



DISABLED AMERICAN VETERANS

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LEGISLATIVE BULLETIN

June 2008

Appropriations

The House Appropriations' Military Construction-VA Subcommittee unveiled the fiscal year 2009 spending bill that will top President Bush's request for VA's budget on June 5, 2008. The subcommittee's bill calls for a substantial boost in funding for veterans' programs.

- The total for the Department is \$93.7 billion, which is \$47.7 billion in discretionary funds and \$46 billion in mandatory funds.
- The discretionary total is \$2.9 billion over the President's request and \$4.6 billion above the fiscal year 2008 enacted level. The additional funds increase access to medical care, claims processing personnel, and facility improvements.
- The total for the Veterans Health Administration (VHA), which includes Medical Services, Medical Support and Compliance, Medical facilities, and Medical Research is \$40.7 billion or \$3.8 billion more than the fiscal year 2008 appropriation and \$1.6 billion more than the President's request. This funding will allow the Department to increase enrollment for Priority 8 veterans by 10 percent, improve access to health care services in areas where VHA services are not available, increase the beneficiary travel reimbursement rate from 28.5 cents per mile to 35 cents per mile, and will restore research funding. The recommendation also includes more than \$3.8 billion for specialty mental health services.
- Funding for General Operating Expenses is increased by \$102 million for the Veterans Benefits Administration. This increase will enable the Department to hire 1,400 additional claims processors to cut the backlog of benefits claims and to reduce the time to process new claims.
- Compared to the budget request, funding for Medical Facilities is increased \$368 million and Minor Construction is increased \$712 million.
- For the Major Construction account, the recommendation includes \$923 million, an increase of \$342 million, which will allow the Department to start 6 additional projects in fiscal year 2009.
- The bill includes \$165 million for grants to States for construction and modification of these facilities, an increase of \$80 million.
- Funding for the United States Court of Appeals was increased by \$50 million for the construction of a new Veterans Courthouse and Justice Center.

H. Con. Res. 336

On June 10, 2008, the House unanimously passed a resolution introduced by U.S. Congressman Jason Altmire (PA-04) in April to establish Disabled American Veterans Week. This resolution (H. Con. Res. 336) specifies that one week each year should be established to honor America's heroes and draws attention to the unique challenges faced by disabled American veterans.

There are currently more than 2.8 million disabled veterans in America and more than 30,000 from combat missions in Iraq and Afghanistan.

A week dedicated annually to each one of our nation's disabled veterans will forever emphasize that Americans throughout this Country owe all that we have to those that have stood in harm's way. During such a week, groups large and small, national and local, private and public, can come together and remember in their own way the sacrifices of the Nation's heroes. Such a week will also serve as an example to those who sacrificed that in the face of a divided government, that there is no division when it comes to the respect owe to the finest among us. Simply put, they gave the most in return for the least.

The resolution will now move to the Senate. We may be calling on you soon to contact your respective Senator to urge his/her support for this resolution.

H.R. 5892

This important legislation will essentially direct the Secretary of Veterans Affairs to modernize the disability benefits claims processing system of the Department of Veterans Affairs (VA) to ensure the accurate and timely delivery of compensation to veterans and their families and survivors. H.R. 5892 was referred to the House Committee on Veterans Affairs on April 24, 2008. On April 30, 2008, the bill was reported out of Committee to the full house. The bill contains a number of favorable provisions, such as:

- clarifies as "combat veterans" for the purpose of service connection for disabilities incurred in combat, as those veterans who served in a "combat theatre of operations";
- requires improvements in VA's work credit, quality assurance, and management systems in order to improve accuracy and accountability in all decisions affecting disability compensation;
- implements enhanced training, including certification, for VA employees responsible for processing claims;
- requires VA to immediately assign temporary, partial ratings for severe disabilities that are indisputably related to military service;
- allows for substitution by surviving spouses as claimants when a veteran spouse dies while a claim is pending; and
- mandates that the Court of Appeals for Veterans Claims must address issues raised by an appellant in court decisions rather than remanding or deny a appeal without addressing such issues.

H.R. 634

The "American Veterans Disabled for Life Commemorative Coin Act" (H.R. 634) will require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States. The house passed this bill on May 15, 2007, and then referred it to the Senate. On June 10, 2008, the bill, as amended, passed the Senate and was sent back to the House for further consideration.

In 2000, Congress authorized the construction of the American Veterans Disabled for Life Memorial. The surcharge proceeds from the sale of the commemorative coins will raise valuable funding for the construction of the American Veterans Disabled for Life Memorial.

The design of the coins minted under this Act will be emblematic of the service of our disabled veterans. Once this bill is enacted, the Secretary of the Treasury shall mint and issue not more than 350,000 \$1 coins in commemoration of disabled American veterans.

H.R. 3681

The “Veterans Benefits Awareness Act of 2008” would authorize the VA to advertise in the national media to promote awareness of VA benefits and services. The Bill passed the House on May 20, 2008, and was referred to the Senate on May 21, 2008.

This bill would allow the VA to purchase advertising in national media outlets for the purpose of promoting awareness of VA benefits. Such advertising may focus on promoting awareness of assistance provided by the VA, including assistance for programs to assist homeless veterans, to promote veteran-owned small businesses, and to provide opportunities for employment in the Department of Veterans Affairs and for education, training, compensation, pension, vocational rehabilitation, and healthcare benefits, to include the prevention of suicide among veterans.

Mark-Up on Pending Legislation

On April 30, 2008, the House Committee on Veterans’ Affairs held a mark-up several veterans’ benefit and health measures. The following bills were amended and approved by voice vote:

- H.R. 2790, would establish the position of Director of Physician Assistant Services within the office of the Under Secretary of Veterans Affairs for Health.
- H.R. 3681, the Veterans Benefits Awareness Act of 2007, would authorize VA to advertise in the national media to promote awareness of VA benefits and services.
- H.R. 3819, Veterans Emergency Care Fairness Act of 2007, would require VA to reimburse veterans receiving emergency treatment in non-VA facilities until such veterans are transferred
- H.R. 3889 would require VA to conduct a longitudinal study of its vocational rehabilitation programs.
- H.R. 4883 would amend the Servicemembers Civil Relief Act to provide for a limitation on the sale, foreclosure, or seizure of property owned by a servicemember during the one-year period following the service member’s period of military service.
- H.R. 4884, the Helping Our Veterans to Keep Their Homes Act of 2008, would make certain improvements in the VA home loan guaranty programs.
- H.R. 5554, the Veterans Substance Use Disorders Prevention and Treatment Act of 2008 was re-named the Justin Bailey Veterans Substance Use Disorders Prevention and Treatment Act of 2008 and would expand and improve VA health care services for substance use disorders.
- H.R. 5664 would direct VA to update at least once every six years the plans and specifications for specially adapted housing.
- H.R. 5684, the Veterans Education Improvement Act of 2008, would make certain improvements in the basic VA educational assistance program.

- H.R. 5729, the Spina Bifida Health Care Program Expansion Act, would direct VA to provide comprehensive health care to children of Vietnam veterans born with Spina Bifida.
- H.R. 5826, Veterans' Compensation Cost-of-Living Adjustment Act of 2008, would increase the rates of disability compensation and dependency and indemnity compensation.
- H.R. 5892, Veterans Disability Benefits Claims Modernization Act of 2008, would direct VA to modernize the disability benefits claims processing system to ensure the accurate and timely delivery of compensation.

While H.R. 5684, was referred to the House Committee on Education and Labor for consideration, to date only H.R. 2790, H.R. 3681, H.R. 3819, H.R. 3889, H.R. 5554, H.R. 5664, H.R. 5729, and H.R. 5826 were passed by the full House on Tuesday, May 20, 2008, and referred to the Senate Committee on Veterans' Affairs.

Stand Up For Veterans Initiative

Thanks to the support of DAV and DAVA members, legislation introduced as a result of our Stand Up for Veterans (SU4Vs) initiative is moving through Congress. Hearings have been held on H.R. 4107 and S. 2799 on providing health care services for women. H.R. 5554, on mental health and substance abuse, passed the House and was sent to the Senate. S. 2162, which contains many of the same provisions as H.R. 5554, recently passed the Senate and was sent to the House. H.R. 4053 deals with mental health and PTSD. Many of the provisions in H.R. 4053 are also contained in S. 2162. The House and Senate Veterans' Affairs Committees will be going to conference on S. 2162, H.R. 5554, and H.R. 4053 to work out the differences.

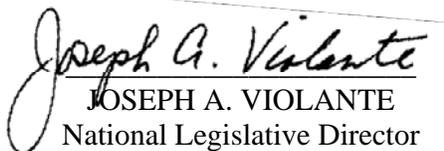
Legislation on mandatory funding, H.R. 2514 and S. 2639, has once again been introduced. We are also working with the House and Senate Veterans' Affairs Committees to introduce an alternative to mandatory funding called advance appropriations, which would also ensure VA sufficient, timely, and predictable health care funding.

Finally, S. 2921 would provide training, counseling, and financial aid to family caregivers.

We continue to work with Committee staff and individual members of Congress' staff to introduce legislation on Traumatic Brain Injury screening and treatment.

None of this would have been possible without your support and continued involvement in DAV's efforts on behalf of our nation's disabled veterans.

Thank you again for all of your support.


JOSEPH A. VIOLANTE
National Legislative Director

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