

Legislative Hearing before the
House Committee on Veterans Affairs
June 23, 2016

Testimony of
Representative Ted S. Yoho, DVM
Florida's Third Congressional District

H.R. 5166 – WINGMAN

Good Morning Mr. Chairman, Ranking Member, and distinguished committee members. I want to take a moment to thank you all for allowing me to testify on behalf of the veterans and their families nationwide who stand to benefit from the enactment of H.R. 5166, Working to Integrate Networks Guaranteeing Member Access Now Act – more commonly referred to as, the WINGMAN Act.

Over the past two years, my office has urged the Department of Veterans Affairs (VA) to work with Members of Congress to grant certified constituent advocates' read-only access to the Veterans Benefits Management System (VBMS). Three letters were sent to Veterans Affairs Secretary Bob McDonald by a bipartisan group of Members of Congress asking for the VA to act on its own and provide this access but to no avail. Over one-hundred and two Members signed one or more of the letters, including Members of this Committee, and the request was endorsed by Veterans of Foreign Wars.

During this time, a July 10, 2015 story broke reporting that the Los Angeles Veterans Affairs Regional Office was shredding documents needed to process claims, further adding to the necessity of the VA to grant read-only access to e-Claims. During this time, thousands of veterans and their families remained in limbo awaiting resolution on their claim – some who had already been waiting for years. Veterans and their families should have to wait no longer for the VA and this institution to act.

It is unconscionable that a single man or woman who has answered the call to serve our nation, protect our freedoms, and potentially sacrifice their life should have to wait to receive the care and benefits they have more than earned. Unfortunately, the reality for many of our veterans is that the system designed to have their back leaves them questioning whether or not the country cares at all what happens after they fulfill their contract. They become statistics, numbers on a page that can wait until it is convenient for bureaucrats in Washington to act.

I requested a report regarding wait-times to hear back from the VA from my constituent advocates who work hundreds of cases for veterans; the average time it takes to receive a response from the VA is six months and in one case, it took a year. A year for the VA to respond to a Congressional office inquiring about a veteran's claim; this is unacceptable.

With read-only access, certified staff need only make a single request from the VA, after obtaining the constituent's privacy release form. The mechanism we would recommend the VA use to permit certified staffers access would be similar to that currently used by claims agents – form 21-22A. This process would limit access solely to veterans who have requested the congressional office act on their behalf, as well as limit access for cases germane to each Congressman's district.

WINGMAN also ensures the integrity of VSOs remains intact through a nonrecognition clause. This means that congressional advocates will continue to refer a first-time claimant to service officers and claims agents and only take on the veterans' case after all other resources have been exhausted; which is the current process followed.

Additionally, the cost to implement WINGMAN is assumed by whichever Congressional office is requesting access. I recognize not every office wants nor needs this access as they may have a significantly smaller veteran population in their District. However, for offices that do want this access, they will be required to use their MRA to cover the cost to train and certify their staff. This is an opportunity for Congress to literally put their money where their mouth is and alleviate some of the barriers preventing veterans from receiving the consideration they deserve in a timely fashion.

I would also like to stress that this bill does not grant access to files constituent advocates do not already have permission to possess. It simply removes the VA as middle-man and allows advocates to access the records more quickly.

My Republican co-lead on this bill, Representative Davis, knows all too well the pitfalls of maintaining the status quo and not making this critical change. As a district staffer for sixteen years, he experienced first-hand the difficulties of navigating the VA in order to help veterans. Often when veterans would visit him pleading for help, it was as a last resort and because they had nowhere else to turn. I agree with him when he emphasizes that, as a Member of Congress, helping veteran constituents is one of the most important duties we have the honor of being able to fulfill.

There are over one-hundred and thirty Members cosponsoring the House bill, four have cosponsored the Senate version sponsored by Senator Cassidy, and AMVETS has endorsed this reasonable request. I thank the committee for their consideration of WINGMAN and hope we can work together to see this initiative through.