



Federal Update for May 4 - 8, 2015



DoD-VA Pharmacy Update ► HASC Wants Pharmacies to Match Meds

The House Armed Services Committee wants the Defense and Veterans Affairs departments' pharmacies to offer the same medications, at least for some prescriptions. Legislation introduced this week calls for the formularies of both departments to match medications for pain management, sleep disorders, psychiatric conditions and other illnesses "determined appropriate" by the DoD and VA secretaries. Committee aides said lawmakers are looking to ensure continuity of care and treatment when troops move from active duty to veterans status.

Concerns over the two departments' discordant formularies have been raised by veterans and advocacy groups. Few stories demonstrate the importance of the issue for service members like the death of former Marine Clay Hunt, who became a veterans advocate after leaving military service in 2009 but died shortly after moving to Houston in 2011. According to his mother, Susan Selke, Hunt suffered from depression, anxiety and post-traumatic stress disorder, but when he went to the VA medical center in his new location, he had trouble getting an appointment and could not get his brand-name prescription filled at the facility's pharmacy. He was told he would have to wait for it to be mailed to him, since the pharmacy stocked only generics. Hunt shot himself March 31, 2011. "If you know about antidepressant, anti-anxiety medications, you can't ... stop them cold. You can't wait for it to come in the mail and then expect that it's going to work quickly," Selke told House lawmakers last year.

The House proposal follows a recommendation from the Military Modernization and Retirement Compensation Commission that DoD and VA align their formularies. According to the Government Accountability Office, just 43 percent of the medications in DoD's formulary also are in VA's system, excluding many pain medications, antidepressants and antipsychotics taken by injured service members for physical pain and mental health conditions. Commission member retired Army Gen. Peter Chiarelli said the gap leaves troops vulnerable. "If we have found a medication that works, it should be available wherever (the veteran) goes," Chiarelli said. "We should not put our service men and women in this situation." The House Armed Services Committee will review its full version of the fiscal 2016 defense authorization bill on Thursday. The Senate will work on its own version of the legislation over the next few weeks. [Source: MilitaryTimes | Patricia Kime | April 23, 2015 ++]

DECA Budget Cuts Update ► Committee Rejects DoD's Cut Proposal

A key House panel is backing plans to restore funding to the Defense Commissary Agency — heading off, for now, potential reductions in store hours and days of operation. Congressional aides said language in House Armed Services Committee's version of the fiscal 2016 defense authorization bill that is now taking shape would set agency spending at \$1.3 billion next year, despite a proposal from defense officials to cut the budget to \$1.15 billion. That reduction would have required most commissaries to reduce operating days and hours. Although DeCA would have the funding available to avoid reducing the store hours as a cost cutting measure, the Defense Department still has authority to cut hours and days of operation without lawmakers' approval, congressional aides noted. Committee members rejected DoD's request for legislation that would have allowed commissary officials to raise prices in order to pay for some operating costs. Items currently are sold at cost, with taxpayer dollars paying for overhead and employee wages and benefits.

Marking up commissary prices on some items, as well as consolidation of commissary and exchanges' back-office functions, are recent recommendations from the Military Compensation and Retirement Modernization Commission. But lawmakers are not yet ready to address those issues, said Rep. Joe Heck (RNV), chairman of the armed services committee's personnel panel. Lawmakers are awaiting results from a congressionally-mandated study on the effects of price markups in commissaries, as well as a number of other issues, that is due to Congress in September. The panel were scheduled to formally vote on the commissary budget plan 23 APR, but members so far have offered no objections to it. The full House will consider the measure next week, followed by the Senate Armed Services Committee, and by both the House and Senate appropriations committees, before becoming law. [Source: MilitaryTimes | By Karen Jowers & Leo Shane | April 23, 2015 ++]

MCRMC Update ► 5 of 6 Vet Groups Endorse Retirement System

Military advocates in favor of retirement reform are pushing lawmakers to move ahead on the issue, saying the change could help strengthen the fighting force and the financial lives of troops. In a letter to House Armed Services Committee leaders this week, five advocacy groups jointly gave strong support for a 401(k)-style retirement plan proposed by the Military Compensation and Retirement Modernization Commission earlier this year. "By not establishing a retirement plan when they begin working, service members are several years, if not a decade, behind financial planning for retirement guidelines," the letter states. "We believe that the (commission's) recommendation enhances the current retirement system and is a valuable recruiting tool for a new generation of warfighters." The five groups — Veterans of Foreign Wars, Air Force Association, Enlisted Association of the National Guard, National Guard

Association and Reserve Officers Association — boast more than 3 million members collectively.

They are in direct opposition with the Military Officers Association of America, another high-profile advocacy group that has lobbied heavily against the potential retirement change. MOAA officials have said the changes could be a disincentive for midcareer service members to stay in the ranks. The compensation commission's proposal features government contributions to investment accounts, matching up to 5 percent of troops' base pay, and would allow troops who serve at least 12 years to see some financial bonuses to their retirement accounts. But it would also scale back retirement pay by up to 20 percent, alarming supporters of the current system. VFW and the other groups have argued the current 20-years-or-nothing system is unfair to the 83 percent of troops who don't reach that retirement mark, including many driven out by difficult deployments or force cuts. The letter also offers support for a separate recommendation to promote troops' financial literacy through new benefits training classes, so they will better understand changes to the Thrift Savings Plan. Lawmakers on the committee so far have not weighed in on whether they'll back the retirement changes, but said that a quick legislative change on the issue is unlikely. [Source: MilitaryTimes | Leo Shane | April 17, 2015 ++]

NDAA for 2016 Update ► HASC Acts on MCRMC Recommendations

House lawmakers will back a dramatic overhaul to the military retirement system as part of the fiscal 2016 defense authorization bill, including a 401k-style investment plan and an end to the 20-year, all-or-nothing retirement model. They come despite concerns of some veterans groups that the commission recommendations won't entice enough troops to stay to or past the 20-year mark. House Armed Services Committee leaders also will mandate better financial literacy training for troops, improved access to child care on military bases and consolidate the current 30 Reserve component duty statuses to six. Those moves are all aspects of recommendations made earlier this year by the Military Compensation and Retirement Modernization Commission. But for now, the lawmakers are not backing potential Tricare and commissary system changes, two other controversial measures in the commission report.

Rep. Mac Thornberry (R-TX), chairman of the House Armed Services Committee, said he believes the moves as a whole will strengthen the fighting force. "This is the sort of change that isn't going to save a lot of money, but it's designed to attract and keep up the quality of talent in the military," he said. He also indicated there is support for similar moves in the Senate, which will have to sign off on all of the proposed House changes. The retirement changes would affect only future enlisting troops. Those currently serving would have the choice to opt into the system, but would not be required to do so.

The 20-year retirement plan has served as a major military recruiting tool for decades, offering service members a sizable pension while still in the prime of their working years. But critics

have noted that few troops are able to take advantage of the system. Commission members noted that 83 percent of troops don't stay for 20 years, and leave the service with no real retirement plan. The new proposal would solve that, offering a 401k-style investment account with government contributions and matches that troops could take with them whenever they leave the military. Plans call for:

- An automatic federal contribution of 1 percent of troops' basic pay to their Thrift Savings Plan accounts, with matching contributions up to 5 percent of basic pay — offerings that mirror private sector employee benefits.
- Lump-sum "continuation pay" for members who stay beyond 12 years of service and the traditional pension plan for those who reach 20 years. However, payouts at the 20-year mark would be reduced from the current 50 percent of basic pay to 40 percent, which raised concerns among critics.
- Government matches to TSP accounts to continue past 20 years, a wrinkle not included in the compensation commission's plan.
- Dumping complex lump-sum retirement payout options recommended by the commission in favor of a simpler plan.
- Mandating Pentagon officials offer a path within six months to implement the new retirement plan and setting October 2017 as a firm target to have the new system in place.

Rep. Joe Heck (R-NV), chairman of the committee's personnel panel, and HASC chairman Thornberry both said they think that will give all sides enough time to work through any potential problems, and calm outside fears about unexpected downsides. The Republican leaders also said that will give military officials enough time to put in place new financial literacy training for troops, so they better understand how the investment savings accounts will work and the risks involved. The White House is scheduled to offer its own analysis of the commission recommendations April 30, after the full House armed services committee marks up its version of the authorization bill.

Chairman Thornberry said he is confident that the rest of his congressional colleagues will see the benefits of the plan. Rep. Heck said members of his panel already have voiced strong support for a change. "For too long, if you didn't serve 20 you left with nothing," Heck said. "This plan recognizes the service of everyone." Senate Armed Services Committee leaders say they are ready to move ahead on military retirement reform this year, following the lead of their House counterparts. Committee chairman Sen. John McCain (R-AZ) said he expects some version of a new 401(k)-style military retirement system to be included in his panel's draft of the annual defense authorization bill later this spring. "We've been working closely" with the House, McCain said. "We're basing our plan on the recommendations of the (Military Compensation and Retirement Modernization) Commission, and we feel comfortable with that." Both proposals still must survive full chamber debate and White House scrutiny before becoming law, but the dual-chamber support for the plan makes it increasingly likely that the military retirement system this year will see its biggest changes in decades. [Source: MilitaryTimes | Leo Shane | April 21 & 22, 2015 ++]

POW/MIA Update ► New Disinterment Policy

The destruction of the USS Oklahoma came quickly. On Dec. 7, 1941, it was hit with numerous torpedoes and bombs during Japan's fierce and shocking bombardment of Pearl Harbor, capsizing within minutes with hundreds of Marines and sailors inside. Some 429 service members were killed, and others survived to fight back from the nearby USS Maryland, which also was under attack. More than 70 years later, the USS Oklahoma remained at the center of a battle. On one side was the Navy, which last year told the families of some of those killed that it was flatly against DNA testing on the commingled remains of 330 unidentified service members. On the other side were families that wanted to know when the military would return the remains of their loved ones.

The Pentagon has now decided to exhume unidentified remains held at the National Memorial Cemetery of the Pacific in Honolulu, Hawaii, do DNA testing, and return any identified remains to families that want them. Some families could decide to keep their loved ones at the national cemetery in Hawaii, but in individual plots with their own marker. Deputy Defense Secretary Robert O. Work said in a new memorandum issued 14 APR that the Pentagon has been "considering the complexities of a decision to disinter unknowns buried as groups where the remains are commingled. The decision is sensitive, but Work made the case that recent advances in forensic science and technology and the help of families providing genealogical information has tipped the scales in favor of exhuming the commingled remains of those who died on the Oklahoma. "Analysis of all available evidence indicates that most Oklahoma crew members could be identified individually if the caskets associated with the ship were disinterred," Work wrote. "I thereby direct [the Defense Department] to coordinate with the Department of Veterans Affairs for the disinterment and individual identification, to the extent practical, of all unknown associated with the Oklahoma in the next five years."

Work's decision extends beyond the Oklahoma. He is establishing a broader directive that applies to all unknown military remains buried in national cemeteries from which exhumations are done to identify fallen service members. When remains are commingled, evidence must suggest that at least 60 percent of those disinterred may be identified, Work said. For unknown individuals exhumed, there must be at least a 50 percent chance that an identity can be found. The Pentagon must do the research and collect DNA samples from family members to determine whether those possibilities exist. The new policy does not apply to those whose remains are entombed in Navy vessels like the USS Arizona, which exploded and sank during the attack on Pearl Harbor, killing 1,177 officers and crewmen. The ship is the final resting place for 1,102 of them. [Source: The Washington Post | Dan Lamothe | April 15, 2015 ++]

POW/MIA Recoveries

"Keeping the Promise", "Fulfill their Trust" and "No one left behind" are several of many mottos that refer to the efforts of the Department of Defense to recover those who became missing while serving our nation. The number of Americans who remain missing from conflicts in this century are: World War II (73,515) Korean War (7,855), Cold War (126), Vietnam War (1,656), 1991 Gulf War (5), and Libya (1). Over 600 Defense Department men and women -- both military and civilian -- work in organizations around the world as part of DoD's personnel recovery and personnel accounting communities. They are all dedicated to the single mission of finding and bringing our missing personnel home. For a listing of all personnel accounted for since 2007 refer to <http://www.dpaa.mil/> and click on 'Our Missing'. If you wish to provide information about an American missing in action from any conflict or have an inquiry about MIAs, contact:

- Mail: Public Affairs Office, 2300 Defense Pentagon, Washington, D.C. 20301-2300, Attn: External Affairs
- Call: Phone: (703) 699-1420
- Message: Fill out form on <http://www.dpaa.mil/Contact/ContactUs.aspx>

Vietnam

Army Maj. Dale W. Richardson, 28, of Cashton, Wis., was assigned to 2nd Battalion, 34th Armor Regiment, 1st Cavalry Division. He was lost when the UH-1H helicopter he was a passenger in was shot down near the Vietnamese/Cambodian border on May 2, 1970.

Korea

Sergeant John McLaughlin was a member of Company D, 32nd Battalion, 5th Marines, 1st Marine Division. He was killed in action while fighting the enemy at the Chosin Reservoir, North Korea on December 2, 1950. His body was not initially recovered. For his leadership and valor, Sergeant McLaughlin was awarded the Bronze Star, the Purple Heart with Gold Star, the Combat Action Ribbon, the Korean Service Medal, the United Nations Service Medal, the National Defense Service Medal, the Korean Presidential Unit Citation and the Republic of Korea War Service Medal. His remains were identified April 08, 2015.

Army Cpl. Elmer P. Richard, 20, of Exeter, N.H., was assigned to Battery D, 15th Antiaircraft Artillery Automatic Weapons Battalion, 31st Regimental Combat Team. He was reported missing while fighting in North Korea on Dec. 2, 1950. His remains were identified April 11, 2015.

Army Pfc. Eugene L. Erickson, 21, of Crow Wing, Minn., was assigned to Company B, 1st Battalion, 38th Infantry Regiment, 2nd Infantry Division. He died in a North Korean POW Camp on Aug. 31, 1951. His remains were identified April 13, 2015.

Cpl. Ben L. Brown U.S. Army was assigned to Company I, 3rd Battalion, 38th Infantry Regiment, 2nd Infantry Division. He was lost February 21, 1951 in North Korea His remains were identified April 10, 2015.

The remains of Army Sgt. Arnold Pitman, 22, of Nebo, have been identified and will be returned to his family for burial with full military honors, the Defense POW/Missing Accounting Agency said. Pitman was assigned to the 31st Regiment Combat Team, 7th Infantry Division. The unit, known as Task Force Faith, fought against enemy assaults east of the Chosin Reservoir in North Korea. On Dec. 12, 1950, the unit reported "tremendous losses" after a battle in that area. Afterward, Pitman was reported missing. Four years later, the United Nations and Chinese forces exchanged remains of war dead, including some from the area where Pitman was lost. Remains from that exchange were recently identified as belonging to Pitman using "circumstantial evidence and forensic identification tools, including radiography which matched his records," officials said. Pitman will be buried April 26 in Dysartville, a small community in McDowell County near Nebo, North Carolina.

World War II – None [Source: <http://www.dpaa.mil> | April 29, 2015 ++]

VA Secretary Update ► MacDonald Speaks on Agency's Difficulties

The struggles veterans face in accessing healthcare are a harbinger for all American medicine, and the problem won't be resolved without adequate funding, said Department of Veterans Affairs Secretary Robert McDonald. "VA is the canary in the coal mine. We learn about the problems in American medicine before American medicine," McDonald told a roomful of reporters at the annual conference of the Association of Health Care Journalists here on Friday. McDonald joined the VA last summer in the wake of an exploding controversy. Earlier in 2014, staff at a Phoenix VA hospital were found to have falsified scheduling records in order to mask extended delays in appointments. Hundreds of veterans were waiting months for appointments and some deaths were blamed on the delays.

Since his confirmation, McDonald has tried to turn around the agency's image as mired in bureaucracy and being more responsive to administrative edicts than veterans' economic and healthcare needs. McDonald blamed last year's failures in access primarily on the growth of the aging veteran population, specifically Vietnam veterans. He also cautioned that the agency hasn't yet seen "peak demand" from the veterans of Middle Eastern wars. "If we don't get ready today for what could happen many years from now with Iraq and Afghanistan veterans, we're going to have another crisis." The key to avoiding future problems is adequate funding now, said McDonald. "That's why we're requesting such a large budget increase." The VA has asked Congress for a 7.5% increase in discretionary funding for its 2016 budget. In recent markups, the House Appropriations Committee cut \$1.4 billion from the budget. This frustrated McDonald. "I don't create the demand. I don't pass the laws to decide what benefits to give veterans, all I do is execute the laws," he said.

This puts him in a difficult place, as the department must provide legislatively mandated benefits to all eligible veterans on a budget that isn't necessarily tied to their numbers or needs.

The number of veterans is declining but that population is also getting older, said McDonald. Since older people have more health issues, the number of claims and issues per claim has dramatically increased. From 2009 to 2017, the number of claims is rising from 1 million to a projected 1.5 million, with the number of issues per claim doubling, he said. Other factors creating strain on veterans health centers include: the number of veterans returning from Iraq and Afghanistan; new requirements to assess and treat exposure to Agent Orange during the Vietnam War; the lack of limits on the appeals process; and increased survival on the battlefield that leaves more veterans with severe disabilities. The other major factor contributing to access problems is the lack of providers, McDonald said. Since he was hired, the agency has signed on 970 doctors and 2,000 nurses. "But we need more," he said. Finding providers who want to work in rural areas can be difficult, he said. "I get beat up for not getting a primary care physician in the northwest corner of Montana but it's hard to get primary care physicians in the northwest corner of Montana."

Roscoe Butler, MD, deputy director for healthcare for the Veterans Affairs and Rehabilitation, who spoke on an afternoon panel at the conference, noted that salary differences and the rigidity of the system sometimes impeded providers who might choose to work for the VA. Even when pay isn't a disincentive, "[t]hey still have to have a lifestyle and they still have to be able to take care of patients the way they want," Butler said. Responding to the assertion that some providers applying for VA jobs faced delays getting hired, Butler was frank. "It's absolutely true. Our hiring process is way too slow," he said. A primary care physician in good standing could get hired in a few days. So if the VA takes 8 months to hire a provider, as some reporters suggested, he or she would certainly be swept up by other competitors.

McDonald said the agency also needs more money for construction, a budget he says has been underfunded for years. A majority of VA facilities are more than 50 years old, he noted; some only have bathrooms for men, even though more than 10% of veterans today are female. In his visit to Phoenix just after being hired, McDonald found that, in addition to hospitals there being short 1,000 providers, doctors lacked space to care for patients. While the common standard for adequate clinical space is three clinical rooms per doctor, physicians in Phoenix had only one room each. While supporting building new sites and expanding current centers, McDonald stressed that he believes in the Veterans Choice Act -- a law which allows veterans who are more than 40 miles from a VA facility to receive care at a community health center. He's working to ensure that the legislation reinterprets the definition of 40 miles to miles in driving distance. He estimates this change would double the number of veterans able to access care in community centers. "Despite what you may have heard, we're very much in favor of community care. We think the system of the future will be a VA system with a VA nucleus and a community care system that surrounds it."

In addition to trying to explain the agency's difficulties, McDonald lauded its improvements: now 97% of appointments happen within 30 days of the veteran's preferred date, and 20% have been walk-ins. He noted that there have been 2.6 million new authorizations for veterans to access care in the private sector from May 2014 through March 2015 -- a 44% increase from

the previous year. McDonald said the agency become more transparent, posting updates of their access on a bi-weekly basis. It is also seeking advice from companies like Starbucks and the Ritz Carlton to build better relations with veterans. At the journalists' conference, McDonald also announced formation of a special medical advisory group consisting of physicians, other providers, and former health system executives to create a "Blueprint for Excellence" for improving VA performance. "Just like any good business, we have to reinvent ourselves," said McDonald. [Source: MedPage TODAY | Shannon Firth | April 25, 2015 ++]

Agent Orange | C-123 Aircraft Update ► Senators Send Letter to VA

Seven senators are pushing Department of Veterans Affairs (VA) Secretary Bob McDonald to grant benefits for Agent Orange exposure to a group of post-Vietnam veterans. Sens. Richard Burr (R-NC), Jeff Merkley (D-OR), Richard Blumenthal (D-CT), Sherrod Brown (D-OH), Elizabeth Warren (D-MA), Ron Wyden (D-OR) and Michael Bennet (D-CO) said that justice "is long overdue" for veterans who crewed C-123 aircraft after the Vietnam War. "We write to urge you to utilize the Department of Veterans Affairs' existing statutory authority to quickly begin providing care and benefits to veterans who were exposed to toxic herbicide residue while serving on Fairchild UC-123 Provider (C-123) aircraft after the era when those aircraft were used to transport Agent Orange in Vietnam," they wrote in the letter Friday, which was released Monday.

"Justice for these veterans is long overdue and you have the authority and the ability to finally right this wrong." C-123 veterans have struggled for decades to get the VA to grant benefits for their illnesses, which they believe are tied to Agent Orange exposure. An Institute of Medicine report earlier this year found that at least some of the post-Vietnam veterans who served on the C-123 aircraft were exposed to the toxin, and were at risk for developing illnesses. Agent Orange exposure has been tied a range of diseases including cancer. But the senators said they have heard that "a question has arisen" since the report was released about whether or not C-123 crew members -- typically Air Force reservists and National Guard members -- qualify as veterans under the VA's guidelines for benefits. "We fundamentally disagree and believe VA's precedential interpretations of the relevant statute and the policy principle and legal precedent of construing statutes in favor of veterans requires VA to find these reservists eligible for benefits," they said. "We ask that you stand by those interpretations, which we outline in this letter, and which show that no additional statutory authority is necessary for you to immediately begin providing care and benefits to the C-123 veterans."

The senators said the VA was requiring that a C-123 veteran must have injured themselves and that his or her injury must manifest itself into a disability during the period of training. "This not only contradicts VA's previous interpretations of the same statutory language, but also leads to absurd results," they said. "For instance, a reservist who contracted Ebola while flying patients during training but shows no symptoms until they are in civilian life would not satisfy VA's

newfound interpretation." The senators added that Congress has told the VA to act "in the best interest" of veterans seeking benefits "whenever possible," and they believe the VA currently has the needed statutory authority to grant benefits to the C-123 group. "The reserve airmen who served aboard C-123 aircraft are entitled to veteran status and the resulting care and benefits necessary to address their health conditions," they said. "As Secretary, you have the authority to make the decision that would provide these veterans the care and benefits they have earned. We ask that you do so without delay." The senators gave McDonald two weeks to respond to their letter. [Source: The Hill | Jordain Carney | April 27, 2015 ++]

VA Budget 2016 Update ► \$163.2B First Draft Proposal

House appropriators appear poised to give Veterans Affairs Department officials almost everything they want in next year's budget, but lingering concerns about administrative mismanagement could trim a few billion dollars from the bottom line. The subcommittee charged with overseeing VA's fiscal 2016 budget released its first draft, a \$163.2 billion plan that would boost department spending by about 2.5 percent above current levels. The plan — which still must wind through the House and Senate in coming months before becoming law — represents another in a steady line of VA budget hikes since the start of the wars in Iraq and Afghanistan. In 2004, the total VA budget was just under \$64 billion, almost \$100 billion less than what the department could spend in fiscal 2016.

Subcommittee chairman Rep. Charlie Dent (R-PA) at its 15 APR hearing touted the outline as a bipartisan agreement "to ensure that our promise to care for those who have sacrificed in defense of this great nation continues as those men and women return home." It contains \$68.7 billion in discretionary funding, a small increase from fiscal 2015 but several billion less than the White House requested. Most of the difference comes from a steep cut in VA's plan for its construction budget, where appropriators are supporting only about two-thirds of the department's \$1.5 billion request. Dent cited ongoing problems with the Denver VA hospital construction project — slated to cost \$1 billion more than originally estimated — as the reason for that withholding, saying department leaders will have to correct problems with "gross mismanagement" before lawmakers are comfortable adding money to those accounts. Democrats on the panel expressed concerns about the move, but still supported the overall plan. The legislation also includes language limiting fund transfers between construction projects and limiting changes in the scope of those projects, to prevent similar cost overruns in the future. The appropriations plan includes \$7.5 billion in mental health care services, \$6.7 billion in homeless vets programs, \$144 million for suicide prevention activities and \$233 million for electronic health records modernization. It also includes \$455 million to help end the disability claims backlog, with several million set aside to hire 770 new staff to address that ongoing problem. VA officials have cut the backlog from more than 600,000 cases to fewer than 200,000 over the last two years, but appear behind schedule on their public pledge to reach zero by the end of this year.

VA Secretary Bob McDonald on 21 APR blasted a \$1.4 billion shortfall in the House's budget proposal for fiscal 2016 as "inadequate" to maintain his department's reform and outreach efforts. "It will cause veterans to suffer," he told members of the Senate Appropriations Committee. "It means fewer veterans will get care." He said the health care cuts represent "the equivalent of over 70,000 fewer veterans receiving care," while the construction cuts will stop four major medical center projects and six other cemetery expansion efforts. McDonald was on Capitol Hill to lobby not only for that extra fiscal 2016 money but also for permission to shift another \$1 billion from emergency funds approved last summer to finish the controversial VA medical center construction project in Denver, which has seen its price tag balloon in recent years.

Along with the budget request, McDonald also petitioned lawmakers to consider closing old and outdated VA properties as a long-term cost savings measure. Lawmakers have balked at a similar Pentagon-backed plan for military sites, but generally have been receptive to the idea of a VA closure round. House and Senate appropriators are expected continue work on the VA budget bills for several more weeks. In the interim, in a White house statement, President Barack Obama on 28 APR said he would veto the above proposed bill as it does not adequately fund veterans' medical care or construction for the military and the VA. [Source: MilitaryTimes | Leo Shane | April 15 & 21, 2015 ++]

VA COLA for 2016 Checks ► H.R.677 Impact

The American Legion opposes the pending American Heroes COLA Act of 2015 (H.R.677). Like a previous bill floated in 2012, it would link the cost-of-living adjustment (COLA) for veterans' disability compensation to the Chained-Consumer Price Index (C-CPI). As a result, COLA adjustments would be automatically indexed to those authorized for Social Security recipients and nonservice-connected disability recipients.

Testifying before the House Subcommittee on Disability Assistance and Memorial Affairs, Zachary Hearn of The American Legion told the subcommittee, "The American Legion remains steadfast against the bill. We are not the only organization with significant concerns surrounding linking veterans' benefits to the chained-CPI. Two years ago, AARP reported that 'a 30-year old veteran of the Iraq or Afghanistan war who has no children and is 100 percent disabled would likely lose about \$100,000 in compensation by age 75' in today's dollars."

While The American Legion understands the intention of Congress to remove veterans from the annual political debate over COLA increases, hundreds of thousands of dollars potentially lost to some of the country's most vulnerable veterans is a serious concern. The Legion stated in its written testimony that the reason behind its opposition to H.R.677 "is that veterans sometimes have needs and expenses, which should be considered on their own merits, rather than being simply lumped in with Social Security for simple expediency." [Source: American Legion Leg Up April 14, 2015 ++]

114th Congress Update ► What First 100 Day's Meant for Vets

No matter the organization or interest, benchmarks are used as a way to measure the success or failure of an agenda. Since the 114th Congress just passed its first 100 days, its agenda as it relates to veterans and veteran issues should be examined. One of the first pieces of legislation Congress and the Veteran Affairs Committees wrote and passed was the Clay Hunt Suicide Prevention for American Veterans (SAV) Act. Building on the momentum created in the 113th Congress, both the House and Senate passed SAV and the president signed it into law close to within Congress's first 30 days. This bipartisan effort proved that Congress and the president can find common ground on an important veterans issue. The SAV Act seeks to address and prevent the troubling fact that 22 veterans a day take their own life. Congress and the president showed the American people what is possible when they work together for veterans.

In the same manner of bipartisanship, on March 19, 2015, the 12th anniversary of the beginning of the Iraq War, Reps. Scott Perry (R-PA) and Tulsi Gabbard (D-HI) launched the bipartisan Congressional Post-9-11 Veterans Caucus in the U.S. House as a congressional member organization purposed to support the veteran community. Open to the more than 30 House members who currently serve or have served since the Sept. 11, 2001 attacks, the caucus seeks to identify issues impacting veterans of this era and work across the aisle to develop and debate legislation aimed at improving the lives of post-9/11 veterans and their families.

One such piece of bipartisan legislation was The Choice Act of 2014. The Choice Act, which provides veterans increased access to quality healthcare, was greatly hampered in its effectiveness by the "40-mile rule" (a criteria standard by which veterans seeking private healthcare would have to conform). The Choice Act and the 40-mile rule were slated to be addressed by this Congress in the first 100 days; however, the Department of Veteran Affairs (VA) was able to beat Congress to the punch and address the ineffectiveness of the 40-mile rule determination without a legislative fix.

It is no secret that the continued backlog of veterans' claims, the careless overspending at the Denver VA Clinic, relocation spending and countless other self-inflicted wounds still hamper the VA from being efficient. While it is wholly correct for congressional committees who have jurisdiction over the VA to hold hearings and to investigate these and other missteps, they should also make sure that they continue to advance legislation that helps veterans and provides the secretary of the VA, Bob McDonald the flexibility to correct course as necessary. One would be hard-pressed to find anyone who doesn't know about the huge problems facing the VA. Our nation's veterans and taxpayers deserve better. Yet Congress must resist the urge to concentrate too heavily on these well-known problems and must have continued motivation during the next 100 days to pass legislation that veterans groups like Iraq and Afghanistan

Veterans of America (IAVA) advocate as ways to help veterans who need solutions in the immediate. These immediate issue recommendations include:

- Adopting the treating physician rule for medical evaluations for compensation and pensions, requiring the VA to treat private medical opinions with the same weight as an opinion of a VA medical specialist when determining disability rating or eligibility.
- Improving follow-up care with veterans that call the Veterans Crisis Line to ensure they are connected to mental health treatment or other services and ensuring proper oversight and implementation of the Clay Hunt SAV Act.
- Increasing support for Vet Centers and VA medical facilities to hire more female practitioners, doctors who specialize in women's health, mental health providers and outreach specialists.

These three recommendations are specifically designed to address the three issues most widely raised among IAVA members: needed reforms to the VA disability claims process; mental health support and modern and adequate healthcare services for women veterans. The issues facing the VA and veterans deserve continued emphasis. The problems and recommended solutions are well-known and documented. Congress must not lose the momentum it has created during its first 100 days, and it must be equally resolute in its determination during the next 100 days to fulfill the obligation of meeting the needs of those who served our nation. [Source: IAVA | Christopher Neiweem | April 27, 2015 ++]

May is Mental Health Awareness Month

WASHINGTON – May is Mental Health Awareness Month. To commemorate the month, the Department of Veterans Affairs (VA) is encouraging Veterans, along with their families and friends, to visit and view recovery journey stories on the website, MakeTheConnection.net. **Make the Connection** is a national awareness program operated by VA aimed at reducing the negative perceptions and stigma associated with seeking mental health care. Through the Website, Veterans and their loved ones hear from hundreds of other Veterans who may be experiencing similar challenges, learn strategies for support and recovery, along with local resources available through a resource locator.

Since the launch of the **Make the Connection** campaign in November 2011, there have been more than 7 million visits to the website, and more than 2.8 million people have joined the Facebook community or subscribed to the YouTube channel. The resource locator on the site, with information on VA and community-based treatment services around the country, has been used more than 220,000 times.

“We all have the ability to influence a friend or loved one in a positive way – that’s why Make the Connection was created,” said VA Secretary Robert A. McDonald. “We want Veterans to tell their personal stories of mental health treatment and recovery to as many of their peers as possible. Those stories can be great sources of strength for Veterans in need of hope.”

In addition to the Make the Connection [website](#) and [Facebook page](#), information also can be found on YouTube at www.youtube.com/VeteransMTC and Google+ at <http://plus.google.com/+VeteransMTC>. Information about all VA mental health efforts may be found at www.mentalhealth.va.gov.

HASC Approves Bipartisan National Defense Bill which Includes Key Kline Provisions

WASHINGTON – The national defense bill, which includes several key provisions championed by Minnesota Congressman John Kline, passed the House Armed Services Committee earlier this morning with strong bipartisan support. The Fiscal Year 2016 National Defense Authorization Act (NDAA), H.R. 1735, serves as the budgetary blueprint for the Pentagon and will likely be considered next month by the U.S. House of Representatives.

“I take seriously our constitutional role in Congress to ‘provide for the common defense’ and I was pleased this legislation received strong bipartisan support,” said Kline, a 25-year veteran of the U.S. Marine Corps and senior member of HASC whose wife is a retired Army nurse and son has served three tours in Iraq and Afghanistan. “I was proud to champion provisions that will ensure we keep faith with our sons and daughters in uniform while better equipping them for the challenges they face overseas and here at home.”

In an era of unprecedented threat and uncertainty that includes the spread of ISIS and the possibility of a nuclear Iran, the bipartisan legislation ensures America’s armed forces are agile, efficient, and ready. The bipartisan legislation also protects American taxpayers by cutting waste, reallocating resources to more urgent priorities, and making long-needed reforms to provide further oversight and require greater accountability.

Among the provisions Kline championed:

Kline’s Yellow Ribbon reintegration legislation, which provides for a stronger and more resilient ready reserve component that has proven effective in preparing veterans and their families for safe, healthy, and successful reintegration will again be included in the NDAA. Kline’s provision provides greater strength and flexibility with the Yellow Ribbon program to ensure reintegration for our Guard units.

In his continued pursuit of answers about the U.S. Embassy evacuation in Yemen and his resolve for needed oversight, Kline is championing legislation that would require the Pentagon to notify Congress when evacuations include the destruction of U.S. weapons.

Recognizing it should continue to be a top priority to provide our troops with the necessary protection and support to defeat ISIS in Iraq and Syria, Kline introduced a provision to assert our stated goal that the Administration should not implement arbitrary self-imposed restrictions on the amount of protection available to our military forces forward deployed.

Earlier this month, Kline participated in a congressional delegation fact-finding trip to reinforce the need for strong leadership in the world, including an overarching strategy to defeat the terrorist threat. He had a series of meetings with key partners in the Middle East and Europe.