MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY (MANPOWER AND RESERVE AFFAIRS)
ASSISTANT SECRETARY OF THE NAVY (MANPOWER AND RESERVE AFFAIRS)
ASSISTANT SECRETARY OF THE AIR FORCE (MANPOWER AND RESERVE AFFAIRS)
NATIONAL GUARD BUREAU DIRECTOR OF MANPOWER AND PERSONNEL

SUBJECT: Update on “USA 4 Military Families” Initiative

This memorandum disseminates the DoD Key Personnel and Readiness Issues Supporting Service Members and their Families for 2015 and provides an update on our progress of informing the work of state governors and other state officials to address the challenges facing the military community.

Over the past five years, the DoD-State Liaison Office has assisted state policymakers with the enactment of over 380 bills which have directly benefited Service members and their families. For example, I am pleased to pass on the following noteworthy progress:

- All 50 states have adopted the Interstate Compact on Educational Opportunity for Military Children (the Compact).
- 50 states cover two or more initiatives recommended by the Federal Voting Assistance Program Office.
- 48 states cover one or more aspects of protecting the rights of Service members during child custody decisions.
- 45 states now offer military spouses eligibility for unemployment compensation when leaving a job because of a military move.

In March 2014, we requested input from your respective staffs, offices within the Office of the Secretary of Defense, and the Joint Staff regarding which of the most significant quality of life issues that are a state-level responsibility should be added to the Key Issues listing. As a result of this collaboration, the following issues have been added to the list for further development:

- Employment protections during state sponsored activation
- Support for caregivers of disabled veterans
- Create state-wide Memorandums of Understanding (MoU) between the DoD and the state child welfare agency
- State licensing exemption for distance education under a DoD MOU
- Allow private sector employers to offer hiring preference to veterans
In working with state governments, we have found that state officials look to commanders and other Service members to validate the importance of our issues. Providing such information to state legislators at their request is generally legally permissible, provided it is done through official channels. In this regard, although 18 United States Code, Section 1913 states that DoD may not use appropriated funds for lobbying, it does not necessarily prevent DoD employees or military members from communicating factual information to state legislators to furnish background information or to discuss the views of DoD regarding relevant state legislation, provided the public is not urged to contact government officials.

Please share the attached Key Issues with your senior commanders and encourage them to work with the DoD-State Liaison Office on issues within their states. My point of contact for questions and additional information is Dr. Tom Langdon, State Liaison and Education Opportunities, who can be reached at (571) 372-5321 and at thomas.l.langdon.civ@mail.mil. In addition, detailed information on best practices and updates on our progress are available at www.usa4militaryfamilies.dod.mil.

Stephanie Barna
Acting

Attachment:
As stated

cc:
JS-J1
ASD(HA)
ASD(RA)
Key Personnel and Readiness Issues
Supporting Service Members and Families
2015

ACTIVE ISSUES:

Facilitate military spouse transition through licensure portability: Mandatory military moves require spouses to leave employment and start again in a state with new licensing requirements. States can help by expediting licensing through endorsement, temporary licensure and streamlined processes.

Allow Service members to retain their earned priority for receiving Medicaid home and community care waivers: Because states frequently have long waiting lists, members face large gaps in service every time they transfer across state lines. Allowing Service members to enroll their exceptional family member in the State they designate as their legal residence (i.e. where they pay taxes, vote, etc.) can stabilize their request for support.

Facilitate Service members receiving licensure and academic credit for military education, training and experience: Separating Service members may be held back from finding employment or finishing a degree. States can assist separating Service members not having to repeat requirements completed while in the military to obtain academic credit or an occupational license.

Provide authority for establishing Veteran Treatment Courts (VTCs): One in five veterans suffer from behavioral health problems. These problems can result in homelessness, family stress and/or disintegration, and instances of criminal behavior. States can help by authorizing VTCs to facilitate rehabilitation (instead of incarceration) for veterans and Service members experiencing problems.

Waive required waiting time to establish residency for separating Service members so they can obtain in-state tuition rates: The Post-9/11 GI Bill only covers in-state tuition and eligible fees, which means that veterans who settle in a state as a nonresident pay the difference between the resident and nonresident charges. States can waive residency requirements to allow separating Service members to receive in-state tuition rates until they qualify for residency.

Assign an identifier for military children in education data systems: Military children may experience unique life challenges, but there is no method of tracking their attendance and academic progress in public schools. States can assist DoD in developing policies and military child education initiatives by identifying military children and providing data on their educational outcomes.

Promote consumer protections and enforcement of the predatory lending regulation: Some lending practices create a cycle of debt, thus detracting from financial wellbeing and military readiness. States can help by working with the military community on consumer concerns and by fully enforcing the DoD regulation on payday, vehicle title, and refund anticipation loans.

Increase access to quality childcare for military families: Demand for child care continues to out-pace capacity. States can assist in enhancing available capacity by integrating DoD standards on inspections and background checks into their Quality Rating and Improvement Systems (QRIS) for child care programs.

Comport state laws with DoD rules on disposition: Many states require disposition of remains be determined through state-specific documentation or by a priority sequence of next of kin. States can alleviate potential family disharmony during a time of bereavement by recognizing the Person Authorized to Direct Disposition (PAD) selected by the Service member on DD Form 93 (Record of Emergency Data), in accordance with Federal law.

Ensure separations due to military duty do not determine child custody decisions: Extended separations due to military service necessarily alter short-term custody/visitation arrangements and can have long-term consequences. States can appropriately balance the interests of Service members while preserving the best interests of the child, address delegation of visitation rights, expedite court dockets, and use electronic communications to accommodate military demands.

ISSUES UNDER DEVELOPMENT:

Employment protections during state-sponsored activation: State statutes that cover Guard members during state-sponsored mobilizations impact employers within the state. States can modify their statutes to protect the employment rights of members of the National Guard living outside of their affiliated state during state-sponsored mobilizations.

Support for Caregivers of Disabled Veterans: States have policies and services to support caregivers of the elderly and children with special needs. States can adjust these policies to make needed support more available to caregivers of disabled veterans.

Standardize relationships among local courts, agencies and military communities for child advocacy: DoD installations develop Memoranda of Understanding (MoUs) with counties which can leave gaps in coverage and inconsistencies in managing care for children in protective custody and foster care. States can provide consistent underlying policies to support the development of more consistent MoUs.

State licensing exemption for distance education under the DoD MoU: Service members may lose substantial academic credit if they are transferred to states where there is no agreement allowing them to continue taking distance education courses from their out-of-state institution. States can exempt licensing requirements for postsecondary distance education programs operating under a MoU with DoD.

Allow private sector employers to offer hiring preference to veterans: Private sector employers attempting to offer hiring preferences to veterans may be risking claims of discrimination from applicants lacking military experience. States can establish policies that protect private sector employers from discrimination claims when offering hiring preference to veterans.