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THE LEGISLATIVE PRESENTATION OF
THE AMERICAN LEGION

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WEDNESDAY, MARCH 1, 2017

United States Senate,
Committee on Veterans' Affairs,
House of Representatives,
Committee on Veterans' Affairs,
Washington, D.C.

The Committees met, pursuant to notice, at 10:00 a.m.,
in Room SD-G50, Dirksen Senate Office Building, Hon. Thom
Tillis and Hon. Phil Roe, presiding.

Present: Senators Boozman, Rounds, Tillis, Sullivan,
Tester, Brown, Blumenthal, and Manchin; Representatives Roe,
Coffman, Wenstrup, Radewagen, Bost, Poliquin, Arrington,
Higgins, Bergman, Gonzalez-Colon, Walz, Takano, Kuster,
O'Rourke, Correa, and Peters.

OPENING STATEMENT OF SENATOR TILLIS

Senator Tillis. Thank you all for being here today. I
was telling some of the gentlemen I was greeting that
yesterday I saw a lot of you folks on Capitol Hill. I
apologize for the lines but there may be some of you out
there that I personally escorted through, because I think
the only reason we are in this building is because you all
have been able to serve this country and give us that great

1 opportunity, so thank you and welcome to all of you.

2 I am going to start. Chairman Isakson is out, and we
3 have various members who will be chairing over the course of
4 the morning. We will have a vote at some point, so if you
5 see members coming in and out it is not for lack of
6 interest. It is just some of us will have to go down to the
7 floor and come back, and I may have to step out briefly, but
8 I am going to push it to the limit.

9 I want to welcome the hundreds of American Legion
10 members and auxiliary members in attendance, and I want to
11 provide a special welcome to those who traveled to
12 Washington, D.C., from Georgia, and my part, from North
13 Carolina. Have we got North Carolinians here?

14 [Cheers.]

15 Senator Tillis. There you go. And the Chair regrets
16 that he is unable to attend. On February 20th, the Chair
17 was admitted to Emory Saint Joseph's Hospital in Atlanta,
18 Georgia, for a scheduled operation on his back, to address
19 spinal deterioration. Per his doctor's orders, he is at
20 home recovering, and the rest of this week, before returning
21 to Washington, D.C. He looks forward to returning with a
22 new and improved back, and to continue working harder than
23 ever on behalf of veterans.

24 As he said, in Secretary Shulkin's confirmation
25 hearing, we are about making health care more available to

1 veterans, through care in both the private and the public
2 sector, and the VA. We do not want to privatize the VA, and
3 I want to underscore that. Anyone here that tells you that
4 this Chair or any member of this Committee is intent on
5 privatizing the VA is not right.

6 [Applause.]

7 Senator Tillis. What the Chair wants to do and the
8 members of this Committee want to do is empower the VA. He
9 looks forward to working collaboratively with all of you,
10 and all of the stakeholders, so that we, together, as Mr.
11 Schmidt said, working together we can solve these problems.
12 And on behalf of the Chair and the Committee members we
13 welcome you. We look forward to your impact. We appreciate
14 what you do every day to stand for veterans, and we are here
15 to stand with you.

16 And with that we are going to go to opening statements.
17 We will start with Dr. Roe.

18 OPENING STATEMENT OF CHAIRMAN ROE

19 Chairman Roe. Thank you, Mr. Chairman. First of all,
20 thank you all for having me yesterday at your meeting. It
21 was really wonderful to be there and I appreciate the
22 opportunity to have spoken.

23 Let me begin by congratulating Commander Schmidt's
24 election as the Legion's National Commander of the 98th
25 National Convention last summer. He is a decorated Air

1 Force retiree with many years of service to this nation, to
2 the American Legion, and to our veterans. I would like to
3 say to his bride, Linda, that she and their two daughters
4 and six grandchildren have much to be proud of.

5 I also want to send a hearty welcome to the National
6 Auxiliary President, Mary E. Davis. Ms. Davis, thank you
7 for what you do and your members of the auxiliary do every
8 day for veterans, servicemembers, and their families.

9 [Applause.]

10 Chairman Roe. Thank you for being here.

11 Commander, I look forward to our discussion today about
12 the American Legion's legislative priorities for this first
13 session of the 115th Congress. For many years, the American
14 Legion has served as a source of guidance for those of us
15 serving veterans here in Congress. We value your input and
16 we are grateful for your continued service to the nation and
17 to our communities.

18 I know that many of you have traveled from across the
19 country to be here today. In particular, I would like to
20 recognize those members from my home state of Tennessee who
21 are in the audience. Would you please stand or raise your
22 hand and be recognized.

23 [Applause.]

24 Chairman Roe. And just as a--just for my caution, for
25 all you Texans out there, there would not be a Texas if it

1 were not for Tennessee. I want to point that out.

2 [Laughter.]

3 Chairman Roe. Over the course of my eight-plus years
4 in Congress, and as a member of the House Committee on
5 Veterans Affairs I have seen some of the good work the
6 Department of Veterans Affairs, and its employees, do on
7 behalf of veterans on a daily basis, such as providing
8 quality health care, fully implementing the new GI Bill,
9 guaranteeing thousands of loans for veterans, and providing
10 a dignified, final resting place to forever memorialize our
11 nation's heroes.

12 Unfortunately, I have also seen a seamlessly endless
13 parade of mismanagement and waste at VA. Examples include
14 the billions wasted on questionable IT projects and lavish
15 spending at certain VA medical centers on art. And do not
16 forget the billion-dollar overrun for a major hospital
17 construction project in Denver that still remains a year
18 from completion. And without a doubt, as a doctor and a
19 veteran myself, the most egregious failure I have seen was a
20 corrosive culture that allowed unscrupulous employees to
21 manipulate scheduling data while patients languished and
22 died, waiting for care.

23 It has been close to three years since the nationwide
24 scheduling scandal was first exposed, and since that time VA
25 has undergone leadership changes, and I believe are putting

1 the department back on the right track. However, it is
2 obvious that more changes are needed as serious
3 organizational problems remain entrenched.

4 In our efforts to reform how VA manages in its people
5 by instilling a new sense of accountability in its work
6 force, the Legion has been a stalwart ally in our efforts,
7 and I thank you for that support. I am confident that each
8 of you are held accountable in your jobs, just as I know we
9 all were when we wore the uniform. VA employees, especially
10 senior employees, should be equally accountable.
11 Accountability must be ingrained into the VA mission for
12 veterans.

13 Obviously we have more to do, but with the Legion's
14 continued support I look forward to engaging in that effort.
15 Clearly it is going to take a sustained oversight effort on
16 a bipartisan and bicameral basis to support the cultural
17 change that the new secretary has admitted is needed at VA.
18 We worked closely with Secretary Shulkin and I am proud to
19 say that I will introduce a bill--introduced a bill last
20 night to give the secretary the tools he needs to hold VA
21 employees accountable.

22 Another top priority of mine, for this Congress, is to
23 provide the necessary changes to the VA Choice Program, so
24 veterans can receive the high-quality health care they
25 deserve, whether it is at a VA facility or from a qualified

1 health care provider in the community. Secretary Shulkin
2 accepts the need for outside health care providers so that
3 veterans are not forced to travel away for an in-house VA
4 appointment when the community option is available. I
5 believe that the option should be the veteran's choice, not
6 the decision of VA.

7 It is high time we put the needs of the veteran, not
8 the bureaucracy first, and I look forward to hearing from
9 you all of how we can achieve this goal together. We ask
10 that the American Legion remain engaged in visiting and
11 reporting on what is happening at the local VA level--the
12 local level, with VA facilities. Please continue to keep
13 Congress informed about the veteran experience, especially
14 with regards to disability claims processing and the
15 delivery of health care from VA and non-health care VA
16 providers in the community. Your System Worth Saving Task
17 Force has been invaluable as we address the challenges
18 facing VA.

19 I look forward to continued collaboration and ensuring
20 that each and every veteran receives the benefits of high-
21 quality health care they have earned and deserve.

22 And with that I yield back the balance of my time.

23 Senator Tillis. Senate Ranking Member Tester.

24 OPENING STATEMENT OF SENATOR TESTER

25 Senator Tester. Thank you, Mr. Chairman, and it was

1 also good to see your membership yesterday, and I
2 appreciated the opportunity to visit with you.

3 Commander Schmidt, thank you for being here today. We
4 look forward to your testimony and we appreciate you
5 bringing your leadership team in.

6 I want to acknowledge Roger Hagan, a Montanan who is
7 part of the Legion. Roger, good to have you here.

8 [Applause.]

9 Senator Tester Roger is a little bit older than I am,
10 but the longer that I serve in the position, the closer we
11 get to being the same age.

12 [Laughter.]

13 Senator Tester. Many of the Montanans are headed back
14 to Montana and that is unfortunate for us here today, but
15 you cannot blame them. But it is good to see you here,
16 Roger.

17 Commander Schmidt, we are here today because Congress
18 should take our cue from you. The American Legion provides
19 critical perspective on how to best address the challenges
20 of our nation's veterans. Your membership also provides
21 critical services to our veterans and their families,
22 whether it is helping veterans transition to civilian life,
23 finding employment, or file a disability claim, the American
24 Legion is there and it is making a difference.

25 As I told the DAV yesterday, we hold these hearings

1 because only VSOs, and not partisan political groups or
2 pundits on cable, can help Congress focus on its oversight
3 and legislative efforts to ensure that veterans have access
4 to quality care and benefits. That means taking cues from
5 you on how to hold VA accountable, ensure that VA has the
6 capacity to meet the needs of all veterans, and fixing the
7 choice and community care issue.

8 On this last point, in a rare demonstration of
9 bipartisanship, Congress enacted the Veterans Access Choice
10 and Accountability Act of 2014. This legislation sought to
11 bolster the capacity of the VA to better directly serve
12 veterans and to expand veterans' access to community care,
13 when the VA was incapable of providing that care in a timely
14 manner.

15 Now, two and a half years later, the VA is confronted
16 with looming and dramatic funding shortfalls, and a Choice
17 Program that at least, in Montana, it just flat is not
18 working. We need to fix the program so it makes more sense
19 for both veterans and community providers, and I am pleased
20 that there appears to be agreement among all the major
21 veterans' groups on a path forward.

22 Rather than just giving a veteran a card to seek care
23 in the private sector, the path forward is an integrated
24 network of VA and community providers. This means VA should
25 continue to serve as the coordinator and primary provider of

1 care, while the private sector fills in the gaps. I know
2 that the American Legion will be at the forefront of this
3 discussion and will help Congress get to where we need to
4 be.

5 Commander Schmidt, again, welcome. I look forward to
6 hearing your testimony and working closely with you and the
7 folks on the dais to do right by our veterans. Thank you.

8 Senator Tester. House Ranking Member Walz.

9 OPENING STATEMENT OF MR. WALZ

10 Mr. Walz. Thank you, Mr. Chairman, and Commander,
11 welcome to you. My commander, and as I am sure all of you
12 will be glad to know, he made sure my dues were paid
13 already, so we have always got to do that. But thank you
14 for the work you do. Madam President, thank you. I am
15 proud to be part of this organization. It is always proud
16 to see you when you are up on the Hill. This is an amazing
17 sight from up here to see, and as I often say when the VSOs
18 are here, it feels like the conscious of the nation is here.

19 To the past commanders, thank you. We were reminiscing
20 a little bit about your national tours and how very
21 important those are and how those are talked about for years
22 after you get into our Legions in our more rural areas.
23 That is a big deal when you are there, and I think it is
24 reassuring to them to know that every veteran in every
25 corner of this nation is being thought of and cared for, so

1 thank you to that.

2 To the Minnesotans who are here, they are probably in
3 shorts. It is summer, so it is wonderful enjoying it, but
4 thank you to each of them and for the work you do in guiding
5 us as we go.

6 The Legion is so many things to so many people, and I
7 think of this--I am a schoolteacher and one of the things we
8 looked forward to every year was Girls and Boys State, and
9 the ability to get kids involved in our political process
10 and think about what that meant. And now, as a Member of
11 Congress, it is one of the high honors I have when I get to
12 address those groups--because I know, too, by looking at
13 them, one of them out there will be taking my job someday,
14 because of the talent that they have the passion that they
15 have, and you are instilling that in them, and it goes deep
16 into our communities.

17 My 10-year-old's greatest dream right now is to play
18 Legion ball. That is what he wants to do, to be one of
19 those guys that are out there. Those are the deep things
20 about it. This is not just figuring out which is our
21 responsibility, how to make sure we get care to veterans.
22 It is about the fabric of our nation and the commitment that
23 we make, and all of the services that the VA provides, and
24 by having you here, telling us what those things are, it
25 matters.

1 And I have to say this. As a Legion member and as the
2 co-chair of the Guard and Reserve Caucus and a National
3 Guardsman myself, as I ended my career, the American
4 Legion's focus on fixing the 12304b, which may sound
5 incredibly arcane, but people in this country know what that
6 means now and they know that if one veteran is treated
7 unfair, other veterans will come to their defense.

8 So I want to personally thank you. Mr. Palazzo, my co-
9 chair on the Guard and Reserve Caucus, will be introducing
10 the fix on that legislation. My hope is we can speed that
11 through.

12 I would also like to make the case--and I know, Ralph,
13 we talked a little bit about this--all of us know that there
14 is a fix out there. It is something we can do in a
15 bipartisan manner. We can get it to the President's desk
16 and get it signed on appeals reform. We have got a great
17 start on that. You helped us formulate that. I think that
18 is a top and must priority, and I look forward to working
19 with you on it.

20 You heard it here, the Choice Act. It needs to be true
21 choice. We need to make that thing work, and I think most
22 of us understand, and I applaud the Chairman's comments on
23 this, and I think he is exactly right. It is disinformation
24 and it is disingenuous, people to talk about that people
25 want to privatize the VA. We want to fix it. We want to

1 modernize. We want to make sure that that vision of
2 delivering care, where the veteran needs it, but with an
3 understand of the core mission of the VA needs to be there,
4 and our responsibility needs to be there.

5 So I applaud you on that. I look forward to those
6 fixes we are going to make, and I have to tell you that I am
7 incredibly optimistic. I am incredibly convinced that
8 things are aligning in the right way to get these things
9 done. And what always gives us, and where all power is
10 derived up here, is from our constituents, and if there is
11 one issue they will agree on it is get it right for
12 veterans, do it in a bipartisan manner, and do it in a
13 timely manner.

14 So your voice is being heard, it is needed, and I
15 congratulate you.

16 I yield back, Mr. Chairman.

17 Senator Tillis. Senator Wyden, we want to welcome you
18 to the Committee. You have the honor of introducing
19 Commander Schmidt, and Commander Schmidt, after your
20 introduction, take whatever time you want to introduce your
21 colleagues before us, and then opening comment of 10
22 minutes. Thank you.

23 Welcome, Senator Wyden.

1 STATEMENT OF THE HONORABLE RON WYDEN, A UNITED
2 STATES SENATOR FROM THE STATE OF OREGON

3 Senator Wyden. Thank you very much, Mr. Chairman. I
4 am going to make this a filibuster-free zone, because I know
5 you have got some outstanding testimony coming. We also
6 want to send our very best to Senator Isakson. He is going
7 to make a record land speed time schedule for recovery, and
8 we are looking forward to having him back.

9 Now, I have the honor of introducing Commander Charles
10 Schmidt of beautiful Hines, Oregon, and I can tell you, in
11 Oregon we basically consider every day Veterans Day, and
12 that is why we are so pleased that Commander Schmidt is the
13 first commander in nearly 100 years from Oregon. And I just
14 wanted to say, as an aside, feel free, if you are talking
15 about all this good bipartisan effort, feel free to make
16 Commander Schmidt a lifetime appointee, since it has been a
17 while since we have had the slot.

18 As you know, he has three decades of extraordinary
19 service in the United States Air Force, both as an enlisted
20 airman and as an officer, and you look at his long list of
21 medals and you can see that the Air Force thought very, very
22 highly of Commander Schmidt. A Bronze Star, a Defense
23 Meritorious Service Medal, a Meritorious Service Medal with
24 two oak leaf clusters, a Joint Service Commendation Medal,
25 an Air Force Commendation Medal with one oak leaf cluster,

1 and I will just tell you, if I read the whole list you all
2 would be here until breakfast tomorrow.

3 So suffice it to say that the American Legion and the
4 Air Force have recognized his extraordinary service, and all
5 of us appreciate the American Legion across the country.

6 Let me close by saying one additional point about
7 Commander Schmidt as it related to the agenda I heard
8 colleagues talking about. Obviously, there is some heavy
9 lifting to do, as we try to ensure that, in the name of
10 veterans, we are tackling the big challenges. I heard you
11 all talk about vets' choice, which obviously we hear a lot
12 about at home, addressing the claim backlog, looking after
13 the needs of women of veterans.

14 So you have got a big, big agenda, and I will just tell
15 you--and a lot of you know that the Finance Committee is
16 meeting right now, and Orrin Hatch is waiting for me to show
17 up so that he can begin this--I just want you to know that I
18 think we are so fortunate, not just Oregon but our country,
19 to have Commander Schmidt helm this effort with the
20 veterans' organizations, to work with all of you in the
21 tradition of working for vets in a bipartisan way.

22 Commander Schmidt, we are very, very proud of you and I
23 want to thank the bipartisan leadership of this committee
24 for giving me the opportunity to come by for a few moments.

25 [Applause.]

1 Senator Tillis. Welcome, Commander Schmidt. Please
2 introduce your team and provide us with your opening
3 comments.

1 STATEMENT OF CHARLES SCHMIDT, NATIONAL COMMANDER,
2 ACCOMPANIED BY JAMES OXFORD, CHAIRMAN, NATIONAL
3 LEGISLATIVE COMMISSION; RALPH BOZELLA, CHAIRMAN,
4 NATIONAL VETERANS AFFAIRS AND REHABILITATION
5 COMMISSION; MATTHEW SHUMAN, DIRECTOR, NATIONAL
6 LEGISLATIVE DIVISION; LOUIS CELLI, JR., DIRECTOR,
7 NATIONAL VETERANS AFFAIRS AND REHABILITATION
8 DIVISION; PAUL DILLARD, CHAIRMAN, VETERANS
9 EMPLOYMENT & EDUCATION COMMISSION; AND JOSEPH
10 SHARPE, JR., DIRECTOR, VETERANS EMPLOYMENT &
11 EDUCATION DIVISION

12 Mr. Schmidt. Thank you, Mr. Chair. Our panel this
13 morning consists of, from Colorado, Ralph Bozella. He is
14 Chairman of our Veterans Affairs and Rehabilitation
15 Commission. Our Director for Veterans Affairs and
16 Rehabilitation is Lou Celli, and also our Chairman of
17 Veterans Education and Employment Commission, Paul Dillard;
18 and our Director for Veterans Education and Employment, Joe
19 Sharpe. And our Legislative Division Chairman is Bill
20 Oxford, and also our Director is Matthew Shuman.

21 And also, Mr. Chair, we do have some others with us
22 today that I would like to introduce. Would all the
23 American Legion national officers serving with me this year
24 please stand up.

25 [Applause.]

1 Mr. Schmidt. Would American Legion Past National
2 Commanders please stand up and be recognized.

3 [Applause.]

4 Mr. Schmidt. Also, Mrs. Mary Davis, President of the
5 nation's largest patriotic women's organization, the
6 American Legion Auxiliary.

7 [Applause.]

8 Mr. Schmidt. And we also have former National
9 Presidents of the American Legion Auxiliary. If they, too,
10 would stand and be recognized.

11 [Applause.]

12 Mr. Schmidt. We have Mr. Jeff Frain, National
13 Commander, Sons of the American Legion.

14 [Applause.]

15 Mr. Schmidt. And we have Former Past National
16 Commanders of the Sons of the American Legion. If they
17 would please stand as well.

18 [Applause.]

19 Mr. Schmidt. And, of course, my beloved wife, Linda.
20 Linda?

21 [Applause.]

22 Mr. Schmidt. Good morning, Chairman Tillis, Chairman
23 Roe, Ranking Members Tester and Walz, members of the House
24 and Senate Committees on Veterans' Affairs, and
25 distinguished others among us today.

1 What you see here is a family, the American Legion
2 family. Our roots run deep. They are planted across the
3 landscape of America and beyond, over 3 million strong, more
4 than 13,000 local posts in communities worldwide. Millions
5 of lives influenced, access across multiple generations.
6 Our American Legion family has many branches, including you,
7 who have chosen lives of public service. We thank you for
8 that.

9 Our family also extends to over 2 million members of
10 the U.S. Armed Forces, nearly 345,000 employees of the
11 Department of Veterans Affairs, millions of young people,
12 and many others. The family has been nearly a century in
13 the making. That is when our first generation crossed an
14 ocean to confront a deadly enemy in a foreign hemisphere.
15 As far away as it was, the Great War had at stake something
16 more than a protection of European allies--democracy,
17 liberty, fairness and opportunity, values Americans have
18 fought and died for since the revolution, or in the
19 crosshairs of tyranny.

20 And so, our nation responded as it always does, with
21 all its might, no matter the cost, no matter where, and we
22 came away with a very hard-fought victory. Out of the
23 blood-soaked trends of Belgium and France arose a generation
24 of veterans like none before. These young liberators, from
25 farms and factories of the United States, would stat the

1 American Legion family because, frankly, the Federal
2 government at the time was poorly prepared to help veterans
3 and their families adjust to life after war.

4 Many of our first generation were disabled by combat--
5 gassed, poisoned, blinded, and psychologically alerted by
6 the shock and horror of a new war, one fought with machine
7 guns, tanks, airplanes, and chemical agents. Nearly 117,000
8 Americans gave their lives to successfully liberate Europe.
9 Among our ranks they are never forgotten.

10 The American Legion was born of this generation which
11 inspires us today, and our legislative agenda today. Just
12 five weeks away from the 100th anniversary of the U.S. entry
13 into the war that was supposed to end all wars, but it did
14 not. Thus, we continue a discourse that they began, one
15 that is vital today, and is certain to continue long after
16 we are gone.

17 The American Legion's legislative agenda, in a new era
18 of global war, bears many resemblances to that of our first
19 generation. On the priority list then, as now, were
20 concerns such as an effective health care and disability
21 benefit system for veterans; a modern, timely, and fair
22 process for veterans' benefits claims and appeals; education
23 and training to give veterans the best possible chance to
24 succeed in civilian life; best possible military equipment
25 and training for operational advantage as well as troop

1 safety; compassionate treatment for service-connected mental
2 health conditions, defined as shell shock or combat fatigue
3 at the time, now know as post-traumatic stress disorder; and
4 support for the families and children of veterans changed by
5 military service.

6 As problems and challenges have surfaced and resurfaced
7 over the years, we have worked together to find solutions--
8 Congress, VA, the Department of Defense, the American
9 Legion, and veterans across the land, like a family of
10 shared values and goals, not always agreeing on tactics but
11 always trying to do what is best for those who have served
12 our nation in uniform.

13 It is a continuous process because the landscape of
14 veterans' issues is always changing. At one point in the
15 not-so-distant past, for instance, quality was a prevailing
16 problem at VA, not access, so we all worked together to turn
17 VA into what is now described by its patients, and most
18 experts, as the best care anywhere. An unpredicted result
19 of higher VA quality in many areas became the long line to
20 get appointments. Easing access to care is now VA's
21 prevailing problem, and there is no reason we cannot achieve
22 a solution by working together, as we have done before.

23 The Choice Act of 2014 was a measure the American
24 Legion saw only as a temporary fix, to get veterans the care
25 they needed from non-VA providers in their communities, if

1 necessary, where necessary, as quickly as possible. Today
2 we understand that community care can be a viable option
3 where VA services are far away or overbooked. However, we
4 also know that veterans, when given their own choice, choose
5 VA. Of approximately 1 million veterans who signed up for
6 community care under Choice, only about 5,000 solely used
7 non-VA providers rather than VA. The vast majority choose
8 VA care, even if they had to wait for an appointment or
9 travel over 40 miles to get there.

10 The American Legion proposes an approach that would put
11 non-VA care under a central VA authority, as grantor of
12 quality, to be used only where it makes the greatest sense
13 for the time being. The long-term solution is a
14 sustainable, state-of-the-art, 21st century VA health care
15 system that will serve today's newest veterans, and yet to
16 come those for the rest of their lives, wherever they
17 reside. The answer cannot be all-out privatization or any
18 dissolution of the VA system we have worked so hard to make
19 great.

20 The American Legion's first generation, whose veteran
21 comrades were jailed, put in straight-jackets and held in
22 asylums with undiagnosed PTSD, spent a decade fighting to
23 create one federal agency to provide care for veterans and
24 their families. Disability claims, health care, survivor
25 benefits, hospitals, burials, and later, college benefits,

1 home loans, business financing, and more would come to live
2 under the roof of VA. The model made sense. Service for
3 veterans would be more efficiently managed. The VA was also
4 to become an expression of gratitude from a grateful nation
5 to those who have served and sacrificed.

6 VA has never been perfect, and it has always been
7 complicated. By virtue of that complexity, the agenda we
8 share each year will always have plenty of unfinished
9 business. We have plenty of that today, which I would like
10 to address individually.

11 Executive and employee accountability at VA falls under
12 the heading of unfinished business. What tangible progress
13 has been made to correctly discipline poor performers, some
14 of whom have bordered on criminal and corrupt? During his
15 confirmation hearing, Dr. Shulkin, Secretary Shulkin said it
16 would take an act of Congress to install more effective
17 accountability standards at VA. If so, we have been there,
18 done that, and can do it again.

19 And on the flip side, how can we standardize
20 performance bonuses to top caregivers and keep them from
21 leaving VA for higher pay elsewhere? The American Legion
22 does not oppose performance bonuses for VA's most valuable
23 employees. It opposes not knowing the criteria upon which
24 those bonuses are paid. Transparency is the key word in
25 this concern.

1 American Legion System Worth Saving site visits
2 continue to show shortages of key medical staff contributed
3 heavily to VA's access problem. It is hard to get a timely
4 doctor's appointment when there simply are not enough
5 doctors available. Recruitment and retention at VA remain
6 unfinished business.

7 Also, if we know nothing else about it, PTSD and TBI
8 affect individual sufferers differently. There is no magic
9 pill. Overmedication can lead to isolationism and suicide.
10 A customized approach, involving whole families, peers,
11 activities, and alternative therapies, can go a long way
12 toward binding up the invisible wounds of war. Greater
13 progress needs to be made on that front. It is unfinished
14 business.

15 The same can be said of career opportunities. Today's
16 veterans who are 45 percent more likely than others to
17 launch small businesses should be able to use their GI
18 benefits for start-up costs, and those who were trained by
19 military in specialized disciplines and to execute those
20 skills in battle should not be required to start their
21 training over in order to receive a civilian license or
22 certification in the same specialty.

23 One more item on the unfinished business agenda that we
24 need to cross off in this congressional session--VA appeals
25 modernization. If the current process remains in place, VA

1 estimates that by 2027, it will take an average of 10 years
2 to get an appeals decision. Representative Dina Titus of
3 Nevada has already introduced into the 115th Congress an
4 appeals modernization bill that calls for transparency and a
5 fast answer for veterans who had filed appeals of their
6 claims decisions. No one should have to wait a decade for
7 an answer from VA. As our American Legion social media
8 hashtag states, America--veterans deserve better.

9 I am asking now for your support to pass a VA appeals
10 modernization bill. VA is indeed a progress in work. It
11 has been since 1930 when the American Legion helped bring it
12 into this world. But it is our work in progress, not a
13 private contractor's. In the American Legion family, we
14 describe VA as a system worth saving. We do not just say
15 that; we believe that. And since the patient appointment
16 scandal in 2014, we also believe that progress has been
17 made. We look forward to working closely with Secretary
18 Shulkin and VA Central Office as allies, not adversaries, to
19 speed up that process, take care of our unfinished business,
20 solve potential problems before they become crises, and take
21 responsibility for a system of care the World War I
22 generation knew was needed for our nation's veterans.

23 To that generation, we owe much more, including a
24 formal U.S. flag code. It took 19 years after the American
25 Legion had its first flag conference in 1923, to gain

1 congressional acceptance of rules to guide respect and
2 proper care for the flag under which so many have fought and
3 died.

4 The American Legion will not budget on its reverence
5 for our flag, supported by over 80 percent of the public,
6 and asks once again, will you please pass a constitutional
7 amendment to return to Congress the power to protect the
8 United States flag from physical desecration? It is not, as
9 the Supreme Court narrowly determined in a 5-4 vote, an act
10 of free speech. It is behavior. It is intentional
11 desecration which can incite violence, and defies everything
12 our nation stands for.

13 The American Legion is now preparing to celebrate its
14 100th anniversary in 2019. We will observe this milestone
15 in every city and town, every congressional district, with
16 activities and observances that pay tribute to our legacy
17 and carry forward a vision for our second century.
18 Legislation is now being drafted for the U.S. Mint to strike
19 a commemorative coin for the American Legion's centennial.
20 A request has also been submitted to issue an American
21 Legion Centennial U.S. postage stamp. We would be honored
22 to count on your support for both the coin and the stamp, in
23 tribute not so much to the American Legion as a branded
24 veteran service organization but to the American Legion as a
25 symbol of democracy, liberty, fairness, and opportunity.

1 Five weeks from now we will gather in Kansas City to
2 honor American Legion families' first generation, those who
3 went to fight in the Great War. We will be there not just
4 to remember the battlefield victories, which were enormous,
5 but to acknowledge all that the World War I veterans set in
6 motion when they became citizens, fully understand that
7 success in America usually depends most on how well you do
8 in the trenches. That is where you will always find the
9 American Legion family, doing what we do best, when no one
10 else is watching, for the good of our communities, states,
11 and nation.

12 We thank you for your time this morning. May God bless
13 you and may God bless our United States of America.

14 [The prepared statement of Mr. Schmidt follows:]

1 [Applause.]

2 Senator Tillis. Thank you and welcome, gentleman. Mr.
3 Oxford, I believe you graduated from UNC. Is that true?

4 Mr. Oxford. [Off microphone.]

5 Senator Tillis. You are not? Okay. My information
6 was wrong. I was going to compliment you on having the
7 grades to go to that school so you did not have to do Plan B
8 down at Duke.

9 [Laughter.]

10 Senator Tillis. We are going to have three-minute
11 rounds, because I think a number of our members would like
12 to speak with you. Members, we have not sat on a committee
13 before but I have what we call rodeo rules. After you go
14 over about eight seconds we are going to buck you to the
15 next person so that we can get as many questions in as
16 possible. And I will start and hold true to my time.

17 By the way, Ranking Member Walz reminded me I went to
18 Boys State, and I was there, American Legion Boys State back
19 in 1977. It was a wonderful experience. But the
20 interesting thing coming out of that is I said, "I just do
21 not think politics is for me--

22 [Laughter.]

23 Senator Tillis. --and here I am.

24 But I want to thank you all for being here. I want to
25 thank Senator Tester and Chairman Roe and Ranking Member

1 Walz. We are all committed. One of the reasons why I like
2 this committee is it is a committee where we do really come
3 together. You have to really struggle to come up with a
4 partisan basis for what we are trying to do here.

5 In my limited amount of time I am going to ask you a
6 general question. I also have the honor now of chairing the
7 Senate Armed Services Committee on Personnel, and we have
8 got two things that we have to deal with. Number one, we
9 have to go back to this generation of soldiers who are
10 suffering from PTSD, from bad paper, from past wars. We
11 have got to look at what we can do to stem the tide on the
12 average 22 suicides that occur today, largely not those who
13 served in Afghanistan or Iraq but they served in the Vietnam
14 War, and we are always looking for your advice on how we can
15 do that.

16 But in my capacity as the Chair of the Subcommittee, I
17 would like to spend my amount of time, the remaining two
18 minutes, having you all describe to me what you would tell
19 me I should focus on so that we make sure we get it right
20 for the other active and reservists who move into veteran
21 status. What kinds of things can we work on, whether it is
22 health care, employment, or the other issues, that we are
23 not getting right now?

24 And I will it open it up to you, Commander, to
25 quarterback to whoever is appropriate if you are not

1 answering it.

2 Mr. Schmidt. Well, thank you, Mr. Chairman, and thank
3 you for that question. TBI and PTSD is a concern to the
4 American Legion, and, of course, the effects that is has on
5 our men and women that have served our country. I think the
6 mental health issue is a significant concern of the American
7 Legion, and I would call on our VA&R chairman, Ralph
8 Bozella, to expand on that a little more in our efforts to
9 work on PTSD and TBI.

10 Mr. Bozella. Thank you, Commander, and Mr. Chairman,
11 members. The American Legion, since 2012, has established
12 our own TBI and PTSD committee. I think it is important
13 that we do not take TBI and PTSD and lump it into one thing,
14 because they are two different situations. Of course, Dr.
15 Roe and the doctors on the committee understand that, and
16 sometimes we have a tendency to lump those together. Those
17 are different. One is neurologically, essentially,
18 concussed, and the other is more psychological, but they are
19 both absolute traumas, which affect decisions and which
20 affect behaviors.

21 Our committee has offered seminars and we have
22 published a book called "The War Within" on the subject. We
23 are now planning to offer some more seminars in the future,
24 and one of the really good things that has happened in our
25 seminars is the quality of people that we get to come in and

1 speak to us. What comes to mind is a company called Mind
2 Analytics, from California, where they are looking at a very
3 simple, inexpensive test of EEGs to measure brainwaves of
4 people, as a baseline, and then to remeasure that later when
5 someone is diagnosed with these conditions, and so that we
6 can really determine if the treatment works. It is
7 something that you may want to look into as a possibility
8 for measurement of these types of disabilities.

9 And another area we are looking at is Volume 2 of our
10 book, to discuss ways that we can properly treat TBI and
11 PTSD. And then there is another aspect too. It is really,
12 usually, a PTSD symptom--or cause, I should say, which is
13 MST, military sexual trauma, and it is another area that we
14 are very concerned about. One in five female veterans has
15 experienced it, and then we automatically think it only
16 happens to women. No, that is not true either. It happens
17 to women and men. And we do have--VA does have screening
18 processes set up to do that.

19 Whenever we go to our System Worth Saving Task Force
20 meetings, we always assess the mental health aspects of that
21 particular VA hospital that we are in, and we did nine of
22 these last year, and one of the things that we were able to
23 get established in VA are the screening processes for all of
24 these conditions. And the other piece of that that we are
25 really interested in is CAM, complementary and alternative

1 medicines. Thank you.

2 Senator Tillis. Without objection, I would like to
3 submit the Chair's formal statement into the record, into
4 the Committee record.

5 [The prepared statement follows:]

6 / COMMITTEE INSERT

1 Senator Tillis. Ranking Member Tester.

2 Senator Tester. Thank you, Mr. Chairman. Commander
3 Schmidt, the Choice Program has been a wreck in my town, and
4 I do not think it has been much different anywhere else.
5 Would you agree that it is really in need of reform before
6 it is extended or expanded?

7 Mr. Schmidt. Thank you, Senator. That is a very good
8 question, and the Choice Program was a program that kind of
9 helped veterans like myself.

10 Senator Wyden did not tell you where exactly Hines,
11 Oregon is. It is out in the middle of eastern Oregon, far,
12 far away from a lot of places, and when that Choice Program
13 was first initiated, it was not quite clear of how that was
14 going to operate, who had to get authority to use or go to
15 their choice, their preferred physician. But it does need
16 refining to have more specifics, more details, so the
17 veteran understands how that program works and what they
18 need to go through to be able to use that without a lot of
19 red tape.

20 Senator Tester. Yeah. Thank you. Thank you for that.
21 I want to touch a little bit on the Chairman's question on
22 suicides, and maybe you want to direct this to someone else,
23 Commander. But the suicides are too high. This is
24 unarguable. Is there anything that the American Legion has
25 come up with as a recommendation to the VA to reduce the

1 number of suicides?

2 Mr. Schmidt. Senator, one suicide is one suicide too
3 many--

4 Senator Tester. Right.

5 Mr. Schmidt. --and I would ask our Director of VA&R,
6 Lou Celli, to address that.

7 Mr. Celli. Thank you, Member Tester. Thank you so
8 much. It is an epidemic, and it is an epidemic that we take
9 seriously when we do our System Worth Saving visits. Some
10 of the things that we have found is some of the hospitals
11 are doing a very great job, a diligent job on following up
12 with some of their mental health patients, and just
13 following up with some of their patients who exhibit some
14 depression. Some are not as diligent as they could be.

15 The very first thing that we need to make sure is that
16 we are reaching out to these veterans--veterans who present
17 themselves at the hospital, veterans who call our suicide
18 hotline, veterans who tell their buddies that they are
19 having some problems. They need to be followed up with, and
20 if we can do a better job at that, we will do a better job,
21 and again, as our Chairman mentioned, addressing our mental
22 health and depressive issues.

23 Senator Tester. Super. I am sure that Dr. Shulkin
24 heard that, as you said.

25 As I mentioned in my opening remarks, Congress needs to

1 take its cues from you and the other VSOs, and for the most
2 part you have all been on the same page and I appreciate
3 that. Secretary McDonald did a good job establishing
4 communication.

5 The question I had for you, and I had the same question
6 for the DAV commander yesterday, have you or any
7 representative from the American Legion had the opportunity
8 to personally meet with the President?

9 Mr. Schmidt. Senator, we have not yet. We are
10 anticipating the opportunity to visit with the President and
11 share some of our views, like we are sharing them with you
12 today.

13 Senator Tester. You have made that request.

14 Mr. Schmidt. I am sorry?

15 Senator Tester. You have made that request, to meet
16 with the President?

17 Mr. Schmidt. We have made it and we are following it
18 very closely.

19 Senator Tester. Well, I do not want to get bucked off,
20 so I yield my time.

21 Senator Tillis. Chairman Roe will be taking the gavel
22 briefly while I go vote. Chairman Roe, keep honest to the
23 rodeo rule. We will be back.

24 Chairman Roe. [Presiding.] Listen, I like the rule.

25 Thank you all, and thank you, Commander. I am going to

1 go through some things very quickly. First, I think the
2 Choice Program can work, and I think it has to work in rural
3 areas. As Senator Tester and you pointed out, where you
4 live, in rural America, where I live in rural Appalachia, we
5 need the Choice Program to work. The simplest thing in the
6 world I ever did as a doctor was make somebody an
7 appointment. The VA has made that like putting the space
8 shuttle up. It should be pretty easy to get the Choice
9 Program to work.

10 So we are going to get that fixed this year. That is
11 one of my missions. I look forward to working with you with
12 that.

13 The second thing you said, which I think is extremely
14 important, that gets passed over, is our veterans go out in
15 the military and learn a lot of incredible skills. I
16 remember a course I took before I went to Korea, on tropical
17 medicine. I do not have a certification, anything, but I
18 knew as much about tropical medicine as anybody when I left
19 that course. We need to take these young people, whether
20 they are driving a truck or fixing a helicopter or whatever
21 it is, and get a certificate.

22 And I have talked to Mac Thornberry, Chairman of Armed
23 Services on our side of the aisle. The DoD needs to point
24 and get a certification that a person can bring out. We
25 have already paid for that veteran, that soldier, to get

1 educated. Why use the GI Bill to pay for that skill again?
2 It makes no sense. And they sit there in a classroom and
3 they are bored to death because they already know everything
4 in there. So I completely agree with you on that, and I
5 think we are going to work with Chairman Thornberry to get
6 that done.

7 The question for you, Commander, is that I know you all
8 work tirelessly on behalf of veterans, and I know your staff
9 does too, at the grassroots level and so forth, but could
10 you give us a couple of examples about how VA programs are
11 wasting resources and how the Legion would recommend that
12 you fix those?

13 Mr. Schmidt. Congressman, I would ask Lou Celli, our
14 Director of VA&R, to share those with you.

15 Chairman Roe. Okay. Thank you.

16 Mr. Celli. Thank you, Chairman, and as we know, the VA
17 has grown exponentially over the past several years, and
18 most of that growth has taken place at the Central Office.
19 We believe that middle management is something that the VA
20 should take a look at and make sure that the right person is
21 doing the right job and that the right managers do not have
22 seven layers of leadership before they have to get an
23 answer. So middle management at the VA, and making sure
24 that they get the proper leadership training so that they do
25 not need as many layers of leadership. That is probably

1 where one of the greatest savings can come in.

2 Chairman Roe. I agree with you. I think we need to
3 focus more about getting clinical people at the bedside or
4 in the examining room taking care of people, and not--I
5 talked to a friend of mine the other day who runs a large
6 hospital company, and he has about 2 or 3 percent
7 administrative people in his 43,000 employees, and the VA
8 has upwards of 30 percent. I think you hit the nail right
9 on the head.

10 My time is expired. I will now recognize Ranking
11 Member Walz.

12 Mr. Walz. Mr. Chairman, I am going to yield my time
13 Mr. O'Rourke and the other members of the Committee.

14 Mr. O'Rourke. Thank you, Mr. Chairman and Ranking
15 Member Walz. Commander Schmidt and your wife, Linda, thank
16 you for being here for your leadership, your service, not
17 just to the American Legion but to every American, and we
18 are grateful. And to everyone who has made the trip here to
19 Washington, D.C., thank you for your efforts and your
20 advocacy. They are having a very necessary impact here in
21 Congress.

22 And if I could ask Commander Ivy, from Texas, Richard
23 Britton, and the other Texans in the room to stand up so
24 that I can recognize you. I want to make sure we have a
25 strong showing here.

1 [Applause.]

2 Mr. O'Rourke. Thank you for being here. Thank you for
3 being here. The very good-looking gentleman to my left,
4 your right, in the green tie, Chairman Jodey Arrington of
5 the Economic Opportunity Subcommittee, and I, hosted the
6 Texans yesterday for a two-hour breakfast, a healthy one of
7 donuts and coffee, and a great conversation about the future
8 of the VA and the American Legion's priorities, and what we
9 should be doing. And I think I speak for the Chairman in
10 saying that we both felt that we were held accountable and
11 both felt the necessary push and drive and guidance from
12 you, so thank you for that.

13 Mr. Commander, I want to thank you for everything that
14 you mentioned. I love that we are talking about an issue
15 that, for too long, has gone undiscussed, and that is
16 veteran suicide. When Secretary McDonald came up with his
17 12-point program to turn around the VA, not a single one of
18 those points was reducing veteran suicide. I argue that
19 should be point number one. If we prioritize it, if we talk
20 about it, if we measure it, we are going to have an impact
21 and we are going to reduce those preventable deaths. So I
22 thank you for your work on that.

23 We have a bill that would allow those with other-than-
24 honorable discharges access to mental health care today that
25 they are denied. You helped us with that with your feedback

1 on the bill. I want to thank the American Legion, and I
2 want to ask my colleagues to join me on this bill, to make
3 sure that we are providing access to those who have earned
4 it and need it.

5 And lastly, Mr. Commander, I want to thank you for
6 pointing out the very low rate of entrepreneurship amongst
7 today's veterans. Post World War II it was over 50 percent
8 of World War II veterans started their own business, created
9 much of the economic growth we saw in this country. Post
10 9/11 it is 4 percent. So I love your idea of making GI
11 benefit resources available to veterans to start their own
12 businesses.

13 I have got about 30 seconds left. I do not know if you
14 want to expand on that idea for the rest of the Committee,
15 but I want to give you this time to do so.

16 Mr. Schmidt. Congressman, I would ask Paul Dillard,
17 our Chairman of the Veterans Education and Employment, if he
18 would like to expound on that just a little, in the short
19 time.

20 Mr. Dillard. Thank you, Commander, Congressman. You
21 know, the key to creating pathways to entrepreneurship is--
22 for veterans, is by destroying the barriers to access the
23 capital, the funds, and once a veteran--we would like
24 Congress, the American Legion would, to see once the
25 Veterans Entrepreneurial Transition Act is reintroduced to

1 Congress, should ask as quickly to pass the legislation,
2 allowing the SBA to begin the pilot program to help veterans
3 start buy or expand businesses. Thank you.

4 Mr. O'Rourke. Thank you, Mr. Dillard. Thank you,
5 Commander Schmidt. Thank you, Mr. Chairman.

6 Chairman Roe. Next I recognize Mr. Poliquin for three
7 minutes.

8 Mr. Poliquin. Thank you, Mr. Chairman. I appreciate
9 it very much. I represent one of the most rural districts
10 east of the Mississippi. We know how to shoot straight in
11 Maine, in Maine's Second District, and we just love our
12 veterans. We absolutely love our veterans.

13 You know, it was our first commander-in-chief, George
14 Washington--and I will paraphrase--who said that unless we
15 can take care of those who have already served, already
16 fought on the battlefield, we are never going to get young
17 people to stand up in uniform for our country. So we get it
18 up in Maine.

19 Now, there has been a bunch of discussion here about
20 the Choice Act and health care. I am very concerned about
21 making sure our veterans who live in the rural parts of our
22 country--and there are a lot of them--have access to health
23 care. There is a program, Commander Schmidt, called the
24 Arch Program, that I am sure you are familiar with. There
25 are five test pilots in the country. One is in rural Maine,

1 the most northern part of our country, in Aroostook County,
2 and thanks to the great work of Senator Collins and others,
3 we have been able to extend that program such that our
4 veterans who live in the country can access their health
5 care close to home instead of driving five hours to Togus,
6 when the snow is blowing sideways, and not feeling well.

7 So I know that there is a lot of work to be done, sir,
8 on Choice, and I have discussed this issue with Mr. Wenstrup
9 and also with Chairman Roe, and we want to make sure that
10 Choice is fixed, and I call the Arch Program sort of Choice
11 on steroids. But it does work in Maine, and so there is a
12 way to fix this and to make sure we retain the great stuff
13 the VA does, but also make it much more practical for folks
14 who live in rural parts of our country.

15 Another issue I would like to mention, and get your
16 opinion on, Commander--and it might be over to Mr. Dillard
17 again--is that we have found, in the state of Maine, that
18 there are more and more farmers who are veterans. We have
19 actually--the age of our farmers in Maine is going down, and
20 we have got a bunch of veterans who find therapy, and good
21 work, and employment, and camaraderie by joining forces with
22 other veterans to work the farms, and start small businesses
23 in the farming community. And we want to make sure that we
24 provide opportunities for that to happen.

25 Commander, have you or Commander Dillard had any

1 experience in this part of our economy, with our veterans?

2 Mr. Schmidt. Well, Congressman, thank you for your
3 concerns about the farmers. They do feed us all.

4 Mr. Poliquin. Yes, sir.

5 Mr. Schmidt. I would ask Chairman Dillard if he would
6 like to comment on the farmers as it affects the Department
7 of Agriculture area.

8 Mr. Dillard. Thank you, Commander. Mr. Congressman,
9 again we go back to, you know, the key to the pathways for
10 entrepreneurship are the veterans getting the funds or the
11 capital, whether it is a farm or a business. It would be in
12 the same area. And that would be the key of which way we
13 could fund this, or something, by the pilot program study.
14 You know, the--it was introduced by Moran in Kansas last
15 year, I think, to the 114th Congress, for the three-year
16 pilot program, and I think that is what we need to look at.

17 Mr. Poliquin. I will make sure, Commander, that I keep
18 this a priority in my work here on the Committee. I am just
19 honored and blessed to help any way I can. Thank you very
20 much for your service to our country. Thank you.

21 Mr. Wenstrup. [Presiding.] Thank you. Ms. Kuster,
22 you are now recognized for three minutes.

23 Ms. Kuster. Thank you, Mr. Chairman, and thank you to
24 the commander for your eloquent testimony and to all of you
25 for being with us. I met with my New Hampshire folks and if

1 they are here in the room I want to give you a shout-out.
2 Please stand. But thank you very much for all that you do
3 for our veterans.

4 In New Hampshire, I just had a meeting last week, in
5 our north country, to meet with our veterans about a more
6 responsive program for them to seek care in a way that is
7 accessible and convenient and meets their needs, and we are
8 doing a pilot out of the White River Junction VA on case
9 management, where we have put two nurses in the rural
10 community and they will be traveling around from our
11 veterans' centers to various partner organizations, and will
12 be meeting the needs of the veterans within their community.

13 But I do want to bring up a point that I am concerned
14 about going forward, and this was testimony--it was actually
15 by a wife of a veteran, but she was so articulate, talking
16 about the camaraderie of receiving care within the VA,
17 receiving care from veteran employees of the VA, and from
18 providers who understood the experience of veterans. And I
19 would love to have you comment on that, because as we go
20 forward, I am very concerned. I am concerned about the
21 budget cuts that are coming down the pile, and I am
22 concerned that our veterans will lose the opportunity for
23 that camaraderie, and I want to work with you and work with
24 our committee in a bipartisan way to keep that element,
25 because it is so critical to the care.

1 Mr. Schmidt. Congresslady, we do--are concerned about
2 those folks, those veterans out in those rural areas. You
3 know, as I say, I am in one of those rural areas, and thank
4 goodness, a few years back, that a CBOC, a VA clinic, was
5 put in place, which was a godsend, because it is 200 miles
6 to the nearest VA hospital in one direction and 300 in the
7 other direction to the other hospital.

8 But also, our clinic has telehealth, which also kind of
9 helps save the travel, and hopefully it can compensate when
10 there is not a physician onsite, as such, that a physician
11 afar can dial in. And also the VA has mobile units that
12 could come to town and also serve veterans as well. Those
13 veterans, regardless of where they live, should not be
14 penalized just because they live there, in that particular
15 location.

16 Ms. Kuster. Well, thank you. I appreciate that. My
17 time is almost up but I do want to commend you on the
18 commitment to gender-specific care at all of our VA
19 facilities. We have more and more women veterans and that
20 is a priority for us, and also thank you for mentioning the
21 military sexual trauma, for men and women. And I am working
22 with Representative Walorski on this.

23 And at that I will send it back before I get bucked.

24 Mr. Wenstrup. Thank you. General Bergman, you are now
25 recognized for three minutes.

1 Mr. Bergman. Thanks, Mr. Chairman. Good morning,
2 everyone. Any Michiganders in the crowd?

3 [No audible response.]

4 Mr. Bergman. I guess they must all be in the office.
5 Any Marines in the crowd?

6 [Multiple responses.]

7 Mr. Bergman. All right. Well, you know, welcome, and
8 regardless of where you served, who you served with, or when
9 you served, because of the fact that you are here it shows
10 that you care.

11 Did any of you--I heard it mentioned earlier of Legion
12 baseball. Were any of you coaches of any of the Legion
13 teams?

14 [No audible response.]

15 Mr. Bergman. Thank you. You allowed a young hotshot,
16 15-year-old like me to develop a below-average curve ball.

17 [Laughter.]

18 Mr. Bergman. But the point is, what I got from that
19 Legion baseball experience was a lesson in leadership from
20 the folks who took the time to coach, and right now I tell
21 you what, that is paying off big time, because you cannot
22 start too early shaping the minds of the young boys and
23 girls that we have today.

24 You know, I have got two questions for you today. One
25 is kind of rhetorical and the other one is very specific.

1 But as a proud member of Legion Post 417 in Watersmeet,
2 Michigan--this is the rhetorical one, by the way. This does
3 not require an answer. I know that you, as an organization,
4 are looking towards the future to figure out how you are
5 going to engage and encourage young folks to join your
6 Legion post. It is a challenge that we have at all the VSO
7 levels, but I know you are thinking about it, and whatever
8 we can do--and that is probably going to be more non-
9 legislative than it is just getting the message out--but if
10 we are not thinking about it and you are not thinking about
11 it at the local level, our numbers are going to dwindle more
12 than they already are.

13 Now, more specific. The question regarding health
14 care. What is more important to you--and I think I heard it
15 a little bit in your statement but I am going to ask it
16 again, just to make sure I understand what you said. What
17 is more important? (A) Receiving quality health care, or
18 (B) Receiving health care from the VA system?

19 Mr. Schmidt. Congressman, thank you for that question.
20 That is a very good question. I am not sure if you can
21 answer one before the other. But let me begin, first of
22 all, thanking you for your service to our country.

23 I would ask that Director Lou Celli--

24 Mr. Bergman. Oh, you drew the short stick on this one,
25 did you not?

1 [Laughter.]

2 Mr. Celli. General, that is why I am an NCO.

3 [Laughter.]

4 Mr. Bergman. Well said.

5 [Applause.]

6 Mr. Celli. You know, the truth of the matter is that
7 the two are not mutually exclusive. The VA trains some of
8 the finest doctors in the country and they will continue to
9 train those doctors, and we want to make sure that the VA
10 retains the highest quality physicians in the United States
11 of America, and we will continue to do that and we will
12 continue to be a partner with them.

13 Mr. Bergman. Thank you very much. I am over my time.

14 Mr. Wenstrup. Mr. Takano, you are now recognized for
15 three minutes.

16 Mr. Takano. Thank you, Mr. Chairman, and thank you,
17 Commander Schmidt, for your testimony this morning, and all
18 for the important work that the Legion does, advocating for
19 and supporting our veterans.

20 I would like to recognize any Californians in the crowd
21 today.

22 [Applause.]

23 Mr. Takano. Hey, thanks. California Boys State, 1978,
24 right here. And thank you for Boys State and Boys Nation
25 American Legion.

1 I am sorry I was not able to get here earlier. I was
2 attending a mark-up on the House side, so forgive me if my
3 questions are repetitive.

4 Commander Schmidt, in your testimony you mentioned that
5 the Choice Program was a temporary fix to improve access to
6 care. We heard something similar from the DAV yesterday,
7 and I agree that Choice was a needed fix, but we also need
8 to do a better job with Choice. Can you go into more detail
9 about your thoughts on how we can consolidate community
10 care?

11 Mr. Schmidt. Thank you, Congressman, for that
12 question, and I would ask our Chairman, Ralph Bozella, of
13 our VA&R Commission to talk about that.

14 Mr. Takano. Great.

15 Mr. Bozella. Thank you, Commander, Congressman. I
16 think that the first thing that we have to realize--and goes
17 back to the general's question--really is, it is care for
18 the veteran. The veteran is always put first when it comes
19 to this issue of care. The term "non-VA care" kind of comes
20 to mind and I think that is a negative term. To me, all
21 care is VA care for the veteran, and that is how we have to
22 look at it. VA is the guarantor of that care and they
23 should be the coordinator of that care.

24 And so be it in the community or in VA, VA should be in
25 charge of that care because the veteran is the person who

1 knows best what the veteran needs for their particular
2 health care. The Choice money that is left over, we want to
3 see that money left in the VA to coordinate community care
4 in a better way to serve the veterans. The issue is access.
5 Can we get access to the veterans to the care? That is the
6 first issue, and if you cannot, then we need to get people
7 into the community.

8 But one of the problems--two problems. One is payment
9 is not on time, and veterans are getting sent to collections
10 and so on, and the other is the records transference. So if
11 we have veterans in care in the community--and this happened
12 in the Choice Program--I am a veteran and it happened to me--
13 the bill is not paid, and the other piece was that my
14 records had a hard time getting back to VA. So any VA care,
15 in the community or in VA hospitals, must be coordinated and
16 guaranteed by VA.

17 Mr. Takano. Wonderful. I see that the VA is the
18 coordinator of care in your vision.

19 In your testimony you bring up some very important
20 issues of veterans using GI benefits who attended ITT Tech
21 before it abruptly shut down and the education benefits they
22 lost. I have two questions. Well, let me see if I can get
23 the one question to you. Do you think that a legislative
24 fix should also address the veterans who attended Corinthian
25 Colleges before they closed for similar reasons?

1 Mr. Schmidt. Mr. Chairman, I would ask our Veterans
2 Education and Employment Chairman to address that.

3 Mr. Takano. Thank you.

4 Mr. Dillard. Thank you, Commander. Congressman, it
5 was a very good question, and earlier Congressman Walz said
6 they are inserting a bill based on something of this nature,
7 where it will restore the GI Bill benefits to those
8 veterans, retroactively, whenever they correct this under--I
9 believe it is Title 38 where they are going to correct this,
10 12304b orders of the Guard and stuff like that. Was that
11 what you were asking?

12 Mr. Takano. Yes. Well, I just want to know if you
13 believe that there should be a fix for the Corinthian
14 Colleges similar to what happened with ITT Tech?

15 Mr. Dillard. Oh, on the IPP. Yes, I think all of
16 their benefits should be restored if any institution closes
17 or prevents a veteran from finishing their degree, just as
18 the Federal government forgives all student loans to
19 civilians if their institution closes. So yes, I think it
20 ought to be.

21 Mr. Takano. Thank you. I agree with you. I yield
22 back, Mr. Chairman. Thank you.

23 Mr. Wenstrup. Ms. Gonzalez-Colon, you are now
24 recognized for three minutes.

25 Ms. Gonzalez-Colon. Thank you, Mr. Chairman, and thank

1 you, Commander Schmidt, for your time and your service, all
2 of you here.

3 I am the only representative from Puerto Rico in this
4 Congress--we do not have any Senators--so you may know the
5 problems that Puerto Rican veterans face in the nature. And
6 you just said, a few minutes ago, that veterans should not
7 be penalized because of the place they live. I totally
8 agree on that. And one of the issues we have got on the
9 island is that some of the degenerative diseases, such as
10 Alzheimer's, patients have to move to New York to receive
11 proper care. They do not receive on the island because we
12 do not have the specialists or the physicians to do that
13 job.

14 So that is one of our main problems, and one of the
15 questions I want to make to you is, through the discussions
16 of the American Legion--and I want to commend Commander
17 Pedro Colon from Puerto Rico, who was in my office
18 yesterday, from the Puerto Rican chapter, who is very active
19 on the island. I was Speaker of the House there, and
20 Minority Leader, and I remember all the activities and the
21 efforts to educate the people about benefits and situations
22 for the veteran community.

23 Do you have discussed the probability of including
24 15,000 active duty retirees in Tricare Prime, that today do
25 not apply to the territory of Puerto Rico?

1 Mr. Celli. Would you mind rephrasing the question?
2 Are you asking if it is the American Legion's position that
3 veterans who are no longer on active duty--

4 Ms. Gonzalez-Colon. Today there are more than 15,000
5 retirees that do not qualify to be in Tricare Prime, just
6 because they live in Puerto Rico, and we are considered--

7 [Overlapping speakers.]

8 Mr. Celli. That is a recent change in the law.

9 Ms. Gonzalez-Colon. Exactly.

10 Mr. Celli. That is correct.

11 Ms. Gonzalez-Colon. So have you discussed that with
12 your chapter, in the discussions of the American Legion?

13 Mr. Celli. Absolutely. That was a DoD decision, which
14 we vehemently opposed, when they--I mean.

15 Ms. Gonzalez-Colon. One of the new regulations.

16 Mr. Celli. That is exactly right, which we vehemently
17 opposed. And, as a matter of fact, the American Legion
18 wants to ensure that not only every veteran has access to
19 safe and timely health care, but also every active duty
20 member, every reservist who is enrolled, or should be able
21 to enroll in Tricare, Tricare Reserve, Tricare Prime, and
22 their family members. It is criminal that they do not have
23 access to that health care. We could not agree with you
24 more.

25 Ms. Gonzalez-Colon. Thank you. I yield back my time.

1 Thank you, Mr. Chairman.

2 Mr. Wenstrup. Mr. Arrington, you are now recognized
3 for three minutes.

4 Mr. Arrington. Thank you, Mr. Chairman, and Ranking
5 Member O'Rourke, and Commander, thank you for your time and
6 for your leadership and your service to our country, and I
7 feel the same about all your members. I did not serve in
8 the military and so I thank the Lord that I have this
9 opportunity to serve my country in this way, and to serve
10 those who did serve.

11 Last night, one of my colleagues leaned over to me and
12 said, "What is a military man or woman?" I could tell it
13 was a rhetorical question. I said, "I do not know. What is
14 it?" He said, "Someone who gave up their today so we could
15 have our tomorrow." I thought that was great.

16 So thank you guys.

17 [Applause.]

18 Mr. Arrington. You know, this is important work that
19 we do, and it is an honor, but there is a sacredness to what
20 we are doing on this committee, and I am grateful for that.
21 I am grateful that I get to work with a fellow Texan, in Mr.
22 O'Rourke, and I know he has the most sincere desire to make
23 these programs work for your fellow vets.

24 We had that breakfast that he referred to, and I asked
25 a closing question, and some of my fellow Texans, who were

1 in the crowd, will probably remember this. I said, "In one
2 statement, in one word, what is the problem here? Why
3 cannot we seem to serve our veterans well?" Because whether
4 it is the IT systems--we had a hearing about the Choice
5 Program, tracking union activity, where some people are
6 spending 100 percent of their time on taxpayer dollars, to
7 work on union activities. What is the problem? I heard
8 bureaucracy, difficulty to remove poor-performing people
9 because of the unions.

10 I think the heart of the problem here is that the
11 organizational system and the management system and the
12 culture is fundamentally flawed. I really do. And I do not
13 think we are ever going to get to desired outcomes until we
14 change that and we empower the management, the leadership,
15 to actually hold people accountable.

16 And so that is the heart of the problem in the private
17 sector. The remedy for that is competition. The remedy for
18 that is the fear of financial insolvency. Those dynamics do
19 not exist in the Federal government. I do not remember a
20 federal agency that went under on account of financial
21 insolvency, and I do not remember any of them getting
22 whipped in competition because they did not serve their
23 customer.

24 So I believe that is the heart, the root of all these
25 programs that do not seem to be serving you. Would you

1 please comment on that? Am I on the right track? What are
2 your thoughts on that? Please, anybody on the panel. Thank
3 you.

4 Mr. Schmidt. Congressman, I will ask Director Celli to
5 respond.

6 Mr. Celli. So the truth of the matter is that when
7 veterans get into the VA health care system they are
8 usually, by and large, extremely satisfied with the services
9 they receive. Poor-performing VA employees, criminal VA
10 employees should be prosecuted. There is absolutely no
11 doubt about that. We want to make sure, though, that the VA
12 is not a civilian-run business. The VA is not in
13 competition with civilians, and they cannot compete on that
14 level because they do not have the same type of
15 infrastructure built into it.

16 We are not--if we try to turn VA into a Medicare-type
17 system, veterans will be ill-served. They will be reduced
18 to 5-, 7-, 12-, and 15-minute appointments, when they
19 currently enjoy the free time of their doctors right now for
20 a good 30 minutes, to get through all of the different
21 illnesses that they have and be able to work with their
22 physicians, and get to know them on a better level. They
23 will be--they will not have the access to the finely-tuned
24 skills that physicians know that veterans suffer through
25 with regard to Agent Orange and PTSD and prosthetic limbs

1 that are unique to the illnesses of battle.

2 So they are not the same, and the competition would not
3 work in this case.

4 Mr. Wenstrup. Mr. Coffman, you are now recognized for
5 three minutes.

6 Mr. Coffman. Thank you, Mr. Chairman. Mike Coffman
7 representing the Sixth District of Colorado, Army Marine
8 Corps veteran, son of an Army Master Sergeant, first called
9 for the Iraq War. Would all of my Colorado veterans please
10 stand up. All right. All right. Yeah.

11 [Applause.]

12 Mr. Coffman. Ralph Bozella, a personal friend of mine,
13 told me something very confidential the other day, and since
14 we are in Washington I will share it with you.

15 [Laughter.]

16 Mr. Coffman. What Ralph said, you know, he put his
17 head down, and kind of a little bit ashamed, and said, "You
18 know"--he is a Vietnam veteran, United States Army--he said,
19 "I really--my goal in life was really to be in the United
20 States Marine Corps, and I was rejected because my parents
21 both knew each other, my test scores were not high enough,
22 and I did not have a significant enough criminal past." No,
23 just kidding, Ralph.

24 But anyway, what I want to present to you, and what I
25 would like to ask the American Legion--I am a dues-paying

1 member--is that the--is to support HR 918, Veteran Urgent
2 Access to Mental Health Care Act. And let me tell you what
3 we have confronted, what so many of our returning combat
4 veterans have confronted from Iraq and Afghanistan, and that
5 is I have been two reductions in force, one post Vietnam and
6 one post first Gulf War, and in both I thought that the
7 process was equitable to think the ranks.

8 The United States Army, and to some extent, the Marine
9 Corps, have tried something entirely new, entirely
10 different, that, through minor infractions of our returning
11 veterans, many suffering from PTSD, have been dismissed from
12 the service with other-than-honorable discharges and denied
13 care from the Veterans Administration, and what this bill
14 will do, it will say irrespective of their discharge, they
15 will have access to care through the VA, to include victims
16 of sexual assault, and some of our folks here, domestically,
17 that run the drone program.

18 And so I would ask you to look at that, and when we
19 talk about reducing suicides for our veterans, I cannot
20 think of a more important bill today than our--than these
21 thousands and thousands of veterans that have been
22 dismissed, in my view, unfairly. When I was enlisted in the
23 United States Army, none of these infractions would have
24 warranted these honorable discharges. That category would
25 have warranted a discharge without any access to care from

1 the VA. It never would have happened but it is happening
2 today. It is happening today, and you have the ability to
3 support this legislation. Let us get it passed. Let us
4 help our veterans.

5 Thank you. God bless you for all you do.

6 [Applause.]

7 Senator Boozman. [Presiding.] Thank you, Congressman.
8 Thank you for your concern, and also thank you for your
9 service, and we look forward to supporting legislation like
10 that through our resolution process. And I might add that
11 our Chairman of VA&R, also from Colorado, would like to add
12 to that.

13 Mr. Bozella. Congressman Coffman, it is always good to
14 see you, and I know you first learned that joke when you
15 were in the Army, talking about Marines.

16 [Laughter.]

17 And let me add to that, that, by the way, the American
18 Legion has a component. I think we are the only VSO where
19 we can help people with those less-than-honorable discharges
20 and the ability to get that changed. If you refer them to
21 us, sir, to your American Legion, we will work together.

22 Mr. Coffman. Let us get the law changed. Let us get
23 the law changed. Thank you. Mr. Chairman, I yield back.

24 Senator Boozman. Thank you. Congressman Wenstrup.

25 Mr. Wenstrup. Thank you, Mr. Chairman. Thank you all

1 for being here. Thank you all for making the decision in
2 your life to join the only profession known to man where you
3 are asked to give of your life, and I thank you all for
4 that.

5 I would be remiss if I did not recognize those from
6 Ohio here today, as I am a proud member of Post 318 in
7 Cincinnati. If you are here from Ohio, please stand and be
8 recognized. I hope there are some out there. All right, we
9 have some recognition. Thank you for being here.

10 [Applause.]

11 Mr. Wenstrup. I am honored to take the position as the
12 House Subcommittee Chair on Health Care, and obviously there
13 is much we have to do, and I am please to take that
14 challenge, as a veteran and as a physician.

15 And, Mr. Bozella, you read all my notes today. We are
16 talking about a VA system here, you know. It is controlled
17 by the VA. But when it comes to the question that was asked
18 before about quality of care, in my private practice I can
19 guarantee you everyone in our 26-doctor orthopedic group
20 would have been proud to have the VA logo on our jacket when
21 we go in to see patients and be part of a VA system. So, to
22 me, you are a VA doc if you are the system, whether you are
23 within the walls of the VA or outside the walls of the VA,
24 because you are taking care of veterans.

25 And you are right, sir, that there are things about

1 veterans that it takes a special wherewithal as a provider
2 to know about, and so especially in primary care with
3 comorbidities, and the effects of service and the illnesses
4 that you receive. So we have got to be careful to maintain
5 a physician core that understands those very principles.

6 But to me, for choice, you have your primary care
7 doctor and that doctor gets to make a direct referral to
8 whatever is the best place for you to go get your care, so
9 that they can solve your issue, and we do not have to go
10 through a lot of bureaucracy to get you there. That has
11 been one of the problems. And we do not have to go through
12 claims twice, which is really what has been happening, which
13 is why they are not getting paid, and then we see our
14 veterans getting collection notices. Tell me that does not
15 add to the anxiety of an illness already. These are the
16 things we can correct, and I would love to spend some time
17 with you, Mr. Bozella, and maybe we would put something out
18 about what this vision is.

19 And I thank you so much for having the foresight on
20 this, but you are correct. We need a VA system. But every
21 doctor in America, if they want to be, can be a VA doctor,
22 in my opinion. So that is, I think, where we need to go.

23 Just quickly I want to make one comment on suicide,
24 because I look at things not only within the military--and
25 one life is too many, and it is one of the saddest things we

1 can face. But we have a problem in America, and I hope--
2 maybe what we learn from addressing this so much in the
3 military, that we can address our society in general,
4 because suicides are going up higher--at a higher rate in
5 the civilian sector than they are in the military. So we
6 have got an issue in America that we need to address. It is
7 usually in the same area and age group. And so I hope that
8 what we learn from the military, and get smarter at, we can
9 parlay into our civilian community as our military so often
10 does, and our veterans so often do.

11 So I have a question, because you answered mine, sir,
12 and I thank you very much for being here. God bless. I
13 yield back.

14 Mr. Schmidt. Thank you, sir.

15 Senator Boozman. Thank you. Senator Rounds.

16 Senator Rounds. Thank you, Mr. Chair. Commander
17 Schmidt, first of all let me begin by saying thank you to
18 you and all of the members here for their sacrifice, their
19 service, and also to their families for what their families
20 have sacrificed as well. Sometimes the impact on families
21 we forget about, and we should not, because it is a team
22 effort.

23 I would like to begin with something that I think is
24 important in my home state of South Dakota. I think I have
25 got some folks from South Dakota here with us today, and we

1 are proud of what they have done and the amount of
2 information that they have provided to us.

3 Commander Schmidt, as you know, former Secretary
4 McDonald proposed reducing the services provided at the Hot
5 Springs campus in South Dakota, at the end of the previous
6 administration. Could you share your thoughts on this with
7 the Committee? And, by the way, the Hot Springs community--
8 the Hot Springs Center was one of only 14 five-star
9 facilities. We have two others in South Dakota, one at
10 Sturgis and one in Sioux Falls. So of the 14, three of them
11 were located in my state, and I think that says a lot about
12 the local services that are being provided by those
13 individuals who really do care about veterans, but they want
14 to close or make major modifications in our Hot Springs
15 facility at a time in which we have more and more
16 individuals coming back in need of specific types of
17 services.

18 Would you care to comment on the American Legion's
19 position in this particular case?

20 Mr. Schmidt. Thank you, Senator. I am going to ask
21 Lou Celli, our Director, to add to your question.

22 Mr. Celli. Thank you, Senator. The American Legion is
23 on record, and supported by resolution, to support Hot
24 Springs. We want to make sure that that facility stays
25 vital to the economy and vital to the veterans in that area,

1 and we do not support the VA taking services away from Hot
2 Springs and siphoning them out to some of the outlying
3 areas.

4 Now, we know that the environmental impact report had
5 several different recommendations. We would like to see
6 that particular facility brought up to a code that allows
7 wheelchair access between the buildings and allows free
8 access. We have been to that facility several times. It is
9 a gorgeous facility, it is historic, and, you know, the
10 community loves that facility. It is also land-locked. So
11 there are a bunch of different issues with that facility.

12 We want to make sure that the VA, if they decide that
13 they are going to do anything with that facility whatsoever,
14 creates better services in that area for the veterans,
15 before they do anything with it. And if they do decide to
16 transfer services away from the Hot Springs facility, that
17 they could possibly turn that into a PTSD center of
18 excellence, because it is the perfect environment for them,
19 being an ex-sanitarium.

20 Senator Rounds. Thank you. Thank you, sir, and thank
21 you. I think my time has expired. Thank you, Mr. Chairman.

22 Senator Boozman. Thank you. Senator Blumenthal.

23 Senator Blumenthal. Thank you, Mr. Chairman, and I
24 want to say to the fellow Legion members, thank you all for
25 your service. I would like to ask anyone who is here from

1 Connecticut to please stand so I can thank you for making
2 the trip down. Thank you for your service. Thank you for
3 being here.

4 [Applause.]

5 Senator Blumenthal. As you no doubt recall, Senator
6 McCain and I helped to lead the effort on the Clay Hunt
7 Veteran Suicide Prevention Act, and that is because 20
8 veterans every day take their own lives, partly as a result
9 of post-traumatic stress, partly the overuse of opioids and
10 painkillers, partly for reasons we do not understand, which
11 is why the bill provided for more research and outreach and
12 support for families, as well as the veterans themselves.
13 And I would invite you to comment on what more can be done,
14 in the view of the Legion, to address this real epidemic of
15 veteran suicide, which is on all of us. It is all of our
16 responsibility for these men and women who have served so
17 bravely and given and sacrificed so much for our country.

18 Mr. Schmidt. Thank you, Senator, for that question,
19 and as we have discussed previously, suicide should be a
20 concern of all Americans, particularly of veterans. And as
21 we said earlier, one suicide is one too many.

22 I would ask our Director of VA&R, Lou Celli, to add
23 comments to that.

24 Mr. Celli. Senator Blumenthal, thank you so much, and
25 the American Legion was proud to support and help advocate

1 for the Clay Hunt Suicide Prevention Act and we stood behind
2 you, and we all knew at the time that that bill did not go
3 far enough. But we got as much as we could out of it and we
4 are looking forward to working with you on future
5 legislation that helps strengthen that, not only to do
6 studies but to enact more programs, and again, to reach out
7 and make sure that we are touching veterans on a daily basis
8 who may be at risk.

9 The truth of the matter is, we are not going to be able
10 to save every single of them. We are just not going to be
11 able to do that. But we can save more, and more is what we
12 are after.

13 Senator Blumenthal. Well, I really appreciate the
14 support that you have given this effort. It has been very,
15 very important, and I would also thank you for the support
16 that you have given the VA in seeking to upgrade its
17 facilities and, in fact, when the President was speaking
18 last night about infrastructure, my strong belief is that VA
19 facilities should be included in an infrastructure program
20 for the nation. We know, in West Haven, Connecticut, our
21 structure and facilities at the West Haven Hospital really
22 need upgrading, and the same is true, I would guess, with
23 many, many facilities around the country.

24 So I am hoping that the nation will regard
25 infrastructure as including VA hospitals and other similar

1 critical facilities.

2 Thank you all for your service.

3 Senator Boozman. Senator Rounds has just a quick
4 follow-up that I think is important.

5 Senator Rounds. Thank you, Mr. Chairman. I will be
6 brief. I noted that we have not talked about the Emergency
7 Care Fairness Act, and what is going on right now, where, at
8 the present time, there is a court case, Staab v. Shulkin
9 In this particular case, in 2009, Congress passed a law that
10 said that veterans who are treated at a non-VA emergency
11 facility should be reimbursed for those costs. Since that
12 time, that has not been happening, and it is a \$10 billion
13 impact over a 10-year period of time.

14 The question is, should those veterans pay for their
15 emergency room care or should the VA, as based upon what we
16 believe the law says? Three times now we have had court
17 actions in which the courts have said, even as late as
18 February 23rd of this year, pay the bill. The veterans
19 should not have to do it.

20 Can you give me your opinion on what should happen with
21 the Emergency Care Fairness Act and its implementation?

22 Mr. Celli. Yes, absolutely, Senator. The American
23 Legion absolutely supports VA paying those bills. Those
24 veterans went in good faith to those hospitals and expected
25 those bills to be paid. The court has determined that those

1 bills should be paid, and let us face it, the reason that
2 the VA does not want to pay the bills is not because they do
3 not think--is because they think that the court cases were
4 wrong. It is because they do not have the money. So they
5 are going to come back to you and they are going to ask for
6 the money to be supplemented to pay for those bills, and we
7 certainly hope that you support them and give them that
8 funding.

9 Senator Rounds. Thank you. Thank you, Mr. Chairman.

10 Senator Boozman. My good friend, Congressman Walz, who
11 I had the honor of serving with for many, many years in the
12 House.

13 Mr. Walz. Well, thank you, Senator Boozman. Just a--

14 Senator Boozman. I do not mean to interrupt, but he
15 always--my dad retired as a master sergeant. He is a
16 sergeant major. He feels like my big brother. Be careful
17 in a room.

18 Mr. Walz. Just a thank you to all, and I do mention to
19 all of you who are out here, I think you saw it witnessed
20 here. It should be said, as a dues-paying member, I always
21 kind of wonder where my dues go to. I will tell you what
22 they do. They build the strongest team you could possibly
23 get, folks who are well-versed in the issues who are here
24 every single day.

25 And my closing statement to you, as I know sometimes we

1 get frustrated with democracy and the slowness of things
2 that are happening, the thing I can tell you is that thank
3 God you are here. Our country is better when the Legion
4 voice is heard. So thank you for that, Commander. Thank
5 you for representing us well.

6 [Applause.]

7 Senator Boozman. Senator Tester.

8 Senator Tester. Thank you, Senator Boozman. I just
9 want to just say, first of all, there are so many more
10 questions that could be asked, on staffing, on budgeting, on
11 the hiring freeze, on women veterans. What I just want to
12 touch on very quickly with you is privatization.

13 Senator Tillis started out by saying nobody wants to
14 privatize that is up here. But if you listen to some of the
15 questions, it sounds like they want to privatize stuff up
16 here. And so your input is critically--critically--
17 important on this issue. I said, a couple of times today,
18 we need to take your cues from you. Why? Because you have
19 been there. You have done that.

20 And so make sure your voice is heard. Make sure you
21 hold us accountable. God bless you all.

22 Mr. Schmidt. Thank you, Senator.

23 [Applause.]

24 Senator Boozman. I just have one quick question.

25 First of all, I have got to give a shout-out to my guys from

1 Arkansas, my guys and girls. Will you all wave your hand?

2 Very good. Thank you so much.

3 [Applause.]

4 Senator Boozman. The only question I would have, very
5 quickly, is about the adaptive sports program. Senator
6 Tester talked about it in terms of TBD--TBI, entities like
7 that. But again, in relation also to suicide, one concern
8 that I have is that it is difficult in our rural areas.
9 Arkansas, you know, Montana, you know, our rural areas, how
10 do we do a better job, or do you feel like we are doing a
11 good job of getting these programs out there?

12 We were visiting, you know, during the testimony, a
13 little bit about, you know, the fact that different things
14 appeal to different people. Getting people busy, getting
15 them focused on something else, whether it is playing golf,
16 whether it is--whatever the sport is. And it is remarkable.
17 In fact, I am always humbled when you go out with somebody
18 that is in a situation where they have had serious injury
19 and they just beat you like a dog out on the golf course or
20 whatever.

21 So could comment about that, very quickly?

22 Mr. Schmidt. Yes, sir, Senator. We believe that there
23 are other ways other than the medicines and all the pills
24 and so forth, and that is the complementary or alternatives
25 medicines plus those therapies, such as we have a program

1 Operation Comfort Warrior, that those men and women that are
2 recovering from their wounds, and the rehabilitation, that
3 we give them comfort items, and, in some cases, sports items
4 to get them out and get them going and get them back into
5 the swing of things. So Operation Comfort Warrior is one of
6 our main programs.

7 Senator Boozman. We appreciate that, and again, would
8 really appreciate the help in getting it into our rural
9 areas.

10 On behalf of Senator Isakson, who, as you know, is
11 unable to be with us today, I want to thank you, along with
12 Senator Tester and Congressman Walz. I serve on five
13 committees. This is a committee that is--it is nonpartisan
14 and it works very, very hard to do what is best for
15 veterans. These two guys do a tremendous job, as does
16 Senator Isakson.

17 So, the other thing, too, is I want to thank you for
18 being here. You know, we are up here advocating, trying to
19 get the things done that were promised to our veterans,
20 keeping those promises, but we simply cannot do that without
21 the grassroots. And the idea of looking out and seeing, you
22 know, so many hats and so many people walking the halls,
23 there is no substitute for that. So know it is a hassle. I
24 know there is expense involved and things like that, but you
25 are not only helping yourself, you are helping your fellow

1 veterans. And so you need to give yourselves a big pat on
2 the back. Somebody has to do it, and we do appreciate you.

3 So with that, the record will be open for five days.

4 The meeting is adjourned. Thank you.

5 [Applause.]

6 [Whereupon, at 11:33 a.m., the Committees were
7 adjourned.]