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Washington Update

Check out the <u>PVAction Force</u> page to view legislative campaigns and a list of key legislation.

PVA PRESENTS ON TRANSPORTATION AND HOTEL ACCESSIBILITY AT THE NATIONAL ADA SYMPOSIUM

On July 17-18, Chief Policy Officer Heather Ansley and Advocacy Attorney Anthonya James presented on transportation and hotel accessibility at the National ADA Symposium in Atlanta, Georgia. The National ADA Symposium is a comprehensive conference on the Americans with Disabilities Act (ADA). The Symposium is an initiative of the ADA National Network and coordinated by the Great Plains ADA Center. Over 80 sessions covering a wide variety of ADA topics, including accessible parks and recreation, venue accessibility, web accessibility, and accessible housing, were presented during the event.

Ms. Ansley and Ms. James presented two sessions at the Symposium. The first presentation, "Travel Barriers for Wheelchair Users – Hotels: The ADA, Best Practices and Advocacy," discussed the accessibility barriers wheelchair users often encounter at hotels, as well as ADA requirements for accommodations, and how hotels can go above and beyond the minimum legal requirements. The other presentation, "The Future of Transportation: The Impact of Disability Accessibility and Equity," discussed evolutions in transportation, new technology, revisions to old technology, and the effect of recent changes in Washington, DC, as well as the need to shift advocacy strategies.

The <u>National ADA Network</u> and the <u>Great Plains ADA</u>
<u>Center</u>'s websites offer ADA webinars, resources on ADA topics, and technical assistance for answers to ADA questions.

PVA SUBMITS COMMENTS ON DOE'S DIRECT RULES

PVA recently submitted public comments in opposition to the U.S. Department of Energy's (DOE) proposed direct final rules Rescinding New Construction Requirements Related to Nondiscrimination in Federally Assisted Programs or Activities and Rescinding Regulations Related to Nondiscrimination in Federally Assisted Programs or Activities (General Provisions). The direct final rules propose to eliminate critical systems ensuring physical access to facilities receiving DOE funds. These systems play an essential role in the implementation of Section 504 of the Rehabilitation Act, which protects disabled people from discrimination and includes "elimination of architectural barriers" as one of its central aims. If implemented, these final rules could lead to new construction that is inaccessible to people with disabilities, and upend decades of reliance on established accessibility standards, creating conflicts with other statutory and regulatory standards.

The proposed rules would go into effect on July 15, unless significant adverse comments were received by June 16. Significant adverse comments are those that

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oppose the rule and, alone or in combination, raise serious issues with each of its key justifications—issues serious enough to require a detailed response.

PVA's comments expressed our concerns about the proposed rules and urged DOE to withdraw them. The comments detailed how the rules are procedurally unlawful because direct final rulemaking is reserved for the promulgation of routine and non-controversial rules. The comments also discuss the history and importance of the rules DOE is trying to eliminate and how Congress has repeatedly and consistently recognized the need for design standards to ensure access for disabled people and consistency for federal funding recipients. PVA will continue to monitor the status of this rulemaking.

HOUSE COMMITTEE HEARING EXAMINES VETERANS LEGISLATION

On June 24, the House Veterans' Affairs Committee, Subcommittee on Disability Assistance and Memorial Affairs, met to examine nearly a dozen bills impacting the availability of benefits for veterans. In a statement for the record, PVA strongly endorsed the Caring for Survivors Act (H.R. 2055), which would increase the amount of VA's Dependency and Indemnity Compensation (DIC) to an amount equal to 55 percent of the compensation received by a 100 percent servicedisabled veteran with a spouse. This change would bring the benefit in line with the standard for survivors of federal employees. The bill would also reduce the timeframe a veteran needed to be rated totally disabled from 10 to five years. Current law restricts the DIC benefit for survivors if the veteran was rated at 100 percent for less than ten years before his or her death. The reforms included in the Caring for Survivors Act would allow greater numbers of survivors to benefit from this important program.

We also supported the Ernest Peltz Accrued Veterans Benefits Act (H.R. 3123), which would allow the VA to award entitlement to accrued pension benefits to the surviving family members of veterans who were awarded entitlement but who died before their benefits were paid. In many cases, accrued benefits can be paid to surviving family members in DIC claims. We believe

that it makes sense that the VA treats Non-Service Connected (NSC) Pension claims the same. Additionally, veterans who are eligible for NSC Pension benefits are at the poverty level, so these funds could be critical to helping the surviving family members.

Finally, the Veterans Health Administration currently lacks an integrated system to manage applications and appeals pertaining to its Program of Comprehensive Assistance for Family Caregivers (PCAFC). As a result, medical records and patient documents are scattered across multiple platforms, many of which are not accessible to all VA staff involved in the process. This creates delays, confusion, and unjust denials, particularly during appeals, which can take years to resolve. Also, some of our members receive care from outside providers that could be relevant to their PCAFC application; thus, capturing this information is extremely desirable.

PVA supported the Veterans' Caregivers Appeals Modernization Act (H.R. 3833), which seeks to create a single system where medical records, including those from providers outside of VA, PCAFC applications, PCAFC assessments, and Centralized Eligibility and Appeals Team decisions through all levels of appeals would be kept. This would give all interested parties access to the complete information for each veteran and caregiver through a single records system. Such a move is way overdue and might be achievable by leveraging VA's existing systems versus creating or procuring a new product. The bill also clarifies deadlines to file an appeal and allows caregivers to be eligible for past-due caregiver stipends, if the caregiver application is eventually granted on appeal, including in cases where the veteran dies during the pendency of the appeal.

A recording of the hearing and relevant documents, including PVA's statement for the record in its entirety, can be found here.

SENATE APPROPRIATIONS COMMITTEE LOOKS AT PROPOSED VA FUNDING NUMBERS

VA Secretary Doug Collins testified before the Senate Appropriations Committee's Subcommittee on Military







Construction and Veterans Affairs on June 24 to discuss the Administration's fiscal year 2026 budget request. To quickly recap, the Administration requested a total of \$441.3 billion for the department. Roughly \$134.6 billion of that amount would come from discretionary spending. That coupled with \$52.7 billion in mandatory spending for the Toxic Exposures Fund (TEF) would give VA \$187.2 billion for its operational needs in the next fiscal year which begins on October 1, 2025.

Secretary Collins told the subcommittee his goals for the VA are the same as any veterans service organization and those who have served: easy and good access; quality facilities; and excellent and efficient use of taxpayer dollars. When asked about the accuracy of the department's projected needs, he told Subcommittee Chairman, Senator John Boozman (R-AR), that they are keeping a close eye on what is happening with the department's funding to ensure there won't be a need to request supplemental funding later in the year. He said their projected numbers and assumptions were "solid," and assured the committee that VA is where it needs to be.

Ranking Member Jon Ossoff (D-GA) asked how much of the medical services request would be allocated for personnel and how many people he intends to employ through these accounts. Secretary Collins said there are currently 465,000 VA employees, of which 409,000 are in the Veterans Health Administration (VHA). He intends to bring the latter number down slightly to 396,000 employees, but they are not cutting any physicians. He said they would probably be hiring even more and promised to provide subcommittee members with more details later in the week.

In an exchange with Senator Susan Collins (R-ME), the secretary said the implementation of 51 pilot projects under the Elizabeth Dole Act is on track and 10 have not been fully implemented. Also, nine of them are behind schedule due to funding challenges, and a couple have not yet started. Other topics were discussed, including the need to change how the VA approaches new construction, the possibility of a large reduction in force, and the department's ongoing effort to implement a new electronic health record.

You can view a recording of the hearing and read the secretary's written statement here.

PVA JOINS ROUNDTABLE DISCUSSION ON VA'S HOME LOAN PROGRAM

On June 26, PVA participated in a roundtable discussion hosted by the House Veterans' Affairs Committee Minority focused on the VA's Home Loan Guarantee Program. Ranking Member Mark Takano (D-CA) convened several veterans service organizations (VSO) and industry professionals to discuss ways to increase awareness of the Home Loan Program, ensuring sustainability of this critical benefit, as well as ways to help the tens of thousands of veterans currently facing mortgage foreclosure. The VA ended its partial claims program in 2022 and the VA Servicing Purchase Program earlier this year.

Organizations joining the discussion included the Mortgage Bankers Association, the National Association of Realtors, and the Housing Policy Council. The conversation centered on veterans' needs and ways in which the industry representatives in attendance, in coordination with VSOs, could improve the housing situation for veterans. PVA stressed the need for increased awareness in finding suitable homes that can be modified in a high interest and high-cost market, as well as the need for increased transparency and engagement from VA around the highest needs veterans when it comes to foreclosures.

News of Note

Under Secretary for Benefits Nominee Announced

Karen Brazell, who is currently serving as a senior adviser to VA Secretary Doug Collins, has been nominated by President Trump to lead the Veterans Benefits Administration. As the Under Secretary for Benefits, she would be responsible for the administration of benefits provided by the department to veterans and dependents, including compensation, pension, education, home loan guaranty, vocational rehabilitation, and life insurance. Ms. Brazell worked at



the VA during the first Trump administration as an acting assistant secretary for the VA Office of Enterprise Integration and as the VA's chief acquisition officer, where she was responsible for 1,700 employees and a budget of \$30 billion. She must be confirmed by the Senate prior to assuming the position. A confirmation hearing has not yet been scheduled.

DOT Announces Delay in Taking Enforcement Action Against Airlines Under the Wheelchair Rule

On June 2, the Department of Transportation (DOT) announced a notification of enforcement discretion. In the notification, DOT stated that it will continue to exercise its enforcement discretion and not enforce the "Ensuring Safe Accommodations for Air Travelers with Disabilities Using Wheelchairs" before August 1, 2025. Previously, DOT announced that it would exercise its enforcement discretion and not enforce the rule until March 20, 2025. DOT attributes the date change to the need to have additional time for the officials appointed or designated by the president to review the final rule to ensure that it is consistent with the law. The department also states that it will consider the issues raised in a lawsuit filed by a coalition of major U.S. airlines to block the final rule. PVA has intervened in the case, which is now being held in abeyance, while DOT reviews the final rule.

ADVOCACY & COMMITTEE ACTIVITIES

PVA Member Advocacy Toolkit Now Available

PVA recently released an advocacy toolkit designed to empower individuals, regardless of experience level, with resources and guidance to effectively advocate. By sharing personal stories and engaging in meaningful conversations, PVA member advocates can drive meaningful change, locally and nationally, while shaping a better future. To view the toolkit, click here.

Veterans' Committee Activities

Please visit the <u>House</u> and <u>Senate</u> Veterans' Affairs Committee webpages for information on previous and upcoming hearings and markups.



