

ERIC HILLEMAN, DIRECTOR, NATIONAL LEGISLATIVE SERVICE, VETERANS OF FOREIGN WARS OF THE UNITED STATES

STATEMENT OF

ERIC HILLEMAN, DIRECTOR
NATIONAL LEGISLATIVE SERVICE
VETERANS OF FOREIGN WARS OF THE UNITED STATES

TO THE
COMMITTEE ON VETERANS' AFFAIRS
UNITED STATES SENATE

WITH RESPECT TO

PENDING HEALTH AND BENEFITS RELATED LEGISLATION

WASHINGTON, D.C.

MAY 19, 2010

CHAIRMAN AKAKA, RANKING MEMBER BURR AND MEMBERS OF THE COMMITTEE:

Thank you for the opportunity to provide testimony on pending veterans' health and benefits legislation. The 2.1 million men and women of the Veterans of Foreign Wars of the U.S. and our Auxiliaries appreciate the voice you give them at this important hearing.

S. 1780, Honor America's Guard-Reserve Retirees Act

The Honor America's Guard-Reserve Retirees Act would recognize and authorize veteran-status to military retired members of the National Guard and Reserves who were never called to active duty but have served in other capacities for twenty or more years. The nation military cannot function without the Guard and Reserve. A large number of the Reserve Component members who have been called to serve in OEF/OIF qualify as veterans. However, some reservists' soul mission is to prepare other guard and reserve members for deployment, while never accruing qualifying active duty time to be classified as a veteran. For many service members this is an issue of honor and pride in recognition of their service and sacrifice. VFW supports passage of this bill.

S. 1866, a bill to amend title 38, United States Code, to provide for the eligibility of parents of certain deceased veterans for interment in national cemeteries.

VFW is happy to support legislation to allow parents of deceased veterans to be interred with their child in a national cemetery. The current conflicts find that many young men and women are often without a surviving spouse or child to share their final resting place. Allowing a parent to be buried with the veteran provides some comfort and closure fitting of this special bond. We understand that the bill gives the VA the authority to determine if there is space available at the grave site of the veteran. We ask that careful discretion be used to make this determination, as many national cemeteries near capacity for burial needs of veterans. It is important to preserve the dignity of our national cemeteries.

S. 1939, Agent Orange Equity Act of 2009

VFW strongly supports the Agent Orange Equity Act, which would expand presumptions related to exposures for veterans who served in the Republic of Vietnam and supporting missions. Current law requires Vietnam veterans to prove “boots on the ground” in order to qualify for presumptions of service-connection for herbicide-exposure related to illness. S.1939 would expand the law so that Blue Water navy veterans and every other service members awarded the Vietnam Service Medal who deployed to land, sea or air in the Republic of Vietnam are fully covered by the Agent Orange laws Congress passed in 1991.

This issue has been the subject of much litigation and wrangling of words and intent. It is our belief that Congress did not intend to exclude those veterans from compensation based on geographic lines. VA made this unilateral decision and has clearly chosen to ignore recommendations made by the Institutes of Medicine (IOM), the reviewing body that provides biannual reports linking scientific evidence with herbicide exposure. In fact, in 2009 IOM noted, “Given the available evidence, the committee recommends that members of the Blue Water Navy should not be excluded from the set of Vietnam-era veterans with presumed herbicide exposure.” (http://books.nap.edu/openbook.php?record_id=12662&page=656)

The VFW believes it is time to amend the law and allow those veterans suffering from residual effects of Agent Orange to be compensated. This bill, when enacted will make it easier for VA to process claims of Vietnam veterans that suffer from illness linked to toxic exposures that are already identified in the law. We urge Congress to pass this legislation quickly and compensate those veterans suffering as it is long overdue.

S. 1940, a bill to require VA to carry out a study on the effects on children of exposure of their parents to herbicides used in support of the United States and allied military operations in the Republic of Vietnam during the Vietnam era, and for other purposes.

VFW supports the intent of this legislation. While we are not aware of any scientific evidence connecting Multiple Sclerosis (MS) and asthma in children to parental exposure to herbicides, we support any study that seeks to obtain available research and evidence of associations between diseases in children of Vietnam veterans. We believe that the public, exposed veterans, and VA all benefit by the knowledge obtained by such studies.

S. 2751, a bill to designate the Department of VA Medical Center in Big Springs, Texas as the George H. O’Brien, Jr., Department of VA Medical Center.

VFW along with the Department of Texas VFW supports this legislation to honor George Herman O'Brien - a decorated veteran, Medal of Honor recipient, and a long-time member of the Big Springs, Texas, and community. Major O'Brien began his career of service in the Merchant Marines in 1946, then joined the U.S. Marine Corps in 1950, and his latter years volunteering among his fellow veterans at the Big Springs VA Medical Center. He died in March 2005; in November 2008, a statue of his likeness was unveiled at the medical center in his honor. It is only fitting that his final tribute be renaming the VA Medical Center in Big Springs as the George H. O'Brien, Jr. Medical Center.

S. 3035, Veterans Traumatic Brain Injury Care Improvement Act of 2010

VFW supports Senator Baucus' bill that would require a report on establishing a Polytrauma Rehabilitation Center or Network site in the northern Rockies or Dakotas. Polytrauma care is provided to veterans and returning service members with injuries to more than one physical region or organ system. One of which may be life threatening and/or results in physical, cognitive, psychological, or psychosocial impairments and functional disability.

As of April 2007, VA has treated over 350 OEF/OIF service members in their inpatient units. The vast majority of these patients have been on active duty at the time of admission to a center and sustained a trauma injury while in combat. Most of these patients are then discharged and receive very specialized follow-up care at a Polytrauma Network Site, or other VA facility in the Polytrauma System of Care.

VA's Polytrauma System of Care includes four Polytrauma Rehabilitation Centers and 21 Polytrauma Network Sites. None of which are located in North Dakota, South Dakota, Idaho, Montana, eastern Washington or Wyoming. These States have among the highest per capita rates of veterans with injuries from military service in Iraq and Afghanistan. VFW believes that the number of discharged service members living in the area warrants a report for capacity of care, but insists that it go hand in hand with VA's ability to support the center with a full staff and retention of professional consultants and specialties related to polytrauma.

S. 3107, Veterans' Compensation Cost-of-Living Adjustment Act of 2010

VFW is pleased to support the annual cost-of-living adjustment to the rates of disability compensation, clothing allowance, and DIC. As in the past, the adjustment is linked to the rate of increase of the Consumer Price Index (CPI) and Social Security benefit. Last's year COLA bill passed into law, but no increase was given due a struggling economy and the decline in the CPI.

We urge Congress to approve a COLA for 2011, as the benefit provides for the daily needs of over 3.5 million veterans and their dependents living on fixed incomes. VFW believes that COLA and all benefits earned by our heroes are an ongoing cost of war. The payment of disability compensation is a central mission of VA, and should remain available and not be diminished by inflation. Even a small increase makes a positive impact in the lives of veterans and their dependents.

S. 3192, Fair Access to Veterans Benefits Act of 2010

VFW supports this bill, which would provide some flexibility in the equitable tolling of timelines for the Board of Veterans' Appeals, and for other purposes. We believe that this bill creates flexibility in favor of veterans within the claims appeal process. The current 120-day deadline to

file an appeal to the US Court of Appeals for Veterans Claims (CAVC) does not leave room for veterans that may have unique circumstances due to medical or mental health problems. An example of this is the David Henderson case. Because he suffers from paranoid schizophrenia, he was unable to meet the 120-day deadline and was denied the right to appeal to the CAVC.

This is but one of many instances where a veteran was unable to file a timely appeal due to reasons of a mental condition. Subsequently, he was denied the ability to have his appeal heard by the appropriate appellate body. We applaud the change that this legislation makes in granting veterans, of past and present leeway in the appeals process. It provides a just and equitable system for those who have suffered due to circumstances beyond of their control and ensures they have their day in court.

S. 3234, Veterans Employment Assistance Act of 2010

The VFW enthusiastically supports this legislation, which seeks to address the rampant unemployment among recently separated OIF/OEF veterans. It addresses multiple sectors that impact veterans' employment. The following is a section by section break out of the provisions of the bill.

Section 3, establishes a Veterans Business Center (VBC) Program under the authority of Small Business Administration (SBA) in consultation with the Secretary of Labor. This program expands the grants and funding available to the growing number of centers and universities that provide entrepreneurial development, counseling, education, and mentoring to veteran entrepreneurs. This provision would authorize \$10 million in fiscal year (FY) 2010 and \$12 million in FY 2011 for these veteran business centers. The VBC Director, established under this program, will allocate grants to centers meeting the established performance benchmarks while matching grant dollars received. Grants will be broken into two categories, "initial grants" and "growth funding grants." Business centers in areas where the population of veterans exceeds the national median or the population of OIF/OEF veterans exceeds the national median will be given priority for grants.

This section also provides business centers a total of \$4.5 million for FY 2011 and FY 2012 for three specific grant types to the tune of \$1.5 million each. The VBC Director would be charged with issuing individual grants up to \$75,000 annually to develop programs locating capital – increasing funding for local veterans owned businesses, providing procurement assistance for federal contracting, and offering service-disabled veterans-owned business development programs specific to the injured veterans.

Finally, section 3 commissions a joint report, between SVA and VA, regarding the Direct Loan program. This report would focus on the feasibility of establishing a direct loan program for veteran-owned small businesses.

The VFW continues to support additional financial tools, education, training and assistance for veteran entrepreneurs. Small businesses remain the engine of our economy, while veteran entrepreneurs are a unique subset of that engine. The same drive, tenacity, and dedication that make our nation's service members and our military successful are the same intangibles that propel them in the private sector.

VFW believes that many veteran entrepreneurs would benefit greatly from the training, networking, and assistance in navigating the provisions this bill promotes. Despite an uncertain economic climate, the number of veterans starting business and growing businesses is likely to increase. This legislation will help to ensure those veterans and disabled veterans have access to essential services to growing a successful business. Further, Veterans Small Business development is essential to combating unemployment among veterans. Veteran entrepreneurs are more likely to hire other veterans, knowing the value of military service.

Section 4, requires biannual reporting to Congress by the Administrator of the Interagency Task Force for Veterans and Service Disabled Veterans Owned Small Business. The VFW supports the formation and reporting of the Interagency Task Force.

Section 5, shortens the deadline from three years to one year, for Disabled Veterans Outreach Program Specialist (DVOPS) and Local Veterans' Employment Representatives (LVER), to meet the prerequisite training requirements. This legislation requires DVOPs and LVERs to educate other one-stop center staff about the nature of their work, while requiring them to learn about the other programs available through the one-stop delivery system. Failure to comply with the required training deadline would result in forgoing a percentage of the federal grants that fund the state DVOP and LVER programs.

The DVOPs and LVERs are often the first and only contact a veteran may have with a representative assisting them with veteran specific employment services. The VFW believes that this contact must be as personalized and helpful to the veterans as possible. This legislation encourages higher levels of competency among DVOPs and LVERs earlier in their careers. By shortening the deadline from three years to one year to complete training, this increases the likelihood that a veteran will be meeting with a knowledgeable representative. Further, the DVOP and LVER positions have historically suffered from high turnover among staff. This high turnover reinforces the need for constant and continual training. The one-year deadline seeks to meet this need.

Section 6, would create a new program under Chapter 42 of Title 38, providing assistance to unemployed veterans seeking training or financial relocation assistance to pursue employment. This legislation authorizes \$100 million annually to pay veterans a monthly living stipend at the rate of E-5 with dependents, Basic Housing Allowance (BHA). A veteran unemployed at four months or more, who was not in receipt of other VA education/training assistance, would qualify for six months of BHA to pursue a qualified education, training, or apprenticeship program. Additionally, a veteran could access a onetime grant of up to \$5000 toward moving expenses for a DOL recognized training program or position within the training program. Finally, DOL will be required to submit an annual report outlining the usage and demographics of this program.

This legislation will provide numerous veterans with the financial support to seek training and assist them with relocation expenses. Veterans at any point in their careers would be encouraged to retool and retrain to support their families, while also meeting the needs of a dynamic labor market. All too often guard and reserve members return home from military service only to find viable hometown industries and previous employers have closed or moved on. Often veterans experience a mid-career break in employment and need further education or training to reenter

the work force-this bill guarantees an investment in our veterans' competitive American industries.

Section 7, accomplishes the VFW's goal of equitably realigning Chapter 30, Montgomery GI Bill (MGIB) programs into Chapter 33, the Post-9/11 GI Bill. This legislation would provide a mechanism to authorize and assist veterans in pursuing approved apprenticeship or on-the-job-training programs. It would provide a monthly benefit to veterans in addition to a housing allowance equal to the BHA rate of an E-5 with dependents while an enrolled veteran. The monthly compensation and charge to entitlement would be used at the rate of 75 percent for the first six months, 55 percent for the second six months, and 35 percent for any remaining months of training.

The VFW believes a number of changes need to be made to the Post-9/11 G.I. Bill to address the needs of today's service members and their families. The original G.I. Bill provided training apprenticeships and vocational training for World War II veterans. The Post-9/11 G.I. Bill should also provide veterans the same opportunity to seek careers in skilled trades. The VFW supports the standardization, simplification and restructuring of all education programs, with an eye toward equitable benefits for equitable service, to include:

- Remaining Chapter 30 programs (lump sum payments, vocational training, distance learning) should be moved into Chapter 33.
- Title 10, Section 1606, the Guard and Reserve Select Reserve GI Bill, needs to reflect the Chapter 33 scale.
- Chapter 35 survivors and dependent educational benefits should also be comparable to Chapter 33.
- Ultimately, phase out Chapter 30 and Chapter 34; simplifying benefits based on Chapter 33.

Furthermore, the VFW believes that members of the National Guard and Reserve who serve under Title 32 USC, Active Guard Reserve program, should have their service recognized under Chapter 33. By virtue of their status, approximately 45,000 veterans who serve our country under Title 32 do not receive credit toward accruing benefits under the Post-9/11 GI Bill, even though their service was often in support of federal initiatives. All military men and women should be rewarded equally.

The VFW also supports allowing veterans who attend on-line universities to be eligible for the Post-9/11 GI Bill, and therefore, draw an equitable living stipend. Veterans often decide to attend online universities through necessity — family and work obligations, service-connected disability limitations, as well as financial restrictions that prevent them from becoming traditional, on-campus students. Veterans enrolled in online universities today receive no cost of living stipend. The VFW wants to see this inequity fixed.

Section 8, would establish a 'veterans conservation corps' grant program. Grants, up to \$250,000, would be awarded to States for the purpose of maintaining local parks, lands, reserves, and other outdoor spaces. States would be required to establish partnerships with one-stop centers, universities, labor organizations, and veterans' service organizations to promote veterans in employment and volunteer opportunities in their communities.

The VFW continues to support collaborative and innovative programs to invest in communities and put veterans to work. This program has the potential to put veterans to work and give them practical experience organizing communities to care for the environment while developing and marketing 'green' industries in a given area.

Section 9, would establish grants for research, development, planning, implementation, and evaluation of military credit to count toward higher education. This section directs the VA and DOL to collaborate and establish grants, ranging from \$2 million to \$5 million. Eligible institutions, such as colleges, military facilities, medical centers, and other programs would bridge the gap between military service and careers.

We are extremely supportive of translating transferable military skill into college credit or careers. This grant program has the potential to target specific military occupational specializations (MOS) and place those individuals on the fast track toward certifications and degrees in current or closely related fields. We have long maintained, if you can drive a truck through the toughest spots in Iraq and Afghanistan, you should be able to drive a truck in the U.S. The same holds true for many electronics, mechanical, and technical fields.

Section 10, would require the Secretary of Labor to publicize on the internet information reported by contractors to be in compliance with veterans employment requirements. We support the continued oversight and transparency that Congress and the Administration has sought to establish in government.

Section 11, would establish a grant program, entitled "Military Pathways Demonstration Program," focused specifically on putting military medical personnel and information technology (IT) personnel directly into the work force and education programs of their respective skill areas. The annual authorization of \$10 million would direct DOL and VA to develop a competitive grant program to test service members' transition into MOS related fields in the health care and IT sectors.

The VFW strongly supports strengthening the gaps that exist between military specialization and the civilian counterpart industries. This grant program would make targeted links into corporate America in IT and the health care industries. It would seek to connect companies, organizations, and institutions of learning for the betterment of service members. Once paths and bridges are successfully built into training and employing veterans in specific fields, this program can be broadened to other skill sets and industries. The cutting edge of both the IT and medical fields are in the hands of service members in Iraq and Afghanistan. Allowing them to translate this skill and real world application into the private sector benefits the individual veteran and America's industries.

Section 12, establishes a grant program for energy-related industry, much like that of Section 11 of this bill. The annual authorization of \$10 million would develop a competitive grant program for states to collaborate with labor organizations and the energy industry to develop training and apprenticeship programs. The VFW strongly supports developing public-private partnerships to place America's veterans onto viable career trajectories.

Section 13, would authorize the Secretary of Health and Human Services (HHS) to establish a grant program to transform military medics into community emergency medical service personnel under the existing “Rural emergency medical service training and equipment assistance program.” Rural employment is one of the areas hardest hit by the economic downturn. Further, guard and reserve members often reside in these areas and due to frequent deployment have had difficulty reconnecting with employment upon their return. This legislation allows many veterans to seek training and employment in their respective community. The VFW supports this grant expansion under HHS.

Section 14, directs the Secretary of the Department of Defense to designate military housing construction projects for a pilot program to utilize approved veterans apprenticeship programs. This pilot would span FY 2011 to 2015, requiring DOD to utilize veterans enrolled in DOL qualified apprenticeship programs.

The VFW applauds the effort to promote federal contracting and utilization of veterans’ contractors in federal procurement. This pilot has the potential to improve the DOD’s adherence to the 3 percent contracting goal, while developing veterans’ apprenticeship in the construction trades. This bill seeks to establish a geographic dispersion of this pilot catalyzing veterans’ employment in the construction trades nationwide.

Section 15, directs DOL and DOD to study and report to congress on the Transition Assistance Program (TAP) with an eye toward improving services to veterans. The study would take into account the needs of veterans and the Armed Forces, assess current costs and programs, and recommend programming and activities to improve TAP as well as serving local veterans residing near military installations.

TAP has long served as the sole means of providing a springboard for separating service members. While TAP has been successful at providing a wealth of information in a short time frame to separating service members, it is often seen as more of a ‘checked-box’ for separating troops. The VFW supports improving these programs to better inform and prepare service members reentering civilian life.

Section 16, directs the Secretary of Defense to study the National Guard Employment Enhancement Program of the Washington State National Guard. This study would examine this program and make recommendations to expand or authorize similar programs throughout the country.

We support the study of employment programs among guard units. Many of the local best practices can be shared and translate nationally to help ease the reintegration of Guard and Reserve members. Nearly 40 percent of the troops deployed in support of OIF/OEF are Guard and Reserve units from across the nation, many of whom are frequently seeking new employment and reemployment. The successes of employing these veterans translates into much more than just jobs, it improves the quality of life of many military families as well as the American economy.

VFW thanks Senator Murray for introducing this comprehensive employment bill and urges Congress to move quickly on this legislation to put American heroes back to work.

S. 3286, to require VA to carry out a pilot program on the award of grants to State and local government agencies and nonprofit organizations to provide assistance to veterans with their submittal of claims to the Veterans Benefits Administration (VBA)

This bill is designed to increase effectiveness of outreach to veterans as it directs the Secretary to carry out a pilot program on the awarding of grants to State and local government agencies and non-profit organizations that assist veterans with their claims.

The VFW has always encouraged and supported increased awareness of benefits and services provided by VA to veterans. We believe that all veterans and their survivors should have access to up-to-date information about services and benefits for which they may be eligible. However, since the success of this initiative will result in increased claims submissions to VA, we urge that funding for VBA adjudication keep pace with increases in the number of claims filed as a result of greater outreach at the local level.

We also encourage substantial outreach efforts at the local and state level be made on behalf of National Guard and Reserve members and would like to see additional language which specifies oversight by Congress regarding use of funds granted to state and local governments who perform outreach services. VFW also encourages effective training of those reaching out to veterans' to ensure that funds are being spent properly and services explained properly.

S. 3314 - to require VA and the Appalachian Regional Commission to carry out a program of outreach to veterans who reside in Appalachia, and for other purposes.

The VFW supports legislation that would require VA and the Appalachian Regional Commission to carry out a program of outreach for veterans who reside in Appalachia. The Appalachian Regional Commission is the region extending from Mississippi to New York, through 13 states, 420 counties, and 205,000 square miles and encompassing 24.8 million people. Historically, Appalachia has faced chronically high rates of poverty, unemployment, substandard housing, low educational levels and poor health care. The military/veteran population residing in the area is often unaware of the benefits provided by VA or other local, county, and state veterans' services. Combine that with scant access to care, varying support services, and problems finding transportation to VA appointments over long distances further isolates this population of veterans. We can all agree continued outreach is needed, but more importantly follow-up care and essential services is central to improving the quality of life for these veterans.

VFW applauds section 1 (c) (Projects) which requires VA and the Appalachian Regional Commission to enter into agreements, provide technical assistance, award grants or contracts to state and local governments, veterans service organizations and businesses to increase the number of individuals providing services to veterans and their families. We look forward to working with the communities of Appalachia and encourage Congress to appropriate proper funding to continue offering comprehensive education and outreach to Appalachian veterans.

S. 3325, to amend title 38, United States Code, to authorize the waiver of the collection of copayments for telehealth and telemedicine visit of veterans, and for other purposes

The VFW strongly supports this legislation, which would exempt disabled veterans from paying copayments for telehealth and telemedicine visits. By waving co-payments we encourage the use of this cost effective service, which connects the specialist via telecommunications to the veteran.

The VFW applauds VA as being a leader in this new area of health care. Care Coordination General Telehealth (CCGT) uses telehealth technologies to make diagnoses, manage care, perform check-ups, and actually provide care to veterans. The use of video technologies makes it possible for veterans, many of whom live in rural or remote areas, to come to VA's community-based outpatient clinics and connect to a specialist or other practitioner who may be in a hospital hundreds or even thousands of miles away. Offering this special service is a wonderful use of technology and resources. Therefore, we are happy to offer our support for this enhanced health care service with the exclusion copayments by our veterans.

S. 3348, To amend title 38, United States Code, to provide for the treatment as a motion of reconsideration of a decision of the Board of Veterans' Appeals of a notice of appeal of such decision misfiled with VA.

The VFW supports this legislation as it addresses the ambiguity involved with informal notices of disagreement or motions to reconsider an appeal. Currently, if a veteran formally communicates with the VA regarding their dissatisfaction with their case or the decision rendered, the VA must make a choice. This bill allows any written expression of disagreement, by the veteran, with a Board of Veterans Appeals BVA decision to be treated as a motion received by the BVA within the 120 appeal period – as a formal motion to reconsider.

S, 3352, Veterans Pensions Protection Act of 2010

This legislation would protect pension payments from including insurance settlements of any kind from the calculation amount in determining pension. Further, this bill would require VA to make determinations on the fair market value and replacement value of any assets claimed for exclusion under the insurance settlement.

The VFW supports the intent of this legislation, but cannot support this language. We believe that this bill would require VA to make further determinations regarding replacement value in the cases of insurance settlements. The current pension threshold for a veteran without dependents is \$11,830 annually. In order to exclude any income resulting from an insurance settlement from factoring against the \$11,830, VA would need to further examine the values associated with the insurance settlement. These additional decisions will further delay and complicate a relatively simple benefit.

We would suggest, this legislation be rewritten to accept any insurance settlement as excluded from the calculation of pension. It is likely this will achieve the noble goal of aiding a veteran in serious financial distress, while allowing them to replace the loss or damaged property. This also prevents VA from expending more resources to develop other pension claims.

S. 3355, Veterans One Source Act of 2010

The VFW currently has no formal position on this legislation.

S. 3367, To amend title 38, United States Code, to increase the rate of pension for disabled veterans who are married to one another and both of whom require aid and attendance, and for other purposes.

VFW supports the increase in aid and attendance rates for married couples. This bill corrects a drafting mistake in Public Law 105-178, Section 8206, which increased the aid and attendance rates for veterans receiving VA pension who were in need of aid and attendance; but failed to provide the same increase to married couples in receipt of the same benefits. The change will provide an additional \$825 dollars, bringing the amount of pension of a wartime veteran couple in line with what their peers receive. VFW believes that this change is long overdue and asks Congress to enact this bill quickly.

S. 3368, to amend title 38, United States Code, to authorize certain individuals to sign claims filed with the Secretary of Veterans Affairs on behalf of claimants, and for other purposes.

The VFW cannot support this bill, as we believe it to be duplicative of VA's regulations, CFR 3.155. Current VA regulations allow for the filing of an informal claim on behalf of a veteran by a Member of Congress, a duly authorized representative or a 'next friend.' Further, we believe that this bill may increase the opportunity for fraud by an unscrupulous spouse, health care provider, or nursing home official to initiate a claim without the knowledge or consent of the otherwise competent veteran. We also have concerns that the bill does not specify the level of proof a family member must provide to VA to establish that the claimant is mentally incompetent or physically unable to sign a form. We believe that this will impose another burden on VA as well as create an opportunity for fraud.

S. 3370, to amend title 38, United States Code, to improve the process by which an individual files jointly for social security and dependency and indemnity compensation, and for other purposes.

VFW supports this legislation, which adds clarity to VA's interpretation of law regarding the award of Social Security and DIC. Currently, Social Security has the ability to provide electronic notifications to VA in the event of a survivors spouse seeking survivors' benefits. This bill would give VA the authority to accept any documentation or electronic transmission as proof of eligibility in the death of a veteran.

Draft Bill, to amend title 38, USC, to improve the multifamily transitional housing loan program of the Department of Veterans Affairs by requiring the Secretary of Veteran Affairs to issue loans for the construction of, rehabilitation of, or acquisition of land for multifamily transitional housing projects instead of guaranteeing loans for such purposes, and for other purposes.

The VFW supports this legislation, which would transform the VA's multifamily transitional housing loan grant program into a direct lending program for the same purpose. This program has been underutilized since its inception in 1999, yielding only one guarantee loan. The emphasis President Obama and Secretary Shinseki have placed on combating veterans'

homelessness requires every available tool. This program could have a real impact in ending homelessness among veterans.