



For God and Country

LEGISLATIVE PRIORITY SHEET

FY 09 Mil Con – VA Appropriations – The House passed H.R. 6599, the FY 2009 Military Construction – Veterans Affairs (Mil Con-VA) funding bill, by a vote of 409-4. The measure seeks to add \$3.6 billion for VA medical care, to total \$40.3 billion. The Senate version, S. 3301, was reported out of the Appropriations Committee. This bill would increase VA medical care spending to a total of \$40.6 billion. Much of the increased funding in these measures will go toward VA construction, addressing the increasing VA benefits claims backlog, and caring for the veterans of the Global War on Terror. The American Legion urges passage of the Mil Con-VA appropriations before adjournment.

Program	FY 2008 Final	FY2009 HR 6599	FY2009 S 3301
Medical Services+	\$29.1 billion	\$30.9 billion	\$35.6 billion (see + note.)
Medical Administration+	\$3.5 billion	\$4.4 billion	(see + note.)
Medical Facilities	\$4.1 billion	\$5 billion	\$5 billion
Medical Care Total	\$36.7 billion	\$40.3 billion	\$40.6 billion
Medical Care Recovery Fund	(\$2.4 billion)	(\$2.5 billion)	(\$2.5 billion)
Medical and Prosthetic Research	\$480 million	\$500 million	\$527 million
Major Construction	\$1.1 billion	\$923 million	\$1.2 billion
Minor Construction	\$630 million	\$991 million	\$729 million
State Veterans Homes Grants	\$165 million	\$165 million	\$250 million
State Veterans Cemetery Grants	\$40 million	\$45 million	\$42 million
National Cemetery Administration	\$195 million	\$240 million	\$230 million
Information Technology	\$2 billion	\$2.5 billion	\$2.5 billion
General Operating Expenses	\$1.6 billion	\$1.8 billion	\$1.8 billion

* The American Legion continues to support using Medical Care Recovery Funds as supplements, not offsets, to discretionary VA funding.

+Medical Services and Medical Administration accounts – VA's FY 2009 budget request proposed merging the Medical Services account and the Medical Administration

VA Outsourcing – Earlier this year, The American Legion hailed the passage of the Post 9/11 Veterans Education Assistance Act – commonly known as the “New GI Bill,” – contained in Public Law 110-252, which was signed on June 30 and is expected to take effect August 1, 2009. The new law dramatically improves education benefits for veterans and their families, eliminates a \$1,200 buy-in now charged to military personnel who choose to use the program, and expands services for members of the National Guard and Reserve components. However, reports are circulating that the Department of Veterans Affairs (VA) is planning to hire an outside company to implement the New GI Bill. There are also reports that VA may hire outside companies to inspect state veterans' homes. Any plans VA has to hire outside contractors for any purpose will face fierce objection from the world's largest veterans organization. VA should hire the staff necessary to fulfill the law's requirements. The Legion, which strongly opposes the movement toward outsourcing critical services that could be handled internally at vVA, also passed a resolution opposing efforts to hire outside companies to perform inspections on state veterans homes which have always been performed by trained VA staff.

FY10 Department of Veterans Affairs (VA) Budget Recommendation – The National Commander’s testimony signals the beginning of the FY2010 budget cycle for the Department of Veterans Affairs (VA). The American Legion continues to lobby Congress in this way to spotlight the needs of America’s veterans and their dependents. The table below outlines The American Legion’s VA funding recommendations for FY2010:

Program	Legion’s Request for FY 2010
Medical Services	\$42.8 billion (includes medical and Prosthetic research)
Medical Administration	
Medical Facilities	
Medical Care Total	
Medical Care Recovery Fund	*
Medical and Prosthetic Research	\$532 million
Major Construction	\$1.8 billion
Minor Construction	\$1.5 billion
State Veterans Homes Grants	\$275 million
State Veterans Cemetery Grants	\$49 million
National Cemetery Administration	\$249 million
Information Technology	\$2.7 billion
General Operating Expenses	\$2.8 billion

*The American Legion continues to support using Medical Care Recovery Funds as *supplements*, not *offsets*, to discretionary VA funding.

Budget Reform for VA Medical Care – The American Legion is concerned that VA medical care’s annual appropriation is rarely timely, predictable, or sufficient. VA medical care appropriations are rarely available by the start of the fiscal year (October 1). The American Legion participates in the Partnership for Veterans Health Care Budget Reform to urge Congress to assure timely, predictable, and sufficient VA medical care appropriations. This group still supports changing VA medical care appropriations from discretionary to mandatory funding; however, many in Congress opposed this because of the growing percentage of the Federal budget that is already mandatory (entitlement) spending. As an alternative, the Partnership is proposing an alternative approach – *advanced appropriations*. VA medical care appropriations would remain discretionary; however that account would be approved one year in advance of the fiscal year. This would resolve the question of timely and predictable that would not be affected by continuing resolutions or other budget delays. The American Legion could still request additional funding if the amount already approved appeared insufficient.

Medicare Reimbursements – When Medicare-eligible veterans receive allowable health care treatment for a medical condition in the private sector, the Federal government reimburses the health care provider for a portion of that service. When Medicare-eligible veterans receive health care treatment for the same medical conditions within VHA, the Federal government will not reimburse VHA for any portion of that service. This equates to a restriction on a veteran’s right to access health care of his or her choice and using his or her Medicare benefit. However, the veteran’s private supplemental health insurance company is billed by VA. The American Legion believes that Medicare reimbursements should supplement VA annual budget. We will continue to lobby lawmakers to authorize VA to collect third party reimbursements from the Centers for Medicare and Medicaid Services (CMS). The American Legion fully supports Medicare reimbursement for VA and will seek legislation in the 111th Congress.