



THE AMERICAN LEGION



NATIONAL COMMANDER'S TESTIMONY

before the Senate and House Committees on Veterans' Affairs by
American Legion National Commander Daniel Dellinger
September 10, 2013

PREAMBLE TO THE AMERICAN LEGION CONSTITUTION

FOR GOD AND COUNTRY WE ASSOCIATE OURSELVES
TOGETHER FOR THE FOLLOWING PURPOSES:

To uphold and defend the Constitution
of the United States of America;

To maintain law and order;

To foster and perpetuate a
one hundred percent Americanism;

To preserve the memories and incidents
of our associations in the Great Wars;

To inculcate a sense of individual obligation
to the community, state and nation;

To combat the autocracy of both the classes and the masses;

To make right the master of might;

To promote peace and goodwill on earth;

To safeguard and transmit to posterity the principles of
justice, freedom and democracy;

To consecrate and sanctify our comradeship
by our devotion to mutual helpfulness.

THE OBLIGATION WE SHARE



DANIEL M. DELLINGER
*National Commander
The American Legion*

THE AMERICAN LEGION SHARES WITH CONGRESS A SACRED OBLIGATION. It is a debt of gratitude owed to those who have sworn with their lives to protect our freedoms, liberate the oppressed and secure this nation against those who would bring it harm. It is a debt we can never let fall delinquent, payable to members of the U.S. Armed Forces and all the men and women we define in U.S. Code, Title 38, as “veterans,” along with their families, who silently endure pressures and sacrifices all too often unnoticed across America.

Today, as it was when The American Legion was formed on the battle-scarred landscape of France after World War I, our obligation is as profound as ever. With combat operations now winding down in Afghanistan, and more than 1.2 million servicemen and women expected to receive their military discharges in the coming years, our work is cut out for us.

History will judge us all on that work, as was the case after Congress passed, and the president signed, The American Legion-drafted Servicemen’s Readjustment Act of 1944, better known as the “GI Bill.” History is judging us now, as we respond to veteran needs and enact ways to keep such benefits relevant in the 21st century.

Together, The American Legion, Congress and the administration have made substantial progress to ensure that members of the post-9/11 veteran generation are afforded opportunities, health care, disability benefits and respect commensurate with their selfless service to our nation. Among those of us who served during the Vietnam War – the largest percentage of American Legion members – the provision of such benefits today is a moral obligation that was not always well met when we received our discharges at a different time in our history.

The American Legion’s 2013-2014 Legislative Agenda contains unfinished business and new initiatives alike. It is a roadmap drawn by the largest veterans service organization in the country, guided by our nation’s newest veterans, so that we can do the best job possible for them.

Many issues on this agenda are familiar: the intolerable backlog of unresolved veterans benefits claims, better access to VA health-care facilities, continued improvements to the Post-9/11 GI Bill and a repeal of the unfair “Disabled Veterans Tax.” Other topics are more recent entries, like protection of our national security in the era of sequestration, and a similar need for adequate resources to build new VA facilities to meet rising patient demand from all war eras.

Regardless of which house of Congress, indifferent to partisan politics or military decision-making, we all share in this debt to those who have braved the battles and, of course, to the families of those who made the ultimate sacrifice. It is in honor of them that we must fulfill our duties to those who have come home, or are coming home, changed by the wartime experience.

As we go about our work this year, I can assure everyone here that The American Legion – at 2.4 million members by far the largest wartime veterans service organization – will be doing its part. Every year, nearly 250,000 veterans join The American Legion for the very first time because they understand the obligation we all share, and they want to be a part of fulfilling it.

Last year, The American Legion's part in that fulfillment could be found at nearly 1,200 veteran job fairs and career events. It could be found in millions of dollars, millions of hours and innumerable donations during tragedies like Superstorm Sandy, and in triumphs, like the more than 14,000 college scholarships the Legion provided for students last year.

This organization's fulfillment can be found late at night in the offices of some 2,700 accredited American Legion service officers working tirelessly to help reduce the VA claims backlog and find solutions to improve processing times. The American Legion's fulfillment is found on baseball diamonds, in youth oratorical contests, at Boys State and Boys Nation, at military funerals and in VA health-care facilities that depend on our volunteers. The American Legion's fulfillment can be found, as you know, on Capitol Hill, at Central Office and at the White House, where today, as always, we all share in the same sacred obligation.



Daniel M. Dellinger
*National Commander
The American Legion*



Protect Defense and VA from the Budget Wars

WHERE WE ARE:

The continued failure in cooperation between factions in Congress has led to an unacceptable state in which no real budgets are passed by Congress anymore, and federal programs limp along funded by continuing resolutions. Furthermore, the “compromise” solution which held sequestration out as a Sword of Damocles that would frighten all factions into cooperation has led to a dangerous state of affairs in which the mandatory sequestration cuts are causing damage to the nation’s ability to defend itself and those who stand up to protect it, as well as remaining a danger to programs for veterans, despite safeguards to shield their programs from harm.

The arbitrary cuts to the Defense budget, whether from sequestration or from within DOD itself, are potentially devastating to security. Troop numbers are being drastically scaled down to some of the lowest end strength figures in modern history. Navy carrier groups are being reduced, depriving the nation of one of the most agile means of projecting force in a rapidly changing world where security concerns can pivot from one hemisphere to another. And the Air Force fleet of aircraft is growing old and will see massive cuts to squadrons which are already relying on outdated equipment.

Furthermore, pay and benefits cuts loom large. The specter of cuts in service, along with increased rates for TRICARE for military retirees, is a serious concern despite a continued chorus reminding lawmakers that the promises to those who serve are being shattered. While Congress has generally found cuts to pay and benefits for those who serve and defend the nation unpopular, under the new budget realities, fears of deep reductions have become an all too real threat. Even the civilian employees who support our military forces – including teachers on military posts, and those who provide food and administrative functions – have been under heavy fire, suffering through furlough days as the devastating effects of sequestration took hold.

Perhaps one of the most embarrassing aspects of this arbitrary budget mess is the reduction of ceremonial commitments. Our previous National Commander, James Koutz, expressed his deep horror during participation in memorial ceremonies in Normandy marking the 69th anniversary of D-Day. Koutz noted absolutely no official U.S. military presence because of “budget concerns due to sequestration.” This is an embarrassment, and this kind of treatment of the military and their commitments cannot stand.

While active-duty military expenditures are feeling half the brunt of sequestration, the concerns of veterans are no less under fire. Relentless pressure from the House and Senate Committees on Veterans' Affairs and The American Legion led to the Office of Management and Budget (OMB) declaring VA's budget exempt from sequestration last year. However, it remains to be seen how well protected VA will be in coming years. Indeed, while protection from sequestration may protect VA from mandatory cuts triggered automatically, it does nothing to protect VA from those who would reduce the budget outright should a new budget pass.

Recent years have seen declining budgets for construction, even as VA's infrastructure in the health-care system continues to age. As budgets and progress spiral out of control on major hospital construction in Florida, Louisiana, Nevada and Colorado, the overall budget for construction is plummeting. The American Legion has continuously raised concerns over the last few years that given VA's current 10-year plan for construction, under these budgets it will actually take 60 years or more to complete the projects.

Politicians are quick to point out that they "will never balance the budget on the back of veterans" yet cuts to needed construction funds for veterans' hospitals, rate increases for TRICARE benefits, reductions in military health care and pensions, and other proposed solutions to the debt crisis do exactly that. This state of affairs cannot continue. The American Legion is calling on lawmakers to support veterans and stand up to help us draw the line in the sand to protect our veterans and troops from the arbitrary slashing of the budgetary axe. Do not let those who have paid for the nation's freedom with their own blood get shortchanged for their sacrifices.

WHERE WE WANT TO BE

The American Legion wants Congress to ensure that national security and veterans' programs in VA and other departments are not sacrificed in the budget battle. Previous legislation, such as the Balanced Budget and Emergency Deficit Control Act of 1985 and the statutory Pay as You Go Act of 2010, included language specifically protecting VA programs from cuts. As the budget deficit widens, similar and specific protections are necessary today.

In these times of budgetary uncertainty, VA programs could benefit greatly from the long-range planning protections inherent in advanced appropriations for all dis-

cretionary funds. Lawmakers on both sides of the aisle have favorably recognized the benefits in planning that this adjustment provided to the health-care budgets when it was implemented. Currently 86 percent of the VA budget is protected by advanced appropriations, and The American Legion is calling on Congress to go the extra mile and extend this critical planning tool to the remaining 14 percent. With the entire budget so protected, VA long range planning in critical areas such as information technology and Veterans Benefits Administration programs will help facilitate improvements to communications with DOD and in reducing the backlog of claims.

Members of Congress cannot simply rest on their laurels in believing they have protected VA from budget cuts. Many programs in other departments such as Labor, and Housing and Urban Development have an important impact on veterans, especially those who are unemployed, homeless or otherwise critically vulnerable. These veterans' programs must be protected.

WHAT WE ARE DOING

The American Legion was the only group to organize a single day of meetings with every single member of the Supercommittee formed to forge a compromise and save the budget. Though the Supercommittee ultimately could not stave off the dangerous budget cuts which are beginning to devastate the nation's defense, the voice of The American Legion on behalf of the nation's defenders and veterans continues to be heard loudly and steadily on Capitol Hill. The American Legion remains deeply committed to ensuring that the programs of VA are fully funded and not subject to petty, partisan budget squabbles, and that the military needs of the nation remain a priority.¹

The nation's security cannot be paid for with a bargain price tag. Freedom will always cost blood, sweat, toil and tears from those who sacrifice. Therefore, the nation cannot forget the financial burdens which must match that sacrifice.

¹ **Resolution 55:** Protecting the Defense Budget, OCT 2012; **Res. 61:** National Defense Spending, AUG 2012; **Res. 70:** Support for the United States Air Force, AUG 2012; **Res. 72:** Support Full Funding and Resources for the U.S. Navy and Marine Corps, AUG 2012; **Res. 73:** Support Full Funding for the Department of the Army Budget, AUG 2012; **Res. 108:** Request Congress Provide the Department of Veterans Affairs Adequate Funding for Medical and Prosthetic Research, AUG 2012; **Res. 180:** Assured Funding for VA Medical Care, AUG 2012



Reverse the VA Claims Backlog

WHERE WE ARE

When speaking to The American Legion National Convention in August 2010, VA Secretary Eric Shinseki declared that VA would “break the back of the backlog by 2015” by committing to 98 percent accuracy, with no claim pending longer than 125 days. Over the past two years, VA has generally gone backward, not forward, in both of these key areas. However, there are recent signs that we may be reaching a tipping point toward progress, and that is cause for guarded optimism.

According to VA’s own figures, over 65 percent of veterans with disability benefits claims have been waiting longer than 125 days for them to be processed. In contrast, when Secretary Shinseki made his promise, only 37.1 percent of claims had been pending longer than 125 days. The American Legion has found through its field research that the problem varies greatly by regional office. While some regional offices may have an average rate of 76 days per claim, others take 336 days — a troubling inconsistency.

Unfortunately, accuracy is also a problem, according to Legion site visits and field research conducted by The American Legion Veterans Affairs and Rehabilitation

(VA&R) staff. VA has been reluctant to publicly post accuracy figures in its Monday morning workload reports, but VA’s own STAR reports for accuracy place the rate in the mid-80s. The American Legion’s Regional Office Action Review (ROAR) teams typically find an even higher error rate, sometimes up to two-thirds of all claims reviewed.

VA is hopeful that the Veterans Benefits Management System (VBMS), which finally came online in all regional offices this year, will eliminate many of the woes that have led to the backlog, but electronic solutions are not a magic bullet. Without real reform of a culture of work that places a higher priority on raw speed than accuracy, VA will continue to struggle, no matter the tools used to process claims.

WHERE WE WANT TO BE

While VA’s stated goals of “no claim pending longer than 125 days” and 98 percent accuracy are admirable, many veterans would settle for their claims being initially processed correctly in a timely manner. The American Legion draws on the extensive experience of its service officers nationwide who work within the claims-benefits system

every day; they are best qualified to define a new plan for fixing the inadequacies of the existing system to adjudicate veterans' claims.¹

The American Legion would like to see the work credit system reformed to include measures which reflect not only the raw quantity of claims completed, but also reflect the quality and accuracy of those claims. Adjudicators should be judged for completing claims on time, but also for completing them without errors. When a claim is decided improperly, veterans must appeal the claim and begin a lengthy appeals process that adds years to the adjudication time. During the delay period, the veteran may not be eligible for health care in VHA until the condition can be service-connected by VBA. By stressing accuracy as a measure of equal quality with speed of adjudication, VA can promote a culture among employees to get the job done right the first time, thus reducing the backlog.

American Legion field work has also shown the importance of better utilization of Fully Developed Claims (FDC) under VA's new FDC program. While we would like to continue to determine the impact of a greater volume of FDC claims on VA's system, early indications have shown that this program can cut claims processing times to as little as 45 to 90 days, a vast improvement for veterans. Even if all claims do not qualify, by moving more claims into the FDC program, the load-shifting can help better allocate resources for traditional claims as well, and the

¹ **Resolution 99:** Increase the Transparency of the Veterans Benefits Administration's (VBA) Claims Processing, AUG 2012; **Res. 118:** Revision of Work-Rate Standards for Department of Veterans Affairs Adjudicators, AUG 2012

overall improved workflow can help the entire process.

WHAT WE ARE DOING

In June 2012, The American Legion partnered with the White House, Joining Forces, and VA to review the implementation of the FDC process nationwide. Recognizing that the FDC initiative was a potentially seismic shift in the manner in which veterans' claims could be adjudicated and having over 2,600 accredited representatives nationwide, The American Legion spearheaded the initiative.

While examining the program in depth at regional offices in Pittsburgh; Denver; Indianapolis; Baltimore; Nashville; Oakland; Togus, Maine; and Reno, Nevada; American Legion staff determined that while accuracy remained problematic in some cases, the overall speed and efficiency was greatly improved.

The American Legion remains committed to working with VA and Congress to use our hands-on expertise to determine which programs help move VA forward such as the FDC program, and what challenges still remain.

Every year, American Legion service officers assist veterans on more than 540,000 benefits claims and an additional 164,000 death benefits claims, at no cost to the veteran. American Legion service officers help secure more than \$8.7 billion in earned compensation and pension benefits a year for veterans, dependents and surviving family members.



Improve Medical Transition Process

WHERE WE ARE

Problems with the processing out of active-duty military personnel continue since the closure of Walter Reed Army Medical Center in Washington, in 2010, when care for seriously injured patients was moved to the Walter Reed National Military Medical center in Bethesda, Maryland. These problems have been identified at Warrior Transition Unit (WTU) facilities nationwide, as well.

As of January 2012, approximately 24,000 servicemembers were participating in the Integrated Disability Evaluation System (IDES) across all branches of service, including National Guard and Reserve units.

WHERE WE WANT TO BE

The American Legion urges improvements in the medical transition process, including:

- Better oversight to ensure that DOD is adhering to the VA rating system, rather than simply using it as a guideline.
- More uniform implementation of the IDES system across all services and all geographic regions.

- More clear and concise explanations of the IDES systems for servicemembers and their families, along with implementation of a single point of contact for families.
- Better use of the physical evaluation board liaisons, with better-defined responsibilities and scope for those employees.

WHAT WE ARE DOING

The American Legion's Medical Evaluation Board/Physical Evaluation Board (MEB/PEB) coordinator is responsible for assisting servicemembers at Washington, D.C., military installations, and has representatives on site at Fort Sam Houston, Texas, and Joint Base Lewis-McChord, Wash., under the supervision of the MEB/PEB coordinator. These representatives act as service officers for transitioning servicemembers with medical or physical conditions.



Properly Treat All Veterans Exposed to Hazardous Chemicals and Environments

WHERE WE ARE

The American Legion applauds VA for processing nearly 230,000 claims between 2011 and June 2012 involving the three newest Agent Orange-related conditions. The recent expansion of conditions presumed to be linked to Agent Orange exposure created additional work for VA, already struggling under a heavy claims backlog. However, as VA Secretary Eric Shinseki has stated many times, it was the right thing to do. Decisions about treating and compensating veterans exposed to deadly toxins must never be motivated by whether or not the road will be challenging or costly, but whether or not the veteran has suffered and requires treatment because of the exposure.

The American Legion supports the establishment of a unified policy to deal with the consequences of exposure to hazardous materials in the military.

WHERE WE WANT TO BE

The American Legion urges continued study of all environmental hazards and their effects on servicemembers and veterans. New challenges such as burn pits must be addressed. Evidence suggests that more than 227 metric

tons of waste have been burned in conjunction with JP-8 jet fuel, releasing countless carcinogens into the air that servicemembers have breathed. At the very least, a full accounting of exposed veterans through a burn-pit registry or similar means would be an important step forward. Furthermore, The American Legion calls on DOD to immediately cease burning dangerous chemicals in open burn pits, exposing servicemembers to deadly and debilitating toxins.¹

Agent Orange remains a concern, as thousands of veterans exposed to the toxin are left behind when it comes to vital treatment and benefits. The American Legion remains committed to ensuring that all veterans who served in areas of exposure receive recognition and treatment for conditions linked to Agent Orange. Time is running out for those veterans not designated as having “boots on the ground” during the Vietnam War. Studies indicate that “blue water navy” veterans may have experienced higher exposure rates to Agent Orange than those who were on the ground, due to water-desalination systems on the ships; this has never been satisfactorily addressed by VA. The time is now to recognize all Vietnam veterans for

¹ **Resolution 95:** Environmental Exposures, AUG 2012

their exposure to Agent Orange, not just those veterans who had boots on the ground.²

The American Legion urges VA to work with DOD to finally provide a full accounting of exposure locations outside Vietnam, including the fleet of C-123K transport aircraft, in Thailand, Korea and other supporting areas of the Vietnam Theater. This is to include servicemembers assigned to Joint POW/MIA Accounting Command serving in Vietnam after May 7, 1975.

The American Legion urges continued close scrutiny by the Institute of Medicine (IOM) into Agent Orange, Gulf War illness and other concerns. When problems are identified, VA must act swiftly to ensure that current compensation and treatments are based on the most recent scientific findings.

WHAT WE ARE DOING

The American Legion believes in treating the veteran first, funding the necessary research, and ensuring that servicemembers are not exposed to chemical hazards again. The American Legion will continue to publicly support and keep abreast of ongoing DOD and VA research related to environmental hazards and exposures due to deployment, such as the war-related illness and injury study center's study on the effects of deployment as they relate to cardiopulmonary function, and the medically unexplained autonomic functions of Gulf War veterans.

² **Resolution 96:** Blue Water Navy Vietnam Veterans, AUG 2012



Improve VA Health Care

WHERE WE ARE

The Veterans Health Administration (VHA) manages the largest integrated health-care system in the United States, with 152 medical centers, nearly 1,400 Community-Based Outpatient Clinics (CBOCs), community living centers, vet centers and domiciliary clinics serving more than 8 million veterans every year. The American Legion believes that those veterans are entitled to receive the best care possible.

The needs of veterans continue to evolve, and VHA must ensure it is evolving to meet these unique needs. The rural veteran population is growing, and options such as Telehealth medicine and clinical care must expand to better serve that population. Growing numbers of women veterans, and a system that has traditionally catered to men must adapt to meet the needs of male and female veterans, regardless of whether they live in urban or rural areas.

An integrated response to mental health care is necessary, as the rising rates of suicide and severe post-traumatic stress disorder (PTSD) are greatly impacting our veterans and active-duty servicemembers alike.

WHERE WE WANT TO BE

If veterans are going to receive the best possible care from VA, the system needs to continue to adapt to the changing demands of the population it serves. The concerns of rural veterans can be addressed through multiple measures, including expansion of the existing infrastructure through CBOCs and other innovative solutions, improvements in Telehealth and telemedicine, improved staffing and enhancements to the travel system.¹

Patient concerns and quality of care can be improved through better attention to VA strategic planning, concise and clear directives from VHA, improved hiring practices and retention, and better tracking of quality by VA on a national level.

VHA's budget must be protected in order to ensure improved quality. Critical need areas such as construction and ongoing maintenance are already facing reductions which will prove disastrous and more costly to VA in the long run. The American Legion supports sound investment in the infrastructure of VA to best meet the needs of a changing veteran population.

¹ **Resolution 294:** Department of Veterans Affairs Rural Healthcare Program, AUG 2012

WHAT WE ARE DOING

The American Legion's System Worth Saving task force continuously travels across the country to evaluate VA medical facilities and ensure that they are meeting the needs of veterans. This past year, the task force focused on women veterans' health care.

From November 2012 to April 2013, the task force conducted 15 site visits to VA medical facilities and conducted 15 town hall meetings to receive feedback from local veterans who utilize VA to receive their health care.

- The objectives of the System Worth Saving Women Veterans Report were to:
 - Understand what perceptions and barriers prevent women veterans from enrolling at VA.
 - Determine what quality of care challenges women veterans face with their VA health care.
 - Provide recommendations and steps VA can take to improve these access barriers and quality of care challenges.

The American Legion System Worth Saving task force emerged from its field work with several concerns, including:

- Women veterans do not identify themselves as veterans and/or know what benefits they are eligible to receive.
- VA medical facilities do not have a baseline, one-, two- and five-year plan to close the gaps between the catchment area, enrollment numbers and actual users among women veterans.
- Additional research is needed to determine the purpose, goals, and effectiveness of the three VA women health-care models on overall outreach, communication, and coordination of women veteran health services.
- Women veterans do not receive mammograms in a timely manner.
- Many VA facilities do not offer inpatient/residential mental health programs for women veterans.
- VA legislative authority for the child care pilot program is due to expire on Oct. 2, 2013.

Although VA has made many improvements in care, many challenges remain, including recruitment and performance of staff, personal and electronic communication, and delivery of gender-specific health-care services for women veterans.



Fix compliance issues, state of distrust

WHERE WE ARE

After persistent management failures led to a deadly Legionnaires' disease outbreak in the VA Pittsburgh Healthcare System, the VA Pittsburgh director, Michael Moreland, received a perfect performance review. Despite these failures, Director Moreland was rewarded with a \$63,000 bonus. The Legionnaires' disease outbreak was linked to at least 21 illnesses and five deaths. Failing to crack down vigorously on failures which impact patient safety is unacceptable, and indications that other areas of the country, such as Georgia, may face similar negligence issues are creating a rift in trust between the Veterans Health Administration (VHA) and veterans who use VHA for their health-care needs.

This state of distrust cannot continue.

WHERE WE WANT TO BE

The American Legion believes that VHA must act immediately to address reported compliance issues when revising the current Prevention of Legionnaires' Disease directive. Furthermore, by implementing a few additional steps, the confidence in the system by those who use it for health care will be improved. VHA should:

- Provide a plan that simplifies implementation of the directive, and provides guidance, education and moni-

toring of the implementation of the revised Prevention of Legionnaires' Disease directive when issued.

- Consider re-evaluation of the current stratification plan that identifies risk of Legionnaires' disease based on transplant status.
- Institute a national water safety committee that will provide expert and technical assistance for collaborative decision-making, at the local level, for the control and prevention of waterborne disease.

WHAT WE ARE DOING

The American Legion is focused on providing whatever support and information is necessary to the investigatory process, including participation in the House Committee on Veterans' Affairs field hearing in Pennsylvania to investigate the infectious disease outbreaks in VA hospitals across the country and the tens of thousands of dollars in performance bonuses given to leaders of those hospitals.

The American Legion is meeting with staff from the VA Office of the Inspector General (OIG)'s Office of Health Care Inspections to learn more about their report and provide steps VA can take to prevent future patient exposure to Legionella at its 152 medical centers nationwide.



Enhance Care for Women Veterans

WHERE WE ARE

A 2011 American Legion study revealed several areas of concern about VA health-care services for women. Today VA still struggles to fulfill this need, even though women are the fastest-growing segment of the veteran population. Approximately 1.8 million women veterans make up 8 percent of the total veteran population, yet only 6 percent use VA services.

VA needs to be prepared for a significant increase of younger women veterans as those who served in the War on Terrorism separate from service. Approximately 58 percent of women returning from Iraq and Afghanistan are ages 20 to 29, and they require gender-specific expertise and care. Studies suggest post-traumatic stress disorder (PTSD) is especially prevalent among women; among veterans who used VA in 2009, 10.2 percent of women and 7.8 percent of men were diagnosed with PTSD.

The number of women veterans enrolled in the VA system is expected to expand by more than 33 percent in the next three years. Currently, 44 percent of Iraq and Afghanistan women veterans have enrolled in the VA health-care system.

WHAT WE WANT

The American Legion recommends that VA conduct a comprehensive study of military sexual trauma (MST), in conjunction with the Department of Defense (DOD) if possible, to develop a better plan to counteract the problem.¹

VA needs to develop a comprehensive health-care program for women veterans that extends beyond reproductive issues. For example, provider education needs improvement. Furthermore, as women veterans are the sole caregivers in some families, services and benefits designed to promote independent living for combat-injured veterans must be evaluated, and needs such as child care must be considered. Additionally, many women veterans cannot make appointments due to the lack of child-care options at VA medical centers. Since the 2011 survey, The American Legion has continued to advocate for improved delivery of timely, quality health care for women using VA.

¹ Resolution 295: Military Sexual Trauma, AUG 2012

WHAT WE ARE DOING

The 2011 survey revealed concerns that have led to the establishment of a new American Legion Women Veterans Outreach program whose coordinator is tasked with identifying best practices to improve services for women veterans and working with Legion departments to establish state coordinators to oversee women veterans programs at that level.

The women veterans outreach program aims to educate veterans and communities that support them; to collaborate with local, state and federal agencies that can provide needed services; and to provide continued oversight of VA's execution of benefits and services. The American Legion's advocacy efforts seek to ensure that the identified needs of women veterans are being met and, more importantly, that veterans are informed on the issues that affect their lives.

Many states have coordinators and vibrant programs, while other states have not yet identified coordinators. Coordinators will be trained and educated on their responsibilities and provided with the necessary assistance to get their programs up and running.



Prioritize Finding Treatments for PTSD, TBI

WHERE WE ARE

Any discussion of the lasting effects of the wars in Afghanistan and Iraq over the last decade has addressed what have come to be known as the signature wounds of those wars, Post Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI). Owing to the grave seriousness of these injuries and the importance of finding solutions to the challenges they present, the National Executive Committee Resolution No. 13 directed The American Legion to establish the TBI and PTSD Ad Hoc Committee in 2010 to “investigate the existing science and procedures and alternative methods for treating TBI and PTSD.”

The Ad Hoc Committee was comprised of American Legion Past National Commanders, the Veterans Affairs & Rehabilitation Commission Chairman, members of academia and national staff from The American Legion. The committee held six meetings and received policy briefings and updates from the lead authorities in the Department of Defense (DOD), Department of Veterans Affairs (VA) and the private sector on TBI and PTSD research, screening, diagnosis and treatment. In addition, members of the committee reviewed and discussed numerous articles,

publications and journal articles discussing the care and treatment of veterans by DOD, VA and the private sector.¹

The committee also personally interviewed veterans and servicemembers to learn about the challenges they face each day dealing with conditions such as PTSD, TBI and military sexual trauma and how these conditions may have had an impact on their marriages, jobs and everyday lives.

WHAT WE WANT

The Ad Hoc Committee on TBI and PTSD produced the following findings:

1. Currently, there is no defined treatment modality for TBI, and providers are merely treating the symptoms. In 2011, VA conducted a study of its use of Risperdone, which was the second most widely prescribed second-generation anti-psychotic within VA for PTSD. The study ran for six months at 23 different VA outpatient medical centers. In an article published in the Journal of the American Medical Association (JAMA), it

¹ **Resolution 285:** Traumatic Brain Injury and Post Traumatic Stress Disorder Programs, AUG 2012

was found that this medication had no therapeutic effect(s). Worse yet, this medication had negative side effects. This ineffective medication was off-label and not approved by the Federal Drug Administration (FDA) for treatment of PTSD.

2. The initial attempt to diagnose TBI is often complicated by the clinical overlap of TBI with PTSD and Substance Abuse Disorder. Veterans may be diagnosed with the wrong medical condition and thus prescribed with the wrong medication, as the treatment for TBI/PTSD is different.
3. The American Legion's TBI and PTSD Ad Hoc Committee was concerned with the lack of research studies on new, innovative and non-pharmacological treatments such as virtual reality therapy, hyperbaric oxygen therapy, and other complementary and alternative medicine (CAM) therapies. Unfortunately, most of the existing research for the last several years has been conducted to validate the current evidence-based treatments that are being used. The evidence-based treatments as defined by DOD/VA's joint clinical practice guidelines are cognitive processing therapy, prolonged exposure therapy and antidepressants.
4. In addition, there seems to be no fast-track mechanism within DOD or VA for employing innovative or novel therapies in a standardized way. VA has been exploring CAM treatments since 2002. While a number of VA medical centers offer some sort of CAM, it is not currently offered in any uniform and consistent manner within DOD or in VA's 152 VA medical centers across the country.

RECOMMENDATIONS:

Through the expertise and information obtained by the TBI and PTSD Committee, The American Legion developed the following recommendations:

1. The American Legion urges Congress to provide oversight and funding to the Department of Defense and Department of Veterans Affairs for innovative TBI and PTSD research currently used in the private sector, such as hyperbaric oxygen therapy, virtual reality exposure therapy and oth-

er non-pharmacological treatments.

2. The American Legion urges Congress to increase the budgets for DOD and VA to improve the research, screening, diagnosis and treatment of TBI and PTSD, as well as provide oversight over DOD/VA to develop joint offices for collaboration between DOD/VA research.
3. Servicemembers/veterans who participate in DOD/VA research studies give their consent and be provided with a disclosure of any negative effects of treatment.
4. DOD/VA accelerate research efforts to properly diagnose and develop evidence-based treatments for TBI/PTSD.
5. Servicemembers and veterans only be prescribed evidence-based treatments for TBI/PTSD and not non-FDA approved medications or non-evidence-based treatments.

WHAT WE ARE DOING

The American Legion believes that all possibilities should be considered in the attempt to find treatments and cures for these conditions affecting significant numbers of veterans, including alternative medicine. And if shown to be effective, these treatments and cures should be available to all veterans.

The TBI and PTSD Ad Hoc Committee is now a permanent committee of The American Legion, and as such, will continue to work toward advancing our knowledge and understanding, so that The American Legion can provide DOD, VA and Congress with the data and recommendations they need to effectively serve our wounded warriors. Moving forward, the goal of the TBI and PTSD Ad Hoc Committee is to identify opportunities for improvements in research, prevention screening, diagnosis and treatment relating to the treatment of TBI and PTSD.



Expand VETS Program

WHERE WE ARE

The Department of Labor's (DOL's) VETS program offers employment and training services to eligible veterans through its jobs for veterans state grants program. The American Legion is eager to see this program grow and would like greater expansion of entrepreneurial-based, self-employment opportunity training. Adequate funding is necessary to allow the programs to increase staffing to provide comprehensive case-management job assistance to disabled and other eligible veterans.

WHERE WE WANT TO BE

For the program to succeed, it needs to:

- Implement recent reforms to the transition assistance program so veterans can be better informed on education, employment and business opportunities as they transition into the civilian workforce.
- Expand outreach efforts with creative initiatives designed to improve employment and training services for veterans.
- Provide information about military occupations that provide qualifying training for required licenses, certificates or other credentials at the local, state or national levels.
- Eliminate barriers to recently separated servicemembers and assist in the transition from military service to the civilian labor market.

The American Legion believes staffing levels for DVOPs (Disabled Veterans Outreach Programs) and LVERs (Local Veterans Employment Representatives) should match the needs of the veteran community in each state and should not be based solely on the fiscal needs of the state government. VETS should remain a national program with federal oversight and accountability. The American Legion seeks legislation that will transfer all DVOPs and LVERs from the state agencies to VETS for supervision and oversight to ensure that the individuals employed to serve veterans are not used for other programs.¹

WHAT WE ARE DOING

The American Legion continues to work closely with the Department of Labor to ensure that this program receives the attention it needs to assist veterans, and continues to grow and thrive through changes and improvements to the programs involved. The American Legion also continues to work with state departments of veterans' affairs to improve the delivery of benefits at that level.²

¹ **Resolution 48:** Support the Restoration of the Duties and Responsibilities of the Disabled Veterans' Outreach Program (DVOP) Specialist and Local Veterans' Employment Representative (LVER), AUG 2012

Resolution 52: Support Legislation that would Return Disabled Veterans' Outreach Program (DVOP) and Local Veterans' Employment Representative (LVER) funding to a Staffing Grant, AUG 2012

² **Resolution 304:** Support Full Funding and Staffing for the Veterans Employment and Training Service (VETS), AUG 2012; **Resolution 317:** Oppose any Weakening of the Disabled Veterans Outreach Program and Local Veterans Employment Representative, AUG 2012



Help Veterans Start Businesses

WHERE WE ARE

Small business is the backbone of the U.S. economy. It has been the mobilizing force behind America's past economic growth. It will continue to be a major factor as our nation moves through the current recession. Reports show that businesses with fewer than 20 employees account for 90 percent of all U.S. firms and are responsible for more than 75 percent of all new jobs. There are 27 million small businesses in the U.S., and 99.7 percent of all firms are small businesses.

WHERE WE WANT TO BE

The American Legion urges Congress to establish a direct lending program through the Small Business Administration that would offer low-interest loans to otherwise healthy veteran-owned and service-disabled veteran-owned small businesses (SDVOSB) having trouble obtaining credit for necessary operating expenses or expansion. In addition, The American Legion seeks and supports legislation to require a 5 percent goal governmentwide, with set-asides and sole-source authority for federal procurements and contracts for businesses owned and operated by service-disabled veterans, and businesses owned

and controlled by veterans. This includes small businesses owned by Reserve-component members who have been or may be called to active duty, or may be affected by base closings and reductions in our military forces.¹

Pressures on the federal contracting community likely will result in greater use of the Small Business Administration's (SBA) federal supply schedule program, and while this program holds a higher contracting preference than the small business programs, it unfortunately does not allow set-asides for any small-business group. The American Legion agrees that expanded use of this program will further diminish opportunities for small businesses, especially those owned by veterans. The American Legion makes the following recommendations:

- Service-disabled, veteran-owned small business set-asides should be allowed under the federal supply schedule program. Without this change, SDVOSBS will be limited in its quest for opportunities to compete for federal contracts.

¹ **Resolution 299:** Authorize Small Business Administration to Re-Establish a Direct Loan Program for Veteran Entrepreneurs, AUG 2012; **Resolution 320:** Support Effort of the Small Business Administration's (SBA) Office of Veterans Business Development, AUG 2012

- Implementation of a coordinated standardized training program for procurement staff that focuses on SDVOSB procurement strategies in their respective agencies.
- President Barack Obama should reissue Executive Order 13360, “providing opportunities for service-disabled veteran businesses,” to increase federal contracting and subcontracting opportunities for veterans, and require that its tenets be incorporated into SBA regulations and standard operating procedures.
- SBA needs to emphasize Executive Order 13360 and establish it as a procurement priority across the federal sector. Federal agencies need to be held accountable by the SBA for implementing the executive order, and SBA needs to establish a means to monitor agency progress and, when appropriate, establish a report to identify those that are not in compliance and pursue ongoing follow-up.
- To achieve the mandates of Executive Order 13360, SBA must assist federal agencies in developing a strategic plan that is quantifiable and will assist them in establishing realistic reporting criteria.
- The House Small Business Committee should embrace and promote the development of stronger policy and legislative language that champions the utilization of veteran-owned small business joint-venturing as a ready solution to the small-business spending requirements of the stimulus spending initiative.
- Agency leadership must be held responsible for meeting the 3 percent congressionally mandated goal. The American Legion recommends that the committee schedule a hearing with all federal agencies that consistently do not meet their federal procurement goals with SDVOBS.

Every year, The American Legion hosts two major veterans’ business training programs that continue to serve thousands of veteran-owned businesses across the country. By bringing together professional trainers with government executives and The American Legion’s Small Business Task Force, our organization has been providing free business conferences to veteran businesses for over 10 years.

WHAT WE ARE DOING

The American Legion continues to work closely with business leaders and government authorities to help veteran-owned small businesses increase the roles of veteran-owned businesses in communities around the world. Veterans know the value of employees with military experience better than anyone else, and veteran-owned small businesses are among the best employers of those who have left the service.



End Veteran Homelessness

WHERE WE ARE

VA Secretary Eric Shinseki has promised to devote the resources necessary to end veteran homelessness by 2015. To fully implement this pledge, VA is going to have to work closely with Congress to continue making responsible investments in affordable housing and supportive service programs to help more veterans and their families. Progress is being made, and current estimates put the number of homeless veterans at approximately 76,000 on any given night, down from 2010 numbers of 131,000 or more.

WHERE WE WANT TO BE

The American Legion recommends providing funding for a broad range of appropriate and effective interventions, including:

- Appropriation of funds for the Supportive Services for Veteran Families (SSVF) program. SSVF funds have been used effectively by community organizations to prevent many veterans from becoming homeless and to quickly assist veterans who need nothing more than short-term rental assistance and limited

case management to get back on their feet. SSVF funds also can be used to pay for employment services, utility assistance, child care costs and other housing-related expenses.¹

- Congressional support for the homeless veterans grant and per diem transitional housing program. This program provides short-term housing help to homeless veterans, allowing them to get connected with jobs, supportive services and more permanent housing, ultimately allowing them to become self-sufficient. Promising new models for using grant and per diem funds – including allowing veterans to remain in their Grant Per Diem (GPD) housing units once support from the program ends – and new programs focused on women veterans are helping to ensure that GPD continues to meet the ever-changing needs of returning veterans and their families.²
- Congress should provide 10,000 new HUD-VASH vouchers designed to serve homeless veterans (and in

¹ **Resolution 305:** Support Funding for Additional Housing for Homeless Veterans with Families, AUG 2012

² **Resolution 306:** Funding for Homeless Veterans, AUG 2012; **Res. 308:** Homeless Veterans Assistance, AUG 2012

many cases their families) who need long-term housing, intensive case management and supportive services. Since 2008, 37,975 vouchers have been awarded, contributing substantially to major reductions in veteran homelessness.

- The American Legion urges the passage of legislation such as S. 62 (H.R. 2797), The Check the Box for Homeless Veterans Act of 2013, as such legislation will provide needed resources not currently available to homeless families, as well as affording American taxpayers an opportunity to donate money to fight veteran homelessness without costing the government a dime.³

WHAT WE ARE DOING

The American Legion continues to lead communities by volunteering, fundraising and advocating for programs and resources to help homeless veterans. In addition, The American Legion directly provides housing for homeless veterans and their families, including facilities in Pennsylvania, North Carolina and Connecticut. One of the goals of The American Legion is to help bring federal agencies, nonprofit organizations, faith-based institutions and other stakeholders to the table to discuss best practices, along with funding opportunities, so that homeless veterans and their families can obtain the necessary care and help to properly transition from the streets and shelters into gainful employment and/or independent living.

³ **Resolution 309:** Support Expanding the Departments of Housing and Urban Development and Veterans Affairs Supportive Housing Voucher Program, AUG 2012



Ratify Disabilities Treaty

WHERE WE ARE

American servicemembers have sustained serious mental and physical injuries during the wars in Iraq and Afghanistan. And countless numbers of veterans continue to suffer from mental and physical injuries incurred on behalf of our country during prior conflicts. The United States has been the leader on access and equality for all people with disabilities, including disabled veterans, and The American Legion remains concerned that our disabled veterans and servicemembers traveling abroad may not have the freedom to access travel, lodging, dining and hygiene facilities due to disabilities suffered as a result of their military service.

WHERE WE WANT TO BE

The United States must ratify the Disabilities Treaty because it embodies the principles of the ADA and reinforces

our leadership in the promotion of opportunities for disabled veterans, servicemembers and their families with disabilities to travel, study, work and serve in the world community.

WHAT WE ARE DOING

The American Legion continues to work closely with the veteran and disabled persons community to ensure that safe travel environments exist for our veterans traveling abroad. It is for this reason that The American Legion passed Resolution 80, during our National Convention in Houston in August to urge the Senate to provide its advice and consent to allow the United States to ratify the Disabilities Treaty.¹

¹ **Resolution 80:** Ratify Disabilities Treaty, AUG 2013



Protect the Flag of the United States of America

WHERE WE ARE

Since the American Revolution, countless men and women have proudly defended this nation under the Stars and Stripes. There is hardly a more poignant image of the sacrifices made by America's heroes in defense of this nation than a U.S. flag draped over a servicemember's coffin, the last full measure of respect to those who have made the ultimate sacrifice. However, since the 1989 U.S. Supreme Court's 5-4 decision in *Texas v. Johnson*, the American people have been denied the ability to make laws protecting this great symbol of our nation from desecration.

WHERE WE WANT TO BE

Surveys have shown that over 80 percent of American citizens support passage of a constitutional amendment that would protect the flag, but Congress has repeatedly fallen short of the 66 percent Senate supermajority needed to send the measure to the people so they can make their voice heard.

The House of Representatives has passed the amendment six times by supermajority, only to see it fall short in the Senate including by just one vote the last time it made it to the floor.

Congress must unite in respect of the patriotic will of the American people and pass a flag-protection amendment to the Constitution that will allow the people to decide which protections they deem appropriate when deciding how best to protect the flag of our great nation.

WHAT WE ARE DOING

Together with the American Legion Auxiliary, The American Legion founded the Citizens Flag Alliance, Inc. (CFA), to garner and focus grass-roots support for the amendment. The CFA now includes 109 member organizations and more than 30 million Americans. Through this organization, The American Legion will continue to fight for passage of the flag-protection amendment.¹

The American Legion is also dedicated to promoting positive flag-related activities, such as promoting education about the U.S. Flag Code, flag etiquette, proper disposal and sharing information through a growing email network. Furthermore, we are the number one provider of United States flags in this country today.

¹ **Resolution 272:** Constitutional Amendment to Protect the Flag of the United States, AUG 2012

CONCLUSION

The American Legion is the conscience of a patriotic nation. It is made up of men and women who have served in uniform. Its family extends to spouses, children, siblings and parents who have known the fear and uncertainty of deployed loved ones. The American Legion, the American Legion Auxiliary, the Sons of The American Legion and all their supporters are connected by a love of country that cannot be compromised.

Through the approximately 4 million members of Legion posts, Auxiliary units and Sons squadrons, The American Legion Family wraps its arms around four pillars of service: Veterans, Defense, Americanism and Youth.

To learn more about what The American Legion does every day in support of those pillars, visit www.legion.org or “like” The American Legion National Headquarters on Facebook. The American Legion can also be found on Twitter and in mobile media.

Those who really want to help veterans, their families and communities are urged to join The American Legion Family, where they can go to work every day on behalf of the nation they love.



Biography of Daniel M. Dellinger

NATIONAL COMMANDER, THE AMERICAN LEGION

Military service: Dellinger served at Fort Benning, Ga., during the Vietnam War and entered the U.S. Army Reserve in 1972, separating from the service in 1984 at the rank of captain.

College: He holds a bachelor's degree in criminology from Indiana University of Pennsylvania.

Legion experience: A member of the Dyer-Gunnell American Legion Post 180 in Vienna, Va., since 1982, Dellinger was made a life member in 1990. He has served as post, district and department commander and chaired numerous committees. At the national level, he chaired the Legislative, National Security, and Economics commissions as well as the Aerospace Committee. He served as chairman of the Legislative Council and Membership and Post Activities Committee. He has been a member of the Foreign Relations Council, Policy Coordination, Veterans Planning and Coordinating committees as well as the Legislative Council.

Business leader: He owned and operated a construction management and general contracting firm for 20 years specializing in commercial, institutional and industrial construction.

Other activities: Dellinger is a member of the Sons of the American Legion, Past Commanders and Adjutants Club, Past Department Commander's Club, ANAVICUS and the Citizens Flag Alliance. He has served as a presidential appointee on the Federal Taskforce on SBA Hiring and as vice mayor of the Town of Vienna, Va., as well as serving three terms as town councilman. He is a member of the Loyal Order of the Moose and the Loyal Order of the Kentucky Colonels.

Personal: Dellinger and his wife, Margaret, reside in Vienna. Margaret served as American Legion Auxiliary Unit 180 president for four years; daughter, Anne, is a 23-year member of Unit 180; and son, Scott, is a 28-year member of Sons of The American Legion Squadron 180.

Theme: National Commander Dellinger's theme is "Building for Tomorrow – Today."

APPENDIX A

1. **Resolution 55:** Protecting the Defense Budget, OCT 2012;
2. **Resolution 61:** National Defense Spending, AUG 2012;
3. **Resolution 70:** Support for the United States Air Force, AUG 2012;
4. **Resolution 72:** Support Full Funding and Resources for the U.S. Navy and Marine Corps, AUG 2012;
5. **Resolution 73:** Support Full Funding for the Department of the Army Budget, AUG 2012;
6. **Resolution 108:** Request Congress Provide the Department of Veterans Affairs Adequate Funding for Medical and Prosthetic Research, AUG 2012;
7. **Resolution 180:** Assured Funding for VA Medical Care, AUG 2012
8. **Resolution 99:** Increase the Transparency of the Veterans Benefits Administration's (VBA) Claims Processing, AUG 2012;
9. **Resolution 118:** Revision of Work-Rate Standards for Department of Veterans Affairs Adjudicators, AUG 2012
10. **Resolution 95:** Environmental Exposures, AUG 2012
11. **Resolution 96:** Blue Water Navy Vietnam Veterans, AUG 2012
12. **Resolution 294:** Department of Veterans Affairs Rural Healthcare Program, AUG 2012
13. **Resolution 295:** Military Sexual Trauma, AUG 2012
14. **Resolution 285:** Traumatic Brain Injury and Post Traumatic Stress Disorder Programs, AUG 2012
15. **Resolution 48:** Support the Restoration of the Duties and Responsibilities of the Disabled Veterans' Outreach Program (DVOP) Specialist and Local Veterans' Employment Representative (LVER), AUG 2012
16. **Resolution 52:** Support Legislative that would Return Disabled Veterans' Outreach Program (DVOP) and Local Veterans' Employment Representative (LVER) funding to a Staffing Grant, AUG 2012
17. **Resolution 304:** Support Full Funding and Staffing for the Veterans Employment and Training Service (VETS), AUG 2012;
18. **Resolution 317:** Oppose any Weakening of the Disabled Veterans Outreach Program and Local Veterans Employment Representative, AUG 2012
19. **Resolution 299:** Authorize Small Business Administration to Re-Establish a Direct Loan Program for Veteran Entrepreneurs, AUG 2012;
20. **Resolution 320:** Support Effort of the Small Business Administration's (SBA) Office of Veterans Business Development, AUG 2012
21. **Resolution 305:** Support Funding for Additional Housing for Homeless Veterans with Families, AUG 2012
22. **Resolution 306:** Funding for Homeless Veterans, AUG 2012;
23. **Resolution 308:** Homeless Veterans Assistance, AUG 2012
24. **Resolution 309:** Support Expanding the Departments of Housing and Urban Development and Veterans Affairs Supportive Housing Voucher Program, AUG 2012
25. **Resolution 80:** Ratify Disabilities Treaty, AUG 2013
26. **Resolution 272:** Constitutional Amendment to Protect the Flag of the United States, AUG 2012

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