

Retirement and Military Personnel

The VFW's Concerns:

The VFW has long argued that Department of Defense (DOD) retirement pay and Department of Veterans Affairs (VA) service-connected disability compensation are fundamentally different benefits, earned for different reasons. Military retirees with 20 or more years of service and who are less than 50 percent service-connected disabled are required to offset their retiree pay with the amount of VA disability compensation they receive. Similarly, Chapter 61 retirees who were medically retired with less than 20 years of military service face the same dollar-for-dollar offset. As a result, some disability retirees are separated before becoming eligible for longevity retirement, while others have completed 20 or more years of service. Currently, more than 48,000 Chapter 61 retirees who sustained combat-related injuries while serving are unjustly being denied the benefits they deserve.

In the past few years, the Military Housing Privatization Initiative (MHPI) program has been plagued with widespread complaints of neglected or careless repairs and unsafe conditions including mold, lead-based paint, asbestos, poor water quality, and sewage. In response, DOD implemented a bill of rights to ensure tenants receive quality housing and fair treatment from contracted housing companies, including access to seven years of historical maintenance records prior to lease signing and upon request. Yet, Congress and service members do not have a centralized tool that provides information about base housing and related housing company performance, making proactive oversight and informed housing choices difficult.

As part of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2019, Congress implemented several changes to the Transition Assistance Program (TAP). From March 2020 to February 2021, VFW service officers collected 1,100 surveys from transitioning members, their families, and veterans. Results indicated that some of the new TAP mandates are not being carried out as Congress intended, such as participation no later than 365 days before separation, completion of at least one track, and connection to resources in the geographic areas members will reside after service.

Members of the armed forces can receive different types of separation documents depending on individual service characteristics such as duty status and time served. While the DD Form 214 (DD 214) is the widely accepted standard for proof of military service, members of the Guard and Reserve receive a DD 214 only under certain conditions. Moreover, a 2019 RAND Corporation study found that the DD 214 neither captures cumulative service for these members nor includes Guard and Reserve data, complicating access to the full breadth of their earned benefits.

The VFW urges Congress to:

- Pass H.R. 1282 / S. 344, *Major Richard Star Act*, which would enable Chapter 61 veterans who have been discharged due to combat-related injuries to be entitled to DOD retirement pay and VA disability compensation without offset.
- Enact legislation to implement a new online comparison tool for housing, similar to the GI Bill Comparison Tool, which would also serve as a central information center for oversight.
- Conduct periodic Committee on Armed Services hearings on transition, and commission a study to understand the fidelity with which each element of TAP is being implemented across DOD sites.
- Pass S. 1291, *Record of Military Service for Members of the Armed Forces Act of 2021*, which would enable accurate accounting of service periods and milestones for all active duty and Guard and Reserve members via a single, standard record of military service.
- Pass H.R. 3224 / S. 1611, *I am Vanessa Guillén Act of 2021*, which would help eliminate sexual assault and harassment in the military.