

September 16, 2020

The Honorable Julia Brownley  
Chairwoman  
House Committee on Veterans Affairs  
Subcommittee on Health  
United States House of Representatives  
Washington, DC 20510

The Honorable Neal Dunn  
Ranking Member  
House Committee on Veterans Affairs  
Subcommittee on Health  
United States House of Representatives  
Washington, DC 20510

**Re: REQUEST FOR CAREGIVER HEARING IN SEPTEMBER 2020**

Dear Chairwoman Brownley and Ranking Member Dunn:

The following signers – non-partisan veteran and military service organizations and experts – write to you today to express our urgent request for a Subcommittee hearing regarding the Department of Veterans Affairs (VA) *Program of Comprehensive Assistance for Family Caregivers* (PCAFC) Final Rule Changes issued on July 31, 2020. The final Rule is effective on October 1, 2020.

Despite the guidance provided by Congress on specific eligibility and participation criteria under the law, VA's proposed and final rule tightened the eligibility criteria substantially beyond that required by law. As VA's regulation substantially changes the program's eligibility criteria, the process to determine a veteran's "need" for assistance, and the entire methodology and basis for the stipend paid to the caregiver, we believe it is imperative the Subcommittee publicly review these changes before they go into effect on October 1.

VA received more than 200 public comments voicing concern and objecting to these changes during the Notice of Proposed Rulemaking process from veteran and caregiver support organizations. However, VA's Final Rule, issued on July 31, 2020, failed to incorporate any of the revisions recommended in the comments. The Final Rule will lead to a spike in demand for veteran caregiver services, because of both the additional restrictions placed on the program, as well as the substantial change in the processes for applying for the program, reapplying for the program, and for appeals of eligibility decisions.

Although numerous veteran and caregiver organizations recommended during the public comment period that VA issue a Supplemental Rule to codify in regulation the application and appeals processes, VA rejected such recommendations and insisted on keeping those processes solely at the policy level. Despite repeated requests to VA to define and share the application and appeals processes policies, VA's inaction has left Veterans, Caregivers, and organizations in the dark as to how veterans are to apply for the program. Since much of this regulatory process happened during the COVID shutdown, there has been little opportunity for broader public discussion on this issue.

**We believe a Subcommittee hearing on the PCAFC program, the new regulation, and the legislative alternatives which have been proposed, like HR 5701, *Care for the Veteran Caregiver Act*, is very timely. We ask that you hold such a hearing before the October 1 Final Rule implementation date.**

Madam Chairwoman and Ranking Member Dunn, we thank you for your steadfast commitment to the veterans of our Nation. We look forward to working with you and your staff to see this program used to its maximum potential.

Sincerely,

Veteran Warriors, Inc.  
The Independence Fund  
AMVETS  
Association of the United States Navy (AUSN)  
Caregiver on the Homefront  
Elizabeth Dole Foundation  
Enlisted Association of the National Guard of the United States (EANGUS)  
Fleet Reserve Association (FRA)  
Healing Household 6  
Heroes Athletic Association  
Hope for the Warriors  
Japanese American Veterans Association  
Military Veterans Advocacy  
No Barriers USA  
Operation First Response  
DJ Reyes, M.A., J.D., Colonel, U.S. Army (retired)  
Stronghold Freedom Foundation  
TBI Warriors Foundation  
TREA: The Enlisted Association  
Veteran CareGiver  
Wounded Warrior Project