



## Legislation Text

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**File #:** Res 1190-2007, **Version:** \*

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### Res. No. 1190

Resolution calling upon the United States Congress to pass legislation that would guarantee full payment of enlistment bonuses and incentives to veterans wounded in combat.

By Council Members Mark-Viverito, Avella, Brewer, Comrie, Felder, Fidler, Gennaro, Gentile, Gerson, James, Koppell, Liu, Nelson, Palma, Recchia Jr., Seabrook, Vacca, Weprin, White Jr. and Jackson

Whereas, In April 2006, a Government Accountability Office (GAO) Report entitled *Military Pay, Hundreds of Battle-Injured GWOT Soldiers Have Struggled to Resolve Military Debts*, found that as of September 30, 2005, nearly 1,300 Army Global War on Terror (GWOT) battle-injured soldiers who left service, or were killed in combat, had military debts totaling \$1.5 million during the first four years of the Operation Iraqi Freedom/Operation Enduring Freedom (OIF/OEF) deployment; and

Whereas, The GAO also found that hundreds of separated battle-injured soldiers were pursued for collection of military debts amassed through no fault of their own, including 74 soldiers whose debts had been reported to credit bureaus and collection agencies; and

Whereas, The GAO found that overpayment of pay and allowances or entitlements, pay calculation errors and erroneous leave payments caused 73 percent of the reported debts; and

Whereas, According to the GAO report, the remaining 27 percent of these soldiers' debts related to the repayment of enlistment bonuses, including 11 percent where soldiers did not complete their required terms of service; and

Whereas, Recently, there have been numerous reports of wounded troops being asked to repay enlistment bonuses, or having bonuses pro-rated, despite the fact that the reason that they cannot fulfill their terms of service is due to injuries received in the line of duty; and

Whereas, The Department of Defense (DoD) claims that policy guidelines it established this year prohibit any debt collection involving combat-related bonuses or incentives paid to a service member after medical evacuation from a combat zone; and

Whereas, However, the current policy contains loopholes which allow the DoD to withhold full payment of enlistment bonuses when service members are found to be physically unfit for duty due to injuries sustained in combat; and

Whereas, H.R. 3793, also known as the Veterans Guaranteed Bonus Act of 2007, and S.2400, also known as the Wounded Warrior Bonus Equity Act, are bills which have been introduced in Congress to address these loopholes; and

Whereas, Both pieces of legislation would amend title 37 of the United States Code by requiring the Secretary of Defense to continue to pay a member of the Armed Forces who is retired or separated from the Armed Forces due to a combat-related injury, certain bonuses that the member was entitled to before the retirement or separation and would continue to be entitled to if the member was not retired or separated; and

Whereas, S.2400 would also require retroactive payment of bonuses to September 11, 2001, cessation of collection of previously paid bonuses, and an audit of records to identify former members who have been affected by such actions in order to take corrective measures; and

Whereas, The brave men and women who enlisted in the United States military did so with the full intention of fulfilling their commitments to serve; and

Whereas, While fulfilling their mission and through no fault of their own, many of these soldiers became wounded and thus unable to complete their term of service; and

Whereas, The acts of bravery of such individuals should not be met with broken promises, but rather with guarantees, support and appreciation; and

Whereas, As our country continues to place thousands of young men and women in harm's way, it is essential that we keep our promises to them when they return; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass legislation that would guarantee full payment of enlistment bonuses and incentives to veterans wounded in combat.

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12/11/07

