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JOINT HEARING ON LEGISLATIVE
PRESENTATION OF THE VETERANS
OF FOREIGN WARS

Wednesday, March 18, 2009

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

The committees met, pursuant to notice, at 9:34
a.m., in Room 334, Cannon House Office Building, Hon. Bob
Filner [chairman of the House Committee on Veterans'
Affairs] presiding.

Present: Representatives Filner, Brown of Florida,

Snyder, Herseth Sandlin, Hall, Halvorson, Perriello, Teague,
Rodriguez, Space, Walz, Buyer, Brown of South Carolina,
Miller, Boozman, and Bilirakis.

Senators Akaka, Burris, and Burr.

The Chairman. Good morning. I would like to call this joint hearing to hear the legislative presentation of the Veterans of Foreign Wars to order. We certainly welcome the Commander, Glen Gardner, and all of your great members. And we certainly welcome Chet Edwards, Congressman from Texas, who is going to introduce the commander.

Let me say first, thank you all for being here. The VFW acts in many ways as our eyes and ears for Congresspeople, and we thank you for all the work you do on behalf of all our veterans.

And we want to thank you, Commander, also. Your legislative staff in Washington does a great job, keeps us on the ball, but makes sure that we are in touch with what are the needs of our veterans, and we thank you for all that support.

Many of you know we have just started our budget process, and the administration has submitted a budget, we think, that is very worthy of our veterans, the first time in the history of the independent budget, which VFW works on very closely and importantly. It is the first time that the President's request has exceeded the independent budget. So we are very proud of that 11 percent increase in mandatory spending, 20 percent increase in -- I am sorry, 11 percent increase in discretionary spending, 20 percent increase in

mandatory spending, overall 15 percent increase from last year, and a projected \$25 billion increase over the next 5 years.

We love the budget. We love the new administration, we love our new Secretary, but that also doesn't mean that we accept everything or agree with everything, or that we don't exert oversight or our critical judgment.

Unlike the last 8 years, we did not have a proposal in this budget to either add enrollment fees for Category 8 veterans -- in fact, we are expanding the reach, we hope, to Category 8 veterans -- nor did we have a proposal to increase the copays for prescriptions, as we have had over the last 8 years. And this committee and all of you have fought that, and we didn't get that.

We did get one little proposal that we have some problems with, and that is the issue of third-party payments for service-connected disabilities or treatment. We thought that the White House would withdraw that proposal quite early. They haven't done it yet, but I issued a statement yesterday in which I said, "You know, billing our heroes, it is dead on arrival." And I said this in the statement.

The Obama administration's proposal to charge third-party insurance companies for service-connected medical treatment will not -- I repeat, will not -- be taken up by this committee. Our budget cannot be balanced on the

backs or the legs or the kidneys or the hearts of our Nation's combat-wounded heroes.

We believe we can achieve the administration's budget request. And this committee's report to the Budget Committee asks for, in fact, an increase slightly. But we believe that the budget request which we said was a great number, it exceeded the independent budget, we will meet in other ways. And we will be working, in fact, with Chet Edwards, who is the Chair of the Veterans Subcommittee of the Appropriations Committee to achieve those numbers in a different way without any new authority for third-party collections.

So we are looking forward to dealing with this budget. We are looking forward to your testimony, Commander. We are looking forward to working with you and with our new Secretary and our new administration for a good year.

As you know, last year we passed a landmark GI bill for the 21st century. We hope everything will be ready to take effect August 1st. It is the first time since the GI bill of 1944 that we will cover not only the full cost of college, but also living expenses and other incidental expenses involved with being a student.

We also changed the housing loan program to make it much more flexible, especially in this time of crisis for our veterans. We will not forget the mental health care for

our veterans, nor will we forget what is the top priority of many of the veteran service organizations, and that is forward funding.

We must have a process that allows this health-care system to meet its needs in a rational and timely fashion. And we cannot have delays that lead to rationing of medical care, whether that is in hiring or equipment or building or whatever. So we will continue our fight for that.

[The statement of Chairman Filner appears on p.]

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The Chairman. I am proud to recognize my counterpart in the Senate, the Chairman of the Senate Veterans' Affairs Committee, Senator Akaka. It has been a great honor to work with you and a great joy also. Senator, you have the floor.

Senator Akaka. Thank you very much, Chairman Filner.

I am pleased to join all of you, and also to join the leaders of the Veterans' Affairs Committee from the House and the Senate, Chairman Filner and Ranking Member Buyer, and also my Ranking Member, Senator Burr. And on behalf of all of the members of the Veterans' Affairs Committees from the House and the Senate, I welcome all of you to this important event to talk about the legislative priorities of the Veterans of Foreign Wars. And this is very special for us to today.

I want to say good morning to all of you, and aloha. I especially welcome Commander Glenn Gardner, the senior officials of the VFW, and also the members of VFW present here today.

Veterans of Foreign Wars has a proud, proud tradition of public service. Your tireless advocacy on behalf of our Nation's veterans and their families is truly honorable. And I applaud you for all that you do and continue to do.

Meeting with you regularly is so valuable to us, to hear your views on the important issues facing our Nation's

veterans, and to help us craft an appropriate budget for VA is what we are trying to do.

Three weeks ago the President announced a budget. Among other things, it proposed \$55.9 billion for the VA in discretionary spending, an increase of \$5.6 billion over fiscal year 2009 spending. This amount is close -- and I need to mention this -- close to what VFW and the supporters recommended in the independent budget.

On Monday, the Senate Committee on Veterans' Affairs sent forward its blueprint for funding to the Budget Committee, urging full and appropriate funding for VA, especially VA health care.

I have said this many times, and I will say it again: Veterans benefits and services are a cost of war and must be understood and funded as such. I am pleased that President Obama, who served on this committee last year, understands and shares that view.

Last month I reintroduced bipartisan legislation to secure the timely funding of veterans health care through advance appropriations. Too often VA medical care funding is subject to delay and uncertainty, hampering budget planning and threatening health-care quality for wounded and indigent veterans. This situation must end. Veterans must receive quality benefits and services. Caring for our troops when they return home is critical. We must provide the best

health care. Anything less is a breach of our fundamental obligation to those who have worn our Nation's uniform.

We must fairly compensate veterans for their injuries, including the invisible wounds of TBI and PTSD. We simply must in this time of war ensure that VA has the resources it needs to carry out these missions.

The troop surge in Iraq and the coming increases in Afghanistan will soon be felt at VA. To date, the generation of veterans as a group has been slow to come to VA for benefits and services. VA must be prepared to reach out to those now coming home and bring them into the system. Each time the government fails to reach one of these newest veterans, we neglect our collective obligation to those who have served.

Assisting the families of veterans is a key part of the successful and seamless reintegration of veterans into their communities. Family members are often the primary caregivers for injured veterans. Steps have been taken to reach out to these families in recent years, but much work still remains to be done.

We have done a great deal together to work on disability compensation. Timely and accurate processing of disability claims and appeals remains problematic. Restructuring of the disability compensation system, including consideration for the loss in quality of life will

be an important issue in this Congress. We will also continue to focus on claims and appeals processing.

As one who knows firsthand how valuable the GI bill is, and who worked to secure passage of the new post-9/11 GI bill into law, I am working to make certain that the new GI bill is implemented in a timely manner and as smoothly as possible.

In closing, I again thank VFW and its members for their services and dedication to our Nation and its veterans. I look forward to your presentation today.

Thank you very much, Mr. Chairman. And I really enjoy working with you and the House members.

[The statement of Senator Akaka appears on p.]

***** COMMITTEE INSERT *****

The Chairman. Thank you, Mr. Chairman.

I would like to recognize for an opening statement the Ranking Member of the Senate Veterans' Affairs Committee, Senator Burr of North Carolina.

Senator Burr. Thank you, Chairman Filner. And aloha, Chairman Akaka. To my House colleagues, I am glad to see Chet Edwards here. Let me thank you for holding this hearing.

I welcome Commander Gardner. We had an opportunity this week to sit down and talk, and I welcome you, and those that accompany you as you sit at the witness table today, to share the VFW's insight with us.

And more importantly, I want to thank you and all for the work you do on behalf of our country's veterans, especially from my home State of North Carolina.

Hearing from the VFW gives us an opportunity to gain the perspective of a unique group of men and women. As you say in your testimony, Commander, VFW members, and I quote, "share the experience of the battlefield." I am grateful to you and every VFW member for that.

Your members have all served on foreign soil. Many have seen combat and have felt what it is like to be apart from your family and your friends for extended periods of time and under difficult circumstances. VFW members are

uniquely positioned to let us know what benefits and services work and what don't work and, more importantly, what improvements need to be made. This insight, together with feedback from our constituents at home, helps guide our efforts to improve the lives of veterans and their families across this country.

Commander, let me first comment on one issue that you raise in your testimony, you raised with me in person, and that is third-party billing. Know that I stand with you and with the VFW to ensure that the President's idea to shift the cost of care for service-connected injuries goes nowhere. It was the government that sent our men and women into harm's way, so it is our responsibility to care for their injuries when they come home.

Frankly, I am surprised that the President would rely on such a proposal to fund his budget. When he was a Senator and sat beside me, he used to call these accounting practices gimmicks. Regardless of you seeing it for what it actually is, and I am with you 100 percent in seeing that it is defeated.

Among the other concerns raised in your testimony is the need to provide VA with a timely, predictable sufficient budget. I couldn't agree more. It is simply unacceptable that over the years the VA budget has been a political pawn in the appropriations process in Washington, and it is time

that that stops and that veterans are no longer victims. That is why I have agreed to cosponsor, with Chairman Akaka, the Veterans Health Care Budget Reform and Transparency Act.

Now, I will tell you and your members, this will not be received well by appropriators and the Budget Committee. And it is my hope that if, in fact, we can't do this in a timely fashion, we will adopt something that brings predictability and timeliness to the process.

The Chairman. Maybe we can take Congressman Edwards as hostage until they --

Senator Burr. Well, I thought I would take the opportunity while he was sitting at that table.

But as we have learned, there are counterparts in the Senate that might not be at this table today that need to hear this message.

Your testimony also highlights the needs to improve VA's claim processing and appeals system. As we all know, the system takes way too long, frustrates too many veterans, including, quite frankly, veterans in North Carolina. So it is selfish to me.

So I hope we can all work together to find commonsense solutions that will make this system work better for veterans, and, more importantly, for their families, both now and in the future.

Also, you stress the need to ensure that wounded

service members experience a seamless transition from Active Duty to civilian life. We made tremendous progress over the last 12 months under the leadership of Secretary Peake and DOD counterparts. I have all the confidence in the world in General Shinseki that this progress will continue.

More importantly, I share your goal and welcome your input on how we can make this a reality for the brave men and women who have served and sacrificed on behalf of all of us.

As we collectively work on these and other important issues affecting our Nation's veterans, we should keep in mind that just funding programs is not enough. We must make sure that these benefits and services are meeting the needs of our Nation's veterans and their families, and that they are actually improving their lives.

Let me say that again. I want to remind everybody that this is not just about how much we fund. It is about the willingness of this Congress to identify the things that work, listen to the veterans who are actually the recipients of the program, and change the services and the benefits to reflect a better outcome.

Mr. Chairman, I look forward to working with you and all the members as we go down this pathway of changes and, more importantly, fulfillment of the promises we have made to our Nation's veterans.

I thank the Chair.

[The statement of Senator Burr appears on p.]

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The Chairman. Thank you, Senator.

I recognize for an opening statement the Ranking Member of the House committee, Mr. Buyer.

Mr. Buyer. Thank you very much, Commander. Congratulations. And we welcome the VFW national commander and my commander to testify here today.

To my friend and colleague, Chet Edwards, welcome to the committee. I appreciate not only our friendship over years, but also your leadership not only on behalf of the men and women that wear the uniform on Active Duty, but also when they take that uniform off. You have proven yourself well over the years, and you have also worked very well with your Republican counterparts on the Appropriations Committee to see that through. So congratulations to you, and we welcome you to the committee.

To Bob Wallace, welcome back. I have enjoyed my relationship with you over the years, even when we have done hand-to-hand combat. We have always agreed to disagree at times. But I have enjoyed that relationship that we have had.

Please extend to your leadership across the country, Commander, the appreciation that we have for so many of the VFW service officers and what they do in the assisting of the claims. They do an excellent job. They don't get a lot

of credit for what they do. And I know as you travel the country, that is one of the things that you like to touch on. And please extend our deep appreciation from the committee for the work that they do.

I would also give you a situational report, sir, that the leadership in Indiana, they do a very good job keeping us informed with regard to the issues. I can't speak with regard to other States, so I will leave that to you. But Indiana does a very good job.

And it is also nice that some of my own comrades are also in your leadership apparatus. And when you have friends from -- that are bonds built on foreign soil, they are rather unique, and so they stay in touch with us.

I appreciate your discussions yesterday. As you also talked about your meeting with the President, I agree with your description regarding the third-party billing of service-connected disability. If I may be permitted to use some of your quotes to me, you called it a "non-starter." And I think that was pretty accurate.

I am going to share with you, it is some of the committee business that we do, and I am appreciative that the Chairman has made the comments that he has made today, saying that he would not support this billing, because there is a real difference between the reports that were filed last Friday. You see, we have to do what are called our

budget views and estimates, and so the Majority's budget views and estimates from this committee is a little bit different than my budget views and estimates from the committee. You see, I don't stick my finger up in the air and try to figure out which way the winds are blowing first.

So let me just share with you something here. Let me read to you what I submitted to the Budget Committee. "The Republican Members are very concerned about a proposal the administration is considering to bill third-party insurers of service-connected veterans for the treatment of their disability or injury incurred in the line of duty. We strongly believe that the same military values that guided these service members in service to our country should define how our government provides services and assistance to them now as veterans. The prospect of VA collecting from third-party insurers for care provided for service-connected conditions is contrary to the military values and our obligation as a grateful Nation.

"In addition, such action could result in higher health-care premiums and have the effect of requiring service-connected veterans to pay for their own care.

"We intend to protect and honor the service of our highest-priority veterans with the investment of tax dollars adequate to provide for all service-connected care, and we strongly oppose any attempt to allow VA to offset this

absent obligation with collections from private insurers."

You see, this was long before anybody in the country even knew this was coming out. We took a stand, submitted this to the Budget Committee. We even then plussed up into the budget, we did our calculations and added back in \$536 million.

Now, what the Chairman had shared with you is probably very, very accurate. He really wanted the administration to change their position.

So I guess what happens -- and we as Republicans know this when we had a Republican President -- you kind of cajole, you kind of send the messages, but you never want to publicly take that stand against your own President, especially a new President.

So the submission before the Budget Committee for the majority was this: The committee recommends that an additional \$600 million above the administration's request be provided in appropriated dollars in order to safeguard the provision of health care to veterans. The committee believes this is a prudent step as it awaits further details regarding the administration's budget request. It is a little muted.

Let me share something else with you. With regard to the GI bill implementation, Commander -- I make this request of you, of all of your members -- to be off the heels and on

the toes with regard to the implementation of the GI bill.

This bill came at us pretty quick. The committee, we were working earnestly on a GI bill here, improvements of an existing GI bill between Dr. Boozman and Stephanie Herseth, and the Webb bill came over here without any hearings whatsoever. Then, when it passed the House, and I voted for it, what I was hopeful is that we would make a lot of technical corrections. You see, all of the technical corrections for which we had offered, none of them were permitted. And so I am not surprised at all that we have a lot of challenges, and now we are having to do these technical fixes.

The implementation is going to come quick; it is going to come fast. The Secretary is talking about, well, we are going to have to do paperwork with IT. Hand paper and IT because it is not in place.

I see some real challenges coming at us on this horizon, and so I am asking you and all of the members, your membership, to be on the forefront of that.

With regard to Category 8s, let me thank Bob Wallace. You know, I got beat up for a lot of years here when I talked about making sure we have a system prepared to receive. And I appreciate your comments about we must be very careful to make sure that the system is in place with regard to the capacity issues as we bring the 8s in and we

do it smartly.

Mr. Edwards, you have made the very same comments. And I think if we all safeguard the institution about the quality of care, we can manage this smartly, and that will be our challenge. So I appreciate your leadership on that, Chet.

The other issue, Commander, is we talked about the cemeteries. And we can't have three different tiers of standards with regard to our cemeteries. If we are truly going to honor those who came before us, we need to figure out how we increase that standard.

I have had my conversation with the Chairman and Danny Akaka, along with my dear friend from North Carolina here. We are going to do this. We are going to figure out how to do this. And if the Department of Interior doesn't do it, Richard Burr and I and both Chairmen are going to try to take that jurisdiction out of the Department of Interior for these two cemeteries, and we will take it to the VA. Okay? And we will see where that takes us.

Look forward to working with you, Mr. Chairman, thank you for the time.

[The statement of Mr. Buyer appears on p.]

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The Chairman. Thank you, Mr. Buyer.

To introduce the Commander, we have Congressman Chet Edwards from Texas.

I just want to make one sentence in introduction of Chet Edwards. Many of you know that the 110th Congress added over \$17 billion worth of new money to the health care for our Nation's veterans. That is a 40 percent increase in health care, the highest increase in the history of the Veterans Administration. The man chiefly responsible was the Chairman of the -- what we call the Military Construction and Veterans Affairs Subcommittee of the Committee on Appropriations, a real fighter for veterans, an advocate for veterans, someone who got us the money to do the job we have to do.

Congressman Chet Edwards from Texas. Thank you.

Mr. Edwards. Chairman Filner, thank you for your overly gracious comments, because the fact is those historic increases would not have occurred had it not been for your leadership and the work of the members of this committee, both on the House and Senate side.

Chairman Akaka, Ranking Member Buyer, thank you, Mr. Buyer, for your kind comments. Ranking Member Senator Burr, distinguished members of this committee, before I went to the dark side of appropriations, I was a proud member of

this committee. And so it is an honor for me to be back here in this room this morning with you to introduce a fellow Texan, a friend, and a leader whom I have admired for many, many years for his service to country and his fights in behalf of America's veterans, Commander-in-Chief of the Veterans of Foreign Wars, Glen M. Gardner, Jr.

Mr. Chairman, with your strong leadership in 2007 and 2008, as you referenced, the 110th Congress increased veterans funding by the largest amount in our Nation's history. In addition, you, along with Congressman Mitchell and Speaker Pelosi and members of this committee and other committees, led the passage of a historic 21st century GI education bill.

The Veterans of Foreign Wars was at the forefront of all of those significant accomplishments. It is right to say, without the leadership of the VFW, those accomplishments simply would not have occurred. The VFW worked in close partnership with this committee and the House leadership and the Senate leadership every single step of the way.

The VFW played a key role in developing the VSO's independent budget, which was a blueprint for the 110th Congress, and was fully funded by the 110th Congress for the first time in the 2-decade history of the VSO's independent budget proposals. Millions of veterans for decades to come

will be the beneficiaries of the VFW's dedicated work and accomplishments.

As the son of a World War II VFW member who passed away just a year ago, I believe every veteran of foreign wars is an American hero. To be selected by those nearly 2 million patriots to lead the VFW is an honor beyond words. Commander Gardner has earned that honor. He is a Marine, a highly decorated Vietnam veteran for his service there from 1968 to 1969.

Upon retirement from the Marines in 1969, Commander Gardner did what so many veterans have done after taking off our Nation's uniform: He dedicated his life to supporting his fellow veterans. And in 1969 he became a member of the VFW. He has proven since he is a veteran's veteran. He first became a post commander in 1977 and again in 1983. He served as adjutant quartermaster for the Department of Texas for 22 years, from 1984 to 2006. He was instrumental in forming the Texas Coalition of Veterans Organizations, and chaired that 600,000-member group for 15 years.

Commander Gardner was recognized for his dedication to his fellow veterans and was elected Commander-in-Chief of the VFW on August 21 of 2008.

Commander Gardner fought in combat for our country. Now he fights in the halls of Congress and across the land he loves for America's veterans. It is my privilege, Mr.

Chairman, and members of this committee, of both committees, to introduce to you the VFW national Commander-in-Chief, Glen Gardner, Jr.

STATEMENT OF GLEN M. GARDNER, JR.,
COMMANDER-IN-CHIEF, VETERANS OF FOREIGN WARS OF THE
UNITED STATES, ACCOMPANIED BY WILLIAM BRADSHAW,
DIRECTOR, NATIONAL VETERANS SERVICE; ROBERT E.
WALLACE, EXECUTIVE DIRECTOR; DENNIS CULLINAN,
DIRECTOR, NATIONAL LEGISLATIVE SERVICE; AND PRECILLA
WILKEWITZ, LEGISLATIVE COMMITTEE CHAIR

Mr. Gardner. Mr. Chairman, to you and the members of these two important committees, to my good friend Chet Edwards, who is not only a friend but a true veterans advocate, one that we have admired and worked with for many years, not only in the halls of Congress but in Texas to accomplish much for the veterans of this country, I appreciate that kind introduction.

I am honored to be here today to represent the 2.2 million men and women who make up the Veterans of Foreign Wars of the United States and our great Ladies Auxiliary. As the Nation's largest combat veterans organization, our members understand the Nation's obligation to all who have served.

President Lincoln's words are well worn, but they still resonate. This Nation must care for "him who has borne the battle and for his widow and his orphan."

Chairman Filner and Chairman Akaka, during the last Congress you and your committees lived up to that promise. The health care and benefits bill you passed will make a meaningful impact for America's veterans. And your efforts, along with those of Senator Webb, to secure passage of the historic GI bill for the 21st century is truly appreciated. We salute you and your hardworking staff on those amazing accomplishments.

We are honored today to honor Senator Akaka with the VFW Legislative Award for 2009 for his work with veterans in this area.

Even with these accomplishments, two things have come up in recent weeks that shake our teeth. The first is the out-of-touch proposal to begin charging veterans with insurance for their service-connected conditions. The second is the continuing horror stories coming out the Veterans Benefit Administration.

Let me start with the billing of service-connected issues. I want to be clear. This proposal is a non-starter for the VFW. It is unconscionable to pass along the cost of war to wounded and disabled veterans. At its most basic level, Veterans Affairs is about caring for these men and

women, as Abraham Lincoln noted. Their care is the price a grateful Nation pays.

This proposal would lead to disabled veterans subsidizing their own injuries through increased premiums and fees as insurance companies try to find ways to pass along added expense. It could also make it harder for veterans to obtain and maintain private health-care insurance. And although we would like to believe otherwise, it is entirely possible that this proposal could impair a veteran's ability to obtain a job. Rising insurance costs are a strong incentive for businesses to not hire veterans.

Think about these issues carefully. Think about the impact on the veterans. Think about the impact on their families if the veteran is a primary insurance carrier. Think about the sacred trust and what Lincoln's words truly mean. If you do, you will realize that this proposal is nothing but wrong.

Mr. Chairman, we want to thank you, members of this committee and other Members of Congress for their quick support of opposition for this ridiculous proposal.

The second distressing issue involves the most recent rash of reports on the VA claims processing system. Veterans are losing faith in this unmanageable system. The latest report we received is the increase of over 50,000 claims from last year, more than last year, that are now

waiting to be adjudicated.

Consider the recent revelations of hundreds of documents in shredded bins, intentionally misdated claim files, and 16,000 pieces of unprocessed mail at just one regional office.

Are these signs of a system veterans can trust? We do not believe so. This is a failure of VBA at every level, from the employee who tucked away envelopes he or she didn't feel like processing, to the managers who did not perform proper supervision, to the leaders here in Washington who refused to seriously address the issues we have pointed out for years.

We need leadership and accountability at this and every level of the VA, and we need inventive solutions that actually work, not just a quick fix to put the latest fire of controversy out.

It is clear that Secretary Shinseki has a vision for technology we wholly support. We believe that if you fully support his vision, he can effectively leverage information technology to dramatically transform and improve the department. VBA and its employees are drowning in paperwork. Much of this paperwork could and should be electronic. Computerized records would prevent paper files from getting lost or shredded. They could be tracked and monitored more efficiently, so the VA and the veterans know

where in the process their claim file is.

Computers could help decide many education and pension claims. On complex claims, computers could not provide valuable assistance. But improving the claims process system is not just a technology issue. The Secretary recently noted that people induce change, not technology or processes. So transformation is ultimately a leadership issue, and we agree. We need to change the culture of the VA leadership to hold managers and employees accountable for the quality of their decisions. But that also includes training and education and a commitment from all levels of VA to dig in and solve these problems.

VBA is only half the story with respect to VA. The Veterans Health Care System has made great strides. It is widely recognized for the high-quality care it provides throughout this country. The largest issue we see with the system is the resources put into it today.

Chairmen Akaka and Filner, the VFW salutes your reintroduction of advanced funding legislation. It is among the VFW's highest priorities. Advanced funding is a simple solution to a complex problem. It does not change how the process works, just when it works. Advanced funding does not take away your oversight ability; it just ensures that veterans have a budget that is sufficient, timely, and predictable. The VFW looks forward to working with you to

ensure its passage.

The VFW salutes all of your efforts in funding health care over the last few years. The dramatic increases in health care funding have done a lot to improve the services provided to America's veterans. You are familiar with the independent budget, a budget prepared by veterans for veterans. As the 2010 funding process plays out, we would hope that Congress and the administration would consider these recommendations. Other than the aggressive collections targets, the President's budget framework appears to be in line with our recommendation. However, the devil is in the details.

Full funding is important because the Veterans Health Care System is facing new challenges. The newest generation of veterans have different needs and different requirements than previous generations. We need further research and better treatment for traumatic brain injuries. There is still a lot we don't know about TBI, especially in its milder forms.

What are the long-term consequences? What future health-care needs will these veterans have?

For those with the most severe disabilities, we must be mindful of the needs of those family members who provide care. We continue to support legislation that would allow VA to train and compensate them.

Returning service members with mental health issues face other problems. Even though their wounds aren't physical, their struggles are the same. No one ever goes into battle and comes home the same person. We all handle it differently.

VA needs to recruit and retrain more mental health-care professionals. The Department must continue to educate all doctors, nurses and staff about the warning signs of problems. This is especially important with the national tragedy of veteran suicides. We need to ensure that there are services available when they need them, such as the VA suicide hot line. Even one suicide is too many. To have more suicides in 1 month than we have combat casualties is unacceptable.

Another area in which OEF and OIF veterans are changing the VA is with women's health care. Almost 200,000 women have now been sent into a combat situation; not as nurses, not as clerks, but on the front line, wearing flak jackets and carrying rifles, being wounded, losing arms, losing legs. We must take care of those women. They must understand that the VA is there for them, as it has been for every veteran that has served this country in the future and now.

Another major issue OEF and OIF veterans face is with a seamless transition. Just like VBA, we believe that

technology and the Secretary's vision of what works is the answer. We are optimistic the Secretary's experience in DOD is going to help the two departments finally break through. After years of inaction, delays and false starts, we have confidence he can make progress. We just need true dedication and effort. We need Congress to fully empower him to get this done.

Our Nation provides a number of education and employment programs to help our veterans return to civilian life. In this tough economic climate, these are especially important. We owe them a chance to resume the life that they put on hold to protect and defend us.

We must ensure that VA meets all targets for implementing the new GI bill. Congress must use its oversight authority to ensure that this is done. Veterans are relying on all of you.

We also call on Congress to improve voc rehab. It is a vital program that enables the most disabled to become employable again. We need a Voc Rehab for Life Program. We strongly believe that a service-disabled veteran should be able to get training and education throughout their entire career. With today's unsteady economic conditions, it is especially important.

For our military retirees, we continue to oppose any increase in TRICARE fees. We urge DOD to find other ways to

make TRICARE cost-efficient without taxing retirees whose service has more than paid for this benefit.

The VFW strongly urges Congress to repeal a law that reduces military SBA annuities by the amount of any survivor benefits payable under the VA-DIC program.

Before I conclude, I would be remiss if I didn't note our unwavering commitment to the fullest possible accounting for those who are missing in action and whose fate is still unknown. We owe it to their families who are waiting for answers, to those who served to fulfill this most sacred sacrifice.

Mr. Chairman, as you go about your agenda, we ask you to keep in mind that the men and women who benefit from your actions, the 22.5 million veterans and the 2.2 million servicemembers, as well as their families. The bills you write are not just words on a page. Every change and every improvement you make affects millions. So take the changes you make seriously. Look for the long-term answers to these complex problems. The quick fix is not always the best.

Keep in mind the three things that all who have worn the uniform share: honor, sacrifice, service. If you let these three words be your guide, you will achieve much.

I thank you for the honor of letting me appear here today on behalf of the Veterans of Foreign Wars. I stand ready to answer any questions you or the members of these

great committees may have.

Thank you very much, Mr. Chairman.

[The statement of Mr. Gardner appears on p.]

***** INSERT 1-2 *****

The Chairman. Thank you, Commander. We will take your words to heart.

Mr. Hall, you are recognized for 5 minutes.

Mr. Hall. Thank you, Mr. Chairman, Ranking Member Buyer, Chairman Akaka, Ranking Member Burr.

Thank you, Commander, for your eloquent statement. And I have a statement that I will enter into the record. I won't take the time to read it all here.

Mr. Hall. But let me just say, first of all, that I am totally opposed to third-party collection of service-related expenses by the VA from third-party insurance companies, and that I support your goals of the advanced appropriations family and caregiver support services, elimination of copayments, expansion of long-term care, establishing parity between mental and physical disabilities, and improving the claims process.

I am chagrined, as a Representative from New York, that the misdating of claims that you mentioned happened in the New York office. I am encouraged by the fact that the VA came to us and said we found this.

The Senate inspector general there put people under oath and discovered it. It is a step in the right direction that they are discovering these things.

And the Detroit amnesty, the mail amnesty that brought out the 16,000 pieces of misplaced or disappeared mail that suddenly, under amnesty, was brought forth, once again, this was a VA initiative.

You and your colleagues who have been complaining for a long time that mail was disappearing and documents were being requested two or three times, and they can't be falling into the third dimension or the fifth dimension or something, the outer limits, black hole, they must be somewhere. And now we know where some of them are.

And when the Secretary was here, I and others requested that a similar mail amnesty be established at all the ROs so that we can find out how many important pieces of documentation are out there. But ultimately, it is the transition, as the Secretary himself said, to an IT paperless system that will be a big part of the solution to this problem.

So to you and all the officers -- Director Bradshaw, Executive Director Wallace, Director Cullinan, and Legislative Chair Wilkewitz -- thank you all for your service.

Any members from New York who are here today, thank you for your service and your service to our veterans after your service in uniform.

And I want to convey the confidence to you that this

committee will work in a bipartisan fashion to achieve the goals that you have laid out.

And I thank you, Mr. Chairman. Yield back.

[The statement of Mr. Hall appears on p.]

***** COMMITTEE INSERT *****

The Chairman. Thank you, Mr. Hall.

Mr. Bilirakis.

Mr. Bilirakis. Thank you, Mr. Chairman.

Commander Gardner, I appreciate hearing your testimony on the priorities of the VFW. I am honored to serve on a committee that serves the men and women who have sacrificed so much. Like you, it concerns me deeply that proposals are being considered that might pass on some of the costs of medical care to service-connected veterans.

I am very glad to see that our Ranking Member, Mr. Buyer, and our Chairman have taken a very strong interest in ensuring that the VA will live up to its obligations to veterans in this regard.

I also have personal knowledge that my colleague on this committee, Anne Kirkpatrick, is hard at work to stop this proposal before it gets any legs under it.

As always, and like my father who served on this committee, I am very interested in the issue of concurrent receipt. While we have made progress on this issue, it is unfair and unjustifiable to impose an offset on service-connected disabled veterans.

Commander, I look forward to working with you, the VFW, the members of the Veterans Affairs' Committee, and the other veterans organizations on all these matters.

Thank you, Mr. Chairman.

The Chairman. Thank you, Mr. Bilirakis.

Mr. Walz.

Mr. Walz. Thank you, Mr. Chairman and to our Ranking Member. And thank you, Commander, not only for your service but all you do for this country.

And I have to say, all of the programs you have are so beneficial to our veterans and to our communities. And I will never forget, for me, it was January 9 of 2004, I used an operation uplink card to call my 3-year old on her birthday. And it matters. And millions of others have those stories too. It really does matter.

Welcome to our Minnesota members. It is good to have you here and your voice. You speak with great authority. No one has any better right to be here. And you are hearing a lot of people, you have got a lot of friends here.

What you are seeing is the way government is supposed to work. We are Article I of the Constitution. We don't take our marching orders from the executive branch. Our job is to be the checks and balances.

And I know we are falling all over ourselves to say who is more outraged on this. I will have to tell you we are outraged about this. We are glad you are bringing up the voice, but I kind of look at it as this: I spent enough years as an enlisted guy, about a quarter century, and a lot

of that as a first sergeant and a sergeant major. And I had a lot of good new lieutenants and captains who were doing a pretty good job. But inevitably I would have to pull them aside and say, what in the hell are you thinking? And the good ones backed off and had good careers, I think; and the other ones were career captains maybe.

So the issue here is we have got some pretty good stuff going. We have got a good budget on this. We have got what I think is a rookie lieutenant mistake here, in my opinion, and the people who have been around this are making note of that. I appreciate that. We will get this thing fixed. We will get it right. We cannot take our eye off the ball on a lot of other things also. And I think we are making that very clear to them. So I appreciate your work on that.

I also share your concern on the advanced funding issue. It is just simply -- the thing about this is not only is it the right thing to do for our veterans, all of us know in here it will eventually save us money. It is prudently the right thing to do. We end up making decisions that cost more by delaying that. Very frustrating. And all of us in this room know, you and us up here, know that there have been times over many of the last couple of decades where we had that thing ready to go, and the only reason it didn't go was because of political leverage and posturing. And that is unconscionable. And if there is a mechanism

there to have us get it done, let's get that done.

I want to just mention -- and I too share your outrage on many of the things that we are doing. We have said it before. And when General Shinseki, and now Secretary Shinseki, sat in your seat I told him to turn around and look into the eyes of the people who were there for him. And it was your members who were there. We will be his biggest supporters and his biggest critics, because our goal is absolutely the best care possible for every single man and woman who served in uniform. That is simply your goal.

And the thing about this is those who tell us we can never reach that, that is fine. But we will never stop striving for that. We are going to try and make it as good as we can.

I had a conversation with a young man who was in here testifying yesterday, Travis Fugate. He is from Kentucky, was hit by an IED in 2004 in Iraq and lost eyesight in his eyes. Unfortunately, he has now lost eyesight in both eyes. And one of the problems is when he went to the VA, they asked him how many surgeries he had, because there was no record.

And those stories are still happening today. They are unconscionable. We can do better. And I will have to tell you something. I am looking for your guidance. And my question to you is telling me what you think is -- I have

been for decades convinced that this seamless transition thing, this uniform enrollment, when you raise your hand, you are in the VA, your record is one, it passes on there. We have heard seamless transition, but it has been nothing more than lip service. We have heard a lot from General Shinseki about uniform enrollment. We have heard the Chairman talk publicly about the need to move this forward. We are working with Chairman Skelton and his people on Armed Services.

What is the VFW's view on this? Can we get this thing done? And don't you believe that this is fundamental to fixing the backlog of claims, the adversarial relationship that we unnecessarily set up?

So I look forward to your insight, Commander.

Mr. Gardner. Thank you, Mr. Walz. I have always wondered why, and I have talked to two Secretaries now about why, and it is my belief that when you go in the military they ought to give you a card, and on that card is a chip. And when you go to the doctor it goes on that chip. If you get promoted, it goes on that chip. When you get out of the military you have got to go to VA, you take that card with you, they put it in. They know when you broke your arm. They know when you went to sick bay. And we believe that it is a workable, seamless transition, something that can happen.

As the Secretary has said to us, technology is the key to this. Being able to have the money to get the technology to do it seems to be the stopping point at this time and juncture, but we believe that it is something that can happen.

RPTS MCKENZIE

DCMN HERZFELD

[10:30 a.m.]

Mr. Walz. Again, I believe in the long run we will save a lot of money by doing this right. How many of those 16,000 are we going to redo, not to mention the frustration and anger that it creates in our veterans. So I look to the VFW to help me with this. You have got my pledge that I am going to work tirelessly until we get this thing done. I always say, before we die, we need to get this done. So I hope that is a long time from now. But let us assume it is going to happen next year and just get it done. Thank you.

The Chairman. Thank you, Mr. Walz.

Mr. Boozman.

Mr. Boozman. Thank you, Mr. Chairman. I apologize for being late.

Again, we don't need to keep going over and over with this, but I would agree, I think, with everything that has been said concerning the third-party pay. My dad was in the Air Force for 20 years, with the latter part of that being a recruiter. I know he is turning over in his grave now over these kinds of things.

The other thing that I would just encourage you is that, don't feel like you have got to bargain with this in any way. This is not going to happen, guys. It is just not

going to happen.

Again, thanks to you and your representation -- and I do appreciate your being here, Commander Gardner. You do a great job. Your staff up here does a good job, and I also appreciate the auxiliary. But everybody working together keeps this stuff beat down. And it just shows, I think you can talk to your membership how important it is to have strong membership, it is things like this surface.

I would like to ask a little bit -- or you might want to comment for me. Again, I apologize for being late. But something, I think, that is really important that I think we all agree, the time has come to look at the funding aspect of the way that we do things, you know, having the -- just now, you know, getting a budget, you know, and then it is going to be October before we know it. The health care system, all the system, not knowing what is going on and stuff. And so I am a guy that really feels like we need to look at that perhaps going 2 years out just to get together, you know, to figure that out.

The other thing I would like for to you comment is on the Category 8s. Again, I am very much in favor of extending that, you know, and getting everybody involved that we can. My concern is if we do that too quickly without the infrastructure and the physicians, the allied personnel that we need, that we will be in the same

situation that we were a few years ago. All of us have worked so hard to improve the quality of VA health care, and we have. We have cut the waiting times and stuff. But we want to get these individuals in, but we don't want to force anybody that is in the system now out as a result of doing that.

Yesterday we had a good hearing on all -- the ocular trauma center that we are trying to set up. And I think we are -- again, with your all's help, and I appreciate it -- I think we are moving forward on that front. But if you would, if you would comment on those things, it would be real helpful.

Mr. Gardner. Thank you, Mr. Boozman.

First, on advanced funding, I recently visited the VA hospital in Dallas, and it is the second or third largest in the United States now. And I met with the Chief Medical Doctor and also with the Administrator, and that was one of the issues that they brought up. And it is very important to these hospital directors, because if they have advanced funding, they know where they can have funds available for the programs they need to do, for hiring of doctors, for hiring of nurses. It is very important to them especially that they have this advanced funding. It is something that we support.

As far as the Category 8, we have to be very aware of

the capacity of the system to make sure that we don't overload the system as we go forward. Now, I discussed that also with the Director and the medical, and they have, in the Dallas area, said that they have only identified somewhere between 100 and 200 more Category 8s that would come into the system because of the recent 10 percent increase that we allowed in the offset. But we do have to be very aware of the capacity of the system as we go forward and make sure that we don't overwhelm the system as we take in these new veterans.

Mr. Boozman. Again, that information is very helpful. Coming from the field, that is the kind of information that we need. And again, you guys are uniquely qualified in a situation to help us with that. But even at that, you know, looking at another 200, if those are all impacting the internist or whatever, we just need to make sure that we have the ability to -- and that this doesn't become an unfunded mandate. I guess that is my concern, and I think you all's concern also.

Mr. Gardner. Yes.

Mr. Boozman. Thank you very much for all you do. Again, we appreciate the guys that are up here. Your staff up here does an excellent job. And again, a special thanks to the auxiliary.

I yield back.

Mr. Gardner. Thank you.

The Chairman. Thank you, Mr. Boozman.

As I look at the next member, Mr. Teague from Arizona, I recall that there used to be a Teague as Chairman of this committee, Olin Teague from Texas. In fact, Chet Edwards started working for him. He was known as Tiger Teague. He was Chairman here in the 1950s and 1960s and the 1970s. So we have our own Tiger Teague now. So you have the floor.

Mr. Teague. Thank you, Mr. Chairman. And I am Harry Teague from New Mexico.

The Chairman. I am sorry. New Mexico.

Mr. Teague. But I do want to thank the Chairman for letting me speak today, and also the Ranking Member.

But one thing, you know, I would also like to thank Commander Gardner for your time, for your service and also for the testimony that you just gave today. And pretty much everything has already been said at least once by everyone before me, but I do want everyone to know that I think the way to permanently start taking care of our problems with our veterans is the advanced funding. You know, we need to have it.

So, as everyone has already said, our hospitals can't operate without a budget, and I don't see what it would hurt to just have that funding in place so that we could not have this lapse. And I want you to know that even though I am

new to this committee -- and I really appreciate the Chairman comparing me to Tiger Teague, but having read his resume, I think I probably have a long way to go -- but I will be very supportive of not only the VFW, but all the veterans and all of their concerns.

And I was real glad to hear that everybody I talked to says that third-party service charges is not going to happen. And I just want you to know that I appreciate you, appreciate what you have done for our country in the past, and what you are doing for our country now and what you all will do in the future. Thank you.

Mr. Gardner. Thank you.

The Chairman. Thank you, Mr. Teague from New Mexico.

Ms. Brown from Florida.

Ms. Brown of Florida. Thank you, Mr. Chairman. And thank you for holding this hearing in a very timely manner.

Before I begin, I am Congresswoman Corrine Brown from Florida, and we probably have more veterans than any other State. I think I have a couple in the audience.

Will you please stand so I can acknowledge you? This is important. So I can come back. Thank you. Mr. Benjamin Bachand, national inspector general; and Lee F. Kichen, legislative chairman for the department of Florida. Thank you for being here.

I have been on this committee for 17 years, and I liked

the statement of the first President. You were quoting Lincoln, but I always quote the first President, and he said, "The willingness with which our young people are likely to serve in any war no matter how justifiable shall be directly proportionate as to how they perceive that the veterans of early wars are treated and appreciated by their country." So thank you all for your service.

Mr. Gardner. Thank you, Ms. Brown.

Ms. Brown of Florida. I have a couple of ideas about how we can -- first of all, I am glad that I was involved in passing the largest VA budget and funding in the history of the United States, but there are some things I think that we can do to expedite some of these projects. For example, design/build, one-stop permitting so that we can get some of these hospitals and health clinics up and operational to meet the needs of the veterans.

And if there is just one thing, if the Secretary was here in the room and you were talking to the Secretary, if this is the one thing that you think that needs to be accomplished during this session, what would be that one thing, Commander?

Mr. Gardner. Well, Ms. Brown, I think technology is very important. I think as I look at the VA and the discussion I have had with the Secretary, as I said during my statement, I am very concerned about women's health care.

I don't think that we realize the tremendous amount of pressure it is going to put on the system. We talk about Category 8s, we talk about a lot of different things, but we are going to have 150,000, 200,000 women who have served in combat that are eligible for VA care. I am not sure they look at the VA as the kind of system they want to participate in. But I am sure that is very important. But I think that technology at this point will help us solve a lot of the problems that we have faced in the past.

Ms. Brown of Florida. I am going to agree with you on the technology, but I am kind of from that generation that is a little challenged, and even though we can buy all this new equipment, if we don't have the proper training for the people that use it, you are going to have some of the problems that we have encountered and making sure that we secure the system. And so it is not just changing to the new technology, but making sure we train the people to use it.

And I think you have mentioned these women twice. And as a woman that has been on this committee for 17 years, I think we need to convene a roundtable discussion with the women to discuss what they feel we should be doing to meet their needs, Mr. Chairman.

The Chairman. Yes, ma'am.

Ms. Brown of Florida. Okay. So I think we will move

forward with that. The Chairman has agreed, and we are going to do it. Thank you. Thank you for your presentation.

The Chairman. I thought Walz was sergeant major, but I think we have got a new one here.

Mr. Space from Ohio.

Mr. Space. Thank you, Mr. Chairman.

I would just simply like to associate myself with the remarks of my colleagues. Commander, I want to thank you for your service, for your powerful advocacy on behalf of your members, and certainly the VFW generally for what it does for so many of my constituents, all of our constituents back home as a support group. It has been great to work with, and I look forward to working with you in the future.

Mr. Gardner. Thank you.

Mr. Space. Yield back.

The Chairman. Thank you, Mr. Space.

Mrs. Halvorson from New York.

Mrs. Halvorson. Thank you, Mr. Chairman. And thanks to all of you for being here today.

I also want to echo the fact that the third-party service charges will not happen. In the meeting that I just came from -- and I apologize for being late -- the Speaker said, because we asked her -- this was a very important thing to us, because everything that we have been able to do

for the veterans, we felt that this one thing would unravel all the good things that we have done. And she indicated to us that this was something that caught us all off guard. It was something that the administration didn't even mention. So we just want to tell you that we vehemently oppose the administration and will tell you firsthand that it will not happen if we have anything to do with it.

But I also want to mention that I, too, have concerns about women's health care. I have a veterans advisory committee. I represent a big eight-county part of Illinois that has got a lot of veterans, and in my last veterans committee, there were a lot of issues that the women talked about that aren't being addressed. And whether you agree that women need to be in the armed services or not, they are there, and we need to address some of their needs. And so I am happy to see that that is something that we will continue to do.

The only other thing I want to bring up -- and maybe I can ask your indulgence as a panel to help me answer some of these questions. In past panels one of my big gripes has been the fact that many claims are denied. I know there is a huge backlog, and then they are appealed. What is your feeling on why some of these things are denied and then the veteran has to come back and try to appeal it, and then you have to -- the workers have to try to come up with more

information? Do you find that is happening a lot and people come to you for answers?

Mr. Gardner. Well, Mrs. Halvorson, I think that in a lot of cases the veterans don't get the type of advice and counsel that they need to begin with, and that is an educational problem that I think we have in the veterans community. If they understand that they can go to Veterans Service Organization, to a competent veterans counselor to get help or assistance, I think that it will help them with the process down the line. I think a lot of times that the information they have for their claims is just not there.

The seamless transition would help with a lot of that, I believe, because, as I said, if I had a card in my pocket that showed when I went to sickbay and when I had this injury in the service, then when I went to the VA, whether it was out of the service, then there wouldn't be any questions about whether this happened or didn't happen. That is what a lot of the problems are. Of course, you have the veterans whose records were burned in St. Louis in the fire.

So all of this added together presents a problem for many veterans as they face the VA, but we have been able to help a lot of these veterans come up with statements from others that they served with and to come together with the packages that they need. It is just the amount of time that

it takes sometimes to get to this point.

Mrs. Halvorson. Do you think we need better training to help people through the process?

Mr. Gardner. I think that we -- one thing that we now have is a process in place where we are working with the VA, and the DOD are going to -- with these young men and women that are serving, they are going to start using the VA rating system as they start to get out of the military instead of having a two-tier system as we have had in the past.

One of our concerns is that they may be pushed through the process a little quicker than they should be without having the counsel of a Veterans Service Organization who is competent to help them. But I think we are all doing a much better job today than we did 15 or 20 years ago in educating the veteran and in educating these young men and women on what their rights are and how they should proceed with the process. So I think we are going to see that system as we go forward change considerably from what it has been in the last 15 to 20 years.

Mrs. Halvorson. Well, I appreciate that. And I know that I have instructed my district offices to be completely up on it all so that we could help people through the process also. And I know that sometime today, I think it is 3 p.m., that there is a meeting with the VSOs. So I am

hoping that we get more information there.

But thank you all so much. I yield back.

The Chairman. Mr. Buyer.

Mr. Buyer. Thank you.

Commander, you have learned why we enjoy having the sergeant major on the committee.

Mr. Gardner. Yes, sir.

Mr. Buyer. I love to be around him. I love to talk to him. Sergeant majors are true implementers, where they focus on what is the issue at hand. And I got tickled listening to him talk about his days dealing with lieutenants and captains. If you were dealing with a lieutenant, then a first sergeant wasn't doing his business. I just kind of got tickled.

I look back to being a second lieutenant coming right out of the Citadel, and it was that platoon sergeant really that made me a better officer. It was the platoon sergeant. If I ever, as a lieutenant, saw the sergeant major, I generally went in the opposite direction, as a "butter bar" second lieutenant. And then as a captain I learned why as a second lieutenant I would go in the opposite direction, because generally when I would see the sergeant major, he never called me by my last name, and I lost my identity.

So they leave lasting impressions. My command sergeant major left such a lasting impression upon me when I was a

captain, I hired him. And Command Sergeant Major Joe Oyler works on my staff in Indiana, and those in Indiana who know the sergeant major have a tremendous amount of respect for him. He was the command sergeant major for the theater Army in the first Gulf War and is an extraordinary human being.

I am delighted that soon the sergeant major and I will be introducing a bill to eliminate the offset between the DIC and the SBP. It is a pretty big issue to the Gold Star Wives. Our bill will also make a substantial increase to DIC so the base rate is equal to 55 percent. The present rate is 43 percent.

So what the sergeant major and have I done is we have gone out there and we have said, okay, with regard to how widows are being treated, you know, we like to quote Lincoln, and we like to think that somehow the widows and the orphans are being taken care of with regard to our comrades who are no longer with us. We talk it, but we don't really focus on it, and so we need to acknowledge that. You need to acknowledge it. I will acknowledge it, and we need to embrace this in our language, in what we say, and let us help the Gold Star Wives. Let us do this for our comrades who aren't with us today.

As we look around the States, what the sergeant major and I did is say, okay, what is happening out there with regard to workers compensation systems, State systems, when

someone dies in the line of work, line of duty? And take this picture of an Active Duty soldier working right next to a Federal civilian employee at a depot, and an accident happens and both die. Do you realize that the widow of the Federal civilian employee gets 55 percent, but the soldier's wife gets 43 percent? Not right. That is not right. And so the sergeant major and I are going to focus in on this, and we are going to ask for a lot of support and help to make this a reality.

So I want to thank the sergeant major for his continued leadership. The other is an idea. The idea I have is to create a fourth administration within the VA. So when we created the subcommittee -- and I am deeply appreciative that Chairman Filner kept the Subcommittee on Economic Opportunities. Stephanie Herseth Sandlin and Dr. Boozman are extraordinary on how well they work together, and they focus like a laser on their issues, on jobs and the education. And to make a fourth administration within the VA, taking programs -- like why do we have homeless programs under the health administration? I mean, so let us go in and take voc rehab, and we take our education, and we take homeless programs and we administrator them in making sure that our comrades are able to obtain their jobs. And I invite you to take a look and please consider, and I invite the scrutiny before we proceed.

The other issue I would like to mention is I am appreciative of the leadership of Chairman Filner. He has joined with me on the military sports programs and the Paralympics. He has the Olympic training center in his congressional district. We passed a good bill last year, and I thank you for your leadership. And because of what we have been able to do here, using military sports programs and that which in the VA has a platform of healing, so we have created an avenue for our military athletes to actually -- 13 of them competed in the Paralympic Games in Beijing, and they would have never had that opportunity.

So today if you are still in town, please come back here in the room from 5:30 to 7:30. We have what we call our warrior champions, and they are going to be here. Please stop in and say hello. These are our Paralympians and the champions from military sports programs, the wounded warriors who really are setting the pace of what we can do.

And, you know, I have got one here on the committee, Spanky over here. Spanky is on loan to us from the United States Marine Corps. Some bastard took the bottom part of his left leg, but it has not affected his spirit. Spanky right here -- stand up for a second, Spanky. We respect him so much that he might be missing the bottom part of his left leg, but he said in the United States Marine Corps, do not throw me out of the Marine Corps. I can still do my job.

And besides, I am looking for the bottom part of my leg. Send me back to Iraq. And he went. Thank you very much, Spanky. So if you get the chance, Commander, please swing by from 5:30 to 7:30.

With that, I will yield back to the Chairman.

The Chairman. Thank you, Mr. Buyer.

Commander, thank you so much for your testimony and for your members who are here. You started off with a couple things. Of course, one is the third-party payments. I want to make clear, that requires legislation to give the Secretary the authority to do that. And as I said earlier, this committee will not take up that proposal, so they will not have that authority.

Mr. Gardner. Thank you.

The Chairman. Secondly, you brought up accountability issues. When you look at the shredding and the misdating and the unopened mail, you wonder. And I have tried to make sure that the new Secretary understands that accountability sometimes -- I mean, these are not just mistakes. These are crimes.

Mr. Gardner. Right.

The Chairman. These are crimes against the lives of our veterans, and they ought to be punished. And I don't know -- I mean, the personnel decisions they are shrouded in secrecy. But I don't know of anyone who has lost their job

who was involved in any of this stuff. And you can have a system where these crimes are committed, and nobody pays a price. So we need to look at that a lot better, and I appreciate your bringing it up.

Mr. Gardner. Thank you.

The Chairman. And lastly, when you brought up, as several people did, women's health, we will spend a considerable amount of time this year on that issue. I have given the charge, and I want to do it today again, to the auxiliaries. I want them to become the experts on this, and I want to see them at the table. I don't want you guys anymore. Okay? I want to have the women testify on this and to give the testimony, to answer questions. I want the good spouses to sit in the back behind them, you know, to support you.

So we will -- I wanted to give that charge to the auxiliary to be ready in a few months to be able to give us an agenda on women's health. It has to be, you said it very eloquently, sir, that we have to pay more attention to this.

With that, Commander, you have heard from the Members of both the House and the Senate. I give you the last word for any thoughts or suggestions. And again, we appreciate your being here today.

Mr. Gardner. Thank you, Mr. Chairman.

Just once again, thank you for allowing us to be here

today and be a part of this hearing, and thank you and all the members of both committees for the great work you do on behalf of America's veterans. And I can assure you, we as an organization look forward to working with you and your staffs on any issue that has to do with veterans of this country and a better way that we can show all those young men and women that are serving that we appreciate what they do and respect what they do and know that indeed there is a difference between the warrior and the war. And we are here to help the warrior in any way we can. Thank you.

The Chairman. Thank you, sir.

I forgot one thing I did want to mention. I wanted to give you the last word, but I -- how many of your members sitting here served in Vietnam? Wow. Almost everyone.

Let me say something to you guys and gals. I think this country owes you more than an apology. When you came home, we did not honor you the way we should have. Many of us who were against the war in Vietnam confused the war and the warrior, and we did not honor the warrior. And many of your comrades are paying a heavy price for that: homelessness, suicides rates, whatever. And it is time, though, that we said something to you beyond a few words.

Now, many of you know about Agent Orange claims. Some of you have been fighting those things for two decades, three decades. In my humble opinion, it is time to take off

that frustration and that terrible burden you have been carrying. I have a motto: If you were there, we should care. I don't care if your boots were on the ground, you were in the blue Navy, blue waters off the shore, or in the blue skies up above. If you were in Laos, Cambodia, Guam, your injuries and disabilities probably come from Agent Orange, but we make you go through an incredible bureaucratic hoop, what is presumptive, where were you, what time.

I say -- and it would get us off a major chunk of that backlog -- let us honor the Agent Orange claims now. Let us just honor them, set you free from that burden of fighting the VA for so long, and say thank you for your service. Thank you. We did not honor you enough when you came home. Now we honor you at least with this acceptance of the Agent Orange claims. And I intend to pursue that and to follow that up and to make sure that we try to do that as a Nation. So thank you again, Commander.

This hearing is adjourned.

[Whereupon, at 10:58 a.m., the committees were adjourned.]