

**STATEMENT OF
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OF THE
DISABLED AMERICAN VETERANS
BEFORE THE
COMMITTEE ON VETERANS' AFFAIRS
SUBCOMMITTEE ON DISABILITY ASSISTANCE AND MEMORIAL AFFAIRS
UNITED STATES HOUSE OF REPRESENTATIVES
APRIL 6, 2006**

Mr. Chairman and Members of the Subcommittee:

On behalf of the 1.3 million members of the Disabled American Veterans (DAV), I am pleased to provide for the record, our comments on the following bills and draft bills:

H.R. 23, the Belated Thank You to the Merchant Mariners of World War II Act of 2005, would amend title 46, United States Code, and title II of the Social Security Act to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II. In accordance with its Constitution and Bylaws, the DAV legislative focus is on benefits and services for service-connected disabled veterans, their dependents, and survivors. As such, the DAV has no resolution or position pertaining to this bill; however, we are concerned about the adverse impact this legislation could have on the funding of current veterans' programs.

H.R. 601, the Native American Veterans Cemetery Act of 2005, would amend title 38, United States Code, to provide for the eligibility of Indian tribal organizations for grants for the establishment of veterans' cemeteries on trust lands. Because the issues addressed within this legislation are not specific to its legislative focus, the DAV has no resolutions pertaining to this bill. However, because it would benefit veterans and their family members, the DAV has no objection to its favorable consideration.

H.R. 2188, would amend title 38, United States Code, to authorize the placement in a national cemetery of memorial markers for the purpose of commemorating servicemembers or other persons whose remains are interred in an American Battle Monuments Commission cemetery. The DAV has no resolutions pertaining to this bill but because it would benefit veterans and their family members, the DAV has no objection to its favorable consideration.

H.R. 2963, the Dr. James Allen Disabled Veterans Equity Act, would amend title 38, United States Code to improve compensation benefits for veterans in certain cases of impairment of vision involving both eyes. Under current law, a veteran who has suffered blindness in one eye as a result of service-connected disability and blindness in the other eye as a result of non-service-connected disability, which was not the result of the veteran's own willful misconduct, he or she is entitled to Department of Veterans Affairs (VA) disability compensation as if the combination of disabilities were the result of service-connected disability. H.R. 2963 would

expand such eligibility to include veterans with service-connected blindness in one eye and non-service-connected disabilities rated 10 percent or higher in the other eye. The DAV fully supports this bill.

H.R. 4843, the Veterans' Compensation Cost-of-Living Adjustment Act of 2006, would increase, effective as of December 1, 2006, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans. Within the cost-of-living adjustment (COLA) measure is a provision that "each dollar amount increased pursuant to paragraph (2) shall, if not a whole dollar amount, be rounded down to the next lower whole dollar amount." The DAV supports the overall intent of this bill. To maintain the value of veterans' benefits, they must be adjusted to keep pace with the rise in the cost of living. However, rounding down the adjusted rates to the next lower dollar amount will gradually erode the value of benefits over time and thus benefits will not keep pace with the rise in the cost of living. Rounding down veterans' cost-of-living adjustments unfairly targets veterans for convenient cost savings for the government. Additionally, the DAV supports legislation that would provide for automatic annual adjustments, based on increases in the cost of living, for specially adapted housing and auto grants to assist eligible disabled veterans and servicemembers. These grants must be adjusted annually if they are to keep pace with the rise in the cost of living and remain meaningful benefits.

H.R. 5038, would amend title 38 to expand and extend the application of VA benefit for government markers for marked graves of veterans buried in private cemeteries and to provide government markers or memorial headstones for deceased dependent children of veterans whose remains are unavailable for burial. While the DAV has no resolution on this issue, the bill would accomplish a beneficial purpose, and we certainly have no objection to its passage.

H.R. 5037, the Respect for America's Fallen Heroes Act, would prohibit certain demonstrations at cemeteries under the control of the National Cemetery Administration and at Arlington National Cemetery. The DAV supports and appreciates the purpose of this legislation to preserve the dignity of those who have paid the ultimate sacrifice and for their families.

We appreciate the Subcommittee's interest in ensuring the effectiveness of programs for disabled veterans, and we appreciate the opportunity to present DAV's views.