



# DISABLED AMERICAN VETERANS

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## LEGISLATIVE BULLETIN

**February 2011**

### **Department of Veterans Affairs Fiscal Year 2012 Budget**

The Administration's budget request for fiscal year (FY) 2012 includes some modest funding increases for Department of Veterans Affairs (VA) health care and benefits programs, but DAV remains concerned about whether this budget would sufficiently meet the needs of sick and disabled veterans who rely on VA.

**Medical Care:** The Administration's request is \$53.9 billion, which assumes collections in the amount of \$3.1 billion in place of direct appropriations. Alternatively the IB recommends \$55 billion for these accounts, an increase of \$3.5 billion above the proposed FY 2011 level, and \$1.1 billion higher than the Administration's request.

**Medical and Prosthetic Research:** The Administration's request of \$509 million is a reduction of \$72 million from current research funding levels. The IB recommended \$620 million to cover documented inflation, to continue current research projects, to allow VA to better understand and develop treatments for the unique injuries and diseases of the veteran population.

**Benefits Processing:** The \$2 billion budget request for the activities of the Veterans Benefits Administration is \$130 million less than the FY 2011 proposed level. This reduction would take place during a time of great transition in VA's efforts to reform the benefits processing system – DAV's highest legislative priority.

**Major Construction:** The \$590 million budget request for Major Construction is \$604 million less than the \$1.194 billion Congress is considering for FY 2011. This is the single largest drop in funding for all VA accounts, more than 50 percent. This reversal is deeply concerning to DAV and all those who rely on VA for safe, contemporary facilities for delivery of our health care.

For Medical Care, the Administration requested approval of a "Contingency Fund" in the amount of \$953 million, based up VA's uncertainty about whether the national economic situation will increase veterans' use and reliance on the VA health care system. As proposed, these funds would only be made available if VA requests their use, and receives approval from the Office of Management and Budget (OMB). Any amount not spent by the end of FY 2012 would be returned to the Treasury.

In addition, VA requests authority to carry over \$1.1 billion in FY 2011 Medical Care funds to be used for future spending in FY 2012 (\$500 million) and FY 2013 (\$600 million). VA intends to reduce FY 2011 spending through the use of unspecified "efficiencies" this year. Should VA's proposal be rejected by Congress to maintain FY 2011 funding levels, Congress must fill the unfunded gap by new direct appropriations for FY 2012 and 2013.

Finally, the FY 2012 budget proposal includes a request for \$55.8 billion in advance appropriations for VA health care accounts in FY 2013, which assumes \$3.3 billion in collections. This is an increase of \$1.9 billion over the Administration's FY 2012 request.

## Pending Legislation

**H.R. 26**, the **Veterans Mental Health Screening and Assessment Act**, was introduced by Representative Jackie Speier (D-CA). It would direct the Secretary of Defense to adopt a program of professional and confidential screenings to detect mental health injuries acquired during deployment in support of a contingency operation and ultimately to reduce the incidence of suicide among veterans.

**H.R. 178** was introduced January 5, 2011 by Representative Joe Wilson (R-S.C.). It would amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan for military surviving spouses to offset the receipt of veterans dependency and indemnity compensation.

**H.R. 303**, the **Retired Pay Restoration Act**, was introduced by Representative Gus Bilirakis (R-FL) on January 18, 2011. This bill would permit additional retired members of the Armed Forces who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation and to eliminate the phase-in period under current law with respect to such concurrent receipt.

**H.R. 465**, the **Veterans Self-Employment Act of 2011**, was introduced on January 26, 2011, by Representative Rodney Alexander (R-LA). The bill would direct the Secretary of Veterans Affairs to conduct a pilot project on the use of educational assistance under programs of the Department of Veterans Affairs to defray training costs associated with the purchase of certain franchise enterprises.

**H.R. 539**, introduced on February 8, 2011, by Representative Theodore Deutch (D-FL), would amend the Social Security Act and the Internal Revenue Code of 1986 to make improvements in the old-age, survivors and disability insurance program, to provide for cash relief for years in which annual COLAs do not take effect. Specifically, it would provide a \$250 cash payment in non-COLA years.

**S. 67**, introduced January 25, 2011, by Senator Daniel Inouye (D-HI), would permit former members of the armed forces who have a service-connected disability rated as total to travel on military aircraft in the same manner as retired members of the armed forces are entitled to travel on such aircraft.

**S. 260** was introduced on February 2, 2011, by Senator Bill Nelson (D-FL). It would repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' Dependency and Indemnity Compensation.

### **Post 9/11 Veterans Educational Assistance Act of 2010, Public Law 111-377**

This bill will expand and improve upon the Post 9/11 GI Bill that went into effect last year and it will simplify and improve benefits in a fiscally responsible way. Specifically, the Act will enable veterans to now use their benefit for vocational and on-the-job training, expand eligibility for the benefit to National Guardsmen who are activated for domestic assistance, provide Active Duty troops with additional assistance to purchase books, and provide severely

injured veterans and their caregivers with additional time to use their benefits. Section 205 of S. 3447 would allow veterans with service-connected disabilities that participate in a program of vocational rehabilitation under chapter 31 of title 38, United States Code, who are also entitled to Post-9/11 GI Bill education benefits, to choose whether to receive the monthly housing stipend payable under the Post-9/11 GI Bill or a monthly subsistence allowance. This bill is in accordance with DAV Resolution No. 099, passed at our most recent National Convention. This bill became Public Law 111-377 on January 4, 2011.

### **New Chairmen for House and Senate Veterans' Affairs Committees**

Representative Jeff Miller (R-FL), a long-time member of the House Veterans' Affairs Committee was named Chairman of the Committee for the 112th Congress. Representative Bob Filner (D-CA) will serve as Ranking Minority Member. In the Senate, Senator Patty Murray (D-WA) was named Chairman of the Senate Veterans' Affairs Committee. Senator Richard Burr (R-NC) will continue as Ranking Minority Member. We look forward to working with them and all the members of the Committees to bring about beneficial legislation for disabled veterans, their families and survivors.

#### **House Veterans' Affairs Committee Members**

Jeff Miller (R-FL), Chairman	Bob Filner (D-CA), Ranking Member
Gus M. Bilirakis (FL), Vice Chairman	Corrine Brown (FL)
Cliff Stearns (FL)	Silvestre Reyes (TX)
Doug Lamborn (CO)	Michael Michaud (ME)
David P. Roe (TN)	Bruce L. Braley (IA)
Dan Benishek (MI)	Jerry McNerney (CA)
Jeff Denham (CA)	Joe Donnelly (IN)
Bill Flores (TX)	Tim Walz (MN)
Tim Huelskamp (KS)	John Barrow (GA)
Bill Johnson (OH)	Russ Carnahan (MO)
Jon Runyan (NJ)	
Marlin Stutzman (IN)	
Ann Marie Buerkle (NY) (Chair)	

#### **Senate Veterans' Affairs Committee Members**

Patty Murray (D-WA), Chair	Richard Burr (R-NC), Ranking Member
Jay Rockefeller (WV)	Johnny Isakson (GA)
Daniel Akaka (HI)	Roger Wicker (MS)
Bernard Sanders (VT)	Mike Johanns (NE)
Sherrod Brown (OH)	Scott Brown (MA)
Jim Webb (VA)	Jerry Moran (KS)
Jon Tester (MT)	John Boozman (AR)
Mark Begich (AK)	

## **DAV Mid-Winter Conference**

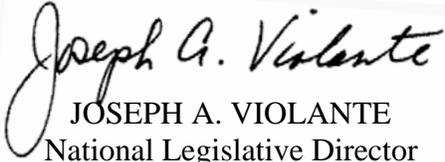
The DAV's annual Mid-Winter Conference will be held February 27-March 2, 2011, at the Marriott Crystal Gateway in Arlington, Virginia. The opening session will be held Sunday, February 27, 2011 at 9:00 a.m. in the Grand Ballroom, Salon AB/JK. The Legislative Workshop will be held that afternoon, at 1:30 p.m. in the same room.

National Commander Wally Tyson will present his testimony to a joint session of the House and Senate Veterans' Affairs Committees on Tuesday, March 1, 2011, at 2:00 p.m. in Room 345 of the Cannon House Office Building. That evening at 6:30 p.m., the National Commander's reception will be held at the hotel.

The Mid-Winter conference is designed as an opportunity for you to take the time to meet with your elected officials and/or their staff to discuss issues of vital importance to America's service-disabled veterans and their families. I strongly urge you to take advantage of this opportunity by scheduling meetings with your elected officials during this period, either here in Washington, or at home in your state.

### **Conclusion**

To ensure the successful enactment of veterans' legislation, our DAV and Auxiliary members must be active members of DAV's grassroots – DAV Commander's Action Network (CAN) — and we all must do our part to let our elected officials know about our support for legislation that helps to build better lives for our nation's service-disabled veterans, their families, and survivors. We hope to see you at the Mid-Winter Conference. Thank you for your continued support.



JOSEPH A. VIOLANTE  
National Legislative Director

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