

# Pending Legislation

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Statement of  
Patrick Murray, Director  
National Legislative Service  
Veterans of Foreign Wars of the United States

Before the

United States House of Representatives  
Committee on Veterans' Affairs  
Subcommittee on Oversight and Investigations

With Respect To

## Pending Legislation

WASHINGTON, D.C.

Chairwoman Kiggans, Ranking Member Mrvan, and members of the subcommittee, on behalf of the men and women of the Veterans of Foreign Wars of the United States (VFW) and its Auxiliary, thank you for the opportunity to provide our remarks on legislation pending before this subcommittee.

### NATIONAL HEADQUARTERS

406 W. 34th Street  
Kansas City, MO 64111  
Office 816.756.3390  
Fax 816.968.1157

### WASHINGTON OFFICE

200 Maryland Ave., N.E.  
Washington, D.C. 20002  
Office 202.543.2239  
Fax 202.543.6719

info@vfw.org  
www.vfw.org

## **H.R. 196, Expediting Temporary Ratings for Veterans Act**

The VFW supports this legislation that would require the Secretary of Veterans Affairs to modify Veterans Benefits Administration (VBA) technology systems and create a process to automate temporary disability ratings for eligible veterans. The ability to extend temporary ratings is critical, especially for veterans who are hospitalized, and as the demands on VBA increase due to the enactment of the PACT Act.

## **H.R. 2733, Department of Veterans Affairs Office of Inspector General Training Act of 2023**

The VFW supports this proposal to require each Department of Veterans Affairs (VA) employee to receive training developed by the VA Office of Inspector General (OIG) for the reporting of wrongdoing, responding to requests, and cooperating with the OIG. The VFW believes the OIG performs a critical role in overseeing and investigating the practices of VA, and a vital component of this role is employee input. Training employees on the role, responsibilities, and legal authority of the inspector general, and the duty of employees for engaging with the OIG is important to accomplishing its mission.

This training would also empower the employees to identify the circumstances and mechanisms for reporting fraud, waste, and abuse, including making confidential complaints. It would protect the men and women who help our service members, veterans, and their families every single day.

## **H.R. 3504, VA Medical Center Security Report Act of 2023**

The VFW supports this common-sense proposal to study and review the security posture of VA facilities. The men and women who earned care at VA have also earned the right to seek that care in a safe and secure environment. We believe the outcomes of these studies and reports would also positively affect the dedicated employees who work diligently at VA facilities and deserve the same level of safety and support as the veterans they treat.

## **H.R. 4225, VA Acquisition Review Board Act of 2023**

The VFW supports this proposal to update and oversee VA's acquisition programs. VA needs to properly vet acquisitions in order to fully accomplish its critical mission. The men and women who serve our nation's veterans at VA facilities need the best tools and systems available to properly perform their jobs. Additional review of these systems is beneficial, and the VFW hopes this proposal is a step toward ensuring efficient and effective acquisitions for the entire Department.

## **H.R. 4278, Restore Department of Veterans Affairs Accountability Act**

The VFW supports this legislation to streamline authorities to suspend, demote, or fire VA employees who have been determined to warrant such action. We supported the *Department of Veterans Affairs Accountability and Whistleblower Protection Act of 2017* (Public Law 115-41) because the VFW had seen examples of VA's inability to hold certain employees accountable. This proposal would restore the original intent of the law that had technical gaps and was not implemented effectively.

This important bill includes strong accountability reform for VA employees who do not meet the standards that veterans deserve. Almost six years after the passage of the VA Whistleblower Protection Act, the Secretary of VA still lacks the proper authority to swiftly terminate workers who should not be working at VA. This proposed legislation would improve VA's authority to discipline and remove employees who commit malfeasance. Earlier this year, VA Secretary Denis McDonough stated that VA was no longer using the authority enacted in the 2017 law as it was creating more administrative and legal problems than were initially known. Well-intentioned laws that cannot be legally enforced hinder VA's ability to perform its vital functions.

The VFW believes that VA and Congress must ensure the Secretary of Veterans Affairs has the authority to quickly hold employees accountable for wrongdoing that may endanger the lives of veterans. That is why we support this important legislation. However, we also

believe it is as important to ensure VA can quickly fill vacancies within its workforce that are created by removing bad actors. We urge the committee to continue working with VA to provide it with all the tools to hire and retain high-quality employees to serve our veterans each and every day.

### **H.R. XXX, Modernizing Department of Veteran Affairs Disability Benefit Questionnaires Act**

This bill requires VA to modify the necessary technology systems to allow Disability Benefit Questionnaires (DBQ) data to be received by VA in a machine-readable format. The VFW supports the goal of this legislation, but believes the language of the phrase “by persons other than employees of the Department of Veterans Affairs under section 504 of the Veterans Benefits Improvement Act of 1996 (Public Law 104–275; 38 U.S.C. 5101 note)” needs to be clarified so that private medical providers and individual veterans could continue to submit DBQs in the same way they are today.

As VBA moves forward with automation, the nuance of the VA rating schedule, not the format of DBQs, is the most substantial issue. VA is in the process of updating the Veteran Affairs Schedule for Rating Disabilities (VASRD) with the stated intent of ensuring examination information can be transmitted in a manner consistent with principles of automation. The greater concern is whether the changes to the VASRD will accurately reflect the associated disabilities.

Chairwoman Kiggans, this concludes my testimony. Again, the VFW thanks you and Ranking Member Mervan for the opportunity to testify on these important issues before this subcommittee. I am prepared to take any questions you or the subcommittee members may have.

### **Information Required by Rule XI2(g)(4) of the House of Representatives**

Pursuant to Rule XI2(g)(4) of the House of Representatives, the VFW has not received any federal grants in Fiscal Year 2023, nor has it received any federal grants in the two previous Fiscal Years.

The VFW has not received payments or contracts from any foreign governments in the current year or the preceding two calendar years.