

# United States Senate

WASHINGTON, DC 20510

November 16, 2020

The Honorable James Inhofe  
Chairman  
228 Russell Senate Office Building  
Senate Armed Services Committee  
Washington, D.C. 20510

The Honorable Jack Reed  
Ranking Member  
228 Hart Senate Office Building  
Senate Armed Services Committee  
Washington, D.C. 20515

The Honorable Adam Smith  
Chairman  
2216 Rayburn House Office Building  
House Armed Services Committee  
Washington, D.C. 20510

The Honorable Mac Thornberry  
Ranking Member  
2216 Rayburn House Office Building  
House Armed Services Committee  
Washington, D.C. 20510

Dear Chairman Inhofe, Chairman Smith, Ranking Member Reed, and Ranking Member Thornberry:

We write to request you modify and retain section 523 of the Fiscal Year 2021 (FY21) House National Defense Authorization Act (NDAA) in the conferenced FY21 NDAA.

We write on behalf of some 515 Navy officers residing or stationed in our states, to restore the full pay and benefits they have earned under the Seaman to Admiral-21 program (STA-21). In recent years, those servicemembers discovered unexplained modifications in their service records. They found that their records suddenly showed up to three years less active duty service, often without explanation. The implication was that they owed three years more in active duty service before being eligible for retirement. Those members also lost three years of service that would otherwise have counted toward retirement pay and other benefits. Many spent years looking into the change, including requesting the Office of the Navy Inspector General investigate, to no avail. We believe it is only right to retain section 523 and restore what is owed to these service members.

STA-21 sends a select group of enlisted sailors to college to earn their baccalaureate degree and officer commission, in exchange for a minimum of a five-year service obligation at the end of the program. Servicemembers participating in the program remain on active duty for the duration of the program, along with the associated requirements of active duty military service. Servicemembers were also told through official correspondence that they would receive the full “pay, allowances, benefits and privileges” associated with their paygrade and active duty status while participating in the program.<sup>i</sup> In October 2009, Congress directed the Navy to begin excluding the years spent in the program from retirement eligibility. Congress also explicitly said that such years should be counted in calculating all other pay and benefits. Our records do not show that the Navy made any official notification to servicemembers of the policy change for at least five years.<sup>ii</sup> During that time, service members in our states began noticing changes to their records, without explanation of the implications for retirement eligibility or pay calculation. It was only in September 2015 that the STA-21 official program site began notifying members that time spent in the program would “not count towards retirement, however, it will count towards pay purposes.”<sup>iii</sup>

We fully support the spirit of the STA-21 program and applaud the Navy for continuing to cultivate commissioning sources that enable a wide-range of candidates to rise through its officer ranks. We also stand by the 2010 statutory requirement to change retirement eligibility under the program. However, we equally believe that we must maintain our commitments to our servicemembers, both in spirit and in action. The officers who joined STA-21 from 2010 to 2014 should receive the benefits of the program that they understood to exist when they agreed to participate.

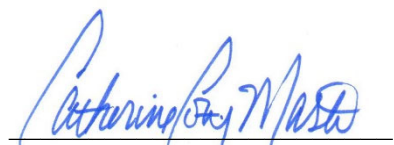
We therefore request you include the following in the conferenced FY21 NDAA:

- Retain section 523 of the House FY21 NDAA;
- Modify the section by inserting after Line 19, “(3) retirement eligibility”

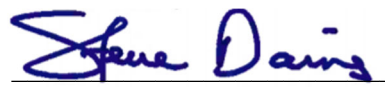
On behalf of our servicemembers, we thank you for your consideration.

Should you need any additional information, Jamie Morgan on my staff is available at [Jamie\\_Morgan@cortezmasto.senate.gov](mailto:Jamie_Morgan@cortezmasto.senate.gov).

Sincerely,



Catherine Cortez Masto  
United States Senator



Steve Daines  
United States Senator



Cory A. Booker  
United States Senator



Mike Crapo  
United States Senator



Mark R. Warner  
United States Senator

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<sup>i</sup> NAVADMIN 121/09

<sup>ii</sup> NAVADMIN 101/14

<sup>iii</sup> See U.S. Navy Education and Training Command site for STA-21: <https://www.netc.navy.mil/Commands/Naval-Service-Training-Command/STA-21/STA-21-Program/>. Screenshots of the STA-21 site prior to September 2015 available upon request.