



Legislative Update

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HOUSE OF REPRESENTATIVES RELEASES HOUSE PASSED BILL TEXT FOR FY13 NDAA

On 19 June 2012, the House of Representatives released the revised bill text of the House passed version of the Fiscal Year 2013 (FY13) National Defense Authorization Act (NDAA). On 18 May 2012, the U.S. House of Representatives passed H.R. 4310, the Fiscal Year 2013 (FY13) National Defense Authorization Act (NDAA) by a vote of 299-120. The House Armed Services Committee (HASC) approved their version of the bill on 10 May 2012. House Floor debate and amendment consideration began on 16 May 2012. The total amount authorized for the Department of Defense (DOD) was **\$643 billion**, of which **\$88.5 billion** was authorized for Overseas Contingency Operations (OCO). The revised bill contains new sections due to the passage of numerous amendments during the amendment consideration in mid-May.

Notable new sections include; SEC. 513. ON-LINE TRACKING OF CERTAIN RESERVE DUTY, whereby the Secretary of Defense (SECDEF) would establish an online means by which members of the Ready Reserve of the Armed Forces can track their operational active-duty service performed after 28 January 2008. The tour calculator would also specify early retirement credit authorized for each qualifying tour of active duty as well as cumulative early reserve retirement credit authorized to date; SEC. 544. EXPANSION OF DEPARTMENT OF DEFENSE PILOT PROGRAM ON RECEIPT OF CIVILIAN CREDENTIALING FOR MILITARY OCCUPATIONAL SPECIALTY SKILLS, whereby DOD would be directed to consider utilizing industry-recognized certifications or licensing opportunities for civilian occupational skills comparable to the specialties or codes so designated; SEC. 605. PAYMENT OF BENEFIT FOR NONPARTICIPATION OF ELIGIBLE MEMBERS IN POST DEPLOYMENT/MOBILIZATION RESPITE ABSENCE PROGRAM DUE TO GOVERNMENT ERROR, whereby SECDEF would authorize and allow for payments of **\$200** for each day of nonparticipation of members in Post Deployment/ Mobilization Respite Absence program (PDMRA) that are were eligible to participate but did not due to Government error; and SEC. 1094. CONDITIONAL REPLACEMENT FOR FY 2013 SEQUESTER, whereby any sequestration order issued by the President under the Balanced Budget and Emergency Deficit Control Act (the basis of the Budget Control Act of 2011), to carry out reductions to direct spending for the defense function for Fiscal Year 2013 shall have no force or effect. In addition, no later than 15 August 2012, SECDEF shall submit to the Committees on Armed Services in the House and Senate a detailed report on the impact of the sequestration of funds authorized and appropriated for Fiscal Year 2013 for DOD. The Senate is expected to take up its version of the FY13 NDAA, S. 3254, in late July.

Details of the House Passed Bill Text of H.R. 4310 can be found at [AUSN'S FY13 House NDAA Analysis webpage](#).

HOUSE VETERANS AFFAIRS COMMITTEE, HEARING ON VETERANS CLAIMS PROCESS

On 19 June 2012, the House Veterans Affairs Committee held a hearing to review the claims process by the Department of Veterans' Affairs (VA). The hearing began with Acting Chairman, Representative Gus Bilirakis (R-FL-09), filling in for HVA Chairman, Representative Jeff Miller (R-FL-01), stating his concerns for the difficulty veterans face in receiving their promised benefits and VA's unacceptable backlogs and delays in relaying these benefits. Representative Bilirakis also pointed out the Veteran's Benefits Management System (VBMS), which VA has consistently called its cornerstone of the transformation process, and

how the VBMS document scanning contract VA currently has with the U.S National Archives and Records Administration (NARA) expires on June 26. A plan to address this issue has yet to be implemented. HVA Ranking Member, Representative Bob Filner (D-CA-51), pointed out that backlogs have only doubled (up to 1.2 million by one account) and the rate of inaccuracy in a recent report was up to 25%. To clear out the backlog of claims, Ranking Member Filner advised to stop recycling old programs, grant claims subject to audit, and try something new. Allison Hickey, Under Secretary for Benefits at the VA, stated that VA's current comprehensive transformation plan is composed of not only VBMS but also 40-plus additional designed, tested, and measured initiatives that will help achieve the Secretary's current 2015 goal of eliminating the backlog and processing all claims at 98 percent quality. Additionally, over one million claims in each of the last two years have been processed by VA employees (51% of whom are veterans), an unprecedented number in her opinion. Ms. Hickey also noted that despite these unexpected VA claims production; VA's backlog has grown because it has received an unprecedented growth in claims, nearly 48% more than three years ago.

HOUSE VETERANS AFFAIRS, SUBCOMMITTEE ON OVERSIGHT HEARING ON VETS ID CARD

On 20 June 2012, the House Veterans' Affairs Committee (HVA) Subcommittee on Oversight and Investigations held a hearing on legislation by Representative Todd Akin (R-MO-02). Representative Akin opened his testimony by explaining to the committee that his bill H.R. 2985, the Veterans' ID Card Act, had 65 bipartisan cosponsors and has been endorsed by a wide range of veteran service organizations (VSO's). Representative Akin also mentioned the Association of the United States Navy (AUSN) by name among the VSO's in full support of the bill. He went on to say that the bill is "zero-cost" to the American taxpayer and is incredibly important to those veterans unable to now have a veteran status ID card, due to not being either retired or having a service related disability. The Congressman closed by stating that there was an elevated risk of identity theft caused by not having a nationwide veteran status ID card. This is a result of many veterans being required to carry a copy of their discharge papers (DD-214), which contains a myriad of personal information.

HOUSE VETERANS AFFAIRS, SUBCOMMITTEE ON ECONOMIC OPPORTUNITY HEARING ON PENDING BILLS

On June 21, 2012, the House Committee on Veterans' Affairs (HVA), Subcommittee on Economic Opportunity held a hearing on [H.R. 4115, the Helping Iraq and Afghanistan Veterans Return to Employment \(HIRE\) at Home Act](#), [H.R. 4740, the Fairness for Military Homeowners Act of 2012](#) and [H.R. 5747 Military Family Home Protection Act](#). All three bills are supported by AUSN, with letters of support and alerts sent in the past few months. The first panel consisted of the Honorable John Garamendi (D-CA-10), the Honorable Steve Stivers (R-OH-15), and the Honorable Elijah Cummings (D-MD-07). The second panel had witnesses from various VSO's and an attorney that specializes in service member's claims they have against banks and other lending institutions that have violated their rights under the Servicemembers' Civil Relief Act. While support was overall positive for the bills (especially H.R. 4115), John Odom, the expert attorney, stated a few problems he could tell with H.R. 4740 and H.R. 5747, respectively.

H.R. 4740 ensures that servicemembers relocation for active duty does not inhibit their ability to refinance a mortgage on their principle residence and H.R. 5747 improves protections for servicemembers against mortgage foreclosures. One of Mr. Odom's concerns with H.R. 4740 was that, "re-financing of a mortgage while a servicemember is on active duty would cause the servicemember to lose the protections of Section 303, since the new mortgage would no longer be a pre-service obligation." Next, he questioned why it is required that a deployment be for a period of not less than 18 months to qualify for protection, when many Reservists and National Guard units, and some Marine Corps units, are deployed for less than 18 months. In regards to H.R. 5747, Mr. Odom suggested that there be required new classes of protected individuals to give creditors notice of their status because no database exists for all of the new protected classes exists (creating one would be extremely difficult). Finally, Mr. Odom stated that H.R. 5747, "only applies to non-judicial mortgage foreclosures. It does not afford any protections whatsoever to those servicemembers (or their family members) who own homes or property in the 23 states which allow only judicial foreclosures."

SENATE ARMED SERVICES COMMITTEE, PERSONNEL SUBCOMMITTEE HEARING ON PERSONNEL CONCERNS

On 21 June 2012, the Senate Armed Services Committee (SASC), Subcommittee on Personnel held a hearing to receive testimony from the Department of Defense (DOD) on programs and policies to support military families with special needs in review of the National Defense Authorization Act (NDAA) for Fiscal Year 2013 (FY13) and the future years defense program (FYDP). Witnesses from DOD included Dr. Karen Guice, Principal Deputy Assistant Secretary of Defense for Health Affairs and Principal Deputy Director, TRICARE Management Activity, and Dr. Rebecca Posante, Deputy Director, Office of Community Support for Military Families with Special Needs. Both witness testified about treatments under the Extended Care Health Option (ECHO), which is a supplemental program to TRICARE. They also discussed the need of Applied Behavioral Analysis, which is used with patients with Autism Spectrum Disorders, and other related matters. Senator Kirsten Gillibrand (D-NY) made the connection between Post

Traumatic Stress Disorder (PTSD) in veterans and Autism Spectrum Disorders in their children. She made the point that since the Office of Personnel Management (OPM) deems PTSD therapy necessary, as well as educational and medical; she wondered if Applied Behavioral Analysis was in the same debate. Dr. Guice replied that it is in fact similar, and that OPM has not deemed it necessary. However, this kind of treatment must be educational as well as medical, in order for children especially with intellectual problems to thrive and integrate in normal life as best as possible. She went on to continue, and summarize, that PTSD posed the same concerns and that its therapy is now deemed necessary by OPM.

AUSN ON THE HILL

This week, both the House and the Senate were in session to take up much needed pending legislative matters, especially the Senate! The Senate had a busy schedule where they passed the Farm Bill, S. 3240, by a vote of 64-35 after debate on 73 amendments, which also included an amendment offered by both Senator John McCain (R-AZ) and Senator Patty Murray (D-WA) regarding sequestration concerns. AUSN had been monitoring the debate on this amendment as Senator McCain had introduced a strictly DOD centric amendment a few weeks back on Defense Sequestration concerns (however it was opposed by many Senate Democrats), however an agreement was made early Thursday where McCain and Murray combined their amendments that would require three reports; 1) one report from the Office of Management and Budget on the topline budget figures under the sequester, 2) one from the Pentagon on the defense impact and 3) one from the President detailing how he would implement a sequester and what the effects would be across the board. The amendment made it into the passed Senate Farm Bill and will head to the House, which is expected to begin its work on the bill 11 July 2012. In addition to monitoring this debate and the hearings on Capitol Hill, AUSN was present at an award ceremony by the Marine Corps Reserves Association to HASC Chairman, Representative Buck McKeon (R-CA-25) where the Commandant of the Marine Corps, General James Amos, spoke. AUSN had the opportunity to speak to the Chairman, the Commandant and his staff about the future defense force and the continuing debate and concerns on sequestration.

PRIORITY BILLS INTRODUCED THIS WEEK

H.R. 6015, (Official title yet to be released). Introduced by Representative Allyson Schwartz (D-PA-13), the bill would amend title 38, United States Code, to improve the enforcement of employment and reemployment rights of members of the uniformed services, and for other purposes.

H.R. 6008, (Official title yet to be released). Introduced by Representative Kathleen Hochul (D-NY-26), the bill would amend title 38, United States Code, to ensure that a State participating in certain grant programs takes into consideration the training received by a veteran while on active duty when granting certain State certifications or licenses.

S. 3323, (Official title yet to be released). Introduced by Senator John D. Rockefeller (D-WV), the bill would amend the Servicemembers Civil Relief Act to improve the protections for servicemembers against mortgage foreclosures.

S. 3322, (Official title yet to be released). Introduced by Senator Sherrod Brown (D-OH), the bill would strengthen enforcement and clarify certain provisions of the Servicemembers Civil Relief Act, the Uniformed and Overseas Citizens Absentee Voting Act, and chapter 43 of title 38, United States Code, and to reconcile, restore, clarify, and conform similar provisions in other related civil rights statutes

S. 3316, (Official title yet to be released). Introduced by Senator Pat Toomey (R-PA), the bill would require the Secretary of Labor to carry out a pilot program on providing veterans with access at One-Stop Centers to Internet websites to facilitate online job searches.

S. 3309, The Homeless Veterans Assistance Improvement Act. Introduced by Senator Patty Murray (D-WA), the bill would amend title 38, United States Code, to improve the assistance provided by the Department of Veterans Affairs to homeless veterans.

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! We also encourage you to visit the re-designed [AUSN FACEBOOK PAGE](#) that our Legislative Interns have worked hard on. 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 as Congress continues its markups

and consideration of Authorization and Appropriation bills.

NEXT WEEK OUTLOOK

Next week, the House and Senate will be in session, working on the combined Conference deliberations for the Highway Bill. AUSN also has numerous Hill meetings scheduled on the Senate side, an interview with MCPON at the Pentagon, and a visit to a few local colleges with The Military Coalition (TMC) to discuss the transition of veterans to student life, their use of the G.I. Bill and what VSO's can do to help on Capitol Hill.

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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