

LEGISLATION AND VETERANS RIGHTS RESOLUTION COMMITTEE
90TH NATIONAL CONVENTION
2011

<u>CATEGORY</u>	<u>RES. #</u>	<u>GOAL</u>	<u>ADVISOR'S RECOMMENDATION</u>
1. Compensation Related	007	To amend title 38 USC to provide ten-year protection for service-connected disability evaluation	Adopt 007 and reject others as duplicates or similar
	054	" " "	
	119	" " "	
	132	" " "	
2. Compensation Related	008	Opposing any proposal that would offset payments of Social Security disability insurance benefits or any other federal benefit by VA compensation	Adopt 008 and reject others as duplicates
	055	" " "	
	133	" " "	
3. Benefits Related	009	Oppose any recommendations by any commission to reduce or eliminate benefits for disabled veterans	Adopt 009 and reject other as similar
	056	Oppose any recommendation by the Veterans Disability Benefits Commission to reduce or eliminate benefits for disabled veterans	
4. Compensation Related	010	Oppose subjecting compensation to means testing	Adopt 010 and reject others as duplicates
	057	" " "	
	089	" " "	
	134	" " "	
5. Compensation Related	011	Oppose reduction, taxation, or elimination of veterans' benefits	Adopt 011 and reject others as duplicate
	060	" " "	
	137	" " "	

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6. Compensation Related	012	Supporting a change in regulatory requirements for a temporary total rating under section 4.30 of title 38 CFR	Adopt 012 and reject others as duplicate
	138	" " "	
7. Compensation Related	013	Reduce the ten-year rule for dependency and indemnity compensation	Adopt 013 and reject other as similar
	139	Reduce eligibility for receipt of DIC for survivors from 10 to 5 years	
8. Compensation Related	014	Redefine service in Vietnam to include service in the waters offshore	Adopt
9. Compensation Related	015	Provide a temporary total rating for the period that an amputee has a new prosthetic device constructed	Adopt
10. Housing Related	016	Exempt disability compensation in determination of eligibility for government programs	Adopt
11. Miscellaneous	017	Oppose complete revamping of 1945 rating schedule	Adopt
12. Benefit Related	018	Support legislation to provide for service connection for disabling conditions resulting from toxic and environmental exposures	Adopt
13. Compensation Related	019	Support legislation to remove the prohibition against concurrent receipt of SBP and DIC	Adopt
14. Benefits Related	020	Support legislation to award special monthly compensation under the provisions of title 38, United States Code, § 1114(r) (1) to veterans with anatomical loss or loss of use of three extremities	Adopt as amended
15. Benefit Related	021	Support interest payments for Department of Veterans Affairs retroactive awards of one year or more	Adopt

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16. Compensation Related	022	Support legislation to provide a realistic increase in VA compensation rates to address loss of quality of life	Adopt
17. Compensation Related	023	Support legislation to link disabled veterans disability compensation increases to the Federal Employees Pay Comparability Act (FEPCA) of 1990, or the current Cost of Living Allowance, tied to the Consumer Price Index, whichever is greater	Adopt
18. Miscellaneous	024	Oppose regional dispersion of the Board of Veterans' Appeals	Adopt
19. Miscellaneous	025	Support legislation to require the United States Court of Appeals for Veterans Claims to decide each of appellant's assignments of error	Adopt
20. Miscellaneous	026	Support legislation to revise the appeal period for Department of Veterans Affairs decisions	Adopt 026 and reject other* *DAV would like the opportunity to support a shorter time period if VA meets certain requirements
	069	Oppose reduction of the appeal period for VA decisions	
21. Miscellaneous	027	Support legislation to allow for equitable tolling of the appeal period for claims before the VA and Court of Appeals for Veterans Claims decisions	Reject as recent court decision (Henderson v. Shinseki) decided this issue
22. Miscellaneous	028	Support legislation to cap attorneys' fees for benefits counseling and claims services before the VA	Adopt

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23. Insurance Related	029	Mortgage protection life insurance for 100 percent service-connected veterans	Adopt 029 as amended to update numbers and reject others as duplicates
	073	" " "	
	093	" " "	
	142	" " "	
24. Burial Related	030	Support an increase in the Department of Veterans Affairs burial allowance for service-connected veterans and provide for automatic annual adjustments	Adopt as amended to update recent increases
25. Housing Related	031	Amend the Home Improvement and Structural Alterations Program	Adopt as amended
26. Education Related	032	Provide educational benefits for dependents of service-connected veterans rated 80 percent or more disabled	Adopt 032 and reject other as duplicate
	143	" " "	
27. Miscellaneous	033	Support legislation that would exempt the benefits paid to wartime service-connected disabled veterans from the "pay-go/cut-go" provisions of the Budget Enforcement Act	Adopt
28. Military Related	034	Extend space-available air travel aboard military aircraft to 100% service-connected disabled veterans	Adopt
29. Military Related	035	Extend commissary and exchange privileges to service-connected disabled veterans and their dependents	Adopt 035 and reject other as similar
	160	Extend commissary and exchange privileges to service-connected disabled veterans rated 30% or higher and their dependents	
30. Compensation Related	058	Disability compensation increase	Adopt 058 and reject other as duplicate
	135	" " "	

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31. Compensation Related	059	Oppose any change that would redefine service-connected disability or restrict the conditions or circumstances under which it may be established	Adopt 059 and reject other as duplicate
	136	" " "	
32. Compensation Related	061	Supporting legislation to provide presumptive service connection to atomic veterans for all recognized radiogenic diseases	Adopt
33. Compensation Related	062	Increase the grant for autos or other conveyances available to certain disabled veterans	Adopt as amended (P.L. 111-275 increased auto grant to \$18,900 & included annual adjustment)
34. Compensation Related	063	Authorize automobile adaptive equipment eligibility to any veteran who has a service-connected disability that inhibits the ability to safely operate a motor vehicle	Adopt
35. Compensation Related	064	To compensate Persian Gulf veterans suffering from illnesses circumstantially linked to their service in the Persian Gulf War	Adopt
36. Compensation Related	065	Opposing lump-sum payments for service-connected disabilities	Adopt 065 and reject other as duplicate
	091	" " "	
37. Compensation Related	066	Support legislation to remove prohibition against concurrent receipt of longevity retired pay and veterans disability compensation	Adopt 066 and reject others as duplicate or similar
	092	" " "	
	140	" " "	
38. Compensation Related	067	Support legislation providing that SSB payments not be withheld from VA disability compensation payments	Adopt
39. Compensation Related	068	Opposition to the imposition of time limits for filing compensation claims	Adopt

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40. Insurance Related	070	Supporting legislation to provide for waiver of premiums for supplemental service disabled veterans insurance (RH)	Adopt
41. Insurance Related	071	To provide an open period to apply for service disabled veterans insurance (RH)	Adopt
42. Insurance Related	074	Increase the face value of Service Disabled Veterans' Insurance (RH)	Adopt as amended – additional Whereas clause added
43. Compensation Related	090	Expand POW presumptions	Adopt
44. Miscellaneous	106	Abolish 38 CFR 20.1403(D)(1)(2) defining CUE more broadly	Reject as unrealistic
45. Compensation Related	117	Add complex regional pain syndrome to the VA Schedule for Rating Disabilities	Reject as unnecessary because VA is in the process of revising the Rating Schedule
46. Burial Related	124	Remove 2-year time limit for reimbursement of burial/funeral expenses	Adopt
47. Compensation Related	125	Establish separate criteria for plantar fasciitis and remove it from the analogous rating under PES planus	Reject as unnecessary because VA is in the process of revising the Rating Schedule
48. Benefit Related	141	Eliminate the delimiting date for eligible spouses and surviving spouses for benefits provided under chapter 35, title 38, USC	Adopt
49. Benefit Related	144	Support adequate funding for all VA programs	Adopt
50. Compensation Related	145	Minimum compensation for hearing loss with use of hearing aid	Adopt
51. Compensation Related	146	Presumptive service connection for tinnitus and hearing loss	Adopt as amended (must manifest to a degree of 10% within one year of service)

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52. Compensation Related	147	Consider treatment for a presumptive service-connected condition as a claim for VA compensation	Reject—under current law, if claim filed within one year, treatment is considered informal claim
53. Miscellaneous	161	Support legislation to offer income tax relief to severely disabled veterans with at least 40% disability	Reject as unrealistic
54. Compensation Related	162	Amend 38 CFR §3.310B to include certain veterans with cardiovascular disease, ischemic heart disease or other heart disease	Reject as unrealistic
55. Compensation Related	169	Support promulgation by the VA of a more modern, accurate and up-to-date audiological testing process and rating schedule criteria to better determine entitlement to service connection for hearing loss and lowering the threshold for disability compensation	Adopt 169 and reject others as similar
	002	Urge DAV and VA to work cooperatively towards lowering the threshold for disability compensation for service-connected hearing loss	
	003	Urge promulgation by VA of more modern, refined, accurate and up-to-date audiological processes to better determine degree of hearing loss in veterans	
56. Compensation Related	170	Provide increase in the specially adapted housing grant and separate temporary residence allowance grants	Adopt 170 and reject other as similar
	072	Provide an increase in the specially adapted housing grant	

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57. Miscellaneous	171	Urge greater cooperation among DOD, VA and Congress on easing the burden of establishment of service connection for residuals of military sexual trauma, and for improving the availability of records associated with evidence of military sexual trauma	Adopt 171 and reject other as similar
	094	Preservation by the DOD of documentary evidence of the DOD on incidents of sexual assault and sexual harassment in the military	
58. Compensation Related	172	Opposing the permanent rounding down of COLAs in veterans' benefits	Adopt
59. Compensation Related	173	Support reasonable presumptive period for undiagnosed illnesses for Gulf War veterans	Adopt
60. Compensation Related	174	Support legislation to allow all veterans to recover amounts withheld as tax on disability severance pay	Adopt
61. Miscellaneous	175	Support reform in the Veterans Benefits Administration's disability claims process	Adopt
62. Insurance Related	176	Reduce premiums for Service Disabled Veterans Insurance to be more consistent with life expectancy	Adopt
63. Miscellaneous	177	Improve collaboration between DOD and VA on the delivery of services through the integrated disability evaluations system	Adopt
64. Miscellaneous	178	Support the use of surplus federal properties to house homeless veterans and their families	Adopt

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65. Counter to DAV's Statement of Policy or Nongermane or Local Issue	120	Seek state legislation prohibiting the use of veterans service-connected compensation as countable income for the purposes of offsets to and eligibility for benefits and services under state of Michigan programs	Reject all as being counter to DAV's statement of policy or nongermane or local issue
	121	Support the establishment of a national veterans cemetery in Michigan's upper peninsula	" " "
	163	Amend Subdivision 3, Section 458 of Real Property Tax Law to be fully exempt from real property taxation	" " "
	164	Support legislation to exempt severely disabled veterans from payment of federal and New York state tax on gasoline, either through an income tax credit or direct reimbursement	" " "
	165	Support legislation exempting veterans with a 40% or higher service-connected disability exempt from paying tolls on bridges, tunnels and highways governed by the state of New York	" " "