



# Washington Update

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## KEY PVA POLICY PRIORITIES NEARING THE FINISH LINE

On December 20, the Senate passed H.R. 7939, the Veterans Auto and Education Improvement Act of 2022. This legislation includes revised language from the House passed H.R. 3304, the AUTO for Veterans Act, and several veterans education provisions. The revised legislation would authorize the VA to provide an additional automobile allowance to eligible veterans if 30 years have passed since the date they received their first grant. (Note: This differs from the House approved version which set the initial timeframe at 25 years). Starting 10 years after the bill is signed, the timeframe will decrease and eligible veterans would be able to receive an additional grant if 10 years have passed since their first grant. The bill would also change the definition of “medical services” to include certain vehicle modifications (e.g., van lifts) offered through VA’s Automobile Adaptive Equipment (AAE) program. This latter provision helps ensure the VA’s current support through the AAE program to veterans with non-service-connected illnesses and injuries remains available. A newly added provision would designate nonarticulating trailers designed to transport powered wheelchairs, powered scooters, or other similar mobility devices as adaptive equipment. The House must pass the amended H.R. 7939, which we understand could happen imminently.

Another priority (H.R. 4772/S. 2513) would change clothing allowance to make it automatic until the VA determines the veteran is no longer eligible to receive the benefit or declines to receive it. This legislation is part of the Joseph Maxwell Cleland and Robert Joseph Dole Memorial Veterans Benefits and Health Care Improvement Act of 2022, which was included in the recently released fiscal year 2023 omnibus appropriations bill. The full year appropriations bill would increase VA funding by 10 percent to \$303.8 billion. More information about the appropriations bill and legislation passed at the end of the 117th Congress will be discussed in the first edition for January of the Washington Update.

## HVAC HOLDS SEVERAL HEARINGS DURING LAME DUCK

The House Veterans’ Affairs Committee (HVAC) held several hearings this month on a variety of important issues. The first [hearing examined the VA grant and per diem program](#). There was broad discussion around the increase of the per diem rates offered during the pandemic as well as additional steps that VA needs to take to continue to reduce the number of homeless veterans across the country.

Next, there was a [hearing held on ensuring effective implementation of the recently passed PACT Act](#). VA’s Under Secretary for Health fielded questions and provided robust answers on how the VA is executing the many provisions of this expansive law.

There was also a [hearing on VA's fourth mission and pandemic response](#). VA's fourth mission is to improve the nation's preparedness for response to war, terror attacks, national emergencies, as well as national disasters. The department provides support at the national, state, and local level, complimenting efforts by local emergency management services, public health agencies, and the Department of Homeland Security. The hearing highlighted the need for better inter-agency collaboration as well as a greater understanding of the role of VA in future emergencies.

HVAC also held a [legislative hearing](#) where committee members examined a draft bill, the VA Housing Loan Forever Act of 2022. This legislation seeks to right historical wrongs faced by African American WWII, Korean War, and Vietnam era veterans who were blocked from accessing benefits such as the GI Bill and the VA Home Loan Program due to structural racism. The bill would extend the VA home loan guarantee to direct descendants of veterans that were denied access to these benefits.

Lastly, PVA participated in a roundtable discussion with the Economic Opportunity Subcommittee Chair Mike Levin (D-CA) about Guard and Reserve benefits parity. Several veteran and military service organizations, as well as currently serving guard and reservists, discussed the changing mission of National Guard and Reserve component members and how that might impact the future of their VA benefits.

### **DOT REQUESTS PUBLIC COMMENTS ON AIR TRAVEL TICKET REFUNDS**

The U.S. Department of Transportation (DOT) published a [Notice of Proposed Rulemaking](#) (NPRM) on airline ticket refunds and consumer protections. The NPRM requests public comments on when air carriers and ticket agents must provide ticket refunds to air travel passengers. A final rule would require that prompt ticket refunds must be offered for airline-initiated flight cancellations or significant changes to flight itineraries, if the passenger does not accept alternative transportation, a travel credit or voucher, or other compensation. The NPRM defines a significant change to

a domestic flight as a flight with a departure or arrival time three hours earlier or later; a change in the arrival or departure airport; added layovers; or an aircraft downgrade. [After the public comment period](#), DOT will review the comments, and decide whether to issue a final rule as proposed, issue a new or modified proposal, or withdraw the proposal. The comment period ended on December 16, 2022. PVA submitted comments calling for any downgrade or change to an aircraft without equal accessibility features or capabilities and seating accommodations; changes to the origination, layover, or destination airport; or the addition of a layover to be defined as a significant change and prompt an automatic refund offer for passengers with disabilities and their caregivers, family members, or other travel companions if they refuse alternative transportation.

### **AMTRAK CONDUCTS PASSENGER SURVEYS ON AISLE AND SEAT WIDTH**

As AMTRAK unveils new rail cars, such as the [Venture Car](#) produced by Siemens and next generation [ACELA](#), the corporation is conducting rider surveys on whether travelers prefer wider aisles or wider seats. The Venture Car features accessible bathrooms, wheelchair lifts, and a 32-inch aisle, and currently operates in Chicago, Illinois and St. Louis, Missouri. However, other train models have narrower aisles to accommodate more, and wider, seats. Disability advocates are [asking AMTRAK](#) to use 32-inch aisles to ensure accessibility for wheelchair users. AMTRAK teamed up with a research marketing company to conduct surveys and research on consumer preference, whether riders prefer a wider aisle or wider seat. Disability advocates, including PVA, are continuing to work with AMTRAK on the requirements of the Americans with Disabilities Act, to ensure accessibility to public transportation for individuals with disabilities.

### **STUDENT LOAN REPAYMENT PAUSE EXTENDED UNTIL JUNE 2023**

The U.S. Department of Education has announced another extension of the student loan repayment pause. This latest extension results from pushback on the loan forgiveness program, which will now be litigated before the Supreme Court of the United States (SCOTUS).



The current extension will last until June 2023, when the government believes the court case will have concluded. If SCOTUS rules against loan forgiveness, payments will continue 60 days after the June deadline. However, if SCOTUS rules in favor of the department, repayment plans will resume for the remaining balance of borrowers 60 days after the decision.

For additional questions about loan forgiveness, please visit [FedLoanServicing.gov](https://www.fedloan.gov).

### DOJ LAUNCHES NEW ADA WEBSITE

The U.S. Department of Justice (DOJ) updated and launched the new, improved website, [ADA.gov](https://www.ada.gov). The goal of the new website is to better assist people in complying with and understanding the [Americans with Disabilities Act](https://www.ada.gov) (ADA). The ADA is a civil rights law that protects individuals with disabilities from discrimination and guarantees they have the same opportunities as everyone else in everyday life. The ADA covers [employment, state and local governments programs and services](https://www.ada.gov), and [businesses open to the public](https://www.ada.gov). The new website features topics such as, [accessible parking spaces](https://www.ada.gov), [mobility devices](https://www.ada.gov), and [voting and polling places](https://www.ada.gov).

### OPM HOSTS DIVERSITY, EQUITY, INCLUSION AND ACCESSIBILITY (DEIA) SUMMIT

The U.S. Office of Personnel Management (OPM) hosted its first government-wide DEIA Summit December 6-8. The Summit grew out of Executive Order 13985 issued by President Biden on his first day in office which established that affirmatively advancing equity, civil rights, racial justice, and equal opportunity was to be the responsibility of the whole of federal government, including cultivation of a workforce that reflects the nation's diversity.

Done virtually, the event focused on modeling a whole-of-government approach to integrate disability employment across all areas of the federal workforce. Targeted largely at federal employees, hiring managers and senior executives, the three-day conference featured keynotes by top leaders in the disability

community, presentations, skill-builder and panel roundtable sessions, and poster sessions.

The first day, attendees were welcomed by Ms. Day Al-Mohamed, White House Disability Policy Advisor, who urged agency representatives to learn what they can do to advance DEIA in their own programs and departments. The opening keynote featured an interview by disability rights advocate Judy Heumann with Sen. Tammy Duckworth (D-IL) who discussed her changing perspective on disability after she was injured in military service.

The second day's keynoter was Ms. Chai Feldblum, now a member of the AbilityOne Commission, who outlined elements of that program's new strategic plan, including changes to eliminate subminimum wage contracts under new regulations issued this past October. Feldblum also discussed her work as a Commissioner on the Equal Employment Opportunity Commission (EEOC) to enhance enforcement of Section 501, the affirmative action requirements for federal agencies to recruit and hire people with disabilities. Other featured speakers included Assistant Secretary of Labor, Taryn Mackenzie Williams, and Dr. Anjali Forber-Pratt, Director of the National Institute of Disability Independent Living and Rehabilitation Research within the Administration for Community Living.

Summit tracks dealt with various aspects of incorporating DEIA into federal workforce programs and policies. Sessions covered topics such as basic information about workplace accommodations, hiring authorities for people with disabilities and federal agency DEIA strategic plans, agency best practices in DEIA and the role of agency Chief Accessibility Officers, and strategies for agency leadership to advance DEIA in their departments. Following the Summit, the federal government's Chief Diversity Officer Executive Council will convene in mid-December to examine in detail the promising practices highlighted during the Summit and discuss how individual agency leaders can implement them.



## NEWS OF NOTE

### Senate HELP Committee Leadership to Change

The Senate Health, Education, Labor and Pensions Committee was led during the 117th Congress by Senator Patty Murray (D-WA). However, she has been tapped by Majority Leader Chuck Schumer (D-NY) to serve during the 118th as Senate president pro tempore to replace the retiring Patrick Leahy (D-VT). Following the recent election in Georgia, Democrats retain a very slim majority in the Senate. Sen. Bernie Sanders (I-VT) has expressed plans to pursue leadership of the HELP Committee. He has served on it since he was elected to the Senate and has outlined an agenda, if selected, to focus on universal health care, lowering the cost of prescription drugs, increasing access to higher education, and protecting workers' rights on the job. In addition to HELP, Sanders is a member of the Budget, Energy and Natural Resources, Environment and Public Works, and VA Committees.

Sen. Bill Cassidy (R-LA) is expected to be the ranking member on HELP with the retirement of Sen. Richard Burr (R-NC). Cassidy is a physician and was principal author of an alternative to the Affordable Care Act in 2017 that would have turned Medicaid into a block grant program. Cassidy is particularly interested in pursuing oversight of the Department of Health and Human Services and its budget priorities.

### VA Compensation and Benefit Increases

Starting January 1, 2023, all VA compensation benefit rates will increase by 8.7 percent to match adjustments made to Social Security benefits. This increase impacts VA's disability benefits, clothing allowance, dependency and indemnity compensation (DIC), as well as some other assistance programs. If you receive VA compensation benefits, click [here](#) to learn your new rates today.

### VA Caregiver Support Stipend Scams

VA is warning caregivers and veterans of a potential scam about a "VA Caregiver Stipend Recoupment." Please do not respond to such requests, as VA will not

email you a request for money. If you receive a suspicious email from VA, **DO NOT** open it or click on any attachments or links. VA does not send emails asking for personal information, threatening emails, or emails claiming to take adverse actions on claimants or beneficiaries. If you receive any of these emails or are in doubt about any communications appearing to be from VA, please contact your PVA National Service Officer or VA directly at 1-800-827-1000.

### VA Continues to Modernize its Supply Chain

Supply Chain Modernization is a major component of VA's efforts to transform and modernize aging business systems. Recently, VA announced it would reduce the scope and funding of its Interagency Agreement with the Defense Health Agency (DHA). The transition from DHA's Defense Medical Logistics Standard Support (DMLSS) system is viewed as a step forward in creating a supply chain solution that supports and enhances care and benefits for veterans, their families, caregivers, and survivors.

In the coming months, VA will establish a new Office of Enterprise Supply Chain Modernization (SCM) to oversee its supply chain transformation effort. In addition to implementing lessons learned from VA's collaboration with DHA, VA will be partnering closely with government and industry to ensure the department is using best practices in addressing its largest and most complex supply chain challenges.

SCM will involve major investments in training VA's workforce to deliver service to veterans through technology-enabled and streamlined work processes. SCM will also unify VA's supply chain activities and consolidate 58 separate supply chain systems into one integrated solution. In addition to bringing VA operations into the 21st century, the size and scope of VA's SCM efforts will transform procurement processes across government and the health care industry.

## WEBINARS

### **U.S. Access Board Automatic and Power-Assisted Doors Webinar Available in Archives**

If you missed the U.S. Access Board's recent webinar on automatic and power-assisted doors, you can access the webinar recording and presentation materials in the [archives](#). This webinar covered the scoping and technical requirements in the Americans with Disabilities Act and the Architectural Barriers Act standards for entrances and doors when they are automatic or power-assisted. Presenters also reviewed the specifications in the American National Standards Institute (published by the Builders Hardware Manufacturers Association) referenced standards that address operating characteristics, including opening speed, safety features, sensors and activation devices, labeling, among others.