



# Washington Update

Follow the Status of PVA’s Priority Issues Between Updates! Visit the [PVAction Force](#) page to view our latest alerts and a list of key legislation and its status.

Check out our [latest legislative chat](#) for our wrap up on the status of PVA’s 2021 priorities.

## PVA TESTIFIES ON SOCIAL SECURITY 2100: A SACRED TRUST ACT

PVA Deputy Executive Director Shaun Castle testified on December 7 before the House Ways and Means Social Security Subcommittee in support of H.R. 5723, the Social Security 2100: A Sacred Trust Act. This legislation was introduced by the Chairman of the Subcommittee, John Larson (D-CT) along with 194 original cosponsors at the end of October. A Senate companion bill (S. 3071) was introduced on that same day by Senators Richard Blumenthal (D-CT) and Chris Van Hollen (D-MD).

In his testimony, Castle spoke to the importance of Social Security in the lives of veterans with disabilities and their families. He also highlighted a number of provisions in the bill that will be particularly helpful to these veterans, including an improved inflation factor that better reflects

expenses faced by older beneficiaries and those with disabilities, an increased minimum benefit so that no one retires into poverty, and an increase in the income threshold for benefits to be taxed. Additional provisions would eliminate the five-month waiting period for those deemed eligible to begin receiving Social Security Disability Insurance (SSDI) and replacement of the SSDI “cash cliff” with a gradual phase out of benefits as earned income rises.

Other witnesses at the hearing represented Social Security Works, National Committee to Preserve Social Security, and Medicare and Alliance for Retired Americans. A link to the hearing can be found [here](#). To ask your members of Congress to support the Social Security 2100: A Sacred Trust Act, please click [here](#).



## PVA PRESENT AS PRESIDENT SIGNS VETERANS BILLS INTO LAW

PVA's National Legislative Director Morgan Brown was present as the President signed four veterans-related pieces of legislation into law at a recent White House ceremony. One of the bills signed was [S. 1095](#), the Colonel John M. McHugh Tuition Fairness for Survivors Act of 2021, which requires public colleges and universities that receive Forever G.I. Bill benefits to provide in-state tuition rates for students using the Survivors' and Dependents' Education Assistance (DEA) program. The change is likely to help some dependents of PVA members who are using DEA to pay for their college education. The three other bills signed at the November 30 ceremony were:

- [S. 796](#), the Protecting Moms Who Served Act of 2021, which addresses maternal health care for veterans;
- [S. 894](#), the Hire Veteran Health Heroes Act of 2021, which directs VA to create a program to recruit separating Department of Defense medical personnel for VA positions; and
- [S. 1031](#), which directs the Government Accountability Office to conduct a study on race and ethnicity disparities when it comes to VA benefits and disability ratings.

## SENATE PANEL EXAMINES THE "STATE OF THE VA" IN YEAR-END HEARING

The Senate Veterans' Affairs Committee recently held a hearing to assess VA as the year draws to a close. The implementation of the Cerner electronic health record (EHR) system, upcoming AIR Commission, accessibility for community care, veterans homelessness, suicide prevention, and medical treatments for veterans with traumatic brain injuries were some of the many important subjects discussed with the lone witness, VA Secretary Denis McDonough. In his oral comments, McDonough told the Committee that VA is "providing more care, more services, more benefits to more veterans than ever before." He noted that VA has not only continued to provide care and benefits for veterans during the pandemic, but also

opened its doors to non-veterans for health care as part of its Fourth Mission.

The Secretary urged Congress to provide the department its full fiscal year 2022 budget appropriation as soon as possible, and to avoid the imposition of a full-year continuing resolution. He also identified the pandemic as the department's biggest challenge because it impacts everything done for veterans as well as the workforce.

Asked about the department's top priorities for the coming year, he said getting veterans timely access to care and benefits are his top priority and "everything else is extra credit." Continuing to progress in the area of toxic exposures was cited as another priority.

When questioned about the claims backlog, McDonough acknowledged that there are about 260,000 pending claims. He said VA is using additional funding provided by Congress through the American Rescue Plan to hire 2,000 more claims processors. With the additional staff, new technology, automation, training, and use of mandatory overtime, he believes the backlog can be under 100,000 by April 2024.

The Secretary was also asked about VA's Program of Comprehensive Assistance for Family Caregivers. He acknowledged that Congress did not create the program so that 80 percent of the applicants could get denied; so, VA is looking at ways to change that. He told the Committee that VA cannot get around the requirement that the veteran's disability be service connected because it is what the law requires. The number of activities of daily living with which the veteran needs help is also a problem, but VA has some regulatory flexibility on that issue so long as the veteran's disability has been proven to be service connected. Secretary McDonough said they are already working on regulations that may give them that flexibility but did not provide specifics.

He told the Committee that VA is currently looking at everyone eligible under the old caregiver (Legacy) program and the department has communicated with about 2,000 of 19,000 impacted people. He agreed that up to 6,700 of them may not

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be eligible to remain in the program but noted that their participation would not end until next October and payments would continue until the end of 2022. You can find the Secretary's written statement and a recording of the hearing [here](#).

### **U.S. ACCESS BOARD RESOLVES 38 ARCHITECTURAL BARRIERS ACT CASES THROUGH CORRECTIVE ACTION IN FY 2021**

The U.S. Access Board investigated 38 cases under the Architectural Barriers Act (ABA) of 1968 that were resolved through corrective action in fiscal year 2021. The ABA requires access to buildings or facilities that were designed, built, or altered with federal dollars or leased by federal agencies. The Board enforces the ABA through investigating complaints from the public.

The majority of cases concerned access to U.S. post offices, which is typical of the Board's yearly caseload. Most of the complaints involved entrance doors, particularly the opening force of manual doors, and customer parking. The U.S. Postal Service completed action to correct accessibility issues at 32 facilities. Other cases involved military facilities, Department of Veterans Affairs (VA) medical centers, and facilities leased by the General Services Administration for other agencies.

#### **Military and Veterans Affairs Facilities – 4 Resolved Cases**

- Hawthorne Army Depot (Hawthorne, Nevada): The Department of the Army completed corrective action to bring accessible parking spaces into compliance.
- Saber and Quill (Fort Knox, Kentucky): At this U.S. Army Morale, Welfare, and Recreation facility, the Department of the Army installed automatic entrance doors and made modifications to the toilet rooms to make them accessible.
- Hayden VA Medical Center (Phoenix, Arizona): VA brought various toilet rooms into compliance with applicable accessibility specifications.
- Hines VA Medical Center (Hines, Illinois): VA completed the installation of new

accessible parking spaces as part of overall parking upgrades

Filing a complaint with the Board can be done [online](#). Complaints should include the name and address of the facility and a brief description of the access barriers or issues. Complaints can be filed anonymously.

The first step of an investigation is for the Board to conduct a preliminary analysis to determine if the facility at issue is covered by the ABA. If so, the next step is to determine if the facility meets the applicable accessibility standard. If the facility is not subject to the ABA or if it meets the appropriate accessibility standard, the Board will advise the complainant of its findings. Some facilities are not covered by the ABA but by other laws, such as the Americans with Disabilities Act, which is enforced by other agencies and the courts.

If the facility does not meet the applicable accessibility standard, the Board will work with the responsible entities to develop a plan to bring the facility into compliance. Complaints are typically resolved amicably with the responsible agencies or departments. Cases remain open until all necessary corrective action is completed.

### **CONGRESS APPROVES KEY FUNDING MEASURE**

Congress reached agreement and approved a continuing resolution that will keep the government funded through February 18, 2022. By-in-large, it maintains spending at last year's levels so new initiatives will not have a chance to get underway until lawmakers come up with a regular funding solution after the New Year.

### **VIRTUAL VISITS BRING SUPPORT FOR THE AUTO FOR VETERANS ACT**

During the month of December, PVA members have participated in virtual Hill visits coordinated by the National office with congressional staff in support of H.R. 1361, the AUTO for Veterans Act. The AUTO for Veterans Act would authorize VA to issue a second auto grant to eligible veterans if it has been 10 years since their first grant. Based on our visits and other outreach, this bill has gained





seven cosponsors this month. Please ask your members of Congress to support this legislation by clicking [here](#).

## NEWS OF NOTE

### 2022 Veterans Disability Compensation Rates

New rates for VA compensation benefits are now available on VA's website. Click [here](#) to view the new amounts which are payable beginning January 1, 2022.

### COVID Coach

The COVID Coach app was created for everyone, including veterans and servicemembers, to support self-care and overall mental health during the pandemic. COVID Coach is available in English and Spanish. Access the mobile app and online training materials and resources [here](#).

### Update on the Caregiver Appeals Process

As of September 28, veterans and caregivers can now appeal their decision under the Program of Comprehensive Assistance for Family Caregivers (PCAFC) to the Board of Veterans' Appeal. To assist veterans with PCAFC Appeals, VA has developed a document entitled "[Changes to Review and Appeal Options for Program of Comprehensive Assistance for Family Caregivers \(PCAFC\) Decisions: Frequently Asked Questions](#)." Please contact your PVA National Service Officer with any questions regarding your participation in this program.

### President Signs Bill Extending COVID-Related GI Bill Protections

On December 21, the President signed H.R. 5545, the Responsible Education Mitigating Options and Technical Extensions Act or REMOTE Act, which extends remote learning waivers and ensures that full housing benefits are given to student veterans as schools continue to conduct virtual classes due to the ongoing pandemic. The new bill extends them to June 1, 2022.

## AUDIO CHATS AND SURVEYS

### Elizabeth Dole Foundation's Respite Relief Care

PVA recently hosted an audio chat with the Elizabeth Dole Foundation on the Respite Relief Care Program. This chat, along with very informative documents about the program, are now available [here](#).

### Wheelchair Damage in Air Travel

PVA hosted an audio chat on wheelchair damage in air travel with PVA member Peter Axelson, Chair of RESNA's Standards Committee for Assistive Technology for Air Travel. This chat is now available [here](#).

### Veterans' Childcare Survey

VA's Office of Women's Health Services and Veterans Experience Office have released a survey to better understand the childcare needs of veterans and caretakers to facilitate medical appointments. The survey takes approximately two minutes to complete, and you can find it [here](#).