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Washington Update

Check out the **PVAction Force** page to view legislative campaigns and a list of key legislation.

SENATE PASSES FY 2026 VA FUNDING BILL

The Senate passed its version of the fiscal year (FY) 2026 Military Construction, Veterans Affairs, and Related Agencies (MILCON/VA) Appropriations Act prior to leaving for the August recess. The bill was coupled with the Agriculture Department's funding bill, so it was approved as an omnibus measure. The VA portion of the bill totaled \$433.7 billion with \$114.9 billion of that figure going toward the delivery of veterans' healthcare and \$300.4 billion for veterans benefit programs. The chamber also allocated an additional \$384.3 billion in advance funding for FY 2027.

The House passed its version of the MILCON/VA bill back on June 25. While there are many similarities between the two measures, there are also some key differences. Both bills provided \$52.7 billion for the Toxic Exposures Fund for FY 2026, which funds the Administration's full request and is more than \$22 billion above what was made available in FY 2025. \$50 billion would go toward the delivery of healthcare stemming from hazardous exposures during the military, with the remaining going toward the Veterans Benefits Administration's expenses emanating from claims-related work that led to the veterans' eligibility to receive that care.

Both bills provided about \$940 million for medical and prosthetics research and roughly \$2 billion for major and minor construction. However, the House measure

provides nearly \$19 billion more for the department (\$452 billion total) than the Senate. Also, while the Senate bill garnered broad, bipartisan support for its bill (81 to 15), the House vote occurred largely along party lines (218 to 206).

The differences between the bills are not insurmountable, and the two chambers are already working together to resolve them. It is possible that Congress will hash out their differences in time to pass the bill prior to the start of FY 2026 on October 1.

SVAC APPROVES 25 VETERAN-RELATED BILLS

On July 30, the Senate Veterans' Affairs Committee (SVAC) marked up and approved 25 veterans-related bills, including an amended version of the Veterans' ACCESS Act (S. 275). This legislation aims to improve the provision of care and services through VA's Community Care Program. The bill contains several provisions to enhance access to community care for veterans. They include:

- Codification of eligibility standards for access to community care from VA.
- Standardized screening processes for veterans to participate in mental health treatment programs.

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- A pilot program allowing veterans to access mental health and/or substance abuse programs in the community without a referral.
- Tracking of wait times and care availability for mental health programs.
- Increased transparency in the decision-making process regarding care options for veterans, including the appeals process for denied community care.

The House Veterans' Affairs Committee approved its version of the bill (H.R. 740) on July 23. The amended version of the bill removed language helping veterans seeking care through the VA's Mental Health Residential Rehabilitation Treatment Programs (RRTP). Not only did the Senate bill retain these provisions, but it also added language requiring the VA to create a plan and establish a pilot to provide access to VA mental health RRTP for veterans with spinal cord injuries and disorders (Sec. 202). Additionally, the amended Senate bill includes a provision (Sec. 305) that we believe will help improve disability-related access for our members not just at VA facilities, but also with the department's community care partners.

A second bill approved by the committee was the Veteran Caregiver Reeducation, Reemployment, and Retirement (3R) Act (S. 879), which would provide greater support for the family caregivers of veterans. It would ensure family caregivers enrolled in CHAMPVA remain enrolled for up to 180 days following their dismissal from the Program of Comprehensive Assistance for Family Caregivers, unless they have been dismissed for fraud, abuse, or mistreatment. Other provisions in the bill would offer bereavement counseling, job training assistance, and help with professional relicensing costs to help caregivers ease into the workforce or into retirement once their time as a caregiver has concluded. Caregivers are often the most important component of rehabilitation and maintenance for veterans with catastrophic disabilities, and their welfare directly affects the quality-of-care veterans receive.

SVAC also approved the Service Dogs Assisting Veterans Act (S. 1441), which requires the VA to establish a competitive grant program to fund nonprofit

organizations that provide service dogs to veterans with a variety of disabilities, such as mobility or vision impairments or PTSD. This bill would require nonprofit organizations seeking a grant to submit an application to the VA Secretary that includes a description of the training that will be provided by the organization to eligible veterans; the training of dogs that will serve as service dogs; the aftercare services that the organization will provide for the service dog and eligible veteran; the plan for publicizing the availability of service dogs through a marketing campaign; and the commitment of the organization to have humane standards for animals.

Finally, the committee approved the Veterans Accessibility Advisory Committee Act (S. 1383), which aims to enhance VA's accessibility for individuals with disabilities. It mandates the VA to establish a new veterans advisory committee that would focus on improving access for disabled veterans to electronic information, benefits, services, health care facilities, and community care providers. The committee would issue reports identifying barriers and provide recommendations to improve accessibility. This is a companion measure to a House bill that was passed back in May.

Much of the discussion during the relatively short hearing centered on the ACCESS Act, while the remainder of the legislation was agreed to en bloc without discussion. A recording of the hearing and a complete list of the legislation is available here.

SVAC MEETS TO CONSIDER A PAIR OF KEY NOMINATIONS

On July 23, the Senate Veterans' Affairs Committee (SVAC) met to consider the president's nominations for a pair of key veterans-related leadership positions.

Air Force Reserve Major General John Bartrum is the president's nominee to be VA Under Secretary for Health. Currently, he is serving in the most senior medical officer position in the Air Force Reserve, and the most senior Medical Service Corps hospital executive in the Air Force across all components. If confirmed, he would be responsible for overseeing the Veterans Health Administration, which is the largest integrated





health system in the nation. This role involves managing a vast network of health care services for approximately nine million enrolled veterans across various facilities, including medical centers, clinics, and nursing homes.

In his answers to pre-hearing questions, Bartrum apparently said he looks forward to re-examining the balance between direct care and community care. On more than one occasion during the Q&A session he was asked to clarify what he meant by this. He responded by saying that balance should favor the veteran in that they should have greater choice in where they receive care. He talked about the difficulties a veteran had to go through to get a referral to community care, noting these referrals should not require anything more than the initial physician's determination of need with the veteran.

In his opening statement, General Bartrum said he will continue VA's focus on patient safety and quality improvement, while balancing access and improved outcomes. He would also continue to support medical research on veterans' issues and the department's medical education programs, as well as VA's mission to assist the nation during emergencies and disasters.

Also considered was Jeremiah Workman, the president's nominee to be Assistant Secretary of Labor for Veterans' Employment and Training. Workman served with the US Marine Corps during the Iraq War and received the Navy Cross for gallantry under fire after killing 20 insurgents in Fallujah, Iraq. If confirmed, he would be responsible for formulating and implementing policies and procedures to support veterans' employment and training.

When asked what he would do to ensure veterans can get quality, long-term jobs, Workman stressed the importance of separating servicemembers going through the Transition Assistance Program. He said too many people are not going through the program and he would work to change that.

The hearing, which lasted a little more than an hour, can be viewed here along with General Bartrum and Mr. Workman's written statements. Voting on both

nominations is expected to occur when Congress returns after Labor Day.

DOT LAUNCHES NEW COMPLAINT SYSTEM

On August 1, the Department of Transportation's (DOT) Office of Aviation Consumer Protection (OACP) launched a new, modernized web-based system for filing, submitting, and handling air travel service complaints. The launch of the Aviation Complaint, Enforcement and Reporting System (ACERS) will focus solely on submission and handling of new air travel service complaints. DOT announced that ACERS makes it more efficient for airlines and ticket agents to process and respond to consumer complaints, and enhances security and privacy protection of consumer data. Consumers will be able to file air travel service complaints, comments, and compliments by accessing the Consumer Portal. OACP hosted a virtual information session with disability rights advocates after the launch of ACERS to field general questions and obtain feedback on it.

DOJ OPENS INVESTIGATION INTO FLIXBUS AND GREYHOUND FOR DISABILITY DISCRIMINATION

On August 4, the Department of Justice's Civil Rights Division announced that it has launched an investigation into bus companies FlixBus and Greyhound. The notice of investigation comes after complaints that the bus companies violated Title III of the Americans with Disabilities Act. Complaints allege that Flixbus and Greyhound discriminated against passengers with disabilities and denied them reasonable accommodations by failing to properly maintain lifts on buses, refusing to assist passengers with disabilities with using lifts, refusing to allow service animals to accompany passengers with disabilities or improperly asked for documentation, abandoning customers with disabilities between legs of their journey, and failing to allow and assist passengers with disabilities to leave and return to the bus at rest stops, among other allegations. The department is encouraging those who believe they have been a victim of disability discrimination by FlixBus or Greyhound to file a complaint with the Civil Rights Division.





NCD Releases Report on Ground Transportation and Wheelchair Users

At the end of July, the National Council on Disability (NCD) issued a report about the state of access to ground transportation for wheelchair users. NCD's report, "Ground Transportation for People with Mobility Disabilities 2025: Challenges and Progress," examines the unique barriers people experience accessing ground transportation options; explores solutions to increase the availability of wheelchair-accessible vehicles; and makes recommendations to policymakers on ways to expand transportation options. The report also includes legislative, regulatory, enforcement, and partnership-based recommendations to address and remove the barriers outlined in the report. PVA was interviewed as part of the report's development.

NEW VA OIG REPORT RELEASED ON MST CLAIMS

In 2018, a VA Office of Inspector General (OIG) report recommended the consolidation of Veterans Benefits Administration claims raters that worked on claims related to military sexual trauma (MST). In that report, the OIG found that almost half of the denied claims were processed incorrectly. By streamlining the decision process and increasing training related to MST claims, the OIG thought claims decisions would improve.

In a report released this July, however, the OIG determined that the efforts did not yield the intended improvements. OIG identified challenges in planning and implementation of the MST Operations Center which impacted staffing and quality. The Operations Center has struggled to retain quality staff and has encountered challenges finding raters with MST claims expertise. The turnover rate for the Operations Center was 22.6 percent compared to other claims raters who have a turnover rate of just 7.5 percent. The OIG also found that despite the efforts to improve the accuracy of MST claims decisions, in fiscal year 2024, claims accuracy was only 75.3 percent, far below the internal goal of 96 percent.

The OIG made three recommendations for VA: develop and implement a method to identify and report quality

statistics for the operations center, improve and update the internal review process, and develop and implement a process to assess reviewers' competency in processing denied MST claims to monitor and improve effectiveness.

You can read the full report <u>here</u>.

NEWS OF NOTE

VA Under Secretary for Memorial Affairs Sworn In

The Honorable Samuel B. Brown was sworn in as the eighth Under Secretary for Memorial Affairs on July 29. Secretary Brown is a West Point alumnus who served in the Army for five years. During a deployment to Afghanistan in 2008, he was severely wounded by an improvised explosive device. As the Under Secretary for Memorial Affairs, he will be responsible for overseeing maintenance and operations at 155 national cemeteries in 42 states, as well as commemorative sites in other locations. You can read VA's official announcement about his appointment <a href="https://example.com/hemorial-affairs-new-memorative-en-line-sec-new-memorative-en

VA Announces Launch of Simplified Travel Claim Reimbursements Through Their Mobile App

On August 11, VA announced that eligible veterans could now submit and track "mileage-only" travel claims through the VA Health and Benefits mobile app. In addition, the app automatically identifies when a veteran's appointment may be eligible for mileage reimbursement and displays a prompt on the home page. VA believes that this new feature will reduce the number of paper claims which take longer to process. To be eligible for health care travel reimbursement, a veteran must meet certain criteria, such as having a service-connected disability rating of 30 percent or higher or traveling for treatment for a service-connected condition or a claim examination. The app can be downloaded here.

VA Expands Yearlong Authorizations for Community Care

VA is extending the length of new community care







authorizations to one year for 30 kinds of specialty services. Veterans referred by VA for these types of care will receive 12 months of uninterrupted treatment at VA expense before having to obtain a VA reauthorization. You can read the department's official press release about the change here.

SSA Adds 13 New Conditions to CAL List

On August 11, the Social Security Administration (SSA) announced that it has added 13 new conditions to its Compassionate Allowances (CAL) list. The CAL list is designed to fast-track claims for applicants whose diagnoses clearly meet Social Security's statutory standard for disability. The 13 conditions will now be used to help the agency reach decisions more quickly for applicants with those specific diagnoses. SSA encourages applicants with CAL conditions to apply for benefits online.

COMMITTEE ACTIVITIES

Veterans' Committee Activities

Please visit the <u>House</u> and <u>Senate</u> Veterans' Affairs Committee webpages for information on previous and upcoming hearings and markups.