

News Flash

From The Retired Enlisted Assn

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TREA WASHINGTON UPDATE FOR OCTOBER 23, 2009

Pictures from the Convention are now available on our website. There is a link on the Home Page www.trea.org

It was another busy week in Washington and there is a lot to report. Important news on VA legislation, DoD bills, as well as an announcement from the Department of Veterans Affairs are all below.

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1. President Signs Advanced Funding Legislation for VA – But Senate Still Has Not Passed VA Funding Bill for FY2010 - Last week we reported that Congress had passed long-sought legislation that will remove the Department of Veterans Affairs health care programs from the yearly, and usually politically charged Congressional appropriations process by providing funding for the programs a year in advance.

As we said at that time, *Congressional Quarterly* reported that, "Final appropriations for the VA have not been enacted before the start of the fiscal year in 19 of the past 22 years." In addition, the funding was often inadequate, frequently requiring the need for supplemental funding bills to be passed.

On Thursday of this week President Obama signed the legislation into law. This is a great victory for all veterans who depend on the VA for health care services. TREA is proud to

have been part of the effort to achieve this major change that should greatly improve the delivery of VA health care.

The President's remarks on the occasion of the signing of the bill were rather lengthy, so we have not reproduced them here. However, they can be read online at:

http://www.whitehouse.gov/the_press_office/Remarks-by-the-President-at-Signing-of-the-Veterans-Health-Care-Budget-Reform-and-Transparency-Act/

As if to underscore why this legislation is so important, the Senate still has not passed the VA appropriations bill for FY2010. Since we are now in the 2010 fiscal year the VA should have been shut down since there is no new appropriations bill. That didn't happen because Congress passed legislation at the end of September that funded the VA and most other government departments through the end of October. However, there is only a week left in October, so they need to act soon or pass another stop-gap funding bill.

The Senate is scheduled to vote on the VA appropriations bill next week, but when they finish it has to go to a conference committee with the House. The final bill that comes out of that conference then has to go back to the House and Senate for a final vote before it goes to the President for his signature. It is difficult to know if they can get all of that done next week or if they'll have to pass another temporary funding bill.

We'll let you know next week what happened.

2. Senate Passes National Defense Authorization Act and Sends Bill to President for Signature - Late Thursday night the Senate finally voted to pass the final version of the FY2010 National Defense Authorization Act. The House had passed it on October 8.

The bill now goes to the President for his signature. However, it contains a provision that the President has threatened to veto: the authorization for construction of a backup engine for the F-35 Joint Strike Fighter. In spite of that, Senator Carl Levin, Chairman of the Senate Armed Services Committee, believes the President will sign the bill. Other members of Congress have pointed out that the President will have another chance to block funding for the engine in the FY2010 Defense appropriations bill which is still being worked on in the Senate.

Among the many provisions in the bill is language that is designed to ensure that US military personnel living overseas will have their votes counted in upcoming elections. This is something that TREA Washington Executive Director Deirdre Parke Holleman has been working on for several months. This provision will require states to send ballots to military and overseas voters at least 45 prior to an election and prohibit states from rejecting military and overseas ballots that are not notarized.

3. TREA Hears Government's New Plans for Hiring More Veterans - TREA's Legislative Director, Larry Madison, met this week with officials from the Office of Personnel Management (OPM) to be briefed on their new initiative to make sure more veterans are hired by the federal government. OPM is responsible for recruiting, hiring, and setting benefits policies for 1.9 million Federal civilian employees.

The Director of OPM, John Berry, was there to discuss the new initiative and demonstrate his personal commitment to it. Director Berry stated that while a few of the federal government's departments in the executive branch do very well in hiring veterans, he wants to improve hiring in all federal government departments. OPM is still finalizing their plan so complete details are not yet available to be announced, but they expect to have the program finished and publicly launched within the next couple of months.

4. Senate Fails to Pass Permanent Repeal of Medicare/Tricare Payment

Formula for Doctors - In 1997 Congress passed a deficit-reduction bill that contained a Medicare payment formula for doctors. The idea was to reduce the payments in order to help reduce the federal government's financial deficit. However, the real result would be that doctors would turn away Medicare (and Tricare) patients because they aren't paid enough. (Tricare's payments to doctors are based on the Medicare payment rate.)

As a result, nearly every year since it became law Congress has overridden the reductions called for by the formula. And without a legislative fix within the next few weeks, Medicare payments are scheduled to be cut by 21 percent next year.

Rather than resort to another one-year override the Senate leadership decided to try a broad fix that would stop cuts to the payments over the next decade. However, because the fix was not paid for by cuts in other government programs, but would simply have been added to the national debt, the move failed to pass the Senate on Wednesday.

As a result, Senate Majority Leader Harry Reid said they will now seek another one-year fix to the problem as they have done repeatedly in the past and any more comprehensive fix will have to wait until Congress completes its health care overhaul legislation.

TREA supports fixing this problem, and if a one-year fix is all that Congress can accomplish this year we strongly support it. We simply cannot allow a 21 percent cut in payments to doctors to take place next year.

We will keep you apprised about how this progresses in the House and Senate over the next few weeks, but because of the importance of senior voters to members of Congress, we fully expect them to take care of this problem before the end of the year.

5. Secretary Announces Expansion of Veterans Appeals Board - *Four New Judges*

Will Speed Veterans' Appeals - Secretary of Veterans Affairs Eric K. Shinseki announced this week the addition of four new Veterans Law Judges to the Board of Veterans' Appeals (BVA), which will enable the board to increase the number of cases being decided.

"Veterans have earned the right to prompt, exhaustive and professional review of their claims for benefits," Secretary Shinseki said. "This expansion of BVA will enable Veterans to receive more expeditious decisions on their appeals."

BVA is an appeals body to which Veterans, their dependents or their survivors can go when they are not satisfied with decisions about claims for benefits administered by the Department of Veterans Affairs (VA). BVA reviews decisions on benefit claims made by

local VA offices and issues decisions on appeals. The board currently has 60 Veterans Law Judges.

These law judges are attorneys experienced in Veterans law and in reviewing benefit claims. They are the only ones who can issue BVA decisions. Staff attorneys, also trained in Veterans law, review the facts of each appeal and assist the board members.

In fiscal year 2008, the board decided 43,757 appeals and handled 48,804 cases in fiscal year 2009. Most of the cases involve claims for disability compensation and pensions.

"We must foster a responsive approach when we consider Veterans," Shinseki said.

"Reducing the backlog of benefits decisions and waiting times are essential to providing our Veterans and their families with the service they deserve."

VA provides a pamphlet entitled, How Do I Appeal, to anyone who is not satisfied with the results of a benefits claim that was decided by a VA regional office, medical center or another local VA office. The pamphlet explains the steps involved in filing an appeal. For more information about BVA or to download a copy of the pamphlet, visit www.va.gov/vbs/bva.

6. Akaka Holds Hearing On Pending Veterans Legislation - Senate Veterans' Affairs Committee Chairman Daniel K. Akaka (D-Hawaii) held a hearing on Wednesday of this week to review pending veterans' benefits and health care legislation. The Committee questioned witnesses and reviewed 22 bills in preparation for later legislative action.

"I am pleased with the support we have in Congress and among the public to improve the care and benefits veterans have earned by their service," said Akaka. "We will develop legislation based on the bills pending in Committee, while we continue to push for Congressional action on important veterans' bills unanimously approved in the summer. Two of those bills -- the Veterans Health Care Authorization Act and the Caregiver and Veterans Health Services Act -- are being blocked from Senate consideration by a single Senator. Until the Senate is allowed to act, wounded warriors and their families will continue to be denied the much needed improvements those bills would provide."

The 22 bills reviewed today included several which address veteran homelessness. Veterans Affairs Secretary Eric Shinseki has highlighted this issue, calling for an end to homelessness among veterans.

7. FREE Meal - Applebee's on Vet's Day - In recognition of your service to our country, all veterans and active duty military personnel are invited to eat free at Applebee's Neighborhood Grill & Bar Restaurants this Veterans Day, Wednesday, Nov. 11, 2009.

As you may recall, Applebee's launched a pilot program last year on Veterans Day offering free entrees to military service personnel and veterans. Because the response was so overwhelmingly positive, Applebee's is extending the invitation throughout the country this year.

We would appreciate your help in spreading the word. Please help us share details across your various communication channels.

All U.S. veterans and active duty military with proof of current or former military service will eat free at all Applebee's nationwide on Veterans Day, Wednesday, Nov. 11, 2009.

Proof of service includes: U.S. Uniform Services Identification Card, U.S. Uniform Services Retired Identification Card, Current Leave and Earnings Statement, Veterans Organization Card, photograph in uniform or wearing uniform.

For additional details, visit: www.applebees.com/vets



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