointed system of third party health contractors and Periodic Health Assessments. This year, we will advocate for conducting a study at the Department of Defense into what the cost of such a change in policy would be.

The benefits of zero-cost TRICARE coverage extend beyond medical readiness and well-being for reserve component military families. TRICARE, as one of our top retention policies, will help us keep a manned and ready force. In addition to building medical readiness today, providing preventive care throughout our service members' careers will likely reduce medical expenditures when they transition from drilling Guardsman to Veteran. Further, this will become a significant employer benefit when a CEO or hiring manager knows that this service member won't require health insurance coverage. As we ask more and more of our National Guard and Reserve units in peacetime training, I worry that companies will start to choose equally qualified non-military candidates over our service members simply because they are concerned that the Soldier or Airman will be away too often. We must find a way to better incentivize these companies.

We continue to support legislative efforts that strengthen the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994, which protects National Guard members who step away from their civilian jobs to serve their country. Under USERRA, all

uniformed service members are protected within their civilian employment. Guard members may not be discriminated against because of their past, present or future service, including training or deployment. USERRA establishes a right to prompt reinstatement after service and ensures certain health care benefits during and after.

We continue to support Senator Blumenthal's efforts, including last congress' **S. 646**, the Justice for Service members and Veterans Act, which would clarify the procedural rights of Guard members within USERRA. Unfortunately, current USERRA language surrounding forced arbitration is not clear, and there are conflicting court decisions that do not always protect Guard members' procedural rights. NGAUS urges the passage of this common-sense legislation and asks this Committee to champion changes in law to clarify congressional intent, stop misinterpretations, protect our Guard members and grant them due process in these workplace situations.

Unemployment and underemployment also continues to be a concern for our members. We ask for your continued support in passing critical legislation creating pathways to steady employment for Guardsmen. We support Congressman Ryan and Palazzo's legislation, **H.R. 801**, the Reserve Component Employer Incentive, Compensation, and Relief Act of 2019, which grants tax credits to employers who employ members of the National Guard and Reserve. Legislation like this is critical to incentivize National Guard employment as we continue to demand more training time of these citizen soldiers. We also encourage re-introduction and passage of last Congress' **S.1218**, Empowering Federal Employment for Veterans Act of 2017, introduced by Senator Heitkamp, which requires executive agencies to maintain a Veterans Employment Program Office and designate a veteran's employment official.

Finally, we encourage the passage of last Congress' **S. 2235**, the Military Reserve Jobs Act of 2017, introduced by Senators Donnelly and Cruz that would establish a tiered-hiring preference for Reserve Component service members for civil service jobs. **S. 2235** aimed to promote hiring of Reserve Component members into the federal workforce, a critical goal. Each of these bills would prove extremely beneficial to our pursuit of solving the problem of unemployment in the National Guard.

Conclusion:

I thank you all again for allowing NGAUS to testify before the Committees today. The work done here is critical to the well-being of our service members and the success of our National Guard. I look forward to continuing our work together and sincerely appreciate the steadfast leadership from the members and their staffers in advocating for the men and women of the National Guard.

Biography of BG (Ret) Roy Robinson:

Retired Brig. Gen. Roy Robinson succeeded retired Maj. Gen. Gus Hargett as president of the National Guard Association of United States on March 13, 2017.

General Robinson serves as chief executive officer of NGAUS. He is responsible for the association's day-to-day operations in Washington, D.C., and a staff of 28 employees. He also oversees the National Guard Educational Foundation, which maintains the National Guard Memorial Museum, and the NGAUS Insurance Trust.

His principal duties include providing the Guard with unified representation before Congress and a variety of other functions to support a nationwide membership of nearly 45,000 current and former Army and Air National Guard officers.

He came to NGAUS after serving eight years as executive director of the National Guard Association of Mississippi, the nation's largest state Guard association with more than 2,500 members. He simultaneously served as NGAUS vice chairman-Army from 2014 to 2016.

General Robinson has more than 33 years in uniform, much of it while holding a series of full-time sales and marketing positions in the private sector, all of it in the Mississippi Army National Guard. He spent time in every duty status available in the National Guard: Traditional part time, as a state employee, federal technician and in the active Guard and Reserve.

He began his career in 1983 as an enlisted soldier, earning his commission as second lieutenant through the ROTC program at the University of Southern Mississippi in 1985. He retired in 2016 as assistant adjutant general of Mississippi-Army.

Among his military career highlights is commanding the 150th Engineer Battalion (Combat), 155th Armored Brigade Combat Team, during combat operations in Iraq in 2005. He earlier commanded Camp McCain Training Site in Grenada, Mississippi, for 18 months.

In addition to a bachelor's degree in speech communication from Southern Mississippi, General Robinson holds a master's in business administration from Jackson State University. He also completed a U.S. Army War College fellowship in logistics and acquisition at the Center for Strategic Analysis at the University of Texas.

The general holds several military decorations, including the Bronze Star, the Legion of Merit, the Meritorious Service Medal (with four Bronze Oak Leaf clusters), the Combat Action Badge and several Mississippi National Guard awards.

He is married to the former Susan Roth. They have three children and three grandchildren.