

# Unlawful Maneuvers



By Pete Duffy

**A**RMY OFFICIALS HAVE repeatedly crossed the line in their efforts to preserve a large active component at the expense of the Army National Guard.

The service has been aggressively lobbying Congress despite specific language in the omnibus spending bill passed in January that clearly forbids the practice.

The law reads, “None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matter pending before the Congress.”

## Scores of Army officers have solicited contact with congressional staffers to sell the Army plan to cut the Guard.

Yet prior to the release of the president’s fiscal 2015 budget request earlier this month, scores of Army officers solicited contact with congressional staff to sell the Army plan to cut the Army Guard. The pitches came complete with PowerPoint slides that cherry-pick data to diminish Guard contributions and capabilities.

House and Senate defense-committee staff members, many of whom are retired active-component officers, have told us the Army is merely “educating” lawmakers. But if it looks like a duck, quacks like a duck and flies like a duck, it ain’t a turtle dove.

This is lobbying, pure and simple, by people on the congressionally appropriated payroll. And it’s against the law, pure and simple.

Not only can the Army send its brass to privately lobby Congress with impunity, as it has done these last few months, it also has easy everyday access to lawmakers’ offices. The service has two legislative-liaison offices on the Hill—one on the House side and another on the Senate side.

This enables the Pentagon to cement close relationships with powerful committee staffers who can be the real decision-makers in the opaque legislative processes on some defense issues.

We are in danger of being outgunned inside the Beltway by the improper actions of the Army. Without your concerted grassroots activism, we could see our Army Guard end strength shrink to 315,000 personnel if the sequester holds.

We need your help in passing H.R. 3930, the National Commission on the Structure of the Army Act of 2014, sponsored by Rep. Joe Wilson, R-S.C. It would create an independent panel to study the makeup of the Army and recommend how it should look in the future.

As you know, a commission recently did this for the Air Force. It issued a report that said greater reliance on the Guard was in the best interest of the Air Force. Army officials fear a similar set of findings.

Wilson’s bill would also freeze Army Guard end strength at 350,000 and halt the upheaval of the helicopter fleet, including the removal of every Army Guard Apache.


No wonder the Army wants to prevent his bill from becoming law.

So now more than ever, NGAUS needs you to contact your elected representatives. Tell them to support H.R. 3930 to preserve the integrity of the Army Guard as an operational force.

The legislation also would likely undercut the unlawful influence of the Army on Capitol Hill. It certainly would send a clear message that crossing that legal line is not acceptable.

Conversely, if we fail to pass this legislation, it will validate the Army’s maneuver and set a precedent we may not be able to reverse.

We cannot let the Pentagon’s private whispers in the ears of professional staffers go unchecked and unchallenged—not on an issue this importance and not ever.

A properly and publicly informed Congress is a better Congress for the nation. 

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## Senators Seek to Upgrade VA Claims Review Process

Several senators focused on reducing the backlog of benefits claims at the Department of Veterans Affairs are pushing for legislation designed to do just that.

Members of the Senate's VA Backlog Working Group seek passage of the 21st Century Veterans Benefits Delivery Act, which would improve customer service, require stricter oversight of claims officials and offer more money to veterans who file "fully developed" claims, according to a report in *Military Times*.

"Right now, the system we have is designed for World War II veterans," said Sen. Dean Heller, R-Nev., the sponsor of the bill. "We're trying to drag this system into the 21st century."

The VA has made progress on the backlog, reducing it from 611,000 in March 2013 to around 368,000 one year later. The agency maintains it is on track to reach its goal of eliminating the backlog by the end of 2015.

Heller acknowledged VA's progress, but questioned whether it could maintain that momentum without changes to the process.

## Legislative Director Backs Vets in Testimony

Pete Duffy, the NGAUS legislative director, told a panel of lawmakers this month that it should change the federal government's formal definition of a veteran because it shortchanges those who serve honorably in the reserve component.

The law requires a certain amount of time on Title 10 service other than for training to qualify as a veteran under the law, which eliminates those who serve only in the National Guard or Reserves without ever deploying on a Title 10 mission.

"Discrimination of any stripe bites hard and is painful," Duffy told a joint gathering of the House and Senate Veterans' Affairs Committees. The lawmakers heard testimony from several veteran service organizations.

That law would have been changed had legislation sponsored by Sen. Bernie Sanders, I-Vt., become law, but it has stalled in the Senate. Duffy thanked Sanders for introducing the bill that ad-

ressed several veteran issues, such as health care and education benefits.

Duffy stressed to the members of Congress that duty in the Guard and Reserve is difficult. Members work a regular civilian job or manage a business during the week supplemented by mandatory training on weekends and evenings, while being ready at all times to be mobilized for domestic duties or overseas contingencies.

NGAUS provided the committee members with written testimony noting other issues of interest to Guardsmen, such as the disproportionate denial of disability benefit compensation claims from Guard members and the need for community-based mental health care.

## Shinseki Offers Plan to Avert Future Shutdown

Secretary of Veterans Affairs Eric Shinseki has suggested one way Congress could protect veterans from another government shutdown.

During the shutdown last year caused by the inability of Congress to agree on a budget, some veterans came close to not receiving their disability checks. Congress is trying to prevent that anxiety should another shutdown occur, but a bill that would do that has stalled in the House.

The Department of Veterans Affairs' health care services are funded for a year at a time, but the department's discretionary budget is not.

That House Committee on Veterans' Affairs discussed the problem this month during a hearing reported on in *The National Journal*. Rep. Michael Michaud, D-Maine, the committee's ranking member, said, "This committee is again trying to look down the road and provide advanced appropriations authority for the remaining 14 percent of the Department of Veterans Affairs' discretionary budget."

Shinseki had a ready answer when he was questioned at the hearing about full funding for his department. He said it would help, but problems would still arise as VA needed to work with other government agencies to validate claims.

*The National Journal* noted Shinseki's wry response, "What would be most helpful to the VA, [is] for ... the federal government to get a budget every year."

—Also Contributing: Ron Jensen



Sen. Dean Heller  
R-Nev.



Sen. Bernie Sanders  
I-Vt.



Rep. Michael Michaud  
D-Maine