

## 2017 SDNGEA Resolutions

### **SDNGEA Resolution 2017-01 Increase South Dakota State Tuition Assistance to 100%.**

**Situation:** Currently there are many states surrounding us that provide 100% State Tuition Assistance for National Guard Service Members who are attending in-state colleges and universities. South Dakota currently pays 50% in-state tuition for universities and 83% for technical colleges.

**Recommendation:** Allow 100% State Tuition Assistance in South Dakota.  
Committee recommends approval. Approved by body.

### **SDNG Resolution 2017-02 Ensure Reserve Component (RC) health care benefits eligibility for all RC personnel regardless of employment or employer.**

**Situation:** Section 706 of the FY07 NDAA authorized TRICARE Reserve Select (TRS) for all National Guard Members and their families, however, the language was inserted into the statute which prohibits eligibility to enroll in TRS if the member is enrolled or eligible to enroll in a health benefits plan under chapter 89 of Title 5, or better known as "Federal Employee Health Benefits" (FEHB) program. This exclusion is codified in Title 10 U.S.C. Section 1076d, (a)(2). This exclusion affects all National Guard Technicians as well as all members working for other government agencies who participate in the FEHB Program. As many as 50,000 Guard members are prohibited from choosing TRS as a family coverage option due to this restriction. In some cases, currently, the rates for TRS can be nearly half the cost of the least expensive coverage option under the FEHB, making TRS the better option for many Guard Members who are currently not eligible. Eliminating this restriction will allow Guard Technicians greater choice in selecting the health care plan which best meets their family's needs. This resolution was approved by the body at the 2016 National EANGUS conference but the changes have not yet been approved and therefore we need to continue to push the issue.

**Recommendation:** The Enlisted Association of the National Guard of the United States urges Congress to amend Title 10 U.S.C. Section 1067d (a) by deleting paragraph two which creates an exclusion in TRICARE eligibility for anyone eligible for health benefits under Chapter 89 of Title 5 (Federal Employee Health Benefit Program)

Committee recommends approval. Approved by body.

### **SDNG Resolution 2017-03 South Dakota Driver License expiration changes for military service members serving on Active Duty for 180 days or more.**

**Situation:** Under South Dakota Statute, any license issued to a person on active duty military service does not expire. South Dakota will issue licenses to service members of the United States Armed Forces and their families (service person's spouse and dependent children) with the words "military-no expiration" in the place of the expiration date. These individuals do not have to renew their driver licenses for the length of their military service. The license is valid only when accompanied with a current valid (unexpired) military identification card (CAC). A retired military identification card is not considered as sufficient. The license is valid unless sooner suspended, cancelled, or revoked for cause as provided by law. The license is valid until 90 days after any discharge from active duty. You may renew your driver license through normal procedures if you choose to keep your address and/or photo up to date.

Who would qualify:

- \* All members of the armed forces on active duty, to include National Guard and Reservists called for active service for 180 days or more.
- \* Spouses and dependents with a valid dependent identification card of military personnel who occupy the same residence as the person on active duty.

Upon Expiration (90 days from discharge):

- \* A license will expire upon 90 days from release or discharge from active duty, at that time all South Dakota laws regarding an expired license are in effect.

**Recommendation:** South Dakota does currently have a similar codified law (32-12-45) which states: A valid South Dakota operator's license held by any person who enters or is in the United States armed forces shall continue in full force and effect so long as the service continues and the person remains absent from this state.

This would add the "no expiration" comment right on the license so law enforcement agencies in other states would have a better understanding. It also has family members as an addition as they are stationed outside of South Dakota as well. The "person remains absent from this state or returns to this state" is also removed which relieves the requirement of the service member to renew their license if they come home for a short period or timeframe.

Committee does not recommend approval. Resolution was not approved by body and will not move on.

#### **SDNGEA Resolution 2017-04 Thank you to the hosts of the 58<sup>th</sup> Annual Conference**

**Situation:** The 58<sup>th</sup> Annual South Dakota National Guard Enlisted Association Conference, in Pierre, SD at the Ramkota Hotel and Convention Center, hosts have done a wonderful job. The members and guests have thoroughly enjoyed this well planned conference and all of the amenities that have been provided.

**Recommendation:** The conference delegates give a round of applause to the people responsible for such an outstanding conference on the 22<sup>nd</sup> of April 2017.

Committee recommends approval. Approved by body.

#### **SDNGEA Resolution 2017-05 Continued contribution to The Thrift Saving Plan (TSP) after expiration of service obligation.**

**Situation:** The Thrift Saving Plan (TSP) is a wonderful benefit to our service members because of its low administration fees and management flexibility. However, when a service member leaves the service they are not able to continue contribution to this program. This does not apply to service members who leave the service and are still federally employed.

**Recommendation:** Provide a way to allow service members to continue contributing to their TSP accounts after leaving the service.

This resolution was not discussed by the Resolutions Committee, but was discussed by the business session body, and passed with a two thirds vote.

## **Reaffirmation of Past Resolutions**

#### **SDNGEA Resolution 2016-01 Automatic re-enrollment in Tricare Reserve Select (TRS) and United Concordia Dental after Active Duty (AD) time in which Tricare Prime automatically kicked in.**

**Situation:** If you are currently enrolled in TriCare Reserve Select but go on Active Duty orders for over 30 days you automatically are enrolled into Tricare Prime and Active Duty Dental. When your orders end, so does your health and dental insurance and the providers do not remind you that you have to re-apply for TriCare Reserve Select or United Concordia Dental. Numerous Soldiers have re-applied for TRS shortly before their orders ended but their application was not processed because they were on AD orders. There seems to be a large disconnect between DEERS and TriCare in regards to the length of AD orders. This has left many Soldiers and their families without coverage. This resolution was approved by the body at the 2016 National EANGUS conference but the changes have not yet been approved and therefore we need to continue to push the issue.

**Recommendation:** We would like TriCare and United Concordia to auto-enroll you back into TriCare Reserve Select and United Concordia Dental if you were enrolled before the long tour Active Duty orders.

Committee recommends approval. Approved by body.

#### **SDNGEA Resolution 2016-02 Technician Flight Incentive Pay.**

**Situation:** Current dual-status technicians who fly for their full-time technician position do not get Aviation Career Incentive Pay (ACIP) or Hazardous Duty Incentive Pay (HDIP). Only Soldiers who fly on military status (drill time / IDT, Active Duty Orders, or Additional Flight Training Periods) receive ACIP or HDIP. These dual-status technicians are required to follow all of the guidelines set forth for aviators to be eligible for ACIP or HDIP (maintain their flight hours, flight physical, testing, and academics) but they do not get paid the incentive because they are government civilian employees. This resolution was disapproved by the body at the 2016 National EANGUS conference and therefore we need to continue to push the issue.

**Recommendation:** We would like ACIP and HDIP to be paid to the dual-status technicians who fly on technician time.

Committee recommends approval. Approved by body.

**SDNGEA Resolution 2016-03 Re-enlistment incentives for Soldiers re-enlisting to meet mandatory service obligations (MSO).**

**Situation:** Currently you are only eligible for an incentive (bonus, Montgomery GI Bill Kicker, or Student Loan Repayment) if you are 365 days or closer to your ETS. Some Soldiers and Airmen have to re-enlist before their 1 year window to meet an MSO for their career progression. This resolution was approved by the body at the 2016 National EANGUS conference but the changes have not yet been approved and therefore we need to continue to push the issue.

**Recommendation:** We would like Soldiers and Airmen to be eligible for the same incentives that they would be eligible for if they were in the 1 year window.

Committee recommends approval. Approved by body.

**SDNGEA Resolution 2016-04 Technician re-enlistment incentive eligibility.**

**Situation:** Currently M-day Soldiers and Airmen are allowed to receive re-enlistment incentives (bonus, Montgomery GI Bill Kicker, or Student Loan Repayment) but Technicians of the National Guard are not allowed re-enlistment incentives because of their full-time career. This resolution was disapproved by the body at the 2016 National EANGUS conference and therefore we need to continue to push the issue.

**Recommendation:** We would like allow Technicians of the National Guard to be fully eligible for re-enlistment incentives.

Committee recommends approval. Approved by body.

**SDNGEA Resolution 2016-05 AGR re-enlistment incentive eligibility.**

**Situation:** Currently Active Duty Soldiers are allowed to receive re-enlistment incentives (bonus, Montgomery GI Bill Kicker, or Student Loan Repayment) but AGR's of the National Guard are not allowed re-enlistment incentives. This resolution was disapproved by the body at the 2016 National EANGUS conference and therefore we need to continue to push the issue.

**Recommendation:** We would like allow AGR's of the National Guard to be fully eligible for re-enlistment incentives.

Committee recommends approval. Approved by body.

**SDNGEA Resolution 2016-06 Recoupment or Termination of incentives after receiving Technician or AGR positions.**

**Situation:** Currently Soldiers and Airmen who have enlistment incentives risk losing their incentives if they get hired into a Technician or AGR position. This is reducing the number of applicants for positions and causing financial hardships for those who are willing to take that risk. This resolution was disapproved by the body at the 2016 National EANGUS conference and therefore we need to continue to push the issue.

**Recommendation:** We would like to allow new hires for either Technician or AGR positions to be allowed to keep their current incentive contracts.

Committee recommends approval. Approved by body.

**SDNGEA Resolution 2016-07 Recoupment or Termination of incentives for changing career management fields (MOS or AFSC).**

**Situation:** Soldiers and Airmen who currently have enlistment incentives risk losing their incentives if they change their career management field. Only some career management fields are eligible for incentives but even if you move from one field to another and they both have incentive eligibility, you will be recouped your incentive for voluntarily changing fields. Some positions are extremely hard to fill via lateral moves because the applicants would lose their incentives, causing financial hardship and stalling their progression in the military. This would hopefully increase the number of applicants for positions and help units select the most

qualified for the position. This resolution was approved by the body at the 2016 National EANGUS conference but the changes have not yet been approved and therefore we need to continue to push the issue.

**Recommendation:** We would like Soldiers and Airmen to be allowed to keep their incentives when changing career fields so long as the new field is also eligible for incentives.

Committee recommends approval. Approved by body.

#### **SDNGEA Resolution 2016-08 TriCare Retired Reserve rate re-evaluation for grey area retiree's.**

**Situation:** Current Soldiers who retire with 20 good years of service in the National Guard are eligible for TriCare Retired Reserve health insurance but the rates are unfortunately very high for the time between their retirement and age 60. This resolution was approved by the body at the 2016 National EANGUS conference but the changes have not yet been approved and therefore we need to continue to push the issue.

**Recommendation:** We would like to recommend a re-evaluation of the TriCare Retired Reserve Rates to ensure that our retirees are offered exceptional coverage at a reasonable price.

Committee recommends approval. Approved by body.

#### **SDNGEA Resolution 2016-09 Technician compatibility.**

**Situation:** Currently Technicians are limited on the positions that they can hold in a TDA/MTOE/UMDA unit due to the Technician Personnel Regulation 303. This resolution was approved by the body at the 2016 National EANGUS conference but the changes have not yet been approved and therefore we need to continue to push the issue.

**Recommendation:** We recommend that the Technician Personnel Regulation 303 be re-evaluated to specifically look at the Technician compatibility hindrances.

Committee recommends approval. Approved by body.

#### **SDNGEA Resolution 2015-1**

**Situation:** Concurrent Receipt of Federal Tuition Assistance (TA) and MGIB

Change 3 to DoDI 1322.5 Para 1k was changed in July of 2014 to remove this allowance for service members to utilize more than one assistance program together. The removal of this benefit to the service members has been detrimental to recruiting and retention for the Army National Guard nationwide. The SDNGEA recommendation is to allow both Federal TA and MGIB for college students to promote education in South Dakota and return the retention and recruitment endeavors of the SDARNG. This resolution was disapproved by the body at the 2016 National EANGUS conference and therefore we need to continue to push the issue.

**Recommendation:** Reaffirm this resolution.

Committee recommends approval. Approved by body.