



AFSA Chapter 567 Legislative Bulletin 2011-001
The Chindit Chapter
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1. Government Shutdown Looms. Will Military Pay be Affected? The Obama Administration is threatening that a government shutdown would jeopardize military pay. Although the previous government shutdown did not result in such a pay freeze, President Obama has told the Republican-led House that this could happen. Many view this threat as pressure being exerted on the House to reach a compromise on the budget for the rest of FY 2011 that the Administration could support. The current continuing resolution expires tomorrow.

2. Rep. Bachman Introduces Bill to Stop TRICARE Increases. On March 31, Rep. Michelle Bachman, R-Minn., introduced H.R. 1285, the "Military Health Care Affordability Act," which would prohibit increases in fees for military health care before fiscal year 2014. The text of the bill reads:

A BILL

To amend title 10, United States Code, to prohibit certain increases in fees for military health care before fiscal year 2014.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Military Health Care Affordability Act'.

SEC. 2. FINDINGS AND SENSE OF CONGRESS.

(a) Findings- Congress finds the following:

(1) America's warriors offer a life of supreme devotion in service to their Nation, and through generations of war-fighting, their dedication has proven honorable, their sacrifice immeasurable, and their record of excellence undeniable.

(2) No American goes to war alone--the burden of every Soldier, Sailor, Airman, and Marine is shared, in part, by all of his or her loved ones.

(b) Sense of Congress- It is the sense of Congress that--

(1) so long as the United States sends men and women into battle, the United States will be faithful to care for them upon their return;

(2) as the veteran answered the call of duty, so too, is the United States duty-bound to answer the call of the veteran;

(3) the Department of Defense and the Department of Veterans Affairs have the tools and ingenuity to provide continued excellent health care without increasing TRICARE payments from the veteran before fiscal year 2014; and

(4) in the words of President Abraham Lincoln, 'let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.'

SEC. 3. PROHIBITION ON INCREASES OF CERTAIN HEALTH COSTS AND RESTRICTIONS ON HEALTH BENEFIT ADJUSTMENTS FOR MEMBERS AND RETIREES OF THE UNIFORMED SERVICES AND THEIR DEPENDENTS.

(a) Prohibition on Increase in Charges Under Contracts for Medical Care- Section 1097(e) of title 10, United States Code, is amended by striking 'September 30, 2011' and inserting 'September 30, 2013'.

(b) Prohibition on Increase in Amount of Cost Sharing Requirement Under Pharmacy Benefits Program- Section 1074g(a)(6)(A) of title 10, United States Code, is amended by adding at the end the following: 'The dollar amount of a cost sharing requirement (whether established as a percentage or a fixed dollar amount) may not be increased during the period beginning on October 1, 2011, and ending on September 30, 2013.'

(c) Prohibition on Increase in Charges for Inpatient Care- Section 1086(b)(3) of title 10, United States Code, is amended by striking 'September 30, 2011' and inserting 'September 30, 2013'.

(d) Prohibition on Increase in Premiums Under TRICARE Coverage for Certain Members in the Selected Reserve- Section 1076d(d)(3) of title 10, United States Code, is amended--

(1) in subparagraph (A), by striking 'The monthly' and inserting 'Except as provided by subparagraph (C), the monthly'; and

(2) by adding at the end the following new paragraph:

`(C) During the period beginning on October 1, 2011, and ending on September 30, 2013, the monthly amount of the premium for TRICARE Standard coverage under this section may not be increased to be more than the amount in effect for the month of September 2011.'

(e) Prohibition on Increase in Premiums Under TRICARE Coverage for Certain Members of the Retired Reserve- Section 1076e(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

`(6) During the period beginning on October 1, 2011, and ending on September 30, 2013, the monthly amount of the premium for TRICARE Standard coverage under this section may not be increased to be more than the amount in effect for the month of September 2011.'

(f) Prohibition on Increase in Premiums Under TRICARE Coverage for Certain Dependents- Section 1110b(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

`(5) During the period beginning on October 1, 2011, and ending on September 30, 2013, the monthly amount of the premium for coverage under the TRICARE program provided pursuant to this section may not be increased to be more than the amount in effect for the month of September 2011.'

(end of bill text of H.R. 1285)

If the matter of TRICARE fee increases is important to you, this would be a good bill to support.

3. DoD to Drop Social Security Numbers from ID Cards. According to the Air Force Personnel Center, "Beginning June 1, Social Security numbers on military identification cards will begin to disappear, said Air Force Maj. Monica M. Matoush, a Pentagon spokeswoman. The effort is part of a larger plan to protect service members and other DOD identification card holders from identity theft, officials said. Criminals use Social Security numbers to steal identities, allowing them to pillage resources, establish credit or to hijack credit cards, bank accounts or debit cards. Currently, the Social Security number is printed on the back of common access cards, and on the front of cards issued to dependents and retirees. Beginning in June, when current cards expire, they will be replaced with new cards having a DOD identification number replacing the Social Security number, officials said. The DOD identification number is a unique 10-digit number that is assigned to every person with a direct relationship with the department. The new number also will be the service member's Geneva Convention identification number. An 11-digit DOD benefits number also will appear on the cards of those people eligible for DOD benefits. The first nine digits are common to a sponsor, the official said, and the last two digits will identify a specific person within the sponsor's family. Social Security numbers embedded in the bar codes on the back

of identification cards will remain there for the time being, and will be phased out beginning in 2012. The department will replace identification cards as they expire. "Because cards will be replaced upon expiration, it will be approximately four years until all cards are replaced with the DOD ID number," Matoush said. The identity protection program began in 2008, when DOD started removing Social Security numbers from family member identification cards."

4. TRICARE Young Adult Program Coming Soon. According to the TRICARE Management Authority, "Qualified TRICARE dependents up to age 26 can soon purchase TRICARE coverage on a month-to-month basis. To qualify to purchase TRICARE Young Adult (TYA) coverage, dependents must be under 26, unmarried and not eligible for their own employer-sponsor health coverage. TYA will initially offer a premium-based TRICARE Standard benefit with a premium-based TRICARE Prime benefit phased in later this year. Eligible family members who receive health care services between Jan. 1, 2011 and when the program is implemented can purchase TYA coverage retroactively to Jan. 1, 2011. Beneficiaries should save their receipts. Premium costs will be announced prior to start of enrollment later this spring. Once premiums are determined, TYA-eligible beneficiaries should explore all of their health care coverage options to choose a plan that makes sense for them." It should be noted that this program will probably be quite expensive. Although DoD was told to implement this program, Congress did not set fees; so it is probable that DoD will set fees to make the program entirely self-sustaining.

5. VA Extends Post-Incarceration Health Care. The Department of Veterans Affairs (VA) will extend health care to eligible Veterans in halfway houses and other temporary, post-incarceration housing under a new program aimed at cutting back on repeat offenses. To read more, go to: <http://www.va.gov/opa/pressrel/pressrelease.cfm?id=2074>

6. Bills of Interest Introduced March 30-April 6, 2011.

March 30.

H.R. 1260, by Rep. Bruce L. Braley, D-Iowa, would provide for the preservation by the Department of Defense of documentary evidence of the Department of Defense on incidents of sexual assault and sexual harassment in the military.

H.R. 1263, by Rep. Bob Filner, D-Calif., would amend the Servicemembers Civil Relief Act to provide surviving spouses with certain protections relating to mortgages and mortgage foreclosures.

March 31.

H.R. 1283, by Rep. Tom Latham, R-Iowa, would eliminate the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for non-regular service.

H.R. 1284, by Rep. Joe Baca, D-Calif., would enhance the suicide prevention program of the Department of Defense by specifically requiring suicide prevention training during recruit basic training, preseparation counseling, and mental health assessments.

H.R. 1285, by Rep. Michele Bachmann, R-Minn., would prohibit certain increases in fees for military health care before fiscal year 2014.

H.R. 1297, by Rep. Louie Gohmert, R-Texas, would appropriate such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, continue to receive pay and allowances for active service performed when a funding gap caused by the failure to enact interim or full-year appropriations for the Armed Forces occurs, which results in the furlough of non-emergency personnel and the curtailment of Government activities and services.

H.R. 1298, by Rep. Frank A. LoBiondo, R-N.J., would direct the Secretary of Veterans Affairs to conduct cost-benefit analyses for the provision of medical care by the Department of Veterans Affairs in certain geographic areas served by multiple Department of Veterans Affairs medical facilities.

S. 696, by Sen. Jon Tester, D-Mont., would treat Vet Centers as Department of Veterans Affairs facilities for purposes of payments or allowances for beneficiary travel to Department facilities.

S. 698, by Sen. Mark R. Warner, D-Va., would codify the prohibition against the reservation of gravesites at Arlington National Cemetery.

April 1 – None

April 4.

H.R. 1342, by Rep. Mazie Hirono, D-Hawaii, would reauthorize the impact aid program under the Elementary and Secondary Education Act of 1965.

H.R. 1362, by Rep. Kevin Yoder, R-Kansas, would ensure that members of the Armed Forces continue to receive their pay and allowances despite a shutdown of the Federal Government and in the event that the debt of the United States Government reaches the statutory limit.

H.R. 1363, by Rep. Harold Rogers, R-Kentucky, would make appropriations for the Department of Defense for the fiscal year ending September 30, 2011.

S. 721, by Sen. Kay Bailey Hutchison, R-Texas, would appropriate such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, continue to receive pay and allowances for active service performed when a funding gap caused by the failure to enact interim or full-year appropriations for the Armed Forces occurs,

which results in the furlough of non-emergency personnel and the curtailment of Government activities and services.

April 5.

S. 724, by Sen. Kay Bailey Hutchison, R-Texas, would appropriate such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, and supporting civilian and contractor personnel continue to receive pay and allowances for active service performed when a funding gap caused by the failure to enact interim or full-year appropriations for the Armed Forces occurs, which results in the furlough of non-emergency personnel and the curtailment of Government activities and services.

S. 731, by Sen. Mark Begich, D-Alaska, would provide travel and transportation allowances for members of the reserve components for long distance and certain other travel to inactive duty training.

April 6.

H.R. 1383, by Rep. Jeff Miller, R-Fla., would temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010.

H.R. 1392, by Rep. Michael G. Fitzpatrick, R-Pa., would provide assistance to veterans and veteran-owned businesses with respect to contract opportunities.

H.R. 1407, by Rep. Jon Runyan, R-N.J., would increase, effective as of December 1, 2011, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

S. 745, by Sen. Charles E. Schumer, D-N.Y., would protect certain veterans who would otherwise be subject to a reduction in educational assistance benefits.

(end)