

**STATEMENT OF
LARRY LOHMANN, SENIOR ASSOCIATE
NATIONAL LEGISLATIVE DIVISION
THE AMERICAN LEGION
BEFORE THE
SUBCOMMITTEE ON ECONOMIC OPPORTUNITY
COMMITTEE ON VETERANS' AFFAIRS
UNITED STATES HOUSE OF REPRESENTATIVES
ON
"U.S. DEPARTMENT OF VETERANS AFFAIRS BUDGET REQUEST FOR FISCAL
YEAR 2020"**

APRIL 30, 2019

Chairman Levin, Ranking Member Bilirakis, and Members of the Committee; on behalf of Brett P. Reistad, National Commander of the largest veteran service organization in the United States representing nearly two million members; we welcome the opportunity to comment on specific funding programs of the Department of Veterans Affairs (VA) in the federal budget.

The American Legion is a resolution-based organization directed and driven by active Legionnaires who dedicate their money, time, and resources to the continued service of veterans and their families. Our positions are guided by 100 years of advocacy and resolutions that originate at the grassroots level of the organization – local American Legion posts and veterans in every congressional district across the United States. The headquarters staff of The American Legion works daily on behalf of veterans, military personnel, and our communities through our roughly 20 national programs and thousands of outreach programs led by our posts across the country.

As VA continues to serve the veterans of this nation, it is vital the Secretary has the necessary tools and resources to ensure they receive timely, professional, and courteous service – they have earned it. The American Legion calls on this Congress to ensure that funding for VA is maintained by implementing the president's budget request. At a time when most federal agencies are experiencing a decrease in their respective budgets, the hope of The American Legion is that VA, with assistance from these critical committees, receive a much-needed increase.

Education

VA requests \$223.5 million in budget authority to fund discretionary portions of Education Service to include administrative expenses for 1,985 FTE.

The American Legion supports the President's FY 2020 Budget request for Education. Though the President's budget requests \$6.1 million less (-2.7%) than the 2019 current estimate; this request will provide sufficient funding and staffing levels for Education Service to continue providing access to timely and accurate delivery of education benefits.

Since the passage of the Harry W. Colmery Veterans Educational Assistance Act of 2017, VBA hired an additional 202 temporary employees to implement multiple provisions of the bill. The

additional Full-Time Employees (FTE) primarily focused on processing claims resulting from significant changes to eligibility criteria and expanding program usage. In the summer of 2018, problems began when VA's benefit-processing system buckled under complex new formulas for GI Bill students. As a result, scores of veterans waited weeks or months to be paid and fell victim to VA's decades-old technology that The American Legion and lawmakers warned for months would do what it did, fail.

To address these IT issues, VA determined additional FTE would be required for the entirety of 2019. This change increased FTE by 65, which is the net effect of having the 202 employees onboard longer throughout 2019 than initially planned. Recognizing the temporary necessity of these additional FTE, The American Legion does not see an issue with the 2.7% decrease for education funding in FY 2020.

While the proposed budget is sufficient, The American Legion shares the sentiment of many in Congress and among the major stakeholders that VA must provide greater focus on the economic concerns of our veterans, and ensure education services meet the standards of excellence veterans deserve.

The American Legion has long been concerned programs in the VA that provide assistance related to economic opportunity to veterans, their dependents, and survivors have been overlooked. The landscape of education benefits has evolved rapidly from the Montgomery to the Post-9/11 GI Bill and the essential implementation requirements of the Harry W. Colmery Veterans Educational Assistance Act.

More veterans are using VA educational and vocational rehabilitation benefits to go to school than a decade ago, which led to the creation of VetSuccess on Campus (VSOC) to cater to the growing student veteran population. Congress needs to continue investing on campus-based support resources for student veterans to include expansion of the VSOC program or additional programs reinforcing peer-to-peer support or grant funds to develop Veteran Centers of Excellence.

Congress must also work closely with the Department of Education and VA to ensure taxpayer dollars are spent responsibly at reputable institutions. Legislation addressing the 90/10 loophole, requiring transparency, and regular reporting will ensure student veterans are given the right resources to utilize their benefits properly, maintaining the fiduciary duty to the American taxpayer.

Housing

VA requests \$154.0 million in reimbursement authority from credit administration accounts, \$441 thousand in reimbursements from the United States Department of Agriculture (USDA), and \$20.8 million in budget authority to fund the discretionary portion of the Specially Adapted Housing (SAH) program.

The American Legion supports the President's FY 2020 Budget request for housing, but requests Congress review procedures. Too many of our veterans and their families face significant housing challenges, aggravated by issues like unemployment, age, and service-related disabilities. The

Special Housing Adaptation (SHA) grant and Special Adaptive Housing (SAH) grant processes have many requirements. Some requirements have cumbersome and lengthy procedures.

Once eligibility has been established, VA assigns a SAH agent to each veteran to provide guidance and assistance in preparing and collecting required documents and exhibits. After the grant is approved, SAH agents deliver the SAH grant benefit by meeting with veterans at their existing or desired future residence to provide an overview of the grant process. SAH staff members assess the residences and provide hands-on guidance and suggestions for incorporating home modifications to improve mobility and promote independence. The primary focus of the grant program is to provide safe and reliable options for getting in and out of the home, provide accessible bathroom and shower facilities, and ensure the home has adequate space in passageways (doors, open areas, hallways, etc.) for accessible entry and exit to and from the home. Other adaptations can be incorporated based on the veteran's disability.

After identifying the needs of the veteran, SAH staff provide guidance and oversight for new or existing home construction to ensure the completion of required adaptations. SAH staff manages projects during ongoing development and serves as a liaison between the veteran and the contractor completing the construction. SAH staff completes the project by conducting final field reviews to assess the outcome and ensure the veteran's unique mobility needs were addressed.

Unfortunately, the SAH grant and the SHA grant processes may take a considerable amount of time. Veterans with terminal illnesses and severely restricting disabilities do not have time to wait. Veterans with terminal illnesses often do not survive long enough to receive the SAH benefits they have earned.

Although VA will expedite the claims for veterans who have terminal illnesses, they do not prioritize cases. Congress should pass legislation to provide VA with the authority to prioritize the SAH claims of terminally ill veterans. Further, through Resolution No. 357, *Support Veterans Housing Repair and Modification for Pilot Program*, The American Legion urges Congress to create a veterans housing pilot program for home rehabilitation and modification to augment programs like the Specially Adaptive Housing Program, to allow veterans service organizations and housing nonprofits to combine their resources with other federal funding by applying for grants through the Department of Housing and Urban Development.¹

Through partnerships and hands-on volunteering, The American Legion works hard every day to improve the lives of veterans and their families. Through partnerships like Team Depot, a collaboration with The Home Depot, volunteer Legionnaires, as well as other stakeholders, devote thousands of hours each year to building and repairing homes for those who have served. Instituting a pilot program that allows veterans service organizations to help veterans who are low-income or disabled and who own their homes or are living in the owner-occupied home of a family member would be beneficial to local communities and the country as a whole.

¹ The American Legion Resolution No. 357: Support Veterans Housing Repair and Modification Pilot Program (Aug 2016)

Employment Benefits

VA requests \$245.4 million in budget authority to fund discretionary portions of the VR&E Program to include administrative expenses for 1,663 FTE.

The American Legion supports the President's FY 2020 Budget request for Employment benefits. The Vocational Rehabilitation and Employment (VR&E) Program provides comprehensive services and assistance enabling veterans with service-connected disabilities and employment handicaps to achieve maximum independence in daily living, become employable, and maintain suitable employment. After a veteran is found to be entitled to VR&E, a vocational rehabilitation counselor helps the veteran identify a proper employment goal and determines the appropriate services necessary to achieve their goal. Once a veteran's claim has been adjudicated through the appeals process, the next step is approval and access to utilize the VR&E program.

The American Legion is pleased to see in VA's budget proposal the intention to meet the congressional mandate of a 1:125 counselor-to-client ratio. The American Legion has sought this compliance associated with VR&E for some time and notably at our 2016 National Convention passed Resolution No. 345: *Support for Vocational Rehabilitation and Employment Program Hiring More Counselors and Employment Coordinators.*² However, our optimism is guarded because the compliance, in part appears to be aided not only by additional funding but also by a 5% decrease in VR&E participants.³

The American Legion is thankful and proud to have worked closely with this committee and others in Congress to reach this goal. We remain concerned with the decrease in participants in the program as it is a beneficial program for disabled veterans. In the same vein, we urge Congress through Resolution No. 336 to *Support Legislation that Would Change the 12-Year Delimiting Date for Eligibility to Chapter 31 Benefits*, to eliminate the 12-year expiration date for chapter 31 benefits.⁴

The standard period of eligibility for VR&E benefits is limited to 12-years from the date of separation from military service or the date of notification by VA of a service-connected disability rating. Unfortunately, not all disabled veterans are aware of their possible eligibility when separating from their service and some may not need VR&E until later in their career. Congress must eliminate the 12-year delimiting period for VA Chapter 31 Vocational Rehabilitation and Employment (VR&E) services to ensure disabled veterans with employment handicaps, including those who qualify for independent living services, qualify for VR&E services for the entirety of their employable lives.

² The American Legion Resolution No. 345: Support for Vocational Rehabilitation and Employment Program Hiring More Counselors and Employment Coordinators (Aug 2016)

³ Volume III Benefits and Burial Programs and Departmental Administration, U.S Department of Veteran Affairs, <https://www.va.gov/budget/docs/summary/fy2020VAbudgetvolumeIIIbenefitsBurialProgramsAndDeptmentalAdministration.pdf> (last visited Apr 26, 2019).

⁴ The American Legion Resolution No. 336: Support Legislation that Would Change the 12-Year Delimiting Date for Eligibility to Chapter 31 Benefits (VA's Vocational Rehabilitation and Employment Program) (Aug 2016)

Assisting Homeless Veterans

VA requests \$1.8 billion for homeless programs, maintaining the significant funding provided in 2019 and increasing funds by \$179 million above the 2018 level, to provide the type of resources most needed where they are most needed across the country.

The American Legion believes that homeless veteran programs should be granted sufficient funding to provide supportive services such as, but not limited to: outreach, healthcare, rehabilitation, case management, personal finance planning, transportation, vocational counseling, employment, and education. In that vein, we support the proposed funding in the president's budget and urge Congress to appropriate the funds.

Furthermore, The American Legion continues to place particular priority on the issue of veteran homelessness. With veterans making up approximately 9% of our nation's total adult homeless population, there is plenty of reason to give this issue special attention. Along with various community partners, The American Legion remains committed to seeing VA's goal of ending veteran homelessness come to fruition. Our goal is to ensure that every community across America has programs and services in place to get homeless veterans into housing (along with necessary healthcare/treatment) while connecting those at-risk veterans with the local services and resources they need. We hope to see that with the expansion of assistance afforded to homeless veterans and their dependents, there will also be an increase in funding to support. We estimate that an additional \$10 million annually will be sufficient to accomplish this goal.

Additionally, we have concerns about cuts to the Supplemental Nutritional Assistance Program (SNAP). SNAP is the largest nutritional assistance program administered by the United States Department of Agriculture and serves as a critical social safety net program in the United States. While veterans' homelessness programs remain unchanged in the FY20 budget, many other programs outside of VA have seen proposed reductions in their funding. Almost 1.4 million veterans live in households that participate in SNAP, according to the analysis of data performed by the Center on Budget and Policy Priorities from the Census Bureau's American Community Survey.⁵ While not intended to impact veterans directly, cuts across the social network could make a negative impact contributing to veterans' quality of life and homelessness.

Transitioning Programs

VA requests \$82.4 million in budget authority to fund the discretionary portions of TED to include administrative expenses for 37 FTE.

The American Legion supports VA's request for \$82.4 million but urges Congress to exercise its oversight powers to ensure appropriate spending. VA's Transition and Economic Development (TED) office was newly established in 2018 to support the transition from military-to-civilian life and accelerate the economic empowerment and development of transitioning servicemembers, veterans, and their families. VA established this office to ensure the entire period of military

⁵ Brynne K Jennings , SNAP Helps Almost 1.4 Million Low-Income Veterans, Including Thousands in Every State Center on Budget and Policy Priorities (2018), https://www.cbpp.org/research/food-assistance/snap-helps-almost-14-million-low-income-veterans-including-thousands-in#_ftn1 (last visited Apr 26, 2019).

transition readiness, from 365 days before separation through the first year of civilian life is efficient and thorough. TED is intended to ensure through a coordinated effort that servicemembers leaving the military have an understanding of, and easy access to, all benefits and resources they are entitled once they have separated from military service.

A key area of focus for TED is the Transition Assistance Program (TAP), a joint program administered by the U.S. Departments of Defense (DoD), Department of Labor (DoL) and VA. TAP is charged with providing veterans a successful transition from military to civilian life. The American Legion supports the President's proposed budget, however, is still wary about whether TED is sufficiently staffed as the budget equates to approximately \$2.4 million per FTE. We urge Congress to exercise its oversight powers to ensure prudent management of taxpayer dollars.

Further, we urge Congress to pass legislation optimizing the TAP program. As stated, the goal of TAP is to ease the adjustment of separating servicemembers during the difficult transition from active duty into civilian life by offering job search assistance, medical/health services, the advising of available benefits, and other related counseling. The American Legion believes TAP represents an essential step toward providing transitioning servicemembers, and their families, with the information they need to transition into civilian life successfully.

TAP is now mandated for all servicemembers and optional for their spouses. However, TAP provides a tremendous amount of information, which at times can be incredibly intricate, overwhelming, or even excessive to a particular participant. DoL's portion, which is three-days long, is responsible for most of that information. The American Legion recommends that the course be mandated for servicemembers at different intervals of their careers before separation or transitioning into the civilian sector along with pre-counseling for those servicemembers intending to leave the military.

The American Legion recognizes the vast difference between a transitioning servicemember who served one enlistment in contrast to a transitioning servicemember who is retiring after 20 years of service. This difference includes, but is not limited to, servicemembers who are being separated for medical reasons and other unexpected reasons. TAP is presently five-days long with an optional two-day class. According to a November 2017 GAO report, less than 15 percent of transitioning servicemembers have attended the two-day courses. Not every servicemember transitions for the same reason, servicemembers should be afforded the opportunity to participate in training that fits their post-service objectives.

Conclusion

The American Legion thanks this committee for the opportunity to elucidate the position of the nearly 2 million veteran members of this organization. For additional information regarding this testimony, please contact Mr. Larry Lohmann, Senior Associate of The American Legion Legislative Division at (202) 861-2700 or llohmann@legion.org.