

PA House Veterans Affairs Committee Hearing on House Bill 344 of Session 2007  
Held June 5, 2008 at the State Capitol in Harrisburg

Testimony of Charles L. Jackson, Department of PA, Military Order of the Purple Heart, Supporting the Bill

Mr. Chairman, distinguished members of the Committee. My name is Chuck Jackson, and I live in Lehigh County. I'm a West Point graduate, and I retired in Pennsylvania after over twenty years service as an Infantry officer. Subsequently, I retired from a technical marketing career in AT&T and Lucent Technologies. I'm a graduate of the Army's Command and General Staff College, and I have a masters degree from The American University.

I speak for the Department of Pennsylvania of the Military Order of the Purple Heart, or the MOPH. We're a small organization because of our membership criteria, but let me assure you that we are well organized, and we are dedicated to the welfare of all veterans. Last year we spent over 333 thousand dollars in support of Commonwealth military veterans and their families. Our Service Program has two service officers, and we lead the Commonwealth on a per service officer basis, with recoveries from the federal government of over 22.7 million dollars.

I regret that our commander, John Kenes, a combat wounded marine corps master sergeant could not address you today because of an automobile accident.

I am here to express my organization's support for this Bill. We believe the present structure has failed our veterans, cannot be repaired, and requires this new department

The present Bureau of Veterans Affairs only services about 5600 people a year. This number includes those in our state veterans' homes; the Scotland School; and the various state benefit programs.

The present system overly relies on our Veterans Service Organizations to do things which they are not staffed to do. Their Service Officers handle only pension and disability claims. They have no interest in, nor are they trained to handle all the other federal benefits programs of interest to our veterans now coming home from the wars.

Some veterans' organizations, including the Pennsylvania War Veterans Council try to lead you to believe that they speak all veterans. They do not speak for our organization or many of the other smaller ones. Furthermore, they do not speak for the estimated 825,000 or so veterans who do not belong to any Veterans Service Organization. Of the 1.1 million veterans in the Commonwealth, The American Legion has fewer than 200,000 members, the VFW has around 120,000, and the other organizations number in the low thousands. But the vast majority of veterans belonging to one organization in fact belong to several. Anecdotal evidence tells us that the young soldiers returning from today's wars are not joining our organizations,

One of the reasons you need a new department is to reach out to those unrepresented veterans. The Bureau has no effective outreach program. Here again, it relies on others, and that is not

working. The new Department will have the mission and the means to reach out, to determine veterans' needs, and to secure for them the entitlements they have earned.

Let me give you a personal example. I retired from the Army in 1985 as a lieutenant colonel and was subsequently awarded a VA disability of 50% for mortar fragments I received. As a career officer, I prided myself on being pretty well attuned to my situation and my entitlements. I received my compensation. But in 2006, I found by personal investigation that I was eligible for a higher award based on the fact that I was married. I had been married since 1969. I was subsequently awarded a high level of benefit. But where was the Commonwealth of Pennsylvania's Bureau of Veterans Affairs, or the County Director of Veterans Affairs, to advise me of the fact that I was missing out on compensation? Where was the 'outreach' to me? How many veterans today are being overlooked right this minute?

My personal story pales compared to many others. I would like Mr. Bruce Navarre to relate his story.

<BRUCE NAVARRE TESTIMONY>

Bruce asks "where is the outreach? And the answer is: there is no mandated program to outreach to veterans to determine their individual entitlements. "Outreach" is the key word. It means "find them," not "serve them if they come." Bruce didn't know his diabetes was presumed by the VA to have been caused by Agent Orange and that everybody service in Vietnam is presumed to have been exposed to Agent Orange. There are ten other diseases associated with Agent Orange, including prostate cancer. All our 341,650 Pennsylvania Vietnam veterans who have or get one of these diseases are entitled to medical care and some level of disability. How many of them are suffering right now and don't realize their entitlements. How many died without knowing?

It is not the responsibility of the Bureau Veterans Affairs to find us and help us. According to the Bureau for Veterans Affairs Reference Handbook, they offer only state benefits and services. Then whose job it is to cover federal benefits? Currently, no one's.

The administration of veterans' affairs in Pennsylvania today is broken. Our returning veterans find a state organization that is obsolete and incapable of meeting their needs. For years the Bureau has focused on state benefits. Federal benefits were just not part of their charter. Since the issuance of the LB&FC study which found many deficiencies in the present system and recommended the establishment of a separate Department; the State Auditor General's December 2006 'Pennsylvania Veterans' Breakfast' Report which said "Numerous veterans said that a cabinet-level veterans' secretary would help address these issues;" and the growing prospect that the Bill before you will be enacted -- the Bureau has tried to do a quick makeover to cover some of its most egregious deficiencies. However, the Department still fails to realize that -- as the Study finds -- the organization and system which has been in place for many years is outmoded. It is unable to address the needs of our veterans in today's environment.

Since the introduction of HB-344's predecessor, in the last session, the BVA has employed what is best described in political science lingo as "Disjointed Incrementalism." That is, they are

reacting to problems and situations to secure a reasonable solution. They are doing OK, but there is no global strategy. No comprehensive plan.

Just like the American Legion and the VFW and others did years ago at the federal level, we must recognize that military affairs and veterans affairs are dissimilar, even competing activities. And they should be separated. Military leadership is a complex and demanding task. In this current Global War on Terrorism, we need to allow our Adjutant General - and future Adjutant Generals -- to focus her full attention on her core mission: preparing our National Guard to perform its new role as an Operational reserve. Veterans' affairs leadership should also be a full time duty of a cabinet level secretary.

Our system is clearly not servicing our veterans nearly as well as the veterans departments of other similar states. Looking at the U.S. Department of Veterans Affairs data, it is obvious that our state's veterans on the average are very, very low in the receipt of entitlements. Millions and millions - perhaps more than a billion - federal dollars rightfully earned by our veterans are not being received. Because they have not been requested. Our veterans are not so different statistically from those of New York, or Texas, or Florida, or South Carolina, or other states. Yet those states' veterans get hundreds of dollars on the average more than our veterans. We have over a million veterans, and the economic loss to the Commonwealth is egregious. Were those dollars received and then spent in the various sectors of our state's economy, the tax revenue would most likely pay for the entire incremental cost of a separate department and generate surplus revenue!

But federal claims and benefits are not the only area where Pennsylvania falls short. Let's look for a minute at our State Homes. There is an advisory council associated with each Home. The MOPH strongly believes that the advisory council system of these homes needs to be revamped. Members of the advisory councils should be appointed from locales reasonably near the homes so as to lend a 'home town' flavor to the councils. There is no logic as to why the Commonwealth should be paying mileage and per diem for a person living hundreds of miles away to participate on an advisory council to a home located in an area they do not represent. Advisory Board members should be relatively local. It would advantage the communities in which the homes are located, and it would advantage the veterans in the home.

And the councils should be independent of the cabinet level person in charge of the Homes. And that Secretary must be available to manage our Homes on a full time basis, not a basis where the work week must be shared with critically important military affairs matters. And veterans who are not members of VSOs should be eligible to be on a council.

Let me turn to other areas of importance.

Our county directors of veteran's affairs and our DMVA Bureau of Veterans Affairs service officers could be an important asset in helping both our older veterans and our returning War on Terrorism veterans. But because of a lack of guidance, a lack of performance expectations and standards, and a lack of supervision, they are part of the systemic failure. For instance, just ask one of them how many non-National Guard War on Terrorism veterans there are in their area. According to VA data of the 62,500 Global War on Terrorism veterans in Pennsylvania, only

about 10,000 are from the National Guard. They just don't know, and they have no plan at the state or county levels to find out. This is a wicked problem, but one that must be solved.

The county directors of veterans' affairs by County Code administer the decoration of veterans' graves and assist 'war' veterans and their families in obtaining their benefits for compensation and pensions. But in many cases little else, especially in the realm of federal benefits. Some directors are part time; and some are not qualified; and some counties don't even have directors appointed. Read the LB&FC Report.

Many of our counties have expanded their director's responsibilities, but the brutal facts are that the counties do whatever they like. The DMVA trains the directors only if they chose to be trained. They are not required by our law to be accredited by the VA for processing federal claims. In truth, many county directors merely forward claims to one of the Veterans Service Organizations for processing. Our veterans need a system where these local assets are coordinated or even managed by a focused state organization to insure that the directors are well trained; that they benefit by centralized direction or management; and that they are accountable. Bad advice to a veteran is worse than no advice at all. An separate department is the right organization for such a job.

So, a very, very major question is where are the advocates for the powerful economic engine our veterans represent? Our veterans have been ingrained with ethics, values, and disciplines not often found in their peers. These attributes represent exactly what we want to see in our community leaders, business people, entrepreneurs, and the other contributors to our society. World War II, the Korean War, and the Vietnam War veterans have proven that.

Let's look at our youngest veterans..These veterans need to be groomed and supported. Their biggest concern when they are discharged is getting a job. The federal government has wonderful programs for veterans in the areas of:

- education, including tuition assistance,
- small business loans,
- federal contract set-asides for veterans,
- transportation assistance for handicapped,
- mental health services to include PTSD
- vocational rehabilitation,
- home loan guarantees,
- homelessness
- reemployment rights, and others.

Pennsylvania's Code does not require the county directors of veterans affairs be expert on federal programs, nor is that the responsibility of the DMVA's Bureau of Veterans Affairs. Some individuals might know of these programs, but they are complex to understand.

Well, then who will do it, because it is not being done effectively now? Who will interface Pennsylvania's veterans to this cornucopia of opportunities?

This answer is the most important thing I will say today. The failure of our system is too broad and deep to correct with band aids. A mind set of 'Disjointed Incrementalism' has improved our system over the past three years, but it is too little, too late, and too lacking of vision.

We need to create a State Department of Veterans Affairs. The Secretary of that Department can and will reach out to our veterans and get them into the programs what will realize their potential. We don't have that today. This is a critical component of a new Department, and it is in fact the priming of the economic pump that will benefit our Commonwealth for years to come.

Claims and benefits and pensions are the fish of the parable. They will feed, at least to some extent. But these federal programs – and by the way, there are state opportunities, too – represent fishing. Taking advantage of them will position Pennsylvania for the future. Our current view of what veterans affairs is about is far too limited.

In closing, the MOPH is enthusiastic about the creation of a State Department of Veterans Affairs. We have not wavered in our belief of an separate department. HB-344 is an excellent starting point for such a Department, and in fact it would give a cabinet level Secretary the authority necessary to configure and fine-tune a Department to best serve veterans throughout the state. And the Secretary would be able to negotiate on an equal footing with both state and federal agencies to secure the rights and benefits our veterans have earned.

There are areas in this Bill which can be strengthened, and that is your job to do so. The issue of how to integrate those contract employees that work in the Governors Veterans Outreach and Assistance Center is an example. Here are federally funded people who are not required to be accredited by the VA and therefore cannot process claims through GOVAC. A Department Secretary could work that issue with or without explicit direction in legislation.

Please give this legislation the attention to detail that it deserves, make improvements where necessary, and send it to the Senate. The well-being of our veteran community, especially the future veterans returning from the Global War on Terrorism, depends in large measure on your action.

Thank you. Are there any questions you have for me?

CHARLES L. JACKSON