

**LEGISLATIVE PRIORITIES OF THE
JEWISH WAR VETERANS OF THE USA**

As Presented By

**EDWIN M. ROBINS
NATIONAL COMMANDER**



**BEFORE A JOINT SESSION OF THE
HOUSE AND SENATE
VETERANS' AFFAIRS COMMITTEES**

March 4, 2010

National Commander Edwin M. Robins

Edwin M. Robins of Ohio, former Director of JWV's National Service Officer Program and the first ever winner of JWV's Murray L. Rosen Member of the Year Award, is the National Commander of the Jewish War Veterans of the USA.

Ed was born in Pittsburgh, PA and enlisted in the Army on the day he graduated from High School. He was an Acting Sergeant Major at the time of his discharge.

A member of Paul A. Rosenblum Post 44 in Cleveland, OH, Ed has held many positions, some more than once, in his Post and on the Cuyahoga County Council. He has also served in all positions in the JWV Department of Ohio and has been Department Commander twice.

Ed is in his 20th year as a JWV National Service Officer, has been a Representative at the Louis Stokes Brecksville Hospital for over 30 years and has over 8,000 volunteer hours at both Wade Park and Brecksville Hospitals. He has served for 30 years on both the Joint Veterans Commission of Cuyahoga County and the Memorial Day Association of Cuyahoga County, and he has been President of each organization three times.

On the National Level at JWV, he has served as National Adjutant, National Soviet Jewry Chairman, National Executive Committeeman, on the Resolutions and Awards Committees and on the National Board of Inquiry and the National Court.

Ed, who has worked as the State Manager for Bankers Life and Casualty Company, has been married to the former Helene Goldberg for 57 years. They have three children, sons Michael and Joel and daughter Shari, and two grandchildren, Eliana and Odelya.

Ed and Helene are Life Members of the National Museum of American Jewish Military History and the JWV and Auxiliary. Ed, who was elected to the Ohio Hall of Fame in 2006, is also a member of the American Legion and is a Life Trustee of his synagogue.



INTRODUCTION.....	1
NO GOVERNMENT FUNDING	2
THE MILITARY COALITION.....	2
THE PARTNERSHIP FOR VETERANS HEALTH CARE BUDGET REFORM.....	3
JWV COUNTER TERRORISM COMMISSION.....	3
VA HEALTH CARE	4
IMPROVED MEDICAL SERVICES	5
WOMEN VETERANS	5
HOMELESS WOMEN VETERANS.....	5
HEALTH CARE FOR ILL VETERANS FROM CARCINOGENS.....	6
INCREASED AGENT ORANGE FUNDING	6
MANDATORY FUNDING	7
CLAIMS BACKLOG	7
POST TRAUMATIC STRESS DISORDER.....	9
SUICIDE PREVENTION	10
DECLARE WAR ON MENTAL HEALTH STIGMA	11
INCREASED VA LONG TERM CARE FACILITIES.....	11
HOMELESS VETERANS	11
ACCOUNTING FOR MIAS.....	12
STOLEN VALOR ACT	12
AMERICAN VETERANS DISABLED FOR LIFE MEMORIAL.....	12
VETERANS PREFERENCE IN GOVERNMENT EMPLOYMENT	13
TRAINING AND REHABILITATION FOR WOUNDED WARRIORS	14
SELECTED RESERVE MGIB BENEFITS (CHAP. 1606, 10 USC)	15
FULL VETERAN STATUS FOR CERTAIN GUARD/RESERVE RETIREES.....	15
UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA)	15
SERVICEMEMBERS CIVIL RELIEF ACT (SCRA).....	16
PROTECTION OF VETERANS' PERSONAL IDENTITY AND INFORMATION	17
ANCILLARY BENEFITS FOR SEVERELY DISABLED VETERANS	18
BLINDED VETERANS.....	19

CONCURRENT RECEIPT	20
VA CAREGIVER LEGISLATION	20
CONCLUSION	21

INTRODUCTION

Chairman Filner, Chairman Akaka, and Members of the House and Senate Committees on Veterans' Affairs, my fellow veterans and friends, I am Edwin M. Robins, the National Commander of the Jewish War Veterans of the U.S.A. (JWV). JWV is Congressionally Chartered and also provides counseling and assistance to members encountering problems dealing with the Department of Defense (DoD), the Department of Veterans Affairs (VA), and other government agencies. JWV is an active participant in The Military Coalition, a select group of over 30 military associations and veterans' organizations representing over five million active duty, reserve and retired uniformed service personnel, veterans and survivors on Capitol Hill.

I am accompanied today by the Chairman of our Coordinating Committee, PNC Robert M. Zweiman, who is also JWV's International Liaison Officer, the President of our National Museum of American Jewish Military History, PNC David Magidson, the President of our Ladies Auxiliary, Elaine Cosner, the Chairman of our National Executive Committee, PNC Monroe Mayer, and our National Executive Director, Colonel Herb Rosenbleeth. In the audience today are those JWV members who are here to meet with their Representatives and Senators as part of JWV's Capitol Hill Action Day.

Members of the committee, it was a singular honor for me to present the JWV Medal of Merit to the Honorable Timothy J. Walz (DFL-MN), at our Congressional Reception yesterday evening, in recognition of his truly outstanding work for America's veterans. It was equally rewarding to JWV to have so many of you participate with us!

Mr. Chairman, on March 15th, we at JWV will celebrate JWV's 114th birthday. For these 114 years, JWV has advocated a strong national defense and just and fair recognition and compensation for veterans. The Jewish War Veterans of the USA prides itself in being in the forefront among our nation's civic and veterans groups in supporting the well-earned rights of veterans, in promoting American democratic principles, in defending universal Jewish causes and in vigorously opposing bigotry, anti-Semitism and terrorism both here and abroad. Today, even more than ever before, we stand for these

principles. The Jewish War Veterans of the U.S.A. represents a proud tradition of patriotism and service to the United States of America.

As the National Commander of the Jewish War Veterans of the USA (JWV), I thank you for the opportunity to present the views of our 100,000 members on issues under the jurisdiction of your committees. At the conclusion of JWV's 114th National Convention in New Orleans, LA, our convention delegates adopted our resolutions for the 111th Congress. These mandates establish the legislative agenda for JWV during my year as National Commander.

JWV believes Congress has a unique obligation to ensure that veterans' benefits are regularly reviewed and improved to keep pace with the needs of all veterans in a changing social and economic environment. JWV salutes the Chairmen and Members of both the House and the Senate Veterans' Affairs Committee for the landmark veterans' legislation enacted over the past several years. Eligibility improvement, patient enrollment, long-term care, access to emergency care, enhanced VA/DoD sharing, improved preference rights of veterans in the federal government and other initiatives recognize the debt this country owes to those who have faithfully served our country.

Still we must improve access to veterans' health care, increase timeliness in the benefit claims process, and enhance access to national cemeteries and to state cemeteries for all veterans.

NO GOVERNMENT FUNDING

The Jewish War Veterans of the USA, Inc. does not receive any grants or contracts from the federal government.

THE MILITARY COALITION

JWV continues to be a proud member and active participant of the Military Coalition (TMC). PNC Robert M. Zweiman, JWV's National Chairman, serves on the Board of Directors of the Coalition and our National Executive Director, Colonel Herb

Rosenbleeth, USA (Ret), serves as JWV's Washington representative and as Co-Chair of the Coalition's Membership and Nominations Committee.

JWV requests that the House and Senate Committees on Veterans' Affairs do everything possible to fulfill the legislative priorities of the Military Coalition which are applicable to your committees. These positions are well thought out and are clearly in the best interests of our military personnel, our veterans and our nation's security.

THE PARTNERSHIP FOR VETERANS HEALTH CARE BUDGET REFORM

JWV is proud to be a member of the Partnership for Veterans Health Care Budget Reform.

The Partnership is a coalition of nine veteran service organizations with a combined membership of 8 million veterans, which developed and fully endorsed the Veterans Health Care Budget Reform Act. This bill authorizes Congress to appropriate the funding for veterans' health care one year in advance, and adds greater transparency to VA's internal budget process to ensure sufficient funding is approved.

JWV COUNTER TERRORISM COMMISSION

Mr. Chairman, the threat and potential dangers of terrorism, at home and abroad, cannot be overstated. We all remember the deadly attacks on September 11, 2001. Terrorism in the form of suicide bombers, Improvised Explosive Devices (IEDs), ambushes, etc, have caused and are causing horrible loss of life, limb, and suffering both to our personnel and to innocent civilians. Far too many veterans are casualties of an act of terrorism.

Of equal, and possibly even of greater importance to our nation, is the threat of terrorism to U.S. interests abroad and even here at home. We have witnessed the shoe and underwear bombers, the deadly attack at Fort Hood, and the attack on Fort Dix that was prevented. The recent terrorist attack in Austin, Texas on an IRS occupied facility is of great concern to the JWV.

I am very proud to be able to inform you that under the leadership of our Chairman, PNC Bob Zweiman, JWV has established a Counter Terrorism Commission. This commission will be managed by Colonel Nelson Mellitz, a veteran of the conflict in Iraq. At our testimony next year, JWV will advise you of the accomplishments of our Counter Terrorism Commission.

VA HEALTH CARE

Mr. Chairman, the VA today is seeing more younger patients, and more women patients than ever before. VA facilities became used to seeing older patients, mostly men. A system long geared toward treating an aging male population is scrambling to care for thousands of younger veterans, many of whom are female. Changes in the VA system are long overdue.

Mr. Chairman, Congress must continue to ensure this nation meets the many health care and benefits challenges faced by veterans of Iraq and Afghanistan. This includes increased funding for Traumatic Brain Injuries and other related disabilities, as well as improved access to care, especially for veterans suffering from mental illness and for those living in rural areas.

The JWV calls on Congress to provide equal access to VA's health-care services for all female veterans, which can be achieved by hiring specialized health care providers and by providing training in gender-specific issues to help address shortfalls in gender-specific care and mental health care services for PTSD, Military Sexual Trauma, and other needs.

The JWV urges VA to improve outreach so that all veterans are aware of the range of available health care services and benefits, especially female, minority and rural veterans, who may be less aware of their rights than other groups of veterans.

IMPROVED MEDICAL SERVICES

A recent investigation by the House Veterans Affairs Committee Subcommittee on Oversight and Investigations found disturbing evidence of improper or non-use of certain safety procedures in at least one major VA hospital and the abject failure to sanitize or properly care for reusable instruments. These failures in common proper sanitary and safety procedures seriously compromise the well-being of the veteran population that use all VA facilities.

The Jewish War Veterans of the USA calls upon the Department of Veterans Affairs to immediately commence a comprehensive program of retraining and peer review to expedite corrective action to ensure proper safety precautions are followed by all Department of Veterans Affairs facilities.

WOMEN VETERANS

Women are members of the military of today in numbers never before witnessed. The injuries, both physical and mental, often are unique to women. The need for privacy is not being met in some Department of Veterans Affairs facilities.

When the need for services, including the need for privacy, is not being met, the women veterans are being denied those services they deserve,

Therefore, the Jewish War Veterans of the USA demands that the Department of Veterans Affairs completely and immediately fulfill its obligation to all women veterans by offering the full spectrum of services that the women veterans require, including privacy.

HOMELESS WOMEN VETERANS

The Jewish War Veterans of the USA has a long history of advocacy on behalf of the homeless veterans of this Nation.

There is a growing population within the homeless, that being women veterans. These women veterans frequently have their children with them. There are not enough

beds available for the homeless women veterans, particularly when they are accompanied by their children. The homeless women veteran and their children do not have access to appropriate medical services nor to rehabilitative and training programs.

The Jewish War Veterans of the USA accepts the role as an advocate for this cause. Therefore, the Jewish War Veterans of the USA calls upon the Congress to adequately fund research projects directed toward this population.

HEALTH CARE FOR ILL VETERANS FROM CARCINOGENS

Members of the military and their families were exposed to water which was contaminated by human carcinogens at several facilities, including but not limited to Fort McClellan and Camp Lejeune. The veteran may be eligible for care and treatment by the Department of Veterans' Affairs but the veterans' families often would not be so entitled.

There may be legislation brought before the Congress to permit a veteran or family member who was stationed at Camp Lejeune during the time the water was contaminated to receive needed health care at a VA facility. There is a need to open the eligibility to veterans and their families who suffered such exposure at other military installations besides Camp Lejeune.

Therefore, the Jewish War Veterans of the USA supports the Caring for Camp Lejeune Veterans Act as proposed by Senator Richard Burr, but strongly suggested that the remedy and relief sought be expanded to the veterans and their families who suffered similar exposures at other military facilities.

INCREASED AGENT ORANGE FUNDING

The Department of Veterans Affairs has required veterans who allege an exposure to Agent Orange to prove that they set foot on the ground in the Republic of Vietnam. There are those veterans who are suffering the disastrous results of Agent Orange exposure whose contamination occurred while aboard ships off the coast of Vietnam. The Agent Orange Equity Act would correct this misinterpretation of the sense of Congress

permitting every veteran who was awarded the Vietnam Service Medal or who was otherwise deployed in or near the Republic of Vietnam to be treated and compensated for the results of being exposed to this toxin. The Jewish War Veterans of the USA supports the amendments to the Law which would expand the definition to all veterans who were exposed to Agent Orange.

MANDATORY FUNDING

The Jewish War Veterans of the USA (JWV) applauds the introduced Veterans Health Care Budget Reform and Transparency Act of 2009 authorizing advanced funding for the VA as the first step toward the ultimate goal of mandatory funding.

The VA must have the funding necessary to treat not only the ever-increasing numbers of wounded warriors of today's conflicts, but also the veterans of our previous conflicts. Our country has a sacred obligation to those who have served and defended our nation to provide for their needs as they return from battle. Mandatory funding is necessary so that all category eights receive the care they need, so that veterans receive long term care, and so that VA medical research will be second to none!

Only when the VA not only knows in advance the level of its funding but also knows with certainty that its funding levels will be adequate for all of its requirements can our veterans be assured that all of their health care needs can and will be met.

CLAIMS BACKLOG

[The Veterans Health-Care Partnership has asked member organizations to use the same write-up on this subject].

Disabled Veterans and Survivors should be able to apply for benefits through a simple, uniform and modern IT-based process that enables VA to make accurate decisions within acceptable time frames.

Active Duty (including activated Guard – Reserve) Servicemembers should be able to apply for benefits before discharge through a simple, uniform and modern IT-based system that enables accurate decisions by the time of their discharge.

The Problem

Too many disabled veterans and their survivors must wait too long for disability compensation and pension rating decisions that are too often wrong or inaccurate.

Accuracy of Decisions on Veterans Disability Compensation

- VA's Inspector General reported in March 2009 that almost a quarter (22%) of all veterans' claims for disability compensation were decided incorrectly in the 12-month period reviewed.
- During that period, over 200,000 veterans received inaccurate decisions on disability compensation.

Timeliness of Approving Claims for Veterans Benefits

- As of January 11, 2010, there were 466,985 claims for disability compensation and pensions awaiting rating decisions; 162,352 (37.3%) of the claims have exceeded VBA's 125 day strategic goal.
- The average time to approve a rating has exceeded 180-days for more than a decade (1999 – 2009).
- Claims folders for almost 300,000 veterans were misplaced; Claims for 141,000 veterans are lost.

Complexity of Application and Approval Process

- VA continues to rely on a cumbersome paper-based system, beginning with a 23-page application, to review and evaluate claims for disability compensation and pension.

- From 2006 to 2008, there has been about a 50% increase in the most complex disability compensation applications, those in which a veteran cites 8 or more disabilities.

The Solution

Develop a Work Culture at VA that Emphasizes Quality at All Steps

Create a management culture that measures and rewards quality of results, not just quantity, and provides sufficient training of VA's management and workforce in order to achieve this outcome.

Modernize the IT Infrastructure and Optimize Business Processes

Create a secure and accessible paperless IT system that rapidly moves and organizes information necessary for VA to approve claims for benefits, while optimizing workflow and business processes.

Develop a Simpler and More Transparent Application and Approval Process

Create a universal and simple application process that provides veterans with regular updates on the progress of their claims and allows them to access their records and the status of their claims.

POST TRAUMATIC STRESS DISORDER

The Jewish War Veterans of the USA asks Congress to mandate that the Departments of Defense and Veterans Affairs cooperate and coordinate a program to aggressively counsel every member of the military, regardless of where he/she is serving or had served, on the signs of PTSD and to require that there be no negative implications or comments made on the records of someone either exhibiting signs of PTSD, seeking professional counseling to assist him/her face their war experiences, or having reported to superiors that a comrade has exhibited manifestations of PTSD.

We are all too aware of the stresses of war and, particularly, urban combat like we find in Iraq and Afghanistan. The veterans returning from Afghanistan are facing the same stresses placed upon them in the extreme conditions in Iraq. All too often these veterans have served in both countries. The reports being released are indicating that 20-25% of the men and women returning from those arenas are suffering from Post Traumatic Stress Disorder (PTSD). We know from the experiences of the veterans who came home from Vietnam that PTSD can lay dormant for 20 years or longer before it affects the veteran war fighter. More immediate results of PTSD include marital discord and broken families, domestic violence and, with disturbing frequency, suicide. We have witnessed a marked increase in divorces due to combat related stresses leading to, or at least, contributing to domestic violence. The returning warriors too often demonstrate an inability to reintegrate back into American society. Unfortunately, this inability can lead to a decrease or total loss of coping skills and such extreme depression leading to the ultimate escape mechanism, the taking of one's own life.

SUICIDE PREVENTION

We have learned from the media that incidents of suicide by members of the military returning from Iraq and Afghanistan in numbers far in excess of that which should be expected.

The Jewish War Veterans of the USA has strongly advocated for the military to install a system for transitioning the members of the military from their role as war fighters to their roles as spouses, parents, and well balanced citizens. The need for such a transitioning has become even more evident as the number of tours of some members of the military have grown.

The Department of Defense had taken some steps in the direction which the Jewish War Veterans of the USA has sought. Therefore, the Jewish War Veterans of the USA congratulates the Department of Defense on the efforts made to date but strongly urges the Departments of Defense and Veterans Affairs to more aggressively develop interventional techniques and programs to recognize and treat those members of the

military and veterans' population who may exhibit the potential of being a threat to themselves and others.

DECLARE WAR ON MENTAL HEALTH STIGMA

More servicemembers have been killed by their own hands this year than by combat in Iraq. One of the largest obstacles that servicemembers must overcome before seeking help is the heavy stigma associated with mental health injuries. JWV recommends declaring war on this dangerous stigma by launching a well-funded, researched and integrated nationwide campaign to promote the use of the Department of Defense and VA services such as Vet Centers and the suicide prevention hotline.

INCREASED VA LONG TERM CARE FACILITIES

JWV believes that VA should take its responsibility to America's aging veterans seriously and provide the care mandated by Congress. Congress should do its part and provide adequate funding to VA to implement its mandates.

HOMELESS VETERANS

Veterans make up a disproportionate share of homeless people. The number of Operation Enduring Freedom (OEF), Operation Iraqi Freedom (OIF), and veterans of Afghanistan who are homeless is on the rise including homeless female veterans. JWV asks the Congress to:

- Strengthen reenlistment, pre-separation and reintegration services
- Expand PTSD diagnostic and treatment services prior to and after separation (see wounded warrior goals, above, and related TMC health care goals)
- Conduct aggressive outreach and intervention programs to prevent at-risk veterans from becoming homeless

- Establish a priority for at-risk veterans for housing under HUD programs

ACCOUNTING FOR MIAS

There are still thousands of MIA/POW remains for which no accounting has ever been honestly and fully given. The Jewish War Veterans of the USA calls upon Congress and the President to continue this nation's commitment to locate and return to this nation the remains of the MIA/POWs still listed as Missing in Action. There are still 1,720 Americans listed as missing and unaccounted for from the Vietnam War.

STOLEN VALOR ACT

The Stolen Valor Act criminalizes the wearing or alleging the award of military medals by individuals who are not the recipient of such medals. The media continues to reveal stories of men and women who either magnify or fabricate their military service.

There is a central registry of recipients of the Medal of Honor and prisoners of war, but for no other medals including, but not limited to, the Distinguished Service Cross, the Navy Cross, the Air Force Cross, the Silver Star, the Bronze Star, and Purple Heart. There needs to be a central registry created so that those who have stolen valor from the men and women who truly deserve recognition, can be uncovered and brought to light and justice.

Therefore, the Jewish War Veterans of the USA urges Congress to provide sufficient funds to create such a central registry so as to facilitate the exposure of "false heroes." The Jewish War Veterans of the USA calls upon Federal law enforcement agencies to vigorously prosecute those who have violated the Stolen Valor Act.

AMERICAN VETERANS DISABLED FOR LIFE MEMORIAL

American veterans have returned from the battleground with serious wounds, both physical and psychological.

American service members face daily hostile action in Afghanistan, Iraq, and in the global war against terrorism. It is clear that there needs to be a permanent memorial, in a prominent location in the nation's capital city, Washington, DC. Such a project cannot be successful without the support of the Nation's veterans' service organizations and their members,

Therefore, the Jewish War Veterans of the USA supports the efforts of the Disabled Veterans For Life Memorial Foundation to raise the private donations necessary to construct such a Memorial.

VETERANS PREFERENCE IN GOVERNMENT EMPLOYMENT

The term "veteran" may be defined, in part, as an individual who put his/her career on hold in order to serve this country. Those who did not serve in the military were able to not only maintain their civilian skills but were in position to acquire new skills as their job duties evolved.

The men and women who return from their military duty are thus placed in a disadvantaged position vis-à-vis those who did not serve. The veteran will continue to be disadvantaged until and unless a system can be created which will assist the veteran to hone his/her skill set required for the worksite.

The veteran requires the means to obtain entry level positions and to compete for promotional opportunities with those who were home while the veteran was defending the Nation. The government, at all levels combined, is the largest single class of employer in the country.

Therefore, the Jewish War Veterans of the USA supports a system of veterans' preference which would enable the veteran to equally compete with the non-veteran for new jobs as if they were never activated and deployed. The Jewish War Veterans of the USA advocates for the Congress and the Department of Veterans Affairs to improve job training and the availability of new jobs opportunity training for the veterans.

TRAINING AND REHABILITATION FOR WOUNDED WARRIORS

The sole purpose of the Vocational Rehabilitation and Employment (VR&E) program (Chapter 31, 38 USC), is to enable veterans with service-connected disabilities to achieve maximum independence in daily living and to become meaningfully employed. VRE helps to equip disabled veterans to transition back into the work force. While VRE focuses on employment, it is not designed to forecast the changes in the job market or the changing nature of a veteran's service-connected injuries. Both the recent market instabilities and the dynamic nature of OIF and OEF injuries require life-long access to training and continuous education to fulfill the lasting commitment to those veterans who gave a piece of themselves in defense of our nation. Unfortunately, for use with educational benefits, VRE is not synchronized with Chapter 33, 38 USC. JWV strongly urges the Congress to:

- Increase the monthly stipend of VRE to reflect the Basic Allowance for Housing payments under Chapter 33, 38 USC
- Cover all books, fees, and adaptive equipment deemed necessary to ensure a maximum independence in daily living to the maximum extent feasible
- Eliminate any impediments to reentry into VRE regardless of the veteran's age or date of claim of service-connection
- Allow all service-connected disabled veterans access to career counseling
- Focus the goal of the program on career skills and career-long employability
- Support final passage of legislation to extend VRE usage period from 12 to 15 years and authorize child care support in conjunction with VRE

SELECTED RESERVE MGIB BENEFITS (CHAP. 1606, 10 USC)

Educational benefits for initially enlisting in the National Guard or Reserve were not addressed in the New GI Bill. The ratio between Chap. 1606 benefits and MGIB benefits has plunged to 24.9% against a historical ratio of 47-50%. TMC goals: Restore basic reserve MGIB benefits for initially joining the Selected Reserve to the historic benchmark of 47-50% of active duty benefits. That would raise current rates under Chap. 1606, 10 USC from \$329 per month to between \$621 - \$660 for full time study. Integrate Chap. 1606 into the MGIB (Chap. 30, 38 USC).

FULL VETERAN STATUS FOR CERTAIN GUARD/RESERVE RETIREES

Certain Guard and Reserve servicemembers complete 20 years of qualifying service for a reserve (non-regular) retirement without having been called to active duty service during their careers. At age 60, they are entitled to reserve military retired pay, government health care and other benefits of service including some veterans' benefits. However, current statute denies them full standing as a "veteran" of the armed forces. JWV asks the Congress to support pending legislation to include in the definition(s) of 'veteran' retirees of the Guard / Reserve components who have completed 20 or more years of service, but are not considered to be veterans under the current statutory definitions

UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA)

JWV is grateful for passage in 2008 of USERRA amendments that require faster complaint resolution and more stringent reporting requirements by Federal agencies involved in compliance with the law. Reemployment protections for our nation's "operational reserve" warriors cannot be over-emphasized. At the same time, JWV sees a need to expand employer incentives for retaining Guard-Reserve employees that also were enacted in 2008. JWV asks the Congress to:

- Clarify that USERRA disputes are not subject to employer-employee binding arbitration agreements
- Require that States which accept federal funds for any state programs or activities must waive their sovereign immunity in cases of USERRA actions
- Give reservists the right to bring their cases against either a State or private employer in their choice of State or US district court
- Require courts to act to prevent discriminatory firings
- Provide punitive damages in the worst cases of reemployment discrimination
- Make a single entity accountable for overseeing USERRA complaint resolution process
- Amend USERRA to preclude an exclusion or waiting period for reinstatement of employer health care
- Extend reemployment rights to military spouses who must suspend employment to care for dependent children due to a military sponsor's deployment
- For Federal workers who are in the Guard or Reserves, make the Office of Special Counsel responsible for enforcement of USERRA in the Federal government.

SERVICEMEMBERS CIVIL RELIEF ACT (SCRA)

Active duty servicemembers often find it difficult to meet their personal financial and legal obligations as a result of military orders. The SCRA was created to ease this burden. The changing nature of civil law and the conditions of service today indicate that the SCRA should be continuously reviewed and updated as needed to protect service families. JWV appreciates passage in 2008 of a change to the SCRA that permits

servicemembers facing deployment or PCS to terminate cell phone contracts without financial penalty. JWV urges the Congress to:

- Confirm a right of private cause of under the SCRA statute so that service women and men may protect their SCRA rights in federal court
- Eliminate “early termination fees” that landlords may impose on servicemembers who terminate a lease due to an overseas deployment or PCS move
- Require institutions of higher education to refund tuition and fees to activated members of the National Guard or Reserve for a program of education for which the member was unable to receive academic credit
- Authorize active duty and recently separated servicemembers who do not meet residency requirements to pay in-state tuition rates at public colleges or universities
- Permit cancellation of cellular contracts entered into by immediate family members (e.g., “family plans”) in behalf of servicemembers in the event the SM is deployed or moves on PCS orders
- Permit employers and employees to contribute to defined contribution retirement plans (401(k) – 403(b)) during a period of active duty service performed by Guard and Reserve servicemembers

PROTECTION OF VETERANS' PERSONAL IDENTITY AND INFORMATION

The VA has elevated the Chief Information Officer and centralized management oversight of information security activities across VA operations in that office. JWV requests that the Congress:

- Ensure routine internal and independent audits of VA information security policies, procedures and technologies to reduce the potential of a breach of veterans' personal information including their medical records
- Conduct oversight hearings to identify gaps in information security and appropriate corrective action as necessary

ANCILLARY BENEFITS FOR SEVERELY DISABLED VETERANS

Mr. Chairman, JWV believes that it is time for the Committee to make a concerted effort to improve benefits for the most severely disabled veterans to include an increase in the adaptive automobile grant and an annual index to increase the value of the grant with the cost of inflation, an increase in the rates of Special Monthly Compensation paid to severely disabled veterans, and additional adjustments to the Specially Adapted Housing grant program.

VA provides certain severely disabled veterans and service members with grants for the purchase of automobiles or other conveyances. This grant also provides for adaptive equipment necessary for safe operation of these vehicles. When the grant was created, Congress initially fixed the amount of the automobile grant to cover the full cost of the automobile.

We would encourage the Committee to examine further improvements to the Specially Adapted Housing grant program. We would refer you to our testimony before the Subcommittee on Economic Opportunity in November 2009 for specific recommendations that we made to enhance the opportunities for severely disabled veterans to own an accessible home.

Lastly, we believe that the Committee needs to address the well-established shortfall in the rates of Special Monthly Compensation (SMC) paid to the most severely disabled veterans that the VA serves. SMC represents payments for "quality of life" issues, such as the loss of an eye or limb, the inability to naturally control bowel and bladder function, the inability to achieve sexual satisfaction or the need to rely on others

for the activities of daily life like bathing, or eating. To be clear, given the extreme nature of the disabilities incurred by most veterans in receipt of SMC, we do not believe that the impact on quality of life can be totally compensated for; however, SMC does at least offset some of the loss of quality of life.

JWV believes that an increase in SMC benefits is essential for our veterans with severe disabilities. Many severely injured veterans do not have the means to function in an independent setting and need intensive care on a daily basis. Many veterans spend more on daily home-based care than they are receiving in SMC benefits. This fact was supported by the testimony of numerous witnesses at a hearing conducted by the Subcommittee on Disability Assistance and Memorial Affairs in July 2009.

BLINDED VETERANS

Serious combat eye trauma from Operation Iraq Freedom (OIF) and Operation Enduring Freedom (OEF) has climbed to the second most common injury from the wars only behind Hearing loss according to Office VA Research & Development article October 2008 (www.researchva.gov). The November 2008 Medical Surveillance Defense Monthly Report from Armed Forces Health Center reported 4,970 moderate to severe penetrating combat eye injured, with 8,441 retinal and choroidal hemorrhage injuries, 686 optic nerve injured, along with 4,294 chemical and thermal eye burn injuries. In addition each VA Poly Trauma Center reports 80% of all TBI injured have visual complaints associated with there exposure to powerful blasts causing both penetrating and percussive damage to optic nerve system.

VA Poly Trauma Center in Palo Alto, Tampa, Richmond, along with Chicago and San Antonio VA Low vision Clinic are all having similar findings with TBI vision screening that 68% screened positive for variety of visual dysfunction related to there TBI. Estimates are high by experts that more service members may have some visual impairment associated with TBI but further screening vision programs are needed. Vision TBI research is vital to ensuring more treatment options for these TBI complications. Not unlike the existing specialized research programs on burns, limb prosthetics, PTSD, and

spinal cord injuries currently a dedicated funding source for vision research grants will allow for the exploration of new and promising research opportunities.

JWV strongly recommends that existing initiatives to help military personnel and all veterans diagnosed with either combat eye trauma or Traumatic Brain Injuries with visual dysfunction be complemented by a dedicated Peer Reviewed Vision Research program within TATRC that would deepen our understanding of and accelerate the development of new treatments for both eye trauma and TBI visual dysfunction. A concentrated and focused research effort holds the promise of leading to new approaches to treatment of those who have suffered vision loss as a result of there injuries is necessary to uphold our promise to provide for improved treatment outcomes for these combat eye injured. This research on eye injuries would of course benefit all other American citizens who suffer from eye injuries.

CONCURRENT RECEIPT

Current law provides that service connected veterans rated less than 505 who retire from the Armed Forces on length of service may not receive disability compensation from the Department of Veterans Affairs (VA) in addition to full military retired pay. These disabled veterans must therefore surrender retired pay in an amount equal to the disability compensation they receive.

This offset is extremely unfair to veterans who have served faithfully in military careers inasmuch as these veterans have earned their retired pay by virtue of their long service to the nation and wholly apart from disabilities due to military service. Now, therefore, be it resolved that JWV supports legislation to repeal the offset between military longevity retired pay and VA disability compensation.

VA CAREGIVER LEGISLATION

Senate-passed VA caregiver legislation (S.1963) was recently referred to the House for consideration. Early conference action is critical to resolve differences between the two

chambers on this vital legislation. Every day that final action is deferred increases the sacrifice and strains on the growing number of full-time caregivers have forfeited their careers, retirement plans and even their homes to provide full-time care for their disabled dependents.

JWV urges priority attention to final passage of robust legislation to establish support services, training and compensation for full-time caregivers of severely disabled warriors.

CONCLUSION

Chairman Filner and Chairman Akaka, on behalf of the Jewish War Veterans of the USA, we sincerely thank you for scheduling our presentation at a time when our National Executive Committee members will be present.

Mr. Chairman, our country is still sending thousands of brave young men and women off to war in Iraq, Afghanistan, and other areas of operations. Our country must, therefore, pay for the costs involved.

At our annual national conventions our members work diligently to develop our legislative priorities. Our dedicated resolutions chairman, PNC Michael Berman, works very diligently to develop our resolutions and to bring them before our convention delegates. Following further fine-tuning by our convention delegates, our resolutions are finalized, and become our legislative priorities for the coming year. We thank you for the opportunity to present them to you today.