



# Washington Update

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

## AUGUST RECESS IS OUR TIME FOR ACTION

Congress has officially departed for its August recess, which traditionally is a five plus week-long break from legislative activity that allows members of the House and Senate to reconnect with their constituents, spend time with family, and travel independently or as part of congressional delegations on diplomatic or fact-finding efforts. Much of the time, they will be working out of their state and local offices. During the recess, we are running a number of campaigns on key legislative priorities through [PVAAction Force](#). This is the time when action is needed to ensure support for issues important to PVA members and their families.

One of the key issues demanding our attention is the [Justice for ALS Veterans Act, S. 1590/H.R. 3790](#). This legislation aims to provide surviving spouses of veterans who died of service-connected ALS with additional compensation. By advocating for this legislation, we can have a significant impact on the lives of those affected by this devastating disease.

Additionally, let us not forget about the [Elizabeth Dole Home Care Act, S. 141/H.R. 542](#). In the final days before August recess, the [House Veterans' Affairs Committee](#) [marked up](#) this top PVA priority. Action on H.R. 542 had been delayed since the last Congress because of a very high price tag placed on it by the Congressional Budget Office (CBO) concerning the cap on VA-purchased home care. This bill seeks to improve access to quality home

care services for our veterans and their families, and we have a fighting chance to get the legislation passed.

Furthermore, let us not overlook the [FAA Reauthorization](#). The House and Senate versions of the reauthorization include important provisions for passengers with disabilities, including improved training requirements and required further study into in-cabin wheelchair restraints. The House's bill also includes elements of the PVA-supported Air Carrier Access Amendments Act (ACAAA) (H.R. 1267). We support adding amendments based on the ACAA (S. 545) to the Senate bill that would improve the disability-related complaint process and improve disability access standards.

Last, but certainly not least, we need action on the [Autonomy for Disabled Veterans Act, H.R. 2818](#). This legislation aims to empower disabled veterans by providing them with increased mobility options through home modifications. The VA's Home Improvements and Structural Alterations (HISA) grant has not been adjusted since 2010. HISA needs rates that are raised annually to offset the associated costs of rising prices.

Now is the time to make our voices heard! Together, let's ensure that these critical bills receive the attention they deserve during this recess period, so that we can keep pushing access forward.



## DEFENSE POLICY BILLS ADVANCING

The House and Senate passed their respective versions of the fiscal year 2024 National Defense Authorization Act (NDAA) immediately prior to the August recess. Because it sets the annual policy agenda and authorizes funding for the Department of Defense, it is viewed as a “must pass” piece of legislation each year. It normally contains thousands of defense-related provisions, but every now and then, lawmakers successfully attach veterans-related issues to these bills.

For the most part, that was not the case this year. Lawmakers declined to include amendments that would have increased VA mileage reimbursement rates; allowed veterans with combat-related disabilities and less than 20 years of creditable military service to receive their full retirement pay and VA disability compensation; increased baseline rates for VA’s Dependency and Indemnity Compensation (DIC); allowed surviving spouses of veterans with ALS to receive the “DIC Kicker;” and raised VA’s Home Improvements and Structural Alterations grant rates.

The Senate did agree, however, to include language increasing the minor construction project threshold for VA construction from \$20 to \$30 million, and require VA to develop a process to ensure that the amount keeps pace with construction costs in the future. Passage of this provision in the final bill would greatly assist the VA in its efforts to more quickly upgrade facilities including VA’s spinal cord injuries and disorders system of care.

When Congress returns in the fall, representatives from both chambers will begin working to resolve their differences in a conference conducted behind closed doors. A key area where the two chambers disagree is the amount of total spending authorized by the bill. The Senate’s version calls for \$886 billion, which matches the debt ceiling deal Congress approved in June. The House’s version calls for \$11 billion less. This disparity is expected to be one of the toughest points to resolve during their negotiations.

## HOUSE VA SUBCOMMITTEES ADVANCE VETERANS LEGISLATION

Shortly before the House broke for the August recess, the House Veterans’ Affairs, Subcommittees on Health, Economic Opportunity, and Oversight and Investigations marked up more than two dozen pieces of legislation affecting veterans. One of the bills marked up was H.R. 2818, the Autonomy for Disabled Veterans Act. The bill was amended during the markup to allow VA’s Home Improvements and Structural Alterations (HISA) grant program to provide a single rate of \$9,000 for all new users, regardless of VA disability status. The bill also directs VA to increase the benefit annually in the same manner as its other home modification programs, and allows veterans to use money from the grant up to three different times.

Lawmakers also looked at H.R. 1278, the Driver Reimbursement Increase for Veteran Equity (DRIVE) Act, which would increase the Beneficiary Travel mileage reimbursement rate for eligible veterans with service-connected disabilities and health conditions. In 2010, Congress passed legislation to set the mileage reimbursement rate at a minimum of \$0.41 per mile which, at the time, was comparable to rates federal employees were reimbursed for work-related travel. The 2010 law also gave the VA Secretary the authority to increase rates going forward to be consistent with the mileage rate for federal employees for the use of their private vehicles on official business, as established by the Administrator of the General Services Administration (GSA). However, since the enactment of this law, the VA travel mileage reimbursement rate has remained stagnant, even though gas prices and other costs like auto insurance and vehicle maintenance costs have increased significantly. Meanwhile, the GSA rate has risen over time to \$0.625 per mile. The DRIVE Act would require the VA to ensure its Beneficiary Travel reimbursement rate is at least equal to the GSA reimbursement rate for federal employees. This would help ensure VA’s reimbursement rates keep up with the cost of inflation and properly account for fluctuations in gas prices over time.

A third bill, H.R. 1815, the Expanding Veterans’ Options for Long Term Care Act, would help veterans live more

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independently. Currently, the VA can refer veterans to assisted living facilities, but it cannot directly pay for that care. The Expanding Veterans' Options for Long Term Care Act would create a three-year pilot program at six VISNs, including at least two program sites in rural areas and two in state veterans homes to test the benefit of having VA pay for this care. Veterans eligible for the pilot would include those already receiving nursing home-level care paid for by the VA and those who are eligible to receive assisted living services or nursing home care. At the conclusion of the pilot program, participating veterans would be given the option to continue receiving assisted living services at their assigned site, paid for by the VA.

All 26 bills reviewed during the three hearings were forwarded out of the subcommittees. A list of all the bills reviewed can be found [here](#).

### **ACCESS BOARD ISSUES FINAL RULE ON PUBLIC RIGHTS-OF-WAY**

The U.S. Access Board recently issued a final rule on accessibility standards for [public rights-of-way](#). The standards ensure that newly constructed or altered facilities or routes used by pedestrians are readily accessible and useable by people with disabilities. The standards cover pedestrian access routes, including sidewalks and shared-use paths; accessible pedestrian signals; crosswalks; transit stops, boarding areas, and transit shelters; and on-street parking. The Access Board's enforcement authority extends only to federal facilities. The standards will not apply to states, counties, or cities until standards are adopted by the U.S. Department of Justice and U.S. Department of Transportation.

### **DOJ ISSUES NPRM ON ADA TITLE II WEBSITE AND MOBILE APP ACCESSIBILITY**

The U.S. Department of Justice (DOJ) [issued a notice of proposed rulemaking](#) (NPRM) for website and mobile app accessibility requirements under Title II of the Americans with Disabilities Act (ADA). Under Title II, state and local governments' services, programs, and activities must be accessible to people with disabilities. The NPRM proposes specific technical accessibility

standards for services, programs, and activities offered by state and local government entities to the public through the web and mobile apps. Members of the public can submit comments until October 3.

### **AMTRAK BOARD OF DIRECTORS MEETS WITH DISABILITY RIGHTS ADVOCATES**

On July 28, the Amtrak Board of Directors held their annual meeting with disability rights advocates. The meeting included updates on Amtrak's efforts to increase accessibility for passengers with disabilities, including passengers who use mobility assistive devices. Amtrak regularly meets with disability rights advocates, including PVA. During the meeting, advocates raised issues such as accessibility on the long-distance trains; evacuation procedures for people with disabilities; accessibility features on new trainsets, such as the accessible restrooms; accessible parking spaces at stations; and other topics important to the community. Amtrak will continue to hold their quarterly meetings with the disability rights community to provide updates.

### **ACCESS BOARD HOSTS PUBLIC TOWN HALL MEETING IN BALTIMORE**

On July 25, the [U.S. Access Board](#), the federal agency that promotes equality for people with disabilities through leadership in accessible design and the development of accessibility guidelines and standards, hosted a [public town hall meeting](#) in Baltimore. The public meeting served as an opportunity for the agency to provide updates on rulemakings and allow individuals to make statements directly to the Board. The agency reported on the status of pending rulemakings, including the upcoming release of the final rule for the low transfer height of medical diagnostic equipment. A recording of the meeting is [online](#).

It's important to remember that the Access Board's accessibility requirements only apply to federal agencies under the [Architectural Barriers Act](#), the law that applies to the accessibility of federal buildings and facilities. The Board's standards do not apply to state and local government entities nor private businesses under the Americans with Disabilities Act or other federal laws unless adopted by the enforcing agency, e.g., the U.S.

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Department of Justice, U.S. Department of Transportation, and U.S. Department of Health and Human Services. Even where the Access Board's standards do not apply, however, the rules are generally taken into consideration when the enforcing agencies develop their own requirements.

### HOUSE SUBCOMMITTEE HOLDS HEARING ON AVs

On July 26, the 33rd anniversary of the Americans with Disabilities Act, the House Energy and Commerce, Subcommittee on Innovation, Data, and Commerce held a legislative hearing on autonomous vehicles (AVs). The hearing titled, "[Self-Driving Vehicle Legislative Framework](#)," discussed the ways AVs can enhance safety and improve lives, including for people with disabilities. Committee members are currently in negotiations to introduce a bill that will regulate AVs and safety standards.

Prior to the hearing, the Consortium for Constituents with Disabilities (CCD) submitted a [letter](#) to the Subcommittee. The letter outlined how accessible AVs can serve as a vital transportation option for people with disabilities. PVA earnestly advocates for AVs that are accessible for wheelchair users. PVA Advocacy Attorney Danica Gonzalves is a co-chair of the CCD Transportation Task Force. PVA signed on to the letter to support the deployment of wheelchair-accessible AVs. During the hearing, representatives reinforced the importance of accessible AVs and the letter was introduced and entered twice into the hearing record.

### STATUS OF THE FAA REAUTHORIZATION ACT

On July 20, the House passed H.R. 3935, the Securing Growth and Robust Leadership in American Aviation Act. This legislation would reauthorize the Federal Aviation Administration (FAA) for five years. We are pleased that the legislation includes several important provisions that would improve the air travel experience for people with disabilities. Some of these provisions include training requirements for assisting passengers with limited mobility and properly stowing assistive devices; improving the Department of Transportation's (DOT) complaint process; and addressing the need for more access standards. The bill also requires continued study

into safe and secure in-cabin wheelchair restraint systems; and for DOT to perform a more in-depth analysis of mishandled wheelchairs as reported by airlines. Additionally, the legislation reauthorizes the Air Carrier Access Act Advisory Committee and includes a focus on the needs of passengers with disabilities in evacuations. The bill includes elements of the PVA-supported Air Carrier Access Amendments Act (ACAAA) (H.R. 1267) and the MOBILE Act (H.R. 3082).

The Senate's version of the FAA Reauthorization Act, S. 1939, also includes several disability-related provisions, including elements of the MOBILE Act (S. 1459). We support adding amendments based on the ACAA (S. 545) that would improve the disability-related complaint process and improve disability access standards. Committee action on the bill has been delayed.

The current FAA authorization expires on September 30. Thus, it is likely that Congress will need to pass an extension to allow more time to address policy differences that have prevented further action in the Senate. The House and Senate will also need to address variations between their versions of the reauthorization.

### NEWS OF NOTE

#### U.S. Access Board Announces Passing of Former Executive Director Larry Roffee

On August 10, the U.S. Access Board announced the passing of Larry Roffee. Mr. Roffee was appointed Executive Director of the Access Board in November 1988 and held the position for 20 years before retiring from federal service in August 2008. Mr. Roffee served in the U.S. Army as a Second Lieutenant in Vietnam in 1969 and 1970 and was wounded in action in May 1970.

Following his service in Vietnam, Mr. Roffee worked for PVA and at all levels of the Selective Service System. In 1987, he served as the Program Manager for the President's Committee on Employment of People with Disabilities before leading the Board as Executive Director.

After retiring from the Board, Mr. Roffee opened LMR Consulting where he provided consulting services on

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disability policy, accessibility in the built environment, and federal management. On August 9, Mr. Roffee passed peacefully in Billings, Montana, while on a cross-country trip visiting national parks with his wife Maggie.

### **Amtrak To Hold Public Meeting and Accept Comments on Long Distance Trains**

Amtrak is hosting a [hybrid public meeting](#) on August 30 from 10:00 a.m.-2:00 p.m. ET and accepting feedback on its long distance trains and the future of accessible train travel. The public can attend the meeting in-person at the Hyatt Regency Washington on Capitol Hill in Washington, DC. [Registration](#) for in-person attendance ends August 25 and virtual attendance registration is open until August 30. [Feedback](#) and comments will be accepted until September 7.

### **TRAINING AND COMMITTEE ACTION**

#### **NASCIC Online Training Available to Facilitate Participation in SCI Research**

The North American Spinal Cord Injury Consortium (NASCIC) recently developed a free online course to present information and resources necessary to understand the complexities of a spinal cord injury (SCI). This will ultimately aid individuals with SCI and caregivers to serve as research advocates, as well as allow SCI researchers and health care providers to effectively partner with the SCI community.

This information is condensed and presented in video form with additional supplementary material. The topics of each module are:

- Module 1 = Introduction to Research Advocacy
- Module 2 = Understanding the Research Process and R&D Decision-Makers
- Module 3 = Addressing Historical Challenges for SCI Studies
- Module 4 = SCI Biology Part I
- Module 5 = SCI Biology Part II – Aging with an SCI
- Module 6 = Neuroprotection (Acute application)
- Module 7 = Regeneration (Neurorepair)

- Module 8 = Cell Replacement (Neuroreplacement)
- Module 9 = Neuroplasticity
- Module 10 = Quality of Life
- Module 11 = SCI 101 for Researchers
- Module 12 = Getting Started!

Registration for the course is free for everyone and can be accessed on the NASCIC website at: <https://nascic.org/courses/nascic-community-engagement-program-cep/>. They also have a [Course Guide](#) that may help with navigating the website and course features.

PVA assisted in the development of the training. We will host a webinar in October to provide further information about the course and encourage member participation.

#### **Upcoming Veterans' Committee Activities**

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