



# Legislative Update

## IN THIS WEEK'S LEGISLATIVE UPDATE:

[SENATE APPROPRIATIONS COMMITTEE, FY13 MILITARY CONSTRUCTION/VA FULL COMMITTEE MARKUP](#)  
[SENATE COMMITTEE ON FOREIGN AFFAIRS, HEARING ON THE LAW OF SEA TREATY](#)  
[SENATE VETERANS AFFAIRS COMMITTEE, HEARING ON THE DISABILITY EVALUATION SYSTEM](#)  
[SENATE APPROPRIATIONS COMMITTEE, SUBCOMMITTEE ON DEFENSE HEARING ON RESERVE CONCERNS](#)  
[SENATE ARMED SERVICES COMMITTEE, FY13 NATIONAL DEFENSE AUTHORIZATION ACT](#)  
[AUSN ON THE HILL](#)  
[PRIORITY BILLS INTRODUCED THIS WEEK](#)  
[NEW LEGISLATIVE ALERTS](#)  
[NEXT WEEK OUTLOOK](#)

### **SENATE APPROPRIATIONS COMMITTEE, FY13 MILITARY CONSTRUCTION/VA FULL COMMITTEE MARKUP**

On 22 May 2012, Senate Appropriations Committee passed S.3215, the Fiscal Year 13 (FY13) Military Construction (MILCON)/ Veterans Affairs (VA) bill by a voice vote of 30-0. The bill totals **\$146.6 billion**, and provides **\$10.6 billion** for construction and family housing, of which **\$1.65 billion** will go towards military family housing. The Navy and Marine Corps MILCON markup contains **\$1.62 billion**, while the Navy and Marine Corps Reserve MILCON markup contains **\$49.5 million**. The Navy and Marine Corps also received **\$102.2 million** for Family Housing and **\$378.2 million** for Family Housing Operation and Maintenance (O&M). The markup additionally provides the Department of Veteran Affairs (VA) **\$135.6 billion**. Compensation and Pensions totaled **\$61.7 billion** and Medical Services totaled **\$43.6 billion**. Some notable sections include: **\$582.7 million** for medical and prosthetic research, **\$6.2 billion** for mental health care, **\$250 million** for rural health initiatives, and **\$1.3 billion** for direct programs to assist homeless veterans.

Details on the Full Committee Markup of S. 3215 can be found at [AUSN'S FY13 MILCON/VA Analysis webpage](#).

### **SENATE COMMITTEE ON FOREIGN RELATIONS, HEARING ON THE LAW OF SEA TREATY**

On 23 May 2012, the Senate Committee on Foreign Relations (SCFR) held a hearing on the Law of the Sea Treaty. The Law of the Sea Treaty was supported by the witnesses, Secretary of State Hillary Clinton, Secretary of Defense Leon Panetta and Chairman of the Joint Chiefs of Staff General Martin Dempsey. All three said the convention was essential to determine the laws of sea with regards to the Arctic and South China Sea, the legal status of deep sea mining and drilling past 200 nautical miles off the coast, and to mitigate future maritime conflicts. The treaty is also supported by major business, like the Chamber of Commerce, AT&T, and Lockheed Martin. Secretary Panetta and General Dempsey testified, saying that the treaty would in no way harm U.S. Navy operations and movement, and Secretary Panetta added that it would not interfere with intelligence gathering operations. Secretary Clinton said the revised treaty from 1994 removed the provisions that President Reagan had problems with. All three witnesses said the treaty would enhance sovereignty, strengthen the US's right to innocent passage and navigation, and strengthen ties with our allies.

Details on the hearing can be found by visiting [AUSN's Capitol Hill Blog entry on the Law of the Sea Hearing](#).

### **SENATE VETERANS AFFAIRS COMMITTEE, HEARING ON THE DISABILITY EVALUATION SYSTEM**

On 23 May 2012, the Senate Veterans Affairs Committee (SVA) held a hearing on the effectiveness of the Integrated Disability Evaluation System (IDES) in treating service members suffering from PTSD and other related mental health issues. The witnesses included Acting Undersecretary of Defense for Personnel and Readiness, Jo Ann Rooney, Chief of Staff of the Department of Veterans Affairs (VA), John Gingrich and Director of Education, Workforce, and Income Security Issues for the Government Accountability Office (GAO), Daniel Bertoni. SVA Chairman, Senator Patty Murray (D-WA), voiced her concerns relating to the Department of Defense's (DOD's) and VA's joint IDES program; saying that she is far from convinced that the Departments have implemented a disability evaluation process that is truly transparent, consistent or expeditious. She went on to note that there are about 27,000 servicemembers currently in the IDES system, and that that number will be dramatically increasing, coinciding with the troop draw-down in Iraq and Afghanistan. She stated her understanding that the impacts of a broken system are severe, and that the nation's wounded, ill, and injured servicemembers were showing this with an overwhelming and alarming number of drug-related overdoses and suicides. Undersecretary of Defense for Personnel and Readiness, Jo Ann Rooney stated that a chief concern of her office is ensuring that a servicemembers chain-of-command is helped and not hindered as servicemembers proceed through IDES process. The

Undersecretary stated that as it stands there is no concrete timeframe for a servicemember to go through the IDES process, and so accurately relaying to a servicemember the expected wait time would be counterproductive. She also went on to state that IDES has also reduced the post separation benefits gap between DOD and VA from an average of 240 days in 2007 to 50 days currently, which means disabled veterans receive their VA benefits 79 percent faster under the current IDES than before. While she feels IDES is currently a success, she understands the gravity of the issue at hand and appreciates the need for constant improvement.

#### **SENATE APPROPRIATIONS COMMITTEE, SUBCOMMITTEE ON DEFENSE HEARING ON RESERVE CONCERNS**

On 23 May 2012, Senate Appropriations Subcommittee on Defense (SAC-D) met to discuss the proposed Fiscal Year 2013 (FY13) Appropriations bill for the National Guard and Reserve. Witnesses included the Reserve Component (RC) Chiefs including Vice Admiral (VADM) Dirk Debbink, Chief of the Navy Reserve. Admiral Debbink testified that he appreciated the support of the purchase of the 14 additional C-40A's for the Navy's unique fleet essential airlift, NUFEA. This support allows the program to be more cost effective and flexible, and thus more operationally relevant into the future. Chairman Inouye (D-HI) addressed plans for the next five years calling for a drastic reduction in end-strength, giving branches the opportunity to transition active members to the reserves and he asked how the Navy, and the Appropriations panel, plans to bring about this. Admiral Debbink responded by discussing the primary transition office, the Career Transition Office, in Millington, TN and how they have reduced the time it takes to transition. He emphasized that what used to take four to six months, can now be completed in three to four days. The Reserves have recognized difficulties with transition have been due to regulations and provisions within the Department and they want to make transition as seamless as possible to ensure Reserve servicemen complete real and meaningful work.

#### **SENATE ARMED SERVICES COMMITTEE, FY13 NATIONAL DEFENSE AUTHORIZATION ACT**

Last week, the House of Representatives passed H.R. 4310, the FY13 National Defense Authorization Act (NDAA). This week, the Senate Armed Services Committee, beginning with Subcommittee markups on Tuesday and ending with the Full Committee markup on Thursday, passed its version of the FY13 NDAA by a 26-0, sending it to the Senate Floor for consideration. The SASC passed bill authorized **\$631.4 billion** for national defense programs, an authorization **\$498 million** more than the President requested for the base budget of DOD, but **\$301 million** less than requested for OCO. Other major provisions in the SASC markup include: 1) Authorizes FY13 active-duty and reserve component end strengths in line with the President's request with Navy active-duty end strength at 322,700, 2) Does not authorize Department of Defense (DOD) proposals that would establish enrollment fees for TRICARE for Life and increase TRICARE deductibles and annual catastrophic cap, 3) Declines to authorize the requested 2 additional rounds of Base Realignment and Closure (BRAC) in the President's Budget Request, 4) Clarifies that military retirees who have elected to participate in the Survivor Benefit Plan (SBP) and who subsequently elect to waive their military retired pay in favor of a survivor annuity under the Federal Employees Retirement System do not have to continue paying premiums under SBP, 5) Authorizes **\$32.9 billion** for the Defense Health Program, 6) Authorizes TRICARE Standard coverage for up to 180 days for members of the Selected Reserve who are involuntarily separated without cause under other than adverse conditions, 7) For the F-18 Program, adds **\$60.0 million** to the request for advance procurement for holding open the option of buying more aircraft in Fiscal Year 2014 (FY14). The budget request included **\$3.1 billion** to purchase 26 F/A-18E/F aircraft and 12 EA-18G aircraft, and finally 7) Adds **\$777.8 million** for advance procurement for attack submarines and authorize the Navy to employ incremental funding to buy an additional submarine in FY14.

Details of the SASC markup can be found by visiting [AUSN's Capitol Hill Blog entry on the SASC Passed FY13 NDAA](#).

Details of the House Passed bill can be found at [AUSN's Capitol Hill Blog entry on the House Passed FY13 NDAA](#).

#### **AUSN ON THE HILL**

This past week, AUSN monitored the Senate Appropriations Committee's, Full Committee markup of S. 3215, the FY13 MILCON/VA Appropriations bill as well as the mostly CLOSED door sessions of the Senate Armed Services Committee markup of the FY13 NDAA. In addition, AUSN held meetings with Representative Jeff Denham (R-CA-19), Senator Mary Landrieu (D-LA) and Senator Jim Webb (D-VA). These meetings focused on a lot of AUSN's Legislative Priorities that related to MILCON/VA and NDAA that were being considered this week along with Veteran Status Legislation, S. 491.

#### **PRIORITY BILLS INTRODUCED THIS WEEK**

**S. 3236, (Official title yet to be released).** Introduced by Senator Mark Pryor (D-AR), the bill would amend title 38, United States Code, to improve the protection and enforcement of employment and reemployment rights of members of the uniformed services.

**S. 3235, (Official title yet to be released).** Introduced by Senator Mark Pryor (D-AR), the bill would amend title 38, United States Code, to require, as a condition on the receipt by a State of certain funds for veterans employment and training that the State ensures that training received by a veteran while on active duty is taken into consideration in granting certain State certifications or licenses.

**S. 3233, (Official title yet to be released).** Introduced by Senator Robert Casey (D-PA), the bill would amend title 38, United States Code, to improve the enforcement of employment and reemployment rights of members of the uniformed services.

**S. 3210, (Official title yet to be released).** Introduced by Senator Scott Brown (R-MA), the bill would amend title 38, United States Code, to modify the treatment under contracting goals and preferences of the Department of Veterans Affairs for small businesses owned by veterans of small businesses after the death of a disabled veteran owner.

**H.R. 5852, (Official title yet to be released).** Introduced by Representative Edolphus Towns (D-NY-10), the bill would amend title 5, United States Code, to provide that spouses and widows or widowers of certain veterans and members of the armed forces receive preference with

respect to employment in the competitive service.

**H.R. 5836, (Official title yet to be released).** Introduced by Representative Leonard Boswell (D-IA-03), the bill would prohibit institutions of higher education that have a cohort default rate of 30 percent or more from receiving veterans' education benefits.

**H.R. 5835, (Official title yet to be released).** Introduced by Representative Leonard Boswell (D-IA-03), the bill would amend the Small Business Act and the Small Business Investment Act of 1958 to provide for additional loan programs for veteran-owned small businesses.

In the advocacy section of the website, you can click on [Bills of Interest](#) to get daily revisions on Congressional action for priority bills. I STRONGLY encourage you all to visit our [Advocacy](#) page, especially the [Capitol Hill Blog](#) which receives almost daily submissions when Congress is in session to see what AUSN is doing for you on Capitol Hill.

#### **NEW LEGISLATIVE ALERTS**

There was one new Legislative Alert were sent this week based on hearings and interaction with Congressional staff, as well as traction on the issue. When these alerts are sent to your email, please click on the TAKE ACTION link that is at the top of the alert email to send a letter response to your Members of Congress. If you have not seen them, please go to the [Legislative Alerts](#) section on the AUSN webpage and/or check your e-mail for the following alerts which were titled:

#### **Legislative Alert #112-13: The Military Healthcare Protection Act**

#### **NEXT WEEK OUTLOOK**

Next week, the Senate is in recess, however on Wednesday, 30 May 2012, the House of Representatives will return into session, where AUSN will be monitoring the House Veterans Affairs Committee hearing on updates on the implementation of the VOW to Hire Heroes Act at the Department of Veterans Affairs along with meeting with a few staffers of both House and Senate offices. In the meantime, enjoy the Memorial Day Weekend and take time to thank, and remember, all that served and currently serve our nation's military! Thank you also to our AUSN members as well for your dedication and service to our country!

The Association of the United States Navy is continuously on and/or monitoring Capitol Hill, advocating for your concerns and utilizing our strong relationships with Members of Congress, Staff and cooperating with other military associations to tell the Navy and our veterans' story. This is an ALL HANDS ON DECK effort and your grassroots advocacy will help make the changes that need to happen!

#### **QUESTIONS/COMMENTS/CONCERNS**

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