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September 2, 2020

The Honorable Gil Cisneros
United States House of Representatives
431 Cannon House Office Building
Washington, DC 20515

The Honorable Harley Rouda
United States House of Representatives
2300 Rayburn House Office Building
Washington, DC 20515

The Honorable Mike Levin
United States House of Representatives
1626 Longworth House Office Building
Washington, DC 20515

The Honorable Katie Porter
United States House of Representatives
1117 Longworth House Office Building
Washington, DC 20515

The Honorable Alan Lowenthal
United States House of Representatives
108 Cannon House Office Building
Washington, DC 20515

The Honorable Linda Sanchez
United States House of Representatives
2329 Rayburn House Office Building
Washington, DC 20515

Dear Representatives Cisneros, Levin, Lowenthal, Rouda, Porter and Sanchez:

The Board of Supervisors received your letter dated August 18th regarding the Orange County Veterans Service Office (VSO). We agree that the VSO is essential to our Orange County veterans, especially during COVID-19. That is why despite ongoing budget challenges the Board has maintained funding for the VSO at nearly \$1.5 million for the last three years. In fact, as confirmed in the attached document, when combined with state funding, the Board of Supervisors approved an overall increase in the VSO budget in each of the past three years.

It is disappointing, but not surprising, that once again rather than offering any real assistance our delegation has chosen to cherry-pick an issue without the proper context and issue yet another press release. Had you taken the time to contact us, here is the information we would have provided:

2019 VSO Performance Highlights

As noted in the attached document, the VSO had a number of significant accomplishments in 2019:

- Nearly 14,500 veterans and dependents served
- 18,000 claims filed
- Nearly \$5.6 million in award payments to veterans and surviving spouses secured
- Nearly \$900,000 in monthly award payments secured
- 1,208 College Fee Waiver applications processed, an overall savings of \$6.2 million to veterans and students
- The first and only VSO in California to offer Online College Fee Waiver Applications
- 3,310 DMV Veteran Designation Verification Forms Processed

Responding During COVID-19

Despite staffing challenges, and the need for operational adjustments due to the COVID-19 pandemic, the VSO continues to offer all services to veterans and their families. In the month of July, 1,581 veterans were served which included 492 claims filed and 182 College Fee Waivers approved. Veterans are able to receive assistance with their claims on an appointment basis and service is provided either remotely over the phone or video conference, or in the office face-to-face. The VSO has been modified with acrylic barriers and an adequate supply of Personal Protective Equipment for the health and safety of both staff and veterans.

Most importantly, Orange County's VSO has kept its doors open while other neighboring counties have not. Los Angeles, San Diego, Riverside and San Bernardino County's VSOs are almost completely remote. San Bernardino and Riverside are only offering in person services if absolutely necessary and allowing document drop offs. Los Angeles is accepting in person driver's license designation only- no claim services are available. Additionally, San Diego is also only allowing document drop offs. As a result, approximately 17% of our VSO clients are coming to our office from other counties.

Wait Times

While our wait times are longer than we would like, our employees are working tirelessly to accurately process claims for our veterans. Despite limited new appointments being available before November, the VSO has a triage appointment system in place to expedite time sensitive or urgent matters whereby veterans can meet with the VSO within two weeks. In addition, the VSO operates an "Officer of the Day" model in the event a veteran arrives at the office without an appointment and has a question or simply needs to submit documents, etc.

Finally, the VSO has implemented enhanced automated processes, so that veterans are able to access services without the need to visit the VSO. For example, in April the VSO introduced an online College Fee Waiver application – the first in the state to allow veterans and their college student family members to electronically submit their application and receive an approval via email. The success of the County's VSO is widely recognized. As noted previously, the quality and accessibility of the services routinely attracts veterans from neighboring counties. Clearly, wait times are an issue for all counties and not limited to the County of Orange.

Prioritizing Staffing Recruitment

As you are aware, the County has taken steps to minimize the severe budget shortfalls associated with steep general fund revenue declines due to COVID-19. These include a hiring freeze on vacant positions as well as an Early Retirement Incentive. Currently, the VSO has a total of 11 full-time positions, of which four positions are vacant (one County Veterans Service Officer and three Veterans Claims Representatives) while two positions are on a Leave of Absence under the paid Family Medical Leave Act of the Family First Coronavirus Response Act. The County Veterans Service Officer position vacated due to the Early Retirement Incentive. Of the three Veterans Claims Representative vacancies, one employee retired, one employee accepted a promotion to a supervisory position in another County department, and one employee accepted a job opportunity in San Diego County. As a result, the VSO is currently operating at a 45 percent staffing level.

Because the Board prioritizes the need to serve our veterans, the hiring freeze has been lifted for the VSO and recruitments are in progress to attract top talent in order to continue to provide high quality services to our veterans and their families. In addition, to address immediate service needs, OCCR has developed an interim staffing strategy that will fill three positions with short term employee assignments.

Finally, as you are aware, under California law, all County VSOs and Veteran Claims Representatives (VCR) must achieve and maintain accreditation from the California Department of Veterans Affairs (CalVet) within the first 18 months of employment. Newly hired VCR's are required to complete two training courses within 16 months before they are eligible to take the accreditation test. Finally, newly accredited CVSO/VCRs benefit claims must be verified by a seasoned employee before submitting to the United States Department of Veterans Affairs for processing/approval.

Federal Legislation

As your letter points out, County VSOs are not eligible for direct federal funding. However, we have been working through the National Association of Counties to bring attention to the need for VSO funding.

On March 10, 2020 the Board voted unanimously to take a support position on S.3020 – “The Commitment to Veteran Support and Outreach (CVSO) Act.” This bill will expand community-based outreach that will help veterans access services to improve their overall health and wellness. The CVSO act will authorize \$50 million annually for five years to expand and support County Veteran Services Officers (CVSOs) or similar local entities who currently assist veterans in obtaining benefits. This bill will directly support the VSO by bringing in additional staff which will help reduce office wait times, allow for more efficient claim processing times, quicker access to financial and healthcare benefits and more. Funding made available from this bill will also allow the County to implement a VSO employee recruitment and retention plan. A copy of the County's support letter is attached.

We are also aware, and appreciate the introduction, of HR 5516, “The Commitment to Veteran Support and Outreach Act.” Even though only one member of our delegation besides the author has signed on as a co-sponsor, and that no one from the author's office contacted our Office of Legislative Affairs about the bill, our support letter is attached.

Requested Assistance from the OC Delegation

We notice that last Friday, the House Committee on Veterans' Affairs, Subcommittee on Economic Opportunity conducted an oversight hearing entitled "Coordinating Transition Resources" and that Chairman Levin invited San Diego County to testify but neglected to invite Orange County. Orange County would have welcomed the opportunity to testify as well, advocating for much needed federal support for our veterans. However, there is another opportunity to collaborate and demonstrate support for our efforts.

The U.S. House of Representatives Committee of Veterans' Affairs Chairman Mark Takano (D-Calif.) has announced an upcoming legislative hearing on comprehensive veteran suicide prevention legislation. On September 10, 2020, at 10:00 am eastern time, the [Full Committee will gather](#) to discuss 32 bills that address veteran suicide, including:

- Chairman Takano's [Veterans ACCESS Act](#)

- Proposed changes to the *Commander John Scott Hannon Veterans Mental Health Care Improvement Act (S. 785)*, which passed unanimously out of the Senate Veterans' Affairs Committee on August 5. This legislation includes:
 - Grants for increased collaboration with community-based organizations serving veterans
 - Increased accountability measures related to the VA's mental healthcare and suicide prevention efforts
 - Investments in research and innovative treatment options
 - Language increasing the number of locations at which veterans can access VA telehealth services
 - Language giving the VA direct hiring authority for more mental health professions, offering scholarships to mental health professionals to work at Vet Centers, and placing at least one Suicide Prevention Coordinator in every VA hospital.
- Additional legislation that covers gaps identified by mental health experts, stakeholders, and the [White House PREVENTS Task Force](#). Among bills up for consideration will be [H.R. 5516/S.3020](#), the *Commitment to Veteran Support and Outreach (CVSO) Act*, which would provide funding for County Veteran Service Officers and has been [endorsed by NACo](#).

The Department of Veterans Affairs (VA) and multiple VSOs have been invited to testify. We are happy to direct our staff to submit written testimony to Representative Levin and ask that he read it into the record that highlights our VSOs accomplishments in 2019 and support for both bills.

In addition, here are summaries of VA Appropriations and Report Language of interest to the County; we ask for your support for the following:

Support for Veterans Homeless Assistance Programs and Treatment Costs

- House Appropriations provides \$1,928,508,000 for VA homeless assistance programs. Additionally, an estimated \$7,868,860,000 is provided for homeless veterans treatment costs. Programs to assist homeless veterans include the Homeless Providers Grant and Per Diem (GPD), Health Care for Homeless Vets (HCHV), the Domiciliary Care for Homeless veterans, the Supportive Services for Low Income veterans and Families (SSVF), Justice Outreach Homeless Prevention, and the Department of Housing and Urban Development-Department of Veterans Affairs Supported Housing (HUD-VASH) programs.

Support for Mental Health

- House Appropriations provides \$10,297,500,000 for mental health programs. Of the amounts provided for mental health programs, \$1,939,329,000 shall be used for suicide prevention and treatment programs. Specifically, \$312,635,000 shall be used for suicide prevention outreach, which is \$90,870,000 above fiscal year 2020. With the additional funds, the House Appropriations Committee directs the VA to implement suicide safety plans that address parking lot suicides and expand the Coaching Into Care Program to better help veterans, their family members, and other loved ones find the appropriate services at their local VA facilities and/or in their community. The Appropriations Committee requests a report within 90 days of enactment of this Act on the VA's plans.

**Support for Veterans Services for Those Who Have a Record Not Showing Honorable Discharge –
*Report Language***

- Report language addresses the issue of insuring veterans have access to care, even when record doesn't reflect honorable discharge.
- The language is not the same, but has some crossover with H.R. 2938, the Veteran HOUSE Act, and introduced by Rep. Scott Peters (D-CA) that addresses care for "other than honorable" discharges. Cosponsors who signed onto the letter are Rouda, Levin, and Cisneros.
- The Committee is concerned about reports that VA has erroneously and unlawfully turned away veterans who seek VA care and whose DD Form 214, Certificate of Release or Discharge from Active Duty, does not reflect an "Honorable Discharge," also known as "bad paper." Studies have shown that higher rates of veterans with bad paper suffer from mental health conditions. The Committee directs the Secretary to submit a report no later than 90 days after enactment of this Act on (1) actions taken, such as requiring VHA staff to notify denied veterans of their appeal rights and VHA staff retraining, to eliminate wrongful turn away of veterans, and (2) plans to collaborate with VSOs, Veterans Claims Officers, and state and local veterans services on correcting any misinformation on eligibility of VA care for all Veterans.

Support for VA Facility Resiliency – *Report Language*

- The Stafford Act requires VA and its facilities to be prepared to support local communities in the event of a major disaster or medical emergency. In such a scenario, VA's ability to adequately respond relies heavily upon the energy resiliency of its medical centers. VA Medical Centers must be able to recover from energy disruptions and have access to reliable power to ensure it can handle a significant emergency. To ensure VA is adequately prioritizing the reliability of its energy and water infrastructure, the Committee directs VA to provide a report within 180 days of enactment of this Act detailing VA's plans to develop energy resilient medical facilities, including planned investments in distributed generation, energy and water efficiency efforts, and other improvements that can protect mission-critical operations at VA facilities from disruptions to the power grid. This plan should include details on VHA energy engineering and VHA energy contracting staffing needs.

Flood and Disaster Mitigation – *Report Language*

- The Committee recognizes that deficiencies in flood and disaster mitigation infrastructure pose challenges to veterans receiving health care, particularly when veterans are unable to access medical facilities as a result of flooding or other infrastructure failures. The Committee further notes that state and local government infrastructure projects may enhance the resilience of VA medical facilities or the quality of life of veterans eligible to receive care at these medical facilities. The Committee encourages VA to work collaboratively with state and local governments in support of infrastructure projects that will benefit VA facilities and the veterans they serve.

Support for Military Transition to Civilian Life – *Report Language*

- The Committee believes that VA, in consultation with the Departments of Labor and Defense, should further coordinate efforts and resources to ensure veterans have a successful transition to

civilian life. This includes sharing information on community resources, including nonprofits and VSOs, that are available to the veteran and their family as they depart the service. The Committee also urges VA to explore options for veterans to access hands-on job placement services that connect veterans directly with employers and encourages VA to look at successful state and local programs in this area.

VA Local Support for COVID-19 – Report Language

- The Committee encourages VA, as part of its Fourth Mission, to support national, state, and local emergency management, public health, and safety efforts in response to the COVID-19 national public health emergency, when called upon by the Department of Health and Human Services and/or the Federal Emergency Management Agency, and to take steps to identify and make available VA resources and facilities, such as hospital beds and medical personnel, that can be utilized to help address this unprecedented national emergency.

Vet Centers – Report Language

- The Committee recognizes the importance of Vet Centers and the role they play in helping veterans readjust to civilian life. The Committee encourages VA to work with local stakeholders to increase access to the readjustment counseling services provided by Vet Centers, Mobile Vet Centers, Outstations, and Community Access Points, and directs the Department to increase outreach to veterans so they are aware of these counseling centers and services.

Local District Office Coordination

Your letter states that “*we are also working to augment the work of the OCVSO (sic) by offering casework services to our constituents that need assistance with VA claims.*” This is the first time this has been brought to our attention. Any assistance from your district staff members who assist veterans would certainly augment the full-time mission of a County department and our employees. We seek to better understand how those case management services are provided within the framework of House Ethics Rules. We propose that a working group be convened immediately, to be coordinated by our Legislative Affairs Office, include our OC Community Resources Department, and that it meet on a regular basis in order to determine how we can work collaboratively in support of our veterans.

In closing, it is saddening that you would attempt to politicize the needs of our veterans during unprecedented times rather than contact the County directly with any concerns you may have regarding the VSO. As the attached letter from then Chairwoman Bartlett to Representative Lou Correa confirms, these issues are not new, and they are not unique to Orange County. We have taken steps to provide all local resources at our disposal, and we will never be satisfied until all our veterans’ needs are met. We hope this extensive information along with our specific requests for assistance from your offices will help us secure the funding we need to augment our staffing levels and enhance the services we provide to all our veterans.

Sincerely,



MICHELLE STEEL
Chairwoman, Second District
Orange County Board of Supervisors

Members, Orange County Congressional Delegation

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Attachments:

- 2019 VSO Performance Highlights
- Summary of VSO Budget
- Support Letter for S. 3020
- Support Letter for HR. 5516
- September 25, 2019 Letter from Supervisor Bartlett to Congressman Correa re OC VSO

cc: Members, Board of Supervisors

Frank Kim, County Executive Officer

Dylan Wright, OC Community Resources Director