



LEGIT

NGAUS Legislative Information Talk
March 5, 2010

Senate Delays Medicare Physician Rate Cut Until March 31

On Tuesday night, the Senate passed a measure to temporarily extend some benefits, including postponing a 21 percent rate cut of Medicare payments to physicians. The benefits were extended until March 31, after Sen. Jim Bunning, R-Ky., agreed to end his single-man 5-day filibuster.

The House approved the measure on Feb. 25. H.R. 4691, the Temporary Extensions Act, provides for a 0% Medicare physician payment update until March 31, according to a summary of the bill. The sustainable growth rate (SGR) is a key factor in annual Medicare physician payment updates.

The American Medical Association and other active medical groups support a change to the SGR, or wish to eliminate it entirely. In November 2009, the House passed a bill that would permanently repeal and replace the SGR.

Call to Action!

NGAUS urges its members to continue making their voices heard on the Hill to ensure that this measure becomes more permanent beyond the current deadline of March 31. Use our Write to Congress feature at www.ngaus.org/writetocongress

PDMRA Benefit Payments

NGAUS thanks the offices of Sen. Ron Wyden, D-Ore., and Reps. Bruce Braley, D-Iowa, and Tim Walz, D-Minn., for their efforts in spurring the Department of Defense to accelerate payment of the Post Deployment/Mobilization Respite Absence (PDMRA) benefits (see [last week's LEGIT](#) for more details).

NGAUS also wants to commend the tireless efforts of Col. Eric D. Ahlness, Director of Government Relations for the Minnesota National Guard, for his efforts to promote PDMRA payments.

At the Legislative Liaison Workshop held at NGAUS Feb. 1 to 2, 2010, Col. Ahlness arranged (on short notice) for the staff of Reps. Braley and Walz to address nearly ninety National Guard officers from across the country who were attending the workshop. These staffers encouraged the delegates to contact their congressional representatives and ask them to sign a letter prepared by Sen. Wyden and Rep. Braley to Secretary of Defense Robert Gates and Undersecretary of Defense Gail H. McGinn. The letter urged them to provide retroactive PDMRA benefits as soon as possible. The letter was eventually signed by several members of Congress and was successful in its efforts, rallying Congress to authorize payment to Iowa and Minnesota National Guard members.

We are grateful to Col. Ahlness for looking after the interests of National Guard combat veterans from his state and throughout the country that will benefit from the retroactive PDMRA payments. Col. Ahlness is a credit to his state and to the National Guard. NGAUS is proud to have him as a member.

Representative Loeb sack Asks About ARNG Equipment

In a hearing last week on the Hill, Rep. Dave Loeb sack, D-Iowa, asked Secretary of the Army John McHugh about National Guard equipment needs. McHugh's answer and comments from Army Chief of Staff George Casey:

REP. DAVE LOEBSACK:

Another question I have is about the equipment for the National Guard. The budget request does not include any funding for the National Guard reserve equipment account. That's my understanding at least.

Meanwhile, the Army National Guard is not currently slated to equip all brigade combat teams to 100 percent of their requirement until 2015. Can you please explain to me how this budget supports both

the National Guard's ability to respond to their homeland and their overseas missions?

In the case of Iowa, you may recall that in 2008 we had a great flood and a lot of those National Guard folks did a lot of great work in Iowa. So can you answer that question?

SECRETARY MCHUGH:

Yes, I have to get back to you on the details for the National Guard Iowa component. I had mentioned earlier, we do have over the next five years, just over \$102 billion scheduled for equipment readiness improvements. I am acquiring the data. I have been sure that right now the National Guard national average of about 75 percent.

And once these investments are made, they will improve to over 81 percent. So 81 percent is a significant distance from 100, we all understand that, but it is something that we're trying to turn the tie dime and as the draw down in Iraq continues hopefully, successfully and we can bring troops home and redirect investments. That will be an opportunity for us to not to continue to burn equipment readiness soonest with your help, we've been able to turn it out.

LOEBSACK:

OK, thank you very much.

CASEY:

Can I just add one point here on, you asked about homeland security. To ensure that the states had enough equipment to take care of homeland security missions, we establish a category of equipment called (inaudible) equipment.

It's equipment that goes to the Guard that could be used abroad or homeland security type of disaster relief missions. In September, we were about 83 percent in filling up those (dual use) items and we put a priority on that.

LOEBSACK:

Thank you.

CASEY:

The other thing, the last point I'd make to you is the National Guard and Reserve will be on the same rotational equipping model as the active force, and so they're not going to just have a bunch of old

equipment as they approach and get ready to deploy. They're going to have the best stuff that we have.

Senator Chambliss Questions Termination of F-22 following official announcement of F-35 delays

During the Senate Armed Services Committee's hearing on the Air Force Budget, Sen. Saxby Chambliss, R-Ga., used his time to question the decision to shut the F-22 line down when information on the F-35 delay had already been made available.

The dialogue is as follows:

CHAMBLISS:

The Joint Estimating Team prepared a report on the F-35 in the fall of 2008. It indicated that the F-35 would be significantly over cost and behind schedule relative to the Joint Program Offices' predictions. Are you aware of that report?

DONLEY:

I am.

CHAMBLISS:

And about a week after the vote in the Senate last year to terminate the F-22, the JET Team prepared another report that said exactly the same thing. Were you aware of that report?

DONLEY:

Yes.

CHAMBLISS:

Were you aware of both of those reports when you came to this committee and testified that there would not be a slippage in the IOC date on the F-35 that it would meet test and production requirements?

DONLEY:

Yes. I mean, this is where we were last year.

CHAMBLISS:

Why didn't -- why didn't you tell us that the JET was going to come out with a report that disagreed with the -- with the IOC date being met?

DONLEY:

This concentrated review of the program has been a two year process. We received the JET report in 2008 indicating there was a difference between the program offices you have described and the

independent estimate. The department reviewed that and ended up adding dollars to the FY-10 budget for more -- for more SED. It did not recognize all the changes in the independent estimate at that time, but it set in motion another which delivered at the end of last year.

So we've had a close two year review of this program and in part, I would say that the restructure represents in part the work of this committee and the House on weapon systems evaluation process and how to better accommodate independent cost estimates, more realistic cost estimates in our program.

CHAMBLISS:
Why didn't you tell this?

DONLEY:
And the -- and the Department's judgment at the end of the year was that we need to recognize this disconnect and fund closer to the independent cost estimate. And that judgment was made at the end of the year.

CHAMBLISS:
Why didn't you tell this (inaudible) last year when we were -- we had testimony on the termination of the F-22 program that the Joint Estimating Team was going to come back with a report a week after the vote last year on the floor of the Senate that confirmed their conclusions in the fall of 2008 that there was going to be a two year slippage in this program? Why didn't you tell us that?

DONLEY:
Sir, I cannot speak of the specific dates you're referencing. I don't -- I don't recall the precise sequence of when reports came in or when testimony was taken.

The Air National Guard is projected to lose at least six fighter wings by 2017 without a concrete plan to replace the lost capability.

Guard Caucus Seeks Action on ARNG Director

On Wednesday, Senate Guard Caucus Co-Chairs Sens. Pat Leahy, D-Vt., and Sen. Kit Bond, R-Mo., wrote a [letter](#) to Defense Secretary Robert Gates urging immediate action on nominating a new Director for the Army National Guard.

The NGAUS legislative staff has been directly engaged on this issue with both the Senate Guard Caucus and the House Guard and Reserve Caucus, and is working the Hill hard to ensure the Army National Guard has a strong voice inside the Pentagon.

COMING SOON: NGAUS will soon merge the LEGIT and E-Notes newsletters into one **Washington Report**. The new publication will keep you up to date on news and events at NGAUS and around Capitol Hill. Look for it in your inbox weekly starting March 16.

Write to Congress Update

Messages sent:

This week – 4,755

This year – 16,973

Top Ten States

1. *Georgia – 4,275*
2. *Tennessee – 1,764*
3. *Texas – 1,081*
4. *Ohio – 802*
5. *Mississippi – 717*
6. *Massachusetts – 648*
7. *Louisiana – 489*
8. *Indiana – 361*
9. *Wisconsin – 347*
10. *Missouri – 346*

Help put your state on this list by using our Write to Congress feature to voice your concerns and priorities.

Rich Green, Director
Pete Duffy, Deputy Director
Kevin McColaugh, Army Programs
Emily Breitbach, Air Programs
Bernie Phelps, Sr. Legislative Analyst
Dixie Ross, Legislative Analyst

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