

Guard and Reserve Affairs Items

Guard and Reserve Affairs Division
Office of The Judge Advocate General, U.S. Army

GRA On-Line!

You may contact any member of the GRA team on the Internet at the addresses below.

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Director

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Personnel Actions

USAR/ARNG Applications for JAGC Appointment

Effective 14 June 1999, the Judge Advocate Recruiting Office (JARO) began processing all applications for USAR and ARNG appointments as commissioned and warrant officers in the JAGC. Inquiries and requests for applications, previously handled by GRA, will be directed to JARO.

Judge Advocate Recruiting Office
901 North Stuart Street, Suite 700
Arlington, Virginia 22203-837

(800) 336-3315

Applicants should also be directed to the JAGC recruiting web site at <www.jagcnet.army.mil/recruit.nsf>.

At this web site they can obtain a description of the JAGC and the application process. Individuals can also request an application through the web site. A future option will allow individuals to download application forms.

The Judge Advocate General's Reserve Component (On-Site) Continuing Legal Education Program

The following is the current schedule of The Judge Advocate General's Reserve Component (on-site) Continuing Legal Education Program. *Army Regulation 27-1, Judge Advocate Legal Services*, paragraph 10-10a, requires all United States

Army Reserve (USAR) judge advocates assigned to Judge Advocate General Service Organization units or other troop program units to attend on-site training within their geographic area each year. All other USAR and Army National Guard judge advocates are encouraged to attend on-site training. Additionally, active duty judge advocates, judge advocates of other services, retired judge advocates, and federal civilian attorneys are cordially invited to attend any on-site training session.

1999-2000 Academic Year On-Site CLE Training

On-site instruction provides updates in various topics of concern to military practitioners as well as an excellent opportunity to obtain CLE credit. In addition to receiving instruction provided by two professors from The Judge Advocate General's School, United States Army, participants will have the opportunity to obtain career information from the Guard and Reserve Affairs Division, Forces Command, and the United States Army Reserve Command. Legal automation instruction provided by personnel from the Legal Automation Army-Wide System Office and enlisted training provided by qualified instructors from Fort Jackson will also be available during the on-sites. Most on-site locations supplement these offerings with excellent local instructors or other individuals from within the Department of the Army.

Additional information concerning attending instructors, GRA representatives, general officers, and updates to the schedule will be provided as soon as it becomes available.

If you have any questions about this year's continuing legal education program, please contact the local action officer listed below or call Colonel Tromeo, Guard and Reserve Affairs Division, Office of The Judge Advocate General, (804) 972-6381 or (800) 552-3978, ext. 381. You may also contact Colonel Tromeo on the Internet at Thomas.Tromeo@hqda.army.mil. Colonel Tromeo.

**THE JUDGE ADVOCATE GENERAL'S SCHOOL RESERVE COMPONENT
(ON-SITE) CONTINUING LEGAL EDUCATION TRAINING SCHEDULE
1999-2000 ACADEMIC YEAR**

<u>DATE</u>	<u>CITY, HOST UNIT, AND TRAINING SITE</u>	<u>AC GO/RC GO SUBJECT/INSTRUCTOR/GRA REP*</u>	<u>ACTION OFFICER</u>
8-9 Jan 2000	Long Beach, CA 78th MSO	AC GO MG Altenburg RC GO BG O'Meara GRA Rep TBD	Administrative & Civil Law (4 hrs): Separation Boards Criminal Law (2 hrs): Urinalysis Testing POC: MAJ Jacqueline Jackson (619) 594-2012 corlett@rohan.sdsu.edu Host: COL Dan Allemeier (310) 317-5851
7-9 Jan	New Orleans, LA 2d LSO	AC GO MG Huffman RC GO COL (P) Walker GRA Rep TBD	International & Operational Law (4 hrs): Law of War Criminal Law (2 hrs) Host: COL Kenneth Densmore (580) 442-5846
29-30 Jan	Seattle, WA 6th MSO/70th RSC	AC GO MG Altenburg RC GO COL (P) Walker GRA Rep TBD	Criminal Law International & Operational- Law POC: LTC Scotty Sells (360) 336-9462 scottys@co.skagit.wa.us Host: COL Matt Vadnal (206) 553-0940
5-6 Feb	Columbus, OH 9th MSO	AC GO BG Barnes RC GO COL (P) Walker Contract Law Int'l Law GRA Rep TBD	Contract Law Administrative Law POC: LTC Mark Landers (937) 255-3203, ext. 215
19-20 Feb	Salt Lake City, UT 87th MSO/UTARNG	AC GO BG Marchand RC GO COL (P) Walker GRA Rep TBD	Criminal Law: Fraternization Administrative & Civil Law Host: COL Christiansen (801) 366-7861
26-27 Feb	Indianapolis, IN INARNG	AC GO BG Barnes RC GO COL (P) Walker Criminal Law Int'l & Op Law GRA Rep TBD	CLAMO: Legal Issues in JRTC Training Criminal Law Professional Responsibility tape to be shown. POC: LTC George Thompson (317) 247-3491/3449 Host: COL George Hopkins (765) 457-4349
11-12 Mar	Washington, DC 10th MSO	AC GO BG Barnes RC GO BG DePue Criminal Law Int'l & Ops Law GRA Rep TBD	Criminal Law Administrative & Civil Law MAJ Gerry P. Kohns kohnsg@hq.navfac.navy.mil Host: COL Jan Horbaly (202) 633-9615
11-12 Mar	San Francisco, CA 75th LSO	AG CO BG Romig RC GO BG O'Meara GRA Rep TBD	Contract Law Administrative & Civil Law: POR—How to get ready to deploy POC MAJ Douglas Gneiser (415) 673-2347 Host: COL Charles O'Connor (415) 436-7180

18-19 Mar	Chicago, IL 91st LSO	AC GO BG Marchand RC GO BG DePue	Contract Law International & Operational Law	POC: MAJ Tom Gauza (312) 443-1600 Host: COL Johnny Thomas (210) 226-5888
25-16 Mar	Charleston, SC 12th LSO	AC GO MG Altenburg RC GO BG DePue Int'l & Operational Law Criminal Law GRA Rep TBD	International & Operational Law Criminal Law: Fraternization	COL Robert P. Johnston (704) 347-7800 Host: COL Dave Brunjes (912) 267-2441
1-2 Apr	Orlando, FL FLARNG	AC GO BG Romig RC GO BG O'Meara Criminal Law Int'l & Operational Law GRA Rep TBD	Administrative & Civil Law Contract Law	Ms. Cathy Tringali (904) 823-0132 Host: COL Henry Swann (904) 823-0132
16-20 Apr	Spring Workshop GRA			
21-23 Apr	Easter Weekend			
29-30 Apr	Newport, RI 94th RSC	AC GO MG Huffman RC GO BG O'Meara GRA Rep TBD	International & Operational Law: ROE Criminal Law: New Devel- opments requested. (But a possible substitution by CLAMO was discussed with a focus on Domestic Opera- tions)	POC: MAJ Jerry Hunter (978) 796-2140 1-800-554-7813
6-7 May	Gulf Shores, AL 81st RSC/ALARNG	AC GO BG Barnes RC GO BG DePue GRA Rep TBD	Criminal Law Administrative & Civil Law	POC: CPT Lance W. Von Ah (205) 795-1511 fax (205) 795-1505 lance.vonah@usarc-emh2.army.mil
12-14 May	Omaha, NE 89th RSC	AC GO BG Romig RC GO COL (P) Walker	Contract Law Administrative & Civil Law	POC: LTC Jim Rupper (316) 681-1759, ext. 1397 Host: COL Mark Ellis (402) 231-8744

*Topics and attendees listed are subject to change without notice.
Please notify Colonel Tromeu if any changes are required, telephone (804) 972-6381.

Reserve Affairs Update

Authorization Act for the National Guard and Reserve

President Clinton's signature on the \$289 billion fiscal year 2000 National Defense Authorization Act (NDAA), which was signed into law October 5, 1999, will significantly benefit the nearly 1.4 million members of the National Guard and Reserve.

Beginning January 1, 2000, Reserve component personnel will see a 4.8% increase in their drill and annual training pay, and numerous other incentives and benefits that the Department of Defense (DOD) believes will keep them in uniform longer and attract more young people to join the force. The pay raise is the highest in a generation. In addition, the NDAA provides for targeted pay increases in basic pay up to 5.5%, effective July 1, 2000. "This landmark legislation will benefit every man and woman in this force, active, Guard and Reserve," Charles L. Cragin, principal deputy assistant secretary of Defense said. "We ask a lot of our people, and they are the best in the world. This law gives them the tools they need to do the jobs we ask them to do, while improving their quality of life and taking care of their families." The NDAA:

- Increases the Selected Reserve enlistment bonus from \$5000 to \$8000 for those who enlist in the Selected Reserve. The law also extended from December 31, 1999 to December 31, 2000 certain bonuses and special pay authorities for Reserve forces.
- Authorizes service secretaries to offer bonuses to members of the Selected Reserve who have prior service experience and who have completed the necessary training to qualify in a critically short wartime skill.
- Permits federal civilian employees to also use their military leave to perform drills or inactive duty training (IDT).
- Extends to January 1, 2001, the authority for repayment of education loans for certain health professionals who serve in the Selected Reserve.
- Authorizes special pay for members of the Coast Guard Reserve assigned to high priority units of the Selected Reserve at the rate of ten dollars per drill period.
- Authorizes the Secretary of Defense to waive the TRICARE deductible for Reserve component members on active duty pursuant to a call or order to active duty for less than one year in support of a contingency operation.
- Authorizes the services to order a Reserve component member to active duty, with the consent of the member, for treatment of an injury, illness, or disease incurred or aggravated in the line of duty while performing IDT. In addition, a Reserve component member can now be continued on active duty for a period of more than thirty days while being treated for an injury, illness, or disease incurred or aggravated during a period of active duty of thirty days or less, and is entitled to the same medical and dental care as a member on extended active duty.
- Authorizes the dental program for reservists and active duty dependents to be combined. Authorized the family members of Ready Reserve members and Individual Ready Reserve members to enroll in the program. The plan will include premium sharing for certain members of the Ready Reserve.
- Authorizes the Secretary of Defense, with the consent of the member, to order a Reserve component member to active duty to receive authorized medical care, to be medically evaluated for disability or other purposes, or to complete a required DOD health care study. Before this change in law, 1965 and 1975 Comptroller General decisions precluded ordering a member to active duty with full pay and allowances for the purpose of conducting a medical examination or treatment associated with such an examination. This change is particularly important when the member's examination is for the broader purpose of a DOD health surveillance study to identify, prevent, and control health consequences that could impact future operational deployments.
- Permanently extends the "forgotten widow" annuity, which pays \$165 per month to certain widows of deceased gray-area retirees.
- Allows chaplains in the Reserve components of the Army and Air Force to be retained until age sixty-seven. Chaplains in the Naval Reserve could already be retained until age sixty-seven.
- Establishes disability retirement or separation for certain members with pre-existing conditions. Members with more than eight years of active service are eligible for disability coverage for pre-existing conditions. For reservists who have accumulated at least fifteen qualifying years of service toward a non-regular service retirement, this provision makes permanent the transition authority for early qualification for retired pay at age sixty. Eligibility would be based on fifteen, but less than twenty years of service for members of the Selected Reserve who no longer meet the qualifications for membership due to physical disability other than in the line of duty.
- Specifies that service credit for retirement purposes may be awarded to Reserve component personnel who participated in a health professions scholarship program (HPSP) and financial assistance program (FAP) for satisfactory service in the Selected Reserve. One year of service credit may be awarded for each year of reserve service

in a critically short wartime skill. Up to four years of credit may be awarded. This credit does not count for pay and longevity purposes.

- Changes the mandatory removal date for Reserve component majors and lieutenant commanders who are twice not selected for promotion, to the later of (1) the first day of the month after the month in which the officer completes twenty years of commissioned service, or (2) the first day of the seventh month after the month in which the President approves the report of the board which considered the officer for the second time.
- Authorizes members of the Reserve components whose place of IDT is outside the contiguous United States (including a place other than the place of the member's unit training assembly if the member is performing the IDT in another location) to travel in a space-required status on military aircraft between the member's home and the place of such training if there is no road or rail transportation between those locations.
- Establishes the position of director, Office of the Coast Guard Reserve.
- Authorizes seventeen additional full-time National Guard Rapid Assessment and Initial Detection (RAID) Teams, bringing the total to twenty-seven.
- Authorizes the assignment of Reserve component chiefs and National Guard directors in the grade of O-9. The officer must be recommended for appointment by the secretary of the military department, must be determined by the Chairman, Joint Chiefs of Staff (CJCS) to have significant joint duty experience, and must be recommended by the Secretary of Defense to the President for appointment. Appointments would count against the authorized number of general officers and flag officers on active duty as well as the number of general and flag officers authorized to serve in the grade of O-9.
- Authorizes the CJCS to designate up to ten general/flag officer (GO/FO) positions on CINC staffs to be held only by Reserve component officers in the grade of O-8 or O-7. They do not count against limitations of GO/FO on active duty for more than 180 days.
- Expands the duties authorized for Active Guard and Reserve (AGR) personnel to include: (1) supporting missions or operations assigned in whole or part to the Reserve components; (2) supporting missions or operations performed by a multi-component or joint forces unit; (3) advising the Secretary of Defense, military department secretaries, Joint Chiefs of Staff, and Commanders in Chief on Reserve component matters. This change provides the Reserve components with greater flexibility to employ all available manpower, both full-time and part-time, to accomplish assigned operational missions.
- Revises civil service laws governing military technicians prescribing criteria for mandatory separation or retirement with an annuity for Army Reserve and Air Force military technicians who lose dual status. The NDAA provides early retirement for military technicians to more closely align eligibility for civil service retirement with eligibility for military Reserve retirement. It also re-authorizes up to 1950 non-dual status technicians in the National Guard under 32 U.S.C. § 709, and allows Reserve technicians to remain in the priority placement program for up to one year following loss of dual status. The number of technicians in the Army Reserve and Air Force Reserve so employed after loss of dual status can not exceed 175.
- Authorizes the services to pay a per diem allowance to dual status military technicians serving on active duty outside of the United States, without military pay while on leave from technician employment, in lieu of commutation for subsistence and quarters. In addition, leave protections are to be applied when dual-status military technicians participate on active duty in combat, as well as noncombat operations outside the United States, its territories and possessions.
- Requires the DOD to provide funeral honors details for funerals of Veterans upon request. The details must consist of two or more uniformed members. The minimum ceremony must include folding and presenting the flag and rendering of taps. The Secretary of Defense may waive these requirements in the event of war, national emergency or contingency operations. Selected Reserve members are considered veterans and are eligible for funeral honors. The provision establishes funeral honors duty status in which Reserve component personnel may prepare for and perform funeral honor functions. While in a funeral honors duty status, a Reserve component member may be paid a fifty dollar stipend, paid expenses for travel over fifty miles, and is covered for medical and disability purposes in the same manner as IDT. A retirement point is awarded for each day in a funeral honors status. These points are not subject to the seventy-five-point cap. Funeral honors duty may not be performed in drill or active duty training status, but may be performed while on active duty other than for training.
- Authorizes an increase in National Guard "ChalleNge" program funding from \$50 million to \$62.5 million. It also clarifies that the ChalleNge program must consist of a twenty-two-week residential program and a twelve-month post residential mentoring period. It also expands the range of supervised work that ChalleNge students might undertake, in addition to the community service work previously provided.
- Provides for twenty-five STARBASE academies, with a minimum of \$200,000 per academy.
- Authorizes \$644.6 million for National Guard and Reserve military construction (MILCON). On July 27, 1999, President Clinton signed into law an appropriation for \$695.4 million for Reserve component military

construction. There are eight MILCON projects appropriated totaling approximately \$40 million that will require authorization. This issue will be refined over the next year.

- Authorizes about \$2 billion for National Guard and Reserve equipment, including the President's budget and congressional adds. Procurement highlights include:

- The Army National Guard will receive nine UH-60 "Black Hawk" helicopters, in addition to eight aircraft requested in the President's budget. Additionally, the Army Guard will receive funding for upgrading Bradley Fighting Vehicles.

- The Army Reserve will receive additional funding for wheeled vehicles including a twenty-five ton crane, HMMWVs, HEMTT wreckers, and self-propelled rollers.

- The Naval Reserve will receive two C-40A aircraft. This is one more than was included in the President's budget. They will also receive funding for upgrades to various aircraft including the F/A-18 and C-130.

- The Air National Guard and Air Force Reserve will receive additional funding to upgrade F-16 and F-15 aircraft. These modifications include engine upgrades, precision guided munitions targeting capabilities, and improvements to navigation and electro-optical reconnaissance systems.

- The Marine Corps Reserve will receive additional funding to upgrade the night targeting systems of its AH-1W helicopters. They will also receive funding for communications systems and HMMWVs.

Dr. Foley.