

## LAW REVIEW<sup>1</sup> 24017

March 2024

### Congress: Please Enact No-Cost Dental Coverage For all Members of the Selected Reserve.

By Thomas G. Jarrard, USMCR (Ret.)<sup>2</sup>

#### 9.0--Miscellaneous

**Q: I am the Major in the United States Marine Corps Reserve (USMCR) who asked the questions in Law Review 24016, the immediately preceding article in this “Law Review” series. It seems to me that the situation involving Lance Corporal Basilone and his need for an emergency dental examination to establish his readiness for mobilization is a good example of the need for no-cost dental care for all members of the Selected Reserve. What do you think?**

**A: I agree with you, and so does the Reserve Organization of America (ROA). In ROA Resolution 19-02, adopted in 2019 and renewed in 2022, we “urge Congress to legislate a total force dental program that includes the Reserve Component.”**

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<sup>1</sup>We invite the reader’s attention to [www.roa.org/lawcenter](http://www.roa.org/lawcenter). You will find more than 2,100 “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 Spouses’ Protection Act (USFSPA), and other laws that are especially pertinent to those who serve our country in uniform, along with a detailed subject index to facilitate finding articles on specific topics.

<sup>2</sup> Mr. Jarrard is a life member of the Reserve Organization of America (ROA). His practice, [www.servicememberlaw.com](http://www.servicememberlaw.com), is focused on Veterans and Uniformed Services Employment and Reemployment Rights Act (USERRA) litigation. He is admitted to practice in Washington State; the Federal Courts of Washington, Colorado, Wisconsin; the 5th, 7th, 8th, 9th, 10th, 11th, and the Federal Circuit Court of Appeals; the Merit System Protection Board; and the United States Supreme Court. He received his JD from Gonzaga University School of Law in 2007 and an MBA from the Columbia College School of Business in 2000. During law school he served as an associate editor for the Gonzaga Journal of International Law and as a Thomas More Scholar. Thomas retired with 25 years of service in the United States Marine Corps and Reserve with two combat tours to Iraq. He is an accredited Attorney by the U.S. Department of Veterans Affairs and his law firm is certified by the Washington State DAV as a Veteran Owned Business. Thomas can be contacted by email at: tjarrard@att.net

Each month, ROA sends to each ROA member for whom we have a valid e-mail address our *Reserve Voice Online* electronic newsletter. The December 2023 issue includes “ROA Up To The Minute Man Update” written by Matthew Schwartzman, ROA’s Director of Legislation and Military Policy. In the December issue, Mr. Schwartzman reported on the important items that were included, and those that were not included, in the National Defense Authorization Act (NDAA) for Fiscal Year 2024.

In his report, Mr. Schwartzman wrote:

However, our leading NDAA priority—no-cost dental care for all members of the Selected Reserve—failed to make it to the president’s desk for signature.

According to the conference report, the reason for not including no-cost dental care was because the “importance” of this issue was “recognized” by DoD’s contracted study on this matter.

ROA’s executive director Jeffrey E. Phillips said it best in our FY 2024 NDAA news release: “What will solve this problem is action,” said Phillips. “No more studies. No more delays. Congress and the nation expect the military—all of it—to be ready to fight. Dental care is health care; it affects military readiness, and it must be made fully available to those in the reserve components expected to “fight tonight.”

ROA’s fight for no-cost dental care through support of H.R. 4221, the *Healthcare for our Troops Act*, will continue into the second session of the 118<sup>th</sup> Congress.

## **Please join or support ROA**

This article is one of 2,100-plus “Law Review” articles available at [www.roa.org/lawcenter](http://www.roa.org/lawcenter). The Reserve Officers Association, now doing business as the Reserve Organization of America (ROA), initiated this column in 1997. We add new articles each month.

ROA is the nation’s only national military organization that exclusively and solely supports the nation’s reserve components, including the Coast Guard Reserve (6,179 members), the Marine Corps Reserve (32,599 members), the Navy Reserve (55,224 members), the Air Force Reserve (68,048 members), the Air National Guard (104,984 members), the Army Reserve (176,171 members), and the Army National Guard (329,705 members).<sup>3</sup>

ROA is more than a century old—on 10/2/1922 a group of veterans of “The Great War,” as World War I was then known, founded our organization at a meeting in Washington’s historic Willard Hotel. The meeting was called by General of the Armies John J. Pershing, who had commanded American troops in the recently concluded “Great War.” 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 more than a century, we have argued that the Reserve Components, including the National Guard, are a cost-effective way to meet our nation’s defense needs.

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<sup>3</sup> See <https://crsreports.congress.gov/product/pdf/IF/IF10540/>. These are the authorized figures as of 9/30/2022.

Through these articles, and by other means, including amicus curiae (“friend of the court”) briefs that we file in the Supreme Court and other courts, we advocate for the rights and interests of service members and educate service members, military spouses, attorneys, judges, employers, Department of Labor (DOL) investigators, Employer Support of the Guard and Reserve (ESGR) volunteers, congressional and state legislators and staffers, and others about the legal rights of service members and about how to exercise and enforce those rights. We provide information to service members, without regard to whether they are members of ROA, 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 eight<sup>4</sup> uniformed services, you are eligible for membership in ROA, and a one-year membership only costs \$20 or \$450 for a life membership. 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 <https://www.roa.org/page/memberoptions>. 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 Organization of America  
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<sup>4</sup> Congress recently established the United States Space Force as the eighth uniformed service.

<sup>5</sup> You can also contribute on-line at [www.roa.org](https://www.roa.org).