



**RESOLUTIONS OF THE  
NON COMMISSIONED OFFICERS ASSOCIATION  
OF THE UNITED STATES OF AMERICA  
2019 – 2020**

**As Approved at the NCOA Annual General Membership Meeting, San Antonio, Texas, July 17, 2019**

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## **EMPLOYMENT INCENTIVES FOR EMPLOYERS OF RESERVISTS**

WHEREAS, the majority of National Guard and Reserve personnel earn their living working for private industry and not for the military or government;

WHEREAS, employers of Reservists suffer many inconveniences when allowing Reservists to fulfill their commitment in service to the country and the military;

WHEREAS, many of these employers must sacrifice the services of some of their key personnel when Reservists are mobilized, ordered to active duty training, or required to attend schools;

WHEREAS, the smaller businesses many times endure hardship due to loss of one or more of their employees who are keys to business production and success;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall urge the Congress of the United States to create employment incentives for all businesses that employ National Guard and Reserve personnel.

## **FEDERAL TORT PROTECTION FOR RESERVE AND GUARD**

WHEREAS, Federal, State and local leaders strongly endorse the participation of members of the National Guard in the National Drug Enforcement Program;

WHEREAS, National Guard members are and will be working in support roles with law enforcement agencies such as U.S. Customs and State Highway Patrol;

WHEREAS, even in these supporting roles, National Guard members are and will continue to be exposed to the risk of litigation for such torts as “assault, battery, false arrest, malicious prosecution, and abuse of process”;

WHEREAS, in their Federal status, “National Guard members are not afforded the same protection of the Federal Tort Claims Act as other government employees;

WHEREAS, coverage under the Federal Tort Claims Act of such torts as “assault, battery, false arrest, malicious prosecution, and abuse of process,” does not extend to government employees other than “investigative or law enforcement” officers empowered to execute searches, seize evidence, and make arrest for violations of Federal law;

WHEREAS, since National Guard members are not investigative or law enforcement officers, they have insufficient protection for the type of litigation they could be exposed to by their participation in the Nation’s drug enforcement program;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA), urge the Congress of the United States to extend to National Guard members participating in the Nation’s drug interdiction and eradication programs the same protection given Federal “investigative or law enforcement” officers;

THEREFORE, BE IT FURTHER RESOLVED, those members of the National Guard participating in border security in support of Homeland Security have all protections under the Federal Tort Claims Act as other government employees.

## **POST 9/11 GI BILL FOR GUARD AND RESERVES**

WHEREAS, the Post 9/11 GI Bill provided a comprehensive educational benefit for active duty personnel including benefits that match the cost of education, usage periods of 15 year following service, book and living allowances;

WHEREAS, the educational entitlement provided no additional upgraded incentives to volunteers who joined the Selected Reserves;

WHEREAS, the existing Montgomery GI Bill offered the Selected Reserves in comparison to the Post 9/11 benefit has deteriorated from a historic benchmark of 47-50% to a ratio of 24.9% of that offered active duty personnel;

WHEREAS, the educational benefit for the Selected Reserves is not solely about proportional equity but ultimately essential to successful recruitment to ensure an effective force multiplier capability for the Armed Forces;

WHEREAS, the Non Commissioned Officers Association of the USA (NCOA) strongly recommends that all educational benefits for active duty and Selected Reserve Components should be integrated into Title 38;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) recommends the restoration of historical proportional equity of educational benefits of the Selected Reserve at the 47-70% benchmark;

THEREFORE, BE IT FURTHER RESOLVED, that NCOA will seek benefit eligibility authorized active duty members in the Post 9/11 Education Program for those members of the Selected Reserve who fulfilled 9/11 mobility requirements;

THEREFORE, BE IT FURTHER RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will further pursue 9/11 educational improvements for all Reserve members on active duty orders or transferred out of Selected Reserve status due to loss of assignment billet.

## **PROPORTIONAL RESERVE RETIREMENT**

WHEREAS, members of the reserve components are required to meet minimum physical deployability standards identical to those active component members;

WHEREAS, reserve component members, unlike their active counterparts, have no statutory protection if they become medically unfit and have not satisfied the years of service requirement for retirement eligibility;

WHEREAS, even when disqualifying medical conditions are detected and reported and because no statutory protection exists, there is a reluctance to remove individuals from the reserve components except in the most compelling and obvious cases, especially for individuals who are only a few years shy of completing 20 years service;

WHEREAS, this situation contributes to a degradation of reserve component readiness and overall military readiness is lowered;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall seek legislation that would extend limited benefits and proportional retirement to reserve component members with more than 8 but less than 20 years of qualifying service who become non-deployable and no-retainable for medical reasons.

## **RESERVE COMPONENT FULL TIME SUPPORT (FTS)**

WHEREAS, the high combat readiness of reserve component units is absolutely essential to national security;

WHEREAS, the capability of reserve component units to effectively and decisively perform their vital national defense mission depends upon the ability of these forces to deploy for combat with little or very short notice;

WHEREAS, the combat readiness of reserve components is made possible by and enhanced through the dedicated, experienced and forceful leadership of the full time support staff, comprised of active duty members, active guard/reserve members (AGR) and military technician (MT) personnel;

WHEREAS, to sustain and further enhance the combat readiness of the reserve components, sufficient full time support staff, to perform the demanding administrative, maintenance and operational activities, is absolutely essential;

WHEREAS, military strength reductions are now affecting the staffing levels of reserve component full-time support personnel and negatively impacting the combat readiness of first to deploy and early-deploying reserve component units;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall support levels of full-time support for the reserve components that are sufficient to maintain and enhance the combat readiness of the force, especially for first-to-deploy and early deploying combat and combat support units.

## **RESERVE TRAINING POINTS**

WHEREAS, the evolution of the Total Force policy has substantially increased the training demands, both military and professional/.technical, placed upon National Guard and Reserve members;

WHEREAS, these training demands now considerably exceed the traditional Guard and Reserve training scheme of one weekend per month and two weeks each year;

WHEREAS, the law governing crediting of retirement points earned through inactive duty training were written in 1947 and are antiquated and inconsistent with the modern day levels of training required of and performed by National Guard and Reserve members;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall seek and support legislation to increase the inactive duty training points credible for retirement to a level commensurate with the inactive duty training required of and performed by National Guard and Reserve members;

THEREFORE, BE IT RESOLVED, the Association will support other revisions and reforms in the point program beneficial to NCOA members.

## **SPACE AVAILABLE TRAVEL FOR SELECTED RESERVE GRAY AREA RETIREES**

WHEREAS, Gray Area Reserve Retirees and their dependents are ineligible for Space Available military travel as they are not by Statute in receipt of retired pay;

WHEREAS, formal retirement of a Gray Area member of the Selected Reserve requires attainment of 20 or more years of honorable service and have attained the age of 60 to fulfill the formal criteria for retirement from the Selected Reserve;

WHEREAS, the honorable service of a committed Reserve Component career warrants appropriate benefits such as Space Available be afforded to Gray Area Retirees whose service may include active duty deployments in support of war time operations;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will seek and support regulatory and/or legislative change to establish Space Available Travel Authority in an appropriate priority afforded other military retirees and their dependents.

## **TAX DEDUCTIONS FOR RESERVE COMPONENTS**

WHEREAS, the U.S. Tax Code has been amended and the consequences of some of those changes have proved harmful to reserve component personnel;

WHEREAS, U.S. Tax Code amendments harmful to reserve component personnel were enacted subsequent to adoption of the Total Force policy of the United States and have proved counter-productive to that policy;

WHEREAS, current law exhibits a lack of consideration for the unique demands of reserve component service;

WHEREAS, prior to 1986, reserve component personnel were authorized to reduce their federal income taxes by deducting expenses incurred in an inactive duty status while traveling to and from their domicile to federal training facilities to fulfill their military service obligation;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall seek amendment to the U.S. Tax Code that would restore deductions for reserve component personnel for inactive duty training expenses incurred while traveling to and from their domicile to sites where their military duty is performed.

## **UNEMPLOYMENT INSURANCE (UI) BENEFITS FOR GUARD AND RESERVE PERSONNEL**

WHEREAS, Guard and Reserve personnel are authorized State Unemployment Insurance (UI) Benefits based on the loss of their primary civilian job;

WHEREAS, eligibility for State UI Benefits are determined by each State which precludes a standardized national UI benefit policy for Guard and Reserve personnel;

WHEREAS, some States totally disenfranchise Guard and Reserve personnel from receipt of UI benefits based on the limited income of drill pay;

WHEREAS, some States reduce the monthly UI benefit of Guard and Reserve personnel based on receipt of limited income derived from drill pay;

WHEREAS, some Guard and Reserve personnel have been forced to terminate their service careers to qualify for UI income when their primary job has been lost;

WHEREAS, the loss of Guard and Reserve personnel experience and contribution to unit readiness due to the aforementioned circumstance is unacceptable;

THEREFORE, LET IT BE RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will seek national legislation to standardize Unemployment Insurance Benefits to protect the rights of members of the Guard and Reserve;

THEREFORE, BE IT FURTHER RESOLVED, that NCOA will also work with the individual States to resolve detrimental UI policies to the benefit of Guard and Reserve personnel.

## **VETERAN STATUS FOR GUARD AND RESERVE**

WHEREAS, certain members of Guard and Reserve forces may complete twenty years of qualifying service for retirement without ever having been called to active duty are denied full veteran status by Title 38;

WHEREAS, these men and women have served honorably and with personal sacrifice to fulfill their military commitments,

WHEREAS, their respective service did not have a military requirement to activate them to active duty status;

WHEREAS, qualifying members of the Guard/Reserve at age 60 are entitled to reserve retired military pay, government health care and other benefits of service including some veteran benefits;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will seek legislation to amend Title 38 to include in the definition(s) of "veteran" retirees of the Guard/Reserve Components who have completed 20 years of service but not considered to be veterans under the current statutory definitions.

## **FERES DOCTRINE**

WHEREAS, members of the armed forces are prohibited from suing the government for damages related to poor medical treatment provided in military hospitals;

WHEREAS, this prohibition is based on a Supreme Court decision that such lawsuits would impair the good order and discipline of the Service;

WHEREAS, medical malpractice is an increasing problem which should be corrected;

THEREFORE, BE IT RESOLVED, the Non Commissioned Officers Association of the USA (NCOA) shall support equitable legislation to overturn the Feres Doctrine to allow for lawsuits or other just compensation in certain cases involving military medical malpractice.

## **MILITARY HEALTH CARE**

WHEREAS, the purpose of Military Health Care, as stated in Title 10 U.S.C., Chapter 55, is “to create and maintain high morale in the uniformed service by providing an improved and uniform program of medical and dental care for members of those services, and for their dependents”;

WHEREAS, Military Health Care is an earned entitlement based on promises made by the military services, acting as agents of the federal government, to personnel as inducements to enlist, reenlist and stay for military careers;

WHEREAS, it is reasonable, based on a 1974 House Armed Service Committee report, that furnishing free medical care to non-active duty beneficiaries is a high moral obligation on the part of Congress;

WHEREAS, availability of care has been diminished in recent years;

WHEREAS, lack of care availability has transferred cost to patients who are forced to seek civilian alternative care;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall petition the Congress of the United States to furnish free medical, dental, and mental health care for all members of the Uniformed Services to include active duty and retired service members and their dependents and survivors.

## **PRESEVATION OF HEALTH CARE BENEFITS FOR DUAL ELIGIBLE BENEFICIARIES**

WHEREAS, military retirees are entitled to obtain health care through TRICARE until age 65 and TRICARE For Life after age 65;

WHEREAS, some military retirees are also entitled to receive health care from the Department of Veterans Affairs for a service-connected disability, thus making them eligible for health care from both the Department of Defense and the Department of Veterans Affairs;

WHEREAS, dual-eligible military retirees have earned their health care benefits under each Department for different reasons;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall work to prevent any legislative initiative to force dual-eligible military retirees to choose between their disparate earned benefits.

## **REQUIRE SPECIALIZED MEDICAL SERVICES FOR WOMEN VETERANS**

WHEREAS, women veterans are one of the fastest growing segments of the veteran population;

WHEREAS, there are approximately 1.8 million women veterans;

WHEREAS, women veterans today comprise 7.5 percent of the total veteran population and nearly 5.5 percent of all veterans who use veterans health services;

WHEREAS, VA estimates that women will constitute 10 percent of the veteran population by 2020;

WHEREAS, 12 percent of all sheltered homeless adults are veterans, and of the overall total; 64 percent of the homeless adults are men and 36 percent are women;

WHEREAS, women have always played a significant role in the military their contribution in the war on terrorism in Operation Enduring Freedom and Operation Iraqi Freedom has placed them at higher risk and personal sacrifice requiring specialized health care services;

WHEREAS, the Non Commissioned Officers Association of the USA (NCOA) responded to a Congressional question on whether or not the Board of Veterans Affairs (BVA) was prepared to handle the increase in the number of women veterans seeking VA health care by stating that VA health care needed to develop both private VA Clinics and offer uniquely specialized care for women veterans;

WHEREAS, the Non Commissioned Officers Association of the USA (NCOA) cited the absence of specialized women health care professional staff, private women clinics, privacy issues, and mental health resources that VA has not focused adequately on unique women gender requirements;

WHEREAS, women veterans have been victims of not only war issue, but have been sexually traumatized through rape, physical and mental abuse by their male comrades-in-arms;

WHEREAS, women veterans suffered further mental and physical anguish in having to prove they were victims of sexual assaults;

WHEREAS, VA health care has been historically oriented on male veterans, it failed to develop adequate specialized resources to manage the health care needs of this fast growing women health care population;

WHEREAS, VA in recent years has begun a number of programs to address the issues associated with women health care clinics, specialized medical needs, mental health care, and privacy issues, it has not implemented timely accessible national program for women veterans;

WHEREAS, special recruiting efforts to secure female professional clinicians and mental health professions is demanded to meet the rising health care requirements of America's women veteran;

WHEREAS, VA needs to conduct research and longitudinal studies to determine consequences of combat stress and physical well-being of women exposed to the horrors of war and the atrocities perpetuated on them by comrades-in arms;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will demand the national expansion of women veteran healthcare through the Veterans Health Administration to provide quality care comparable to men veterans;

THEREFORE, BE IT FURTHER RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will demand that VA will secure women specialists to provide physical and mental expertise and care for women veterans, and conduct an array of research to determine future healthcare needs of women veterans.

## **RURAL HEALTHCARE FOR ALL VETERANS**

WHEREAS, many of America's veterans live in rural areas of the United States and lack direct access to Veterans Health Administration facilities;

WHEREAS, the Congress of the United States of America is attempting to reduce the Nation's massive debt through budget reductions in annual Federal Budget Appropriations;

WHEREAS, the US Department of Veterans Affairs (DVA) must also control their costs while attempting to provide world class healthcare for all veterans;

WHEREAS, even a number of medical facilities have significantly reduced the care provided, like the Roseburg VA hospital (VISN 20), which forces veterans of a small metropolitan area to travel great distances to receive care at a major VAMC or like rural veterans be forced to receive care at limited community facilities;

WHEREAS, those veterans forced to receive non-VA healthcare at community locations are treated by well intentioned professionals that lack experience dealing with war-related trauma injuries and related post traumatic stress disorder;

WHEREAS, many veterans realizing the lack of rural treatment expertise tend to forego treatment because of the bureaucracy and red tape for funding involved;

WHEREAS, veterans deserve the first rate healthcare they are entitled to by the DVA in lieu of being farmed out to healthcare providers who neither understand the healthcare needs of veterans and may be the "lowest bidder" available;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the United States of America (NCOA) urge the Congress and the US Department of Veterans Affairs to provide healthcare of equal competent quality and when necessary regardless of cost in all rural and urban areas within the area of responsibility of the DVA;

THEREFORE, BE IT FURTHER RESOLVED, that the NCOA will seek the funding necessary to provide necessary contracted care to veterans whose residence in rural areas denies them access to healthcare at a DVA facility;

THEREFORE, BE IT FURTHER RESOLVED, that the NCOA will seek Congressional Oversight to ensure that rural healthcare for all veterans is accessible in a timely manner, of highest quality and outcome medical resolution meets DVA standards and that all DVA healthcare delivery facilities, including those whose medical healthcare delivery programs have been previously curtailed, can be appropriately expanded in service delivery for veterans in their VISNs;

THEREFORE, BE IT FURTHER RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will seek the support of military, veteran and medical coalitions to ensure that all veterans are treated equally in their timely access to quality healthcare.

## **STATE NURSING HOME CARE**

WHEREAS, the U.S. Department of Veterans Affairs (VA) will pay full cost of nursing home care for any veterans 70% service-connected or greater, if it is determined by the VA that the veteran requires skilled nursing care;

WHEREAS, currently this benefit is only available if the 70% service-connected disabled or greater veteran requires skilled nursing care and accepts admission to a VA or community contracted nursing home;

WHEREAS, this benefit is not extended to any one of the 117 State Veterans Homes in the United States, but only to community contracted nursing homes;

WHEREAS, this will force veterans who would prefer to reside in a State Veterans Home to have to choose between a State Veterans Home where there is a significant charge payable by the veterans for the care provided and a contracted community nursing home where there is no charge to the veteran;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) supports all legislation that allow State Veterans Homes to admit/retain any eligible veteran who is 70% or greater service-connected disabled and requires skilled nursing care and to receive the full cost of care for the veterans from VA. The State Veterans Home would relinquish the Federal State Home per diem and require no resident charge for those veterans who qualify for the higher benefit.

## **TRICARE PRIME TRAVEL BENEFIT EQUALIZATION/SIMPLIFICATION**

LET IT BE KNOWN, there is a Defense Health Agency (DHA) (formerly, the Tricare Management Activity) Tricare travel benefit reimbursement disparity between what the active duty Tricare Prime enrollees and retired military Tricare Prime enrollees receive for medically necessary travel to receive specialty care in excess of 100 miles from your Military Treatment Facility (MTF) or civilian PCM.

WHEREAS, active duty personnel going TDY to receive specialty care with a privately owned conveyance (POC) would receive a travel reimbursement of lodging, per diem and mileage reimbursements.

WHEREAS, retired military members in the same situation are only entitled to “actual” expenses. These actual expenses include lodging and meals (not the local per diem amount) and gas reimbursement. This is a disparity since mileage reimbursement covers gas and fair wear and tear on your vehicle and just reimbursing gas receipts does not cover the fair wear and tear.

WHEREAS, retired military members receiving care through the Veterans Administration would in the same situation receive a travel reimbursement of lodging, per diem and mileage.

WHEREAS, the DHA states: “the patient does not qualify for a mileage allowance since this is not work related travel. The mileage and per diem allowances can only be paid to a government employed non-medical attendant (NMA) when a doctor prepares a note specifying that the patient requires assistance, in order to receive the referred specialty care, and that it is medically appropriate and necessary for the patient to be accompanied by an adult family member (i.e. the NMA, who in this instance must also be an active duty service member or a government employee) to provide that assistance. This is based on policy from OASD/Health Affairs, TRICARE Management Activity memo of 22 June 2001.

WHEREAS, the Tricare Prime travel benefit reimbursement process is a very difficult and burdensome on our retired military members. The reimbursement process requires eight multiply redundant forms and copies of “all” receipts no matter the amount. Most notable is that they require a Confirmation of Specialty Care form that must be signed by your specialty care doctor to prove that you were there or you will not receive a reimbursement.

THEREFORE, LET IT BE RESOLVED that the Non Commissioned Officers Association of the United States of America petition the Congress of the United States of America to enact such legislation necessary to simplify, streamline and ultimately reduce the paperwork burden on our retired military members.

THEREFORE, BE IT FURTHER RESOLVED that the Non Commissioned Officers Association of the United States of America petition the Congress of the United States of America to enact such legislation necessary to equalize the Tricare Prime travel benefit to match the travel reimbursement standards already given to active duty and Veterans Administration patients.

## **VA MEDICAL CARE**

WHEREAS, the United States has an obligation to provide for the fundamental needs of all veterans who have served in defense of freedom for the Nation;

WHEREAS, the system of medical, nursing, geriatric and domiciliary care facilities is established for this purpose;

WHEREAS, such facilities are a national resource fulfilling an important national moral obligation;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall support the continued growth and expansion of the VA medical care system as required meeting the needs of the veteran population;

THEREFORE, BE IT FURTHER RESOLVED, NCOA shall support legislation that will authorize Medicare to reimburse the VAMCs through Medicare subvention funding in support of veterans over 65 years of age;

THEREFORE, BE IT FURTHER RESOLVED, NCOA shall oppose the collection of co-payments from TRICARE (CHAMPUS) beneficiaries who receive health care from VA medical facilities;

THEREFORE, BE IT FURTHER RESOLVED, NCOA shall oppose any reduction in VA healthcare, staffing or service to veterans.

## COMMISSARY BENEFIT

WHEREAS, availability of and access to the commissary system is vital to the quality of life for the eligible patrons and the loss of the benefit would have a significant impact on the recruiting and retention abilities of the armed forces;

WHEREAS, the cost savings realized by eligible commissary patrons because of commissary availability has historically been identified as a benefit used to minimize the amount of annual compensation realized by active duty, Guard, Reserve, and retired military personnel;

WHEREAS, the Department of Defense is aggressively seeking ways to operate within the confines of a reduced DoD budget by considering significant changes to the commissary benefit;

WHEREAS, the Congress and the Administration are seeking alternative measures to provide the annual government subsidy used to operate the commissary system;

WHEREAS, the loss of the current government subsidy would not in itself result in the elimination of the commissary system, but it would force an increase in price of commissary goods, thus eliminating the 25 to 30 percent savings normally realized by the patronage base;

WHEREAS, subsidy loss would make the commissary system self-sustaining and would not only force price increases, but would ultimately result in an effort to increase the current 5% "surcharge" over the increase prices;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will support the expansion of the eligible patronage base but will oppose any effort of the administration, Congress, or the Department of Defense to:

- Eliminate or reduce the government subsidy.
- Close profitable commissary stores.
- Increase "surcharges" for any single group of commissary patrons.
- Deny commissary access to any currently eligible patronage group.

## **MILITARY FAMILIES**

WHEREAS, the Department of Defense (DoD) and each of the five armed forces recognize that families have an important impact on combat readiness;

WHEREAS, combat readiness depends not only on the number of people in the force, but also on the degree of their commitment, their willingness to train, to deploy and, if necessary, to fight;

WHEREAS, that commitment requires that the civilian and military leaders of this great Nation recognize that the demand for reciprocity of that commitment forms a partnership between the military departments and the members' families;

WHEREAS, that partnership constitutes a reciprocal relationship built on moral and ethical responsibilities and statutory and regulatory requirements, each with the mutual understanding of the mission and commitment to each other;

THEREFORE, BE IT RESOLVED, the Non Commissioned Officers Association of the USA (NCOA) shall work to improve the quality-of-life for military families through increased involvement with the Family Program Offices in DoD, each of the Military Departments, and the Coast Guard;

THEREFORE, BE IT FURTHER RESOLVED, that NCOA shall include specific Family Program issues as part of legislative initiatives in written and oral testimony before the Congress to cause the Members of both Houses to be more sensitive to the critical influence families have on combat readiness.

## **MWR ACTIVITIES**

WHEREAS, the state of a service member's well-being, both mental and physical, is the key to his or her effectiveness as a defender of the Nation;

WHEREAS, the ability of the service member to execute his or her mission efficiently and such execution depends on activities that enhance the mental and physical well-being of the service member as an individual and a team player;

WHEREAS, it is necessary to continue the relationship between the individual's morale and military effectiveness;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall seek the support of Congress and the Administration to provide the very best of morale, welfare, and recreational facilities and activities, as well as quality-of-life improvements, that directly enhance the ability of the service member to dedicate himself or herself to maintain a high degree of readiness in support of the Armed Forces of the United States.

## **QUALITY OF LIFE**

WHEREAS, it is of great importance to the readiness of the Armed Forces of the United States to provide and improve those facilities and programs related to where service members live and work;

WHEREAS, more than one-half of the Nation's uniformed service members are married or with dependent children;

WHEREAS, single service members deserve equal consideration in quality-of-life issues;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall support military construction authorization and appropriation necessary to maintain quality-of-life support for the armed forces;

THEREFORE, BE IT FURTHER RESOLVED, that NCOA will also exercise its efforts to seek adequate federal funds to satisfactorily operate and maintain these facilities and programs, and seek fairness and equity in the statutes and regulations pertaining to the issues found in all military construction and family housing programs.

## **SPACE A TRAVEL WITHIN CONUS FOR ELIGIBLE FAMILY MEMBERS**

WHEREAS, eligible family members are authorized to utilize Space A Travel to and from overseas locations,

WHEREAS, there are numerous CONUS military flights traveling to various locations daily and Space A Travel seats are usually available;

WHEREAS, over the past few years the number of people traveling via commercial flights has steadily increased and military families traveling Space A would not impact the private sector;

WHEREAS, allowing eligible family members to use Space A Travel within the CONUS would be an important quality-of-life and retention incentive;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) along with the Total Force will seek and support regulatory and/or legislative change to extend CONUS Space A Travel privileges to eligible family members of members of the uniformed services and retirees.

## **ENLISTED PARTICIPATION ON PRESIDENTIAL AND/OR CONGRESSIONAL ENTITIES**

WHEREAS, future Presidential and/or Congressional panels, committees, or any other entity that review and/or make recommendations regarding benefits for active duty, guard, reserves, retirees, veterans and eligible family members and survivors;

WHEREAS, the members of Presidential and/or Congressional panels, committees, or any other entity are comprised of members of congress and officers only; without enlisted representation;

WHEREAS, senior enlisted members of the armed forces are an integral part of the decision process for the enlisted force;

THEREFORE, BE IT RESOLVED, the Noncommissioned Officers Association of the United States of America (NCOA) advocates legislation when the President of the United States or Congress appoints members for such panels, committees, or any other entity to review and/or recommends changes to military and/or veteran benefits or entitlements regarding the enlisted forces, 25% of the members be active duty or retired senior enlisted (E-9).

## **MILITARY COMPENSATION**

WHEREAS, it is the purpose of the military compensation program to provide adequate pay, special pays, allowances and benefits-in-kind to assure comparability with that offered to civilian employees and the retention of high quality personnel;

WHEREAS, it is necessary to adjust the compensation of service members so as to consider the unique nature of their service;

WHEREAS, it is the Association's goal to insure that compensation is fairly provided within the military structure based on grade, time-in-service, responsibility, and degree of exposure to hostile or unsafe environments;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall use its resources to obtain adequate compensation for service members, particularly for enlisted members of the active and reserve components of the U.S. Armed Forces, to include basic pay, subsistence and quarters (housing) allowances, special and incentive pays, retired pay, hostile fire pay, severance, and rehabilitation pays and miscellaneous benefits-in-kind provided in lieu of pay or allowances;

THEREFORE, BE IT FURTHER RESOLVED, that NCOA shall continue its effort to have Congress address and correct compression that has occurred in the pay of noncommissioned and petty officers over more than two decades of authorized military pay increases.

## **TRAVEL AND TRANSFER ALLOWANCES**

WHEREAS, military personnel absorb a large amount of out-of-pocket expenses when directed by their armed forces to execute change of station (PCS) or temporary duty orders;

WHEREAS, orders are normally executed on an involuntary basis;

WHEREAS, federal civilian employees are reimbursed for most of their government-directed moving expenses, thereby, causing a glaring inequity between service members and Department of Defense civilian employees;

THEREFORE, LET IT BE RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall use its resources to improve PCS, temporary duty transition allowances and travel and transportation reimbursements for active duty and reserve military personnel; to include but not be limited to; mileage allowances, temporary lodging expenses, dislocation allowances.

## **ARMED FORCES RETIREMENT HOME**

WHEREAS, the United States Soldiers' and Airmen's Home located in Washington, D.C., and the Naval Home located in Gulfport, Mississippi, were placed under an administrative umbrella titled the Armed Forces Retirement Home when Congress enacted the Defense Authorization Act, Public Law 101 – 510, in 1991, which standardized the operations for both homes, including how they would be funded;

WHEREAS, the Armed Forces Retirement Home relied on financing through active-duty enlisted and warrant officer payroll deduction and monies received through fines and forfeitures from military disciplinary actions;

WHEREAS, the force reductions occurring in the armed forces, coupled with a significant decrease in the amounts of money received through fines and forfeitures levied on the remaining high quality force, has made the current means of financing the homes inadequate;

WHEREAS, the Armed Forces Retirement Home has existed for 150 years and the continued operation of the facilities is an enlisted and warrant officer responsibility;

THEREFORE, BE IT RESOLVED, the Non Commissioned Officers Association of the USA (NCOA) will recommend and support legislation needed to ensure the continued existence and operation of both Armed Force Retirement Homes.

## **CONCURRENT RECEIPT**

WHEREAS, many military retirees suffered injuries or illnesses during their service in the armed forces;

WHEREAS, many retirees are concurrently eligible for military retired pay based on length of service and veterans disability compensation based on injury or illness related to service;

WHEREAS, NCOA and its legislative coalition partners successfully achieved the concurrent receipt of longevity military retirees rated 50 percent or higher by the Department of Veterans Affairs over a projected 10 year period;

WHEREAS, other military retirees (less than 50 percent disabled) must forfeit pay in an amount equal to disability compensation they receive;

WHEREAS, all other federal employees who are entitled to receive pay or retired pay, and disability compensation may receive both without offset;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall support all legislation allowing all military retirees to concurrently receive military retired pay and veterans' disability compensation.

## **MILITARY RETIREES**

WHEREAS, retired members of the Armed Forces of the United States, by virtue of their long and faithful service to the Republic in war and peace, were promised certain benefits for the sacrifices they endured over the years;

WHEREAS, many of these benefits have been and are being eroded by both elected and appointed federal and state officials;

WHEREAS, the sacrifices and services of retired members of the armed forces are being forgotten or ignored by the very citizenry whose continued pursuit of liberty, freedom, and justice is the result of the former members' unselfish commitments;

THEREFORE, LET IT BE RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall continue its efforts to maintain awareness of the sacrifices and honorable service of retired members of the active and reserve components of the Armed Forces of the United States before the Congress of the United States and maximize its resources to sustain and improve the benefits promised to those members by an earlier Congress for devoting most of their adult lives in the military uniforms of their country;

THEREFORE, BE IT FURTHER RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall always subscribe to the belief that the sacrifices of our military retirees will never have been in vain.

## **MILITARY RETIREMENT SYSTEM REFORM**

WHEREAS, there is currently a disparity in military retirement pay benefits caused by changes in law in 1980 and 1986 that drastically reduce levels of retired pay for different groups of military members who are performing career service;

WHEREAS, annual military pay raises have been capped below inflation in 13 of the past 17 years;

WHEREAS, the method of determining military retiree Cost-of-Living Adjustments (COLAs) has been changed and actually reduces annual retired pay increases from past methodology;

WHEREAS, increased efforts are being made to cut actual monetary costs on military retiree benefits or reduce the value of current benefits, such as commissary savings;

WHEREAS, the military services are reporting extreme shortfalls in their individual recruiting and retention capabilities;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will seek to provide a single, uniform military retired pay system;

THEREFORE, BE IT FURTHER RESOLVED, that NCOA will continue to fight for the restoration of value in the military retired pay system.

## **RETIRED MILITARY MEDICAL CARE**

WHEREAS, historically, there has been an implied promise to lifetime health care to military personnel and their eligible beneficiaries by the Department of Defense (DoD);

WHEREAS, military personnel served long and faithfully to secure a variety of benefits for themselves and their eligible family members which included health care at shopping, and recreational facilities;

WHEREAS, the most critical benefit need for retired members and their beneficiaries over time has been identified as health care;

WHEREAS, DoD created a uniform services health care program for active duty service members and their family, retired service members and their families, members of the National Guard/Reserve and their families, survivors and other beneficiaries;

WHEREAS, the DoD program, now called TRICARE was designed to optimize delivery of health care services in the military's direct care system;

WHEREAS, TRICARE which includes military treatment facilities supplemented by those of civilian health care professionals, institutions, pharmacies, suppliers, etc., is to attain the highest level of patient care and satisfaction through delivery of a world-class health care benefit;

WHEREAS, military retirees and their eligible dependents access to health care in MTFs has become limited due to closure of many military installations and limited access at remaining MTFs based on available resources, funds, staff, and time permitting;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will seek adequate Appropriated Budgets for the DoD Health Care System to ensure that all eligible beneficiary populations have access to a world-class health care system;

THEREFORE, BE IT FURTHER RESOLVED, that NCOA will seek those preventative health care programs for beneficiaries that will help to control future long term health care costs;

THEREFORE, BE IT FURTHER RESOLVED, that NCOA will concurrently oppose DoD recommended beneficiary cost increases associated with their TRICARE health program as the members of the military paid their premium costs for health care by long and faithful service at great personal sacrifice.

## **UNIFORMED SERVICES FORMER SPOUSE PROTECTION ACT**

WHEREAS, military retired pay is “reduced pay for reduced services,” as opined by the Supreme Court of the United States, is neither an annuity nor a pension, and has been so for many years;

WHEREAS, legislation, known as the Uniformed Services Former Spouses Protection Act (USFSPA), is an inequitable and unfair law, misinterpreted by civil courts completely ignorant of its intent failing to protect military retirees;

WHEREAS, some state courts are unfairly dividing VA disability compensation under current USFSPA law;

WHEREAS, the USFSPA has caused and will cause much pain and sorrow for too many military personnel;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will work to have the USFSPA repealed or, at a minimum, amended so that military retirees have protection in law.

## **AUTHORIZE DISABLED SURVIVOR BENEFIT PLAN (SBP) ANNUITANT PAYMENTS INTO SPECIAL NEEDS TRUSTS**

WHEREAS, the 1993 Omnibus Budget Reconciliation Act authorized self-refunded Special Needs Trusts (SNTs) which are also commonly known as “pay back” trusts for disabled people to enhance their quality of life;

WHEREAS, the law authorized funds placed in a trust to be exempt from the income means test for Medicaid assistance administered by state governments and regulated by both federal and state law requiring and appointed fiduciary and subject to audit;

WHEREAS, annuities placed in a SNT remain subject to income tax;

WHEREAS, the Survivor Benefit Plan (SBP) provides retiring military personnel the opportunity to provide a portion of their retired pay to designated survivors to contribute to their future financial security;

WHEREAS, survivors include spouse, children, or an insurable third party to include guardian or trustee;

WHEREAS, minor children declared permanently disabled or mentally incapacitated to an extent that they cannot manage their own affairs may qualify for a lifetime SBP annuity;

WHEREAS, Defense Finance Accounting Service (DFAS) by federal law is required to pay SBP annuities under authority of Title 10 to “natural persons” and is prohibited to make a beneficiary payment to a private trust fund account which includes SNTs;

WHEREAS, the federally mandated exclusion of SBP beneficiary payments to a private trust fund makes the SBP annuity income subject to gross means testing which potentially could exceed the income threshold for state aid or other sought benefits for the enhanced quality of life of the beneficiary;

THEREFORE, BE IT RESOLVED that the Non Commissioned Officers Association of the United States of America (NCOA) shall seek an Amendment to Title 10 to allow SBP beneficiary payments for disabled children be placed directly into an authorized SNT in the best interest of the eligible dependent.

## **EMPLOYER TAX CREDIT**

WHEREAS, a high percentage of service personnel separating from military service are married, have children, and need immediate employment;

WHEREAS, most all homeless veterans are unemployed or underemployed;

WHEREAS, the cycle of veteran homelessness across America can be broken through viable employment opportunities being available as they transition from homelessness;

WHEREAS, many veteran job opportunities have limited starting wages;

WHEREAS, the Internal Revenue Code permits an employer tax credit for veteran employment based in part on the requirement that the veteran received food stamps prior to employment;

WHEREAS, the existing employer tax credit is insufficient for employers to target veterans for enhanced wages in employment opportunities;

WHEREAS, few separating service members will ever receive food stamps during their military career;

WHEREAS, homeless veterans cannot qualify for food stamps living on the streets;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall use its resources and legislative wherewithal to change the existing tax code to qualify veterans who worked below or at minimum wage established by GAO to qualify for employment tax credit authority;

THEREFORE, BE IT FURTHER RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) that the existing IRS employer tax credit computation should be raised to provide a \$20,000.00 employer tax credit for two years when the employer hires a veteran.

## **SBP AND RC-SBP REFORM**

WHEREAS, the Survivor Benefit Plan (SBP) and the Reserve Component Survivor Benefit Plan (RC-SBP) are valuable programs of support for the survivors of deceased military retirees and retirement eligible Reservists;

WHEREAS, the Survivor Benefit Plan is a premium-supported program;

WHEREAS, the current structure of the SBP and RC-SBP is difficult to understand;

WHEREAS, the value of the Survivor Benefit Plan is difficult to judge because of its offset/reduction provisions;

WHEREAS, many changes have been made to the plan to make it more attractive to eligible participants;

WHEREAS, a 3.5 year program of 5 percent reductions in the age 62 offset is effective October 1, 2005;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall continue to seek any improvement appropriate to ensure equitable benefits for survivors receiving benefits under the SBP and RC-SBP programs.

## **STUDENT LOAN TAX EXEMPTION FOR FALLEN MILITARY PERSONEL**

WHEREAS, countless members of the Uniformed Services of the United States of America have obtained loans through their military educational benefits to pursue higher education;

WHEREAS, many of these service members have had multiple deployments to the War on Terror since September 11, 2001;

WHEREAS, service members who have died as the result of hostile action or as the result of a service-connected disability should be entitled to have the remaining balance of their student loans forgiven by their personal sacrifice;

WHEREAS, under the current Internal Revenue Code all forgiven debt which includes student loans, are treated as income and subject to taxation;

WHEREAS, surviving family members of fallen military personnel should not bear the brunt of an education tax encumbrance stemming from the debt forgiveness of a service members' sacrifice on behalf of America;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the United States of America (NCOA) will seek and support legislation to amend the U.S. Tax Code to provide a tax exemption effective September 11, 2001 to waived military student loans that have produced a tax obligation for the military member's surviving family to fulfill;

THEREFORE, BE IT FURTHER RESOLVED, that the refund of tax credits resulting from the application of the Amendment before it is enacted into law will be allowed to file for a refund.

## **TAXATION ON HOME SALE LOSSES AND MILITARY HOMEOWNER TAX RELIEF**

WHEREAS, the Military Homeowner Assistance Program (HAP) was developed to financially assist military personnel who are homeowners in economically-depressed areas caused by base closures or downsizing;

WHEREAS, the program offers governmental purchase of the homes of these service members at 95 percent of the amount lost due to a private sale, at 75 percent of the value assessed before the base closing was announced, or at the amount of the outstanding mortgage if the mortgage is worth more than 75 percent of the value of the home(s);

WHEREAS, the Internal Revenue Service has ruled that some of the money paid to the homeowner, or to their mortgage holders, is to be taxed as regular income, regardless of the loss the homeowners may have suffered, and not as a capital gain which can be reinvested in subsequent home purchases;

WHEREAS, the Taxpayer Relief Act of 1997, which exempted up to \$500,000 in capital gains from federal income taxes on the sales of homes occupied as a principal residence for at least two of the last five years, unfairly discriminates against uniformed services who are required frequent, involuntary transfers and relocating;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will use its resources to urge the IRS to repeal its ruling or will seek relief from Congress so that compensation to offset any loss to a service member in the sale of a home in an economically-depressed area due to base closures or downsizing will not be taxable under the federal, state, or local tax codes;

THEREFORE, BE IT FURTHER RESOLVED, NCOA will seek and support legislative change to the Taxpayer Relief Act of 1997 to provide that uniformed service members shall be treated as using property as a principal residence for purposes of the exclusion of capital gains on the sale of a residence.

## **BURIAL PLOT ALLOWANCE**

WHEREAS, the United States Department of Veterans Affairs is authorized by the Congress of the United States to pay certain burial benefits at the death of a qualified war veteran;

WHEREAS, in addition to the burial and funeral expense allowance, if a veteran is not buried in a cemetery that is under U.S. Government jurisdiction, the VA will also pay a plot allowance of \$300, provided that the veteran was discharged under condition other than dishonorable;

WHEREAS, the 2001 increase has not kept pace with inflation nor the cost of purchasing a final resting place for those who honorable served our Nation during a war time period;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall support all legislation to increase the burial plot allowance to \$500.

## **COLD WAR VICTORY MEDAL**

WHEREAS, members of the Uniformed Service of the United States of America served during the period known as the Cold War defined as beginning on September 2, 1945 and ending at the end of December 26, 1991;

WHEREAS, military members were vigilant and prepared to meet any enemy who would seek on land, air, sea, and space to cause harm or destruction to the United States and its Allies;

WHEREAS, they served twenty-four hours a day, seven days a week, and three hundred and sixty-five days throughout the world maintaining vigilance to deter an attack;

WHEREAS, the military might of the United States deterred the Soviet Union from launching such an attack;

WHEREAS, the global military arms race and atomic weapons countered any thought of aggression with assured nuclear destruction making war unacceptable;

WHEREAS, members of the United States military force during the Cold War period were never recognized for sustaining world peace despite countless individual sacrifices, loss of limb, and life;

WHEREAS, the Cold War Victory Medal is today considered an official Medal of the National Guard and an unofficial Medal of the United States;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall use its legislative wherewithal to ensure that the Cold War Medal is authorized by the Department of Defense (DoD) to military individuals, or their immediate survivor, who served under conditions specified by the DoD;

THEREFORE, BE IT FURTHER RESOLVED, that DoD shall design a Cold War Medal, and formal military ribbon, lapel pins, and any other appurtenances issued for similar types of Medals.

## **EQUITY IN ACCRUAL OF ANNUAL LEAVE FOR FEDERALLY-EMPLOYED VETERANS**

WHEREAS, Title 5 of the U.S. Code entitles military veterans entering federal employment to credit all military service to the accrual of annual leave;

WHEREAS, Title 5 of the U.S. Code entitles retired military veterans entering federal employment to credit only certain “qualifying periods” of military service to the accrual of annual leave;

WHEREAS, Title 5 of the U.S. Code entitles those veterans “retired for disability” to credit all military service to accrual of annual leave only if such disability is incurred as a direct result of armed conflict, or is caused by an instrumentality of war, and while in the line of duty during a qualifying period;

WHEREAS, retired veterans are no less veterans than non-retired veterans, and indeed have contributed greater service;

WHEREAS, retired veterans, by virtue of their greater service, deserve treatment at least equal to that of non-retired veterans;

WHEREAS, while retired/retainer pay is awarded for several fundamental reasons, it is not awarded as compensation for accepting less than those who have contributed lesser service;

WHEREAS, current law, emanating from the Dual Compensation Act of 1964 and written into Title 5 U.S. Code, is discriminatory to retired veterans;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) actively pursues legislation to amend Title 5 U.S. Code to allow federally employed retired veterans to credit all military service to the accrual of annual leave on the same basis as is currently allowed.

## **EXCLUDE VETERANS DISABILITY COMPENSATION AS COUNTABLE INCOME FOR HOUSING AND OTHER GOVERNMENT BENEFITS AND SERVICES**

WHEREAS, military veterans receive special disability compensation as the result of their service and sacrifice while a member of the Uniformed Services of the United States of America;

WHEREAS, compensation received as a result of their service-connected disabilities may be counted as income to deny access for eligibility to other Government Programs;

WHEREAS, the purpose of disability compensation is devalued when used to limit access to other programs made available to all citizens;

WHEREAS, senior disabled veterans disability compensation denies them access to special senior housing accommodation programs managed by the Department of Housing and Urban Development (HUD);

WHEREAS, your disabled veterans wounded or injured and entitled to disability compensation denies them access to HUD low income housing programs;

WHEREAS, it is patently wrong to punish veterans through disenfranchisement from any federal, state, or local program by the receipt of nontaxable disability income;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall use its legislative wherewithal to exclude veterans' disability compensation from countable income that would make them ineligible for any federal, state, or local program for which they would otherwise be eligible.

## **FULL PER DIEM FOR VETERANS IN LONG TERM CARE AT STATE VETERAN HOMES**

WHEREAS, State Veteran Nursing Homes across America provide the institutionalized long-term care of severely disabled veterans;

WHEREAS, Congress passed legislation in 2006 that changed the reimbursement formula of the Department of Veterans Affairs for funding of veterans at State Veteran Homes;

WHEREAS, the revised funding formula reduced the individual per diem rate for the long-term care of severely disabled veterans has created a threat to the financial stability of State Veteran Homes to provide the quality care necessary during their institutionalization;

WHEREAS, State Veteran Homes need to comply with complex state and federal requirements in their daily management of veteran care for severely disabled veterans that represents the most expensive care provided in either a VA Residential Facility or in a State Veteran Home;

WHEREAS, State Veteran Homes provide a needed and valuable service that the Department of Veterans Affairs cannot provide for long-term service-connected disabled veterans;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will urge the reintroduction and passage of corrective legislation to secure an enhanced per diem rate from the Department of Veterans Affairs and consider the authorization for Medicare/Medicaid reimbursement to State Veteran Nursing Homes to offset the cost of severely disabled veterans long-term care costs.

## HOMELESS VETERANS

WHEREAS, veteran homelessness has become a national tragedy with one-third of approximately 62,619 of known homeless people are veterans reported living on the streets, alleyways, dumps, train tunnels, and in automobiles across the nation;

WHEREAS, the homeless veteran population tends to be former enlisted men (95%) and enlisted women (5%) with approximately 21.5% formerly designated as combat veterans;

WHEREAS, the number of homeless women veterans continues to grow nationwide, requiring special housing and services to begin to move them from the streets and alleyways of America to break their cycle of homelessness;

WHEREAS, now children of homeless veterans are beginning to experience the life style of homelessness on the streets of this Nation;

WHEREAS, VA does not have legislative authority to provide homeless services to non-veterans placing the children of homeless veterans at greater risk and disadvantage in their communities;

WHEREAS, NCOA effectively lobbied the Congress of the United States and secured Public Law 107-95, its success generated new and creative program authority for increased budget authority to make the programs a reality;

WHEREAS, NCOA is committed to neither leave its dead or wounded soldiers on the battlefield nor to leave any former comrade-in-arms homeless on the streets of America;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the United States of America (NCOA) shall use its advocacy, resources and legislative wherewithal to secure legislative authority and fiscal appropriations to provide any and all programs that will help end veterans homelessness;

THEREFORE, BE IT FURTHER RESOLVED, that the Association shall work united with community partners at every level to ensure local programs that effectively contribute to the continuum of care that moves veterans from homelessness to independent living and employment;

THEREFORE, BE IT FURTHER RESOLVED, the Association through its national legislative program and worldwide chapters will ensure that homeless women veterans and all children of homeless veterans have access to programs to end their homelessness and provide for their unique needs.

## **MONTGOMERY G.I. BILL**

WHEREAS, G.I. education programs have been a benefit of service in the armed forces since 1944;

WHEREAS, Congress has acknowledged the value of these benefits in attracting and retaining qualified individuals;

WHEREAS, veterans and service members benefit from the advancement and success made possible by higher education;

WHEREAS, the Nation benefits socially and financially from higher education of its citizens;

WHEREAS, deficiencies in the Montgomery G.I. Bill (MGIB) will deny the benefits of higher education to some veterans and service members;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will seek improvements in the Montgomery G.I. Bill to:

- Authorize refunds of pay forfeitures made by all veterans who die prior to using their benefits
- Authorize open enrollment to all service members who previously decline to participate and to those service members who initially enlisted between January 1, 1977 and June 30, 1985
- Authorize increasing benefit payments under the program to reflect increases in education costs
- Eliminate the 10 year delimiting period. If delimiting date retained, allow the veterans to use any funds of the \$1,200 enrollment premium for educational or social enhancement courses.

## **NATIONAL VETERANS CEMETERIES**

WHEREAS, there are many states and regions of the United States without an open National or State Veterans cemetery;

WHEREAS, federal and state land ideally suited for cemetery development is available in many states;

WHEREAS, eligible veterans, prefer burial reasonably close to their homes;

WHEREAS, the Department of Veterans Affairs makes available federal financial grants for the construction of State Veterans Cemeteries;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will support legislation which would provide sufficient availability of National or State veterans cemeteries to ensure that all veterans may be buried reasonably close to their homes.

## **OPPOSE REDUCTION OR ELIMINATION OF VETERANS DISABILITY BENEFITS**

WHEREAS, the President appointed a Veterans' Disability Benefits Commission (VDBC) chartered to review veteran disability compensation issues;

WHEREAS, that Commission by law must question the appropriateness of the standards governing service connection for veteran disabilities, and concurrently the standards of the Department of Veterans Affairs Disability Rating Schedule;

WHEREAS, the VDBC may make disability recommendations that could enhance, consolidate, extend, reduce, or eliminate benefits for America's Service-Disabled Veterans;

WHEREAS, today's service-disabled veterans met their Government's call to duty and risk their very lives and limbs in military service;

WHEREAS, service disabled veterans endured the hardship and sacrifice of military life;

WHEREAS, America must maintain and hold true the words of Lincoln "to care for those who have borne the battle, their widow, and orphaned children;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will remind legislators of the sacrifices of America's Service-Disabled Veterans and forcefully in the legislative process oppose any attempt to reduce or eliminate current veteran disability benefits or existing entitlement for their family members;

THEREFORE, BE IT FURTHER RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will oppose any limitation of benefits based on means testing, or receipt of other entitled compensation such as Social Security Benefits or retirement annuities.

## **RECOUPMENT OF SEPARATION INCENTIVES AND BONUSES**

WHEREAS, Congress enacted programs for the active and reserve components to ease the problems associated with the abrupt termination of military careers during the turbulent force restructuring and downsizing period;

WHEREAS, these programs that provide monetary incentives and bonuses, were designed as a measure of compassion, fairness and equity for individuals involuntarily separated;

WHEREAS, these programs were constructed with the very clear and distinct purpose of easing the hardship, turmoil and readjustment realities for active and reserve members involuntarily separated;

WHEREAS, subsequent affiliation in the reserve components does not lessen the hardship, turmoil and readjustment resulting from the abrupt termination of an active career;

WHEREAS, subsequent entitlement to veterans disability to veterans disability compensation should in no way be related to or affect the receipt of separation incentives and bonuses for either active or reserve members;

WHEREAS, the separation incentives and bonuses for the reserve components were implemented with the explicit stipulation that subsequent entitlement to retired pay would not be affected;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall seek to overturn the overly-harsh recoupment provisions attached to any separation incentives and bonuses that were designed and enacted as transition and readjustment measures;

THEREFORE, BE IT FURTHER RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall oppose any attempts that retroactively seek recoupment of any such separation incentives and bonuses.

## **SMALL BUSINESS ADMINISTRATION – VETERAN’S PROGRAMS**

WHEREAS, Public Law 93-237 requires the Administrator of the Small Business Administration to accord “special consideration” to veterans in all of the programs and services administered by the agency, with emphasis on programs and services for service-connected disabled veterans;

WHEREAS, to facilitate special consideration for veterans, Congress created the Office of Veterans’ Affairs within the Small Business Administration;

WHEREAS, despite Congress’ intent, the Small Business Administration has ignored, underfunded, and de-emphasized veterans (i.e. disestablishment of the Administrators Veterans’ Advisory Committee and, failure to make direct loans to Vietnam-era and disabled veterans – even though the authority for such loans exists in law) in favor of other Agency and Administration priorities;

WHEREAS, as required by law, special consideration for veterans is not even included in the strategic five-year plan for the Small Business Administration;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall seek Congressional reaffirmation for special consideration of veterans in the programs and services of the Small Business Administration to include advocacy, outreach, entrepreneurial development, government contracting and procurement, and access to capital for both self-employment programs and small business development;

THEREFORE, BE IT FURTHER RESOLVED, that NCOA shall seek the appointment of a veteran representative on each of the advisory councils within the Small Business Administration (i.e. National Advisory Business Counsel, National Small Business Development Center Advisory Board, and National SCORE (Service Corps of Retired Executives) Advisory Board);

THEREFORE, BE IT FURTHER RESOLVED, NCOA shall seek the establishment of a National Veterans Business Counsel (similar to the Women’s Business Counsel), and re-establishment of the Administrators Veterans’ Advisory Committee, within the Small Business Administration.

## **STOP ANY OFFSET PAYMENT FROM ANY FEDERAL BENEFIT BY RECEIPT OF DEPARTMENT OF VETERANS AFFAIRS COMPENSATION**

WHEREAS, many budget considerations are being proposed that would offset federal benefits by an individual veteran's receipt of compensation benefits from the Department of Veterans Affairs (DVA);

WHEREAS, such a change to disallow a service-connected disabled veteran's compensation from Social Security Administration and other federal agencies would significantly reduce the income of a veteran and create undue hardship on a disabled American veteran and their family;

WHEREAS, a budget saving created by an offset in any federal program that provides a monetary loss of income to a disabled veteran whose life and ability to seek employment or seek gainful employment is outrageous and patently wrong;

WHEREAS, compensation and entitlement benefits received from the DVA or under military retirement plans have different eligibility criteria compared with earned entitlements of the Social Security Disability Insurance benefits;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the United States of America (NCOA) will oppose any recommendation to offset the payment of any federal entitlement or earned benefit entitlement by DVA compensation payments to service-connected disabled veterans.

## 2018 VA BUDGET PROPOSAL

WHEREAS, veterans receiving Individual Unemployability (IU) benefits who have a 60%-100% disability rating but receive benefits at the 100% rate because a service-connected disability, makes them unable to work;

WHEREAS, the Veterans Administration proposes to stop the higher (VA compensation) rate of 100% IU rating when a veteran reaches minimum age to receive Social Security benefits;

WHEREAS, the Veterans Administration proposes veterans who receive the 100% IU payments and reach the age to receive Social Security benefit payments would be removed from the VA IU benefit program and reverted back to their actual compensation rate.

WHEREAS, this would have a severe impact on the financial jeopardy of many veterans and their families in not being able to meet their basic needs.

WHEREAS, an Administration that can find the funding to wage war must be able to appropriate the funds necessary to care for those who have returned physically or mentally diminished.

THEREFORE, LET IT BE RESOLVED, that the Non Commissioned Officers Association of the United States of America will oppose any recommendation to remove any veteran receiving 100% rated Individual Unemployability compensation or reduce payments or the ability to receive concurrent Social Security benefits while in the VA Individual Unemployability program.

## **VA DISABILITY COMPENSATION**

WHEREAS, millions of veterans have been disabled by service in the armed forces;

WHEREAS, the nation has incurred a special obligation to these individuals;

WHEREAS, benefit payments to these disabled veterans are eroded by inflation or inadequate provision in law;

THEREFORE, BE IT RESOLVED, the Non Commissioned Officers Association of the USA (NCOA) will support such changes in law as are necessary to meet the changing needs of disabled veterans;

THEREFORE, BE IT FURTHER RESOLVED, NCOA will support cost-of-living increases in amounts and at such time necessary to protect the purchasing power of disability compensation payments;

THEREFORE, BE IT FURTHER RESOLVED, NCOA will oppose any attempts to eliminate disability compensation or to define or limit eligibility to only those disabilities incurred by the performance of military duties.

THEREFORE, BE IT FURTHER RESOLVED, that NCOA will oppose any changes in disability entitlement that would treat the newly awarded veteran differently than other veterans with the same disability.

## **VA DISABILITY OFFSET TO SEPARATION BONUSES**

WHEREAS, members of the uniformed services separated under force restructuring and reduction policies are denied reenlistment;

WHEREAS, upon separation uniformed service members may be provided a separation bonus;

WHEREAS, individuals so separated and receiving bonus are denied rightfully earned VA disability compensation until the Federal Government recoups the dollar for dollar amount of the separation bonus received;

THEREFORE, BE IT RESOLVED, the Non Commissioned Officers Association of the USA (NCOA) will seek and support legislation to permit uniformed service members separated under retention control policies with a separation bonus are entitled to receive compensation of separation bonus.

## **VETERANS EMPLOYMENT AND TRAINING SERVICE**

WHEREAS, the Nation has prioritized its obligation to America's veterans since 1776 to ensure their employment or compensation in the event war service caused loss of limb or other disability;

WHEREAS, the Veterans Employment and Training Service (VETS) of the Department of Labor has evolved through varied titles since World War I, its mission has remained constant to find jobs nationwide for returning service personnel;

WHEREAS, over the years VETS has expanded its services to assist America's veterans not only secure employment but to:

- Protect Veterans Employment Preference rights,
- Ensure reemployment rights of those employed before military service,
- Manage a specialized Disabled Veteran Outreach Program,
- Offer specialized training and counseling leading to employment,
- And, serve as DOL Executive Manager of the Homeless Veteran Reintegration Program;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall use its advocacy resources and legislative wherewithal to strengthen the Veterans Employment Training Service within the Department of Labor and seek the budgetary authority to ensure the effectiveness of programs for America's veterans.

## **VETERANS ENTREPRENEURSHIP**

WHEREAS, the deployment of small business in the United States is strongly encouraged as these enterprises contribute directly to the economic stability of the Nation and provide countless employment opportunities;

WHEREAS, special programs have been created in Public Law 106-50, The Veterans Entrepreneurship and Small Business Development Act of 1999, to stimulate and develop both veteran and disabled veteran owned businesses;

WHEREAS, NCOA is a charter and current member of the designated Veteran Organizations Entrepreneurial Task Force to ensure implementation of P.L 106-50;

WHEREAS, NCOA publication and electronic media help motivate the development of veteran and disabled veteran businesses it also can effectively advocate legislative awareness of needs of emerging businesses;

WHEREAS, P.L. 106-50 provides program goals for federal contractors and their subcontractors recommending a set aside 3 percent business contracting opportunity for business categories that include veteran and disabled veteran entrepreneurs;

WHEREAS, the National Business Development Corporation was established to specifically help develop emerging business development, help them succeed, and concurrently identify them for listing on all (Government and Corporate) databases used for contracting business services;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will use its legislative advocacy to secure Congressional oversight of federal agency contracts to ensure compliance with set aside business opportunities for veteran and disabled veteran entrepreneurs;

THEREFORE, BE IT RESOLVED, that NCOA will seek legislation incentives for federal agency contractors and subcontractors to achieve ever-increasing utilization of veteran and disabled veteran small business ventures;

THEREFORE, BE IT RESOLVED, NCOA will seek whatever necessary legislative amendments are necessary to provide program authority to ensure and effective National Veterans Business Development Corporation and a comprehensive program at the Small Business Administrative for small business owners.

## **VETERANS PREFERENCE**

WHEREAS, there exists within the United States a tradition of service to country in the armed forces;

WHEREAS, service instills such desirable in employees both in the private and public sector;

WHEREAS, these qualities are highly desirable in employees both in the private and public sector;

WHEREAS, current federal and state laws tend to discriminate against some veterans based on rank/grade, length of service, and age;

WHEREAS, the Supreme Court has ruled that giving hiring and retention preference to veterans is constitutional and good public policy;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall encourage federal and state governments to provide veterans preference in employment and retention;

THEREFORE, BE IT FURTHER RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall seek uniform treatment of all veterans under state and federal law.

## DESECRATION OF THE UNITED STATES FLAG

WHEREAS, the Supreme Court of the United States has ruled that it is not a violation of law to burn the Flag of the United States;

WHEREAS, the Supreme Court of the United States has opined that the burning of the Flag of the United States of America is only an expression of free speech protected by the Constitution of the United States of America;

WHEREAS, the Flag of the United States of America is more than a visible symbol of the nation in that it represents the constant struggle of freedom against those opposed to a government of the people, by the people, and for the people;

WHEREAS, it was once said about the Flag: "A thought mind when it sees a nation's flag, sees not the flag, but the nation itself... (and so)... the American Flag has been a symbol of Liberty and men rejoiced in it";

WHEREAS, millions of men and women have followed the Flag of the United States of America onto foreign shores and into battle after battle; many of them noncommissioned and petty officers who spilled their blood and gave their lives for that Flag;

WHEREAS, the Non Commissioned Officers Association of the USA (NCOA) cannot agree with the Supreme Court of the United States of America in that the burning of the flag is a medium of speech (rather than an act of defiance);

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall use its full resources to encourage Congress to adopt a Constitutional amendment to prohibit the desecration (purposeful act of mutilation, defacement, trampling, or burning) of the Flag of the United States of America.

## **DISINCENTIVES AND BARRIERS TO FEDERAL EMPLOYMENT**

WHEREAS, federal departments and agencies are authorized to set maximum ages for “original appointment” to law enforcement, firefighter, and air traffic controller positions;

WHEREAS, such limitations appear reasonable and justified for applicants without prior training and experience;

WHEREAS, qualified veterans and uniformed services retiree applicants have already acquired extensive training and experience and the “original appointment” arguable occurred upon entry and service in the uniformed services;

WHEREAS, the training provided by the uniformed services retiree applicants have already acquired extensive training and experience and the “original appointment” arguable occurred upon entry and service in the uniformed services;

WHEREAS, a retired member of the uniformed services may be appointed to a federal civil service position in the Department of Defense only after 180 days immediately following retirement thus creating an artificial barrier that impedes a smooth transition following military service;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall:

1. Seek repeal of 5 USC 3307 regarding age restrictions on “original appointment” for qualified veterans and uniformed services retirees; or
2. Seek amendment of current law to authorize a “computed age” for qualified veterans and uniformed services retirees that credits prior military training and experience (i.e. current age of applicant minus years of uniformed services experience equal computed age); and
3. Seek repeal of 5 USC 3326 thus eliminating the 180-day period for uniformed services retirees’ appointment to civil service positions in the Department of Defense.

## **INSURANCE**

WHEREAS, the hazards of service in the armed forces frequently result in the untimely death of service members;

WHEREAS, many service members are denied purchasing insurance during their military service thus increasing post service insurance costs and risk of uninsurability;

WHEREAS, these factors cause undue financial hardships on veterans and their survivors;

WHEREAS, such hardships have been historically mitigated by government low cost insurance programs;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will continue to support improvements in all government sponsored or administered insurance programs that benefit service members and veterans;

THEREFORE, BE IT RESOLVED, NCOA will support legislation to provide reasonable increase in maximum coverage amounts.

## MILITARY ABSENTEE VOTING

WHEREAS, more than 2.5 million military personnel and family members have the right to vote;

WHEREAS, military assignments result in the need for uniform personnel and their families to vote by an Absentee Voting process established by their legal state of residence;

WHEREAS, each State and Territory of the United States establishes specific criteria and processes for voting in person or by absentee ballot;

WHEREAS, significant differences exist in registration and voting processes by 50 States and 7 territories complicates the guidance and instructions provided to uniformed voters, which, if not precisely followed, would invalidate their Absentee Votes;

WHEREAS, the Department of Defense is the executive agent for the Uniformed and Overseas Citizens Absentee Voting Act and through a Federal Voting Assistance Office provides guidance through publications and voting assistance officers for a worldwide military force and overseas based American civilians;

WHEREAS, the Presidential General Election of 2000 demonstrated that the inconsistency in registration and voting processes of varied states placed in jeopardy and finally negated the absentee ballots of countless thousands of military personnel and the family members;

WHEREAS, countless Absentee Ballots were provided to resident voting jurisdictions in states, such as Florida, where thousands were eliminated for not following administrative requirements;

WHEREAS, military personnel and their family members who cast absentee votes do not know if their Presidential vote was counted or invalidated;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the United States of America (NCOA) will seek a standard and uniform voting criteria and process which would eliminate questionable voting requirements that are obstacles to voting;

THEREFORE, BE IT FURTHER RESOLVED, that NCOA will seek the statutory changes in law in every State and Territory implementing the standardized voting process within their jurisdiction;

THEREFORE, BE IT FURTHER RESOLVED, that the utilization of electronic processes will be among the enhancements to military absentee voting sought by NCOA to include:

- Utilization of facsimile communication devices to register and cast ballots
- Utilization of the Internet to register and cast electronic ballots
- Use of a controlled computer within DOD that would permit registration, assignment of an absentee voter PIN, and allow the military member or eligible dependent to use and cast a ballot to their voting jurisdiction from wherever they are assigned, including ships at sea.

## **MILITARY DEPENDENT SCHOOLS**

WHEREAS, the importance of the education of the minor dependent children of uniformed service members of the Armed Forces of the United States of America, is of vital concern to the military family and the Non Commissioned Officers Association of the USA (NCOA);

WHEREAS, the education of minor dependent children of armed forces is essential to the stability of the military community and the future proficiency of the Nation;

WHEREAS, the federal government has declared its responsibility and, otherwise obligated school districts within the United States, to provide the best possible education for minor dependent children of the armed forces;

WHEREAS, the Department of Defense Dependent Schools (DODDS) are charged with educating dependent minor children of armed forces physically assigned to and residing overseas with their families;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will continue to oversee and advocate the finest in educational programs available for the minor dependent children of the Nation's military families;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will apply its resources to: 1) support the retention of on-base schools located near public-sector school districts within the United States where the latter fails to provide satisfactory levels of education for minor dependent children of armed forces members; 2) support DODDS facilities overseas so that minor children of military families assigned to and residing at overseas locations will receive the best in education at those facilities, and advocate the continual employment of military spouses as temporary or substitute teachers in those facilities; 3) seek adequate federal appropriations to fund military-impacted school districts as currently prescribed in law; 4) implore Congress to authorize and appropriate sufficient federal funds to operate and maintain all dependent schools under the military's jurisdiction; 5) do all things whatsoever to insure that the minor dependent children of the United States military families are in receipt of educational programs equivalent to those in the best of the Nation's public schools.

## NATURALIZATION

WHEREAS, people from all over the world immigrate to the United States to enjoy the benefits of our nation's freedoms;

WHEREAS, many immigrants choose to serve in the armed forces from overseas locations;

WHEREAS, service in the armed forces is an obligation of citizenship;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall support legislation providing citizenship preference along with the benefits of citizenship to aliens who have served or are serving honorably in the Nation's armed forces and to their spouses and children;

THEREFORE, BE IT FURTHER RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) will support legislation providing residency status and deportation protection to the survivors of a member of the armed forces who dies while on active duty.

## **POW/MIAS/MILITARY HOSTAGES**

WHEREAS, many American families continue to face the daily uncertainty of knowing the fate of friends and eligible family members who serve in the armed forces;

WHEREAS, resolving the fate of American service members is a priority of government, the Non Commissioned Officers Association has consistently supported the U.S. Government's policy of highest national priority to resolve the fate of these Americans;

WHEREAS, service members serving with the United Nations taken hostage should be protected under the Geneva Convention as prisoners;

WHEREAS, government-to-government cooperation has proven the only productive means of obtaining the fullest possible accounting for these missing veterans;

THEREFORE, BE IT RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) shall urge the Administration and Congress to pursue all diplomatic avenues available to the resolution of unaccounted service members, and insure all service members taken hostage are protected under the Geneva Convention as prisoners;

THEREFORE, BE IT FURTHER RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) call upon all governments to immediately release any and all POW/MIA/military hostages, to unilaterally repatriate remains, and to provide the serious cooperation necessary to resolve the fates of the American's still missing or held hostage;

THEREFORE, BE IT FURTHER RESOLVED, that the Non Commissioned Officers Association of the USA (NCOA) stand firmly behind the current U.S. policy of highest national priority to resolve the POW/MIA issue; to insure all service members taken hostage are protected under the Geneva Convention; and to reject irresponsible private efforts which jeopardize and interfere with the government-to-government process.