

Proposed Commission on America and its Veterans

By Captain Samuel F. Wright, JAGC, USN (Ret.)²

9.0—Miscellaneous

On April 23, 2013, it was my honor to represent ROA at a meeting called by Representative Jim McDermott (a liberal Democrat from Seattle, Washington) and Representative Walter B. Jones (a conservative Republican from Farmville, North Carolina). These two Representatives are part of the ever-shrinking cadre of veterans in the United States Congress. ROA was one of several veterans' service organizations (VSOs) that were invited to attend.

It has now been 40 years since Congress abolished the draft in 1973. With each passing year, a greater and greater percentage of state and federal legislators have never served in the uniformed services. We need to educate these folks about the issues that affect those who serve in uniform and their families. But Representatives McDermott and Jones are not among

¹I invite the reader's attention to <https://www.roa.org/page/LawCenter>. You will find more than 2000 "Law Review" articles about the Uniformed Services Employment and Reemployment Rights Act (USERRA), the Servicemembers Civil Relief Act (SCRA), the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), the Uniformed Services Former Spouse Protection Act (USFSPA), and other laws that are especially pertinent to those who serve our country in uniform. You will also find a detailed Subject Index, to facilitate finding articles about specific topics. The Reserve Officers Association, now doing business as the Reserve Organization of America (ROA), initiated this column in 1997.

²BA 1973 Northwestern University, JD (law degree) 1976 University of Houston, LLM (advanced law degree) 1980 Georgetown University. I served in the Navy and Navy Reserve as a Judge Advocate General's Corps officer and retired in 2007. I am a life member of ROA. For 43 years, I have worked with volunteers around the country to reform absentee voting laws and procedures to facilitate the enfranchisement of the brave young men and women who serve our country in uniform. I have also dealt with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and the Veterans' Reemployment Rights Act (VRRRA—the 1940 version of the federal reemployment statute) for 36 years. I developed the interest and expertise in this law during the decade (1982-92) that I worked for the United States Department of Labor (DOL) as an attorney. Together with one other DOL attorney (Susan M. Webman), I largely drafted the proposed VRRRA rewrite that President George H.W. Bush presented to Congress, as his proposal, in February 1991. On 10/13/1994, President Bill Clinton signed into law USERRA, Public Law 103-353, 108 Stat. 3162. The version of USERRA that President Clinton signed in 1994 was 85% the same as the Webman-Wright draft. USERRA is codified in title 38 of the United States Code at sections 4301 through 4335 (38 U.S.C. 4301-35). I have also dealt with the VRRRA and USERRA as a judge advocate in the Navy and Navy Reserve, as an attorney for the Department of Defense (DOD) organization called Employer Support of the Guard and Reserve (ESGR), as an attorney for the United States Office of Special Counsel (OSC), as an attorney in private practice, and as the Director of the Service Members Law Center (SMLC), as a full-time employee of ROA, for six years (2009-15). Please see Law Review 15052 (June 2015), concerning the accomplishments of the SMLC. My paid employment with ROA ended 5/31/2015, but I have continued the work of the SMLC as a volunteer. You can reach me by e-mail at SWright@roa.org.

those that we need to educate. Both are Vietnam veterans, and both have been looking out for those who serve and have served during the four decades since the Vietnam War ended.

When those of us who serve on the ROA staff attend a meeting at a Congressman's office, it is normally with staffers, or perhaps the Congressman will make a brief appearance. The April 23 meeting was different, in that two Members of Congress remained in the room and led the discussion for the entire meeting, more than an hour. It was clear that both were deeply engaged with this issue.

Representatives McDermott and Jones asked the VSOs to get behind H.R. 1492, which they introduced in the House of Representatives on April 11, 2013. The bill has been referred to the House Armed Services Committee and its Subcommittee on Military Personnel as well as to the House Veterans' Affairs Committee and its Subcommittee on Disability Assistance and Memorial Affairs.

If enacted, the bill would make congressional findings that the United States needs a wider and more thorough process for welcoming veterans home from war and more effectively reintegrating them into society and that most American citizens have not been involved with recent wars and that civilians need to be better connected with veterans. The bill would create a Commission on America and its Veterans which would:

- a. Recommend ceremonies for a special national acknowledgment of the wars recently fought and for the heroism and costs in lives, injuries, and adverse impacts on families and communities.
- b. Convene a national conversation (hearings) around the country on the impact of war on service members and their families and communities, the reintegration experience for veterans, and the gap between those who serve or have served and the much greater number of Americans who have never served.
- c. Report to the President, Congress, and the Secretary of Veterans Affairs on how best to conduct an ongoing interaction between veterans and citizens who have not served in uniform.

The Commission will have 18 members, appointed by the President and Congress. The Commission's report will be due by the end of 2014.

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H.R. 1492 has not been passed.

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This article is one of 1800-plus "Law Review" articles available at www.ROA.org/page/lawcenter. The Reserve Officers Association, now doing business as the Reserve Organization of America (ROA), initiated this column in 1997. New articles are added each month.

ROA is almost a century old—it was established in 1922 by a group of veterans of “The Great War,” as World War I was then known. One of those veterans was Captain Harry S. Truman. As President, in 1950, he signed our congressional charter. Under that charter, our mission is to advocate for the implementation of policies that provide for adequate national security. For many decades, we have argued that the Reserve Components, including the National Guard, are a cost-effective way to meet our nation’s defense needs.

Indeed, ROA is the *only* national military organization that exclusively supports America’s Reserve and National Guard.

Through these articles, and by other means, we have sought to educate service members, their spouses, and their attorneys about their legal rights and about how to exercise and enforce those rights. We provide information to service members, without regard to whether they are members of ROA or eligible to join, but please understand that ROA members, through their dues and contributions, pay the costs of providing this service and all the other great services that ROA provides.

If you are now serving or have ever served in any one of our nation’s seven uniformed services, you are eligible for membership in ROA, and a one-year membership only costs \$20. Enlisted personnel as well as officers are eligible for full membership, and eligibility applies to those who are serving or have served in the Active Component, the National Guard, or the Reserve.

If you are eligible for ROA membership, please join. You can join on-line at www.roa.org or call ROA at 800-809-9448.

If you are not eligible to join, please contribute financially, to help us keep up and expand this effort on behalf of those who serve. Please mail us a contribution to:

Reserve Officers Association
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