

**STATEMENT FOR THE RECORD
OF
PARALYZED VETERANS OF AMERICA
FOR THE
HOUSE COMMITTEE ON VETERANS' AFFAIRS
CONCERNING
THE EFFECT OF THE GOVERNMENT SHUTDOWN ON VETERANS BENEFITS AND
THE OPERATIONS OF THE VETERANS BENEFITS ADMINISTRATION**

OCTOBER 9, 2013

Chairman Miller, Ranking Member Michaud, and members of the Committee, Paralyzed Veterans of America (PVA) would like to thank you for the opportunity to offer our views on the effect that the federal government shutdown is having and could potentially have on the operations of the Veterans Benefits Administration (VBA) and the payment of veterans benefits. As the shutdown has now stretched into a second week, veterans anxiously await a solution that will ensure benefits and services are not disrupted. Unfortunately, that prospect of a solution seems more and more unlikely with each passing day.

Without question, the number one concern that has been raised by our members is whether or not they will receive their compensation and pension benefits at the end of October. Similarly, we have received some questions about payment of Dependency

and Indemnity Compensation as well. Everyone has been caught off guard by this problem because no one seemed to realize that an authorization would be required in order to pay veterans benefits. While we appreciate the intent behind the various legislative measures that have been considered to establish this authorization during the shutdown, we must emphasize that we cannot support this method of doing business. If Congress is serious about addressing this problem, then it should fully fund the Department of Veterans Affairs (VA) and its programs immediately.

It is our understanding that many parts of the operations of VBA will be shuttered this week. While VBA retained some carryover funds to continue operations for a limited period of time, those funds are drying up quickly. As a result, more employees will be furloughed as the days and weeks progress. Interestingly, we have received conflicting reports as to what affect the furloughs and office closures are having on our own field operations. It is our understanding that some Regional Offices are all but closed while some remain at least partially open. Some of our National Service Officers (NSO) have access to federal facilities while others do not. Additionally, the information available to our NSO's will be limited to what can be obtained from the VBA systems which remain functional during the shutdown. It is also more widely understood that while our NSO's may still be working, veterans seeking claims assistance will be unable to come into the Regional Offices to meet with them. We have real concerns that given the wide-ranging feedback we have received from the field, it seems that VA has no clear and consistent plan for the Regional Offices to handle the shutdown, as well as why the veterans'

service organizations have been kept in the dark about what the plans are moving forward.

It is our understanding that VA Call centers that provide information and assistance on a broad range of VA benefits and services will not be available. Claimants will thus be in danger of losing entitlement to benefits which are time sensitive. VA has informed us that during this period it will date stamp any mail that it receives for claims purposes in order to preserve the date of claim. However, we question what will happen to claimants who were unable to obtain relevant information that would have prompted the timely submission of a claim.

Similarly, we have serious concerns about the impact that the government shutdown will have on the process for providing Specially Adapted Housing (SAH) benefits. SAH claims require expeditious follow-up to the multiple step processes that are required to provide a safe environment to catastrophically disabled veterans. Many veterans with Amyotrophic Lateral Sclerosis (ALS) experience rapid exacerbations of their terminal illness which require appropriate modifications to their home to protect them from the hazards of everyday living. The role of VA employees who handle SAH in these cases is to evaluate the needs of the veteran and coordinate the various building codes and other related issues to facilitate the implementation of the needed home modifications as quickly as possible. Unfortunately, the decrease in the VBA workforce as a result of the shutdown will certainly cause unnecessary delays to SAH claims that may result in severe consequences for veterans who need the greatest assistance.

Meanwhile, the function of the Veterans Benefits Management System (VBMS) and its widespread implementation is jeopardized by the shutdown. VBMS roll outs are already falling behind schedule and the furlough will further erode the progress of this critical VBA initiative. The incremental releases which build on the ability of VSO's to better support the claims adjudication process will be delayed and will likely have a reverse catalytic effect to the progress that has been made. Additionally, the system, which requires significant and ongoing maintenance through the Information Technology (IT) management structure just to remain operational, will likely experience considerable down time.

Similarly, the Stakeholder Enterprise Portal (SEP) and other IT initiatives will not be supported and related problems will go unresolved. SEP is used to obtain the status of claims and payment history. The program is user friendly when it operates properly, but intervention at the current stage of development is often required to reconcile technical issues for individual issues and to develop patches for more broad based problems. With IT staff that support VBA's operations furloughed, any problems that arise with the IT support systems will simply languish, further slowing the ability of VBA to process claims in a timely fashion.

Finally, what will be the long term impact on claims processing in general? The longer the government shutdown continues, the greater inevitable effect it will have on the increase in the claims and appeals backlog. This is of particular concern as it relates to

the erosion of the progress made since April and the ability to meet the 2015 target set by Secretary Shinseki. The shutdown will have an impact, but we do not want it to become an excuse for failure to meet the stated goals.

Ultimately, the partisan bickering and political gridlock that have put veterans' benefits and services at risk is unacceptable. We cannot emphasize enough our opposition to funding the operations of the VA through short-term continuing resolutions (CRs) or other stop-gap measures, such as the partial funding measures that have been debated in the House of Representatives. While we recognize the fact that the House did in fact complete the "FY 2014 Military Construction and Veterans Affairs Appropriations Act" earlier this year, it is time for the political grandstanding to stop. PVA, along with our partners in *The Independent Budget*—AMVETS, Disabled American Veterans, and Veterans of Foreign Wars—just last week called on the leadership of the House and Senate to take immediate action to enact the full year FY 2014 appropriations bill for the VA.

Additionally, the activities in Congress over the last two weeks (and really for many years) further affirm the need to approve legislation to make the VBA and all other VA programs a part of advance appropriations. Advance appropriations have shielded VA health care from most of the harmful effects of the current government shutdown as well as prior continuing resolutions. *The Independent Budget* called on leadership last week to immediately bring H.R. 813, the "Putting Veterans Funding First Act," to the floor for

consideration, amendment and approval. We hope that you will continue your efforts to see this critical legislation through to final enactment.

In the end, PVA, the co-authors of *The Independent Budget*, our partners in the veterans' service organization community, and the millions of veterans that we represent will no longer tolerate Congress leveraging veterans' health care and benefits to achieve unrelated political ends. The actions of Congress in the last couple of weeks reflect a failure of leadership. Congress' obligation to veterans does not start in the eleventh hour of a national crisis; you have an obligation to pass a timely, sufficient budget for all veterans programs, benefits and services.

We appreciate the bipartisan atmosphere that this Committee has often experienced. And yet, even that has now been tarnished. It is time for this nonsense to stop.

PVA thanks you once again for allowing us to submit comments for the record. We will continue to keep the Committee staff updated on the impact of the shutdown on VBA as well as our own operations. We would be happy to answer any questions that you may have.

Information Required by Rule XI 2(g)(4) of the House of Representatives

Pursuant to Rule XI 2(g)(4) of the House of Representatives, the following information is provided regarding federal grants and contracts.

Fiscal Year 2013

No federal grants or contracts received.

Fiscal Year 2012

No federal grants or contracts received.

Fiscal Year 2011

Court of Appeals for Veterans Claims, administered by the Legal Services Corporation
— National Veterans Legal Services Program— \$262,787.