



## **In This Week's Legislative Watch:**

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### **AUSN PLEASSED WITH HOUSE PASSAGE OF VETERANS BILLS, INCLUDING VETERAN STATUS**

*AUSN took a look at the numerous amounts of Veteran Bills which passed the House of Representatives on the evening of 28 October 2013, all with broad bi-partisan support. Of particular interest was a bill by House Veterans' Affairs Committee (HVAC) Chairman, Representative Jeff Miller (R-FL-01), H.R. 2189, creating a commission to evaluate new ways of reducing the backlog of Veteran's benefits claims at the Department of Veterans Affairs (VA). Another important bill was H.R. 1405, which was an omnibus bill that contained provisions of H.R. 679, Veteran Status for Reservists legislation, introduced by Representative Tim Walz (D-MN-01).*

#### **FURTHER READING:**

On 28 October 2013, the United States House of Representatives passed a variety of bills supporting our nations Veterans. AUSN is particularly pleased with the House's passage of the following bills, H.R. 1742, the Vulnerable Veterans Housing Reform Act, H.R. 2189, a Bill to Establish a Commission or Task Force to Evaluate the Backlog of Disability Claims of the VA, and H.R. 1405, which is an omnibus Veterans bill containing provisions from important Veteran bills of interest being tracked by AUSN. These are all bills that AUSN has supported early in the legislative process and looking forward to their full consideration in the U.S. Senate, whether stand alone or as parts of a package of Veteran bills.

H.R. 1405, in particular, introduced by Representative Dina Titus (D-NV-01), passed the House by voice vote. H.R. 1405 combines previous amendments of the VA's benefits appeals process and the inclusion of an appeals request form within denial decision notices. Every claim denial notice will include a form that allows for a Veteran to contest the VA's decision. It further stipulates increased accessibility to VA case-tracking information on pending claims, ensuring that Veterans applying for benefits are provided with information that would allow for the tracking of a claim status throughout the appeals process.

This bill also encompasses numerous other Veteran bills of interest. One of these bills includes H.R. 679, the Honor America's Guard and Reserve Retirees Act, which has received continued support from AUSN over the years. The amendment to H.R. 1405, which includes the language of H.R. 679, provides for Guard and Reserve retirees, who served a career 20 plus years in the Reserve Component and did not serve the required amount of consecutive days of Active Duty service, oftentimes serving multiple tours but not adding up to the required number according to Title 10 of the U.S. Code and recognized in Title 32, to be designated with the honor of being called, "Veteran of the Armed Forces." AUSN sent a [letter of support for H.R. 679](#) earlier this year as it has been a top priority bill for many years and

a continuous part of [AUSN's National Legislative Resolutions](#). The House passed Representative Walz's legislation last Congress, in 2012, only to see it blocked in the Senate due to unwarranted concerns about cost. The CBO scored the bill as "cost neutral" and military retirees who would fall under the bills jurisdiction would receive no extra benefits besides being legally recognized as Veterans for their two or more decades of service to our country. As put by Representative Walz in his [press release on House passage](#), "Many stood at the ready for decades in defense of our nation and the time is now to give them the honor and recognition they have earned and deserve. I am pleased this legislation has passed the House and am optimistic it will finally become law this year." With the recent passage in the House of this bill, inclusion of its provisions in the House version of the Fiscal Year 2014 (FY14) National Defense Authorization Act (NDAA) last summer, AND the Senate Veterans' Affairs Committee (SVAC) omnibus Veterans bill, S. 944, which passed SVAC last summer (a major hurdle), AUSN is cautiously optimistic that Veteran Status will become law in one way shape or form this year. AUSN has fought hard to see this honor bestowed on the over 40,000 impacted Navy Reserve retirees and thanks Representative Dina Titus (D-NV-01), Representative Tim Walz (D-MN-01), as well as the bill's Republican cosponsor, Representative Jon Runyan (R-NJ-03), who put the provisions into the NDAA, for their bipartisan work in the House.

Details can be found at [AUSN's Capitol Hill Blog on House Passage of Veterans Bills](#).

### **HOUSE ARMED SERVICES COMMITTEE HEARING ON ACQUISITION REFORM**

*On 29 October 2013, the House Armed Services Committee (HASC) held a hearing to address the issue of Acquisition Reform, examining the effectiveness of past efforts and looking forward at future prospects for reform within the Department of Defense (DOD). The hearing was held by HASC Chairman, Representative Buck McKeon (R-CA-25), and Ranking Member, Representative Adam Smith (D-WA-09). The witnesses were Mr. Pierre Chao, a senior associate at the Center for International and Strategic Studies (CSIS); Mr. Paul Francis the Managing Director of Acquisition and Sourcing Management at the Government Accountability Office (GAO); Mr. Moshe Schwartz from the Congressional Research Service (CRS); and the Honorable Dov Zakheim, the former Undersecretary of Defense (Comptroller). This panel examined a range of issues associated with DOD acquisitions and offered suggestions on how the Committee and Congress at large can move forward with reform efforts.*

#### **FURTHER READING:**

At the HASC hearing held on 29 October 2013, HASC Chairman McKeon began by saying that acquisition is a highly complex issue, as well as a very large one, representing 10% of the total Federal budget. He asserted that we cannot afford to have an inefficient acquisition process. Reform, he said, must come in the form of meaningful, lasting solutions to systematic problems, not just patches for symptoms. He stressed the need to look at the reasons that past reform efforts have been ineffective, and to be dedicated to future changes. HASC Ranking Member Smith stressed that DOD operations are what ensures efficiency, meaning that legislation and rules are important for reform, but equally so is the culture of the organization. Smith said that DOD must incentivize efficiency and innovation from its program managers, and that the current system is more akin to checking off a series of boxes. He continued to state that the Committee and DOD should have the goal of empowering employees to make meaningful decisions and take opportunities to save money while maintaining accountability and responsibility.

The witnesses then began to make their opening statements. Mr. Zakheim opened by saying that the acquisition process is fundamentally broken. Increases in spending over the last few decades have come not just from inflation, but from cost growths. Another source of inefficiency comes from services contracting, which represents more than half of the total contracting budget, and is managed in a highly inefficient manner. He said that we do not need to spend time blaming anyone for the situation that we are in now, but that we do need to commit to changes. He stressed the need for informed consumers, saying that DOD acquisitions employees are not up-to-date in their knowledge of the technologies that they deal with, which leads to overreliance on contractors to provide technical knowledge. He suggested that DOD encourage acquisitions officers to get outside education and to make sure that contracting officers maintain proficiency in the fields they work with. He said that it is important to reward those who save money, and fix the measurement system to better identify savings. This involves changes not just to DOD, but to the Office of Personnel Management and the Defense Contracts Management Agency. Rather than just moving employees up the chain, he said, promotions should be based on good decision-making and management. Mr. Chao made a series of observations about acquisition reform. He said that the debate has evolved in recent years to recognize that acquisition is a very broad program, which is also influenced by budgeting and the setting of requirements. He said that the basic function of the acquisition process must be examined. Many past attempts at acquisition reform have led to a large amount of rules piling up and

conflicting with each other, since rules are often added but rarely taken away, and that many current issues are unintended consequences of these rules and their interactions.

Mr. Schwartz opened by stating that the acquisitions system works in that it maintains the military's technological advantage, but that it is broken on another level, in that it operates inefficiently and has seen increased costs and development times. He said that it now takes us longer to buy fewer weapons that have reduced capabilities. Mr. Schwartz said that the current state of national security requires an efficient, nimble acquisitions process, and that there is now better data and an increased appreciation for budget constraints within DOD, making such a system possible. Finally, Mr. Francis said that reform should not be attempted in the same way it was done in the past. The acquisition environment is shaped by a lot more than just buying equipment, which should be considered. Mr. Francis pointed out the differences in program management between the private sector and DOD. He said that there is pressure to compete for funding, and that some methods of saving money, like realistic cost estimates are incompatible with this pressure, which is a cultural issue within the acquisition process. The competing demands of the acquisitions process compromise the judgment of program managers, and fixing this will be a sophisticated enterprise. He said that decisions regarding money are very important, and that this must be made clear to employees. He advocated against reinforcing bad decision-making, and picking new programs carefully. He also agreed with the other witnesses, arguing for putting good people in a position to succeed.

Questions addressed the culture of the acquisitions process further, with all of the witnesses agreeing that the culture of DOD and acquisitions plays a huge role in the issues we experience now. Quick turnover of managers, lack of accountability, and inability to make important decisions are all issues that must be addressed in acquisition reform. Incentivizing good behavior was also addressed at length, with all witnesses agreeing that it is crucial to promote those who save money and make good decisions. Additionally, issues of government buying power, setting requirements and accurate cost estimates, and concerns with the continued overcharging for equipment and services by contractors were addressed.

#### **HOUSE VETERANS AFFAIRS, DISABILITY ASSISTANCE SUBCOMMITTEE HEARING ON BURIALS**

*On 30 October 2013, the House Veterans' Affairs Committee (HVAC), Subcommittee on Disability Assistance and Memorial Affairs (DAMA) held a hearing to receive an update on military burials and honors. HVAC- DAMA Chairman, Representative Jon Runyan (R-NJ-03), called the hearing which centered to learn more about the status of our national cemeteries from the National Cemetery Administration (NCA) and the endeavors of the American Battle Monuments Commission (AMBC), and how they are being maintained.*

#### **FURTHER READING:**

Chairman Runyan opened by thanking for all those who were willing to testify, and the families of lost loved ones in the crowd, who were present to voice concerns about the memorialization of their Veterans. He went on to state that the nation's solemn obligation to serve our Veterans and servicemembers doesn't end in their death, but our National Cemeteries are designed to show our nation's commitment to continue to honor them, and it is this Subcommittee's and our nation's responsibility to ensure their sacrifice is recognized and seen through. He also said that he is concerned about those deceased Veterans who are and do not have access/close proximity to National Cemeteries, especially in rural areas, whereby he noted that the NCA has said they wish to have a program set up for servicemembers and Veterans in townships with a 25,000 population or less to have the opportunity to be buried in a National Cemetery that can be found/accessible within a 75 mile area. He also brought to light the concern of a servicemember in Indiana who murdered many individuals and then committed suicide and he said the Subcommittee wanted to look into why he was interred in a National Cemetery if he was guilty of a capital crime/offense. The HVAC-DAMA Ranking Member, Representative Dina Titus (D-NV-01), spoke in favor of the option for a military burial in a National Cemetery in the home state of a deceased servicemember, which is complicated by the fact that 11 states do not currently have national cemeteries. Ranking Member Titus said that she believed that the Department of Veterans Affairs (VA) was not doing enough outreach to the Veteran communities in those states when procuring new burial spaces. She advocated for opening cemeteries in mutually-agreeable places for the 1.8 million Veterans who do not have a home state burial available to them.

Mr. Glenn Powers, Deputy Undersecretary for Field Programs, testified on VA's activities in fixing this problem with Veteran burial access. The National Cemetery Administration performed over 124,000 internments and maintained 3.3 million gravesites in Fiscal Year 2013 (FY13). The NCA, Mr. Powers said, has several goals for FY 14, including land acquisition, aimed at addressing the issue raised by Representative Titus. In FY13 alone, NCA awarded contracts for

Florida and Nebraska cemeteries, and plans to open three more in California and New York, opening burial option spaces for 550,000 Veterans. The new facilities include these five new national cemeteries as well as the successful realization of the VA's Urban Initiative and Rural Initiative. This expansion, along with continued grant awards to states, territories, and tribal organizations, will allow NCA to meet its strategic target of providing 95 percent of Veterans with a burial option within 75 miles of their home. NCA recently awarded **\$36 million** in grants to states and tribal organizations for Veterans cemeteries.

A panel of four representatives from various associations and state historical societies also testified about more specific aspects of Veteran burial, including next-of-kin responsibilities, burial options, burial of family members, and the importance of advance appropriations for funding interment and ongoing cemetery maintenance.

#### **SENATE VETERANS AFFAIRS COMMITTEE HEARING ON PENDING BENEFITS LEGISLATION**

*On 30 October 2013, the Senate Veterans' Affairs Committee (SVAC) met to discuss and examine health and benefits legislation, including a bill by SVAC Chairman, Senator Bernie Sanders (I-VT) to significantly expand access to health care, dental care, and address sexual assault and domestic abuse by ensuring VA provides appropriate care and support to those who have experienced military sexual assault. Not only were Senators present to elaborate on their own pending healthcare and benefit bills, but also representatives from the Department of Veterans Affairs (VA) to speak their views on the proposed legislation.*

#### **FURTHER READING:**

The hearing on began with statements by SVAC Chairman Sanders and SVAC Ranking Member, Senator Richard Burr (R-NC). Chairman Sanders expressed his frustration at the lack of support from the Veterans Affairs Administration (VHA). He said that he would be undeterred by the VA and would proceed with or without their cooperation on important legislation for our Veterans. Chairman Sanders then brought up key aspects of one of his bills that address which would expand access to the high-quality, cost-effective health care that the Department of Veterans Affairs now provides to approximately 6.5 million Veterans each year. Currently, Veterans above certain income levels and without serious service-connected disabilities are unable to receive care. Chairman Sanders' bill, the Veterans Health Care Eligibility Expansion and Enhancement Act of 2013, would reaffirm the nation's commitment to those Veterans with the most severe service-connected disabilities and lowest incomes and expand access to Veterans currently unable to enroll in three important ways. The hearing consisted of testimony by fellow Senators and 2 separate panels of outside witnesses ranging from VA officials to military advocacy organizations. The first panel's witnesses were Dr. Robert L. Jesse, the Principal Deputy under Secretary for Health at the VA as well as David R. McLenachen, Director of Pension and Fiduciary Service at VHA.

Chairman Sanders then called the other Senators as witnesses to testify on an omnibus group of amendments, composed of their bills, ranging from Veterans dental and health care to denial of burial rights for service members convicted of capital crimes. Those who spoke in support of these policies included Senator Bill Nelson (D-FL), Senator Al Franken (D-MN), Senator Jack Reed (D-RI) and Senator Dan Coats (R-IN). The first panel of witnesses, Dr. Jesse and Mr. McLenachen, took questions from SVAC Senators on these topics. Addressing concerns over rural Veterans' health and dental care, the VA officials said they were working to extend accessibility to both in sparsely populated states such as Alaska. The two officials from the VA also said they supported denying national cemetery burial rights to Veterans convicted of capital crimes and would work to ensure no such individuals were interned at military cemeteries.

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

This week, in addition to monitoring Congressional hearings, AUSN continued to make preparations for testifying in a public hearing before the Military Compensation and Retirement Modernization Commission (MCRMC) on 5 November 2013. The public hearing will focus on perspectives of the MSO/VSO community in regards to the future sustainability of military, retiree and Veteran benefits. AUSN also met with members of The Military Coalition (TMC) earlier this week to discuss the Commission's public hearing, develop strategy, and stay on a unified message. Also this week, AUSN met with representatives from the American Society of Anesthesiologists about a concern regarding a change in the Veterans Health Administration (VHA) handbook on the Department of Veterans Affairs (VA) policy regarding VHA Nursing whereby the draft handbook eliminates physician-led, team-based care within the VHA system. In lieu of team-based care, the draft handbook requires advanced practice nurses (APRNs) to attain independent practice and penalizes those who do not wish to attain this status by prohibiting such APRNs from practicing as APRNs within the VHA. AUSN also had a great meeting with staff from the Office of the Chief of Navy Reserve (CNR) to discuss outlook and schedules for calendar year 2014.

Furthermore, AUSN had a meeting at the VA regarding preparations for the next Veterans Day National Ceremony at Arlington National Cemetery on 11 November 2013. And finally, AUSN kept an eye on the developments with the first meeting this week of the Budget Conference Committee, as noted in last week's Legislative Watch, comprised of both House and Senate budget conferees. The tone, although set with low expectations, appeared to be amiable with both parties agreeing on reasonable prospects for the Committee to come to grips with. For example, AUSN was pleased to hear that Budget Co-Chairman, Representative Paul Ryan (R-WI-01), stated, "We all agree Washington isn't working. We all agree there's a smarter way to cut spending. And we all agree our economy could be doing a lot better," leading to the other co-chair, Senator Patty Murray (D-WA) stating, "I agree with those who say the very least this conference should be able to do, the absolute minimum, is find a way to come together around replacing sequestration and setting a budget level for at least the short-term." This appears to be a positive development as there is broad consensus amongst lawmakers to have as the first task of the conference, finding replacement savings for the current sequester.

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

**S. 1624, (Official title yet to be released).** Introduced by Senator Richard Blumenthal (D-CT), the bill would amend the Internal Revenue Code of 1986 to extend the work opportunity credit for hiring Veterans.

**S. 1604, (Official title yet to be released).** Introduced by Senator Bernie Sanders (I-VT), the bill would amend Title 38, United States Code, to expand and enhance eligibility for health care and services through the Department of Veterans Affairs.

**S. 1602, (Official title yet to be released).** Introduced by Senator Richard Blumenthal (D-CT), the bill would establish in the Department of Veterans Affairs a national center for the diagnosis, treatment, and research of health conditions of the descendants of Veterans exposed to toxic substances during service in the Armed Forces, to provide certain services to those descendants, to establish an advisory board on exposure to toxic substances.

**S. 1593, Servicemember Housing Protection Act of 2013.** Introduced by Senator Jack Reed (D-RI), the bill would amend the Servicemembers Civil Relief Act to enhance the protections accorded to servicemembers and their spouses with respect to mortgages.

**S. 1588, (Official title yet to be released).** Introduced by Senator Mazie Hirono (D-HI), the bill would amend Title 38, United States Code, to expand eligibility for reimbursement for emergency medical treatment to certain Veterans that were unable to receive care from the Department of Veterans Affairs in the 24-month period preceding the furnishing of such emergency treatment.

**S. 1583, Mental Health Support for Veteran Families and Caregivers Act of 2013.** Introduced by Senator Bernie Sanders (I-VT), the bill would require the Secretary of Veterans Affairs to conduct an education program and peer support program for the education and training of family members and caregivers of Veterans with mental health disorders.

**S. 1581, Survivors of Military Sexual Assault and Domestic Abuse Act of 2013.** Introduced by Senator Bernie Sanders (I-VT), the bill would authorize the Secretary of Veterans Affairs to provide counseling and treatment for sexual trauma to members of the Armed Forces, require the Secretary to screen Veterans for domestic abuse and require the Secretary to submit reports on military sexual trauma and domestic abuse.

**S. 1580, Ensuring Safe Shelter for Homeless Veterans Act of 2013.** Introduced by Senator Mark Begich (D-AK), the bill would amend Title 38, United States Code, to require recipients of per diem payments from the Secretary of Veterans Affairs for the provision of services for homeless Veterans to comply with codes relevant to operations and level of care provided.

**H.R. 3443, The Streamlining Support for Veterans and Military Caregivers Act.** Introduced by Representative Dina Titus (NV-01), the bill would amend Titles 38 and 37, United States Code, to expand eligibility for certain caregiver services provided by the Secretary of Veterans Affairs, and to modify the Department of Defense special compensation program to make eligible members of the uniformed services with serious injuries or illnesses and to exempt payments of such compensation from taxation.

**H.R. 3422, Veterans Homebuyer Accessibility Act.** Introduced by Representative Jim Langevin (RI-02), the bill would amend the Internal Revenue Code of 1986 to allow a credit for Veteran first-time homebuyers and for adaptive housing and mobility improvements for disabled Veterans.

**H.R. 3405, (Official title yet to be released).** Introduced by Representative Jeff Denham (CA-10), the bill would connect current and former members of the Armed Forces with employment opportunities by consolidating duplicative Federal Government Internet websites into a single portal, to conserve resources by merging redundant and competing programs.

**H.R. 3399, (Official title yet to be released).** Introduced by Representative Judy Chu (CA-27), the bill would amend title 38, United States Code, to make certain clarifications and improvements in the academic and vocational counseling programs administered by the Secretary of Veterans Affairs.

**H.R. 3387, (Official title yet to be released).** Introduced by Representative Kyrsten Sinema (AZ-09), the bill would amend title 38, United States Code, to improve the mental health treatment provided by the Secretary of Veterans Affairs to Veterans who served in classified missions.

In the advocacy section of the website, you can click on [Bills of Interest](#) to get daily revisions on Congressional action for all AUSN priority bills. We 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.

We also encourage you and your friends and family to visit the [AUSN FACEBOOK PAGE](#). If you have an account, please Login and “Like” us, which will allow you to see our [TWITTER](#) feeds and other updates from AUSN that shows us monitoring Capitol Hill on your behalf!

#### **NEW LEGISLATIVE ALERTS**

There were no new legislative alerts this week. Again, 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 (a few of you have written in that you wish to send letters, but don’t know how). Please continue to go to the [Legislative Alerts](#) section on the AUSN webpage and/or check your e-mail and submit ones you haven’t seen yet to your Congressional delegation.

#### **NEXT WEEK OUTLOOK**

Next week, both the House and Senate are in session, whereby AUSN will be monitoring Congressional hearings on the hill, including a Senate Foreign Relations Committee Hearing on the Convention on the Rights of Persons with Disabilities, which has certain impacts upon disability benefits for Veterans, as well as a Senate Armed Services Committee (SASC) hearing on the effects of the CR and Sequestration. In addition, AUSN will be presenting testimony and remarks before the Military Compensation and Retirement Modernization Commission (MCRMC), as noted in [AUSN’s recent press release](#), where AUSN’s Vice-Chairman of the Board, MCPON Jim Herdt, USN (Ret), will making opening remarks and answer questions from the Commissioners. Later in the week, staff of the Commission will be visiting AUSN to make an office call and go over details from the week’s hearing. AUSN will also be attending an Executive Directors/National Presidents meeting of The Military Coalition (TMC) to go over future agenda items whereby AUSN’s Executive Director, VADM John Totushek, USN (Ret), will represent AUSN at the table. Finally, AUSN will be participating in a luncheon discussion with the Navy Safe Harbor Foundation (NSHF) to discuss continued developments and ways to help our Sailors and their families.

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

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