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**STATEMENT OF  
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FOR THE RECORD OF THE  
SUBCOMMITTEE ON DISABILITY ASSISTANCE AND MEMORIAL AFFAIRS  
COMMITTEE ON VETERANS' AFFAIRS  
UNITED STATES HOUSE OF REPRESENTATIVES  
MARCH 26, 2025**

Chairman Luttrell, Ranking Member McGarvey and Members of the Subcommittee:

Thank you for inviting DAV (Disabled American Veterans) to submit testimony for the record of this legislative hearing. As you know, DAV is a congressionally chartered and Department of Veterans Affairs (VA) accredited veterans service organization. We provide meaningful claims support free of charge to more than 1 million veterans, family members, caregivers, and survivors. We are pleased to provide our views on the bills under consideration by the Subcommittee.

**H.R. 530, the Aviator Cancer Examination Study (ACES) Act**

This bill would address the pressing concerns related to cancer prevalence and mortality among active duty aircrew members of the Armed Forces. The bill mandates a comprehensive study by the National Academies of Sciences, Engineering, and Medicine (NASEM), focusing on identifying exposures to hazardous chemicals, agents, or phenomena linked to military aircrew duties. By utilizing available data from various defense and health organizations, the study aims to investigate associations between these exposures and both overall and specific cancer risks, such as brain, prostate, and thyroid cancer.

Congress ordered a study in the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (NDAA) in response to growing concern among retired pilots about an apparent rising incidence of cancer. The Defense Department examined health records for 156,050 aviators and 737,891 ground crew for the period 1992 to 2007, concluding that aviators were 24% more likely to be diagnosed with cancers of all kinds than members of the general population.

The study found even higher rates for specific types of cancer. For example, aircrew were 87% more likely to suffer melanoma, 39% more likely to have thyroid cancer, and 16% more likely to contract prostate cancer.

These findings strongly support the intent of the ACES Act. The Act aims to further investigate the prevalence and mortality of cancers among active-duty aircrew, building on the data from the 2021 NDAA study. By directing NASEM to conduct a

comprehensive study, the ACES Act seeks to deepen understanding of the links between military service and cancer risks, ultimately improving care and policies for affected service members and veterans.

We strongly support this draft legislation in accordance with DAV Resolution No. 171, which urges Congress to actively oversee its established mechanism of delegation to the National Academy of Sciences and to provide adequate funding for research to identify all disabling conditions and effective screening and treatment for such disabilities that may have been caused by exposure to environmental hazards and man-made toxins while individuals served in the armed forces of the United States.

### **H.R. 647, the Ensuring Veterans' Final Resting Place Act of 2025**

This bill would authorize eligible veterans who already received an urn or plaque and died after January 5, 2021, to be buried in a national cemetery. The legislation addresses a gap in the eligibility process by removing restrictions on duplication of benefits.

Allowing veterans to receive this duplicate benefit ensures they receive recognition and support for their service and sacrifice, alleviating the financial, emotional, and logistical challenges related to burial expenses for their surviving families.

DAV supports this bill in accordance with Resolution No. 104, which supports legislation to adequately fund the National Cemetery Administration, fund cemetery expansions and reform eligibility for burials and entitlement to headstones, markers, and medallions.

### **H.R. 1039, the Clear Communication for Veterans Claims Act**

This bill would require the VA to partner with a federally funded research development center to assess and recommend improvements with more concise language in claimant notification letters.

Many VA notifications are overcomplicated and contain legal jargon that is difficult to understand. The complexity of these notification letters can be overwhelming for veterans with mental health issues and traumatic brain injuries (TBI), hindering their ability to make timely and accurate decisions during the claims and appeals process. Making these changes to notifications could simplify information and instructions allowing the claimant to make well informed decisions and take appropriate actions.

Veterans service organizations (VSOs) play a crucial role in assisting veterans and their families by translating information from notification letters into understandable terms. We agree with the provision in the bill to continue to involve accredited VSOs in the review process. This inclusion ensures that notification letters are improved with insights from those who intimately understand the challenges veterans and their families face, leading to a more efficient claims and appeals process.

DAV supports the Clear Communication for Veterans Claims Act in accordance with Resolution No. 306, which advocates for meaningful claims and appeals reform.

### **H.R. 1228, the Prioritizing Veterans' Survivors Act**

This bill would organize the Office of Survivors Assistance (OSA) under the Office of the Secretary of Veterans Affairs.

This important adjustment ensures that the OSA has the visibility, resources, and direct connection to senior leadership necessary to fulfill its mission: serving as a crucial resource for survivors and dependents of deceased veterans and service members. By placing the OSA directly under the Office of the Secretary, the Act would enhance the Office's ability to advocate more effectively and provide comprehensive support, guidance, and assistance to grieving families navigating their benefits.

Although DAV does not have a specific resolution calling for this action, we have no objections to it moving forward.

### **H.R. 1286, the Simplifying Forms for Veterans Claims Act**

This bill would require the VA to enter into an agreement with a federally funded research and development center to study and provide recommendations on making VA claims forms more user-friendly.

The complexity of these forms can be frustrating to the average person and overwhelming for veterans with mental health issues and TBI, hindering their ability to fill out complete, error-free, and timely claims. Making the forms user-friendly could lead to higher utilization rates and more accurate claims processing.

We agree with the provision to include accredited VSOs in the review process as they play a crucial role in assisting veterans with filling out VA forms. Their expertise and firsthand experience are invaluable throughout the claims process. This inclusion ensures that forms are improved with their specific insight from those who intimately understand the challenges veterans face, leading to more effective and user-friendly forms.

DAV supports the Simplifying Forms for Veterans Claims Act in accordance with Resolution No. 306, which advocates for meaningful claims and appeals reform.

### **H.R. 1344, the Dennis and Lois Krisfalusy Act**

This bill would expand access to memorial headstones and markers for qualified veterans and their family members by eliminating the current date restrictions for veterans or eligible family members who died on or after November 11, 1998.

By eliminating the date restriction, this act would allow veterans and their families to be memorialized together regardless of when they passed away, providing emotional and financial relief to the remaining survivors.

DAV supports the Dennis and Lois Krisfalusy Act in accordance with Resolution No. 104, which supports reforming eligibility for burials and entitlement to headstones, markers, and medallions.

### **H.R. 1578, the Veterans Claims Education Act of 2025**

The Veterans Claims Education Act of 2025 mandates that the VA provide specific notifications to claimants filing initial claims without representation by an accredited individual. The Secretary shall inform claimants that (1) representation by an accredited individual may be available; (2) VSOs recognized under 38 U.S.C. § 5902 may provide representation at no cost; (3) an online tool exists to search for accredited representatives; and (4) a publicly accessible VA website allows claimants to report non-accredited individuals who represented them and any fees charged for such representation. Additionally, the Secretary would be required to maintain an online tool that lists accredited representatives who assist claimants. These provisions aim to ensure that claimants are informed of their rights and available resources when seeking representation for VA claims.

This legislation seeks to distinguish between representatives who charge fees and those offering free services, providing veterans with clear guidance. This framework aims to protect veterans from unaccredited or predatory practices, simplifying the process of seeking legitimate support and enhancing accountability within the claims representation system.

We recommend VSOs be involved in any regulation review process to ensure changes are aligned with best practices and highest standards regarding lawful accreditation and representation.

DAV supports this bill in accordance with Resolution No. 306, which supports meaningful claims and appeals processing reform.

### **H.R. 1741, the Veteran Appeals Transparency Act of 2025**

This draft legislation would add a new subsection to 38 U.S.C. § 7107 – “Appeals: dockets; hearing”. This would require the VA Board of Veterans’ Appeals (Board) to give weekly updates on the docketed cases that the Veterans Law Judges are working on for that particular week. This information would be accessible on the Board’s website for viewing by the public. Cases that have been advanced on the docket and remanded by the United States Court of Appeals for Veterans Claims will not be placed on the weekly update.

The Board understands that many veterans and appellants have been waiting a long time for a decision, which can be very frustrating. This draft bill seeks to give

veterans and appellants useful information about their appeals status and an approximate time when their appeals will be reviewed.

In accordance with DAV Resolution No. 306, we support this draft legislation. It is important that veterans and appellants have the ability to track their appeals at the Board and be able to anticipate when a decision may be completed on their case.

### **H.R. 2137, the Review Every Veteran's Claim Act of 2025**

This bill addresses a critical concern in the adjudication of veterans' benefits by prohibiting the denial of claims solely on the basis that a veteran failed to attend a medical examination.

Currently, 38 U.S.C. § 5103A(d)(2) provides, "the Secretary shall treat an examination or opinion as being necessary to make a decision on a claim for purposes...". This requirement usually results in the Veterans Benefits Administration (VBA) denying a veteran's claim if they did not attend the requested examination, even if the rest of the evidence of record contains service medical records, private medical records and lay statements from the veteran, supports the claim. This draft bill would strike that language from the statute and replace it with "provide for a medical examination or obtain a medical opinion."

Veterans often face unique challenges, such as medical conditions, transportation barriers, or unforeseen circumstances, which can make attending these examinations difficult. Denying benefits on this sole basis unfairly penalizes those who have served our country and undermines the principles of justice and compassion that should guide the administration of veterans' benefits. By ensuring that claims cannot be denied solely for this reason, this legislation promotes fairness, respects the sacrifices of our veterans, and reinforces the responsibility of the VA to make decisions based on the entirety of the evidence available.

In accordance with our Resolution No. 306, DAV supports the Review Every Veteran's Claim Act, as this is meaningful and significant reform to the duty to assist.

### **H.R. 2138, the Veterans' Compensation Cost-of-Living Adjustment (COLA) Act of 2025**

The Veterans' Compensation COLA Act of 2025 ties the rates of disability compensation and dependency and indemnity compensation for veterans and survivors to the cost-of-living adjustment made under Social Security. By doing so, it guarantees that the benefits our veterans and their families depend on will keep pace with the rising costs of everyday life.

Without annual COLAs, many disabled veterans who sacrificed their own health and family life for the good of our nation may not be able to maintain the quality of life they deserve.

Consistent with DAV Resolution No. 159, we support H.R. 2138. We must ensure that veterans' benefits keep pace for the many veterans and survivors who are on fixed incomes and largely rely on their compensation payments for basic necessities.

**Draft bill, the Improving VA Training for Military Sexual Trauma Claims Act**

This bill would improve the processing of claims related to military sexual trauma (MST) by enhancing training for VA employees and contracted health care professionals who process MST claims, communicate with a claimant, or decide on such a claim.

Markers of MST are often difficult to verify in medical records. This bill highlights the need, especially for claims related to MST to require VA to obtain personnel records and service treatment records and review them for these markers if there is no other supporting evidence of record. This change will increase the veteran's ability to validate their claim and obtain the benefits they earned. By requiring those who process MST claims to attend annual sensitivity training and training tailored to MST, they are better equipped to handle these unique cases with care and professionalism and not retraumatizing veterans in the process.

DAV supports the Improving VA Training for Military Sexual Trauma Claims Act in accordance with Resolution No. 118, which supports oversight of VA practices in evaluating disability claims for residuals of military sexual trauma.

**Draft bill, the Survivor Benefits Delivery Improvement Act of 2025 and the Survivor Solid Start Act of 2025**

The Survivor Benefits Delivery Improvement Act of 2025 introduces critical measures to collect demographic data of beneficiaries of identified underserved groups and ensures benefits are equitably distributed among survivors and their families. Moreover, the legislation requires a comprehensive outreach and education strategy targeting these underserved demographics, along with enhanced awareness of burial benefits for veterans. The act also mandates periodic reviews and updates to ensure effectiveness.

Simultaneously, the Survivor Solid Start Act of 2025 expands the definition of individuals covered by VA outreach to include all who have served in uniformed services. The act prioritizes frequent and proactive outreach to dependents, particularly following the death of a service member, providing crucial information about benefits and assistance. Additionally, this legislation seeks to strengthen the Office of Survivors Assistance by assessing and addressing resource needs, as well as establishing additional personnel for call centers to improve the efficiency of outreach services.

Although DAV does not have a specific resolution calling for this action, we have no objections to it moving forward.

**Draft bill, the Board of Veterans' Appeals Attorney Retention and Backlog Reduction Act**

This draft bill would amend 38 U.S.C. § 7101A – “Members of Board: appointment; pay; performance review”, to reform and enhance the pay of Board of Veterans' Appeals attorneys for recruitment and retention, to increase the decision quality, and claims processing speed of the Board. The new paragraph would allow an individual employed by the Board as a non-supervisory attorney may be promoted to grade GS-15 of the General Schedule.

DAV has no specific resolution on this issue and takes no position on this bill.

Mr. Chairman, this concludes DAV's statement for the record.