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TESTIMONY

of

RICHARD JONES

AMVETS NATIONAL LEGISLATIVE DIRECTOR

before the

COMMITTEE ON VETERANS' AFFAIRS

SUBCOMMITTEE ON BENEFITS

U.S. HOUSE OF REPRESENTATIVES

on

H.R. 3173, the Servicemembers and Military Families Financial Protection Act of 2001, H.R. 3735, the Department of Veterans Affairs Overpayment Act of 2002, H.R. 3771, legislation that would provide that monetary benefits paid to veterans by States and municipalities shall be excluded from consideration as income for purposes of pension benefits paid by the Secretary of Veterans Affairs, H.R. 4042, the Veterans Home Loan Prepayment Act of 2002, and two draft bills: the Arlington National Cemetery Burial Eligibility Act, and legislation providing dependency and indemnity compensation to the surviving spouse of a veteran with a totally disabling service-connected cold-weather injury.

Tuesday, June 11, 2002
10:00 am., Room 334
Cannon House Office Building

MR. CHAIRMAN, RANKING MEMBER REYES, AND MEMBERS OF THE SUBCOMMITTEE:

On behalf of National Commander Joseph W. Lipowski, I am pleased to present the views of AMVETS regarding H.R. 3173, the Servicemembers and Military Families Financial Protection Act of 2001, H.R. 3735, the Department of Veterans Affairs Overpayment Act of 2002, H.R. 3771, legislation that would provide that monetary benefits paid to veterans by States and municipalities shall be excluded from consideration as income for purposes of pension benefits paid by the Secretary of Veterans Affairs, H.R. 4042, the Veterans Home Loan Prepayment Act of 2002, and two draft bills; the Arlington National Cemetery Burial Eligibility Act, and legislation providing dependency and indemnity compensation to the surviving spouse of a veteran with a totally disabling service-connected cold-weather injury.

Neither AMVETS nor I have been the recipient of any federal grants or contracts during the current fiscal year or the previous two years.

Mr. Chairman, AMVETS has been a leader since 1944 in helping to preserve the freedoms secured by America's Armed Forces. Today, our organization continues its proud tradition, providing not only support for veterans and the active military in procuring their earned entitlements but also an array of community services that enhance the quality of life for this nation's citizens.

Throughout our more than fifty-year history, our focus and indeed our passion have been to represent the interests of veterans as their advocates. In this regard, you and our organization share a common purpose – we support veterans in their efforts to receive the benefits that a grateful nation intended them to have in recognition of their dedicated service to our country.

As a nation, we owe veterans an enormous debt of gratitude – for their service, their patriotism, and their sacrifices. The benefits to which they are legally entitled are not the product of some social welfare program, as some might argue. Rather they are yet another cost of freedom that unfortunately is too often forgotten.

As a national service organization, AMVETS is committed to assisting veterans in their times of need. For example, during the past sixteen years, we, together with DAV, PVA, and VFW, have co-authored a document titled *The Independent Budget* in which we identify the funding requirements necessary to support the Department of Veterans Affairs.

We believe that America's promises made to veterans for their military service need to be recognized and honored as our forebears intended. We believe that veteran's benefits should be provided in a timely and compassionate manner. We believe that to do less dishonors those whose service in defense of this nation provides a central underpinning for the prosperity and freedoms we all enjoy.

Regarding the matters before the Subcommittee:

H.R. 3173, the Servicemembers and Military Families Financial Protection Act of 2001:

H.R. 3173 would increase the monthly lease amount protected by the Soldiers' and Sailors' Civil Relief Act (SSCR) to \$1,950 from its current level of \$1,250. The SSCR is critical to our fighting men and women. When duty calls, the last thing our servicepeople need to worry about is whether their families will have a home when they are gone. H.R. 3173 also increases the maximum coverage under the Servicemembers' Group Life Insurance (SGLI) and the Veterans' Group Life Insurance (VGLI) to up to as much as \$1 million from its current ceiling of \$250,000. Both of these provisions in H.R. 3173 recognize the ever-increasing cost of living, and AMVETS offers its full support of this legislation.

H.R. 3735, the Department of Veterans Affairs Overpayment Act of 2002:

H.R. 3735 would extend the period of application for a waiver for overpaid benefits to 180 days. Additionally, this legislation would allow the Secretary to waive reclamation of an overpayment if the Secretary deems the recovery more costly than the overpayment. AMVETS believes H.R. 3735 enhances the fairness of the overpayment recovery process and supports this legislation.

H.R. 3771, legislation that would provide that monetary benefits paid to veterans by States and municipalities shall be excluded from consideration as income for purposes of pension benefits paid by the Secretary of Veterans Affairs:

H.R. 3771 would exclude those monetary benefits paid to veterans by a State or municipality from being included in the income calculations for federal veterans' pension benefits. As currently formulated, veterans' pension benefits paid by the VA are based on taxable income and therefore are reduced for those veterans with larger incomes. This legislation would require that benefits paid by State or municipal agencies would be excluded from calculations that reduce federal pension payments. AMVETS believes that veterans have earned the benefits promised by the federal government, and these benefits should not be compromised by the actions of State or municipal governments. AMVETS fully supports H.R. 3771.

H.R. 4042, the Veterans Home Loan Prepayment Act of 2002:

H.R. 4042 would prevent interest to accrue on a prepayment of a VA guaranteed loan during refinancing due to lender and mortgage company accounting and "business day" practices. While the monetary amounts charged in these instances may be small, AMVETS believes America's veterans should not be penalized for seeking to refinance their home. AMVETS fully supports H.R. 4042.

Arlington National Cemetery Burial Eligibility Act:

Arlington National Cemetery is America's most prominent national cemetery. It serves as a national shrine and a tangible reminder of our heritage and an inspiration for our future. It honors the men and women who have served in our armed forces and those Americans who have

made extraordinary contributions to the Nation. This site, on a hillside overlooking the Potomac, has become a land of veneration and symbol of reverence for Americans everywhere.

We fully recognize that Arlington has been governed by eligibility standards for burial for more than 30 years. These rules were put in place because land available for burial was limited and part of the Army's plan was designed to ensure that Arlington would remain active as our Nation's foremost national cemetery. The rules establish who gets honored with burial at Arlington.

These rules governing burial at Arlington are strict, as they should be. Past rules have served us well to uphold the sanctity of Arlington as a final resting place and tribute to those Americans who have served our country with distinction. We must recognize, however, that times change and as America moves forward, and we should recognize the changing missions of our military forces and incorporate and update policy as appropriate.

In this regard, we believe it is appropriate to eliminate the requirement for retired reservists to be 60 years old before being admitted to Arlington. Burial in this most hallowed ground should not be hinged to a point in the life when a retired reservist begins to collect his retirement pay. The strict standards for burial at Arlington should be amended in this regard. The change would maintain the integrity of the strict standards for interment at Arlington while also recognizing the need to address potential problems as they apply to an entire category of individuals.

AMVETS would also support legislation to recognize that members of the reserves who die in active duty training or inactive duty training should be allowed burial in Arlington National Cemetery. Often mixed flight crews of reserves and active duty personnel work together to fly in troops, materiel, and related supplies. If such a plane were to unfortunately fall from the sky and its crew be killed, current code holds active duty personnel eligible for Arlington burial but reservists not. This is a peculiar outcome, based solely on the reservist's "paperwork" describing an individual's status as "in training." We trust the panel agrees.

Draft legislation providing dependency and indemnity compensation to the surviving spouse of a veteran with a totally disabling service-connected cold-weather injury:

AMVETS does not oppose the provisions in this proposed legislation that would pay dependency and indemnity compensation (DIC) to surviving spouses of veterans who were totally disabled for at least one year prior to their death as a result of a service-connected cold-weather injury.

As a matter of our advocacy, AMVETS believes that totally disabled veterans are under compensated, and we urge Congress to understand that service-connected needs of veterans should be given the highest priority, and that service-connected compensation and death benefits should be liberal and generous.

This concludes my statement. I would be pleased to address any questions or comments that you or other members of the panel may have and thank you, again, for the opportunity to present our remarks.

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**Richard “Rick” Jones
National Legislative Director**

Richard “Rick” Jones joined AMVETS as the National Legislative Director on January 4, 2001. As legislative director, he is the primary individual responsible for promoting AMVETS legislative, national security, and foreign affairs goals before the Departments of State, Defense, and Veterans Affairs, and the Congress of the United States.

Rick is an Army veteran who served as a medical specialist during the Vietnam War era. His assignments included duty at Brooke General Hospital in San Antonio, Texas, Fitzsimmons General Hospital in Denver, Colorado, and Moncrief Community Hospital in Columbia, South Carolina. At Moncrief Hospital, Rick was selected to assist in processing the first members of the all-volunteer Army.

Rick completed undergraduate work at Brown University prior to his Army draft and earned a Master Degree in Public Administration from East Carolina University in Greenville, North Carolina, following military service.

Prior to assuming his current position, Rick worked nearly twenty years as a legislative staff aide in the offices of Senator Paul Coverdell, Senator Lauch Faircloth, and Senator John P. East. He also worked in the House of Representatives as committee staff for Representative Larry J. Hopkins and Representative Bob Stump.

In working for Rep. Stump on the House Committee on Veterans’ Affairs, he served two years as Republican minority staff director for the subcommittee on housing and memorial affairs and two years as Republican majority professional staff on funding issues related to veterans affairs’ budget and appropriations.

Rick and his wife Nancy have three children, Sarah, Katherine, and David, and reside in Springfield, Virginia.

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