

**Introduced by Committee on Veterans Affairs (Senators Denham (Chair), Cedillo, Correa, Maldonado, Negrete McLeod, Wiggins, and Wyland)**

May 28, 2009

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Senate Joint Resolution No. 10—Relative to military health care.

LEGISLATIVE COUNSEL'S DIGEST

SJR 10, as introduced, Committee on Veterans Affairs. Military: health care.

This measure would request that the President and the Congress of the United States pass H.R. 816 that would prohibit certain increases in fees for military health care.

Fiscal committee: no.

1 WHEREAS, Career uniformed service members and their  
2 families endure unique and extraordinary demands and sacrifices  
3 during the course of a decades-long career protecting freedoms  
4 for all Americans; and

5 WHEREAS, The extent of these demands and sacrifices is never  
6 so evident as during times of war, not only in today's global war  
7 on terrorism, but also during the last six decades of hot and cold  
8 wars when today's retired service members were on continuous  
9 call to enter into harm's way when and as needed; and

10 WHEREAS, The demands and sacrifices are such that few  
11 Americans are willing to accept them for a multidecade career;  
12 and

13 WHEREAS, The primary offset for enduring the extraordinary  
14 sacrifices inherent in a military career is a system of extraordinary  
15 retirement benefits, including health care coverage considerably

1 better than that afforded civilian workers, that a grateful nation  
2 provides for those who choose to subordinate much of their  
3 personal life to the national interest for so many years; and

4 WHEREAS, Many private sector firms are curtailing health  
5 benefits and shifting significantly higher costs to their employees;  
6 and

7 WHEREAS, One effect of this curtailment is that retired service  
8 members who work for those employers increasingly depend on  
9 the TRICARE coverage they earned through their military service;  
10 and

11 WHEREAS, While the Department of Defense has made some  
12 efforts to constrain TRICARE programs costs, a large part of the  
13 department's effort has been aimed at shifting a larger share of  
14 cost burdens to retired service members; and

15 WHEREAS, The beneficiary cost increases proposed by the  
16 Department of Defense fail to recognize adequately that career  
17 service members paid enormous in-kind premiums through their  
18 extended service and sacrifice; and

19 WHEREAS, A significant share of the nation's health care  
20 providers refuse to accept new TRICARE patients because  
21 TRICARE pays them significantly less than commercial insurance  
22 programs and imposes unique administrative requirements; and

23 WHEREAS, The significant majority of the savings that the  
24 Department of Defense associates with the proposed fee increases  
25 is expected to result from deterring a large portion of TRICARE  
26 beneficiaries from using their earned military health benefits; and

27 WHEREAS, The Department of Defense has chosen to count  
28 the accrual deposit to the Department of Defense Medicare-Eligible  
29 Retiree Health Care Fund against the budget of the Department of  
30 Defense, contrary to the amendments made by Section 725 of  
31 Public Law 108-375; and

32 WHEREAS, Leaders of the Department of Defense have  
33 reported to Congress that counting these deposits against the budget  
34 of the Department of Defense is impinging on other readiness  
35 needs, including weapons programs, an inappropriate situation  
36 that Section 725 of Public Law 108-375 was expressly intended  
37 to prevent; and

38 WHEREAS, The Department of the Defense and the nation  
39 have a committed health benefits obligation to retired uniformed

1 service members that exceeds the obligation of corporate employers  
2 to civilian employees; and

3 WHEREAS, The Department of Defense has many additional  
4 options to constrain the growth of health care spending in ways  
5 that do not disadvantage beneficiaries and should pursue any and  
6 all such options rather than seeking large fee increases for  
7 beneficiaries; now, therefore, be it

8 *Resolved by the Senate and the Assembly of the State of*  
9 *California, jointly,* That the Legislature of the State of California  
10 respectfully requests the President and the Congress of the United  
11 States to pass H.R. 816 that would prohibit certain increases in  
12 fees for military health care; and be it further

13 *Resolved,* That the Secretary of the Senate transmit copies of  
14 this resolution to the President and Vice President of the United  
15 States, the Speaker of the House of Representatives, the Majority  
16 Leader of the Senate, and each Senator and Representative from  
17 California in the Congress of the United States.