

Support Veterans Benefits Enhancements, but don't fund by shortcutting other Veterans



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Yesterday, the Senate passed S. 1315, Veterans Benefits Enhancement Act of 2007. The American Legion is very supportive of each of these provisions; however, The American Legion is adamantly opposed to how Congress plans to pay for these enhanced benefits under the current PAYGO rules – by repealing **Hartness v. Nicholson**.

In **Hartness v. Nicholson**, a veteran appealed a May 5, 2004, decision of the Board of Veterans' Appeals that denied housebound (HB) benefits because VA determined that the veteran did not meet either of the two alternative criteria for HB benefits:

- he did not have a single disability rated 100 percent disabling combined with substantial confinement to the home; and
- he did not have entitlement under the alternative basis a 100 percent disability rating with an additional independently ratable 60 percent disability.

The Court of Appeals for Veterans Claims agreed held that a wartime veteran may be awarded housebound benefits if, in addition to being 65 years old, he or she has been rated at least 60 percent disabling or is considered permanently housebound. Section 1513, Title 38, USC, currently benefits many wartime veterans from the "Greatest Generation" and other veterans from subsequent conflicts.

The American Legion strongly supports the enhancement provisions of S. 1315, but cannot support this proposed PAYGO funding stream. The American Legion believes the sacrifice of these heroes warrants relief. Balancing the books on the backs of the very patriots that protected and defended this nation is unconscionable. Don't let Congress make a grave mistake in the name of fairness, equality, or even fiscal responsibility. Do what is right!

Please contact both of your Senators today. Let them know that it is critical that they waive the PAYGO requirements and adjust the rules for funding of the Filipino veterans.

Encourage fellow veterans, family and friends to contact their senators, as well. If you cannot get through to the Washington, DC offices, please contact local congressional offices within your state.

Capitol Switchboard: 1-877-851-6437, 1-800-828-0498, or 1-800-614-2803. Ask for the office

you would like to speak to. You can also request that one office transfer you to the next office. Most staff members are happy to do so.



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