RECOGNIZING THE MILITARY SURVIVOR BENEFITS IMPROVEMENT ACT OF 2003

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 12, 2003

Ms. ROS-LEHTINEN. Mr. Speaker, I am proud to be a cosponsor of H.R. 548, the Military Survivor Benefits Improvement Act of 2003. This bill aims to ensure the well-being of our veterans, an issue of crucial importance to me.

Many veterans in my congressional district expressed to me their concerns regarding the treatment of elderly military survivors. Several veterans wrote letters to me stating their worry that ''unlike other federal survivor programs, the military Survivor Benefit Plan (SBP) annuity is reduced at age 62 from 55 percent to as little as 35 percent of SBP-covered retired pay.''

Many older retirees and survivors were not informed of the age-62 reduction when they signed up for SBP in the 1970s, and are shocked to learn their survivor's annuity will be far less than expected. The government provides federal civilian survivors a substantially higher share of retired pay for life, with no benefit reduction at any age.

For some, the sharp annuity drop at age 62 offsets the amount of the survivor's Social Security benefit attributable to the member's uniformed service. For those who have become retirement eligible since 1985, it is a reduction from 55 percent to 35 percent of SBP-covered retirement pay.

In order to respond to these valid concerns, I strongly support H.R. 548. This bill increases the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, and provides for a one-year open season under that plan. The bill seeks to balance equity and cost considerations by phasing out the age-62 benefit reduction over five years.

The Military Survivor Benefits Improvement Act of 2003 is an important piece of legislation that addresses the needs of our Nation's veterans and their families. This bill will certainly improve the lives of our country's veterans by giving them the benefits that they deserve.

VETERANS NURSING HOME CARE ACT OF 2003

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 12, 2003

Mr. EVANS. Mr. Speaker, I rise in support of H.R. 2445, the Veterans Nursing Home Care Act of 2003. I am introducing this bill in order to extend the assurance of a meaningful nursing home benefit for the majority of our service-connected veterans. I want to ensure that medically necessary nursing care is at least available to those with conditions related to their military service.

This winter, the administration surprised us with a new proposal for saving VA about $235 million. Instead of using the guarantee for nursing home care as a minimum threshold for veterans to whom VA must provide unlimited nursing home care, it proposed to define this group as the only veterans who would be eligible for nursing home services. This was definitely not Congress's intention and I want to ensure that the Department is very clear about that.

Congress passed the Veterans Millennium Health Care and Benefits Act (P.L. 106–117) in 1999. The bill contained a number of measures designed to shore up the long-term care mission in VA. Even then, it was apparent that VA had begun to abandon its role in traditional long-term care. VA now acknowledges that the majority of its ''nursing home'' beds are dedicated to post-acute care, short-term evaluation, and rehabilitative care missions. It continues to turn away from custodial care for veterans.

In response to this shift in mission, Congress was able to agree to a small core-group (now known as Priority Group 1A) who would be eligible for long-term placement in a VA nursing home. VA would not be able to discharge these veterans without the consent of the veteran or his representative. In addition, Congress agreed to inclusion of non-institutional long-term services in the definition of ''medical services'' that comprise VA's benefits package. The Millennium Bill also established a ''capacity requirement'' that required VA to maintain its long-term care services at the FY 1998 level.

What has occurred in response to this legislation has been discouraging to say the least. A letter covering a report VA prepared to discuss implementation of the law signed by Secretary of Veterans Affairs Anthony J. Principi states: ''. . . there is evidence of only small changes in VA's long-term care (LTC) services that were a direct result of the Act versus what VA had already planned in providing LTC for veterans. In addition, there was only a small increase in numbers of veterans 70 percent service-connected or greater who were estimated to need nursing home care but who actually received that care from VA.''

In addition there is a long history of correspondence between Congress and the Administration about the ''capacity'' requirement. As part of its proposal for fiscal year 2004, VA would cut an additional 5000 nursing home beds from its program projecting an average daily census (ADC) of 8500. At the end of FY 2002, it was already considerably short (ADC of 11,969) of its FY 1998 required level (an average daily census of 13,391).

The news is not just bad for institutional care. This May, the General Accounting Office released a report I requested that looked at the availability of non-institutional long-term care. It identified major gaps in access and availability of services—including those Congress meant to include as part of the ''basic benefits'' package available to every enrolled veteran.

I note that I am not the only one who is apparently concerned about VA's vanishing nursing home mission. The Chairman of the Senate Veterans Affairs Committee, Arlen Specter has introduced legislation, S. 1156, which extends the requirement to provide long-term nursing home care to veterans with service-connected conditions rated at least 50 percent. I look forward to working with him on this legislation. I urge all Members of the House to support this measure.

UNLAWFUL INTERNET GAMBLING FUNDING PROHIBITION ACT

SPEECH OF

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2143) to prevent the use of certain bank instruments for unlawful Internet gambling, and for other purposes:

Mr. SHERMAN. Mr. Chairman, I rise to express my support for H.R. 2143, the Internet Gambling Prevention Act of 2003, passed by the House on June 10, 2003.

I am a strong believer of the simple principle: ''You should have to leave your house to lose your house.'' Thus, I believe we should prohibit Internet gambling except when the gambler is known to be physically present in a location the ''sovereign'' of which authorizes the particular gaming. This does take steps to prevent unlawful Internet gambling, especially gambling through websites based off-shore, outside of the regulatory jurisdiction of the United States.

During consideration of H.R. 2143, I voted for the Sensenbrenner/Conyers/Cannon amendment which would have removed language from the bill that would have excluded transactions with businesses licensed by a state from the definition of ''bet and wager.'' There are at least two problems with this provision which unfortunately (due to the non-adoption of the said amendment) remains in the bill.

First, the provision does not assure that the gaming is legal at the location where the gambler is actually located. Second, the loophole does not provide parity for tribal governments running casinos. Because tribes that run casinos enter into compacts with the State to offer these facilities, they are not licensed by the state.

Mr. Speaker, as H.R. 2143 moves to the Senate and ultimately to a conference committee, I am hopeful that we can remove this loophole from the legislation.

HONORING MYRA KELLY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 12, 2003

Mr. ENGEL. Mr. Speaker, I rise today to honor a woman who believes that every child, regardless of color, creed, economic status, or disability has the inherent right to receive a quality education. And it is because of this deeply held personal belief that Myra Kelly has dedicated her life to a career serving the children of her community.

A lifelong New Yorker, Myra began her career as a teacher in Community School District 9. While there, she taught general elementary school, junior high school math and elementary special education. Myra then proceeded to spend the next 30 years of her professional career in the New York Department of Education. In this capacity, she acted as a school Psychologist in District 10 and was the Supervisor of Psychologists for District 11. While