

STATEMENT OF  
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NATIONAL LEGISLATIVE SERVICE  
VETERANS OF FOREIGN WARS OF THE UNITED STATES  
BEFORE THE  
COMMITTEE ON VETERANS' AFFAIRS  
UNITED STATES HOUSE OF REPRESENTATIVES  
WITH RESPECT TO  
**H.R. 189, H.R. 216, H.R. 245, H.R. 280, H.R. 294**

WASHINGTON, D.C.

January 27, 2015

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

On behalf of the men and women of the Veterans of Foreign Wars of the United States (VFW) and our Auxiliaries, I would like to thank you for the opportunity to testify on today's pending legislation.

**H.R. 189, Servicemember Foreclosure Protections Extension Act of 2015:**

The VFW supports this legislation which would continue, for one additional year, the extension of the period that veterans are protected from mortgage sale or foreclosure following their military service, from nine to twelve months. The VFW supported this as a provision of the *Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012* (PL 112-154), believing that veterans should be afforded the maximum opportunity to gain financial stability when transitioning from Active Duty to civilian life, without the threat of losing their homes. The January 2014 GAO report, also mandated by PL 112-154, found that, although data was limited, military borrowers were at a higher risk of mortgage delinquency in the first year after leaving active service, but those with these protections in place were more likely to resolve those delinquencies than others. Accordingly, the VFW believes that the one year protection window should not only be extended, but we urge Congress to make this policy permanent.

**H.R. 216, Department of Veterans Affairs Budget Planning Reform Act of 2015:**

This legislation would require the Department of Veterans Affairs (VA) to estimate and report to Congress its budgetary needs for four fiscal years. It would also establish a Quadrennial Veterans Review to ensure VA has a strategy to meet the future needs of our nation's veterans. Last summer, in his testimony before this Committee, Deputy Secretary Sloan Gibson admitted that VA has historically "managed to a budget number, as opposed to managing to requirements." In so doing, veterans suffered because VA failed to build the capacity and organizational structure needed to provide them the high-quality benefits and service they

deserve. The VFW strongly agrees that VA should constantly analyze veterans' needs and develop a strategy that will enable it to address such needs – not just today and tomorrow, but for years to come.

Establishing a quadrennial view would ensure VA is ready and capable to meet the changing needs of our veterans. This concept has been successful for the Department of Defense (DOD) in prioritizing its strategic pillars to ensure it is able to protect America and advance her interest abroad. The VFW supports the concept of a Quadrennial Veterans Review, but we do not believe VA should prioritize veteran benefits. VA benefits and programs are vital to the veterans they serve – one benefit is not more important than the other and should not be treated as such. Instead, we suggest the quadrennial review analyze the fiscal demands of the full range of programs and capabilities the Department administers. This would ensure VA adjusts its programs to fit emerging trends and maximizes its finite resources to meet veteran needs.

This bill would also require VA to conduct a study to ensure its functions and organizational structure are effective, efficient, and economical. The VFW applauds Secretary Robert McDonald for realizing that VA's organizational structure needs to change. In November, he announced the MyVA initiative to, among other things, reorganize the Department's structure to better meet veteran needs. The VFW believes that this bill's organizational structure study would be duplicative of Secretary McDonald's efforts.

**H.R. 245, To amend title 38, United States Code, to codify certain existing provisions of law relating to effective dates for claims under the laws administrated by the Secretary of Veterans Affairs:**

H.R. 245 makes two substantive changes to existing code. First, the bill codifies the effective date for a claim to include the date the Department of Veterans Affairs receives an informal claim. The informal claim is defined as “a communication in writing requesting a termination of entitlement or evidencing a belief in entitlement to a benefit under the law...”. The bill then outlines the steps VA must take to ensure the claimant receives the formal application form, VA Form 21-526. This is a much needed provision that will provide clear understanding for a claimant's effective date of claim.

The second provision places a 180-day time limitation on veterans who have filed an informal claim to complete and return the VA Form 21-526 to VA. Section 5102, title 38, U.S.C., provides claimants a full year to complete and return the application form under other circumstances. The VFW adamantly opposes this provision. The VFW believes there should be parity between the existing law and this proposal and recommends that claimants are afforded a full year to submit their formal claim after receipt of VA Form 21-526. This does not place additional burden on VA and will not count toward the time the claim takes to be adjudicated.

**H.R. 280, To authorize the Secretary of Veterans Affairs to recoup bonuses and awards paid to employees of the Department of Veterans Affairs:**

The VFW agrees with this legislation. Employees receive bonuses as an incentive and recognition for their superior work performance. But if a bonus is found, after the fact, to be awarded to an employee who manipulated data, put veterans at risk of harm or in some other way

defrauded the government to receive that bonus, the Secretary should have the authority to recoup the bonus amount.

**H.R. 294, Long-Term Care Veterans Choice Act:**

The VFW supports this legislation, which would add language to Section 1720 of Title 38 to allow veterans who receive VA care and require a protracted period of nursing home care to transfer into an adult foster home at their request. Under the bill, such homes must be “designed to provide non-institutional, long-term, supportive care for veterans who are unable to live independently and prefer a family setting.” VA currently has the authority to reimburse institutional care facilities such as nursing homes for long-term domiciliary care, but veterans who choose to live in adult foster homes must do so at their own expense. To grant VA the authority to reimburse adult foster homes would provide veterans with an additional residency choice, potentially improving the quality of life for those who would prefer this option.

The VFW strongly believes that all non-VA services should be provided in conjunction with proper care coordination. VHA Handbook 1141.02, Medical Foster Home Procedures, establishes the policies and standards of VA care coordination for veterans who choose to live in medical foster home settings. It requires an interdisciplinary VA Home Care Team to provide the veteran with primary care, regularly communicate with the foster home caregiver, and monitor the care provided by the foster home with frequent unannounced visits. The VFW feels that these would ensure adequate care coordination for veterans who chose to participate in a fully-funded adult foster care program. However, VHA Handbook 1411.02 is still awaiting recertification, originally scheduled for November 2014. The VFW recommends that the care coordination policies outlined in that document should be made permanent by adding them to the language of this legislation.

Mr. Chairman, this concludes my statement. I will be happy to answer any questions you or the Committee members may have.

**Information Required by Rule XI2(g)(4) of the House of Representatives**

Pursuant to Rule XI2(g)(4) of the House of Representatives, VFW has not received any federal grants in Fiscal Year 2014, nor has it received any federal grants in the two previous Fiscal Years.

The VFW has not received payments or contracts from any foreign governments in the current year or preceding two calendar years.