



**OFFICIAL TESTIMONY OF
DANIEL M. DELLINGER
NATIONAL COMMANDER**

OF

THE AMERICAN LEGION

BEFORE A

**JOINT SESSION OF THE
VETERANS' AFFAIRS COMMITTEES
UNITED STATES CONGRESS**

ON

THE LEGISLATIVE PRIORITIES OF THE AMERICAN LEGION

March 26, 2014

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MARCH 26, 2014

As National Commander of The American Legion I have been given a unique opportunity. As the members of this joint committee recall, I sat before you six months ago on September 10, 2013 to present the legislative priorities of The American Legion for veterans. The American Legion stands by that testimony today; and those concerns and recommendations expressed then that remain unsettled I continue to request Congress to resolve. I also incorporate by reference that testimony of September 10, 2013 so it becomes part of the record today. Now, half a year into my term as Commander, I am privileged to appear before you again, to provide more depth and updates on the concerns of The American Legion as we continue to progress through the 113th Congressional cycle.

Even though it has been just a short six months since the last time The American Legion was before this joint committee, the problems faced then by America's warriors, both those in active service and those who have completed their military career, continue. American troops are returning home from war, and are looking for jobs, education, health care, and economic opportunities worthy of their sacrifice.

Defense spending continues to suffer drastic and dangerous reductions, even as new threats have emerged across the world. Our military tells us they must do more with less, when the world shows no sign of stepping back from dangerous situations that threatens America, America's interests, and the interests of freedom loving people worldwide.

Veterans wait far too long for decisions about their earned benefits from the Department of Veterans Affairs (VA). Many families struggle daily to adjust to their new lives which have been forever changed because their loved ones returned home seriously wounded in body and mind, though hopefully not in spirit. And our Flag – which America flew proudly after 9/11 – remains unprotected from physical desecration perpetrated by those who use disrespect of the Flag to show their hatred and contempt for it, while at the same time enjoy the Freedoms that the Flag symbolizes and protects.

The American Legion Family, made up of more than four million patriotic citizens, continues in 2014 to look to Washington for leadership during this crucial transitional time in our nation's history. However, as the largest of all the veterans' service organizations, we expect Washington to recognize that sometimes the best leadership comes from listening to those that you lead. As a resolution based organization, The American Legion maintains a continuous dialogue with our

members, as well as our nation's veterans. The American Legion has almost 3,000 veteran service officers nationwide who legally represent three quarters of a million veterans and their family members file for compensation and benefits from the Department of Veterans Affairs.

The American Legion is also in touch with a nation that cares about veterans and their needs. In addition to 63,000 Facebook fans, we have more than 27,800 twitter followers, of which more than 2,800 of those have started following us in the past seven weeks. We have sent out more than six thousand tweets.

The American Legion is able to get critical information to our audience in a moment's notice and some of our more noteworthy twitter followers include the Departments of Veterans Affairs, Labor and Defense, the House Committee on Veterans Affairs, dozens of senators and representatives, Gen. Ray Odierno, the U.S. Chamber of Commerce, Military.com, Stars & Stripes, Fox News' Bret Baier and Lou Dobbs, Fox & Friends, Michelle Malkin, CNN National Security, NBC News' Kasie Hunt, Newsweek's Alexander Nazaryan, actor Anson Mount, the Army, Navy, Air Force, Marines and National Guard, and SVA, IAVA, VFW, DAV and MOAA.

Through our social network and coordinated action alert program, our members and stake holders have contacted their elected officials hundreds of thousands of times; and it was through their active and continuous campaigning that The American Legion was successful in communicating to Congress the importance of repealing the Military Retirement Cost of Living reduction that was passed as part of the Murray-Ryan budget deal in December of last year. As a result, that provision was mostly repealed within 55 days.

An effective government serving veterans needs to take their cues from its stakeholders. Those concerned stakeholders include veterans, active duty and reserve component servicemembers, and their families as these are the citizens who all will bear the brunt of the government's policy decisions.

Today's testimony provides The American Legion's advice, guidance, and recommendations to Congress for the remainder of this year and into Fiscal Year (FY) 2015. These pages include our views regarding current critical issues identified by The American Legion for Congress to consider, and our recommendations to Congress to resolve those problems. Thoughtful efforts and effective work by Congress will settle these issues into good public laws and better public policies which will help not just America's veterans and the military community, but the nation as a whole.

VETERANS AFFAIRS AND REHABILITATION

Improve VA Health Care

The Veterans Health Administration (VHA) manages the largest integrated health-care system in the United States, with 152 medical centers, nearly 1,400 Community-Based Outpatient Clinics (CBOCs), community living centers, veteran centers, and domiciliary clinics serving more than 8 million enrolled veterans each year. The American Legion believes those veterans enrolled in the VA health care system are entitled to receive the best care possible.

As the needs of enrolled veterans evolve, VHA must ensure it is also evolving to meet those unique needs. The rural veteran population is growing. Nearly 30 percent of the veteran population today resides in rural areas¹. A total of 41 percent of the enrolled population in the VA health care system are rural veterans². Options, such as Telehealth medicine and clinical care, must expand to serve that population.

Increasing numbers of female veterans mean that a system that traditionally catered to male veterans must now adapt to meet the unique health care needs of both male and female veterans whether they live in an urban or rural area of the country.

An integrated response to mental health care is necessary, as rising rates of suicide and severe post-traumatic stress disorder (PTSD) impact our veterans, active-duty, and reserve component servicemembers.

So, if veterans are to continue to receive the best possible care from VA, the VA system needs to continue to adapt to the changing requirements of the diverse population it serves. Congress must protect VHA's budget to ensure improved quality of care. Critical need areas such as major and minor construction and on-going facility maintenance are facing reductions which will prove disastrous and more costly to VA in the long run. The American Legion supports a sound investment in VA infrastructure to meet the needs of an ever-changing and more diverse veteran population.

The System Worth Saving Task Force

The American Legion's unique System Worth Saving (SWS) Task Force travels the country every year to evaluate VA medical facilities to ensure they meet the needs of enrolled veterans. From November 2013 to May 2014, the task force will conduct approximately 20 site visits to VA medical facilities and hold town hall meetings to receive feedback directly from local veterans who utilize VA to receive their health care. The visits span the breadth of the country, from Pittsburgh to Denver, from El Paso to Hot Springs, and from Orlando to Roseburg, Oregon.

This year the Task Force, now in its 10th program year, focuses on VA's accomplishments and progress over the past decade, VA's current issues and concerns, and VA's five-year strategic plan in several program areas. The American Legion's VA areas of focus are: budget; staffing;

¹ Department of Veterans Affairs National Rural Health Day Fact Sheet 2011:
http://www.ruralhealth.va.gov/docs/ORH_FactSheet_Natl_Rural_Health_Day_Nov2011.pdf

² IBID

enrollment and outreach; hospital programs (e.g., mental health, intensive care unit (ICU), long-term services and support, homelessness programs); information technology; and construction programs.

One of the troubling trends that have emerged in recent years is an apparent lapse in accountability for negative actions at VA, especially management positions.

For example, VA Pittsburgh Director Michael Moreland received a perfect performance review even after persistent management failures led to a deadly Legionnaires' disease outbreak in the VA Pittsburgh Healthcare System. That Legionnaires' disease outbreak was linked to at least twenty-one illnesses and five deaths. Despite these management failures, Director Moreland received a \$63,000 bonus. The American Legion believes failure to crack down on issues impacting patient safety is unacceptable. Furthermore, there are indications of similar management failures in other areas of the country, such as Georgia, and if similar negligence issues exist and are not properly addressed, like those in Pittsburgh, they will create a rift in the trust between the Veterans Health Administration and those veterans who use VHA for their health care needs.

The American Legion expects that when such errors and lapses as those above are discovered, they are dealt with swiftly and those parties at fault are held responsible. To that end, The American Legion recommends that bonuses for VA senior executives "be tied to qualitative and quantitative performance measures³." Awarding a bonus that amounts to nearly twice the income that would assign a veteran to Priority Group 8 (and thus prevent that veteran from receiving their health care through VA) does not seem consistent with that belief.

Accountability and transparency must be in the VA system to foster enrolled veteran trust in their VA health care. That is why The American Legion supports legislation such as Chairman Miller's H.R. 4031 and its Senate Companion bill S. 2013. The Department of Veterans Affairs Management Accountability Act of 2014 sends a clear message to American veterans that every new recruit in the military learns in Basic Training – Be Accountable for your Actions.

The American Legion issued a report on the quality of health care at the Department of Veterans Affairs Pittsburgh Healthcare System (VAPHS), where, in 2011 and 2012, five patients died due to an outbreak of *Legionella* bacteria.

This report, issued January 23 by The American Legion System Worth Saving Task Force, found VAPHS needed to improve communication with Veterans Affairs Central Office (VACO) in responding to medical crises. The Pittsburgh facility had a press release and crisis response to the *Legionella* outbreak prepared, but VACO's review process takes several weeks to a month, and, in the end, the release was never approved by VACO leadership. The American Legion recommended VACO examine its communication structure and policies; look at opportunities to reduce crisis response times; and, most importantly, improve VA's local communications with local veterans service organizations. The American Legion requested an official copy of VA's

³ [Resolution No. 99: Increase the Transparency of the Veterans Benefits Administration's \(VBA\) Claims Processing, AUG 2012](#)

communication process in the wake of these lapses in December 2013 and we are still waiting for a response.

To illustrate the importance of that last recommendation, in 2011, a *System Worth Saving* site visit to the VA medical center in Fort Wayne, Indiana, revealed local veterans believed a rumor the hospital was closing. The local Fort Wayne facility was ready to respond to the rumor with a press release explaining that only some inpatient programs would be closed, but VACO did not approve the press release. This action, or rather non-action, by VACO was a disservice to those local veterans and caused them needless worry about their future health care.

With 152 medical centers nationwide, VACO cannot properly respond to every local crisis from Washington, DC, in a timely and efficient manner. The American Legion recommends instead that VA empower its local medical center leadership to respond to local crises – and quickly. The local facility staff often has a better understanding of the pulse of the local veterans’ communities. Furthermore, VACO should seek ways to reduce the time it takes in its media approval process. Lastly, VA should create a crisis communications team that can respond effectively nationwide.

Communication to the veterans’ community must be a top priority for VA, and The American Legion encourages Congress to continue to use their oversight authority to ensure that this is the case.

Enhance Care for Women Veterans

Last year the System Worth Saving Task Force focused on Women Veteran’s Healthcare. From November 2012 to April 2013, the task force conducted fifteen site visits to VA medical facilities and conducted fifteen town hall meetings to gather feedback from local veterans who utilize VA for their health care. After those site visits and town hall meetings The American Legion published its System Worth Saving Women Veterans Report⁴.

The goal of the System Worth Saving Women Veterans Report was to:

- Understand what perceptions and barriers prevent women veterans from enrolling at VA,
- Determine what quality of care challenges women veterans face with their VA health care, and
- Provide recommendations and steps VA should take to improve access, remove barriers, and meet those identified quality of care challenges.

During the course of the task force field work several major concerns were identified, including:

- Many women veterans do not identify themselves as veterans,
- Many women veterans do not know what benefits they are eligible to receive,

⁴ <http://www.legion.org/publications/217090/2013-sws-report-women-veterans-healthcare>

- VA medical facilities do not have a one, two, and five-year baseline plan to close the gaps between the catchment area, enrollment numbers, and actual users among women veterans,
- Additional research is needed to determine the purpose, goals, and effectiveness of the three VA women health care models on overall outreach, communication, and coordination of women veteran health services,
- Many women veterans do not receive mammograms in a timely manner, and,
- Many VA medical facilities do not offer inpatient/residential mental health programs for women veterans.

Although VA has made improvements in care, many challenges remain, including recruitment and performance of VA staff, personal and electronic communications, and delivery of gender-specific healthcare services for women veterans.

The American Legion urges VA to work with the Departments of Defense and Labor to develop a customized women veteran’s health care track for the Transition Goals, Plans, and Success (GPS) program and to facilitate that program with women clinicians⁵. The American Legion also urges VA to establish an acceptable benchmark for communication of mammogram results to women veterans that is better than industry standards. Those industry standards are currently three to five days for abnormal results, and thirty days for normal results. The American Legion applauded Representative Negrete-McLeod for introducing the legislation, “VA Timely Mammogram Results Act of 2013” to establish standards with respect to the timeliness of mammogram results that take into consideration the best practices of the private sector.

Mental Health Care – Access And Availability

The American Legion is deeply concerned over the excessive wait times our veterans face while trying to access mental health care at some VA facilities. The VA is poised to hire 400,000 new employees this year and The American Legion wants these committees to ensure that as many of those new hires are medical care delivery professionals as possible, and that no facility suffers due to a lack of inadequate mental health care professionals. Many of the clinicians our System Worth Saving Task Force has met with are challenged daily in meeting the VA’s 14 day access standards and as a result has had to give up mental health appointments for veterans with chronic mental health disease to prioritize these appointments for new patients. It is clear that more mental health hiring is needed to ensure all veterans receive timely and quality mental health care.

Prioritize Finding Treatments for PTSD and TBI

The American Legion continues to be concerned with the unprecedented numbers of veterans returning from the wars in Iraq and Afghanistan who suffer from traumatic brain injury (TBI) and post traumatic stress disorder (PTSD). These two mental conditions are categorized as the “signature wounds” of these conflicts. In addition, The American Legion believes all health care possibilities should be explored and considered in an attempt to find the appropriate treatments, therapies, and cures for TBI and PTSD, to include alternative treatments and therapies. These

⁵ [Resolution No. 21: Improvements to Department of Veterans Affairs’ Women Veteran Programs OCT 2013](#)

treatments need to be accessible to all veterans. If alternative treatments and therapies are deemed effective they should be made available and integrated into the veterans' current health care model of care.

The American Legion established its TBI and PTSD Committee in 2010. It is comprised of American Legion Past National Commanders, the Veterans Affairs and Rehabilitation Commission Chairman, interested individuals from academia, and national staff. Although the committee focuses on investigating existing science and procedures, it is also investigating alternative methods for treating TBI and PTSD that are currently employed by DOD and VA, for the purpose of determining if such alternative treatments are practical and efficacious.

During a three year study the committee met with leading authorities in DOD, VA, academia, the private sector, and with wounded veterans and their caregivers, about treatments and therapies veterans received or currently are receiving for their TBI and PTSD symptoms. The committee released its findings and recommendations in a report entitled "*The War Within.*" This report highlights these treatments and therapies, provides findings, and makes recommendations to DOD and VA.

The findings and recommendations in that report are covered in the National Commander's testimony document issued in September 2013; however, there have been some critical updates and findings over the past six months worth highlighting.

The American Legion conducted a survey of veterans to evaluate the efficacy of their PTSD and TBI treatments. The survey, conducted in partnership with the Data Recognition Corporation (DRC) of Washington, DC also sought to determine if veterans are benefiting from Complementary and Alternative treatments. The survey was conducted during the month of February 2014, and ultimately reached over 3,000 participating veterans.

The survey data, still under evaluation, consisted of veteran gender, era of service, number of deployments, diagnoses, access to care, access to treatments, therapies and medications and an examination of potential side effects. The American Legion will use this data as a tool to further advise the Administration including VA and the DOD, as well as Congress and the veterans' community as a whole.

In addition to the survey, this year's annual System Worth Savings Task Force found the following points of interest regarding the focus of TBI and PTSD:

2014: "Past, Present, and Future of VA Health Care":

- VA Pittsburgh Healthcare System is challenged with the limited amount of complementary and alternative medicine (CAM) therapies offered as an alternative to treatment, as well as the collaboration with pain specialists and efforts to reduce medications. Currently, they do offer acupuncture.
- El Paso VA Healthcare System offers several complementary and alternative medications, and therapies such as yoga, guitar lessons, and sleep hygiene that

offer a variety of different practices that are necessary to promote normal, quality nighttime sleep and full daytime alertness.

- Roseburg VA Healthcare System does not offer CAM. Nevertheless, it is pursuing funding from the Office of Rural Health for an integrated management of chronic pain program, which includes a fee-basis chiropractor and acupuncture care.
- The Atlanta VAMC offers acupuncture for veterans. The PTSD treatment program provides treatment using several CAM modalities including mindfulness-based treatment and compassion-meditation treatment. It also has a recently developed Trauma Focused Yoga group for female veterans. Some of the guest services provided by Voluntary Service and used by veterans include therapeutic drumming and bedside chatters (companions for those who do not have family or friends visit them while on inpatient status).
- The Charlie Norwood VAMC offers mindfulness and relaxation programs and, as part of the holistic care offered to veterans in their facility, recreational therapy, compensated work therapy, and nutritional counseling programs are also available. Recreational therapists coordinate regularly scheduled activities for women veterans within inpatient programs. They also plan quarterly outings for women in the MST program who are recovering from traumatic experiences. The mind-body connection is addressed through nutritional programs that provide education and monitoring of health behaviors that impact physical and mental health.
- The Dallas VAMC offers Tai Chi, mindfulness, meditation groups, clinical massage, acupuncture, yoga, PHP, motivational interviewing, health coaching, demonstration kitchens, music therapy, theatre group, and Whole Health programs.
- The Jackson VAMC offers chiropractic service and acupuncture on a limited basis.
- The Tennessee Valley Healthcare System offers Mindfulness Meditation Group, Loving Kindness Meditation Group, auricular acupuncture, drum circle, and healing waters.

Finally, on May 21, 2014, The American Legion is hosting a TBI and PTSD Symposium entitled “*Advancing the Care and Treatment of Veterans with TBI and PTSD.*” The purposes of the symposium is to: discuss the findings and recommendations based upon the TBI and PTSD veteran’s survey; hear directly from servicemembers, veterans, and caregivers about their TBI and PTSD experiences, treatments, and care; and determine how Congress, DOD, and VA are integrating complementary and alternative treatments and therapies into current models of veterans healthcare.

The American Legion hopes that the members of these committees and their staffs will join us and participate in this symposium to address the treatment needs of veterans suffering from PTSD and TBI. While it is critical to ensure veterans receive timely care for these issues, it is equally critical to evaluate the care and treatment they are receiving and continually ensure it offers the best hope for ameliorating the effects of these injuries.

The Claims Backlog

The American Legion remains dedicated to working with VA and Congress to help reduce the claims backlog. While VA has made much progress this year in reducing the number of claims in their inventory, The American Legion is concerned that accuracy is being sacrificed in the interest of simply moving cases along, merely prolonging the problem by shifting the burden to the appeals system, which receives less focus.

Now, more than ever, it is critical to get out of Washington and into the actual Regional Offices (ROs) to evaluate how VA's extensive reworking of the claims processing system is progressing. As VA has finally rolled out the Veterans Benefits Management System (VBMS) into every office, determining the impact of the long awaited paperless processing system is more vital now than ever.

To this end, The American Legion is pursuing an aggressive agenda of eleven Regional Office Action Review (ROAR) visits to ROs across the country in 2014. From Anchorage to Winston-Salem, from Boston to Los Angeles, from Phoenix to Fort Harrison, The American Legion is out in the field where the rubber meets the road working to see how the claims model conceived in planning stages in Central Office is actually put into practice in the field.

The American Legion would especially like to thank the leadership of the House Committee on Veterans' Affairs for recognizing the importance of outside, third party evaluation of the system by The American Legion, and for showing their commitment to ensuring these visits continue to take place with the full cooperation of VA in those offices. The task of delivering benefits to veterans injured in service to their country runs far more smoothly when all partners – veterans, Congress and the VA – are willing and open participants.

VETERANS EMPLOYMENT AND EDUCATION

American troops are returning home from war and are looking for jobs, education, health care, and economic opportunities worthy of their sacrifice. The American Legion proposes Congress act on the following proposals.

Apprenticeships

Though overall the veterans unemployment rate is now trending downward, the unemployment rate for veterans between the ages of 18-34 remains higher than that of their civilian counterparts. The American Legion believes difficult economic times call for uncommon measures. We support the concept of apprenticeships for the training and employment of our returning war veterans who obtained the skills necessary for many jobs during their military service, but need a 'hand up' from the federal government to be put into the civilian workforce so they can demonstrate the knowledge, skills, and ability learned from their military service and to demonstrate their potential to a civilian employer.

Apprenticeship is incorporated in federal government hiring programs as it has on-the-job training (OJT) programs that allow veterans to enter the federal workforce. The American

Legion thanks Representative Mike Coffman (CO) and Senator Michael Bennet (CO) for their recent efforts introducing legislation to improve current OJT programs.

However, it is not possible for the federal government to hire every veteran, and therefore The American Legion wants to encourage the private sector to explore and embrace OJT opportunities for America's veterans as well. Chairman Bernard Sanders' (VT) pilot program outlined in S. 922, the *Veterans Equipped for Success Act of 2013*, provided incentives for employers to hire and train veterans; this well-targeted pilot program has the potential to open thousands, perhaps millions, of job opportunities for veterans in the private sector. The American Legion continues to support the efforts of Chairman Sanders and his staff to bring this pilot to fruition.

Higher Education

Student Loans - The *Servicemembers Civil Relief Act* (SCRA) caps the interest rate on loans to military personnel at six percent, along with providing protections against default judgments and garnishments. However, federal regulators are now investigating allegations of student loan corporations charging military personnel excessive interest on their student loans. Under the law, if a person borrows money at a higher rate and then enters the military and requests legal lower rate, the lender must reduce the rate to six percent and forgive interest, if any, above that level.

In October last year, the federal government's Consumer Financial Protection Bureau (CFPB) identified improper student lending as "the next front" in financially protecting servicemembers. And also last year, in a July 31 hearing held by the Senate Committee on Veterans' Affairs, a Justice Department official, when asked about predatory student lending, stated that the department was looking into some of the same kinds of violations as the Federal Deposit Insurance Corporation. As indicated by CFPB, The American Legion wants to ensure that servicemembers who take out student loans are provided the full benefit SCRA affords them. By resolution⁶ The American Legion calls on Congress to ensure that service members and their families are protected, and would like to see this committee ensure that federally backed student loans that are held by soldiers are also being fully protected under SCRA.

GI Bill for Small Business

Championed by The American Legion and signed into law in 1944, the original GI Bill offered more than just education to America's veterans. It also gave returning war veterans low cost home mortgages, a year of unemployment benefits, and low-interest loans for starting a business. Today, millions of dollars in GI Bill benefits go unused every year because some servicemembers have no desire to further their education after military service.

Last fall The American Legion passed Resolution 26, calling for the expansion of the Post-9/11 GI Bill to allow veterans to utilize their educational benefits to fund a new business, to purchase an existing business, or to expand a current business. Expanding the GI Bill in this manner makes good economic sense. According to the most recent figures from the Small Business Administration (SBA), 2.45 million veterans started businesses in 2007, making up 9 percent of

⁶ [Resolution No. 72: Support and Strengthen the Servicemembers Civil Relief Act](#)

all U.S. businesses and contributing \$1.2 trillion in total receipts to our national economy. The same report found that about 22 percent of veterans were either purchasing or starting a business, or were considering doing so. Skills they developed while in the military were a factor to starting their new businesses as one-third of the respondents said they had learned business management while in uniform.

From its genesis, the GI Bill was intended to give returning servicemembers the training or education they needed to become gainfully employed in civilian life. The American Legion believes the GI Bill should also be used to help them find gainful employment for themselves. That was certainly the case with the original GI Bill when VA guaranteed approximately 215,000 small-business loans from 1944 to 1954.

The American Legion thanks Senator Jerry Moran (KS) and fellow Legionnaire, Representative Tim Griffin (AR) for their leadership and support in 2013 for legislation that extends GI Bill benefits to cover entrepreneurial education. We look forward to working with them again in the near future to push the needle forward on this matter in 2014.

Veteran Homelessness - New Data

The latest data regarding veteran homelessness indicates:

- There were 57,849 homeless veterans on a single night in January 2013. Sixty percent were located in shelters or transitional housing programs and forty percent were in unsheltered locations. Of that total homeless number there were 4,456 female veterans, or approximately 8 percent. Since this data is only collected every two years, The American Legion is anxiously awaiting data from the January 2015 Point-in-Time count, as I am sure these Committees are as well.
- Homelessness among veterans has declined yearly since 2010. Furthermore, homelessness among veterans declined by 24 percent (or 17,760) between 2009 and 2013. Between 2012 and 2013, veteran homelessness declined by 8 percent, or 4,770.
- The decrease in veteran homelessness during the past year was driven mostly by reductions in the number of unsheltered veterans. In 2013, there were 4,322 fewer unsheltered veterans than there were in 2012, a decline of 16 percent.

The American Legion recommends Congress take the following actions to further reduce veteran homelessness:

- ***Permanent Authority for the Supportive Services for Veterans Families (SSVF)*** - The SSVF Program will be VA's primary assistance program to prevent veteran homelessness after the maturity of the Five-Year Plan in 2015. With the unique post-military service needs of Operations Enduring Freedom, Iraqi Freedom, and New Dawn (OEF/OIF/OND) veterans still largely unknown, and given the significant troop reductions coming over the next several fiscal years, Congress must take immediate action to permanently authorize the SSVF Program. Additionally, Congress should remove the \$300 million cap on

SSVF, affording the Secretary of Veterans Affairs greater discretionary authority to dedicate sufficient resources to prevent veteran homelessness based on local needs and annual data analyses. Congress should note – the SSVF Program started with \$60 million, but even with the expansion of SSVF to \$300 million in FY 2013, the need for program services far exceeds available resources.

- ***Temporarily increase the allocation of Low-Income Housing Tax Credits to create affordable rental housing for veterans*** - The Low-Income Housing Tax Credit is the largest and most effective current program for creating rental housing. It combines the flexibility of state level allocation with private capital investment and asset management. It has been an essential capital resource in most of the permanent supportive housing developed to serve veterans. Rental assistance helped 339,000 veterans afford housing in March 2013, the most recent period for which data are available. Some 52 percent were elderly, and 21 percent were non-elderly veterans with disabilities. Some 117,000 children lived in assisted families that included a veteran. 11 percent of veterans with rental assistance were female. It appears to have played a central role in the 23 percent reduction in veterans homelessness between 2009 and 2013, and it allows recipients to devote more of their limited resources to other basic needs, like food or medicine.
- ***Permanent authority for National Center on Homelessness Among Veterans (NCHAV)*** - The VA's National Center on Homelessness Among Veterans provides critical research and evaluation of major programs for homeless and at-risk veterans. The Center is also responsible for developing a national homeless and at-risk veteran registry and monitoring the services, and their effectiveness, provided to those veterans. This information is critical to the Five-Year Plan to end veteran homelessness and will be just as vital in the prevention phase after 2015. Currently, the Center is funded at the Secretary's discretion.
- Congress should note there is precedent for independently authorizing research centers on major veteran health issues: the National Center on PTSD and the Defense and Veterans Brain Injury Center. Thus, The American Legion recommends Congress specifically authorize NCHAV as a permanent institution to deliver high quality research on homeless veteran issues and to ensure employment of sound prevention and early intervention strategies by the VA and its community partners.

VETERANS AFFAIRS AND NATIONAL SECURITY

To earn the title of “Veteran” in this country, one must first honorably serve in our military and proudly wear a military uniform of our nation. Because veterans and servicemembers are one over the course of their lifetimes, Congress must ensure the Committees on Veterans’ Affairs and Armed Service work together to properly meet the needs of servicemembers during their time of active service and then safeguard the earned benefits of this unique group of citizens for the rest of their lifetimes.

The War on Military Compensation and Benefits

The American Legion was disappointed when Congress passed a recent budget agreement that unfairly targeted a group of military retirees for the unjust reductions of their earned retired pay. Although this ignoble public law angered the members of The American Legion, what angered us more was the fact it did not receive an honest debate in the halls of Congress for all America to see. Instead, it was written behind closed doors by a small group of representatives and senators. Happily, through the strong efforts of The American Legion working with many other veteran and military service organizations, and with the clearly expressed will of the American people, this unfair law was repealed. However, it should not have passed in the first place.

The country is ending two wars, and Congress is looking to change military and veteran compensation and benefits as peace settles over the nation. The congressional debate over military compensation and veterans benefits, like any other public policy issue, is a legitimate topic for debate.

Even so, The American Legion wants to put Congress on notice that just because the wars are over does not mean The American Legion will allow Congress to put America’s wartime veterans on the scrap heap of history like pieces of worn out military equipment. The benefits earned by those veterans were earned by their honorable and selfless service to this country. Those benefits are, in fact, part of the nation’s war bill – and that bill must be paid by the American people.

Furthermore, The American Legion will ensure that any congressional debate on military and veterans’ benefits must occur openly and be transparent for all America to witness. Never again should Congress pass legislation written behind closed doors by a few members and without the voice of our members being heard.

Lastly, The American Legion asks Congress and the Administration to stop jumping the gun on benefits reform. Congress established the Military Compensation and Retirement Modernization Commission to review military compensation and retirement systems. Let them do their job!

The Commission report is due in February 2015. Thus, Congress should stop all consideration of any pertinent bills and proposals and wait for the Commission’s report. When that report is made to Congress and after the President sends his recommendations to Congress based upon that report, then Congress should conduct a thorough review of its findings and recommendations and wait to have the national debate on this matter at that time.

The American Legion looks forward to that debate. We are aware of the concerns Congress has for the fiscal situation of the nation, but our organization will enter the earned benefits debate with the two principles to guide our legislative effort. One, Congress must ensure any benefit in force at the time an individual entered military service cannot be reduced in value, and is to remain in force throughout the person's military career and retirement as a servicemember. And two, that Congress ensure the hard earned Military Quality of Life Standards will not be sacrificed on the altar of fiscal expediency to the detriment of this Nation and its servicemembers, retirees, veterans, and their survivors, dependents, and families who are, and have been, the foundation of our country's fighting forces.

To that last point, The American Legion believes our national security is sustained, in part, by providing a good quality of life for troops as well as preserving the earned benefits of veterans and military retirees. Included in this quality of life spectrum is a sensible transition from military service to civilian life. Indeed, many problems VA faces today – such as the outrageous backlog of service-connected disability compensation claims, can be prevented with the Department of Defense taking the initiative and creating the appropriate personnel policies that spans the spectrum of a servicemember's career from the time of initial entry into military service through to the end of their military career and, in addition, to help achieve a successful and seamless hand off of this servicemember to the status of veteran to be further served by the Department of Veterans Affairs.

As the members of the Veterans' Affairs committees know, before anyone can become a veteran and obtain VA healthcare, or service-connected disability compensation, or GI Bill benefits, or a home mortgage, or any other VA earned benefit; this person must first have served our Nation as a soldier, or sailor, or Marine, or airman.

Consequently, The American Legion believes it is imperative that members of the Veterans' Affairs committees, and this applies especially to those members who also serve on the Armed Services committees, voice these cross-jurisdictional concerns and work diligently to ensure the Department of Defense does its best to prepare servicemembers for their eventual return to civilian life with the honorable title of 'veteran'.

The American Legion is particularly concerned that the Armed Services committees are neglecting to adequately address these failures by the Department of Defense. Each agency needs to set aside its artificial 'bright line' respect for the other committee's jurisdiction on matters that concern both servicemembers and veterans – because they are the same patient. These veterans are suffering because the two departments are failing to resolve these important matters. Congress must be the voice for these people.

Integrated Electronic Health Record

The most important issue facing VA and DOD today is the continuing lack of their ability to exchange healthcare information electronically. Our servicemembers and our veterans deserve better and Congress must stop the bureaucratic bickering. Over a billion taxpayer dollars have been wasted to develop an integrated health record to no avail. This situation is intolerable and

Congress must do its part to make the two departments cooperate to develop this system. Congress doing its part includes the use of the power of the purse. Congress must impress on the President the need to force those two departments to develop an interoperable system that serves our servicemembers and veterans alike. Hold VA and DOD to their commitments, and make clear to them that if they do not honor these commitments, the funds to continue their path of folly will not be continued.

The project is simple. From the day a servicemember takes their oath of office and passes their initial physical examination to enter military service the VA must be aware of that servicemember's healthcare record because, at some point in time -- whether it be the near future or thirty years later -- DOD and VA both know that new incoming servicemember will be leaving military service and entering the VA system and will have earned a certain amount of earned benefits, including, perhaps, certain healthcare benefits. For DOD to take proper care of our servicemembers means, in part, their service healthcare record must be complete and be able to be shared with VA. In other words, this is a record for a lifetime; whether the servicemember is in the military or in civilian life. The time is now to fix this system.

Thank you for allowing The American Legion the honor of presenting its recommendations today. I thank the joint committee for all the work it does on behalf of America's servicemembers, veterans and their families. We all appreciate your efforts and support. I stand ready to answer your questions.

Questions concerning this testimony can be directed to The American Legion Legislative Division (202) 861-2700, or LCelli@Legion.org.

The American Legion



For God and country

OFFICE OF THE
NATIONAL COMMANDER

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Biography

Dan Dellinger National Commander The American Legion

Dan Dellinger of Vienna, Va., was elected national commander of the 2.4 million-member American Legion on Aug. 29, 2013 in Houston, during the 95th national convention of the nation's largest veterans organization.

He became an Army Infantry officer after graduating with a degree in criminology from Indiana University of Pennsylvania. He served at Fort Benning, Ga., during the Vietnam War and entered the U.S. Army Reserve in 1972, separating from the service in 1984 at the rank of captain.

A member of the Dyer-Gunnell American Legion Post 180 in Vienna since 1982, he was made a life member in 1990. He has served as post, district and department commander and chaired numerous committees. At the national level, he chaired the Legislative, National Security, and Economics commissions as well as the Aerospace Committee. He served as chairman of the Legislative Council and Membership and Post Activities Committee. He has been a member of the Foreign Relations Council, Policy Coordination, Veterans Planning and Coordinating committees as well as the Legislative Council.

Dellinger is a member of the Sons of the American Legion, Past Commanders and Adjutants Club, Past Department Commander's Club, ANAVICUS and the Citizens Flag Alliance. He has served as a presidential appointee on the Federal Taskforce on SBA Hiring and as vice mayor of the Town of Vienna, Virginia as well as serving three terms as town councilman. He is a member of the Loyal Order of the Moose and the Loyal Order of the Kentucky Colonels.

He owned and operated a construction management and general contracting firm for twenty years specializing in commercial, institutional and industrial construction.

Dellinger and his wife, Margaret, reside in Vienna. Margaret served as American Legion Auxiliary Unit 180 President for four years; daughter, Anne, is a 23-year member of Unit 180; and son, Scott, is a 28-year member of Sons of The American Legion Squadron 180.

Cmdr. Dellinger's theme is "Building for Tomorrow – Today."