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Veterans of Foreign Wars Legislative Priorities

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Cracking Down on Predatory Claim Companies

The VFW's Concerns:

The VFW is concerned that bad actors have been preying on veterans seeking to access their earned Department of Veterans Affairs (VA) benefits. When the COVID-19 pandemic struck, non-accredited consulting groups that the VFW calls "Claim Sharks" viewed the chaos as an exploitation opportunity. These groups aggressively advertised online for veterans to increase their disability ratings and finally receive the benefits they deserve. Consultants who refuse to adhere to VA's well-established standards of accreditation and fee arrangements should be subject to penalties in the same manner as accredited representatives. Under VA regulations, fees are capped and usually include only a percentage of retroactive benefits. However, many of these unaccredited consultants use contracts that include a commitment by the veteran to pay the Claim Shark all or a portion of their increased benefits. If a veteran receives a disability percentage increase years later, often these companies return seeking more money. Currently, these predatory companies have no accountability, no oversight, and no penalties.

The VFW urges Congress to:

- Pass H.R. 8736, *Governing Unaccredited Representatives Defrauding VA Benefits Act*, known as the GUARD VA Benefits Act. This legislation would reinstate penalties for charging veterans and survivors unauthorized fees relating to claims for VA benefits.

Retirement and Military Personnel

The VFW's Concerns:

Reform to retirement pay and disability compensation policy is long overdue. Congress has not passed substantive concurrent receipt legislation for military retirees since 2004, leaving countless service-connected disabled retirees in challenging predicaments. The VFW has long argued that Department of Defense (DOD) retirement pay and Department of Veterans Affairs (VA) service-connected disability compensation are fundamentally different benefits, earned for different reasons. Yet, those who were medically retired under Chapter 61 *before* serving twenty years, regardless of disability rating, are required to offset their retiree pay with the amount of VA disability compensation they receive.

Chapter 61 retirees include combat-injured and ill veterans with varying abilities who need to find and maintain gainful employment, as well as those who require round-the-clock caregiver support resulting in financial strain on themselves and their families. Currently, more than 50,300 Chapter 61 retirees with combat-related disabilities do not have full access to their vested retirement pay and service-connected disability compensation. These veterans are unjustly being denied the benefits they earned and deserve.

Members of Congress are beginning to understand the injustice caused by the retirement pay and disability compensation offset as evidenced by growing bipartisan and bicameral support for H.R. 1282 / S. 344, *Major Richard Star Act*. Presently, this legislation has garnered the support of 300 members of the House and 62 members of the Senate.

The VFW urges Congress to:

- Pass H.R. 1282 / S. 344, *Major Richard Star Act*, either as a standalone bill or via the National Defense Authorization Act for Fiscal Year 2023, which would enable Chapter 61 veterans who sustained combat-related injuries to be entitled to DOD retirement pay and VA disability compensation without offset.

Economic Opportunity's Role in Preventing Suicide

The VFW's Concerns:

As the VFW has advocated for many years, the Department of Veterans Affairs (VA) must immediately incorporate Veterans Benefits Administration (VBA) data into its annual suicide prevention report, to include disability compensation, education and employment benefit use, home loan use and foreclosure assistance, and participation in housing and food insecurity programs. Currently, VA tracks only how many veterans who die by suicide had interactions with VA through medical or mental health appointments. Short of this incorporation, economic opportunity benefits cannot be fully leveraged to successfully prevent suicide among veterans.

Education - A 2017 study in the *American Journal of Preventive Medicine* found individuals with a college degree were half as likely to die by suicide compared to those with a high school education. A 2020 study of recently transitioned service members found those with fewer years of education had a higher hazard of suicide, with lack of education being a likely factor in difficulty finding post-military employment, potentially leading to financial instability.

Employment - Unemployment can be detrimental to mental health. It is even associated with increased risk for suicide. However, the relationship between unemployment and suicide is a complex one. Providing benefits while veterans are unemployed and making sure they are swiftly reemployed can moderate mental health issues and potentially mitigate suicidal ideations.

Compensation – Some veterans may feel hopeless, unheard, or retriggered by their trauma during the benefit claims process. They may also be facing financial hardship to pay medical expenses until they can receive care at VA. A 2021 study in *Military Behavioral Health* showed that veterans with a service-connected disability designation who utilized services were less likely to attempt suicide.

Housing – Data from a study published in a 2021 issue of the *Journal of Epidemiology & Community Health* on veterans who self-reported housing instability between 2012 and 2016 indicated over half of these veterans accessed homeless services and associated this use of services to a significant reduction in suicide risk. This is a positive sign for the ability of these programs to perform upstream intervention.

Note: All of these programs are administered by the Veterans Benefits Administration. However, none of them are incorporated into the VA annual suicide prevention report.

The VFW urges Congress to:

- Direct VA to incorporate veteran benefit usage into its annual suicide prevention report. This would show the correlation between VA benefits and veterans who die by suicide.
- Analyze which benefits have a greater impact on upstream suicide prevention and focus on expanding those benefits in an effort to reduce the overall number of veteran suicides.