

The 116th Congress
U.S. House of Representatives
Washington, DC 20515

April 3, 2019

Dear Chairman Smith and Ranking Member Thornberry:

Thank you for this opportunity to testify before the committee for the Fiscal Year 2020 National Defense Authorization Act.

Two years ago, I heard from a constituent asking me for help with a problem he was facing. Sergeant First Class Alan Certain separated from the Army in 1992 under the Voluntary Separation Incentive program. He was then involuntarily recalled in 2005 to serve in Afghanistan with the National Guard. While serving he was injured, enough to qualify as 100 percent service related disabled. When he finally went to retire, he found that his military retirement was being withheld until he paid back the VSI he received in the 90s in full. My staff worked with him to find some kind of solution with DOD. Because, through no fault of his own, Alan is now facing a substantial financial hardship due to a direct consequence of his involuntary recall. We found, however, that this would need to be fixed legislatively if Alan was going to get the relief he needed.

Last Congress, I introduced the Recalled Veterans Protection Act to provide Alan and other veterans who find themselves in this situation the certainty that their government will not take advantage of their circumstances. The updated language I am proposing today gives DOD the same specific authority to waive repayment in these situations as they already have under the Voluntary Separation Program. Giving DOD this waiver authority will be a huge help to the limited population who fall into this situation.

My staff has been working with HASC staff, DOD folks, and CBO to fine tune this language. I believe that this version will give DOD the authority they need to waive these repayments and make sure our service members are not burdened by bureaucracy.

It is unfair for Uncle Sam to give a service member severance pay, involuntarily recall them 13 years later, break them, and then hold their retirement pay hostage until they've repaid those decades old funds. I look forward to continue working with the committee to ensure that this year's NDAA includes this simple fix. Thank you for your attention on this matter.

Sincerely,



KURT SCHRADER
Member of Congress