

# Pending Legislation

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Statement of

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For the Record

United States House of Representatives  
Committee on Veterans' Affairs  
Subcommittee on Disability Assistance and Memorial Affairs

With Respect To

Pending Legislation

Washington, D.C.

Chairman Luttrell, Ranking Member Pappas, 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 testimony regarding this pending legislation.

## **H.R. 6507, Mark Our Place Act**

The VFW supports this bill that would eliminate a service era requirement, authorizing the Department of Veterans Affairs (VA) to furnish or replace a headstone, marker, or medallion for the grave of any eligible Medal of Honor recipient irrespective of dates of service. Current United States Code specifies the decedent must have served on or after April 6, 1917. We believe this legislation would ensure appropriate memorialization of all recipients of our nation's highest award for valor.

## **H.R. 7729, Dennis and Lois Krisfalusy Act**

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The VFW supports this legislation that would authorize VA to provide a headstone, marker or burial receptacle for any eligible spouse or child buried in a national, state, or tribal veterans cemetery regardless of the date of death. Per current United States Code, eligible spouses and children who died before November 11, 1998, or who die after October 1, 2024, are ineligible for this benefit. Additionally, the bill would extend this benefit for another ten years to October 1, 2034. This legislation would remove obstacles that currently prohibit memorializing eligible family members alongside their veteran or active duty beneficiary based on the family member's date of death.

The bill's namesakes, Dennis and Lois Krisfalusy, were a veteran and his spouse killed in a Mexico earthquake in 1985. In 2023, VA provided a memorial marker for Dennis; however, current statute prohibits VA from inscribing Lois' name on the marker.

### **H.R. 8792, To establish a flower ordering program for gravesites under the purview of the American Battle Monuments Commission**

In 2015, the American Battle Monuments Commission (ABMC) discontinued the ABMC Flower Fund program it initiated in the wake of World War II to enable families to place flowers at overseas gravesites. Over the succeeding decades, with the advent of electronic ordering and payment websites, commercial florists subsumed this function, quickly and efficiently processing floral orders.

The VFW supports the reinstatement of this program with the modern upgrades the bill identifies. Specifically, we support ABMC creating a modern program with a secure, public-facing payment system that accepts credit cards and electronic funds transfers. We also concur with ABMC locating the best value vendors in proximity to the gravesites, which is a challenging task for purchasers located in America and other locations. ABMC marketing of the program should spur interest, and the annual reporting requirement would enable sufficient oversight.

However, the VFW urges close attention to the effects of the increased workload, especially at small ABMC sites, and adequate financial and staffing resources.

### **H.R. 8854, To amend title 38, United States Code, to authorize the provision of certain additional burial benefits for individuals for whom an urn or plaque is furnished, and for other purposes**

The VFW supports this legislation that allows interment in a national cemetery for decedents whose survivors initially opted to receive a VA-furnished commemorative plaque or urn if the survivors (or other non-VA entity) pay for the commemorative item. Current United States Code specifies that survivors must make an irrevocable choice of burial location or commemorative item, adding stress to an already tragic event. The VFW favors options for survivors to decide how to memorialize their loved ones.

## **H.R. 8874, To direct the Secretary of Veterans Affairs to report on expanding the use of certain automation tools in the Department of Veterans Affairs**

The VFW supports this legislation that would direct VA to create a plan to aid benefits claims processing by disseminating suitable automation tools developed for the Veterans Benefits Administration's Compensation Service to other VA organizational subdivisions in a deliberate priority order. The bill would also promote modifying existing tools as necessary to increase their availability, functionality, and compatibility with as many subdivisions as possible.

The VFW supports VA exploiting technology to its fullest extent to automate rote processes and build a more responsive, customer-focused claims process. We also suggest that VA employ its enterprise project management office to the fullest extent possible to implement the provisions of this legislation, as this office was instrumental in efficiently administering the Honoring our PACT Act of 2022.

## **H.R. 8880, To direct the Secretary of Veterans Affairs to seek to enter into an agreement with a federally funded research and development center for an assessment of forms that the Secretary sends to claimants for benefits under laws administered by the Secretary, and for other purposes**

Veterans deserve straightforward, clear communications from VA that they can understand on their own. The VFW supports this bill that would seek to revise the forms and letters VA sends to claimants to make them more understandable and better organized. Hiring a federally funded research and development center (FFRDC) that would collaborate with Veterans Service Organizations and other stakeholders during the revision process should yield clearer and more coherent products. However, VA would require sufficient funding to hire the FFRDC, commission the analysis, and implement recommendations prior to the two-year deadline in order for the review to succeed.

## **H.R. 8881, To amend title 38, United States Code, to permanently authorize the performance of Department of Veterans Affairs disability examinations by non-Department physicians pursuant to contracts, and for other purposes**

The VFW strongly supports this bill that would permanently authorize license portability for contracted health care professionals to perform VA disability examinations. The disability examination system has evolved and expanded over many years. In 1996, VA established a pilot program to allow contracted physicians to assist with disability examinations and granted temporary license portability. Since the fall of 2016, VA has transitioned from VA-conducted examinations in VA settings to contracted examinations in non-VA settings for nearly all disability examinations. Exceptions are examinations that VA personnel must specifically perform by law.

This legislation would build upon this program by making license portability permanent and expanding the categories of eligible health care professionals authorized to conduct disability examinations, pursuant to contract specifications. The resulting increase in available providers would benefit all veterans by accelerating the initial stage of the disability claims process, but it would particularly assist rural and tribal veterans who often have few medical options near their homes.

**H.R. 8893, To amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to burials, and for other purposes**

The VFW supports this legislation to extend VA's authority to bury eligible family members who predecease their active duty or veteran beneficiary, and authorize VA to furnish a single headstone or marker for a group interment if each individual in the group is eligible for that benefit.

This bill would allow burying families together, regardless of date of death, alleviating the uncertainty of eligible family members' final resting places. It would also enable appropriate recognition and memorialization of a group killed in a single event. Additionally, this legislation would extend the ending date of both authorizations by seven years to October 1, 2031. Without this bill, these authorities will expire on October 1, 2024.

**H.R. 8910, To authorize the Secretary of Veterans Affairs to enter into an agreement with the Montgomery County Land Bank for the transfer of certain land near Dayton National Cemetery to the Department of Veterans Affairs, and for other purposes**

Though this legislation would apply to a specific situation in Ohio, the VFW supports both this bill and the overarching concept of expanding VA-administered cemeteries when able. In this particular case, the VFW supports authorizing VA to enter into an agreement with a local bank for the transfer of a 58-acre parcel of land near the Dayton National Cemetery that would ultimately provide additional veteran and eligible family member burial spaces.

In 2018, the median age of the nation's 18 million veterans was 65 years old. Considering that fact, coupled with the 71-year-old median age of the 6.4 million Vietnam War veterans, the VFW encourages VA to create a proactive, comprehensive national cemetery land acquisition strategy to ensure satisfying the last wishes of these large and aging veteran cohorts.

**Discussion Draft, To amend title 38, United States Code, to make certain modifications to the administration of benefits for survivors of veterans under the laws administered by the Secretary of Veterans Affairs, and for other purposes**

The VFW supports this legislation except for Section 3 that would amend two critical portions of United States Code, Section 5101(b)(1) by substituting “may also be considered” for “shall also be considered” and “may be considered” for “shall be considered.” Under current law, an application for survivor benefits automatically constitutes a claim for most other related benefits, simplifying the process for claimants. The proposed bill would shift a considerable burden onto survivors to first accurately discern for which benefits they qualify and then to separately apply for each one, all while coping with a personal tragedy.

### **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 2024, 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 preceding two calendar years.