



# Washington Update

Check out the [PVAAction Force](#) page to view our latest alerts and a list of key legislation and its status.

## **PVA SUBMITS COMMENTS ON ACCESSIBLE EV CHARGING STATIONS**

On June 22, the Federal Highway Administration (FTA), U.S. Department of Transportation (DOT), published a [request for comments](#) in response to a Notice of Proposed Rulemaking (NPRM) on public electric vehicle (EV) charging stations. The [National Electric Vehicle Infrastructure Formula Plan](#) provides funding for accessible EV chargers. The proposed standards and requirements apply to installation, operation, and maintenance of EV chargers; signage; data; and public information.

PVA submitted a [comment](#) in response to the NPRM. We urged FTA to ensure that charging stations adhere to physical accessibility requirements under the Americans with Disabilities Act, the Architectural Barriers Act, and Section 504 of the Rehabilitation Act. PVA requested FTA engage with the disability community when developing its standards. PVA also offered ideas on accessible payment processes. In addition, PVA highlighted the importance of making information on accessible charging stations available to the public.

## **VETERANS COLA BILL APPROVED BY HOUSE**

On September 14, the House approved H.R. 7846, the Veterans' Compensation Cost of Living Adjustment Act,

which authorizes cost-of-living increases in VA disability compensation and dependency and indemnity compensation payments for calendar year 2023. The bill is headed to the Senate which is expected to approve it soon. The actual rate of the increase, which has not yet been determined, will be the same as recipients of Social Security and military pension payments. Traditionally, Social Security announces any increase in mid-to-late October.

## **SENATE COMMERCE HOLDS HEARING ON NOMINATION OF CAPOZZI TO THE AMTRAK BOARD OF DIRECTORS**

On September 7, the U.S. Senate Commerce, Science and Transportation Committee held a confirmation hearing for David Capozzi to the Amtrak Board of Directors. If confirmed, he will be the first person to fulfill the requirement included in the Infrastructure Investment and Jobs Act that Amtrak's Board include at least one person with a disability with expertise in accessible rail service.

In his testimony Capozzi said, "I am the right person for the job. I have worked to make rail transportation more accessible to individuals with disabilities for over 35 years. I was a member of the legal team for the disability community that helped Congress craft the Americans with Disabilities Act, or ADA, and testified in support of its passage before the House Committee on Public Works and Transportation. Following the ADA's



enactment, I chaired the committee formed by the Urban Mass Transit Administration, the predecessor of today's Federal Transit Administration, which developed the Department of Transportation's proposed rule to implement the ADA. I served as National Advocacy Director for the Paralyzed Veterans of America and Vice President of Advocacy for Easterseals. While at Easterseals, I managed Project ACTION, a congressionally created program to promote cooperation between the disability community and the transportation industry to improve access to transportation for people with disabilities."

In 1992, he joined the U.S. Access Board and later served as its Executive Director until his retirement in 2020. During Capozzi's time at the Access Board, he led the development of guidelines and standards to implement the ADA and other federal laws. This included updating accessibility guidelines that apply to fixed guideway systems, including rapid, light, commuter, intercity, and high-speed rail. He will bring to the Amtrak Board many years of experience, both outside and within the federal government, of working with the disability community and transit industry as a whole. His nomination will need to be confirmed by the full Senate.

### **DOJ INTERVENES IN CASE ON SAN JUAN'S INACCESSIBLE SIDEWALKS**

On September 6, 2019, in the case of [Betancourt-Colon et al v. City of San Juan](#), individuals with mobility disabilities sued the city of San Juan, Puerto Rico, alleging the city violated Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 by failing to install and maintain curb ramps on its sidewalks. The complaint alleged the city's curb ramps are cracked, too steep, or nonexistent, and the walkways are uneven, too narrow, or obstructed. The plaintiffs argued that the city discriminates against individuals with disabilities by failing to provide equal access to the city's sidewalk system.

[Title II of the ADA](#) covers state and local governments, and provides that no qualified individual with a disability should be excluded from participation in or be denied the benefits of public services, programs, and activities.

The city initially argued that the plaintiffs were not excluded from any service and requested that the case be dismissed. The plaintiffs amended their complaint, arguing the insufficient sidewalks prevented them from accessing public facilities or attending public functions, which are services, programs, or activities. On September 1, 2020, the court [denied the city's motion to dismiss](#). In response, on November 9, 2020, the U.S. Department of Justice (DOJ) filed a [statement of interest](#), supporting that maintenance of sidewalks are covered under Title II of the ADA. The case continued and on September 12, 2022, DOJ [intervened](#) in the case. DOJ has committed to ensuring that necessary steps are taken to make the city's sidewalks, curb ramps, and crosswalks accessible to all city residents and visitors.

### **STATUS OF APPROPRIATIONS BILLS**

The federal government's fiscal year ends on September 30. Congress has yet to pass any of the 12 annual spending bills. Once again, lawmakers will be resorting to a continuing resolution (CR) to keep the government funded beyond the end of the month. As of now, we understand that Congress is considering a measure which would run through mid-December.

Most CRs extend funding based on the previous year's rates and rarely authorize spending for new programs. This time around Congress will be considering the Administration's request for additional funding to combat the spread of Monkeypox, address disaster relief here in the U.S., and provide additional support to Ukraine. They may also use the CR to address a number of expiring authorities including some that address VA programs, grants, and advisory committees. Reaching a deal on the CR won't be easy and it is likely to consume much of the remaining legislative time Congress has left in September.

### **UPDATES ON VA'S FAMILY CAREGIVER PROGRAM**

VA officials say that they are ready to begin the Phase II expansion of the Program of Comprehensive Assistance for Family Caregivers (PCAFC) on October 1. As a reminder, this phase will finally open the PCAFC to veterans of all eras. For more information about the program, please click [here](#).

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The VA has also [announced](#) that it will extend the eligibility for the PCAFC for all veterans and family caregivers that were participating in the program or applied for the program before October 1, 2020. The extension is slated to continue until September 30, 2025. VA is currently working with PVA and other veterans groups to address issues with program eligibility that have resulted in many current participants being found to be no longer eligible for the program.

### **PVA MEETS WITH HOUSE WOMEN VETERAN TASK FORCE**

Late last month, PVA joined other veterans service organizations (VSOs) in a discussion with Representatives Julia Brownley (D-CA) and Amata Radewagen (R-American Samoa) to discuss their legislative priorities for women veterans. The pair of House lawmakers will co-chair the recently reconvened Women Veteran Task Force.

PVA stressed the importance of access to equitable and accessible comprehensive, gender specific care for our women members. We also stated that VA employees working within the SCI/D system of care must be adequately trained to understand the complex needs of women veterans with SCI/D. As for our remaining legislative priorities, PVA and several other VSOs pressed upon the Chairs the importance and urgency of getting several pieces of legislation across the finish line that are related to military sexual trauma (MST), such as the Servicemember and Veterans Empowerment and Support Act of 2021 (H.R. 5666/S. 3025).

The Task Force plans to meet regularly to discuss the dynamic needs of women veterans seeking care and benefits from the VA. And with bipartisan leadership, PVA is hopeful it will continue into the next Congress. Representatives Brownley and Radewagen listened intently to our issues and assured attendees that women veterans will not be ignored and they are eager to work with us all.

## **NEWS OF NOTE**

### **Suicide Prevention Month**

September is Suicide Prevention Month, and the VA wants to remind veterans they don't have to solve life's challenges alone. Day-to-day issues with finances, jobs, housing, and relationships can be stressful, and it's important to get help before problems feel overwhelming. If you or a veteran you know needs support, please visit [VA.gov/REACH](https://www.va.gov/REACH). PVA chapters can help the VA spread the word using the "Don't Wait. Reach Out" campaign toolkit [here](#).

### **NDI Report - Small Business Ownership by People with Disabilities: Challenges and Opportunities**

Earlier this year, the National Disability Institute (NDI) published a [report](#) highlighting the importance of entrepreneurship to people with disabilities and outlining many of the challenges disabled entrepreneurs encounter trying to enter the world of free enterprise. Report highlights include:

- A higher percentage of self-employment in working-age people with disabilities is observed in all age groups, as compared to working-age people without disabilities.
- Barriers keep people with disabilities from pursuing work and, when they do pursue work, lack of accommodations and discrimination in the workplace may prompt them to launch their own enterprises.

### **VA Extends Financial Hardship Suspension**

The [VA is extending the financial hardship suspension relief option](#) for benefits debts through December 31, 2022, which was set to expire September 30. Beginning this month, debt notification letters will be mailed to affected veterans advising them of the extended hardship suspension option, as well as extended debt repayment plans, waivers, and compromises. Benefit debts include debts related to disability compensation, non-service-connected pension and education benefits. If you have questions, please contact a PVA National



Service Officer (NSO). To find a PVA NSO, click [here](#) and follow the instructions.

### **Final Segment of State Policy Roadmap for Caregivers is Released**

The National Academy for State Health Policy recently released the final component of the [State Policy Roadmap for Family Caregivers](#). This document arose from the September 2021 recommendations of the RAISE Act Family Caregiving Advisory Council and aims to provide a guide for state officials to better understand the state policy landscape for supporting family caregivers, and to identify opportunities for innovation in their states. The sections of this tool for states include: Public Awareness and Outreach; The Direct Care Workforce; Financial and Workplace Security; Family Caregiver Services and Supports; Using Research, Data, and Evidence-Informed Practices to Support Family Caregivers; and Engagement of Family Caregivers in Health Care Systems. Click [here](#) to view the entire roadmap.

### **Direct Support Professionals Recognition Week**

September 11 to 17 is Direct Support Professionals (DSP) Recognition Week. In acknowledgement of the vital role DSPs play in America's workforce and economy, the Department of Labor, Office of Disability Employment Policy (ODEP) has produced a [webinar](#) focusing on careers for DSPs and its LEAD Center has [published a set of policy recommendations](#) for valuing direct care work, much of which is performed by women. DSPs provide necessary supports and services to people with disabilities of all ages. To bring more awareness to the vital role of DSPs, ODEP will be launching a DSP focused webpage highlighting ODEP's work in supporting and expanding the DSP workforce.

### **American Institutes for Research Invites Study Participants Receiving HCBS**

Researchers from American Institutes for Research (AIR) are conducting a study to look at ways to improve care by understanding the needs of people receiving home and community-based services or HCBS. AIR would like to interview people receiving services about their

experiences with HCBS and will include questions about equity issues related to location and race/ethnicity. The interview would take about an hour and can be done over the phone or by video. All answers are completely confidential and will not affect any services or care received. As a thank you, AIR is offering a \$75 gift card for participating in an interview. Those interested in participating can click [here](#). Questions can be directed to [HCBSinfo@air.org](mailto:HCBSinfo@air.org).

### **Scammers are Targeting Veterans to Access Their PACT Act Benefits**

On August 10, the President signed the PACT Act into law. This bill helps millions of veterans and their survivors, but unfortunately scammers are now targeting them for their benefits. Please watch this edition of VA's [theSITREP](#) and [download tips](#) on ways to avoid these scams.

### **VA Improves the Airborne Hazards and Open Burn Pit Registry**

The VA is expanding eligibility and making the Airborne Hazards and Open Burn Pit Registry easier to use. Plus, you are now eligible to participate if you were deployed to one of three new locations: Syria or Uzbekistan since Sept. 11, 2001, or Egypt since August 1990. Click [here](#) to learn more.

## **HEARINGS, WEBINARS, & EVENTS**

**Audio Chat Now Available:** PVA recently hosted an audio chat on VA's Specially Adaptive Housing Grant Program. To listen, please visit the Veteran Chats series [here](#).

**Webinar Now Available:** PVA Government Relations hosted a webinar on 8/18 on accessibility and autonomous and electric vehicles. This webinar is now live on the [PVA Advocacy Webinars page](#).

### **Next Meeting of the RAISE Family Caregiving Advisory Council and Advisory Council to Support Grandparents Raising Grandchildren**

On September 21, the second joint meeting of the [RAISE](#)

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[Family Caregiving Advisory Council](#) and the [Advisory Council to Support Grandparents Raising Grandchildren \(SGRG\)](#) will be held to announce the release of the 2022 National Strategy to Support Family Caregivers, as required by the Recognize, Assist, Include, Support and Engage (RAISE) Family Caregivers Act.

The meeting will be virtual and open to the public. Pre-registration is not required to attend. The Zoom meeting link will go live five minutes prior to the meeting start time. All information for this meeting, including an agenda, will be posted on the respective Councils' webpages in advance of the meeting: [RAISE](#) and [SGRG](#).

### **Upcoming Veterans' Affairs Committee Action**

Please visit the House Veterans' Affairs Committee [webpage](#) and the Senate Veterans' Affairs Committee [webpage](#) for information on upcoming hearings and markups.

