



THE AMERICAN LEGION
Veterans Strengthening America

The American Legion Legislative Agenda

Submitted to accompany testimony before Congress by
American Legion National Commander James W. "Bill" Oxford
March 4, 2021



American Legion priorities amplified by the COVID-19 pandemic

A year ago, on the same day I delivered The American Legion's priorities for the second session of the 116th Congress, COVID-19 was declared a global pandemic by the World Health Organization. Suddenly, and continually since then, priorities shifted. But they did not go away. In fact, they grew in urgency.

Immediately into the pandemic, the nearly 3 million members of The American Legion Family did what they do best in times of crisis. They mobilized. They raised money, collected food, made or obtained personal protective equipment and distributed it, prepared meals for health-care workers and first responders, gave blood, fed children, supported local businesses, set up COVID-19 testing sites, assisted with vaccinations, conducted virtual job fairs and performed Buddy Checks for veterans and others who were suddenly self-isolating and in need of help – or simply longing for connection with other veterans who care.



James W. "Bill" Oxford
*The American Legion
National Commander*

The magnitude of The American Legion's performance – through what we call "individual obligation to community, state and nation" – has been, and continues to be, so great and multi-faceted, it simply cannot be quantified. We who have served in uniform understand fully that you can learn a lot about yourself and others during the most challenging of times.

We certainly learned that attention to mental health, suicide prevention and full staffing of VA health-care facilities is more vital than ever, especially when demand for services sharply and unexpectedly escalates, as it has. The American Legion's commitment to opportunities for veterans in transition – either coming out of military service or entering the job market after using their GI Bill benefits – also could not be more profound as the economy staggers into the pandemic's second year. The winter of 2020 and 2021 further amplified our collective need to put roofs over the heads of homeless veterans, who are particularly vulnerable to infection.

The pandemic has brought to light so many issues that have occupied The American Legion's priority list for Congress in recent years. Veterans in rural and remote areas who lack broadband internet access are completely left in the cold when doctor appointments are virtual only. The American Legion's Project ATLAS initiative is just starting to address the problem, which runs deeper than the good first step of providing tele-health services in properly equipped American Legion posts; we know we have the technology to deliver care where veterans live, so now we must act to deploy it. Post-traumatic stress disorder and isolation are also an often-deadly mix, so The American Legion's resolve to find new, effective ways to help our brothers and sisters who suffer with the invisible wounds of war is extremely acute today.

The pandemic certainly drove home the importance of recruiting, hiring and retaining nurses and other health-care workers. I call them the "infantry" in our battle against COVID-19, and VA health-care facilities need more of these courageous men and women, especially now.

Those with cancer and respiratory issues, as we know, are particularly susceptible to coronavirus infection. That reality, too, adds urgency to our nation's need to recognize and provide quality care for veterans who have been exposed to toxic contaminants, like smoke from burn pits, jet fuel of K2, and Agent Orange.

These are just some of the issues The American Legion looks to resolve in alliance with the 117th Congress. Additional subjects of concern are provided in this testimony publication so members of the legislative branch can fully understand what matters most to the nation's largest organization of wartime veterans and, moreover, how we can work together to get through a time like none other in U.S. history.

James W. "Bill" Oxford

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2020 victories and looking ahead to 2021

The American Legion ended 2020 with several key accomplishments. Below is a list of legislative victories from last year's Legislative Agenda for the second session of the 116th Congress, some of which have been decades in the making:

Preventing Veteran Suicide: S. 785, the Commander John Scott Hannon Veterans Mental Health Care Improvement Act of 2019, was signed into law by President Trump late in 2020. This bill was the most comprehensive piece of legislation ever to address veteran suicide and will provide veterans with increased access to mental health-care services and programs.

Women Veterans: Key provisions of the Deborah Sampson Act were passed during the 116th Congress through a variety of legislative vehicles, including H.R.7105, the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020, and S. 785, the Commander John Scott Hannon Veterans Mental Health Care Improvement Act of 2019. These provisions will significantly reduce Department of Veterans Affairs (VA) barriers to care for women veterans and expand services to address reintegration, homelessness and newborn care.

Expand Agent Orange Benefits: H.R. 6395, The Fiscal Year 2021 National Defense Authorization Act (NDAA), added Parkinsonism, bladder cancer and hypothyroidism to the list of presumptive conditions for Agent Orange exposure.

Protect the G.I. Bill: The Protect the GI Bill Act was successfully passed into law through H.R. 7105, the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020. This legislation provides common-sense oversight of schools and provides additional protections for students for a variety of situations, to include school closures.

Looking ahead to 2021, top issues for The American Legion in the first session of the 117th Congress include:

Mental Health: A critical aspect of mental health is a sense of community and peer support. The American Legion supports several bills that would increase access and resources for peer-support programs. The American Legion is working to reintroduce legislation based on our "Buddy Check" program, which would require VA to designate one week a year as Buddy Check Week, provide training for veterans on how to conduct personal



wellness checks and require VA to allocate additional resources for the Veterans Crisis Line. Additionally, The American Legion supports the PFC Joseph P. Dwyer Peer Support Program Act, which would launch a pilot program that would create local peer-to-peer mental health programs. We call for both bills to be reintroduced and passed during the 117th Congress.

Toxic Exposures: The American Legion is assisting lawmakers and fellow veterans' organizations in crafting and refining several proposed bills that aim to address service connection for presumptive conditions. We look forward to Congress reintroducing and passing the Toxic Exposure in the American Military (TEAM) Act of 2020, which would improve how veterans exposed to toxic substances receive health care and benefits in a variety of ways. This includes requiring VA to respond to new scientific evidence regarding diseases associated with toxic exposure within an established timeframe; ensures VA enters into agreements with the National Academies of Sciences, Engineering and Medicine to conduct scientific studies on toxic exposures; and provides testing through VA for eligible veterans exposed to toxic substances.

Close the 90/10 Loophole: The American Legion encourages legislation that ensures veterans receive better quality education and improves student outcomes for institutions approved for use of VA education benefits, by closing the 90/10 loophole.

Addressing the Forever Wars: The Global War on Terrorism has become the longest war in American history and has now spanned generations of U.S. servicemembers. Parents who fought in Iraq and Afghanistan have now seen their own children deployed there as well. Yet numerous administrations continue to use the 2001 and 2002 Authorizations for the Use of Military Force (AUMF) to justify military action, including airstrikes or operations, in more than a dozen countries in which Congress never specifically authorized any military action. The American Legion urges a renewal of a proper constitutional balance to American foreign policy decision-making by encouraging Congress to renew its proper war-making oversight role beginning with repealing or replacing the outdated post-9/11 AUMFs and by properly funding and staffing the nation's civilian tools of diplomacy.

Citizenship for Honorable Service: Immigrants to the United States often join the U.S. Armed Forces as a path to citizenship. Many veteran immigrants say they have been deported after discharge because they failed to acquire U.S. citizenship while in service. The American Legion supports measures to ensure the process of naturalization through military service is completed prior to discharge. This should include the reinstatement of the USCIS Naturalization at Basic Training Initiative, training for military recruiters and military chain of command about the naturalization process, and the reopening of all USCIS field offices abroad to serve servicemembers stationed overseas.

The American Legion looks forward to working with congressional leadership in the House and Senate Veterans' Affairs and Armed Services Committees in order to achieve more victories during another productive legislative calendar year.

Care for Our Nation's Veterans



Veterans and the COVID-19 Pandemic

More than 400,000 Americans have died due to the COVID-19 virus with the numbers steadily climbing every day. Although administration of COVID-19 vaccines began in late December 2020, it is clear that this pandemic's impacts will be felt for the foreseeable future. The American Legion and its members have stepped up to help other veterans and communities. Local posts have raised donations, provided grants, hosted food drives, and donated personal protective equipment to support those in need. Additionally, The American Legion's Buddy Check program, which encourages Legionnaires to provide peer support to one another, has been a critical way for veterans to stay connected during these uncertain times.

The pandemic has severely impacted veterans' health in a variety of ways. VA officials have reported more than 8,000 deaths from complications related to coronavirus since March 2020. It has limited veterans' access to care, may have exacerbated underlying medical conditions, or negatively impacted their mental health. Additionally, the pandemic has caused a backlog of veteran disability claims as many health appointments and hearings, such as disability compensation & pension exams, were forced online or delayed.

However, health issues are not the only COVID-related problems facing veterans. Like much of the population, veterans have lost their jobs or been forced to close their businesses due to the pandemic. VA has taken critical steps to address these issues, but there is more to be done. The American Legion looks forward to working with Congress and VA to ensure veterans continue to receive the care and benefits they deserve during these difficult times.

KEY POINTS

- » VA health officials have reported more than 8,000 deaths from complications related to coronavirus since March 2020.
- » VA's coronavirus deaths have now surpassed totals from both the Iraq and Afghanistan wars combined.

WHAT CAN CONGRESS DO?

- » Expand tele-health and tele-hearing options for veterans to ensure all veterans receive necessary care and to reduce the backlog of claims.
- » Reintroduce and pass the Ensuring Survivors Benefits during COVID-19 Act.



The Future of VA Health Care

The American Legion believes in a robust veterans' health-care system designed to treat the unique needs of those who have served their country. VA's most important mission is providing high-quality health care and benefits when and where veterans need it. Passage of the Legion-supported VA MISSION Act of 2018 has given VA important tools to improve access to high-quality care either in person at VA facilities, virtually through tele-health, or with increased community care options. The future of VA health care is as a hybrid system of VHA-provided, comprehensive inpatient and outpatient services, supplemented by community care when it works best for the individual veteran.

The American Legion is concerned about how VA will care for veterans living in rural communities. Many veterans in rural areas struggle to make their appointments because of the great distances needed to travel to the nearest VA facility. Many rural areas are also underserved by private health providers due to a shortage of medical professionals. With congressional support, VA is making great strides in telemedicine as an important vehicle to help address barriers preventing rural and veteran populations from accessing quality care. As part of this, VA has teamed up with The American Legion to bring care to veterans in a familiar setting – their local posts. Through Project ATLAS (Accessing Telehealth through Local Area Stations), video-communication technologies and medical devices are being installed in selected American Legion posts to enable remote examinations through a secure, high-speed internet line. Veterans will be examined and advised in real time through face-to-face video sessions with VA medical professionals, who may be located hundreds or thousands of miles away. For example, American Legion Post 176 in Springfield, Va., hosts one of the first sites. Services offered do not require hands-on exams, such as primary care, nutrition, mental health counseling and social work. Project ATLAS centers are closer to veterans' homes, which allows VA to improve care and increase access.

Another technological innovation is VA's move to a new electronic health records system that links VA, Department of Defense (DoD), and community health-care providers to patient records. This ability provides veterans and clinicians with a complete picture of patients' medical histories, driving connections between military service and health outcomes. It also offers an improved and consistent patient-scheduling experience at VA medical facilities and community care partners nationwide.

These reforms require excellent leadership and talent in the VA health-care system. The future of VA health care is a hybrid and agile system that can fully leverage available technologies to address the needs of an increasingly diverse veteran population. The means by which VA delivers care may change, but one thing won't: VA should continue to deliver the best care anywhere to our nation's veterans. The American Legion stands ready as a true ally with Congress and VA to ensure that this nation's veterans have access to the world-class, compassionate care they have earned.

KEY POINTS

- » Modernizing the VA health-care system and IT infrastructure is an investment in VA's future and the best path forward.
- » While the overall number of veterans in the United States has been steadily declining with the aging population, the number of veterans receiving health care has increased, in part due to expanded coverage for Vietnam veterans and also as a result of medical needs of new veterans coming home from 20 years of war.
- » Over the next 10 years, VA will move to a new electronic health records system that links VA, DoD and community health-care providers to patient records and unifies all VA facilities under one system.

WHAT CAN CONGRESS DO?

- » Ensure that private-sector care meets the same rigorous quality, timeliness and reporting standards followed by VA, without limiting veterans' options.
- » Revitalize and modernize VA's aging IT infrastructure.
- » Ensure VA is accountable to deadlines proposed for various IT system upgrades and installations and that they remain fully funded.
- » Enhance VA's ability to offer tele-health services and tele-medicine to rural communities.

VA Recruitment and Retention

The American Legion has long expressed concern about VA staffing shortages. Attracting, hiring and retaining top talent is critical to the Veterans Health Administration's (VHA) mission to provide high quality and timely care for the nation's veterans. Demand for VHA's services will continue to grow due to increasing demand from servicemembers returning from military operations in Afghanistan and Iraq and the growing needs of an aging veteran population. The COVID-19 pandemic has only exacerbated the situation as frontline health-care professionals test positive for COVID-19, care for family members, or quarantine out of precaution.

The American Legion was heartened when VA onboarded 20,000 new staff members in the months when the pandemic began and netting 8,000 workers, after accounting for departures, as of mid-year. Using various authorities during the pandemic, some of which were newly granted in the Coronavirus Aid, Relief and Economic Security Act, VA announced that it had brought its time-to-hire down from a 94-day average to 10-12 days. In some cases, VA has onboarded applicants in just three days.

KEY POINTS

- » A 2020 VA Inspector General report lists medical officer and nurse occupations as the most commonly cited as having severe occupational staffing shortages and have been the most commonly cited occupations annually since 2014.
- » Psychiatry is the most commonly cited clinical occupation, and custodial worker is the most commonly cited nonclinical occupation with severe occupational staffing shortages.
- » Hiring of new health-care professionals and nonclinical staff is needed for the VHA to maintain a robust and viable care system for our nation's veterans.

WHAT CAN CONGRESS DO?

- » Require VA to develop and implement a plan to hire directors at VA medical centers that lack permanent leadership and to prioritize hiring at those facilities that have lacked such leadership the longest.
- » Address the recruitment and retention challenges VA has regarding pay disparities among physicians and medical specialists who are providing direct health care to veterans.

- » Monitor VHA and Veterans Benefits Administration (VBA) plans to address the underlying causes of severe occupational staffing shortages.
- » Expand the number of medical provider recruiters and provide additional financial and non-financial incentives for medical providers in hard-to-recruit specialties and rural VA centers or those near tribal lands.
- » Assist VA with improving advertising of hiring incentives, increasing academic recruitment efforts, and expanding professional development of existing VA employees.



Improving Care for Women Veterans

Women have served in the U.S. Armed Forces since the American Revolution. They have stood shoulder-to-shoulder with their male counterparts filling roles critical to our country’s national security. Women are the fastest growing demographic in the armed forces and veteran community. According to recent VA data, they are expected to increase by 0.6% annually from 2015 on and to reach 2.2 million women veterans by 2045. VA must plan now to account for these demographic shifts and ensure that women veterans are provided high-quality care and resources.

With the recent passing of provisions of the Deborah Sampson Act, a comprehensive bill that addressed the needs of many women veterans, VA has the opportunity to oversee these programmatic changes, research initiatives, and encourage the creation of a gender-inclusive environment within VA medical facilities. VA must be prepared to serve the gender-specific needs of women veterans now that Congress has given it the tools to do so.

Additionally, VA should consider the barriers women face when seeking health services. While VA offers Maternity Care Coordinators at every VA medical center, this program often goes overlooked and underutilized, due to VA’s lack of promotion. The American Legion urges Congress to extend post-delivery care services for newborns and examine the need for childcare services within VA facilities for the convenience of veterans seeking medical treatment pre- and post-delivery.

KEY POINTS

- » Women have voluntarily served in every war since the American Revolution.
- » By 2045, the number of women veterans will rise to 2.2 million, doubling the share of veterans who are women, from 9% to 18%.

WHAT CAN CONGRESS DO?

- » Provide timely oversight of recently passed legislation that addresses VA care inequity toward women veterans.
- » Offer quality childcare services at VA medical centers.
- » Urge VA to become better prepared for the gender-specific needs of the fastest-growing demographic within the veteran community, by offering extended and quality newborn care in VA medical centers.

Improve Access to Care for MST Victims and Survivors

According to recent DoD information, there has been an increase in reports of Military Sexual Trauma (MST) by 3% in Fiscal Year 2019, compared to Fiscal Year 2018.¹ MST is an issue in the military community and rears its ugly head throughout the survivor's life. The American Legion is deeply concerned with the presence of MST in DoD and how it is addressed within VA. There is much to be desired with how VA handles disability claims regarding MST.

It is VA's duty to provide care to MST survivors without re-traumatization or unjustifiably long wait times for services and treatment. This can be accomplished by encouraging compliance with recently passed legislation to ensure proper sensitivity training and culture change from the top down.

KEY POINTS

- » MST is a military issue; this traumatic experience does not exclusively belong to one gender or sexual orientation.
- » Incidents of MST within the military have increased annually by 3%, according to DoD.

WHAT CAN CONGRESS DO?

- » Ensure and verify compliance with VBA's MST sensitivity training and Directive 1115.
- » Provide VA with all necessary resources to equip veterans on their journeys to recovery from incidents and effects of MST.
- » Pass legislation that ensures a proper handoff occurs between DoD and VA for survivors of MST seeking care at VA facilities.
- » Assist VA in creating reporting and claims filing processes that prevent re-traumatization of veterans when documenting or filing disability compensation claims.

Support for Veteran Caregivers

Caregivers play vital roles in many aspects of veterans' lives. They often manage the home, finances and other needs of their families. However, their most taxing role is serving as the link between VA, the veteran and society as a whole. These various roles, juxtaposed with typical life stressors, can be strenuous on mental health. In the veteran space, it has been shown in several academic studies that by utilizing peer support, "burn out" – one's own physical, emotional and mental exhaustion – can be prevented.

The American Legion recognizes the significant daily contributions the veteran caregiver population makes and will continue to work to ensure that their needs are met. VA has a duty to support caregivers to ensure that they can provide quality care to our veterans. This can be accomplished by expediting the caregiver's application program, promoting open lines of communication regarding benefits, and providing quality peer-support opportunities.

¹ United States, Congress, Sexual Assault Prevention and Response. Department of Defense Annual Report on Sexual Assault in the Military, United States Department of Defense Sexual Assault Prevention and Response, 28 Apr. 2020. www.sapr.mil/sites/default/files/1_Department_of_Defense_Fiscal_Year_2019_Annual_Report_on_Sexual_Assault_in_the_Military.pdf.

KEY POINTS

- » Veteran caregivers have a complex, multifaceted role in the lives of veterans, often providing around-the-clock physical and mental care, steady income, and fulfillment of day-to-day household duties.

WHAT CAN CONGRESS DO?

- » Pass legislation that encourages caregiver involvement and open and frequent lines of communication about the veteran's health-care needs.
- » Ensure VA provides the necessary mental, social and financial support for veteran caregivers of all eras, through the VA's Caregiver Support program.

Mental Health

The COVID-19 pandemic has negatively affected many people's mental health and created new barriers for those suffering from mental illness and substance abuse disorders.² This year, the Centers for Disease Control and Prevention (CDC) revealed the results of a survey conducted in late June that demonstrated the physiological and emotional impact of the COVID-19 pandemic. The survey showed that reports of anxiety were nearly three times higher than those reported in 2019, and reports of depression were nearly four times higher.³ Additionally, another CDC survey found that 13.3% of respondents reported starting or increasing the use of drugs or alcohol this year. Additional stressors and increase in substance use as a result of the global pandemic have exacerbated pre-existing mental health conditions for many. Unfortunately, The American Legion has found this to be a common occurrence within the veteran community.

Recent statistics have shown that veterans experience higher suicide rates when compared to their civilian counterparts. VA, along with members of the veteran community, are no strangers to the impacts of suicide. While mental health needs manifest themselves in various ways, some more severe than others, all need quality treatment options that address military and veteran-specific needs. VA must continue to address two common risk factors in the veteran suicide epidemic: substance abuse and post-traumatic stress disorder (PTSD).

PTSD is a mental health concern that has plagued the military and veteran community for years. Unfortunately, due to the recent impacts of COVID-19, PTSD and other mental health concerns among veterans have increased due to social, financial and health-related hardships. The American Legion conducts a biennial Mental Health Survey to analyze treatment for PTSD among veterans and will socialize results with Congress and VA in hopes of providing insight on how best to counter the impacts of COVID-19.

Substance abuse is also known to be a harmful result or identifier of deeper mental health concerns. Substance abuse can take many forms including alcoholism, narcotics use and misuse of prescription or over-the-counter drugs. While opioids can be offered as a useful short-term or controlled treatment plan to alleviate pain for a variety of health concerns, informed consent and education on the cause and effects of substance-use disorders should be offered to participating veterans by licensed clinicians. The American Legion believes this will not only provide self-efficacy and educated health decisions in the veteran's health journey, but it will have a positive impact on the growing issue of substance abuse in the veteran population.

There are many factors to consider when addressing mental health issues: biological, psychological and social elements. Therefore, the approach to addressing mental health concerns should be cognizant of these elements when exploring types of therapies, medications and community reintegration options.

2 Panchal, N., Kamal, R., Orgera, K., Cox, C., Garfield, R., Hamel, L., & Chidambaram, P. The implications of COVID-19 for mental health and substance use. Kaiser Family Foundation. (2020). Retrieved from: <https://www.kff.org/coronavirus-covid-19/issue-brief/the-implications-of-covid-19-for-mental-health-and-substance-use/>

3 Czeisler, Mark É., Rashon I. Lane, Emiko Petrosky, Joshua F. Wiley, Aleta Christensen, Rashid Njai, Matthew D. Weaver et al. "Mental health, substance use, and suicidal ideation during the COVID-19 pandemic—United States, June 24–30, 2020." *Morbidity and Mortality Weekly Report* 69, no. 32 (2020): 1049.

KEY POINTS

- » In 2017, The American Legion established a suicide-prevention program to encourage conversations on the review of methods, programs and strategies that can best address and reduce veteran suicide.
- » The American Legion is scheduled to conduct its 2021 Mental Health Survey to understand the impact of the COVID-19 pandemic in regard to mental health.

WHAT CAN CONGRESS DO?

- » Encourage VA to provide informed consent on various psychotropic drugs that are being recommended for patient treatment, to ensure safe and informed usage.
- » Provide oversight of the legislation that provided vast research and pilot program opportunities to address suicide rates within the veteran community.
- » Continue to monitor and address evolving issues related to the COVID-19 pandemic and mental health.
- » Provide additional resources to existing and new peer-support programs.



Peer Support

Servicemembers become members of something larger than themselves when they join the military. They join a diverse family that provides around-the-clock emotional and social support. When servicemembers transition out of the military and back to the civilian world, they can feel isolated. The series of emotional and environmental changes that accompany transition may cause mental health issues, substance abuse and even financial insecurity.

Veteran Service Organizations (VSOs) serve as the connective tissue between veterans, VA and the community. This is why The American Legion proudly facilitates its “Buddy Check” program among members and all veterans who wish to participate. This peer-to-peer outreach creates an opportunity to have an open and candid dialogue with someone who has shared similar experiences. The American Legion urges Congress to pass legislation similar to the S. 4657 “Buddy Check” bill that was introduced in the 116th Congress which would require VA to designate one week each year as “Buddy Check Week” for the purpose of outreach and education on peer wellness checks for veterans.

Peer-support programs can provide a network of support during turbulent times and can take many forms. VA has recognized the value of these networks and in response has implemented Peer Support Programs at various facilities across the nation but not at all VA facilities. VSOs bridge the gap and connect veterans with the community and the services they have earned. To this end, The American Legion supports the PFC Joseph P.

Dwyer Peer Support Program Act, which would create a pilot program that provides grants to place peer-support specialists in local posts.

KEY POINTS

- » Studies show that peer-to-peer support improves social and emotional wellbeing.
- » Peer support services have also been recognized as most beneficial when utilized by the veterans' families and caregivers.

WHAT CAN CONGRESS DO?

- » Ensure the passage of legislation similar to S. 4657 "Buddy Check Week" bill which would require VA to designate one week each year as "Buddy Check Week" and provide educational opportunities on how to conduct peer-wellness checks.
- » Encourage VA and VSO collaboration to ensure the needs of veterans are addressed and met with, whether the veteran chooses to use VA services or not.
- » Reintroduce and pass the PFC Joseph P. Dwyer Peer Support Program Act, which would create a pilot program that provides grants to place peer-support specialists in local posts.

TBI

Traumatic brain injury (TBI) is a sudden injury that causes damage to the brain when there is a blow, bump, blast or jolt to the head. Commonly known as "the signature wound" of recent wars, TBI has remained a priority for The American Legion. Originally created through Resolution No. 9: Appointment of TBI/PTSD Committee in 2015, The American Legion's TBI, PTSD, and Suicide Prevention Committee has continued to advocate for veterans suffering from this injury.

TBI can be accompanied by many symptoms, including depression, anxiety, irritability, insomnia, personality changes and memory and emotional regulation issues. What makes TBI particularly difficult to treat is its symptoms similarity with PTSD. This symptom overlap makes identifying the source of these symptoms a complicated task. In addition, the symptoms of TBI may exacerbate symptoms of PTSD and vice versa.

The most concerning and ongoing issue of TBI is the number of related symptoms that are common risk factors of suicide. As we continue to adjust to the coronavirus' societal impacts, we must monitor how "our new normal" has affected those dealing with TBI and other associated mental health issues. Recent research shows that individuals who have experienced past traumas are more likely to develop new mental health symptoms or experience worsening symptoms as they encounter new traumas.⁴

KEY POINT

- » The American Legion TBI, PTSD and Suicide Prevention Committee encourages the advancement of research into the complex issues of those who have experienced TBI, through new innovative care options.

WHAT CAN CONGRESS DO?

- » Pass legislation to provide oversight and funding to VA for innovative, evidence-based, complementary and alternative medicine (CAM) in treating TBI/PTSD.
- » Pass legislation that empowers veterans' abilities to choose treatments that work best for them to address TBI and PTSD while ensuring that veterans are counseled regarding the treatments so they can give informed consent to alternative medications and treatment options.

⁴ Lynsay Ayer et al., "Behavioral Health of Gulf Coast Residents 6 Years After the Deepwater Horizon Oil Spill: The Role of Trauma History," *Disaster Medicine and Public Health Preparedness* 13, no. 3 (June 2019): 497-503, DOI: 10.1017/dmp.2018.84



Toxic Exposures During Service

The exposure of military personnel to toxic substances, both while deployed overseas or stationed at home, has been an ongoing issue across a range of wars and generations. These exposures have resulted in conditions and illnesses among veterans which can have long-lasting adverse effects on health and quality of life. The American Legion has fought an ongoing struggle for service-connected disability benefits for adverse health conditions linked to exposures from various toxic substances.

It took decades for VA to provide relief for veterans of Vietnam exposed to Agent Orange. The U.S. government still has yet to finish its work for Vietnam veterans, and we have already begun the cycle anew with the current generation of servicemembers who served in Iraq and Afghanistan. Millions of servicemembers have been deployed in the Global War on Terrorism, and a disturbingly high percentage of them have been exposed to toxic hazards during their service, from burn pits in Iraq and Afghanistan to radiation exposures at Karshi-Khanabad (K2) in Uzbekistan. Yet, VA has not conducted sufficient studies to determine illnesses and diseases directly related to various types of toxic chemicals, nor has it begun to develop a list of presumptive conditions.

We must break this cycle of providing care that is considered “too little, too late” for our veterans. They cannot wait decades to receive the care they need and rightfully deserve.

KEY POINTS

- » Generations of veterans were exposed to various toxic and environmental hazards that continue to affect them and their children.
- » Veterans exposed to toxicants have been forced to endure a long and arduous journey before receiving health care and benefits for diseases stemming from exposure during their military service.
- » As many as 3.5 million service members are estimated to have been exposed to burn pits since Sept. 11, 2001.

WHAT CAN CONGRESS DO?

- » Reintroduce and pass the Toxic Exposure in the American Military Act of 2020, the “TEAM Act of 2020.”
- » Require VA to properly study and understand toxic chemicals veterans were exposed to, where exposures occurred, and develop a list of health conditions related to them.

Reduce the Backlog of Veterans Claims and Appeals

A severe backlog of VA benefits claims and appeals continues to exist. For each one of these claims, a Compensation and Pension (C&P) Examination must be performed to determine if a disability is connected to military service. Recently, VA turned over 100% of its C&P exams to vendors in the private sector, except in certain cases, such as those who are currently admitted to VHA facilities.

In January 2020, the Chairman of the Board of Veterans Appeals (BVA) reported that the BVA had set a goal of performing 50,000 hearings for veterans who have appealed their cases. The chairman believes that such a goal can be met through the widespread use of virtual hearings – a new option introduced by the board last year as an alternative to in-person or videoconference hearings. Through this online technology, veterans' hearings can be scheduled more quickly and will significantly alleviate veterans' travel expenses.

VA has worked diligently to reduce its backlog of new disability claims from its peak of 611,000 in March 2013 to its all-time low of 64,000 in December 2019. The COVID-19 pandemic significantly impaired VA's ability to process claims as it was forced to suspend in-person C&P exams for several months, and the amount of VA personnel able to work on claims was limited to mitigate exposure of staff to the virus. VA must redouble its efforts again to bring the backlog back down to a manageable level.

KEY POINTS

- » VA's Undersecretary for Benefits reported that the COVID-19 pandemic has led to a backlog of about 300,000 disability claims.
- » New virtual tele-hearing options provide veterans with the flexibility and convenience of attending board hearings from personal computers or mobile devices.

WHAT CAN CONGRESS DO?

- » Expand virtual board hearing options for veterans to ensure they receive benefits earned through their service and to reduce the backlog of claims and appeals.
- » Reassign C&P exams to VA as a temporary measure to reduce the C&P backlog.
- » Establish interim benefits for veterans awaiting action on claims for service-connected disabilities if no action is taken within the first 125 days of the claim's submission.

VA's National Cemetery Administration

The VA National Cemetery Administration (NCA) was established by Congress and approved by President Lincoln in 1862 to provide proper burial and grave registration of the Civil War dead. More than 3 million Americans, including veterans of every war and conflict, are buried in VA's national cemeteries.

However, cemeteries are running out of space, particularly in urban areas where there are large populations and land is expensive. VA has worked to handle this issue through programs such as the urban initiative which would establish columbarium-only national cemeteries in certain urban areas. According to a 2019 Government Accountability Office (GAO) report, VA planned to provide reasonable access (within 75 miles of their home) to burial options for every veteran at a national or state veterans cemetery, which would establish 18 new national cemeteries. However, NCA has made limited progress on these plans and has had difficulty acquiring land for new cemeteries and columbaria. Only about 92% of veterans had reasonable access to burial options in Fiscal 2018. All veterans should have access to proper burial sites in recognition of their service.

The American Legion urges Congress to appropriate necessary funds to establish additional national and state cemeteries and columbaria and ensure that all veterans can be buried with the appropriate honor they deserve.

KEY POINTS

- » More than 3 million Americans veterans of every war and conflict are buried in VA's national cemeteries.
- » Congress must provide sufficient major construction appropriations to permit NCA to accomplish its stated goal of ensuring that burial in a national or state cemetery is a realistic option by locating cemeteries within 75 miles of 90% of all veterans.
- » Only about 92% of veterans had reasonable access to burial options in Fiscal 2018.

WHAT CAN CONGRESS DO?

- » Appropriate the necessary funds to establish additional national and state cemeteries and columbaria wherever a need is apparent and ensure appropriate oversight of the maintenance of these facilities and grounds.



Career Transition, Education & Economic Opportunity for Servicemembers & Veterans



Transition Assistance Program

The most critical period in a veteran's ability to succeed in the civilian job market is the period of transition between active duty and civilian life. With our nation continuing to face the challenges of the COVID-19 pandemic, it is critical that servicemembers receive meaningful transition assistance before separating. The American Legion strongly supports mandatory Transition Assistance Program (TAP) training for all departing servicemembers, including those separating from Reserve and National Guard components.

Congress and the DoD have made meaningful strides to improving TAP over the last few years. The Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 called for VA to carry out a one-year independent study of TAP to research the program's effectiveness and a five-year longitudinal study comparing TAP programs. The American Legion looks forward to these studies and stands ready to assist VA and DoD in developing future programming.

KEY POINTS:

- » The National Defense Authorization Act (NDAA) of 2021 authorized a pilot program for off-base transition training to make the transition process easier for veterans and spouses by giving them more time to access resources and digest the information.
- » The new NDAA also provides grants to eligible organizations to provide transition assistance to recently discharged veterans in résumé assistance, interview training and job-recruitment training.

WHAT CAN CONGRESS DO?

- » Hold federal agencies accountable for implementing the John McCain NDAA for the Fiscal Year 2019 adapted provisions of the Better Access to Technical Training, Learning and Entrepreneurship for Servicemembers Act (BATTLE for Servicemembers Act), which folds optional two-day workshops on higher education, skills training and entrepreneurship into the five-day TAP workshop.

- » Hold VA accountable for completing studies of TAP, as directed by the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 and the NAVY Seal Chief Petty Officer William “Bill” Mulder (Ret.) Transition Improvement Act provisions of the Fiscal Year 2021 NDAA.
- » Introduce legislation to authorize military spouses to accompany servicemembers participating in TAP.

Veterans Preference Hiring

The American Legion believes that federal and state governments should set the standard for hiring veterans. Government employers, more than any others, should be acutely aware of the unique advantages veterans bring to the table when working on their teams. Veterans Preference Hiring benefits the government and assists veterans from every socioeconomic class, gender, religion, ethnicity, sexual orientation and creed.

With the Office of Personnel Management and VA consistently requesting changes to federal hiring authorities and practices, The American Legion opposes any changes that degrade current Veterans Preference Hiring authorities. The American Legion strongly opposes recent policy proposals that have suggested limiting Veterans Preference Hiring to 10 years after service. Those who answer the call to service in the U.S. Armed Forces should be able to join the ranks of the civil service any time they choose to serve the nation again.

KEY POINTS:

- » Veterans have made up over 30% of the federal workforce since 2017.
- » Alongside veterans’ preference, there is the Veterans’ Recruitment Appointment authority which allows agencies to appoint eligible veterans to certain positions without competition.
- » In June 2020, the National Commission on Military, National, and Public Service issued a report recommending limiting veterans preference to 10 years after an individual’s separation from the military to better target servicemembers trying to transition to civilian careers.

WHAT CAN CONGRESS DO?

- » Oppose any legislation that degrades current Veterans Preference Hiring, including proposals that limit it to 10 years after service.
- » Mandate that agencies using new hiring authorities report annually to Congress on the employment levels and representation of veterans in their workforces, along with the number of veterans hired using these new authorities.
- » Include in that required report a catalog of all veteran recruiting and applicant sourcing activities to ensure the veteran community is aware of job opportunities, regardless of hiring authority and any other activities that demonstrate commitments to conducting affirmative outreach to veterans.
- » Require that agencies develop best practices in administrative measures and resources that educate and train human resources professionals and hiring managers on the value of veterans and military spouses and facilitating the translation of military-to-civilian work experience.

Eliminate Veteran Homelessness

The causes of homelessness can be grouped into three categories: economic hardships, health issues and lack of affordable housing. Although these issues affect all homeless individuals, veterans face additional challenges in overcoming obstacles, including prolonged separation from traditional support, such as family and friends; stressful training and occupational demands, which can affect personality, self-esteem and the ability to communicate after discharge; and non-transferability of military occupational specialties into the civilian workforce.

Addressing veteran homelessness isn’t the job of just one federal agency. It requires complex coordination among multiple stakeholders at the federal, state and local levels. The American Legion is proud to have advocated for

numerous programs and improvements to existing programs passed in the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 last Congress. This comprehensive legislation expanded current federal grant programs, provided funding for legal services for homeless veterans and veterans at risk for homelessness, and requires VA to address staffing shortcomings for case managers in the Housing and Urban Development-VA Supportive Housing (HUD-VASH) Program.

The American Legion is focused on preventing homelessness through the simple mantra, “Get them before they get on the street.” The American Legion offers support to at-risk and/or homeless veterans and their families, advice and counseling, assistance obtaining care and benefits, financial help, career fairs, business development workshops and other forums.

KEY POINTS:

- » Twenty-one out of every 10,000 veterans were homeless in 2019. Overall, 17 out of every 10,000 Americans are homeless.
- » COVID-19-related unemployment rates and evictions are a cause for alarm. Despite government moratoriums, evictions are still occurring throughout the United States, and a surge is expected of veterans seeking assistance from homeless service providers.
- » Female veterans are the fastest-growing demographic among the homeless population in the United States.
- » VA has helped house or prevent more than 800,000 veterans and their families from experiencing homelessness since 2010.

WHAT CAN CONGRESS DO?

- » Hold VA accountable for staffing 100% of HUD-VASH case managers, including using newly enacted authorities to contract the position out when a vacancy exists for an extended period of time.
- » Permanently authorize the supportive services for veterans and families.
- » Provide a higher allocation of project-based HUD-VASH vouchers for homeless veterans.



Close the 90/10 Loophole

The American Legion is a leader in advocating for educational benefits for our nation's heroes. Bad actors stand ready to exploit veterans each time benefits expand. Congress has a responsibility to safeguard veterans from predatory institutions and should immediately pass legislation to close the "90/10 loophole."

Under current law, for-profit colleges may receive no more than 90% of their revenue from federal aid. At least 10% of revenue must be acquired outside of federal aid so that the Department of Education has quality assurance. If a college offers a quality education at a competitive price, someone other than the federal government, such as employers, philanthropic scholarships or students, will be willing to pay for attendance at the school. VA and DoD education programs are statutorily counted as private dollars on the 10% side, allowing schools to report GI Bill and DoD Tuition Assistance as private dollars, resulting in aggressive recruitment.

The American Legion believes that legislation is needed and federal action should be taken to ensure better quality and student outcomes for servicemembers and veterans, by excluding DoD and VA funds from the 90/10 calculation for federal student aid.

KEY POINTS:

- » VA-approved schools now provide in-state tuition rates to all veterans regardless of residency status.
- » Legislation closing the 90/10 loophole has been introduced every year since 2011. The Protect Veterans' Education and Taxpayer Spending Act is the first bill that closes the loophole and has earned bipartisan support.

WHAT CAN CONGRESS DO?

- » Pass the Protect VETS Act to close the 90/10 loophole that counts VA and DoD educational funds as private dollars.
- » Ensure the implementation of the safeguards of the Protect the GI Bill Act adapted provisions passed in the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 that reinstates GI Bill benefits to students whose schools have closed, as well as implementation of additional GI Bill oversight of schools.



American Made for Critical Goods

Outsourcing manufacturing to foreign countries with low-cost labor results in job loss, the decline of the American middle-class and undermines U.S. national security interests. The American Legion recognizes the reality of a globalized economy; advocating for wholesale insourcing of all products and decoupling the U.S. economy from the world is not an option. As a nation, the United States must chart a course to eliminate dependencies on foreign sources for products that have national security and strategic importance.

The American Legion believes the U.S. supply chain of emergency medical and personal safety supplies should be stronger and more resilient. The COVID-19 pandemic-induced product shortages and price gouging exposed the disadvantages of globalization and over reliance on foreign-sourced goods. The Buy American Act only requires that goods purchased by the federal government are 50% manufactured in the United States. A substantial amount of raw materials and components in “Made in USA” labeled goods are sourced overseas. This statutory deceit must be fixed.

The American Legion has long recognized the importance of VA contracting vehicles that make up its medical supply chain and understands the need to secure that supply chain with U.S.-sourced products to ensure that VA can provide adequate care for veteran patients in emergency times. The American Legion supports legislation that would require VA and the DoD to adopt a “Buy American” policy.

KEY POINTS

- » Italy was home to one of two factories that made the vast majority of nasal swabs used in the kits required for COVID-19 tests. When Italy became the epicenter of COVID-19, this became the weakest link in our medical supply chain, severely hampering testing capacity.
- » In 2019, U.S. manufacturing dropped to the smallest percentage of GDP since 1947.
- » The Biden Administration has pledged to close the 51% loophole and pursue complaints filed with the Federal Trade Commission on “Made in America” branded products manufactured in China.

WHAT CAN CONGRESS DO?

- » Require VA and DoD to adopt a “Buy American” policy for products critical to veterans’ care and reduce dependence on foreign-sourced products.
- » Require the government to support veteran entrepreneurship and increase federal procurement opportunities for veterans.

Licensing and Credentialing

DoD provides the best vocational training in the nation for its military personnel. Many occupational career fields in the military translate to civilian jobs. However, there are occupations in the civilian workforce that require a license or certification. Every year, skilled servicemembers miss out on the chance to quickly move into good, high-paying, career-building jobs because they must undergo lengthy and expensive retraining to meet civilian requirements, often for the same type of jobs they held in the military.

To respond to these challenges, The American Legion joined forces with Lumina Foundation in 2019 to launch the Military Credentialing Advancement Initiative (MCAI). MCAI convened small groups of public and private sector stakeholders across industry, education, labor, and the military to compile models and principles that have been successfully executed to lower credentialing barriers for servicemembers. Our recent MCAI Report published these results and included public-private partnerships, recognition of learning and stackability of credentials, tools, resources and the latest research on military hiring trends.

While this report focuses on many private-sector and state-level solutions, Congress has its own opportunities to strengthen the pipeline between military training, transition and employment.

KEY POINT

- » In 2019, more than 23,000 servicemembers earned civilian credentials, and more than 12,000 participated in DoD's Skillbridge Initiative.

WHAT CAN CONGRESS DO?

- » Pass the Work for Warriors Act of 2020 to authorize a pilot program to enhance efforts to provide advanced job-placement assistance and employment services directly to members of the National Guard and Reserves. The program would be modeled after California's Work for Warriors Program, which has successfully created more than 900 business partnerships throughout the state.
- » Pass the National Apprenticeship Act of 2020 to reauthorize the historic National Apprenticeship Act and codify many of the regulations into statute and modernize them to meet today's workforce's needs through targeted grants and partnerships.
- » Convene roundtables with cross-sector stakeholders to discuss best practices to lower credentialing barriers and empower veterans to faster tracks toward employment.

Financial Protections for Veterans Against Predatory Lenders

Military service often makes servicemembers targets for predatory and unscrupulous lending practices. Everyone who has served has heard the horror stories of auto loan rates of more than 20%, and reverse mortgage schemes for older veterans and military retirees who are desperate to remain in their homes.

The Consumer Financial Protection Bureau (CFPB) was created in 2011 in the aftermath of the economic crash a decade ago. The CFPB has recovered millions of dollars in relief for servicemembers, veterans and military families from companies that targeted them with scams or illegal practices. CFPB's Office of Servicemember Affairs (OSA) works to help military families overcome unique financial challenges by providing educational resources, monitoring complaints and working with other agencies to solve problems faced by servicemembers.

The American Legion supports expanding the authority of the CFPB to conduct supervisory examinations for violations of the Military Lending Act and improving servicemember financial protections and enforcement. The American Legion opposes any legislation that undermines the powers of the CFPB with respect to protection of servicemembers, veterans and their families.

KEY POINT

- » The CFPB announced 25 new enforcement actions between July and October 2020, as part of another investigatory sweep concerning potential unlawful advertising by mortgage companies offering mortgages guaranteed by VA.

WHAT CAN CONGRESS DO?

- » Expand the authority of the CFPB to enforce violations of the Military Lending Act.
- » Oppose repeals of CFPB's rule on arbitration agreements and bar servicemembers, veterans and other consumers from joining in court against unscrupulous financial institutions.

Maintain a Strong National Defense



Ensure the Coast Guard is Paid

The U.S. government recognizes that the military cannot take time off protecting the nation and has rightfully ensured that the DoD is paid during government shutdowns. However, the U.S. Coast Guard does not receive the same consideration. Government shutdowns have a terrible effect on the federal government's ability to function, partly because it cannot pay its employees. Often these employees who are furloughed get their wages in back pay after the government shutdown ends, but this can have major short-term repercussions on those servicemembers who cannot pay their monthly bills.

The Coast Guard employs approximately 42,000 active-duty, reserve and civilian personnel and is organized under the Department of Homeland Security (DHS). When government shutdowns sequester the DHS budget, members of the Coast Guard are among the thousands of federal employees who do not receive pay. Despite not being paid, they continue to work because their jobs are a matter of national security.

During the 2019 government shutdown, The American Legion issued more than \$1 million in expedited Temporary Financial Assistance grants to Coast Guard personnel and their families. The American Legion believes that the Coast Guard should continue to be paid even in the event of a government shutdown, just like the other uniformed services.

KEY POINTS:

- » The U.S. Coast Guard is the only branch of the uniformed services that does not fall under the DoD. During federal government shutdowns, Coast Guard personnel are exposed to working without pay.
- » In nearly every conflict that the United States has been involved in, the president has transferred all assets of the Coast Guard to the Department of the Navy because the Coast Guard is a unique branch of the military responsible for maritime security, search and rescue, port security, law enforcement and military readiness with jurisdiction in both domestic and international waters.

WHAT CAN CONGRESS DO?

- » Reintroduce and pass legislation, such as the Pay Our Coast Guard Act and Pay Our Coast Guard Parity Act of 2019, which would ensure that the Coast Guard is paid in the event of a government shutdown.

Military Quality of Life

The U.S. military's greatest resource is its personnel and their families. Without highly qualified, dedicated men and women, even the most sophisticated weaponry will not provide the deterrent force necessary for our nation's protection.

Military quality of life has many factors, including proper compensation, fair treatment, career stability, appropriate housing, adequate health care, access to commissaries and sufficient day-care facilities. Servicemembers have enough to worry about with their normal duties and should not need to be concerned about ensuring their families are safe and properly cared for. Childcare remains an issue as many military families could not use installation childcare providers due to lengthy waiting lists, even before the pandemic. Now there are even fewer spots available for childcare as facilities try to mitigate the risks of COVID-19. Housing remains a recurring problem as it has been discovered that many military privatized housing companies provided substandard housing to military families that contained toxic substances and mold. A recent GAO report found that the DoD oversight of military privatized housing remains inadequate to ensure that military families have suitable housing. Proper funding and oversight of these quality-of-life benefits ensures that servicemembers can focus on safeguarding and defending this great nation rather than worry about their families.

The American Legion believes that legislation and federal agency action should be taken to ensure quality-of-life standards for servicemembers and their families through increased funding for programs that enhance military quality of life, protect existing benefits and provide proper oversight of DoD and its contractors.

KEY POINTS:

- » DoD considers childcare services a quality-of-life benefit and DoD officials have indicated that the primary reason for providing childcare services is to enhance force readiness.
- » DoD policy ensures that childcare services support readiness, retention and morale of the total force during peacetime, overseas contingency operations, periods of force structure change, relocation of military units, base realignment and closure and other emergencies.
- » By using commissaries, military families can save an average of more than 30% on their purchases, compared with commercial supermarkets.

WHAT CAN CONGRESS DO?

- » Provide increased funding for childcare centers and ensure that servicemembers have affordable access to it.
- » Continue to fully fund and retain the military commissary system which is essential to morale and readiness.
- » Rebuild military infrastructure by increasing funding for facilities sustainment allowing for military construction, including family housing.
- » Consistently pass the National Defense Authorization Act without the need for continuing resolutions, to provide reliable, consistent funding and ensure that all military members are paid without delay.

Addressing, Memorializing the Forever War

Nearly two decades after the terrorist attacks on Sept. 11, 2001, American troops continue to wage war in Iraq and Afghanistan. The primary mission of U.S. military forces has been the Global War on Terrorism. The so-called "forever war" or "endless war" has been the basis for an ever-expanding range of military deployments and supporting operations around the world.

The war in Afghanistan, for example, has spanned a generation. And for some families, the idea of multi-generational war takes on new meaning. Parents who fought in Afghanistan have seen their own children deployed there as well. An entire generation has lived through the Global War on Terrorism and its successor campaigns. However, since 1945, when the United States assumed the role as global peacekeeper, war has been a way of life.

Arguably there have been only two years in the past 75 years (1977 and 1979) when the United States was not fighting in foreign countries or lesser-known corners of the world.

The United States continues to be a force for good as it strengthens resilience among partners and allies. Yet cuts to the U.S. Department of State have significantly inhibited America's ability to make diplomacy the pillar of foreign policy and defense strategy. Complex global threats cannot be solved by military power alone. The American Legion urges Congress to pass legislation to ensure that the Department of State and the U.S. Agency for International Development (USAID) have the necessary resources to address the root causes of violent conflict. Furthermore, The American Legion urges a renewal of a proper constitutional balance to American foreign policy decision-making by encouraging Congress to renew its proper war-making oversight role by repealing or replacing the outdated post-9/11 Authorizations for Use of Military Force (AUMF).

Also, in light of the nearly 3 million American servicemembers who have deployed abroad since 9/11 – thousands of deaths and tens of thousands of casualties – The American Legion strongly supports the placement of a national memorial on the National Mall in Washington, D.C., to honor the service and sacrifice, as well as that of their families, of this extraordinary generation of veterans.

KEY POINTS

- » Our servicemembers accomplished their original objectives in Afghanistan long ago at great cost – psychological, physical and spiritual.
- » Two-thirds of U.S. veterans, a majority of military families and the general public support a full withdrawal of U.S. troops from Afghanistan and Iraq, according to recent polling.
- » The post-9/11 AUMFs have been in effect for over twice as long as the 1964-1971 Gulf of Tonkin Resolution, which gave President Lyndon B. Johnson authorization, without a formal declaration of war by Congress, for the use of conventional military force in Southeast Asia.
- » Nearly 3 million Americans have served in the Global War on Terrorism, thousands having lost their lives and tens of thousands more having been wounded; a national memorial to this generation belongs in Washington D.C.

WHAT CAN CONGRESS DO?

- » Repeal and replace the outdated AUMFs in Afghanistan and Iraq.
- » Pass the Fiscal Year 2022 State, Foreign Operations and Related Programs appropriation bill. This legislation funds the Department of State, USAID and other diplomatic and political initiatives.
- » Pass the Global War on Terrorism Memorial Location Act.



Build National Pride and Advance Patriotism

Amend and Update the U.S. Flag Code

Appropriate care, display, and respect for the U.S. flag has been a mission of The American Legion for nearly its entire history. In June 1923, the Americanism Commission called the first National Flag Conference in Washington D.C. There, representatives from The American Legion, Daughters of the American Revolution, Boy Scouts, Knights of Columbus, the American Library Association, and more than 60 other patriotic, fraternal, civic and military organizations gathered to draw together one standard set of guidelines relating to the flag from the many traditions and variations rampant in the country at that time. A second National Flag Conference was held in June 1924. After both conferences, The American Legion printed and distributed guidance nationwide.

Congress made the U.S. Flag Code public law in 1942. Amended several times in the decades since its adoption, the U.S. Flag Code is a codification establishing advisory rules for the care, display and respect of the American flag. However, the law does not provide any criminal or civil penalties for violating any of its provisions. Minor changes have been made, but Congress has never made comprehensive changes to the code.

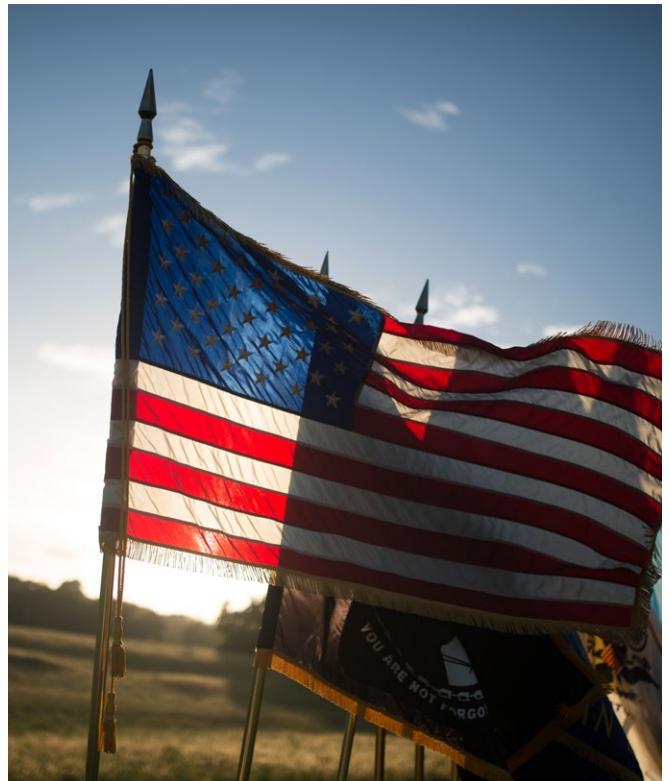
The American Legion believes the U.S. flag, which predates the U.S. Constitution, says “America” more than any other symbol. The flag represents the values, traditions and aspirations that bind Americans together as a nation. It stands above the fray of day-to-day politics and unites the nation in times of crisis. Therefore, The American Legion urges Congress to approve changes to the U.S. Flag Code to codify multiple accepted patriotic customs and practices pertaining to the display and use of it. These changes include additional times and occasions where the flag should be displayed at half-staff, how other flags should be flown when accompanying the U.S. flag, and allowing for flag patches to be worn on the uniforms of military personnel, first responders and members of patriotic organizations.

KEY POINT

- » In a national poll commissioned by the Citizens Flag Alliance, the majority of respondents support a new amendment to the Constitution that would restore the power of Congress to protect the American flag from physical desecration.

WHAT CAN CONGRESS DO?

- » Update and modernize the U.S. Flag Code to codify multiple accepted patriotic customs and practices pertaining to the display and use of the flag of the United States of America.
- » Approve an amendment to the U.S. Constitution that would allow Congress to prohibit the physical desecration of the American flag, our nation’s enduring symbol of unity and freedom.



American Legion Legislative Testimony in 2020

Jan. 29: CARING FOR VETERANS IN CRISIS: ENSURING A COMPREHENSIVE HEALTH SYSTEM APPROACH

The issue: Reduction of veteran suicide

The forum: House Committee on Veterans' Affairs

American Legion testimony: Urges recruitment, fulfillment and retention to improve VA staffing shortages, specifically in psychiatric care; addresses access-to-care issues faced by veterans in rural, remote areas and explains Project ATLAS, a pilot program that provides tele-health services in American Legion posts.

Feb. 5: EXAMINING HOW THE DEPARTMENT OF VETERANS AFFAIRS SUPPORTS SURVIVORS OF MILITARY SEXUAL TRAUMA

The issue: Military Sexual Trauma

The forum: House Committee on Veterans' Affairs, Subcommittee on Oversight and Investigations and the Women Veterans Task Force

American Legion testimony: American Legion System Worth Saving site visits reveal that staff in the VA MST program are facing high demand, greater than the 20-percent allotment specified for that purpose in their full-time work schedules. Also troubling is that one in four women report unwelcome behavior, comments and other acts of sexual harassment at VA facilities and do not feel safe seeking care there. The American Legion calls for a re-evaluation of VA's MST program, improve staff training and education and impose disciplinary action on VA claims raters who fail to acknowledge MST markers in disability benefits applications.

Feb. 6: ECONOMIC OPPORTUNITY LEGISLATIVE HEARING

The issue: Pending and draft legislation

The forum: House Committee on Veterans' Affairs, Subcommittee on Economic Opportunity

American Legion testimony: Dispositions on 14 bills that seek to improve the transition process and services for veterans, including the Wage Adjustment for Veterans Enrolled in School Act to changes to the Edith Nourse Rogers STEM Scholarship program and authority for VA to collect outcome-based data as a comparison tool for veterans making choices about where to use their GI Bill benefits.

Feb. 11: ACHIEVING HEALTH EQUITY FOR AMERICA'S MINORITY VETERANS

The issue: Disparities in VA care for minority veterans

The forum: House Committee on Veterans' Affairs, Subcommittee on Health

American Legion testimony: Better race and ethnicity data collection and accuracy are needed to more clearly track the issue; better communication and outreach can build trust among minority veterans eligible for VA care, or improve trust for those now using it; and many health-care conditions or diseases that are more prevalent among minorities require greater research, emphasis and changes to reduce disparities between minority VA health-care patients and others.

Feb. 27: VA BUDGET REQUEST FOR FISCAL YEAR 2021

The issue: Funding priorities for VA

The forum: House Committee on Veterans' Affairs

American Legion testimony: Top American Legion priorities for funding, staffing and attention from VA are identified as: reduction of errors in VA claims adjudications related to mental health conditions; more funding and attention to veteran suicide prevention; continuation of advancements for veterans who were victims of Military Sexual Trauma; continued efforts to fully update and properly fund VA's information technology systems; institute long-awaited Electronic Health Records Modernization program that follows the individual from military enlistment throughout life; improved outreach to veterans so they fully understand their VA benefits; further implementation of the VA MISSION Act; resources to improve care for women veterans; expansion of benefits and support for caregivers of disabled veterans; increased funding for State Approving Agencies that provide oversight for GI Bill and other education and training benefits; ensuring quality care for veterans living in rural and remote areas; advancement and reporting compliance improvements for the Appeals Modernization Act for veterans disputing VA claims decisions; improved and more stable funding for VA medical and prosthetic research; adequate resources to combat veteran homelessness; and other areas of budgetary concern.

March 11: THE AMERICAN LEGION NATIONAL COMMANDER'S TESTIMONY

The issue: American Legion's legislative priorities for remainder of 116th Congress

The forum: Joint Hearing of the House and Senate Committees on Veterans' Affairs

American Legion testimony: American Legion National Commander James W. "Bill" Oxford calls for "implementation, oversight and improvement" of key veteran-support measures already passed by Congress and signed into law, including the MISSION Act, the Blue Water Navy Act and the Harry W. Colmery Veterans Educational Assistance Act. The commander also addressed the need for improvement in the areas of mental health services, care for women veterans, support for caregivers of disabled veterans, toxic exposure during service, career transitions, education benefits and more.

March 11: RESILIENCE AND COPING: MENTAL HEALTH OF WOMEN VETERANS

The issue: The need for improved care and treatment of women veterans

The forum: House Committee on Veterans' Affairs, Subcommittee on Health

American Legion testimony: Support for the Deborah Sampson Act and general improvements in the care and treatment for the fastest-growing demographic in the U.S. Armed Forces and veteran community: women. The act aims to enhance readjustment and related assistance programs for women veterans; provide more suitable legal and supportive services; further develop and improve newborn care; eliminate barriers to access health-care services for women; and strengthen data collection and reporting on issues related to care for women veterans.

July 22: ENDING SEXUAL HARASSMENT IN THE DEPARTMENT OF VETERANS AFFAIRS

The issue: Sexual harassment against women in VA health-care facilities

The forum: House Committee on Veterans' Affairs, Subcommittee on Oversight & Investigation

American Legion testimony: Male veterans who use VA care and male VA employees are reported to have the highest incidence of sexual harassment in the federal government. The American Legion calls on Congress to "direct VA to foster an environment that is free from harassment and nurtures a climate of safety, dignity, accessibility, and acceptance of all veterans." Corrective action through training and culture changing is urged.

July 23: FULL COMMITTEE LEGISLATIVE HEARING

The issue: Impact of COVID-19 on veterans and other legislative issues

The forum: House Committee on Veterans' Affairs

American Legion testimony: Advances sought in VA tele-health care (H.R. 3228) and economic relief from the pandemic (H.R. 7111) as veteran unemployment rate has doubled from the same time in 2019 and health-care appointments are routinely conducted through virtual, online sessions that require fast and effective communications.

Sept. 9: S.785 SVAC TESTIMONY

The issue: S. 785, the Commander John Scott Hannon Veterans Mental Health Care Improvement Act

The forum: Senate Committee on Veterans' Affairs

American Legion testimony: Support expressed for the measure, which aims to reduce veteran suicide, better understand the phenomenon through data collection and research and advance alternative mental health care programs; improved recruitment, staffing and retention of VA mental health professionals; and improves women's health-care services.

Sept. 10: HOUSE COMMITTEE HEARING ON PENDING LEGISLATION

The issue: Reconciliation of House and Senate versions of S. 785 to reduce veteran suicide

The forum: House Committee on Veterans' Affairs

American Legion testimony: The American Legion urges reconciliation of Senate and House versions of legislation that aims to curb the rate of veteran suicide; increases mental health staffing; advances research and calls for public release of findings; and strengthens training for care providers in the area of mental health and suicidality.

Dec. 2: A TIME FOR CHANGE: ASSESSING THE NEED TO MODERNIZE VETERAN ELIGIBILITY FOR CARE

The issue: Consideration of a bipartisan commission to re-examine VA eligibility

The forum: House Committee on Veterans' Affairs

American Legion testimony: The American Legion supports the establishment of a commission to assess current VA health-care eligibility criteria and make changes where needed to preserve the system's essential purposes and value for multiple generations of veterans. No major assessment or change in eligibility has occurred since 1996, the testimony notes.

Dec. 8: IDENTIFYING CONGRESSIONAL AND ADMINISTRATION PRIORITIES FOR THE NEXT CONGRESS

The issue: Economic effects of COVID-19 pandemic on veterans

The forum: House Committee on Veterans' Affairs, Subcommittee on Economic Opportunity

American Legion testimony: Concern expressed about the effects of the pandemic, as veteran unemployment stands at double the previous year's rate, on economic and education opportunities for those who have served; calls for reauthorization of the 1937 National Apprenticeship Act that would provide opportunities for veterans in specialized career fields; also supports the Buy American Act that would set a 50% or more Made in America minimum on goods purchased by the federal government, particularly in light of supply-chain breakdowns during the pandemic, which caused negative impact on U.S. business and employment.

Contacts

HEALTH CARE, BENEFITS, CLAIMS, MORTUARY AFFAIRS

Veterans Affairs & Rehabilitation Division
var@legion.org
(202) 263-5759

EDUCATION, CAREER SUPPORT, HOMELESSNESS PREVENTION

Veterans Employment & Education Division
ve&e@legion.org
(202) 263-5771

LEGISLATIVE AFFAIRS

Legislative Division
leg@legion.org
(202) 263-5752

MILITARY, DEFENSE, GOLD STAR FAMILY, IMMIGRATION ISSUES

National Security Division
nsfr@legion.org
(202) 263-5765

FLAG PROTECTION, PATRIOTISM, CITIZENSHIP, NATURALIZATION

Americanism Division
americanism@legion.org
(317) 630-1203

BOYS STATE/NATION, SCHOLARSHIPS, YOUTH PROGRAMS

Americanism Division
americanism@legion.org
(317) 630-1203

MEDIA & COMMUNICATIONS

Media & Communications
magazine@legion.org
(317) 630-1298

Locations

AMERICAN LEGION WASHINGTON HEADQUARTERS

1608 K St. N.W.
Washington, DC 20006
Telephone: (202) 861-2700
Fax: (202) 861-2786

AMERICAN LEGION INDIANAPOLIS HEADQUARTERS

700 N. Pennsylvania St.
P.O. Box 1055
Indianapolis, IN 46206
Telephone: (317) 630-1200
Fax: (317) 630-1223

JOHN H. GEIGER OPERATIONS CENTER

5745 Lee Road
Indianapolis, IN 46216
Telephone: (317) 860-3100
Fax: (317) 860-3001



Preamble

to The American Legion Constitution

FOR GOD AND COUNTRY, WE ASSOCIATE OURSELVES TOGETHER FOR THE FOLLOWING PURPOSES:

To uphold and defend the Constitution of the United States of America;

to maintain law and order;

to foster and perpetuate a 100-percent Americanism;

to preserve the memories and incidents of our associations in all wars;

to inculcate a sense of individual obligation to the community, state and nation;

to combat the autocracy of both the classes and the masses;

to make right the master of might;

to promote peace and good will on earth;

to safeguard and transmit to posterity the principles of justice, freedom and democracy;

to consecrate and sanctify our comradeship by our devotion to mutual helpfulness."



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