

STATEMENT BY
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SUBMITTED FOR THE RECORD TO
COMMITTEES ON VETERANS' AFFAIRS

United States Senate
United States House of Representatives

113TH CONGRESS

Joint Hearing

March 6, 2014

Biography of Lieutenant General Guy C. Swan, USA Ret.
Vice President, Association of the United States Army

Lieutenant General Guy C. Swan III currently serves as an AUSA Vice President. During more than 35 years of active service he commanded at every level through Army Service Component Command.

A career armor/cavalry officer, his general officer assignments included Commanding General, United States Army North/Fifth Army; Commanding General, United States Army Military District of Washington and Commander, Joint Force Headquarters-National Capital Region; Commanding General, 7th Army Training Command, United States Army Europe/Seventh Army; Chief of Staff and Director of Operations, Multi-National Force-Iraq during Operation Iraqi Freedom; Director of Operations, United States Northern Command; and Chief of Army Legislative Liaison.

General Swan's other key assignments included Commander, 11th Armored Cavalry Regiment; Assistant Deputy Director for Strategy and Policy for the Joint Staff; and Deputy Operations Officer for the 1st Armored Division during Operations Desert Shield/Desert Storm.

A 1976 graduate of the United States Military Academy at West Point, General Swan holds a Master of Military Art and Science degree from the United States Army's School of Advanced Military Studies. He also holds a Master of Arts degree in National Security Studies from Georgetown University and was a National Security Fellow at the John F. Kennedy School of Government at Harvard University.

General Swan is a member of the Council on Foreign Relations and is a Certified Emergency Manager (CEM) and a Certified Protection Professional (CPP), board-certified in security management.

General Swan is married to the former Melanie Taylor Curry of Fort Lauderdale, Florida. They have two children: Ryan, a cadet at the United States Military Academy at West Point, and Melissa, who is a high school student athlete.

Neither General Swan nor the Association of the United States Army has received any federal grants or contracts relative to the subject matter of this testimony during the current or previous two fiscal years.

Messrs. Chairmen and Members of the Committees:

Thank you for the opportunity to present the views of the Association of the United States Army (AUSA) concerning veterans' issues. Both in personal testimony and through submissions for the record there exists a long-standing relationship between AUSA and the Senate and House Committees on Veterans' Affairs. We are honored to express our views on behalf of our members and America's veterans.

The Association of the United States Army is a diverse organization of committed members – active duty, Army Reserve, Army National Guard, Department of the Army civilians, retirees and family members. An overwhelming number of our members are entitled to veterans' benefits of some type. Additionally, AUSA is unique in that it can claim to be the only organization whose membership reflects every facet of the Army family.

Each year, the AUSA statement before the committees stresses that America's veterans are not ungrateful. Much of the good done for veterans in the past would have been impossible without the commitment of those

who serve on the committees and the tireless efforts of their professional and personal staffs.

The inherently difficult nature of military service has never been more self-evident than during the current conflicts. While grateful for the good things done for veterans, AUSA reminds our elected representatives that we consider veterans benefits to have been duly earned by those who have answered the nation's call and placed themselves at risk – these are not “entitlements”.

AUSA is heartened that Congress has expressed a commitment to support America's veterans. Despite this, many are concerned that the declining number of veterans in Congress might in some way lessen the value this institution places on veterans and their service to the nation. We, at AUSA, do not share this opinion. AUSA is confident that you - well-intentioned, patriotic men and women – will faithfully represent the interests of America's veterans during fiscal deliberations.

As elected representatives, you must be responsible stewards of the federal purse because each dollar emanates from the American taxpayer. AUSA

emphasizes that the federal government must remain true to the promises made to her veterans. We understand that veterans' programs are not above review, but always remember that the nation must be there for the country's veterans who answered the nation's call.

“Providing for the common defense” is Job #1 for Congress and our national government. Providing for those who actually execute that task should have an equal level of priority for Congress.

Veterans seldom vote in a block, despite their numbers. This is one reason AUSA seeks this forum to speak for its members about veterans' issues. Our veterans have lived up to their part of the bargain; the Congress must live up to the government's part.

Those who have volunteered to serve their country in uniform deserve educational benefits that support their transition to civilian life. AUSA applauds Congress for enacting the Post-9/11 Veterans Educational Assistance Act of 2008 and the Post-9/11 Veterans Improvement Act of 2010. These landmark pieces of legislation are helping educate a new

generation of veterans by allowing them to enroll as a full-time students and to focus solely on education.

With the Committees' support, the Department of Veterans' Affairs has implemented the largest increase in education benefits for our fighting men and women since World War II. AUSA has long endorsed a 21st century GI Bill that is built on the principles of simplicity, equity and adequate reimbursement of the cost of education / training. As we work to fully realize Congressional intent for the program, AUSA believes consideration should be given to having hearings regarding a unified architecture for all GI Bill programs for active duty, Guard and Reserve under the principle of awarding benefits according to the length and type of duty performed.

Because of Congress' establishment of the Gunnery Sergeant John D. Fry Scholarship program, children of an active duty member who died in the line of duty after September 10, 2001 are eligible for substantially the same benefits as the Post-9/11 GI Bill when they reach age 18. However, surviving spouses are eligible only for Survivors and Dependents Educational Assistance (DEA) (Chapter 35, 38 USC) benefits, which for many means college or vocational training is unaffordable.

For college attendance, DEA pays even less than the Montgomery GI Bill stretched out over 45 monthly payments (instead of 36 months for the MGIB). For full-time college enrollment, a surviving spouse receives just \$987 per month. When Congress established the Post-9/11 GI Bill in 2008, it authorized a one-time 20% rate hike to the MGIB, but overlooked DEA. Today, the potential total DEA benefit is \$44,415 compared to \$56,304 under the MGIB. So surviving spouses receive substantially reduced benefits under DEA and are not eligible for a housing allowance or book stipend under the program. For many survivors with children, college or vocational training is beyond their reach.

Therefore, AUSA urges Congress to pass legislation that would authorize Post-9/11 GI Bill benefits for surviving spouses of the current conflict, the same educational benefit available to their children under the Gunnery Sgt. John D. Fry Scholarships, in lieu of Dependents and Survivors' Educational Assistance (DEA) benefits. As an interim measure, if resources are not available to raise DEA reimbursement to the Post-9/11 GI Bill level, authorizing survivors of the current conflicts the Post-9/11 GI Bill housing allowance and book stipend under DEA.

Also, AUSA is concerned about current and future unemployment of Army and other veterans and believes additional full time counseling staff is needed for the Vocational Rehabilitation and Employment (VRE) program to support the increasing demand among the rising number of disabled veterans. VRE helps equip disabled veterans to transition back into the work force.

AUSA strongly encourages Congress to raise education benefits for National Guard and Reserve service members under Chapter 1606 of Title 10. For years, these benefits have only been adjusted for inflation. Currently, Reserve GI Bill benefits have fallen to less than 23 percent of the active duty benchmark giving them much less value as a recruiting and retention incentive. This also sends a signal to Reserve Component personnel that their service is undervalued. Further, a transfer of the Reserve MGIB-Select Reserve authority from Title 10 to Title 38 will permit proportional benefit adjustments in the future.

Members of the National Guard called to active duty under Title 32 in support of the current crisis do not receive veteran's status for their active

duty military time. Those called to active duty under Title 10 do receive veteran's status. Similarly, Army Reserve personnel who are not called to active duty can complete a full reserve career and yet not be entitled to be called veterans. This inequity must be addressed. Your support in allowing Guard and Reserve members to earn veterans' status on equal footing with their active duty counterparts will send the message that Reserve Component personnel are part of the Total Force.

Veterans' medical facilities must remain expert in the specialties which most benefit our veterans. These specialties relate directly to the ravages of war and are without peer in the civilian community. We are grateful for the significant increase in resources and appropriations, as well as the advanced appropriations process, provided by the Congress to the veterans' health care. Further, AUSA urges members of Congress to sustain the current levels of appropriation funding. After 13 years of war and approximately 10,000 new veterans per month, cuts to veterans' appropriations would be unconscionable.

AUSA applauds the unprecedented and historic legislation which authorized the unconditional concurrent receipt of retired pay and veterans' disability

compensation for retirees with disabilities of at least 50 percent and the legislation that removed disabled retirees who are rated as 100 percent from the 10-year phase-in period. However, we cannot forget about the thousands of disabled retirees left out by this legislative compromise. The principle behind eliminating the disability offset for those with disabilities over 50 percent is just as valid for those 49 percent and below. AUSA urges that the thousands of disabled veterans left out of previous legislation be given equal treatment and that the disability offset be eliminated completely.

Another critical area needs to be addressed. For chapter 61 (disability) retirees who have more than 20 years of service, the government recognizes that part of that retired pay is earned by service, and part of it is extra compensation for the service-incurred disability. The added amount for disability is still subject to offset by any VA disability compensation, but the service-earned portion (at 2.5 percent of pay times years of service) is protected against such offset.

AUSA believes that a member who is forced to retire short of 20 years of service because of a combat disability must be “vested” in the service-earned share of retired pay at the same 2.5 percent per year of service rate as

members with 20+ years of service. This would avoid the “all or nothing” inequity of the current 20-year threshold, while recognizing that retired pay for those with few years of service is almost all for disability rather than for service and therefore still subject to the VA offset.

Fortunately, legislation provided in previous defense bills extends Combat Related Special Compensation (CRSC) to retirees with less than 20 years of service with combat or operations-related disabilities. Unfortunately, retirees with non-combat disabilities forced to retire short of 20 years of service still have to fund their VA compensation dollar-for-dollar from their disability retirement from DoD, and this year funding of concurrent receipt for these Chapter 61 medical retirees is not included in the administration’s budget.

AUSA supports legislation that establishes a presumption of service connection for veterans with Hepatitis C (HCV).

The rules for interment in Arlington National Cemetery (ANC) have never been codified in public law. Twice the House has passed legislation to codify rules for burial in Arlington National Cemetery. However, the

legislation has not passed in the Senate. AUSA supports a negotiated settlement of differences between the House and Senate concerning codification of rules for burial in Arlington National Cemetery. Further, “gray area” reservists eligible for military retirement should be included among those eligible for interment at Arlington National Cemetery.

AUSA appreciates the help of the Veterans Administration in modernizing the records keeping and oversight of Arlington National Cemetery, but strongly urges that its administration should remain in control of the United States Army.

AUSA remains opposed to the imposition of an annual deductible on veterans already enrolled in VA health care and any increase in the co-payment charged to many veterans for prescription drugs. AUSA urges Congress to continue to oppose such fees.

AUSA supports continuing congressional efforts to help homeless veterans find housing and other necessities, which would allow them to re-enter the workforce and become productive citizens.

Much more needs to be done to ensure that returning combat veterans, as well as all other service men and women who complete their term of service or retire from service receive timely access to VA benefits and services. This issue encompasses developing and deploying an interoperable, bi-directional and standards-based electronic medical record; a “one-stop” separation physical supported by an electronic separation document (DD-214); benefits determination before discharge; sharing of information on occupational exposures from military operations and related initiatives. AUSA strongly recommends accelerated efforts to realize the goal of “seamless transition” plans and programs and is concerned that the leadership of the VA and DoD have made limited progress in the creation of total systems integration that is represented by the DoD – VA integrated electronic health record.

We encourage other positive steps toward mutual cooperation taken by the Department of Defense (DOD) and the VA. The closer we can come to a seamless flow of a servicemember's personnel and health files from service entry to burial, the more likely it will be that former service members receive all the benefits to which they are entitled. AUSA supports closer DOD-VA collaboration and planning including billing, accounting, IT

systems, patient records, but not total integration of facilities nor of VA/DOD healthcare systems.

AUSA strongly supports preservation of dual eligibility of uniformed service retirees for VA and DOD healthcare systems. We applaud Congress' opposition to "forced choice" in the past and encourage you to hold the line in the future.

AUSA recognizes that progress is being made in reducing the unacceptably high numbers of backlogged disability claims. The key to sustained improvement in claims processing rests on adequate funding to attract and retain a high quality workforce to match the introduction of advanced technology into the VA information management system.

The committees safeguard the treatment of America's veterans on behalf of the nation. AUSA knows that you take this responsibility seriously and treat this privilege with the gratitude and respect it deserves. Although your tenure is temporary, the impact of your actions lasts as long as this country survives and affects directly the lives of a precious American resource - her military veterans. As you make your decisions, please do not forget the

commitment made to America's veterans when they accepted the challenges and answered the nation's call to serve.

Thank you for the opportunity to submit testimony on behalf of the members of the Association of the United States Army, their families, and today's soldiers who are tomorrow's veterans.