



Statement of the
Fleet Reserve Association
on its
2023 Legislative Goals

Presented to the
U.S. House of Representatives and
United States Senate
Veterans' Affairs Committees

By
Christopher J. Slawinski
National Executive Director

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The FRA

“Heading to 100 Years”

The Fleet Reserve Association (FRA) is the oldest and largest organization serving enlisted men and women in the active, reserve, and retired communities plus veterans of the Navy, Marine Corps, and Coast Guard. The Association is Congressionally Chartered, recognized by the Department of Veterans Affairs (VA), and entrusted to serve all veterans who seek its help.

FRA started in 1924 and its name is derived from the Navy’s program for personnel transferring to the Fleet Reserve after 20 or more years of active duty, but less than 30 years for retirement purposes. During the required period of service in the Fleet Reserve, assigned personnel earn retainer pay and are subject to recall by the Secretary of the Navy.

The Association testifies regularly before the House and Senate Veterans’ Affairs Committees, and it is actively involved in the Veterans Affairs Voluntary Services (VAVS) program. A member of the National Headquarters’ staff serves as FRA’s National Veterans Service Officer (NVSO) and as a representative on the VAVS National Advisory Committee (NAC). FRA’s VSOs oversee the Association’s Veterans Service Officer program and represent veterans throughout the claims process and before the Board of Veteran’s Appeals.

In 2016, FRA membership overwhelmingly approved the establishment of the Fleet Reserve Association Veterans Service Foundation (VSF). The main strategy for the VSF is to improve and grow the FRA Veterans Service Officers (VSO) program. The newly formed foundation has a 501(c) 3 tax exempt status and nearly 800 accredited service officers with FRA.

FRA became a member of the Veterans Day National Committee in 2007, joining 24 other nationally recognized VSOs on this important committee that coordinates National Veterans’ Day ceremonies at Arlington National Cemetery. FRA will host the ceremony in their centennial year, 2024. The Association is a leading organization in The Military Coalition (TMC), a group of 35 nationally recognized military and veteran groups jointly representing the concerns of over five million members. FRA staff also serve in several key TMC leadership positions.

The Association’s motto is “Loyalty, Protection, and Service.”

FY 2024 VA Budget

According to press reports the Administration's FY 2024 budget request is scheduled to be released on March 9, 2022. FRA supports budget initiatives to help ensure adequate funding for the VA, with special attention for VA health care to ensure access and care for all beneficiaries. Which is why the Association supports many of the Independent Budget (IB) recommendations. Specifically FRA supports the IB 2024 request for more than a 10 percent boost in VA funding in FY 2024 to cover expanded health care services for elderly veterans and needed improvements to aging department buildings.

FRA is thankful that FY 2023 VA budget approved by Congress included both funding and flexibility for increased staffing at VA medical centers to counter a possible increase in enrollment. The VA has a goal of about 52,000 new hires this current fiscal year to replace departing staffers and add personnel to high-demand areas. The FY 2023 VA budget exceeded \$300 billion in total spending.

Toxic Exposure

Military service for our nation can require service members to go places that may expose them to toxins that cause illness and diseases that may not be diagnosed for years or even decades after their service. The PACT Act that was signed into law on August 10, 2022, recognizes that fact. FRA wants to thank the Senate Veterans Affairs Committee for allowing FRA to be one of only three associations that testified on the comprehensive veteran's toxic exposure on March 29, 2022.

This comprehensive veteran's toxic exposure act allows all veterans who were at risk of toxic exposure, including 3.5 million Iraq and Afghanistan veterans, to obtain immediate and lifelong access to health care from the VA for the first time. One of the largest expansions of health care eligibility in the VA's history. The Act provides presumptive care for numerous conditions for veterans sickened by exposure to burn pits and other toxins. We hope as the law is being implemented it will also establish a new science-based and veteran-focused process for the establishment of new presumptive conditions and would provide benefits to thousands of toxic exposure veterans who have been long-ignored or forgotten, including Agent Orange veterans suffering from hypertension.

FRA is thankful that the VA began processing PACT Act benefits claims for eligible terminally ill veterans as of December 12, 2022. While PACT Act claims for all other veterans started on January 1, 2023, VA was able to expedite processing for terminally ill veterans to ensure these veterans receive their earned benefits on the earliest possible date.

As a result of the enactment of the comprehensive veteran's toxic exposure act, (PACT Act) all patients visiting the VA health care facilities are undergoing new toxic exposure screenings. This

effort will look for signs of illness to better inform veterans that they may qualify for new benefits. The five-minute screening will involve a series of simple questions regarding veterans' time in service, possible exposure to toxic substances and current health status. Veterans will undergo the screening during their first visit, regardless of the reason for the visit, but will not repeat the questions on follow-up appointments. Officials plan to conduct the screening for every patient once every five years.

FRA urges continued Congressional oversight to ensure the PACT Act fulfills its lofty goals for sick and disabled veterans that were exposed to toxins during their service in defending our Nation.

The FY2023 Omnibus Appropriations Package (H.R.2617), also provides provisions for the FRA supported "Veterans' Prostate Cancer Treatment and Research Act" (H.R. 4880/S.2720). Prostate cancer is the number one cancer diagnosed in the Veterans Health Administration (VHA).

Recent studies have reported over 500,000 veterans are living with prostate cancer and receiving treatment within VHA. There are over 16,000 of those with metastatic disease and there are over 15,000 new diagnoses annually. The need to standardize treatment across VHA with the introduction of a comprehensive system-wide Prostate Cancer Clinical Pathway should be implemented. Studies have shown that prostate cancer develops more frequently in men exposed to Agent Orange and the VHA has established it is a presumptive condition thus qualifying exposed veterans for full disability benefits. New data supports a link between prostate cancer and exposure to jet fuel (JP-8), cadmium, and aircraft component cleaning solvents.

The need to enhance research for this disease is clear as the number of diagnosed veterans continues to rise. The legislation requires VHA to establish a Clinical Pathway for Prostate Cancer and to expand VHA research efforts related to screening, diagnosis, and treatment options. VHA should promote veterans prostate cancer awareness, standardization of diagnosis and treatment, expanded educational resources, and continued research

The FRA wants to encourage all veterans who served in eligible areas to complete the Airborne Hazard ND Open Burn Pit Registry. Participation in the registry is very important as it will allow the Department of Veterans Affairs (VA) to track burn pit exposure and provide data regarding associated adverse health effects. Exposure to burn pits may be linked to respiratory conditions such as asthma, emphysema, chronic bronchitis, and chronic obstructive pulmonary disorder.

EHRM

FRA appreciates both committees oversight hearings on the Electronic Health Record Modernization at the VA. The plan has been plagued with ongoing problems dating back to its initial launch at the VA Medical Center in Spokane, Washington. Lingering issues related to patient safety, training, employee morale, and several other deployment problems still exist, though some progress has been made. Office of Inspector General (OIG) report revealing serious

issues with the deployment of VA's new Electronic Health Record Modernization (EHRM) program. The VA first launched its new electronic health record (EHR) system more than 25 months ago. The program was scheduled in July 2022 to expand to include the VA Medical Center in Boise, Idaho. The expansion was delayed. Oversight committees were told that the VA is using this pause to make system enhancements and to perform tests to ensure the system is stable, resilient, and provides the capability VA employees and veterans need to improve access and quality of care.

Nevertheless, progress has occurred since the VA joined with the DoD in a joint contract to modernize its EHR system in 2017. The huge \$16 billion project raised lots of concerns with lawmakers after decades of attempts by both departments to develop a joint interoperable health record that never materialized.

The House and Senate passed the "Electronic Health Record Transparency Act" (H.R.4591) to require the Department Veterans Affairs (VA) to submit to Congress quarterly reports that evaluate the performance of Electronic Health Record (EHR), and it was signed into law in June 2022. The FRA wants to ensure adequate funding for DoD and the VA health care resources delivering seamless, cost-effective, quality services to personnel wounded in combat and other veterans and their families. Some members of Congress have expressed concern about the cost and length of time to fully implement this program. The cost and the long time for implementation notwithstanding, the FRA believes there is a tremendous opportunity with the two departments using the same Electronic Health Records.

Mental Health/Suicide

The Department of Veterans Affairs (VA) has begun allowing any veteran experiencing a suicidal crisis to receive emergency care at no cost from any VA or non-VA health care facility. Enrollment in the VA system is not required. "Veterans in suicidal crisis can now receive the free, world-class emergency health care they deserve — no matter where they need it, when they need it, or whether they're enrolled in VA care," said VA Secretary Denis McDonough. "This expansion of care will save Veterans' lives, and there's nothing more important than that." This benefit includes inpatient or crisis care for up to 30 days, and outpatient care for up to 90 days. Veterans also have the option to Dial 988 then Press 1 to connect with the 24/7 crisis assistance hotline.

The Department of Veterans Affairs 2022 National Veteran Suicide Prevention Annual Report (September 2022) shows that veteran suicides decreased in 2020 for the second year in a row. Fewer veterans died by suicide in 2020 than in any year since 2006. In 2020, there were 6,146 veteran suicide deaths, which was 343 fewer than in 2019. The unadjusted rate of suicide in 2020 among veterans was 31.7 per 100,000.

The VA is implementing a 10-year Suicide Prevention Strategy Plan started in 2018 that includes

funding local suicide prevention programs. While results are encouraging, the VA stresses that there is still much more to do. The VA has made it easier to reach the VA National Suicide Crisis Hotline by changing the program to align with the regular National Crisis Hotline that all Americans can use. The new VA Crisis Hotline is now 988 and when the crisis line responds, select option 1, and callers will be transferred to the veterans' part of the crisis hotline.

However, the Journal of the American Medical Association (JAMA) published a report in February 2022, that found that Post-9/11 veterans are dying at a higher rate than non-veterans. The study attributed almost 34 percent of Post 9/11 veteran's deaths to complications from traumatic brain injury (TBI). The JAMA study found that among Post 9/11 veterans, 17.5 percent had mild TBI, and three percent had a moderate to severe TBI. There were 43,190 veteran deaths with TBI, and 3,858 more veterans die compared to the general population after adjusting for veteran population and non-veteran population. Deaths of veterans were predominately by suicide according to the report.

FRA supports the National Warrior Call Day - a national suicide prevention effort aimed at reaching veterans and service members who may be dangerously disconnected from others. The campaign stresses daily connection through calls and unites behind a single day — the Sunday after Veterans Day — to create a groundswell of action from all Americans to “make a call, take a call and be honest”.

Disability Claims Backlog and the 48 Hour Review

“The VA processed an all-time record of 1.7 million veteran claims in 2022 and delivered \$128 billion in benefits to more than 6 million veterans and their survivors.”¹ FRA urges Congress to pass legislation that requires VA to be held accountable for achieving the VA's stated goal to achieve an operational state for VA in which no claim is pending over 125 days and all claims have an accuracy rate of 98 percent or higher. As of February 11, 2023, there are nearly 195,000 pending claims that have been pending 125 days or more, and the VA is currently experiencing a 95 percent accuracy rating based on a 12-month average. Some have expressed concern that the backlog will increase, and accuracy will decline with the expected wave of new claims generated from the PACT Act.

A recent report from the Department of Veterans Affairs (VA), Office of Inspector General (IG) concludes that the VA mishandled more than one-third of all Camp Lejeune water contamination disability claims, possibly cheating as many as 21,000 veterans out of financial compensation. The IG report found that errors in claim effective dates and retroactive payments alone affected nearly 4,000 veterans and totaled about \$14 million, but that accounts for only a small portion of the mistakes. Most of the errors impacted more than 17,000 veterans' cases when VA staff prematurely denied claims without requesting additional evidence of injury. The IG review of more than 57,000 Camp Lejeune, North Carolina, cases handled by VA staff between March 2017 and March 2021, however, the VA inspector general found that many cases not related to

¹ *Federal News Network*, Jory Heckman, Feb. 7, 2023

the established presumptive conditions were summarily rejected, instead of requesting more information on their conditions. The presumptive conditions were created by FRA-supported legislation that was signed into law in 2012.

In April 2020, the VA eliminated the critical 48-hour review period—a decades-old practice allowing veterans and their representatives time to review benefits determinations prior to VA’s final decision—as it promotes efficiency, mitigates potential errors, and reduces the need for appeals. FRA supports reinstating the review period to ensure accredited Veteran Service Organizations, attorneys, and claims agents can review and course correct benefits determinations, prior to VA’s final decision.

Concurrent Receipt

The membership of the Association strongly believes that reducing a retiree’s retired pay because they are disabled is an injustice! The Association strongly supports the “Major Richard Star Act” (S. 344/H.R. 1282) that is sponsored by Chairman Jon Tester and Rep. Gus Bilirakis respectively that expands concurrent receipt to include Combat Related Special Compensation (CRSC) veterans who are medically retired with less than 20 years of service. Over two-thirds of Congress co-sponsored concurrent receipt legislation in the last session of Congress. Concurrent receipt refers to the simultaneous receipt of two types of monetary benefits: military retired pay and VA disability compensation. FRA supports legislation authorizing the immediate payment of concurrent receipt of *full* military retired pay and veterans’ disability compensation for *all*.

VA Eyecare Concerns

The FRA is concerned that the VA changed its Community Care “Standardized Episode of Care (SEOC): Eye Care Comprehensive” guideline by removing language that specified “only ophthalmologists can perform invasive procedures, including injections, lasers, and eye surgery.” To our knowledge, the VA eliminated this language without public input, and as a result of this modification, optometrists are implicitly permitted to perform ophthalmic surgery on veterans were allowed by state licensure laws.

The original policy language served as an important patient safety guardrail. The FRA worries that by removing this language, the VA has exposed our veterans to increased risks when they require surgical eye care. We urge the VA to immediately reinstate the limit that only ophthalmologists can perform invasive procedures. It is critical that the VA recognize and respect the differences between the roles of optometry and ophthalmology.

We likewise urge VA to be mindful of these roles as it undertakes the National Standards of Practice review. The FRA is aware and grateful for the important eye-related health care services optometrists are able to provide to our veterans. But we strongly believe that

optometrists should not be allowed to perform eye surgery on veterans since they lack suitable training and education.

VA Extends Caregiver Benefits

Congress expanded the Caregivers Program to veterans of all eras under the FRA supported VA MISSION Act of 2018. FRA and many caregiver families are disappointed in the way the VA expanded the Caregivers Act. The Department of Veterans Affairs (VA) announced it will extend caregiver benefits until October 1, 2025. This extension will ensure that thousands of families will continue to receive stipends for the next three years.

The caregiver program provides health care and benefits, including a stipend, to individuals who devote their time providing oversight of veterans who need assistance and supervision and cannot live independently. The stipends vary based on location, but range from approximately \$1,800 to \$3,000 a month, depending on the level of care required. About 33,000 veterans are currently enrolled in the program. Nearly 20,000 of those are post-9/11 veterans who applied to the program before October 2020 (“Legacy Families”). Military Times reports that a VA internal review showed as many as 90 percent of the legacy families who are receiving VA caregiver benefits would have been kicked out of the program as a result of the earlier eligibility changes.

The FRA expressed concern that the VA family caregiver program’s expansion was not being properly implemented in its testimony before a joint hearing of the House and Senate Veterans affairs Committees in March, 2022. Despite objections from FRA and other VSO organizations, the VA’s revised regulation tightened the eligibility criteria substantially beyond what is required by law. As the VA’s regulation substantially changes the program’s eligibility criteria, the process to determine a veteran’s “need” for assistance, and the entire methodology and basis for the stipend paid to the caregiver. FRA is concerned that many caregivers will be unable to obtain assistance which was the intent of the 2018 Act.

In June of last year, the VA suspended all ongoing eligibility reassessments of veterans enrolled in its family caregiver program while it reviews the program’s qualification requirements. This announcement comes after the VA announced it would suspend dismissals from the caregiver program after a VA review found that most post-9/11 veteran families participating in the program would be removed following a 2018 change to eligibility criteria. Although the dismissals were stopped, reassessments and subsequent dismissal notifications continued, leading to confusion among veterans and caregivers regarding their status and options to appeal.

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Expanding America's National Cemetery

A majority of FRA members were opposed to burial restrictions for in-ground burials at Arlington National Cemetery (ANC). There are currently 155 VA administered cemeteries that could be transformed into another national cemetery. More than 73 percent of FRA members surveyed January 2023 support creating a second national cemetery, perhaps on the west coast, in lieu of additional burial restrictions that would afford full military honors. That is why FRA supports the "Expanding America's National Cemetery Act" that would authorize the Department of Defense and the VA to transform an existing VA cemetery to maintain interment with full honors as ANC reaches capacity. Veterans should not be forced to change their well-earned plans because of unnecessary administration rules.

Post 911 GI Bill

FRA wants to improve the Post 9/11 GI Bill program and other education benefit programs for veterans, and survivors of disabled or deceased veterans. The Department of Veterans Affairs (VA) is modernizing the Post 9/11 GI Bill platform, that will provide students with easier access. The digital GI Bill will enable the VA to call, email, text and chat with GI Bill beneficiaries. It also will allow the VA to instantaneously respond to questions from schools.

The Association is thankful the House last year passed the FRA-supported Guard and Reserve GI Bill Parity Act (H.R. 1836), sponsored by Rep. Mike Levin (CA), that would expand the types of duty for National Guard and Reserve members can use to earn eligibility for the post-9/11 GI Bill. This bill ensures Reserve Component increasingly frequent activations count as time toward this education benefit, regardless of the length of time of the activation. The Association wants to preserve the military Tuition Assistance (TA) program and opposes shifting a significant part of the cost to active-duty beneficiaries.

Protect Veterans from Predatory Pension Poachers

Aging veterans represent a segment of vulnerable individuals who are increasingly being targeted by bad actors preying upon the VA pension benefits veterans have earned. They are often victims of scams including being overcharged for home care, charged for services they did not receive, or given bad investment advice. A report (GAO-20-109) from the non-partisan Government Accountability Office (GAO) found that VA has not taken an aggressive approach in preventing this exploitation from occurring. FRA welcomes Congressional oversight to ensure that the VA works with a sense of urgency to ensure veterans are not victims of scams.

Servicemembers Civil Relief Act

FRA wants to ensure that the Servicemembers Civil Relief Act (SCRA) is enforced by regulatory agencies, including the Consumer Financial Protection Bureau (CFPB), Office of Military Affairs and wants to ensure that active-duty personnel are protected from predatory lenders. FRA wants to make mandatory arbitration agreements in financial contracts unenforceable.

VA Homelessness Program

The U.S. Interagency Council on Homelessness released a report “The Federal Strategic Plan to Prevent and End Homelessness” (January 26, 2023) with encouraging data on veterans homelessness. The report indicates that the total number of Veterans experiencing homelessness has decreased by 11 percent since January 2020. In total, the estimated number of veterans experiencing homelessness in America has declined by 55.3 percent since 2010.

The report claims that this success is a result of VA efforts to reach out to every veteran experiencing homelessness, understand their unique needs, and address them. These efforts are grounded in the evidence-based “Housing first” approach, which prioritizes getting a Veteran into housing, then provides the Veteran with the wraparound support they need to stay housed — including health care, job training, legal and education assistance and more.

During 2022, the VA permanently housed 40,401 homeless veterans, providing them with the safe, stable homes that they deserve. This exceeded the department’s goal to house 38,000 Veterans in 2022 by 6.3 percent.

FRA has supported initiatives for the VA and other agencies to enhance and invest in efforts to ensure that veteran’s homelessness is rare, brief, and non-recurring.

Conclusion

In closing, allow me again to express the sincere appreciation of the Association’s membership for all that you and the members of both of the House and Senate Veterans’ Affairs Committees and your outstanding staffs do for our Nation’s veterans.

Our leadership and Legislative Team stand ready to work with the Committees and their staff to improve benefits for all veterans who have served this great Nation.



Christopher J. Slawinski **National Executive Director, FRA**

Christopher J. Slawinski serves as the thirteenth National Executive Director for the Fleet Reserve Association (FRA), a congressionally chartered military and veterans' service organization serving current and former enlisted members of the Navy, Marine Corps and Coast Guard.

First Hired in October 2004, Slawinski was the National Service Director and the Association's primary voice between our members and the Department of Veterans Affairs.

Slawinski is an accredited service officer with the FRA and holds TRIP certification within the VA. He is the National Representative with FRA in the VA Voluntary Service National Advisory Committee, and a local VAVS Representative for the VA Medical Center in Washington, DC. Slawinski also serves as the Treasurer and Board member for the VAVS James H. Parke Memorial Scholarship Fund.

Slawinski is a Vice President of The Military Coalition (TMC) along with being a Co-Chairman of TMC Veterans Subcommittee.

Slawinski is a life member of the FRA Navy Department Branch 181, Arlington, VA, and has served as president of the East Coast Region. During his term as a member of the Association's National Board of Directors, he represented FRA members who reside in Maryland, District of Columbia, Delaware, Virginia, West Virginia and North Carolina.

Slawinski enlisted in the Navy in 1978, transferred to the Naval Reserve in 1982 and retired in 1998. He holds a bachelor's degree in communications from The University of Toledo and spent 20 years in civilian broadcast media, during which he earned two regional Emmy awards.

Slawinski, born and raised in Toledo, Ohio, now resides in Annandale, Va. Chris is the proud father of his daughter, Victoria, who currently attends Pennsylvania State University (Penn State) in State College, PA.