

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**

**Informational Meeting:
2017 DoD Key Personnel and Readiness Issues Supporting Service members
and their Families**

March 23, 2017

**Pennsylvania Joint Senate/House Veterans Affairs and Emergency
Preparedness Committees Information Meeting on Veterans Issues**

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2017 DoD Key Personnel and Readiness Issues Supporting Service members and their Families

Chairman Vulakovich and Chairman Barrar and members of the Senate and House Veterans Affairs and Emergency Preparedness Committees, 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 Informational Meeting on Veterans and military community 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. 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. Since I reported to this meeting last year, nearly 70 individual pieces of legislation were

signed into law, two here in Pennsylvania - Veteran hiring preference for private employers (Act 135) and facilitating military spouse teacher certification (Act 143), an area where Pennsylvania had led the way. However, there is still much to be done.

In your packets, I have provided the 2017 list of active issues with the current status of each. There are three new issues and two issues we have tweaked from last year's list. You will see some states have already seized the initiative on several of those issues.

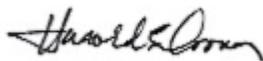
We are currently tracking legislation in the Pennsylvania General Assembly regarding Unemployment Benefit for Military Spouses (SB271) and Deployed Parent Child Custody (SB511), but it is early in the session. I welcome your questions and can discuss any of the issues on the list.

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.

This commitment is reflected in SR255, which directed the Joint State Government Commission to review the current services and programs available to Pennsylvania residents who are active members and veterans of the armed services. The report is a compendium of available benefits and proposed recommendations to assist the General Assembly in addressing veterans' needs, as well as assisting all helping organizations to direct our service members and veterans to the appropriate resources.

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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2017 DoD Key Personnel and Readiness Issues

State policy to support identification and reporting of child abuse and neglect: **Red** State laws do not require child protective services to identify military families in cases of child abuse and neglect, or to report cases to the appropriate military authorities. Changes in state law can support both local government and the Military Services concurrently assisting in child abuse or neglect cases involving military families. **10 states have passed legislation. 8 states have legislation pending.**

National Guard employment protections during state-sponsored activation: **Amber** State laws that cover Guard members during state-sponsored mobilizations impact employers within the state. States can modify their laws to protect rights of members of the National Guard during state-sponsored mobilizations who drill outside of the state in which they are employed. *Pennsylvania 51 PA.C.S.A. Section 7309 provides protection for Pennsylvania National Guard members, but doesn't protect Guard members of neighboring states who work in Pennsylvania.* **29 states have passed legislation, 6 have legislation pending.**

Allow Service members to retain their earned priority for receiving Medicaid home and community care waivers: **Red** Because states frequently have long waiting lists, Service 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 (e.g. where they pay taxes, vote) can stabilize their request for support. **30 states have passed legislation, 2 have legislation pending.**

Allow private sector employers to offer hiring preference to veterans: **Green** Private sector employers attempting to offer hiring preferences to veterans may be risking claims of discrimination from applicants lacking military experience. States may establish laws or policies that protect private sector employers from discrimination claims when offering hiring preference to veterans. **Act 135 signed by governor 11/3/16. One of 37 states to pass legislation.**

Facilitate military spouse teacher certification: **Green** Military spouse teachers often encounter difficulty acquiring licensure in a state after a move. Providing flexibility in states accepting an existing standard certificate, establishing a temporary certificate, or expediting application and adjudication processes may alleviate the delays in garnering certification to teach in that particular state. **Act 143 signed by governor 11/3/16 expedites the licensing process and reduces fees. One of 9 states to pass legislation.**

Facilitate Service members receiving academic credit for military education, training and experience: **Red** Separating Service members may be held back from finishing a degree. States can assist separating Service members to obtain academic credit by not having to repeat requirements completed while in the military. *Act 23 signed by the Governor on 7/10/15 addressed consideration of military service, education, training and service experience regarding licensing or certification requirements.* **34 states have passed legislation, 4 have legislation pending. Failed Legislation (2016): HB841 (Deasy)**

Pro-bono legal representation for military families: **Red** Military families have access to legal assistance attorneys for advice and help with important documents, but they must generally obtain their own counsel to represent them in court. State governments can assist by organizing pro-bono programs that can connect qualified attorneys with Service members and their families in need. **5 states have passed legislation, 1 has legislation pending.**

Licensing Compacts recognizing separating Service members and military spouses: The Physical Therapy (PT) licensing compact features specific provisions supporting separating Service members and military spouses and is currently being considered by states. Having states enact laws approving this compact further expedites licensure in this occupation for separating Service members and military spouses. *New Issue.* **5 states have passed legislation, 12 have legislation pending.**

Increase protection under state Service members Civil Relief Act: Many Service members find difficulty terminating or suspending certain service contracts when transitioning from one duty location to another, when mobilized or when deployed. Certain provisions could be enacted eliminating or reducing the penalties associated with termination of service on short notice. *New Issue. Pa.C.S.A. Title 51, Sec 4105 addresses exemption from civil process, but not specific protections found in the federal SCRA as they apply to members of the National Guard under state activation; or extended consumer protections beyond what is included in the federal SCRA.* **3 states have passed legislation, 3 have legislation pending.**

Facilitate military representation on certain state boards and councils: Governors have boards and councils to provide policy and budget recommendations on issues important to health and productivity of communities. Military representatives on these boards/councils may provide insight on the military community's needs, priorities and available resources, which may help boards/councils to better accommodate military members and families into their agenda. *New Issue – research topic.*

Emeritus Issues

Unemployment compensation benefits for military spouses. Unemployment compensation is important to military families, who cannot afford to lose income during a military move. Military spouses report that they frequently lose significant family income when moving from state to state. *Pending legislation: SB271 (Baker).*

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 some of the desired outcomes of this issue.** *Pending: SB271 (Baker) Unemployment Compensation. Failed legislation (2016) SB964 (Teplitz)/HB1675 (Rozzi) (licensure portability).*

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