



# WASHINGTON UPDATE

*Recent news regarding legislation and regulatory actions affecting veterans and people with disabilities.*

Written and produced by Paralyzed Veterans of America - Government Relations Department

**December 18, 2018**

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## **BLUE WATER NAVY LEGISLATION CONTINUES TO HIT ROADBLOCKS**

On Tuesday, December 11, Senate Veterans' Affairs Committee Ranking Member Jon Tester (D-MT), Senator Steve Daines (R-MT), and Senator Kirsten Gillibrand (D-NY) joined members of the veterans service organizations (VSOs) to express continued support for H.R. 299, which would extend VA benefits to veterans who served in "Blue Water" areas during Vietnam. Associate Legislative Director Steven Henry represented PVA at the press conference held at the United States Capitol Visitor Center.

The legislation unanimously passed the House this summer; however, during an attempt to pass the bill in the Senate under unanimous consent on December 10, Senator Michael Enzi (R-WY) objected due to funding concerns. The bill must pass through the Senate, and onto the President's desk, before the end of the 115<sup>th</sup> Congress or the process will have to start all over again with the 116<sup>th</sup> Congress.

At a White House meeting on December 12, VSOs presented a letter for President Trump requesting his support for the bill. PVA will continue to support the efforts of the VSO community to pass legislation ensuring benefits for Blue Water Navy veterans.

## **HOUSE COMMITTEE HOLDS APPEALS REFORM OVERSIGHT HEARING**

On December 12, the House Veterans' Affairs Committee held a hearing to discuss VA's progress on the implementation of the Appeals Modernization Act. In January 2019, the Secretary of the VA must certify to Congress that Appeals Modernization is on track and will be implemented on February 14, 2019.

A representative from the Government Accountability Office (GAO) started the testimony by providing information regarding VA's current progress in implementing the law. GAO testified that four key issues have yet to be addressed by VA which include:

- Establishment of performance measures for Appeals Modernization
- Establishment of a comprehensive project management plan to include a work breakdown structure

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- Establishment of a plan to identify and mediate risks
- Consideration of outstanding legal requirements

GAO testified that VA should delay the certification and implementation so that all outstanding issues can be resolved.

Representatives from VA testified that the Veterans Benefits Management System portion of the IT package has been completed and was successfully implemented. VA went on to testify that it is not necessary to delay the implementation. Both VA and the committee members agreed that VA must stay in constant communication with the VSOs to ensure a smooth transition from the legacy system.

PVA has supported Appeals Modernization and is an active participant in monthly meetings with VA executive leadership providing updates regarding the status of implementation.

## **NADTC RELEASES POLL ON PEOPLE WITH DISABILITIES AND OLDER ADULTS**

On December 7, the National Aging and Disability Transportation Center (NADTC) released a new national poll that finds older adults and people with disabilities are facing significant transportation-related challenges once they no longer drive. Respondents feel there is a lack of accessible and reliable transportation alternatives, which prevents them from doing the things they need and want to do. This leaves people with disabilities and older adults feeling frustrated, isolated, trapped, and disengaged.

Key findings from the poll include:

- Older adults and people with disabilities are worried about not being able to drive and believe finding alternative transportation would be difficult.
- Older adults and people with disabilities who give up driving cannot do the things they need and want to do, on an independent and/or spontaneous manner, leaving them feeling isolated and frustrated.
- Older adults and people with disabilities are not using public transportation services; instead, they rely on family or friends to provide rides.
- Caregivers play a pivotal role in helping older adults and people with disabilities meet their transportation needs and most are happy to help but find providing and arranging rides to be extremely time consuming.

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- Accessible transportation options for older adults and people with disabilities are fewer and less reliable in rural areas and small towns.
- Older adults and people with disabilities who do not drive feel there is no “go to” resource for alternative transportation which could alleviate barriers, the largest being affordability.
- The majority of older adults and people with disabilities expect transportation options to stay the same or get worse.
- Many older adults and people with disabilities would be comfortable with various transportation options, including public transit, if it was readily available.

With more than 1 in 5 Americans older than age 65 and not driving, demand for accessible transportation is steadily increasing as the baby boomer population continues to age. Given that 600,000 people stop driving every year, there is no end to the challenge in sight. To address the growing demand for transportation services and the concern that there are insufficient resources and information available to help, the NADTC has launched the “every ride counts” campaign, a national effort to increase awareness of local transportation options for older adults and people with disabilities in communities across the country.

One of the key themes emerging from the research is the need for knowledge of how to find and connect with accessible, affordable transportation. Access to transportation is the key to well-being and independence for people with disabilities and older adults. While local transportation options do exist, older adults and people with disabilities do not know about them or have access to them. The goal of the “every ride counts” campaign is to vastly change that. For more information on the “every ride counts” campaign, visit [www.nadtc.org/everyridecounts](http://www.nadtc.org/everyridecounts).

## CCD AUTONOMOUS VEHICLE PRINCIPLES

Nearly 1 in 5 people in the United States has a disability. Many people with disabilities are not able to get a driver’s license, and cannot afford to purchase an accessible vehicle. Without affordable, accessible transportation people with disabilities are less likely to work, less independent, and less social in the mainstream of society. Autonomous vehicles (AVs) have the potential to drastically improve access to transportation for people with disabilities. However, the promise and safety of AVs will only be realized if the vehicles and surrounding infrastructure are fully accessible and the safety elements consider the needs of people with disabilities.

On December 3, the Consortium for Citizens with Disabilities (CCD) Transportation Task Force, a partner advocacy organization of which PVA is a member, adopted AV principles that address the needs of passengers with disabilities. Some of the topics included in the principles are:

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- AV accessibility, licensing, and insurance
- Infrastructure needs related to AVs
- Privacy concerns
- Affordability of AVs
- Researching and funding for AVs

To review the principles, please visit: <http://www.c-c-d.org/fichiers/CCD-Transp-TF-AV-Principles-120318.pdf>.

## READI FOR DISASTERS ACT INTRODUCED

On November 29, Senator Robert Casey (D-PA) introduced the Readyng Elders and Americans with Disabilities Inclusively (READI) for Disasters Act, S. 3679. Joining as original cosponsors were Senators Tammy Duckworth (D-IL), Amy Klobuchar (D-MN), Richard Blumenthal (D-CT), Chris Van Hollen (D-MD), Maggie Hassan (D-NH), and Patty Murray (D-WA). The legislation is in response to recent failures on the part of the nation's emergency response system to fully integrate people with disabilities into preparation for, management of, and recovery from natural and man-made disasters. During disasters, people with disabilities and older adults are two to four times more likely to be injured or die due to inadequate planning and lack of equal access to disaster programs and services. Many more are inappropriately institutionalized.

The READI Act would create a network of centers focused on research, training, and technical assistance to assist states and localities to better involve and support people with disabilities and older adults during times of disasters. It also would establish a National Commission on Disability Rights and Disasters to study the needs of individuals with disabilities, older adults, and others with access and functional needs. The bill calls for a review of the spending of disaster funds to ensure people with disabilities and older adults have access to services and that buildings and structures reconstructed following disasters are accessible. Finally, S. 3679 would require the Department of Justice to examine how civil rights of people with disabilities and older adults are treated during and following disasters.

S. 3679 has already attracted the endorsement of over 70 state and national organizations, including PVA and its Keystone and Gateway chapters. Senator Casey expects to reintroduce the bill early in the 116<sup>th</sup> session of Congress and hopes to add additional original cosponsors to the measure next year. PVA plans to highlight this bill among its legislative priorities in 2019.

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## CAREGIVER EXPANSION UPDATE

In late November, VA announced it was seeking public comments on changes to the Program of Comprehensive Assistance for Family Caregivers as required by the VA MISSION Act. VA solicited stakeholder feedback on how to define and implement the changes, particularly pre-9/11 expansion, in its regulations. The public comment period closed on December 12. The notice is available here: <https://www.federalregister.gov/documents/2018/11/27/2018-25763/notice-of-request-for-information-on-the-department-of-veterans-affairs-program-of-comprehensive>. To read PVA's comments, please visit: <https://www.regulations.gov/document?D=VA-2018-VACO-0001-7019>.

The VA's Program of Comprehensive Assistance for Family Caregivers will be open to eligible veterans injured before September 11, 2001, in a phased approach. Once the VA certifies to Congress their IT system is equipped for expansion, VA will begin accepting applications from those veterans injured on or before May 7, 1975. Two years after that expansion, the program will be accepting applications from veterans injured during any era of service.