

Remarks of

Harold E. Cooney

**State Liaison, Northeast
DoD-State Liaison Office
Office of the Deputy Assistant Secretary of Defense,
Military Community and Family Policy**

**Public Hearing on Veterans' Issues:
2015 DoD Key Personnel and Readiness Issues Supporting Service members
and their Families**

February 25, 2015

**Pennsylvania Senate Veterans Affairs and Emergency Preparedness
Committee**

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Chairman Vulakovich and members of the Senate Veterans Affairs and Emergency Preparedness Committee, on behalf of the Office of the Secretary of Defense, and in particular, the Deputy Assistant Secretary of Defense for Military Community and Family Policy, thank you for the opportunity to present remarks at this public hearing on Veterans' issues.

My name is Harold Cooney. I retired from the Army after 30 years of service in 2004 and have worked in the DoD family policy arena since. I am the Northeast Region Liaison for the Department of Defense State Liaison Office. Our mission is to be a resource to state policymakers addressing the issues that affect the quality of life of our military and their families.

More than ten years ago, the Department of Defense (DoD) recognized that many issues surrounding quality of life and family well-being can only be addressed by states. The Department started the USA4 Military Families initiative to engage state policymakers, not-for-profit associations, concerned business interests, and other state leaders about the needs of military members and their families. By developing state/military partnerships, the DoD seeks to work with states to remove unnecessary barriers and significantly improve the quality of life for military families.

We collect issues from the military Services and the Department staff each year, review them for relevancy across the Department and appropriateness in terms of state legislative action and then vet potential solutions with all stakeholders.

There are eight Liaisons across the country working with the many state leaders who are concerned for the welfare of the Active Duty, Guard, and Reserve Service members and their families living within their borders. We broadly educate state leaders on key issues, and as this education process proceeds, build relationships with interested state leaders. If one of these leaders (normally members of the legislature) wants to tackle an issue, we can provide assistance in the form of information papers, identifying 'best practice' legislation from other states and providing testimony if requested.

The USA4 Military Families initiative has been very successful and much progress has been made. Over the past few years, states have addressed several key quality of life issues, to include the impact of frequent school transitions experienced by military children, the lost income by military spouses as a result of military moves, and the enforcement of the congressionally mandated DoD predatory lending regulation. In this regard, all 50 states have joined the Interstate Compact on Educational Opportunity for Military Children, 46 states now provide eligibility for unemployment compensation to military spouses, and 36 states can enforce the DoD predatory lending regulation. I can proudly say that Pennsylvania is among those states.

In your packets, I have provided the 2015 list of active issues and those under development with the current status of each. Under development simply means we found the issue to have merit, but needed some additional research to develop potential solutions. You will see some states have already seized the initiative on several of those issues.

In closing, let me say that we are grateful for the tremendous effort Pennsylvania has historically made in supporting our Service members and their families. I want to thank this Committee for your time and attention. Please do not hesitate to contact me if you have any questions or would like additional information on any of these issues.

Respectfully submitted:

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2015 DoD Key Personnel and Readiness Issues

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. *Pennsylvania has met most of the desired outcomes of this issue.*

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. **This is a new issue. 5 states have passed legislation, 8 have legislation pending.**

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. **Pending-HB157 (Heffley) addresses occupational licenses, but not academic credit.**

Provide authority for establishing Veteran Treatment Courts (VTCs): One in five veterans suffer from behavioral health problems. States can help by authorizing VTCs to facilitate rehabilitation (instead of incarceration) for veterans and Service members experiencing problems. *While no legislation exists, Pennsylvania reports 18 active VTCs.*

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. **This is a new issue. 11 states have passed legislation, 5 have legislation pending.**

Promote consumer protections and enforcement of the predatory lending regulation: 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. *Pennsylvania has met the desired outcomes of this issue.*

Increase access to quality childcare for military families: 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. **Pennsylvania is not one of 13 pilot states, but meets some of the requirements of this issue.**

Comport state laws with DoD rules on disposition: States can alleviate potential family disharmony during a time of bereavement by recognizing the person selected by the Service member on DD Form 93 (Record of Emergency Data), in accordance with Federal law. *Pennsylvania has met the desired outcomes of this issue.*

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. *Pennsylvania has met the desired outcomes of this issue.*

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. **12 states have passed legislation, 5 have legislation pending.**

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 and sharing pertinent case file information with the appropriate military authorities. **Legislation is pending in 2 states.**

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. **28 states have passed legislation or made policy changes, 5 have legislation pending. Senator Teplitz is drafting legislation for Pennsylvania.**

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. **13 states have passed legislation, 11 have legislation pending.**

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