

John Rowan, National President, Vietnam Veterans of America

TESTIMONY

OF

Vietnam Veterans of America

Presented By

John Rowan
National President

Before the

Senate Veterans' Affairs' Committees
And the
House of Representatives Veterans' Affairs Committees

Regarding

VVA's Legislative Agenda and Policy Initiatives

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Good morning Chairman Akaka, Senator Burr, Chairman Filner, Congressman Buyer and other eminent members of the Senate and House Veterans' Affairs Committees. Vietnam Veterans of America (VVA) appreciates this opportunity to present to you our top legislative priorities for the second session of the 111th Congress. First, though, on behalf of the members and families of Vietnam Veterans of America, I want to thank you, individually and collectively, for the work you are doing, the work you have done, that have improved the lives of our nation's veterans.

There are several issues, of course, that warrants your attention. They include the ongoing plight of the tens of thousands of homeless veterans who wander the streets of our cities and our towns and our rural areas. And the continuing hurt of far too many of our women veterans who have been victimized by military sexual trauma while serving in the military. And the delivery of quality health care to veterans living in rural and remote areas of our nation.

Let me say that the highest priority of VVA continues to be the fullest possible accounting of our POW/MIAs from Southeast Asia, as well as from other wars. We also want to thank Senator Burr for introducing a resolution designating March 30th "Welcome Home Vietnam Veterans Day." We hope that the Senate will pass this by acclamation, that the House of Representatives as well as state and local governments will follow suit. So many times when we say "Welcome Home" to Vietnam veterans we meet who are not members of any veterans organization that they become overwhelmed because no one had ever said this to them before. Even while we work hard to take care of the veterans returning from Iraq, Afghanistan, and other dangerous duty

stations around the globe, we need to take care of Vietnam veterans. This is, of course, in line with VVA's founding principle, "Never again will one generation of veterans abandon another."

Today, however, I should like to focus on our top five legislative priorities. We believe these can be accomplished this year and will save, not cost, the government money. They are:

Accountability. For the past three fiscal years, Congress has been gratifyingly generous in increasing discretionary funding for the Department of Veterans Affairs (VA). We thank all of the distinguished Senators and Members on these two committees for leading the way forward in enacting "Advance Appropriations." However, VVA has long acknowledged, indeed demanded, that accountability go hand-in-hand with funding, that there must be real accountability in the management of the VA's different administrations, e.g., by attaching reporting requirements that include metrics and milestones that make very clear who is responsible for what. You in Congress need to be far more vigilant in the exercise of your oversight and investigation responsibilities – as do we in the Veterans Service Organization community.

We could not agree more with Congressman Harry Mitchell, who chairs the Subcommittee on Oversight and Investigations, who has said: "The Office of the Inspector General and the Office of Information and Technology are essential to accomplishing Secretary Shinseki's goal of transforming the VA into a 21st Century agency. They facilitate the department's mission through the use of modern computing infrastructure as well as by identifying waste, fraud, and abuse through internal investigations." And in a bureaucracy as large as the VA, fraud is endemic. According to one report, some \$1.2 billion annually is wasted by the VA.

Yet there seems to be a disconnect here. Thanks to the largesse of Congress, the VA's healthcare operations should not be wanting for funding. It disturbs us that the Administration has proposed an OIG budget of \$109.3 million, which is a mere \$367,000 increase over the 2010 levels. The OI&T budget remained at its 2010 level: \$3.3 billion. The subcommittee was concerned that in the midst of one of the largest VA budget increases in years, two critical offices had their budgets remain unchanged. So are we.

A note here about transparency and accountability. For years, VVA and the other VSOs have made the case and fought for funding for the VA. In the last three fiscal years, Congress has been extremely generous in funding the VA. Yet many of us are wondering: Where is the money going? Because the bottom line is this: Is this funding helping to improve the health status of the veterans the VA serves?

Several moves have baffled and befuddled us. To wit: The VA introduced to representatives of the VSOs its cutting-edge concept of a Veteran-Centered Medical Home. How? In a teleconference. In response to a question, a Dr. Shenkman said that this concept is being funded to the tune of \$100 million in several of the VISNs, in a pilot program. At a formal briefing of the VSOs several weeks later, the funding was elevated to \$240 million to transform all the VAMCs in all the VISNs. While this may be a very fine, and much needed, program, we find ourselves more than a bit concerned. Since the basic precepts of the so-called "medical home" are very similar if not identical with the primary health team concept that VA has theoretically been using for more than a decade, why does it cost more than \$240 million to achieve a change in nomenclature?

This is but one instance of many questionable allocations of resources decisions that needs to be looked at very carefully.

Outreach. The VA has both a legal responsibility and an ethical obligation to reach out to all veterans and their families to inform them of the benefits to which they are entitled – and the possible long-term health issues they may experience that are associated with what branch of service, when, and where they served on active duty. While the leadership at the VA says they are beginning to reach out to veterans and veterans' families via targeted advertising, something that hadn't been done previously, to our knowledge there has not been developed any comprehensive outreach plan that employs a variety of media, including point-of-purchase display racks, billboards, TV and radio spots, and that focuses on veterans in general as well as particular subsets, e.g., homeless veterans, and veterans who reside in rural or remote areas. There has been no effort to systematically coordinate with and enlist the veterans' service organizations and other key allies, such as the state departments of veteran affairs, in this effort.

Congress also needs to finally enact S. 315, introduced by Senator Russ Feingold, which would require the Secretary of Veterans Affairs to establish a separate account for the funding of the outreach activities of the VA, and establish within this account a separate subaccount for the funding of outreach activities of each entity within the department as well. Right now, if you were to ask the VA just how many dollars are being spent for outreach, they could not tell you. Comprehensive Veterans Toxic Exposures Act of 2010. It is becoming more and more apparent that the legacy of exposure to Agent Orange, to dioxin, has often profound effects on the progeny of Vietnam veterans. Will exposure to the toxic mess in the burn pits of Iraq have a similar effect on troops stationed there, too? And what about that toxic cloud that enveloped a hundred thousand or more troops when the ammo dump at Kamisiyah was blown during Gulf War I?

VVA believes that comprehensive legislation is needed that would, among its provisions, A) establish a National Birth Anomalies Registry (that includes pre-natal and post-natal deaths) with a unique veteran identifier; B) direct the Secretary of Veterans Affairs to take steps to utilize all information and medical records at his disposal to conduct epidemiological analyses of Vietnam veterans and patterns of disease and maladies that can indicate where research dollars need to be invested; and C) integrate legislation introduced in the House Veterans' Affairs Committee that would grant all who were awarded the Vietnam Service Medal, as well as those who served in Guam, on Johnston Island, and elsewhere, eligibility for service-connected presumption for certain conditions as determined by the Secretary pursuant to the Agent Orange Act of 1991.

Overhaul of the Claims System. To ensure that veterans and their eligible family members receive accurate and timely decisions for their claims for VA benefits from the Veterans Benefits Administration (VBA), the current system is in dire need of a major overhaul. You've heard this before: the system of adjudicating claims is broken and needs to be fixed. This requires comprehensive legislation and/or directives that would give teeth to appeals on those claims originated at the agency of original jurisdiction and before the Board of Veterans' Appeals. The BVA must be forced to follow decisions and instructions issued by higher-level courts. The VA Regional Offices and the Appeals Management Center also must be forced to follow decisions and remand instructions issued by the BVA. Without this cultural change at the VBA, all the new hires to adjudicate claims, and all the "artificial intelligence" systems put in place, will be worth very little and will disappoint you in Congress.

Making a Living. Our nation owes veterans much more than "blood money," especially to our veterans who have been disabled in service to country. The central event in their readjustment process is being able to secure gainful work at a living wage. To move toward more effective programs in this arena, VVA strongly favors legislation that will create a new division in the VA to be called the Veterans Economic Opportunity Administration (VEOA).

This entity would be devoted to assisting veterans in acquiring the skills and support services necessary to obtain and sustain meaningful work at a living wage, whether that be by working for someone else or by being self-employed or successfully operating a small business. The VEOA would be mandated to cooperate and collaborate closely with the Veterans Employment and Training Service at the U.S. Department of Labor, Office of Personnel Management, and others in both the public and private sectors. And because veterans are not currently getting the help we are paying for in the DVOP/LVER program, VVA also calls for the federalization of these positions before the end of the 111th Congress, to make DVOP and LVER personnel federal employees under the auspices of the Assistant Secretary of Labor for Veterans Employment & Training.

Rather than review here other issues of concern to VVA and our members, I commend to you the attached booklet on our Legislative Agenda & Policy Initiatives for the 111th Congress, wherein we focus on issues in the realm of Veterans Health Care, Agent Orange/Dioxin and Other Toxic Substances, Post-traumatic Stress Disorder and Substance Abuse, Incarcerated Veterans, Women Veterans, Homeless Veterans, Economic Opportunity for Veterans, Minority Veterans, the Compensation/Pension Program, POW/MIA. In this last item, please know that our highest goal remains the fullest possible accounting of the status of any American service member who has been a Prisoner of War or who had been declared Missing in Action (or, in current terminology, Duty Status Whereabouts Unknown and its unseemly acronym, DUSTWUN).

Again, on behalf of our members and our families, I thank you for your time and for your interest in assisting those who have donned the uniform to defend the Constitution and our way of life.