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STATEMENT OF  
ROBERT T. REYNOLDS  
NATIONAL COMMANDER  
OF THE  
DISABLED AMERICAN VETERANS  
BEFORE THE  
COMMITTEES ON VETERANS' AFFAIRS  
UNITED STATES SENATE AND  
UNITED STATES HOUSE OF REPRESENTATIVES  
WASHINGTON, D.C.  
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Messrs. Chairmen and Members of the Veterans' Affairs Committees:

On behalf of the more than 1.5 million members of the Disabled American Veterans (DAV) and its Auxiliary, I am honored to appear before you today to discuss the agenda and major concerns of our nation's wartime disabled veterans and their families.

Senator Akaka and Representative Filner, on behalf of the DAV and Auxiliary members present here today and those members across this great country, I welcome back both of you as Chairman of your respective Veterans' Affairs Committees during the second session of the 110th Congress. Senator Burr, I congratulate you on your appointment in your leadership role as Ranking Member of the Senate Veterans' Affairs Committee and welcome back both you and Ranking Member Buyer during this session of Congress. I wish all four of you Godspeed in your efforts on behalf of our nation's disabled veterans, their dependents and survivors. We are a nation at war, creating new sick and disabled veterans everyday, and your leadership roles on your Committees are therefore extremely important to these young men and women, as well as to older disabled veterans.

To those of you who are returning to service on the Veterans' Affairs Committees, and to those who are embarking on such service, we in the DAV and its Auxiliary greet you with best wishes at the outset of this second session of the 110th Congress of the United States. We look to all of you to ensure that those of us who have served our country in the Armed Services, protected our cherished freedom and sacrificed our health and well-being for the benefit of all Americans, and in many cases, citizens of foreign nations, are provided with timely, quality services and benefits we have earned from a grateful nation.

On behalf of all the men and women who were injured or disabled as a result of their service to our nation, and their families and survivors, I would like to thank the leadership of this Congress,

especially Speaker Nancy Pelosi and Majority Leader Reid, and all members of this Congress for their commitment to ensuring that the Department of Veterans Affairs (VA) has a budget that is sufficient to care for the needs of our nation's disabled veterans and their families and survivors. The congressional leadership promised veterans that they would be a priority in the 110th Congress and they have kept that promise during the first session. We are hopeful that commitment to veterans will continue into the future.

DAV would also like to thank President George W. Bush for his action earlier this year in requesting the \$3.7 billion in funding for VA that Congress had designated as emergency funding.

Messrs. Chairmen, you and many of the members of your Committees are well aware of the efforts of the DAV to build better lives for America's disabled veterans and their families and survivors; however, there are some new members of these Committees who may not be familiar with the DAV's mission and our services.

With your indulgence Messrs. Chairmen, I will discuss the DAV's agenda, its mission and the free services we provide to our nation's veterans and their families and survivors. It is extremely important that all the members of these Committees have a full understanding of DAV's mission and what we do to accomplish our goal of building better lives for our nation's disabled heroes and their families.

Messrs. Chairmen, major policy positions of the DAV are derived from resolutions adopted by the delegates at our annual National Conventions. Since our first National Convention in 1921, the DAV's annual legislative program has served to guide our advocacy for disabled veterans in accordance with the will of our members. Our 2007 mandates cover a broad spectrum of VA programs and services.

Since DAV was founded in 1920, promoting meaningful, reasonable, and responsible public policy for disabled veterans and their families and survivors has been at the heart of who we are and what we do. Our will and commitment come from the grassroots nurtured in the fruitful soil of veterans' sacrifices, and strengthened by the vitality of our members - a few of whom sit before you today.

With the realization that we shall have the opportunity to more fully address those resolutions during hearings before your Committees and personally with your staffs, I shall only briefly comment upon a few of them at this time.

I would like to recommend that the Committees consider improvements to certain VA programs designed to benefit our nation's disabled veterans, which the members of the DAV approved at our most recent National Convention, held in New Orleans, Louisiana, August 11-14, 2007.

What I communicate to you here today expresses the hopes, desires and, in some cases, the despair of disabled veterans, who appeal to the conscience of the nation to do what is right and just. Accordingly, the members of the DAV call upon the members of these Committees to:

- Support a realistic increase in VA disability compensation rates to improve the standard of living of disabled veterans and their families.
- Support a VA health care funding method that is sufficient, timely, and predictable.
- Support additional increases in grants for automobiles or other conveyances available to certain disabled veterans, and provide for automatic annual adjustments based on the increase in the cost of living.
- Support legislation to remove the prohibition against concurrent receipt of Survivor Benefit Plan payments and Dependency and Indemnity Compensation.
- Support legislation to remove the prohibition against concurrent receipt of military longevity retirement pay and VA disability compensation for all affected veterans.
- Support equal medical services and benefits for women veterans.
- Increase the face value of Service Disabled Veterans' Insurance (SDVI).
- Authorize VA to revise its premium schedule for SDVI to reflect current mortality tables (premium rates are still based on mortality tables from 1941, thereby costing disabled veterans more for government life insurance than is available on the commercial market).
- Provide an additional increase in the specially adapted housing grant and automatic annual adjustments based on increases in the cost of living.
- Support the fullest possible accounting of our POW/MIAs from all wars and conflicts.
- Support an expansion of POW presumptions.
- Extend eligibility for Veterans Mortgage Life Insurance to service-connected veterans rated permanently and totally disabled.
- Extend commissary and exchange privileges to service-connected disabled veterans.
- Extend space-available air travel aboard military aircraft to 100% service-connected disabled veterans.
- Support legislation to allow all veterans to recover amounts withheld as tax on disability severance pay.
- Restore protections against unwarranted awards of veterans' benefits to third parties in divorce actions by prohibiting courts from directly ordering payment of such benefits to third parties, other than dependent children.
- Provide educational benefits for dependents of service-connected veterans rated 80% or more disabled.

Additionally, in honor of the brave men and women-our heroes who have sacrificed so much and who have contributed greatly to protect and defend our cherished freedoms-who were disabled as a result of their military service, the DAV is providing major support to the Disabled Veterans' LIFE Memorial Foundation in its work to construct a memorial to disabled veterans in Washington, D.C. Congress has enacted legislation that authorizes construction of the memorial on select lands in the shadow of the U.S. Capitol. In the 109th Congress, there were companion bills-H.R. 1951 in the House and S. 633 in the Senate-to provide for the minting of coins by the Treasury to commemorate disabled veterans and to contribute the surcharges on the coins to the fund for construction of the American Veterans Disabled for Life Memorial. Although the Senate passed S. 633, the House failed to take any action on the measure. The same was true during the 108th Congress as well. It is extremely unfortunate that these measures were allowed to die in two separate Congresses.

New legislation, H.R. 634, was introduced by Representative Dennis Moore (D-KS) in the House to provide for the minting of these coins and for contributions to be provided to the Foundation. On May 16, 2007, H.R. 634 was passed by the House and sent to the Senate. On October 1, 2007, Senator Tim Johnson (D-SD) introduced a companion bill, S. 2119. There are currently 53 cosponsors on this Senate bill. I encourage all of you to support the passage of this measure which is long-overdue.

Messrs. Chairmen and members of these Committees, as you can see, our work for disabled veterans and their families continues to involve many issues and many challenges. When it comes to justice for disabled veterans, we cannot be timid in our advocacy, and we hope that you will not be timid in your advocacy on behalf of disabled veterans either. These Committees and the DAV, working together with mutual cooperation, must battle for what is best for our nation's disabled veterans. We call upon you, the members of these Committees, as our advocates in Congress, to help us educate your colleagues about the priorities of disabled veterans. We call upon you to Stand Up for Veterans!

Our nation's history of meeting its obligations to veterans has fallen short. Our government simply has not always kept veterans at the top of the list of national priorities. It was during one of our nation's darkest hours following the Stock Market Crash in 1929, in 1932, as the Great Depression shattered the hopes of Americans nationwide, that a group of unemployed veterans came to Washington, D.C., to press for legislation on their bonus certificates. Not only didn't they receive their bonuses at that time, but these veterans were treated harshly by the government they had served when federal troops were called to forcibly evict them from their makeshift dwelling along the Anacostia River.

Although veterans were viewed by most as having inordinate special status over civilians, Franklin D. Roosevelt said, "No one because he wore a uniform must therefore be placed in a special class of beneficiaries over and above all other citizens. The fact of wearing a uniform does not mean that he can demand and receive from his government a benefit which no other citizen receives."

President Roosevelt imposed the Economy Act of 1933, which among other things, cut veterans' disability allowances by 25 percent. It wasn't until 1936 that these veterans received a lump-sum bonus, and it wasn't until 1948 that they received everything that the Economy Act had taken away.

It was Harry S. Truman, a former World War I soldier, a Vice president under Roosevelt, and later President following the death of Roosevelt, who said "The debt to the heroic men and valiant women in service of our country can never be repaid."

During the many decades that have passed since these two former Presidents expressed their feelings about how our nation's heroes should be treated, veterans have experienced both abandonment by their government and a sense that their government cares for their well-being. It has been a rollercoaster ride over the years. What legacy would you like to leave for your efforts on behalf of our nation's disabled veterans: detractor or hero? We hope it is the latter and more in line with the sentiment expressed by President Truman.

Our great nation can no longer excuse its failure to provide veterans the benefits and services they rightfully deserve by saying it cannot afford to fully honor its promises. This country, the richest nation in the world, has the means to meet those obligations. Now our nation, a nation at war, must demonstrate it has the will to meet the needs of both returning veterans and older veterans. If our government can call upon them to defend our freedoms, our government should provide for the needs of veterans when they need it most.

For 88 years, the DAV has been dedicated to one, single purpose: building better lives for disabled veterans and their families and survivors. DAV is extremely proud of its efforts on behalf of our nation's disabled veterans and their loved ones.

In fulfilling our mandate of service to America's service-connected disabled veterans and their families, and in keeping faith with the principle on which this organization was founded, which is that this nation's first duty is to care for its wartime disabled veterans, their dependents and survivors, the DAV employs a corps of 243 National Service Officers (NSOs), located throughout the country, about half of whom are Gulf War veterans, and a number are veterans of Operations Iraqi Freedom and Enduring Freedom.

Last year alone, DAV NSOs, all wartime service-connected disabled veterans themselves, represented-free of charge-over 156,557 veterans and their families in their claims for VA benefits, obtaining for them more than \$3 billion in new and retroactive benefits. Our NSOs also participated in 207,734 Rating Board appearances.

As a result of the large number of severely disabled military members being treated at Walter Reed Army Medical Center (WRAMC), and Bethesda Naval Medical Center, DAV has staffed an office at WRAMC to provide assistance to these young men and women being treated at these facilities.

In addition to our claims work, DAV employs 8 National Appeals Officers (NAOs) whose duty it is to represent veterans in their appeals before the Board of Veterans Appeals (BVA). From January 1, through September 30, 2007, DAV NAOs provided representation in more than 14,500 decided appeals before the BVA. This is 36 percent of the total appellate decisions decided by the BVA during that time period. In 22 percent or 3,187 of the appeals represented by DAV, the claimant's appeal was allowed. DAV's allowance rate was above the average for all appeals and above the average for both attorneys and agents. DAV's remand rate of 36 percent, or 5,180 appeals, was above the overall average for remands.

DAV also has a Judicial Appeals office, consisting of attorneys and non attorneys who are responsible for pursuing appeals before the United States Court of Appeals for Veterans Claims and the United States Court of Appeals for the Federal Circuit. On several occasions, DAV, with the assistance of pro bono counsel, has petitioned the United States Supreme Court for a writ of Certiorari on behalf of our clients. Similar to all our services, these services are provided free of charge to veterans or family members.

As you can see, DAV's services are free at the initial filing of a claim for VA benefits, and we continue to provide free services throughout the VA and the court appellate processes; up to, and including, the highest court of the land, if necessary. In addition to the services DAV provides to

claimants before VA and the courts responsible for review of VA claims; DAV NSOs also provide assistance to members of the military before military Physical Evaluations Boards (PEBs).

As a result of the adverse publicity generated by the deplorable living conditions at WRAMC, and PEB delays and incorrect ratings, DAV has been working closely with several large, local law firms, which have agreed to provide pro bono services to the men and women appearing before the PEBs, and they have also agreed to assist these individuals, free of charge in pursuing claims before the Federal Claims Court.

Messrs. Chairmen, the DAV continues to strive to more effectively meet veterans' needs and ensure they receive the benefits our grateful nation has authorized for them. In 2001, DAV undertook two additional initiatives to enhance and expand benefits counseling and claims representation services to the veterans' community. The first of the two programs involves outreach to members of the Armed Forces at the location and time of their separation from active duty. The second involves services to veterans in the communities where they live.

For benefits counseling and assistance to separating service-members in filing initial claims, the DAV has hired and specially trained 25 Transition Service Officers (TSOs), who provide these free services at military separation centers, under the direct supervision of DAV NSO Supervisors. These TSO's have been trained specifically to perform transition presentations, service medical record reviews and claims initiating activities at military separation centers at more than 80 military installations within the continental United States.

DAV's Transition Service Program (TSP) began shortly after the formation of the Benefits Delivery at Discharge (BDD) program, a jointly sponsored VA and Department of Defense (DoD) initiative to provide transition assistance to separating service-members who have disabilities related to their military service. The program was developed to provide a smooth transition from the military into the VA health care systems. The BDD program helps members, with 60 to 180 days remaining before they leave military service, file claims for disability compensation (which payments are received shortly after discharge), and transition into the VA health care system. Currently, there are more than 150 military installations worldwide that participate in the BDD program.

The success of the BDD program stems from the fact that claims are rated based on current medical evidence as documented in the service medical records and current cooperative examinations conducted at the BDD intake site. The BDD program is a win-win situation for both transitioning service-members and the federal government.

This enhancement in assistance to those seeking veterans' benefits, the DAV's TSP, contributes to the DAV's goal of maintaining its preeminent position as a provider of professional services to veterans. In 2007, our TSOs conducted 1,735 briefing presentations to groups of separating service-members, with 82,617 total participants. TSOs counseled 49,135 persons in individual interviews, reviewed the service medical records of 37,781, and filed benefit applications for 25,865, again at no charge to the separating service-members.

In 2007, DAV received a two-year grant of \$1.5 million from the General Electric Foundation for the expansion of our TSO program. With the aid of this grant, we have been able to hire an

additional 13 Transition Service Officers for Transitional Assistance Programs at 13 new sites. Some of the 13 TSO's will be providing services at more than one military installation.

Since the DoD plans to increase attendance at Transition Assistance and Disabled Transition Assistance programs sessions to 85 percent of those leaving military service and demobilizing guard and reserve forces, it is vital that DAV have the trained manpower to assist these men and women as they transition back to civilian life.

With the generous donations from the GE Foundation, DAV was able to create a special academy to train these new TSOs to meet the anticipated increased needs of our newest veterans. Since graduating from the academy in November 2007, these new TSOs have participated in on-the-job training at sites across the country.

The DAV's Mobile Service Office (MSO) program is a part of the same goal. By putting our NSOs on the road to rural America, inner cities, and disaster areas, the DAV assists veterans where they live, which increases accessibility to the benefits our nation provides for veterans. The DAV initially had 12 state-of-the-art MSOs specifically designed and equipped with laptop computers to accommodate two DAV service officers in the delivery of services throughout the continental United States. Two of the original MSOs have been sold to DAV Departments of Florida and Missouri for their exclusive use. During 2007, our service officers in our Mobile Service Offices interviewed 18,923 persons and filed 12,305 claims. During the year, our MSOs visited 660 sites across the country.

DAV MSOs will continue to target special events and interests, including national air shows, Native American Indian Reservations, NASCAR races, military retiree conventions, Vietnam Moving Wall, homeless stand downs, community fairs and parades, Veterans Day and Memorial Day activities and information seminars.

These specially equipped MSOs, along with special disaster relief teams, were also deployed by DAV to the Gulf Coast regions hardest hit by Hurricanes Katrina and Rita and to the tornado-destroyed town of Greensboro, Kansas, shortly after those devastating disasters. These mobile offices allowed the DAV to provide much-needed assistance directly to displaced disabled veterans and their families.

Thanks to the generosity of a \$1 million pledge from the Harley-Davidson Foundation in August 2006, the DAV has expanded the efforts of its MSOs. The mission of this project, Harley's Heroes Tour, is to outreach to millions of veterans of all generations to show the high honor DAV and Harley-Davidson give them as a result of their service and sacrifice to our country, and provide benefits counseling to those veterans.

Our MSOs are also used for outreach and service on another public awareness program, which was introduced in 2003 - the DAV sponsorship of the World War II B-25 Mitchell Bomber, Panchito (the B-25 Bombers were used in the Doolittle Raid on Japan during World War II), is used at air shows around the country. This sponsorship has allowed DAV to reach out to the many thousands of Americans who attend these air shows and who stop by to learn about our organization's free services and volunteer opportunities. This outreach and service program has become so successful, that in 2005, we expanded the program to include a second restored B-25

Bomber, Special Delivery, which is seen at air shows in the western United States. To meet the demand created by the success of this program, DAV will purchase another MSO that will be dedicated solely to the air shows across the country.

In addition to the dedicated services performed by DAV's NSOs and TSOs, equally vital are the activities of the more than 15,000 DAV and Auxiliary members who selflessly volunteer their valuable time to assist America's sick and disabled veterans. Last year these men and women continued to serve this nation by providing over 2.3 million hours of essential services to hospitalized veterans, saving taxpayers nearly \$43.7 million in employee costs.

In October 2007, DAV announced the creation of the Local Veterans Assistance Program (LVAP). Opportunities have always existed for individuals to assist veterans and their dependents -- and DAV and Auxiliary members have always answered that call. We see examples of this each and every day aimed at meeting the main objective of our organization to build better lives for America's disabled veterans and their dependents.

We have always enjoyed the success of a great corps of volunteers who volunteer in VA Voluntary Service (VAVS) programs at VA medical centers as well as our Transportation Network. Given the fact that not all volunteers live in close proximity to a VA medical center or other VA facility, the LVAP will allow volunteers to provide needed services to veterans and their families in their local community and be recognized for that service.

DAV LVAP volunteers may volunteer time for a variety of activities which include, but are not limited to:

1. Chapter and Department Service Officer work.
2. DAV specific outreach efforts (DAV Air show Outreach Program, Harley's Heroes, National Guard mobilizations and demobilizations, etc.).
3. Fundraising efforts (Forget-Me-Not and other approved fundraisers).
4. Direct assistance to veterans, widows, or families (yard work, home repairs, grocery shopping, etc.).

DAV is constantly looking for new ways to recruit and engage new members and volunteers, and we believe this new program will be to the advantage of all who we serve. We simply needed to create a program for those who want to do something for veterans and their families, but could not due to their geographical location in relationship to VA facilities.

In order to ensure the future of a viable volunteer program, DAV sought to reward a new generation of VA volunteers. In 2000 DAV created the National Commander's Youth Volunteer Scholarship Program. Annually, the scholarship program honors outstanding young volunteers who participate in the VA Volunteer Service Program and generously donate their time and compassion to sick and disabled veterans. In 2003, in remembrance of former VA Secretary and former DAV Executive Director Jesse Brown, we renamed the scholarship program in his honor. Since its inception, DAV has awarded almost 90 scholarships totaling about \$300,000.

Last year Ford Motor Company donated \$25,000 to the Jesse Brown Memorial Youth Scholarship Program. In the past, Ford's donations to this program have helped fund 87 scholarships.

The DAV also employs 179 Hospital Service Coordinators at VA facilities across the country. The DAV's transportation program provides free transportation to and from VA health care facilities to those veterans who could not otherwise access needed medical care. Last year, as of October 2007, DAV's National Transportation Network logged more than 23 million miles and transported almost 620,000 veterans to VA health care facilities. More than 8,500 volunteer drivers spent 1.8 million hours transporting veterans during 2007. Since our national transportation program began in 1987, more than 11 million veterans have been transported more than 416 million miles, for a total of 22.7 million volunteer hours.

Messrs. Chairmen, I am extremely proud of the service provided by DAV volunteers, many of whom are disabled veterans themselves or the family member of a disabled veteran. These volunteers continue to serve the needs of our country's disabled veterans on a daily basis. I applaud their efforts and their dedication.

In 2007 DAV donated 164 vans to VA, free of charge. This year we plan to donate 150 vans to VA. Since 1987 the DAV has donated 1,959 vans, at a cost of \$40 million. Our commitment to this program is as strong as ever. We have vans in every state and nearly every Congressional district serving our veterans-your constituents. DAV not only advocates on behalf of our nation's veterans, but we also continue to give back to our nation and our fellow veterans.

Additionally, DAV's efforts were aided by the support of the Ford Motor Company with the presentation of a check in the amount of \$200,000 for purchase of eight new vehicles for the DAV's Transportation Network. Since 1996 Ford has donated 125 vehicles worth more than \$3 million to the DAV Transportation Network.

The dedicated partnership between Ford Motor Company and DAV began in 1922. At that time, our second National Convention was in San Francisco, and the founder of Ford Motor Company, Henry Ford, organized a cross-country caravan of 50 model T Fords to take our members to the convention. We are proud that Ford Motor Company continues to honor its commitment to the men and women who have served our nation and who have protected our freedoms.

As you can see, the DAV devotes its resources to the most needed and meaningful services for our disabled veterans and their families and survivors. These services aid veterans directly and support and augment VA programs. We are able to do so only with the continuing support of an American public that is grateful for all that our veterans have done to defend and protect our freedom and our way of life.

For the seventh consecutive year, America's brave young men and women find themselves in harm's way in what appears to be a protracted war in Iraq and Afghanistan. Each day, new casualties return to America for medical care and rehabilitation of their injuries. For many, rehabilitation of their physical wounds will require years of sustained medical and rehabilitative care services.

Not since the Vietnam War has our nation had to deal with such a significant number of wartime casualties. As of December 1, 2007, there were 725 amputees from Operations Iraqi Freedom (OIF) and Enduring Freedom (OEF). These individuals have sustained the loss of an arm(s), leg(s), hand(s), and/or foot (feet). This number includes 547 soldiers, 120 of whom have multiple amputations; 152 Marines, 29 of whom have multiple amputations; 17 sailors, 3 of whom have multiple amputations; 9 airmen, one of whom has multiple amputations. Of the 725 amputees, 160, or 22%, of these individuals have upper extremity amputations.

Today, the medical care and services these injured troops are receiving from the military is excellent. However, DAV is concerned about their ability to receive quality health care in a timely manner from the VA in the future, if our government cannot find a solution to the current budget funding nightmare. In the last 17 of the past 19 years, funding for VA health care has been very late. In fact, over the past five years, VA appropriations have been late by an average of 105 days, or 3.5 months. Failing to provide new funding at the start of the fiscal year further compounds the problem of providing timely services to our nation's sick and disabled veterans. To maintain a viable health care system, the DAV believes VA health care funding must be sufficient, timely, and predictable.

Messrs. Chairmen, as I previously mentioned, DAV is grateful for what this Congress-the 110th Congress-has done to provide adequate funding for veterans programs. Although the 109th Congress was unable to provide VA any additional funding for the start of the new fiscal year (FY) in 2007, this Congress provided VA with an additional \$3.3 billion in the year-long continuing resolution that funded most of the government at the FY 2006 level.

As debate began on the FY 2008 VA funding levels, DAV members and others in the veterans' community were elated to learn that both the Budget and Appropriations Committees in the House and Senate were considering funding levels for veterans program at or above recommendations in the Independent Budget (IB).

Further, this Congress provided VA with an additional \$1.8 billion in the war supplemental passed mid-year last year. Some of the additional money was for health care, and some was to hire and train additional workers for the benefits programs.

It looked as if VA might receive its FY 2008 appropriations on time. However, once again politics reared its ugly head, and VA appropriations became a political football, punted from one end of Pennsylvania Avenue to the other, and back again.

Messrs. Chairmen, veterans deserve better than to be treated as a political football by the government they served to defend and protect. DAV believes Congress and the Administration need to work together to take politics out of VA's funding process and find a solution to address the need for a sufficient, timely, and predictable budget process.

The fiscal year 2009 budget submission was presented by the Administration to Congress on February 5, 2008. The Administration's budget proposes \$38.7 billion for the VA health care system and relies on \$2.5 billion in medical collections. The total discretionary funding, including medical collections, requested by the Administration is \$47.3 billion.

The DAV and other veterans service organizations that co-author the IB have recommended \$50.2 billion in discretionary spending for the VA, with \$42.8 billion of that for veterans' medical care.

The medical care funding proposal is below the IB recommended level by \$4.1 billion. For medical services, the IB recommended \$4.2 billion more than requested by the Administration.

For General Operating Expenses (GOE), the Administration recommended \$1.7 billion, of which \$1.4 billion is for the Veterans Benefits Administration (VBA). The IB recommendation for GOE is about \$2 billion, including \$1.7 billion for the VBA.

It is important to remember that it takes approximately two years of training for an adjudicator to be fully productive, based on VA standards.

Since the DAV has testified before both Veterans Affairs' Committees on the FY 2009 budget, I will not go into further details on the funding levels for veterans programs at this time.

Messrs. Chairmen, DAV believes funding for veterans benefits and health care services should be a top priority for Congress and the Administration as a continuing cost of our national defense. Veterans should not have to beg for benefits they have earned and rightfully deserve for their service and sacrifice. A promise of benefits and services alone is not good enough. Approved programs must be sufficiently funded. As a nation, we must be willing to bear the costs of providing special benefits to such a unique group—those men and women who were willing, on behalf of all Americans, to serve our country and fight our wars to preserve our cherished freedoms and democratic values.

For years, DAV has argued that the current budget process fails to serve veterans, the VA, and American taxpayers. It is impossible for VA to properly plan for an upcoming fiscal year when so much uncertainty surrounds the passage of its appropriations bill and the level of health care funding it will receive. In the last 19 years, VA has received new funding in a timely manner just twice. In five of those 19 years, including last year, the full funding was received during the second quarter of the fiscal year.

DAV has fought to remove the budget uncertainty and ensure not only a proper level of funding, but that increased funding is available to VA on the first day of each fiscal year. Significantly, eight other veterans service organizations felt strongly enough about this issue to form a partnership—The Partnership for Veterans Health Care Budget Reform.

The time is now for all of us—Congress, the Administration, and the veterans' community—to come together to resolve the inherent problems involved in funding VA health care. It is shameful that veterans are forced each year to come to Congress to beg for much-needed additional funding for VA programs. We all must work together to find a solution to provide VA with health care funding that is sufficient, timely, and predictable.

Messrs. Chairmen, on behalf of the DAV, I thank you for agreeing to hold hearings last year on the issue of budget reform for VA, and joining the veterans' community in an open and frank

discussion of the VA health care appropriations process and how that process might be improved to better serve our nation's sick and disabled veterans.

Messrs. Chairmen, benefits and services for disabled veterans, in fact all veterans, remain primarily the responsibility of our government. The citizens and government of a country that sends its young men and women to defend its homeland and fight its wars have a strong moral obligation to repay them for bearing such a heavy burden. While all citizens of this great nation enjoy our cherished freedoms and our way of life, less than 10 percent of our population have served, sacrificed, and paid a price for those freedoms. Our indebtedness to veterans is more important than any other part of our national debt because, without their sacrifices, we would not exist as a nation.

While we can never fully repay those who have stood in harm's way protecting freedom, a grateful nation has established a system to provide benefits and health care services to veterans as a measure of restitution for their personal sacrifices and as a way for all citizens to share the costs of war and national defense.

An American service-member injured today in Afghanistan or Iraq will need the VA health care system well beyond the middle of this century. However, DAV believes that if the VA health care system does not receive sufficient, timely, and predictable funding, these brave men and women would not likely be able to replicate the special care they receive from VA in the private sector. We must ensure that VA remains a viable veteran's health care system now and in the future.

Because of their extraordinary sacrifices and contributions in preserving our cherished freedoms and way of life, veterans have earned the right to quality health care as a continuing cost of national defense and security. Changes made in the 1990's by Congress and VA led to a transformation of the veterans' health care system, thereby greatly improving the quality of care VA provides. According to health experts, VA has established itself as a leader in health care delivery within the United States.

In fact, independent entities, such as the Institute of Medicine of the National Academy of Sciences; the RAND Corporation; the Annals of Internal Medicine, Journal of the American Medical Association, and the New England Journal of Medicine have all reached similar conclusions: that VA offers the highest quality, lowest cost, and safest health care service in the United States today. The VA system has been awarded prestigious awards by Harvard University, the University of Michigan, and by the National Council on Quality Assurance. Likewise, major publications including, Time, Business Week, Fortune Magazine, US News and World Report, the Wall Street Journal, the New York Times, the Washington Post, and USA Today have all reported on the high quality of VA's health care system in recent years. Citing VA's leadership role in transforming health care in America, Harvard University recognized the Department's computerized patient records system by awarding VA the prestigious "Innovations in American Government Award" in 2006. The Department also received an award from the American Council for Technology for its collaboration with the Department of Defense on the Bidirectional Health Information Exchange program. This innovation permits the secure, real-time exchange of medical record data between the two departments, thereby avoiding duplicate testing and surgical procedures. This is clearly an

important step forward in making the transition for seriously disabled veterans from active duty to veteran status as smooth and seamless as possible.

A number of VA medical, prosthetic, and health service researchers have also received high praise, including Nobel Prizes and other distinguished awards for their work at VA. Major breakthroughs pioneered by the VA are invaluable to the entire health care profession and benefit all Americans, not just veterans.

In addition to these notable accomplishments, VA medical facilities are a strategically located national resource. By statute, the VA serves as a backup to the Department of Defense and the National Disaster Medical Systems in time of national emergency. This so-called fourth mission for the VA is especially important while the nation is at war and remains at risk for terrorist attacks that could injure or sicken thousands.

To guarantee the viability of the VA health care system for current and future service-connected disabled veterans, DAV believes it is imperative that our government provide a sufficient health care budget to enable VA to serve the needs of disabled and sick veterans nationwide. To meet those needs, it is imperative that timely funding for the VA health care system is guaranteed, and that all service-connected disabled veterans and other enrolled veterans be able to access the system in a timely manner to receive the quality health care they have earned. To allow VA to provide timely, quality care, its funding level must also be predictable to enable VA to properly plan for each new fiscal year.

When properly funded, the VA is able to provide cost-effective, quality health care services to millions of sick and disabled veterans each year. Additionally, treating veterans at VA rather than state-sponsored programs helps to relieve the stress on states, which routinely pick up the cost of caring for the poor. The specialized services provided by VA, such as acute and long-term care, actually subsidize Medicare and Medicaid programs at great savings to the Medicare Trust Fund and to taxpayers, since VA health care is less costly than the services provided by either Medicare or Medicaid. It makes fiscal sense to treat veterans in the VA health care system, instead of more costly care elsewhere.

The veterans' health care system offers an array of specialized services to meet the complex health care needs of veterans who tend to be older, sicker, and poorer than the population as a whole. Many of these specialized services in areas such as prosthetics, spinal cord injury, blind rehabilitation, post-traumatic stress disorder, serious mental illness, and traumatic brain injury are not readily available in the private sector.

As the debate over national health care continues, this country cannot afford to ignore the hundreds of hospitals, clinics, nursing homes, and other facilities that care for America's veterans. In purely material terms, the nation can ill afford to lose the more than 218,000 dedicated health care professionals and support staff that provide this high quality care and contribute to the economic stability of communities across the country. We cannot sit silently on the sidelines as the debate moves forward. The virtues and benefits of the VA health care system must be part of the debate. If we don't make our voices heard, we could be in jeopardy of losing the system designed to meet the unique health care needs of sick and disabled veterans.

During this period of war, emphasis has been placed on ensuring that newly returning war wounded veterans have top priority for treatment at VA facilities. Although no one would question that this new generation of veterans deserves ready access to VA's specialized health care services, we must not forget there are previous generations of veterans who continue to rely on the VA health care system for service-related injuries incurred decades ago. As veterans age, those with catastrophic spinal cord injury, limb loss, blindness, post-traumatic stress disorder, and traumatic brain injury often require more medical attention than in the past for their service-connected conditions. Likewise, other veterans dependent on VA health care services deserve timely access to care as well. Funding must be sufficient to provide timely quality health care to all enrolled veterans.

DAV recognizes that providing full funding for VA health care will not solve all of VA's problems. However, VA, as the largest integrated health care system in the United States, must have a sufficient budget to effectively manage its health care programs and services, and to hire the appropriate number of clinicians, nurses, and support staff to meet the demand for high-quality medical care. VA must also have the ability to adequately prepare for the coming year well in advance. With a health care budget that is sufficient, timely, and predictable, VA can strategically plan for the future to optimize its assets, achieve greater efficiency, and realize long-term savings. The current politically-charged discretionary funding mechanism for VA medical care benefits neither VA, nor taxpayers, and it is having a negative impact on veterans.

Another issue of concern to DAV is the passage of legislation in December 2006, when Congress passed, and the President signed into law, S. 3421, Public Law 109-461, which, in part, amended existing law to permit lawyers and agents to charge claimants for services rendered in the "preparation, presentation, and prosecution of claims" after a Notice of Disagreement has been filed. The DAV and many veterans felt betrayed by Congress by the passage of this law. This measure authorized the Secretary of Veterans Affairs to collect a minimal fee, set limitations for fees charged to claimants, prescribe standards of conduct, and expand grounds for suspension or expulsion from further practice for attorneys and agents providing such services.

The change-allowing lawyers and agents to charge a fee to represent a veteran or other claimant before the agency of original jurisdiction-is not in the best interests of veterans for several reasons, and would be detrimental to the administrative process at the VA. The principal reason for DAV's opposition is based in the public policy underlying the prohibition against charging veterans for claims assistance. Veterans and their dependents or survivors should not have to resort to hiring and paying lawyers and agents to obtain benefits to which they are rightfully entitled. Veterans and other beneficiaries should be able to file claims for benefits and receive fair decisions from the VA without a large portion of their benefits being paid to attorneys and agents. Congress designed the current administrative claims process to be non-adversarial and veteran-friendly. Unlike litigation in our court system, where the parties must discover and produce their own evidence and affirmatively demonstrate, by a preponderance of the evidence, that they are entitled to the relief sought, Congress obligated VA to assist the claimant in obtaining potential evidence and placed the duty upon VA to consider all relevant law and avenues of entitlement.

Veterans are accorded a privileged status and are due more personal assistance from VA than claimants receive when seeking benefits from other federal forces. Again, it is important to remain mindful that veterans obtain their benefits through an informal, non-adversarial, and benevolent claims process, not a litigation process. The paramount distinction between the VA process and litigation reflects a calculated congressional intent and design to permit veterans to receive all the benefits they are rightfully due without any necessity to hire and pay a lawyer.

Messrs. Chairmen, DAV believes that it is bad public policy to allow veterans to pay a fee to obtain their earned benefits. Furthermore, it demeans the service of our brave young men and women who defend our cherished freedoms to convince them that it might be necessary to pay a lawyer to represent them to obtain the benefits to which they are rightfully entitled.

It is believed by the DAV that this measure will have far reaching detrimental effects that will far outweigh the emotional gratification of having the right to choose representation by a lawyer or agent.

This legislative change will profoundly alter the administrative claims process to the detriment of all veterans and other claimants. We believe there is a potential for wide-ranging unintended consequences that will be beneficial for neither claimants nor the government. Beyond the cost to veterans, added administrative costs for VA are likely to be substantial, without commensurate added advantages or benefits for either.

This organization does not stand alone in its opposition to this bill or support to repeal this ill-advised measure. This legislation was also opposed by the VA, Veterans of Foreign Wars of the United States, and AMVETS.

The DAV again calls upon all members of these Committees to support the repeal of the attorney fee provision.

As an organization dedicated to building better lives for disabled veterans and their families, DAV has an awesome responsibility regarding these important benefit and health care issues that impact our veterans and generations of veterans to come. Now, with our fighting men and women in a protracted battle against terrorism and our veterans from past eras battling for needed care and benefits, our message is more important than it ever has been. Make the commitment now that you will Stand Up For Veterans by supporting a VA health care budget process that is sufficient, timely, and predictable. By doing so you will ensure the sacrifices of those who have served our nation in uniform are recognized and honored.

Messrs. Chairmen, this completes my testimony. Thank you for allowing me the opportunity to appear before you on behalf of the Disabled American Veterans to share our outstanding record of service to veterans and our country and to discuss our agenda and our concerns for the 110th Congress. Thank you also for all that your Committees have done and for all that you will do for veterans in the future.

May God bless America's brave young men and women who have been placed in harm's way in our fight against terrorism.