

**STATEMENT FOR THE RECORD**  
**OF**  
**PARALYZED VETERANS OF AMERICA**  
**BEFORE THE SENATE COMMITTEE ON VETERANS' AFFAIRS**  
**CONCERNING**  
**PROPOSED LEGISLATION**

**JUNE 15, 2017**

Chairman Isakson, Ranking Member Tester, and members of the Committee, Paralyzed Veterans of America (PVA) would like to thank you for the opportunity to submit our views for the record on the important legislation pending before the Committee. The bills considered today can have a significant positive impact on veterans who rely on various benefits services provided by the Department of Veterans Affairs (VA). Our comments will be limited to those bills which PVA has a specific interest in or position.

**S. 75, "The Arla Harrell Act"**

PVA supports S. 75, the "Arla Harrell Act." Veterans who have for so long quietly suffered the effects of Mustard Gas or Lewisite exposure as a result of Department of Defense testing deserve to receive critically need care from the VA. Senator McCaskill's report indicates that the number of service members exposed numbers around 4,000, and yet only 610 have been identified. Currently, only 40 veterans have successfully filed claims and are receiving related benefits. The fact that only 1 percent of the veterans exposed are receiving benefits is attributed to the 90

percent rejection rate of claims. Shifting the burden of proof relating to events that occurred so long ago from the veteran to VA is an appropriate and deserved step toward rectifying the failure to fully identify this population and ensure they are receiving their earned benefits. We would also note that with a new presumption comes increased stress on VA resources. It is imperative that Congress ensure resources are appropriately adjusted to prevent VA from having to rob Peter to pay Paul.

### **S. 111, the “Filipino Veterans Promise Act”**

Following World War II, the U.S. Army created what became known as the “Missouri List” to identify Filipino soldiers who fought alongside U.S. troops. These individuals are entitled to VA benefits, but their eligibility has been primarily determined by whether their name appears on this list. Many Filipino veterans who served did not end up on this list, for a variety of reasons, but one of them being fear of enemy retaliation. This legislation would require VA to develop a process for vetting individuals who claim eligibility but do not appear on the list. Just because the task of determining eligibility is difficult should no longer be an excuse to deny deserving veterans’ benefits. PVA understands and supports the intent of this legislation.

### **S. 410, the “Shawna Hill Post-9/11 Education Transferability Act”**

PVA supports this legislation which would help veterans or service members who assigned education benefits to a dependent who became deceased prior to utilizing the full amount of benefits. In such a circumstance, the service member or veteran would be able to reassign the remaining benefits to another dependent. Current law is inequitable and forces veterans who suffer such a loss to also forfeit a significant benefit. We are pleased to support this fix.

### **S. 758, the “Janey Ensminger Act of 2017”**

PVA understands and supports the intent of S. 758, the “Janey Ensminger Act of 2016.” This legislation would amend the Public Health Service Act with respect to the Agency for Toxic Substances and Disease Registry’s (ATSDR) review and publication of illness and conditions relating to veterans stationed at Camp Lejeune, North Carolina, and their families. The bill would require the ATSDR Administrator to review the scientific data pertaining to the relationship between individuals at Camp Lejeune and the suspected resulting illness or condition. The ATSDR Administrator would be required to determine each condition that may be caused by toxic exposure, categorize the level of evidence or these conditions into three categories; sufficient with reasonable confidence that the exposure is a cause of the illness or condition, modest supporting causation, or no more than limited supporting causation. This information would then be published and continually updated on HHS’ website. If these evidentiary categorizations are different from previous categorizations those veterans and their families currently receiving care under them would continue to receive that care. Newly registered veterans and family members would receive care based on the list provided by the ATSDR Administrator. Research regarding toxic exposures and the subsequent credibility of presumptive conditions has traditionally been the charge of the Institute of Medicine (IOM). The bill does not discuss the processes should the ATSDR conflict with the findings of the IOM.

### **S. 798, the “Yellow Ribbon Improvement Act”**

PVA fully supports this legislation. Recipients of the Marine Gunnery Sergeant John David Fry Scholarship were inadvertently left out of eligibility for the Yellow Ribbon Program. This bill would fix this disparity and allow scholarship recipients the full benefits of the program.

Children and surviving spouses of service members who died in the line of duty should not have to wait any longer to be included in this program.

**S. 882, Post-9/11 Educational Assistance for Purple Heart Recipients**

PVA supports this legislation. Members of the armed forces must currently serve for a requisite period of time on active duty before becoming eligible for Post-9/11 G.I. Bill benefits. It is a great travesty that service members who are wounded in action and receive the Purple Heart lose the chance to earn this benefit if their injury forces them to leave the service before meeting eligibility requirements. Surely those who have suffered harm on behalf of their country are at least as deserving as a service member who merely stayed on active duty for six months or more. We support this measure which would make all Purple Heart recipients eligible for education benefits regardless of time served.

**S. 1209, a bill to increase the special pension for Medal of Honor recipients**

It has been close to fifteen years since the pension amount for Medal of Honor recipients was increased. With the great honor of this award comes a responsibility to share their stories and inspire their fellow citizens. Often times this requires traveling and participating in events around the country. This responsibility should never become a financial burden on those who have already sacrificed so much. We support this bill which more than doubles the current pension amount to \$3000.00 per month.

Again, PVA thanks you for the opportunity to present our views on these bills. We would be happy to take any questions you have for the record.