

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

As Presented By

**IRA NOVOSELSKY
NATIONAL COMMANDER**



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

March 5, 2009

Ira Novoselsky
National Commander



National Commander Ira Novoselsky has been a member of JWV since 1978 and is a Life Member. He became the Department Commander of the Massachusetts JWV in 1988-89 and served as Post Commander and Quartermaster of Prince-Strauss/Benjamin Groman Post #161 in Revere, Massachusetts.

He served the Department of Massachusetts as its Adjutant, Convention Chairman, Action Committee Chairman, Legislative Chairman, "Classmates Today - Neighbors Tomorrow" Brotherhood Chairman, Scholarship Chairman, NEC and JCRC Representative. He was also appointed by the Governor as a member of the Massachusetts Council on Veteran Affairs. He has been selected as JWV'er of the year within the Department of Massachusetts.

On the National level, he was National Chief of Staff to National Commander Bernard Becker. He has served as a member of the Convention Committee, the Standing Committee, Resolutions Committee, Policy Committee, Action Committee, as Editor of *The Jewish Veteran*, a member of the National Museum of American Jewish Military History Executive Board, Chairman of the National Informational Technology Committee, and on the Coordinating Committee.

Ira began his military career in 1968, serving in the Army Reserve during the Viet Nam conflict until 1974. He then rejoined the military in 1986 joining the Massachusetts National Guard. He recently retired from the Guard after 20 years and over 26 years of military service.

In addition to his positions in the JWV, he is a Past Commander of the Revere American Legion Post 61 and a member of AMVETS Post 21. He is the Co-chairman of the Revere Veterans Committee and has been an elected member of the Revere City

Council for the past 6 years, recently serving as its Vice President. He is a Past King Lion of the Revere Lions Club and a Past Chancellor Commander of the Knights of Pythias. Ira is also the President of his synagogue in Revere.

He and his wife Rochelle have a son, Seth, daughter-in-law, Jeannemarie, and two granddaughters, Olivia Rose and Charleigh Jaye.

TABLE OF CONTENTS

INTRODUCTION.....	5
NO GOVERNMENT FUNDING.....	7
THE MILITARY COALITION	7
THE PARTNERSHIP FOR VETERANS HEALTH CARE BUDGET REFORM	7
VA BUDGET.....	8
VA HEALTH CARE.....	8
MANDATORY FUNDING.....	9
REDUCED COST OF VA MEDICATIONS.....	10
POST TRAUMATIC STRESS DISORDER	11
INCREASED AGENT ORANGE FUNDING.....	13
INCREASED VA LONG TERM CARE FACILITIES	13
WOMEN VETERANS.....	13
BIO/CHEMICAL SCREENING.....	14
SUPPORT FOR DETERMINATION OF PARKINSON’S DISEASE AS SERVICE CONNECTED	14
TREATING THE WOUNDED WARRIORS AND THEIR FAMILIES.....	14
DOD-VA SEAMLESS TRANSITION OVERSIGHT.....	15
SUPPORT FOR THE NATIONAL GUARD AND RESERVE.....	17
FULL VETERAN STATUS FOR CERTAIN GUARD/RESERVE RETIREES	18
GI BILL – SELECTED RESERVISTS LEFT BEHIND.	18

VA DISABILITY CLAIMS SYSTEM.....	19
EQUAL JUSTICE FOR OUR MILITARY ACT.....	20
CREMAINS.....	20
HOUSING.....	21
PREVENTING HOMELESSNESS AMONG VETERANS.....	21
UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT ACT.....	22
SERVICE MEMBERS CIVIL RELIEF ACT.....	23
MIA/POW.....	24
BACK-UP TO DOD.....	24
EYE-CARE FOR MILITARY PERSONNEL AND VETERANS.....	25
FILIPINO VETERANS.....	26
CONCURRENT RECEIPT.....	26
CONCLUSION.....	27

INTRODUCTION

Chairman Akaka, Chairman Filner, and Members of the Senate and House Committees on Veterans' Affairs, my fellow veterans and friends, I am Ira Novoselsky, 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 and the President of our National Museum of American Jewish Military History, PNC David Magidson, the President of our Ladies Auxiliary, JoAnn Lifshitz, 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 Senators and Representatives 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 Debbie Wasserman-Schultz (D-FL), at our Congressional Reception yesterday evening, in recognition of her truly outstanding work for America's veterans. It was equally rewarding to JWV to have so many of you participate with us!

Mr. Chairman, next week, on March 15th, we at JWV will celebrate JWV's 113th birthday. For these 113 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 113th National Convention in Pittsburgh, PA, 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 Senate and the House 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.

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-- helped develop and fully endorse 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.

VA BUDGET

Mr. Chairman, for many, many years the Veterans Service Organizations have asked for just benefits and compensation for all veterans.

Now the Congress has approved the American Recovery and Reinvestment Act, originally known as H.R. 1, the largest spending bill in the history of our nation.

JWV asks that veterans needs be fully addressed. Many institutions, agencies, and inept, even corrupt organizations and individuals are being bailed out. JWV asks that access to care, that VA medical research, that disability benefits, that long term care for veterans, and many, many other genuine needs be addressed.

The Congress should do no less!

VA HEALTH CARE

JWV is pleased that Congress passed a \$41 billion VA health care appropriation for FY 2009, a \$4.1 billion increase over 2008. The bill includes funding for more mental health services, re-opening enrollment to some Category-8 veterans, a rate hike in the travel reimbursement, expanded care for rural veterans and funding for modern prosthetics. Despite these gains, over the past 13 of 14 years Congress has not provided funding for the VA until after the start of the fiscal year causing chronic disruption of services, research, capital construction and access to VA services by our nation's veterans. Going forward, the VA health system needs a stable funding mechanism to ensure health care 'supply' is able to meet growing demand. JWV asks Congress to:

- Enact legislation to authorize two-year advance appropriations for the VA health care system. This goal is consistent with JWV's longstanding support of

the Presidential Task Force Report on DoD – VA Health Collaboration (2003) recommendation that the VA should be fully funded “through modifications to the current budget and appropriations process, by using a mandatory funding mechanism, or by some other changes in the process that achieve the desired goal.”

- Ensure VA is made accountable to meet its published access standards. Consider adopting VA access standards in law as a means of achieving the “full-funding” objective in future years.

MANDATORY FUNDING

The Jewish War Veterans of the USA (JWV) applauds the newly 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 proposed legislation would authorize Congress to approve VA medical care appropriations one year in advance of each fiscal year rather than depend on funding for the current fiscal year that often results in late funding or under funding or no proper funding for the basic needs of our wounded warriors.

This is an important first step toward mandatory funding for the department, which would ensure that not only is the funding available when it is needed, but that what is available is sufficient for the needs of all of those wounded veterans who so desperately need medical services for injuries received in service to their country.

JWV, a member of the Partnership for Veterans Health Care Budget Reform, in which it joins with other Congressionally-chartered veterans’ service organizations to work for improvements in the funding mechanism for the VA,

commends Senator Daniel Akaka (D-HI) and Rep. Bob Filner (D-CA), chairmen of the Senate and House veterans affairs committees, for introducing this bill at the start of the 111th Congress. It is hoped that the current bipartisan coalition of co-sponsors will continue to grow and ensure fast and easy confirmation for the bill. 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. The VA must know what resources they will have in advance to provide the best possible care for these patients.

The JWW applauds the introduction of this bill and hopes for its speediest passage. We look forward to working with our colleagues in the Partnership for Veterans Health Care Budget Reform after passage of this bill to continue to fight for mandatory funding for the VA.

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.

REDUCED COST OF VA MEDICATIONS

The Jewish War Veterans of the USA finds it difficult to understand why the Department Veterans Affairs charges \$8.00 for a monthly supply of a generic drug while so many chain stores are now charging \$4.00 for a monthly supply and, some, \$10.00 for a three month supply. These are obviously the same or equivalent medications from the same or equivalent manufacturers. Since many veterans take multiple medications, the expense of these medicines can have a major impact on

their ability to make ends meet. Therefore, the Jewish War Veterans of the USA calls upon Congress and the Department of Veterans Affairs (DVA), to reconsider the pricing of generic drugs to charge the same as or less than the prices charged by private vendors or, in the alternative, to write prescriptions which can be filled by commercial pharmacies.

Furthermore, the Jewish War Veterans of the USA calls upon the DVA to make available to veterans those new medications which are not in its pharmacopoeias because there are no generic formulations but which better fulfill the medical needs of the veterans.

POST TRAUMATIC STRESS DISORDER

We are all too aware of the stresses of war and, particularly, urban combat like we find in Iraq. The veterans returning from Afghanistan are facing no fewer stresses placed upon them in the extreme conditions in that battle front. 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.

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 the war experiences, or having reported to superiors that a comrade has exhibited manifestations of PTSD. In addition, we ask that there be funds specifically allocated for the hiring, training and deployment of mental health professionals in the combat zones as well as with the returning units, including the active component, the Reserve and National Guard.

At all stages of PTSD and depression, treatment is time sensitive but this is particularly so after onset as the illness could persist for a lifetime if not promptly and adequately treated and could render the member permanently disabled. The effects of this permanent disability on the member's entire family can be devastating. It is absolutely imperative that members returning from deployment be screened with full confidentiality at the home station while still on active duty by trained and qualified mental health care providers from VA staff and/or qualified health care providers from the civilian community that could include primary care physicians, physician assistants and nurse practitioners who have training in assessing psychological health presentations. Prompt diagnosis and treatment will help to mitigate the lasting effects of mental illness. This examination process must be managed by the VA in coordination with the National Guard Director of Psychological Health for the respective state, and the state's Department of Mental Health to allow transition for follow up treatment by the full VA and civilian network of providers within the state. Where necessary, the examining health care provider in coordination with the National Guard J-1 and State's Surgeon General can cause the member to be retained on active duty locally for further treatment and evaluation.

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.

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.

WOMEN VETERANS

The Jewish War Veterans of the USA has long recognized that women veterans have unique problems arising out of their military service, as well as those problems suffered by all who have served. These problems included sexual harassment and assault, which continue to impact upon the lives of the women long after their separation from active military duty. With the increasing number of women seeing active duty, as a result of Operation Iraqi Freedom and Operation Enduring Freedom, this Nation is witnessing a rapid and unparalleled number of women in need of counseling and specialized medical services. Therefore, the

Jewish War Veterans of the USA calls upon the Departments of Defense and of Veterans Affairs to provide the essential services unique to the female veterans' population.

BIO/CHEMICAL SCREENING

With the increased exposure to biological and chemical agents in modern warfare comes the concurrent need for biological and chemical screening. The Jewish War Veterans of the USA recognizes that the Department of Veterans Affairs facilities which now work with veterans exposed to Agent Orange can be and should be utilized to screen and treat veterans suffering from biological and chemical exposure as well.

SUPPORT FOR DETERMINATION OF PARKINSON'S DISEASE AS SERVICE CONNECTED

There is considerable information that the onset of Parkinson's disease may be service-connected. Much of the information comes from well-respected and widely recognized universities and research facilities. The Jewish War Veterans of the USA calls upon the Department of Veterans Affairs to consider the expansive research available and, after careful review, make a determination whether the research supports the proposition that Parkinson's disease among veterans is *prima facie* service-connected, or that veterans who can meet a set of published criteria will be determined to have a service-connected disability.

TREATING THE WOUNDED WARRIORS AND THEIR FAMILIES

Recent studies have brought to the fore that there are far too many errors of commission and omission in the care and treatment of today's wounded warriors. These include not only the service member, but the servicemember's family as

well. We have learned from various studies that which we knew intuitively, that the service member's family must be cared for before, during and after any deployment. The military is deploying and redeploying members of the Reserve and National Guard components as never before in history. We know that these multiple deployments cause tremendous stresses upon the family fiber and structure. The men and women coming home are not ready to be simply deactivated and dropped back into the family. The family dynamics have changed during the time of their absence and neither the service member nor the family is prepared to reintegrate the absent member without some level of professional assistance. Therefore, the Jewish War Veterans of the USA calls upon the Department of Defense and the Department of Veterans Affairs to work together to insure that the transition from a military family to a veteran's family is done seamlessly and well-orchestrated so that there is no break in services, counseling and medical care for the wounded warrior and the family unit.

DOD-VA SEAMLESS TRANSITION OVERSIGHT

The JWV believes strongly that seamless transition goals will never be realized without the vigilant oversight of a permanent, jointly-staffed DoD-VA oversight agency. Part-time oversight by joint committees that meet periodically have never been and never will be adequate to meet that need.

Success will require aggressive personal involvement and accountability from the most senior leaders of both Departments. But nothing can replace the leadership accountability of a single-mission, joint office in which representatives of the two agencies are assigned full-time responsibility, authority, and resources to provide meaningful oversight, with regular reporting responsibilities to the Secretary of Defense, the Secretary of Veterans Affairs and the Committees on Armed Services and Veterans Affairs.

We note, for example, a January 2009 GAO report which found that DoD and VA lack results-oriented performance goals and measures for establishing a joint electronic health record, and that they have not fully executed the statutorily required Joint Interagency Office, which at that time of GAO's evaluation had no director, deputy, or staff.

We're grateful that Congress extended the statutory authority for the DoD/VA Senior Oversight Committee through the end of 2009 rather than allowing it to expire, but the very transience of this authority significantly undermines the Committee's effectiveness. SOC incumbents are understandably distracted by the uncertainty of their own futures and dealing with other governmental priorities, and program administrators being overseen are more than aware that their overseers may not be around very long.

JWV believes it is of overriding importance to establish a permanent Joint Seamless Transition Office, responsible for managing, implementing, monitoring and reporting to senior DoD, VA and congressional leaders on all aspects of the seamless transition process including, but not limited to:

- Joint, single separation physical
- Consistent DoD/VA disability evaluation system
- Bi-directional electronic medical and personnel records data transfer
- Medical centers of excellence and operations/research projects
- Coordination of care, treatment, and information, including DoD-VA federal/recovery coordinator clinical and non-clinical services and case management programs

SUPPORT FOR THE NATIONAL GUARD AND RESERVE

Mr. Chairman, I am a retired SSGT from the Massachusetts National Guard and, therefore, have a very, very special interest in National Guard and Reserve personnel.

Since Sept. 11, 2001, more than 675,000 Guard and Reserve service men and women have been called to active federal service. More than 150,000 have served multiple deployments. In this regard, they are experiencing virtually the same sacrifices as active duty members and families – on a level never envisioned by the architects of Guard and Reserve personnel and compensation systems. However, readjusting to home life, returning to civilian jobs and the communities and families they left behind pose unique problems and added stress for Reserve Component members.

Unlike active duty personnel, whose combat experience enhances their careers, many Guard and Reserve members return to employers who are unhappy about their active duty service and find that their civilian careers have been inhibited by their prolonged absences.

In many cases, those returning with various degrees of combat-related injuries and stress disorders encounter additional difficulties after they return that also can cost them their jobs and careers.

This is compounded by the reality that, despite the continuing efforts of the Subcommittee, most Guard and Reserve families do not have access to the same level of counseling and support services that the active duty members have.

In short, the Reserve components face increasing challenges virtually across the board, including major equipment shortages, end-strength requirements, wounded-warrior health care, and pre- and post-deployment assistance and counseling.

FULL VETERAN STATUS FOR CERTAIN GUARD/RESERVE RETIREES

Some Guard and Reserve servicemembers complete 20 years of qualifying service for 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 requests the Congress to:

- Amend Title 38 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

GI BILL – SELECTED RESERVISTS LEFT BEHIND

JWV is most grateful to Congress for passage of the Post-9/11 GI Bill. The "Webb GI Bill" incorporates a number of major JWV goals for the GI Bill including benefits that match the cost of education, extension of the post-service usage period to 15 years, and cumulative credit for G-R service on active duty. However, volunteers who join the Selected Reserve were left behind in this legislation. Benefits for joining the Selected Reserve were not upgraded or integrated in the Post-9/11 GI Bill as JWV has long recommended. Today, the ratio between these benefits and active duty Montgomery GI Bill benefits has plunged to 24.9% against a historical ratio of 47-50%. Moreover, these benefits are not just about the principle of "proportional equity" also are essential to successful recruitment programs for the Guard and Reserve. JWV requests the Congress to:
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.

VA DISABILITY CLAIMS SYSTEM

The VA claims system continues to be of great concern to JWV. As of October 3, 2008, total claims in the VA system were 847,285. This figure includes initial claims, claims on appeal, and educational benefits claims. The VA Budget request for FY2009 projects 872,000 claims working in the system in 2009. From 2000 to 2007 annual claims receipts grew 45% -- from nearly 579,000 to 838,141.

Increased workload, coupled with more complex claims and the nature of disability claims for PTSD, complex combat injuries, environmental diseases and other factors have contributed to the spiraling workload. JWV appreciates that Congress is greatly concerned over the problem and has authorized 2000 additional claims-worker positions for FY 2009. An expanded workforce for claims will help, but only in the context of a comprehensive, long-term strategy on claims management, training upgrades, reduced manpower turnover at the entry level, IT support, and quality-control. JWV requests the Congress to:

- Hire and train to the same standard the 2000 additional claims workers approved by Congress in 2008
- Continue Investment in state-of-the-art technology and information management support
- Compensate adjudicators at a level that will reduce chronic staff turnover
- Establish uniform standards and procedures for rating claims
- Support robust Congressional oversight of the VA claims process

EQUAL JUSTICE FOR OUR MILITARY ACT

Under current law, military members convicted under the Uniform Code of Military Justice are denied the same appeal rights to the U.S. Supreme Court that all other Americans are afforded in our country's justice system.

Since the individual filing the appeal is almost always no longer in service, and thus a veteran, JWV asks the Veterans' Affairs Committees to weigh in on this important issue.

JWV supports legislation that will restore due process and equal treatment under the law for our service members and veterans.

We ask your support for the introduction and passage of legislation the same or similar to H.R. 3174 from the 110th Congress.

CREMAINS

"Cremains" is shorthand for cremated remains. It has come to the attention of the Jewish War Veterans of the USA that there are the cremains of veterans sitting on the shelves of funerals homes where a cremation had been requested but the remains never claimed. These cremains have been known to stay on the shelves for decades. We find this intolerable and an insult to the memory of every veteran who ever served this country. Therefore, the Jewish War Veterans of the USA calls on the legislatures of the several States to enact laws which would permit veterans service organizations or the states' Department of Veterans Affairs or the equivalent to assume possession of these cremains so as to assure that there will be a disposition of the cremated remains in a dignified fashion with the honor due all former members of the Armed Forces.

HOUSING

It is clear that there is a crisis in adequate housing with all segments of American society. This is especially true within the very low income veterans' community. The House of Representatives has passed H.R. 3329 entitled the "Homes for Heroes Act of 2008." The Bill is aimed at assisting veterans and their dependents afford safe, clean, and habitable rental units. In addition, it would permit the construction of rental units restricted to veterans and their dependents without the requirements of the Fair Housing Act which would make the units available to all without a specific preference to the veteran population. It would, also, create a separate component for veterans and their dependents under Section 8 of the Housing Act and under the Low Income Housing Tax Credit programs. The Jewish War Veterans of the USA supports the "Homes for Heroes Act of 2008" and urges the Senate to act quickly so the Bill can be passed by this Congress rather than await the new Congress and the need to start completely fresh.

PREVENTING HOMELESSNESS AMONG VETERANS

Veterans make up a disproportionate share of homeless people, representing roughly 26 percent of the homeless, but only 11 percent of the civilian population 18 years and older. The number of Operation Enduring Freedom (OEF) and Operation Iraqi Freedom (OIF) veterans 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

UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT ACT

The Uniformed Services Employment and Reemployment Act (USERRA) are designed to protect servicemembers as they return to the workforce. While the Law works quite well, it can still use some amendments to make it assist returning servicemembers and their families. It must be made clear that the Law supersedes any contract regardless of the contracting parties and that any complaining employee is shielded against discriminatory dismissal. Furthermore, the Act must provide for punitive damages in some of the more egregious cases and must allow the injured worker to bring suit against employers. Additionally, the aggrieved worker should be able to pick the forum, i.e., either state or federal court as he/she decides. Finally, protections need to be extended to those family members who must suspend their employment to care for a dependent due the activation of a spouse or other individual akin to a spouse. JWV requests 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

- Amend USERRA to require documentation, confirming military service during a period of absence
- 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

SERVICE MEMBERS CIVIL RELIEF ACT

The Servicemembers Civil Relief Act replaced the out-dated Soldiers and Sailors Relief Act. It is designed to protect members of the military on active duty. Since its passage, some deficiencies have become obvious and need to be addressed. Clearly, many of the protections afforded members of the military must be given to their families as well. Also, when activated, the servicemembers need to be released from personal service contracts such as cell phones, utilities, cable/dish television agreement, etc. Servicemembers called to active duty while enrolled in an educational institution should be entitled to a full refund of their tuition, fees, etc., and should be permitted to reenroll upon their release from active duty without the necessity of going through the application process again. Furthermore, the grace period for the starting date of the repayment of all student loans should be abated and adjusted to reflect the period of time the individual was on active duty. Finally, employers and employees should be permitted to contribute to defined contribution retirement plans (401) (k)-(403) (b) during periods of active

duty of members of the Reserve and National Guard components. JWV requests Congress to:

- 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
- Consistent with other SCRA provisions, eliminate “early termination fees” that landlords may impose on servicemembers who terminate a lease due to an overseas deployment or PCS move
- 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

MIA/POW

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 Killed in Action- No Body Found and to continue to use all our available resources for that single purpose.

BACK-UP TO DOD

VA Hospitals must be adequately funded, staffed and equipped to perform their vital role as this nation’s only back-up for DoD medical facilities. U.S. military

personnel could possibly suffer casualties exceeding the capacity of the combined military medical treatment facilities.

In such a case, the VA would be vital to the nation. JWV strongly urges the Congress to fund the VA to handle this potential workload.

EYE-CARE FOR MILITARY PERSONNEL AND VETERANS

We are all aware of the extraordinary number of eye injuries suffered by those who have served in Iraq and Afghanistan. The frequent use of Improvised Explosive Devices (IEDs) as well as mortars, rocket fire, mines, etc., have caused hundreds of serious eye injuries in our personnel. Actually, even one is too many.

Mr. Chairman, JWV has a special interest in the opening of the military Vision Center of Excellence. Our colleagues in the Blinded Veterans Association have requested that we ask why the military Vision Center of Excellence has never opened. It is now more than a year since President Bush signed the 2008 law mandating this vision center. One of the Co-Sponsors was then Senator Barack Obama. Still, the Vision Center of Excellence has not opened.

The delay comes as roadside bombs in Iraq and Afghanistan continue to take a toll on the eyes of our servicemembers. Some 13% of all casualties suffered eye damage ranging from distorted vision to blindness. And a new category of impaired vision has emerged for soldiers suffering traumatic brain injury (TBI) from blast. These victims have eyes that no longer work together properly.

While military and VA doctors treat these eye wounds, the Vision Center is designed to efficiently identify and track them, connect victims with specialists, and promote advancement of eye-care medicine.

JWV strongly urges each of you to help find a way to get this much needed vision center functioning.

FILIPINO VETERANS

For many years, JWV has repeatedly asked for equity for Filipino veterans. Our Chairman, PNC Robert Zweiman, who is a veteran of service in the Philippines, has championed the cause of the veterans within the JWV.

Both Philippine army regulars and guerilla fighters were ordered to serve under the U.S. Army by President Roosevelt in 1941, when Japan involved areas under American control.

The Filipino fighters fought bravely against the Japanese. They gallantly fought side by side with American personnel and suffered numerous casualties along with our soldiers.

While approximately 300,000 Filipinos fought under the American flag, less than 18,000 are still living today.

JWV was very pleased to note the announcement on February 20th by VA Secretary Eric Shinseki that the VA will be paying a new benefit for Filipino Veterans who aided American Troops in World War II.

Secretary Shinseki announced that claims are now being accepted from Filipino Veterans eligible for one-time payments of \$9,000 for non-U.S. citizens and \$15,000 for those who are citizens of the United States.

CONCURRENT RECEIPT

JWV strongly believes that disabled veterans should be permitted to receive both military retirement benefits and VA disability compensation.

JWV knows that these programs have unique intents and purposes: military retirements benefits are intended to compensate for years of service, while VA disability compensation is intended to provide for disability or death attributable to military service.

JWV demands that Congress make it permissible to receive both benefits concurrently.

CONCLUSION

Chairman Akaka and Chairman Filner, 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 and Afghanistan. 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.