



THE AMERICAN LEGION



THE AMERICAN LEGION LEGISLATIVE AGENDA

Submitted to accompany testimony before Congress by
American Legion National Commander Brett P. Reistad
February 27, 2019

PREAMBLE TO THE AMERICAN LEGION CONSTITUTION

FOR GOD AND COUNTRY
WE ASSOCIATE OURSELVES
TOGETHER FOR THE FOLLOWING PURPOSES:

To uphold and defend the Constitution
of the United States of America;

To maintain law and order;

To foster and perpetuate a
one hundred percent Americanism;

To preserve the memories and incidents
of our associations in the Great Wars;

To inculcate a sense of individual obligation
to the community, state and nation;

To combat the autocracy of both the classes and the masses;

To make right the master of might;

To promote peace and goodwill on earth;

To safeguard and transmit to posterity the principles of
justice, freedom and democracy;

To consecrate and sanctify our comradeship
by our devotion to mutual helpfulness.

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Mission continues beyond basic training

Mission. It's a word we take very seriously in The American Legion. It's a word that has been ingrained in every member of our organization since the first day of military basic training. Some Legionnaires were wounded while carrying out missions. Many lost friends, comrades and even family members who made the ultimate sacrifice for the nation we love, during a mission.

A century ago, The American Legion was founded by veterans who had a post-war mission. Their mission, one that continues today, was to care for veterans, provide patriotic programs for our nation's youth, advocate for a strong national defense and instill societal pride in what it means to be American.

It is fitting that the most significant veterans legislation passed by Congress in 2018 was called the VA MISSION Act. By reforming the Department of Veterans Affairs health-care infrastructure, streamlining community care, expanding caregiver benefits, increasing access to private-sector care and recruiting quality health-care professionals, Congress is living up to President Lincoln's mission to "care for him who shall have borne the battle, and for his widow, and his orphan."

An important aspect of The American Legion's legislative agenda – or mission – is to expand upon Lincoln's promise and include equal benefits and respect for "her who shall have borne the battle, and for her widow and her orphan."

And just as the most successful missions in the military require strong leadership, VA cannot accomplish great tasks on its own. It requires leadership from Congress and the White House, along with respectful dialog and assistance from The American Legion, our nation's largest veterans service organization.

It also requires "a devotion to mutual helpfulness." This is a mission that every American should undertake, and it is one that is enshrined in the Preamble to the Constitution of The American Legion and recited by our members at every official Legion meeting.

This devotion must extend to support for our nation's first responders, Gold Star families and those working to prevent veteran suicide. Each of these communities has sacrificed enormously on our behalf. We owe them not only our gratitude but our tireless efforts to ensure that America never forgets its debt to those who have carried out their missions.

These are our legislative priorities. These are our callings. *These are our missions.*



Brett P. Reistad
National Commander



Brett P. Reistad
National Commander
The American Legion

ABOUT THE COMMANDER

- » U.S. Army sergeant, Presidential Salute Battery, 3rd U.S. Infantry Regiment, (Old Guard) 1974-1978
- » Member of American Legion Post 270 in McLean, Va.
- » Retired lieutenant with the Fairfax County Police Department
- » Serves as law-enforcement services coordinator with the Regional Organized Crime Information Center
- » Elected American Legion national commander during the organization's 100th National Convention on Aug. 30, 2018

WARTIME SERVICE

KEY POINTS

- Title 38, Part 3, Sec. 3.2 of the Code of Federal Regulations, dealing with the Department of Veterans Affairs, lists official beginning and termination dates for most war periods, from the Indian Wars to the present day, to be used in determining the availability of veterans benefits.
- The American Legion recognizes the nearly 1,600 casualties suffered by members of the U.S. Armed Forces in service to the nation during unrecognized periods of hostilities.



The guided missile frigate USS *Stark* (FFG-31) lists to port after being hit by two Iraqi Exocet missiles within 30 seconds in May 1987. Thirty-seven U.S. sailors were killed during this unrecognized war period. *DoD Photo*

Unrecognized armed hostilities recognition

The American Legion, a congressionally chartered organization comprised of wartime service veterans, includes among its key purposes:


1. To preserve the memories and incidents of the great wars and other hostilities fought to uphold democracy;
2. To cement the ties and comradeship born of service; and
3. To provide mutual helpfulness to fellow veterans and continued service to community, state and nation.

Congress, usually through a declaration of war or authorization for the use of military force, has often designated the beginning dates of wars or armed conflicts while end dates have been traditionally designated via presidential proclamation or congressional legislation. In some instances, additional legislation extended the official timelines of war or armed conflict, to broaden the eligibility of veteran benefits.

The American Legion, and its nearly 2 million members, have identified fundamental shortcomings in the U.S. government's wartime service designations and calls on congressional leaders to reassess and expand the timeline and characterization of "wartime service."

Currently, the U.S. government recognizes only a few distinct official periods of war or armed conflict since World War II, such as Korea, Vietnam, Lebanon/Grenada/Panama and Gulf War/War On Terrorism. However, between these official periods, and during so-called "peacetime eras," **the U.S. military has been involved in frequent known armed hostilities resulting in nearly 1,600 U.S. personnel combat deaths and wounds.** Yet, their sacrifices remain unrecognized as "wartime service" because these hostile events fall outside the U.S. government's few distinct official periods of war or armed conflict.

The American Legion has aided, assisted and comforted those men,



women (and families) who were called into service or volunteered during all of the unrecognized armed hostile events, and to this day, the organization continuously provides support and aid to veterans regardless of wartime or peacetime service era. The Legion does this regardless of the veteran’s membership status in the organization.

Many veterans of wartime and peacetime eras alike have asked The American Legion and Congress for greater inclusion within the organization’s membership ranks, subsequent to a reassessed and expanded timeline that recognizes the services borne during armed hostile events not fitting within the government’s current designated periods of war and armed conflict. These men and women wish only to stand counted and to join their fellow brothers and sisters-in-arms in continued service to the nation as American Legionnaires.

Likewise, and in accordance with the charter, history, tradition and purposes of The American Legion, it is fair, proper and reasonable that all military personnel who served on active military duty during all unrecognized armed hostilities be recognized in accordance with the U.S. government’s reassessed and expanded designation of wartime service era.

WHAT CAN CONGRESS DO?

- Congress should pass S. 504, the Let Everyone Get Involved in Opportunities for National Service Act (LEGION Act), a bill aimed at authorizing The American Legion to determine the requirements for membership in The American Legion.
- Declare that the United States has been continuously engaged in a state of war from Dec. 7, 1941, to such date in the future as the U.S. government may determine that there has been an end to armed hostilities.

CURRENT OFFICIALLY RECOGNIZED WAR ERAS

World War I	April 6, 1917, to November 11, 1918
World War II	December 7, 1941, to December 31, 1946
Korea	June 25, 1950, to January 31, 1955
Vietnam	February 28, 1961, to May 7, 1975
Lebanon/Grenada	August 24, 1982, to July 31, 1984
Panama	December 20, 1989, to January 31, 1990
August 2, 1990, to Present	Gulf War/ War on Terrorism

CARE

KEY POINT

- Modernizing the VA health-care system is an investment in VA's future and the best path forward.

“It is critical that we deliver a transformed VA health-care system that puts veterans at the center of everything we do. We are on the cusp of the greatest transformative period in the history of VA.”

VA Secretary Robert Wilkie, testifying at a joint congressional hearing Dec. 19



Photo by Matthew Hinton

The future of VA health care

In 2018, Congress approved and the president signed into law the most significant legislation to transform the Department of Veterans Affairs (VA) health-care system since 1996 – the VA Maintaining Systems and Strengthening Integrated Outside Networks Act, or the VA MISSION Act. It includes provisions to consolidate all community care programs into a single, streamlined program; provides funding to extend the program through 2019; expands comprehensive assistance; strengthens the ability to recruit, hire and retain quality medical personnel; and reforms the VA health-care infrastructure.

The legislative package is comprised of five titles that address major areas of deficit, including: increased access to private-sector care, consolidation of community care programs, expansion of the Family Caregiver Program, and recruitment of qualified medical professionals.

One of the largest changes the legislation will bring to VA health care is the expansion of the Community Care Program. The VA MISSION Act gives veterans more control when it comes to their health care, such as: increased access to private-sector care, improvements to standards for quality, access to walk-in care, ensuring individuals can get appointments scheduled in a timely manner, and continuity of care. This section offers veterans access to community care if VA is unable to provide the services needed. Some considerations for access to community care include distance between the veteran and facility, type of service, timeliness of available appointments, and whether or not the veteran seeking care faces an excessive burden.

The VA MISSION Act also requires the prompt payment of providers. Service providers must be paid within 45 days for paper claims and under 30 days for electronic claims.

The VA MISSION Act requires VA to develop a program to educate veterans about their health-care options within the VA medical system.

CARE

These programs will teach veterans about: eligibility criteria for care under VA, priority enrollment groups, copayments and other financial obligations that fall on the veteran, as well as utilization of standards for quality and access. Veterans will be provided with information on how to file a complaint about their VA health care if they have problems.

Matters relating to non-VA providers include: a process to ensure safe opioid-prescribing practices, improved information sharing with community providers, competency standards for non-VA health-care providers and access to, and participation in, national and state-level prescription drug-monitoring programs. Additionally, Title I includes provisions to use the remaining Veterans Choice Fund to pay for health-care services at non-VA facilities or through non-VA providers, as well as permitting VA health-care professionals to provide treatment with telemedicine. The Family Caregiver Program is also addressed in this section of the VA MISSION Act. Title II requires VA to assess the capacity of each Veterans Integrated Service Network (VISN) and identify deficiencies within each VISN. Title III focuses on improving the recruitment and retention of quality health-care professionals by providing two-to-four-year scholarships to medical students in exchange for service at VA. The VA MISSION Act also increases the amount of education debt reduction available from \$120,000 to \$200,000 over five years, and establishes the VA Specialty Education Loan Repayment Program. It establishes a pilot program for veterans healing veterans by supporting four years of medical school education costs for two veterans at select medical schools. Another provision requires VA to ensure clinical staff are able to participate in the Education Debt Reduction Program.

Title IV develops a plan to address problems in underserved facilities and criteria for designating those facilities. These criteria include, but are not limited to, the ratio of veterans to providers, range of specialties covered and whether or not the facility is meeting VA's goals when it comes to wait times. In order to address the underserved facilities, the law creates a pilot program to provide medical deployment teams to these flagged facilities. Finally, it requires VA to establish medical residency programs at covered facilities.

Title V requires VA to submit annual reports on performance bonuses and awards given, including the amount of each bonus or award, the job title and the location where the recipients work. Additionally, Title V requires VA to be transparent with vacancy information on a VA website, mandates an Inspector General review of the website and requires VA to report annually the steps taken to reach full staffing capacity.

WHAT CAN CONGRESS DO?

- Ensure frequent oversight into how VA is implementing the VA MISSION ACT, to ensure the intention of the law is followed.
- Once the VA MISSION Act is fully implemented, conduct congressional hearings to ensure all programs are operating the way that best serves the 9 million veterans utilizing the VA health-care system.

“ This nation owes our veterans more than a thank you. Veterans deserve a health-care system that works for them, regardless of where they live, what medical condition they are struggling with, and whatever their means. The VA MISSION Act makes the VA stronger, and allows veterans to seek care in their community when the VA can't deliver.

Sen. Jon Tester, D-Mont.
Ranking Member, Senate
Veterans Affairs Committee

CARE

KEY POINTS

- The American Legion's System Worth Saving program assesses the quality of care and services at select VA facilities throughout the country.
- Nine million veterans use VA for health care.

“The state of VA is better ... We have a more experienced team in place at all levels, and it is better because we have a workforce dedicated to the care of veterans, their families, caregivers and survivors.

VA Secretary Robert Wilkie, in testimony before Congress on Sept. 26, 2018



Photo by Jared Soares

Protect the best care anywhere

In 2017, The American Legion contracted with Phillip Longman and Suzanne Gordon to evaluate VA health care and determine if it remains a system worth saving. The report showed that VA performs as well as, or better than, other health-care providers on quality measures like patient safety, patient satisfaction, care coordination and innovative medical practices.

VA operates the largest federally funded, integrated health-care delivery system in the United States. It serves 9 million veterans, employs nearly 400,000 people, and is one of the largest employers of veterans in the United States, with one-third of its workforce having served in uniform.

In 2018, The American Legion System Worth Saving Task Force visited 18 medical facilities to identify best practices and challenges and to offer recommendations to improve the delivery of health care at VA hospitals and community-based outpatient clinics (VBOC). Those visits revealed that VA facilities continue experiencing growth in veteran populations, need improved physical and information technology infrastructure and struggle with shortages of physicians and nurses.

The American Legion supports legislation that capitalizes on VA's strengths and core competencies while ensuring that veterans continue to have access to the best care.

WHAT CAN CONGRESS DO?

- Attend The American Legion's town hall meetings that are kickoff events for each System Worth Saving site visit. These meetings offer elected leaders the opportunity to hear directly from veterans about their VA health-care experiences.
- Do not sponsor or support legislation that authorizes VA to centralize operations successfully managed by local VA medical facilities.
- Enhance VA's ability to offer telehealth services and telemedicine to rural communities.



Photo by Lucas Carter

VA recruitment and retention

A 2017 Government Accountability Office (GAO) report revealed significant challenges in recruiting and retaining employees at the Department of Veterans Affairs. The GAO determined that the largest critical needs were medical officers, nurses, psychologists, physicians' assistants, nurse practitioners and medical technologists.

As of June 2018, VA reported 45,239 overall vacancies out of a total of 419,353 full-time authorized and budgeted positions. Positions include 40,456 vacancies in the Veterans Health Administration (VHA); 1,978 vacancies in the Veterans Benefits Administration (VBA); 233 vacancies in the National Cemetery Administration (NCA); and 2,572 vacancies in VA staff offices.

VA employment candidates must go through a long and cumbersome hiring and on-boarding process, causing many potential employees to ultimately look elsewhere. In order to compete with the private sector, VA also needs to do a better job showing why it is a good place to work and offer meaningful incentives to recruit and retain top talent.

The American Legion understands recruiting highly skilled health-care professionals to fill vacancies at VA facilities is an ambitious undertaking, given resources and regulatory constraints. Recruitment and retention solutions can be achieved, many without additional legislative action, to provide full staffing of top health-care professionals.

WHAT CAN CONGRESS DO?

- Pass legislation addressing the recruitment and retention challenges VA has regarding pay disparities among physicians and medical specialists who are providing direct health care to veterans.

KEY POINTS

- Through its System Worth Saving program, The American Legion has documented staffing shortages and recruitment performance challenges at dozens of VA care facilities.
- A 2017 GAO report found that VA's largest staffing shortages included physicians, registered nurses and psychologists.

“ VHA hires more than 2,800 mission-critical physicians annually. Yet, physicians have consistently been identified by VHA as a critical staffing priority due to recruitment and retention concerns.

Debra A. Draper, Director, Health Care Team, Government Accountability Office

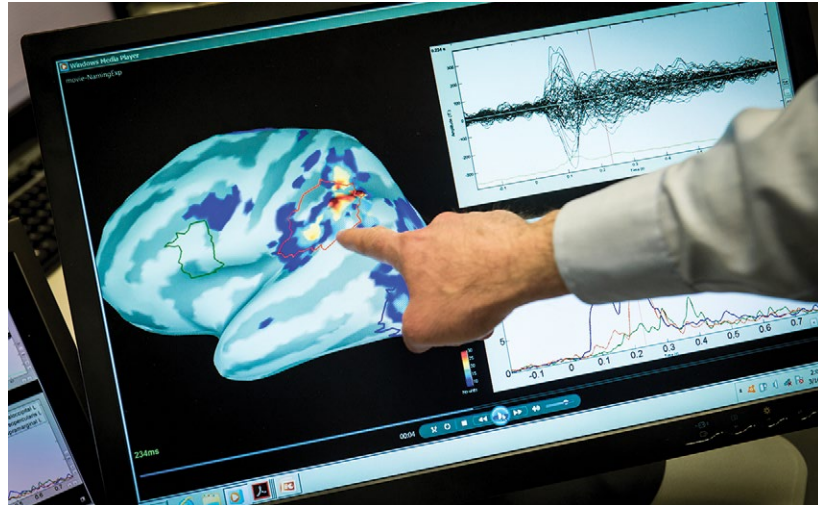
CARE

KEY POINTS

- The American Legion TBI/PTSD Committee understands, evaluates, expands awareness and advances research into effective therapies and treatments for TBI and PTSD.
- The Legion will continue to review methods and strategies to treat TBI and PTSD in order to reduce veteran suicide.

“ Our veterans deserve the best medical care that we can offer. We believe that funding additional medical research will provide another tool in the physician’s toolbox for the treatment of TBI and PTSD.

Past National Commander
William Detweiler, Chairman,
TBI/PTSD Committee



U.S. Air Force photo by J.M. Eddins Jr.

The road home from PTSD/TBI

Since 2001, U.S. troops have been engaged in combat on multiple continents in the Global War on Terrorism. More than 3 million Americans served in Iraq or Afghanistan through the first 17 years of the war, and VA projects a post-9/11 veteran population of just under 3.7 million by 2020.

Traumatic Brain Injury (TBI) and Post-Traumatic Stress Disorder (PTSD) have become known as the “signature wounds” of these wars, and in recent years, thousands of studies, articles and reports have focused on their effects on veterans and active-duty personnel. With no end to the Global War on Terrorism in sight, the post-9/11 cohort will continue to grow, as will the number of veterans requiring mental health care.

At least 370,688 servicemembers were medically diagnosed with TBI between 2000 and 2017, according to the Department of Defense. Researchers have reported that between 20 percent and 30 percent of Iraq and Afghanistan veterans have PTSD and/or depression. While the number of veterans diagnosed with TBI and PTSD is increasing significantly, the types of treatments offered remain limited and inadequate.

The American Legion’s TBI/PTSD Committee has spent eight years studying scientific research and meeting with clinicians, policy analysts and mental health experts to understand the problem and explore potential solutions.

WHAT CAN CONGRESS DO?

- Increase budgets for DoD and VA to improve the research, screening, diagnosis and treatment of TBI and PTSD.
- Urge DoD and VA to closely monitor and study drugs prescribed in potentially toxic combinations, particularly involving addictive benzodiazepines and opioids, especially when prescribed by non-VA providers through the Choice Program.
- Improve training for DoD and VA personnel to identify and prevent suicide risks.



Photo by Jacob Langston

KEY POINTS

- Women have voluntarily served in every war since the American Revolution.
- Women now routinely serve in combat and deserve equal benefits as their male counterparts.
- Female veterans are the fastest growing demographic in the veteran community.
- Hypertension, PTSD and depression are the top three diagnostic categories for women veterans treated at VA.

Improving care for women veterans

Never before have so many women servicemembers been routinely assigned to combat zones. They sustain the same types of injuries as their male counterparts. The number of women enrolled in the VA system is expected to grow by 33 percent over the next three years. VA must ensure women veterans receive gender-specific health care to meet their needs across the entire network. Finding ways to ensure that these veterans are welcome and receive the services they deserve is vital to The American Legion.

The 2017 Department of Veterans Affairs Women Veterans Report noted that the total population of women veterans is expected to increase at an average rate of about 18,000 per year for the next 10 years.

The American Legion strives to improve the quality of care for all women veterans.

The American Legion continues to focus on:

- Visiting VA health-care systems to explore any issues that could be preventing VA hospitals from providing gender-specific care
- Educating women veterans about the importance of identifying as a veteran
- Ensuring full-time gynecologists are available at all VA medical centers
- Advocating for an increase of female providers to assist female veterans who have been victims of Military Sexual Trauma

WHAT CAN CONGRESS DO?

- Enact legislation for VA facilities to implement current standards of care to women veterans, providing the latest diagnostic and treatment methods.
- Provide child-care services at all VA medical centers.
- Urge VA to meet the privacy needs of women veterans at its facilities.

“Male or female, The American Legion believes a veteran is a veteran. Period.”

Brett P. Reistad,
The American Legion
National Commander

CARE

KEY POINTS

- Data from VA's National Screening Program reveal that about one in four women, and one in 100 men say they have experienced Military Sexual Trauma (MST).
- Men are less likely to report MST than their female counterparts, but MST is a military issue, not a women's issue.

“What do I want now? I want to be treated with the respect I deserve in the current VA system and not retraumatized.”

Diane Chamberlain, Author of *Conduct Unbecoming: Rape, Torture, and Post Traumatic Stress Disorder from Military Commanders*



U.S. Air Force photo by Airman Michael S. Murphy

Improve access to care for MST victims and survivors

The American Legion continues to track and monitor all issues related to Military Sexual Trauma (MST). MST includes any sexual activity against one's will, or during a time when one is unable to consent to sexual activities, while serving in the military.

According to a VA Office of Inspector General review and the Department of Defense *2017 Report on Sexual Assault in the Military*, more than 5,200 servicemembers reported a sexual assault in fiscal 2017. The reported sexual assaults occurred during their military service and was an increase of about 10 percent from the previous year.

The American Legion is deeply concerned with the plight of MST survivors and continues to work with Congress to find the right treatment for every patient while urging VA to be flexible and to ensure that these veterans receive the care they need.

The American Legion will work to ensure that those who have become victims are treated, while urging the U.S. Armed Forces to take steps to eradicate MST entirely.

WHAT CAN CONGRESS DO?

- Ensure VA has all necessary resources to remain committed to providing veterans access to help they need to recover from MST.
- Encourage better awareness training in the DoD for MST sensitivity and develop more comprehensive care options for survivors, including better availability of therapists and group therapy, along with other options to make MST care more accessible to veterans.



Photo by Clay Lomneth

Veteran suicide prevention

In 2017, VA reported that the suicide rate among 18-to-24-year-old male Iraq and Afghanistan veterans has risen nearly fivefold, to an all-time high of 124 per 100,000 – 10 times the national average. The suicide rate of 18-to-29-year-old female veterans has doubled.

In the past, bias and stigma against mental injury prevented accurate data collection, research and treatment. Accurate numbers may also have been hard to determine after previous wars due to classifications of suicide as deaths by motor vehicles, poisoning, drowning or other accidents.

High suicide rates among veterans are not a recent phenomenon. In 1922, The American Legion declared the “worst casualties of the world war are just appearing” as high rates of veteran suicide were gaining national notice four years after the armistice that ended World War I. Similarly, high rates of suicide emerged after later U.S. wars.

Multiple factors feed into four primary causes of veteran suicides:

- Post-traumatic stress disorder;
- Traumatic brain injury;
- Loss of a sense of purpose; and
- Loss of a sense of belonging.

WHAT CAN CONGRESS DO?

- Urge the DoD and VA to implement an automatic flagging system to alert providers of potentially fatal prescription drug combinations.
- Provide VA the necessary funding for complementary and alternative therapies for treating TBI, PTSD and other mental health conditions.
- Improve VA's hiring process for mental health providers.
- Increase funding for DoD and VA suicide-prevention programs.

KEY POINTS

- In 2018, The American Legion published a white-paper report on veteran suicide that examines recent trends and their potential causes, recommending steps to address the crisis.
- The American Legion continues to be deeply concerned with high numbers of veterans who die by suicide and those who return from war suffering from TBI and PTSD.
- The American Legion established a suicide-prevention program in 2017 and aligned it with the TBI/PTSD Committee, which reviews methods, programs and strategies that can be used to reduce veteran suicide.

“Veterans considering taking their own lives are not beyond help. There are things the VA can do to prevent it.”

Dr. Keita Franklin, National Director, Suicide Prevention Office of Mental Health and Suicide Prevention, U.S. Department of Veterans Affairs

CARE

KEY POINTS

- Veterans of various eras and theaters of operation are currently receiving different levels of VA caregiver benefits, based on their dates and locations of service.
- All veterans deserve equality in terms of benefits regardless of the era in which they served.

“ These hidden heroes have served as an unpaid workforce, absorbing the overwhelming challenges that can come with caring for a veteran.

Elizabeth Dole, Elizabeth Dole Foundation founder and former U.S. senator



Photo by Lucas Carter

Support for veteran caregivers

The American Legion has long argued that the Department of Veterans Affairs Caregiver Program must be expanded to include all generations of veterans. The American Legion believes that all veterans deserve equality in terms of benefits, regardless of era.

Policymakers are slowly recognizing the nearly 6 million caregivers who provide support for veterans in need of intensive personal assistance due to medical conditions related to military service. On June 6, 2018, President Trump signed the VA Maintaining Systems and Strengthening Integrated Outside Networks Act or MISSION Act. Section 161, Expansion of Family Caregiver Program of Department of Veterans Affairs, expands eligibility for veterans with service-connected medical issues on or before May 7, 1975. Previously, access to this program was limited only to post-9/11 service.

The American Legion urges VA to provide the same level of benefits to all eligible enrolled veterans. VA caregiver benefits should not be limited to specific eras but expanded to assist all who should be eligible. VA has enrolled veterans, including those who require caregiver assistance in day-to-day health-care needs, regardless of when they served.

WHAT CAN CONGRESS DO?

- Remove all eligibility dates from current legislation and public laws, and revise them to include veterans who otherwise meet the eligibility requirements.



Photo by Clay Lomneth

KEY POINTS

- Ninety-one percent of veterans experiencing homelessness are men.
- Three in five homeless veterans (62 percent, or 23,312 veterans) stay in emergency shelters or transitional housing, while two in five (38 percent, or 15,000) were staying in places not suitable for human habitation.
- Most veterans experiencing homelessness are without children (98 percent, or nearly 40,000 veterans). About 2 percent have dependents.

Prevent veteran homelessness

Generally, the causes of homelessness can be grouped into three categories: economic hardship, health issues and lack of affordable housing. Although these issues affect all homeless individuals, veterans face additional challenges in overcoming these obstacles, including prolonged separation from traditional support systems, such as family and friends; stressful training and occupational demands, which can affect personality, self esteem and the ability to communicate after discharge; and non-transferability of military occupational specialties into the civilian workforce.

Through the U.S. Housing and Urban Development’s annual point-in-time count estimate of America’s homeless population, communities across the country reported that 37,878 veterans were experiencing homelessness in the United States in 2018, accounting for just under 9 percent of all homeless adults. Since 2009, veteran homelessness has dropped considerably, obtaining a new low in 2018.

The American Legion is focused on prevention, “to get them before they get on the street.” The American Legion offers support to at-risk and/or homeless veterans and their families, advice and counseling, assistance obtaining care and benefits, financial help, career fairs, business development workshops and other forums.

WHAT CAN CONGRESS DO?

- Permanently authorize the Supportive Services for Veterans and Families program and maintain funding levels necessary to keep it operational.
- Fund legal services for homeless veterans.
- Continue to fund the homeless veterans Grant and Per Diem Program (transitional housing) at the level of need demonstrated in local communities.
- Provide a higher allocation of project-based HUD-VA Supportive Housing vouchers for homeless veterans.

“When given enough resources, and enough focus by leadership, communities are absolutely able to house every single veteran who needs help.”

Kathryn Monet, Executive Director, National Coalition for Homeless Veterans

CARE

KEY POINT

- The Blue Water Navy Vietnam Veterans Act would impact an estimated 90,000 veterans exposed to Agent Orange.

“The people who are questioning what veterans went through weren’t there on the ships in Vietnam. They weren’t drinking and brushing their teeth and bathing in water tainted by this terrible chemical.

Rear Adm.
Christopher W. Cole
(U.S. Navy ret.)
Association
of the U.S. Navy



DoD Photo

Blue Water vets deserve benefits

Veterans who served on open-sea ships off the shore of Vietnam during the Vietnam War are called “Blue Water veterans.” Currently, only those veterans who physically set foot on the land of Vietnam or served on its inland waterways between Jan. 9, 1962, and May 7, 1975, are presumed to have been exposed to the toxic defoliant Agent Orange, which is linked to numerous adverse health conditions and diseases.

Blue Water veterans who did not set foot in Vietnam or serve on the inland waterways must prove they were exposed during military service in order to receive disability compensation for conditions related to exposure. These claims are decided on a case-by-case basis.

The Department of Veteran Affairs asked the National Academy of Sciences’ Institute of Medicine (IOM) to review medical and scientific evidence regarding Blue Water veterans’ possible exposure to Agent Orange and other herbicides. IOM’s 2011 report concluded that “there was not enough information for the IOM to determine whether Blue Water Navy personnel were or were not exposed to Agent Orange.”

However, a 2002 Australian study concluded that “personnel on board ships were exposed to biologically significant quantities of dioxins,” and Australia began granting disability benefits to its former sailors in 2006.

U.S. Vietnam veterans, who served alongside the Australians on the open sea, have the same health problems associated with herbicide exposure and deserve the benefit of any doubt regarding the presumption of service-connected disabilities related to such exposure.

WHAT CAN CONGRESS DO?

- Pass H.R. 299 the Blue Water Navy Vietnam Veterans Act.
- Amend Title 38, U.S. Code, to presume exposure to Agent Orange for any military personnel who served during the Vietnam War on any vessel that came within 12 nautical miles of the Vietnam coastline.



U.S. Air Force photo by Senior Airman Kasey Zickmund

KEY POINTS

- The new VA Cerner electronic health record (EHR) system will operate on a similar platform as the DoD's EHR system – MHS Genesis – in an effort to improve interoperability between agencies.
- Medical records in the new system will be able to follow a person through the transition from active duty to VA.

Electronic health records

In the 1970s, VA developed its own electronic health record (EHR) residing within VA's Veteran Information Systems and Technology Architecture (VistA). Critics soon voiced concerns about VistA's inability to electronically exchange health-record information between VA, DoD, other federal agencies and community health-care partners.

In 2018, VA signed a \$10 billion, 10-year contract with the Cerner Corp. to adopt the same EHR system as DoD. VA later said it would need another \$5.8 billion for project-management costs.

VA awarded Cerner three firm, fixed-price task orders on the contract. Under the first task order, Cerner will build and provide project management, planning and pre-initial operating capabilities. Under the second, it will conduct facility assessments at three sites in the Pacific Northwest. And under the third, it will provide an EHR hosting solution.

VA began deployment of its initial three sites in 2018, with the goal of fully implementing the system by March 2020. VA has designated 260 full-time employees to the department's new EHR Modernization Program Office and is adding more staff as the agency implements the system to more sites.

The VA/DoD Interagency Program Office stood up three governance boards to manage project risks. The first is a functional governance board to mitigate disputes between on-the-ground clinicians and other health-care staff. The second is a technology governance board, to mitigate technology issues. The final board would resolve issues unsolved by other boards.

In 2018, the House Committee on Veterans' Affairs created the Subcommittee on Technology Modernization to oversee VA's EHR modernization project.

WHAT CAN CONGRESS DO?

- Ensure VA's EHR initiative remains fully funded.
- Require VA to regularly report EHR progress to Congress.

“Caring for our nation’s heroes must always remain above partisan politics. I’m proud to work with Rep. Conor Lamb and the House Committee on Veterans’ Affairs Subcommittee on Technology Modernization as we provide oversight of the U.S. Department of Veterans Affairs overhaul of their electronic health records system.

Rep. Jim Banks, R-Ind.

”

CAREERS

KEY POINTS

- The American Legion conducts bi-annual credentialing roundtables that include stakeholders from government, industry and credentialing authorities. During these discussions, leaders from all over the country find ways to help veterans lead productive lives using the skillsets they already possess.
- The Department of Defense's United Services Military Apprenticeship Program reached a milestone of 100,000 active participants in 2017.
- Despite escalating DoD's apprenticeship success, the Post 9/11 GI Bill is a vastly under-utilized recruitment conduit; only about 2 percent of Post 9/11 GI Bill recipients apply for the apprenticeship or on-the-job training benefits.

“It is absolutely essential that veterans and their families have access to quality licensing and certification programs. These programs provide important paths to success for our veterans. Many of them lead to meaningful employment and real economic opportunities.

Joseph W. Wescott II Ed.D.,
National Legislative Liaison,
National Association of State
Approving Agencies



U.S. Air Force photo by Airman 1st Class Ariel Owings

Licensing and credentialing

The military invests extensively in formal state-of-the-art training for its servicemembers, complemented by extensive on-the-job training and hands-on experience. Early in their military careers, servicemembers gain opportunities for experience that are unmatched in the civilian sector. However, the eligibility requirements for civilian credentials seldom offer direct recognition of military training and experience as a means of qualification, thus delaying immediate civilian employment and career advancement for veterans.

The American Legion has established its Credentialing Advisory Task Force in order to promote the transferability of military skills and experience and expand upon progress by increasing awareness in the fields of licensing, certifications and credentialing.

The task force will report to the national Veterans Employment & Education Commission and stay actively involved to reform our nation's credentialing system to:

- Stay abreast of civilian credentialing trends to ensure military credentialing policies and programs remain relevant.
- Ensure consideration of the needs of servicemembers and veterans.
- Promote military training and experience as a widely accepted form of transferable civilian skills.

WHAT CAN CONGRESS DO?

- Reintroduce H.R. 3018, the Veterans' Entry to Apprenticeship Act, empowering businesses to design pre-apprenticeship programs for veterans through the Post-9/11 GI Bill.
- Recognize civilian credentialing trends and advocate for the needs of servicemembers, veterans and spouses.
- Promote military training and experience as widely accepted forms of competency for civilian employment.
- Support the growth and expansion of the U.S. Military Apprenticeship Program.



Photo by Clay Lomneth

Veterans Preference hiring

Veterans Preference hiring benefits veterans of every economic class, gender, ethnicity, sexual orientation and creed. It is triggered when a hiring manager is deciding between two equally qualified candidates, one a nonveteran and the other a servicemember or veteran. Veterans Preference requires a veteran to be fully qualified for the position sought.

The American Legion calls on Congress to reaffirm the Veterans Preference Hiring Act of 1944. In light of recent policy changes, the reorganization of the Office of Personnel Management and expanded use of new hiring authorities for federal agencies, The American Legion supports congressional reaffirmation action in support of the continued application of Veterans Preference in the new federal workforce environment.

WHAT CAN CONGRESS DO?

- Reaffirm continued application of Veterans Preference for federal hiring and reduction-in-force actions as originally intended by the Veterans Preference Hiring Act of 1944.
- Mandate that agencies using new hiring authorities, such as direct-hire authority, report annually to Congress on the employment level and representation of veterans in the agencies' workforce, along with the number of veterans hired using these new authorities.
- Report all federal veteran recruiting and applicant-sourcing activities to ensure the veteran community is aware of job opportunities, regardless of hiring authority used, and any other activities that demonstrate federal commitments to affirmative outreach to veterans.
- Require that agencies that fall below the representative rate of veterans, as determined by the rate veterans are employed in the private sector, be required to discontinue any special hiring authorities until the under-representation of veterans is corrected.
- Update Public Law 89-554, Title 5, Sec. 3310, Veterans Preference occupations.

KEY POINTS

- Title 5, Sec. 3310, originates from Public Law 89-554 dated Sept 6, 1966, that still lists guards, elevator operators, messengers and custodians as occupations reserved for veterans.
- According to the Office of Personnel Management in 2016, 31.1 percent of all new federal hires were veterans, down from 32.5 percent in 2015.
- Veterans Recruitment Appointment can be appointed to a position through GS-11 without having to compete with other applicants.
- Executive Order 13518, Veterans Employment Initiative, aims to boost employment of military veterans, especially those of Iraq and Afghanistan, in the federal government.

“ I think the right answer is for OPM to tighten up the rules to help agencies get better results with category ranking, and for agencies to ensure their HR staff know how to run the hiring process.

Jeff Neal, Director at the National Academy of Public Administration and Partnership for Public Service

CAREERS

KEY POINTS

- Veterans are 45 percent more likely to start their own businesses, compared to their civilian counterparts.
- About 9 percent of small businesses are owned by veterans. Collectively, these 2.4 million businesses employ 6 million Americans and generate over \$1 trillion in receipts.



From 1944 to 1954, the original GI Bill's entrepreneurial insurance and loan guaranty program, resulted in 214,500 loans made to start small businesses and an additional 62,500 loans made to start farms. Cross-referencing 1944 entrepreneurial programs to Census SBO Data and SBA Research in this century, a correlation is seen in the nation's investment in entrepreneurial programs for veterans leading to a sustained and unparalleled expansion of the American economy.

William (Bill) Elmore, former Associate Administrator for the U.S. Small Business Administration's Office of Veterans Business Development



Photo by Lucas Carter

Access to capital for small business

A key obstacle facing veteran-owned small businesses is lack of access to capital. Investments are needed to develop and bring to market innovative veteran-generated products and services.

Most veterans lack the requisite capital or collateral for traditional bank loans. The original GI Bill was intended to give returning servicemembers the training and resources they needed to become gainfully employed in civilian life. Reintegration benefits also included loans and grants for America's entrepreneurial veterans. Under the original GI Bill, the Veterans Administration guaranteed more than 215,000 small business loans from 1944 to 1954.

Solutions to address this issue include adding an entrepreneurship component to the current GI Bill or creating more pathways for veterans to gain access to capital through public-private partnerships.

WHAT CAN CONGRESS DO?

- Congress should reintroduce H.R. 3248, from the 114th Congress, the Veterans Entrepreneurial Transition (VET) Act, allowing the Small Business Administration to carry out a three-year pilot program to assess the feasibility of offering grants to up to 250 eligible veterans and retiring or honorably discharged members of the U.S. Armed Forces to start, expand, or acquire qualifying business enterprises.



Photo by Lucas Carter

Federal contracting for veteran-owned businesses

In 1999, Congress passed the Veterans Entrepreneurship and Small Business Development Act, recognizing service-disabled veterans as a preferred contracting group. Through that legislation, an annual goal of at least 3 percent of all federal prime-contract awards for service-disabled veteran-owned firms was established.

Agencies across the federal government, including the Department of Transportation (DOT) have “set-asides” for contracts going toward small businesses that are owned and controlled by particular groups of people that are designated for contracting preferences. The bulk of DOT’s budget manifests in state grants for infrastructure repair. By legislation, 10 percent of that budget is set aside for small businesses, but veteran-owned small businesses are excluded from this program.

As the youngest, federally recognized and preferred contracting group, veterans do not always receive the same contracting preferences as other groups. Currently, there is no preference for veterans when it comes to building our nation’s roads, highways and critical infrastructure.

WHAT CAN CONGRESS DO?

- The American Legion urges Congress to appoint a VA advisory committee to ensure parity for veterans in all small-business government contracting programs and provide advice and recommendations on specific VA veteran-owned small-business issues.
- Congress should reintroduce H.R. 1694, the Fairness to Veterans Act, which simply states that if any business is going to get a preference, then veteran-owned small businesses should at least get that same preference.

KEY POINT

- Veteran-owned firms have a big economic impact across the country:
 - » California, Texas, Florida, New York and Georgia have the most overall impact.
 - » By population, South Carolina has the most, followed by West Virginia.

“According to the Census’ Survey of Business Owners, 11.1 percent of all construction firms are owned by veterans. That’s 380,395 veteran businesses... 10.5 percent of manufacturing firms are owned by veterans. That’s 64,542 veteran manufacturing businesses. We’re more than ready; it’s time Congress provides fairness to veterans in transportation contracting.”

Vincent J. Troiola, Chairman,
American Legion Veterans
Employment & Education
Commission

CAREERS

KEY POINTS

- No fewer than 132,218 veterans participated in VA's Vocational Rehabilitation & Employment program in fiscal 2017.
- VR&E benefits are typically limited to 48 months, though the benefit period can be extended under certain circumstances. In most cases, veterans are entitled to a subsistence allowance while they are enrolled in an education or training program.
- Courses under the VR&E program should be courses that are approved for the GI Bill.



U.S. Marine Corps photo by Lance Cpl. Justin Roux

Vocational Rehabilitation and Employment program

Vocational Rehabilitation & Employment (VR&E) was established to provide service-connected disabled veterans ways and means to obtain gainful and meaningful employment to achieve and sustain independent living. VR&E should continue to make every effort to demonstrate efficacy in delivering these services while at the same time substantially improving quality of life for veterans.

In order to ensure long-term success of this veteran-centric program, a concerted effort is needed from all federal agencies who play key roles in the seamless transition of servicemembers into the civilian workforce. Vocational training, job assistance, quality health care and physical rehabilitation are crucial to each veteran and family member in achieving economic well-being.

“ (The VR&E) program should be the crown jewel of benefits provided to veterans.

Rep. Jodey Arrington,
R-Texas.

WHAT CAN CONGRESS DO?

- Congress should ensure adequate vocational rehabilitation counselors and employment coordinators are provided in order to reduce caseloads and offer more individualized counseling for veterans.
- Congress should work to improve interagency collaboration and communication among key stakeholders of the program.
- Eliminate the 12-year delimiting date for eligibility to Chapter 31 benefits and allow veterans with employment impediments to qualify for VR&E benefits for life.
- Provide training programs geared specifically for VR&E counselors through Management Concepts Incorporated.



Photo by Mike Strasser

New approaches to transition

With an estimated 200,000 servicemembers leaving the military each year, the Transition Assistance Program (TAP) is an important component in the change to civilian life. The American Legion continues to help transitioning servicemembers obtain gainful employment through resume/interview workshops, career fairs and entrepreneurship workshops (Boots 2 Business), but as the booming economic landscape evolves, it is important that military and veteran interests are represented in civilian workforce initiatives. In response to previous American Legion recommendations, changes to TAP were introduced and passed in the fiscal 2019 National Defense Authorization Act (NDAA), that requires responsible oversight.

To support this, The American Legion has established an employment advisory task force in order to identify, scale and guide innovative employment solutions for transitioning servicemembers and veterans. The American Legion Employment Innovative Advisory Task Force will report to the Veterans Employment & Education Commission and provide a compelling set of innovations that will, if adopted by the DoD and other related agencies, improve the quality, timeliness of services, relevance and usefulness of information shared in TAP.

WHAT CAN CONGRESS DO?

- Hold the DoD accountable for implementation of the “Better Access to Technical Training, Learning, and Entrepreneurship (BATTLE) for Servicemembers Act” which was in the fiscal 2019 NDAA.
- Hold unit commanders or their designees accountable for ensuring all servicemembers, in particular the Reserve component, are afforded the opportunity to attend TAP.
- Introduce legislation to authorize military spouses to accompany servicemembers participating in TAP.

KEY POINTS

- In 2018, The American Legion conducted the Transition Assistance Program Effectiveness Pulse Survey, which showed that fewer than 12 percent of veterans agreed that TAP helped them contact veterans service organizations or identify community resources for ongoing support, post-transition.
- According to a 2017 Government Accountability Office report, approximately 85 percent of all servicemembers participated in TAP-required workshops. However, less than 15 percent took advantage of the two days of supplemental classes.
- The John McCain NDAA for fiscal 2019 adapted provisions of the BATTLE Act, which folds these optional two-day workshops on higher education, skills training and entrepreneurship into the five-day TAP workshop.

“In keeping with today’s digital warriors, the current method of delivering TAP content is in dire need of modernization.”

Linda Brooks-Rix
CO-CEO, AVUE Technologies
Corporation

EDUCATION

KEY POINTS

- The backlog of pending GI Bill claims in September 2018 was the highest since the Post-9/11 GI Bill was enacted.
- In 2009, VA issued emergency payments to GI Bill beneficiaries who experienced delays longer than 30 days. In 2018, no emergency payments were issued even as wait times soared to more than 90 days.

“ You can’t have these young people going homeless. They have to pay their bills. Congress has provided the money; taxpayers have provided the money. It’s time for the VA to do their job.

Rep. **Phil Roe**, R-Tenn.,
Ranking Member, House
Committee on Veterans Affairs



Photo by Noel St. John

Maintain integrity of the GI Bill

Congress passed the largest increase to the Post-9/11 GI Bill through the Harry W. Colmery Veterans Educational Assistance Act of 2017. VA, however, is currently facing a crisis of failure to process claims in a timely manner and curb tuition abuse. Technological malfunctions at VA resulted in delayed GI Bill housing payments to hundreds of thousands of veterans during the 2018 fall semester.

Reports from school-certifying officials indicate that this is the largest payment delay the history of the Post-9/11 GI Bill, causing substantial hardship to thousands of veterans unable to afford basic living expenses. Fraud, waste and abuse also still exist within flight programs that take advantage of the GI Bill.

In 2015, *The Los Angeles Times* reported that some institutions of higher learning imposed extremely high flight fees in the absence of mandated spending caps. VA data showed that while the number of students taking flight training went up by only 171 students in 2013 and 2014, the total cost to taxpayers grew by \$37 million. VA, for example, paid more than \$534,000 in tuition and flight payments for just one student.

WHAT CAN CONGRESS DO?

- Demand that VA execute decisive actions to ensure that veterans do not have to wait longer than 30 days for approved GI Bill benefits.
- Pass legislation to align the cost of GI Bill payments for public school flight programs with the existing rate on tuition and fees for private and non-profit schools and return the cost savings to VA education programs.



U.S. Marine Corps photo by Cpl. Anthony VanFriedenberg

Cybersecurity

Cybersecurity remains a top concern across the public and private sectors. Overall, threats are multiplying and organizations have little control over them. Billions of new devices are connected to the internet, each bringing with them potential new security threats and the always-unpredictable element of human behavior. The sheer volume of information, ranging from threat intelligence to third-party assessments, continues to increase. In an environment with increasing risks from new threats, new disruptive technologies and legacy systems that continue to demand attention, companies are simply unable to bring on enough qualified staff to keep up.

An audit report released in early 2018 showed the Department of Veterans Affairs continues to face significant challenges in complying with the requirement of the Federal Information Security Management Act. The report offered 29 separate recommendations for improving the department's cybersecurity. Health-care networks are a major target for cyber criminals, and The American Legion is concerned about the privacy of veterans enrolled in VA health care.

The digital age has also created challenges for the Department of Defense and the nation. The open, transnational and decentralized nature of the internet that we seek to protect creates significant vulnerabilities. Competitors deterred from engaging the United States and its allies in an armed conflict are using cyberspace operations to steal our technology, disrupt our government and commerce, challenge our democratic processes and threaten our critical infrastructure.

WHAT CAN CONGRESS DO?

- Congress should prioritize investments in cyber defense, resilience and the continued integration of cyber capabilities into the full spectrum of military operations and the Department of Veterans Affairs.

KEY POINTS

- In just the last five years, companies as diverse as Saudi Aramco, Sony, Target, Yahoo and Deloitte have all been breached by criminal and/or state cyber attackers, compromising the personally identifiable information of hundreds of millions of people and costing billions in lost productivity and damages.
- Global data privacy regulations are popping up everywhere due to the major consequences of massive data breaches. Over the last few years, we've seen many data breaches in large enterprise organizations.
- Sixty-three percent of IT decisionmakers say that security is their top concern regarding digital technologies and processes, based on a recent survey conducted by Blackberry.

“We must dominate in cyber. The complexity and interdependencies of our digital modernization and adversary use of cyber means it is more critical each day that we place cyber security first.”

Dana Deasy, Chief Information Officer, DoD, March 28, 2018

SECURITY

KEY POINT

- The fiscal 2019 budget reflects the Trump administration's priorities of ending defense funding sequestration, rebuilding military readiness and modernizing the U.S. Armed Forces.

“ Combat is unforgiving, and it is more unforgiving in armies that are not manned, trained, equipped and well-led.

Gen. Mark A. Milley,
U.S. Army Chief of Staff



U.S. Navy photo by Mass Communication Specialist 2nd Class Kaila V. Peters

Strengthen the U.S. military

The Pentagon's 2018 National Defense Strategy (NDS) lays out a world where great-power competition, rather than counterterrorism, will drive Department of Defense decisionmaking and force structure. According to the NDS, the United States is emerging from a period of strategic atrophy and should be aware that competitive military advantage has been eroding. Today's global security environment is more complex and volatile than at any point in history.

The National Defense Authorization Act of 2019 authorizes \$717 billion in defense spending, which reverses the effects of sequestration and exceeds the defense spending caps set by the Budget Control Act of 2011. However, according to an outline done by the Pentagon in early 2018, the planned trajectory of the defense budget will not be enough to rebuild the military and create separation between the United States and its strategic competitors.

The American Legion supports strengthening the U.S. military in these uncertain times, in personnel and supportive equipment. The administration, leaders at the Pentagon and in Congress must do everything possible to ensure our nation, citizens and allies are protected.

WHAT CAN CONGRESS DO?

- Pass a fiscal 2020 budget commensurate with the expressed needs of the DoD to fulfill the Secretary of Defense's 2018 National Defense Strategy.



Photo by Lucas Carter

Fund law-enforcement agencies

Law-enforcement agencies across the country are changing the tactics and strategies they use to respond to pressing and chronic threats posed by violent crime, criminal gang activity, illegal and prescription drugs, human trafficking and domestic terrorism. Many law-enforcement agencies are confronting increases in violent crime within their jurisdictions and are doing so with fewer or limited resources.

Over the course of any given year in the last century, more than 100 law enforcement officers lose their lives in the line of duty. A recent deadly shooting at a synagogue left four officers wounded by gunfire. Without their courage, this tragedy would have been far worse.

The nation also faces an unprecedented opioid overdose epidemic. Police organizations are often expected to be the first responders to individuals in crisis and also act as the first line of defense against the threat illegal opioid abuse poses to communities.

In addition to addressing core missions of combating violent crime and defending our nation's laws, the Department of Justice must expand into taking on cybercrime and transnational organized crime, as well. Local agencies have the potential to assist with these challenges but often lack the funding and training required.

WHAT CAN CONGRESS DO?

- Provide federal funding to law-enforcement agencies to ensure they are equipped with necessary and modern equipment, training and technology.

KEY POINTS

- Over the last decade, more than 1,500 law-enforcement officers have died in the line of duty, over one-third due to gunfire.
- More than 900,000 sworn law-enforcement officers now serve across the United States, the highest figure ever.
- A 2017 report from the Health Resources and Services Administration notes an average 116 people a day die from opioid-related drug overdoses, a serious law-enforcement issue.

“As a retired police officer, I understand the need to fund law enforcement so our first responders will have the resources that they need to protect our citizens and communities. Just as we advocate to fully support our military troops as they risk their lives for us, we must do the same for our men and women in blue.

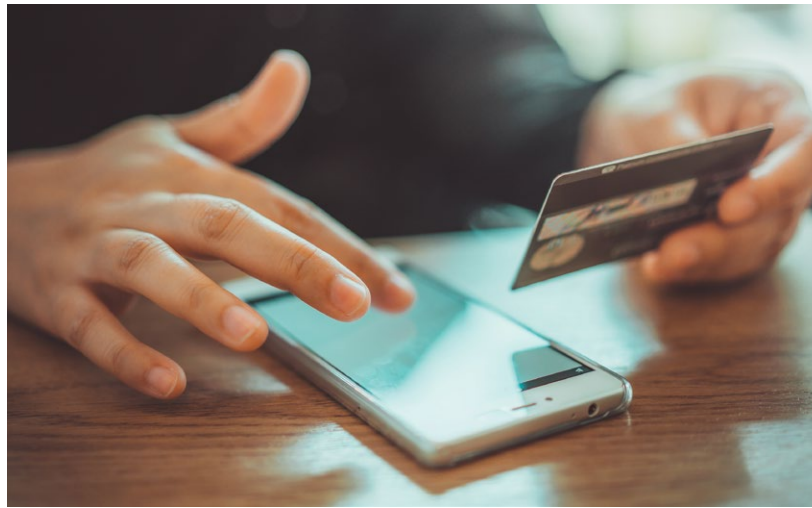
Brett P. Reistad
The American Legion
National Commander

”

SECURITY

KEY POINTS

- The Consumer Financial Protection Bureau's Office of Servicemember Affairs has recovered some \$130 million in relief for servicemembers, veterans and families.
- The 2017 "Payday, Vehicle Title, and Certain High-Cost Installment Loans" rule limits how frequently a lender can offer, collect and extend high-interest loans, in order to prevent lenders from trapping consumers into cycles of compounding debt. The rule is scheduled to be rewritten soon.



iStock

“Financial distress compromises individual and unit combat effectiveness. Security clearances are revoked. Troops are rendered non-deployable. Families suffer...

Col. Paul Kantwill (ret.)
Former Assistant Director
for Servicemember Affairs,
Consumer Protection
Financial Bureau

Financial protections from scams

In 2006, a DoD report revealed that predatory payday loan shops and car dealers were swarming military communities and targeting troops with interest rates of 300 percent or more. Broad bipartisan support led to the enactment of the Military Lending Act (MLA), covering interest limits on payday, auto title and tax refund anticipation loans. The MLA was broadened in 2015 to include credit cards, installment loans and overdraft lines of credit, all subject to the 36 percent cap.

However, the Consumer Financial Protection Bureau (CFPB) decided in 2017 to suspend supervising banks, credit card companies and other lenders that deal with members of the military and their families to make sure they're not committing fraud or abuse. The American Legion is deeply concerned by this decision.

The acting CFPB director's claim that the Dodd-Frank Act does not give the bureau statutory authority to enforce the MLA is a major reversal from established precedent. The American Legion supports DoD's belief that "the full spectrum of tools, including supervisory examinations, contribute to effective industry education about, and compliance with, the MLA." The CFPB must demonstrate greater vigilance on behalf of servicemembers to support military readiness and secure successful transitions to civilian life.

WHAT CAN CONGRESS DO?

- Stop any attempts by CFPB leadership to weaken the MLA, including the bureau's supervisory enforcement authority and rules against predatory lending by all businesses, including car dealerships.
- Support the function and implementation of the CFPB's rule on "Payday, Vehicle Title, and Certain High-Cost Installment Loans."



Photo by Corey Perrine

Protect the U.S. flag from desecration

The American Legion strongly believes the U.S. flag is a symbol of our nation's freedom and all that we hold in common, secured by the servicemen and women who have sacrificed so much.

The 1989 5-4 Supreme Court decision that defined U.S. flag burning as free speech demands a constitutional amendment in order to return to the states the ability to protect our nation's venerated symbol of freedom and unity. That is why The American Legion continues to urge Congress to approve such an amendment to protect the flag from physical desecration. The amendment itself would not protect the flag, if passed. It would be the decision of the people through their elected representatives to decide if laws should be passed to provide the protection.

The American Legion is not alone. The U.S. House of Representatives has routinely passed such an amendment, and it fell short by just one Senate vote in July 2006. Every state has endorsed a memorializing resolution supporting passage of the amendment. And surveys show a majority of Americans agree that the flag should be protected.

The proposed flag protection amendment is not an infringement upon the Bill of Rights. Instead, it is a wonderful exercise in the popular sovereignty the Bill of Rights was designed to protect.

WHAT CAN CONGRESS DO?

- Pass legislation identical to House Joint Resolution 61 from the 115th Congress. It would give power back to the people to decide if laws should be passed to protect the flag under which every U.S. servicemember has served.

KEY POINTS

- Surveys show most Americans support passage of a constitutional amendment that would allow Congress to protect the U.S. flag from desecration.
- Every state has passed memorializing resolutions to ratify a constitutional amendment prohibiting flag desecration.
- The House of Representatives has passed the amendment six times by supermajorities, only to see it fall short in the Senate – by just one vote the last time it reached the floor.
- The U.S. flag was protected for 100 years prior to 1989 without adverse consequences. The American Legion believes in returning to the people the power they once had.
- In 2018, a letter was hand delivered to the White House from National Commander Brett Reistad requesting the president's support of such an amendment.

“
Congress shall
have power
to prohibit
the physical
desecration of
the flag of the
United States.

Proposed flag protection
amendment

”

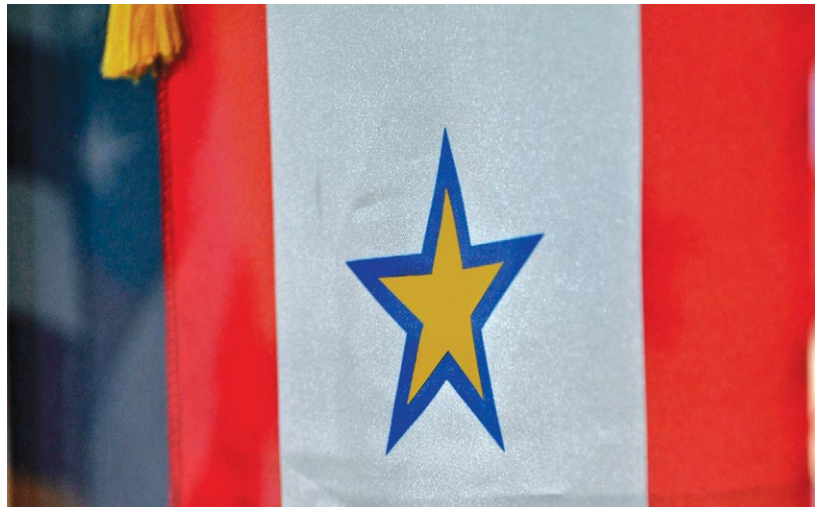
SECURITY

KEY POINTS

- Gold Star parents, surviving spouses and children each have unique issues that need to be addressed.
- Veterans service organizations are capable and willing to provide support to Gold Star surviving families, and that support should be referenced upon notification of death.

“ I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom.

Abraham Lincoln's
Nov. 21, 1864, letter to Mrs. Lydia Bixby, who lost two sons in the Civil War



DoD photo by Sgt. Janelle Sennert

Support for Gold Star families

Servicemembers do not serve alone. Their spouses, children and other loved ones also sacrifice. While every servicemember raises his or her hand and swears an oath to die, if necessary, to defend the nation, a disconnect often exists between the military community and surviving family members.

The American Legion recently created a full-time staff position at its national headquarters to advocate for Gold Star families.

Surviving families should receive the highest level of support as they face heart-wrenching decisions immediately upon being notified. Every branch of service should have an effective Gold Star program that ensures the families have all the support they need from the moment they are informed of their loved one's sacrifice. Reports have also surfaced of surviving parents and siblings not having access to graves of their loved ones who died while in the service because the grave site is located on a military installation. In many cases, family members may be unaware of the services offered by local Gold Star coordinators, who can ensure access and assistance.

WHAT CAN CONGRESS DO?

- Establish a program within the Department of Defense that ensures Gold Star families receive the benefits and support they have earned.
- Ensure that Gold Star families are provided access to appropriate installations in order to visit the graves of loved ones.

AMERICANISM



Photo by Jeyhoun Allenbaugh

Expedited citizenship through military service

Immigrants have always made up a portion of the U.S. Armed Forces, and joining the military has been one of the fastest ways to become a U.S. citizen. More than 8,000 troops with green cards became citizens that way in 2017 alone. But the process to obtain citizenship doesn't happen automatically and requires the servicemember to ensure every step is completed during enlistment. If these veterans do not complete the process of becoming citizens, they can be deported for even a minor misdemeanor, just like any other non-citizen. This can happen many years after serving, affecting veterans who consider the United States their home.

A recent report released by the U.S. Citizenship and Immigration Services shows a 65 percent drop in the number of active-duty servicemembers who applied for, or became, naturalized citizens in the first quarter of 2018. The report notes that policy changes within DoD make it more difficult for servicemembers to get their naturalization paperwork in order, such as USCIS's decision to no longer accept their fingerprints collected by DoD. The American Legion strongly opposes illegal immigration but believes in fairness for veterans.

WHAT CAN CONGRESS DO?

- Implement measures within the Department of Defense to ensure the process of naturalization through honorable military service is completed prior to discharge.

KEY POINTS

- Between 2009 and 2016, the Military Accessions Vital to the National Interest Program (MAVNI) allowed approximately 10,400 non-citizens to join the military and lend critical language and medical skills to the nation's defense.
- The list of new immigrants who have made the ultimate sacrifice in defense of the United States, is long and distinguished, dating back to 1775.
- Hundreds, possibly thousands, of veterans have been deported for committing certain crimes, many non-violent and substance-abuse related, after serving in the U.S. Armed Forces.

“It was my dream to serve in the military. Since this country has been so good to me, I thought it was the least I could do to give back to my adopted country and serve in the United States military.”

Lucas Calixto, reservist and Brazilian immigrant

”

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