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112th Congress, 1st Session – – – – – – – – – – – – – – – House Report 112–341

SECOND SEMIANNUAL REPORT OF THE ACTIVITIES

OF THE

COMMITTEE ON VETERANS' AFFAIRS

OF THE

HOUSE OF REPRESENTATIVES

DURING THE

ONE HUNDRED TWELFTH CONGRESS

PURSUANT TO

CLAUSE 1(d) RULE XI OF THE RULES OF THE HOUSE OF REPRESENTATIVES



DECEMBER 22, 2011.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

19–006 WASHINGTON : 2011

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LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, DC, December 22, 2011.

Hon. KAREN L. HAAS,
Clerk of the House of Representatives,
Washington, DC.

DEAR MS. HAAS: In accordance with clause 1(d) of Rule XI of the Rules of the House of Representatives, I submit herewith the report of the Committee on Veterans' Affairs setting forth its activities in reviewing and studying the application, administration, and execution of those laws, the subject matter of which is within the jurisdiction of our committee.

Sincerely,

JEFF MILLER,
Chairman.

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Union Calendar No. 230

112TH CONGRESS *1st Session* | HOUSE OF REPRESENTATIVES | REPORT 112–341

SECOND SEMIANNUAL REPORT OF THE ACTIVITIES OF THE COMMITTEE ON VETERANS' AFFAIRS

HOUSE OF REPRESENTATIVES

DECEMBER 22, 2011.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. MILLER, from the Committee on Veterans' Affairs, pursuant to Clause 1(d) Rule XI, submitted the following

R E P O R T

JURISDICTION OF THE HOUSE COMMITTEE ON VETERANS' AFFAIRS

Rule X of the Rules of the House of Representatives establishes the standing committees of the House and their jurisdiction. Under that rule, all bills, resolutions, and other matters relating to the subjects within the jurisdiction of any standing committee shall be referred to such committee. Clause 1(s) of Rule X establishes the jurisdiction of the Committee on Veterans' Affairs as follows:

(1) Veterans' measures generally.

(2) Cemeteries of the United States in which veterans of any war or conflict are or may be buried, whether in the United States or abroad (except cemeteries administered by the Secretary of the Interior).

(3) Compensation, vocational rehabilitation, and education of veterans.

(4) Life insurance issued by the Government on account of service in the Armed Forces.

(5) Pensions of all the wars of the United States, general and special.

(6) Readjustment of servicemembers to civilian life.

(7) Servicemembers' civil relief.

(8) Veterans' hospitals, medical care, and treatment of veterans.

RULES OF THE COMMITTEE ON VETERANS' AFFAIRS

RULE 1—GENERAL PROVISIONS

(a) APPLICABILITY OF HOUSE RULES.—The Rules of the House are the rules of the Committee on Veterans' Affairs and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are non-debatable privileged motions in Committees and subcommittees.

(b) SUBCOMMITTEES.—Each subcommittee of the Committee is a part of the Committee and is subject to the authority and direction of the Committee and to its rules so far as applicable.

(c) INCORPORATION OF HOUSE RULE ON COMMITTEE PROCEDURE.—Rule XI of the Rules of the House, which pertains entirely to Committee procedure, is incorporated and made part of the rules of the Committee to the extent applicable. Pursuant to clause 2(a)(3) of Rule XI of the Rules of the House, the Chairman of the full Committee is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

(d) VICE CHAIRMAN.—Pursuant to clause 2(d) of Rule XI of the Rules of the House, the Chairman of the full Committee shall designate the Vice Chairman of the Committee.

RULE 2—REGULAR AND ADDITIONAL MEETINGS

(a) REGULAR MEETINGS.—The regular meeting day for the Committee shall be at 10 a.m. on the second Wednesday of each month in such place as the Chairman may designate. However, the Chairman may dispense with a regular Wednesday meeting of the Committee.

(b) ADDITIONAL MEETINGS.—The Chairman of the Committee may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purpose pursuant to the call of the Chairman.

(c) NOTICE.—The Chairman shall notify each member of the Committee of the agenda of each regular and additional meeting of the Committee at least 24 hours before the time of the meeting, except under circumstances the Chairman determines to be of an emergency nature. Under such circumstances, the Chairman shall make an effort to consult the ranking minority member, or in such member's absence, the next ranking minority party member of the Committee.

RULE 3—MEETINGS AND HEARINGS GENERALLY

(a) OPEN MEETINGS AND HEARINGS.—Meetings and hearings of the Committee and each of its subcommittees shall be open to the public unless closed in accordance with clause 2(g) of Rule XI of the Rules of the House.

(b) ANNOUNCEMENT OF HEARING.—The Chairman, in the case of a hearing to be conducted by the Committee, and the subcommittee Chairman, in the case of a hearing to be conducted by a subcommittee, shall make public announcement of the date, place, and

subject matter of any hearing to be conducted on any measure or matter at least one week before the commencement of that hearing unless the Committee or the subcommittee determines that there is good cause to begin the hearing at an earlier date. In the latter event, the Chairman or the subcommittee Chairman, as the case may be, shall consult with the ranking minority member and make such public announcement at the earliest possible date. The clerk of the Committee shall promptly notify the Daily Clerk of the Congressional Record and the Committee scheduling service of the House Information Resources as soon as possible after such public announcement is made.

(c) WIRELESS TELEPHONE USE PROHIBITED.—No person may use a wireless telephone during a Committee or subcommittee meeting or hearing.

(d) MEDIA COVERAGE.—Any meeting of the Committee or its subcommittees that is open to the public shall be open to coverage by radio, television, and still photography in accordance with the provisions of clause 4 of House Rule XI.

(e) REQUIREMENTS FOR TESTIMONY.—

(1) Each witness who is to appear before the Committee or a subcommittee shall file with the clerk of the Committee, at least 48 hours in advance of his or her appearance, a written statement of his or her proposed testimony. Each witness shall, to the greatest extent practicable, also provide a copy of such written testimony in an electronic format prescribed by the Chairman. Each witness shall limit any oral presentation to a summary of the written statement.

(2) Pursuant to clause 4 of Rule XI of the Rules of the House, in the case of a witness appearing in a non-governmental capacity a written statement of proposed testimony shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years by the witness or by an entity represented by the witness.

(f) CALLING AND QUESTIONING WITNESSES.—

(1) Committee and subcommittee members may question witnesses only when they have been recognized by the Chairman of the Committee or subcommittee for that purpose, and only for a 5-minute period until all members present have had an opportunity to question a witness. The 5-minute period for questioning a witness by any one member may be extended only with the unanimous consent of all members present. The questioning of witnesses in both Committee and subcommittee hearings shall be initiated by the Chairman, followed by the ranking minority party member and all other members alternating between the majority and minority. Except as otherwise announced by the Chairman at the beginning of a hearing, members who are present at the start of the hearing will be recognized before other members who arrive after the hearing has begun. In recognizing members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the majority to minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of the majority.

(2) Notwithstanding the provisions of paragraph (1) regarding the 5-minute rule, the Chairman after consultation with the ranking minority member may designate an equal number of members of the Committee or subcommittee majority and minority party to question a witness for a period not longer than 30 minutes. In no event shall the Chairman allow a member to question a witness for an extended period under this rule until all members present have had the opportunity to ask questions under the 5-minute rule. The Chairman after consultation with the ranking minority member may permit Committee staff for its majority and minority party members to question a witness for equal specified periods of time.

(3) When a hearing is conducted by the Committee or a subcommittee on any measure or matter, the minority party members on the Committee shall be entitled, upon request to the Chairman of a majority of those minority members before the completion of the hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of the hearing thereon.

(g) SUBPOENAS.—Pursuant to clause 2(m) of Rule XI of the Rules of the House, a subpoena may be authorized and issued by the Committee or a subcommittee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present.

(h) NOTICE REQUIREMENTS.—The text of all bills or resolutions for markup shall be made available to both majority and minority staff at least 48 hours prior to a scheduled markup, except as agreed to by unanimous consent. All primary amendments must be submitted to both majority and minority staff no less than 24 hours prior to a scheduled markup, except as agreed to by unanimous consent.

RULE 4—QUORUM AND RECORD VOTES; POSTPONEMENT OF PROCEEDINGS

(a) WORKING QUORUM.—A majority of the members of the Committee shall constitute a quorum for business and a majority of the members of any subcommittee shall constitute a quorum thereof for business, except that two members shall constitute a quorum for the purpose of taking testimony and receiving evidence.

(b) QUORUM FOR REPORTING.—No measure or recommendation shall be reported to the House of Representatives unless a majority of the Committee was actually present.

(c) RECORD VOTES.—A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member. With respect to any record vote on any motion to amend or report, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in the report of the Committee on the bill or resolution.

(d) PROHIBITION AGAINST PROXY VOTING.—No vote by any member of the Committee or a subcommittee with respect to any measure or matter may be cast by proxy.

(e) POSTPONING PROCEEDINGS.—Committee and subcommittee chairmen may postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment, and may resume proceedings within two

legislative days on a postponed question after reasonable notice. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

RULE 5—SUBCOMMITTEES

(a) ESTABLISHMENT AND JURISDICTION.—

(1) There shall be four subcommittees of the Committee as follows:

(A) Subcommittee on Disability Assistance and Memorial Affairs, which shall have legislative, oversight and investigative jurisdiction over compensation; general and special pensions of all the wars of the United States; life insurance issued by the Government on account of service in the Armed Forces; cemeteries of the United States in which veterans of any war or conflict are or may be buried, whether in the United States or abroad, except cemeteries administered by the Secretary of the Interior; burial benefits; the Board of Veterans' Appeals; and the United States Court of Appeals for Veterans Claims.

(B) Subcommittee on Economic Opportunity, which shall have legislative, oversight and investigative jurisdiction over education of veterans, employment and training of veterans, vocational rehabilitation, veterans' housing programs, readjustment of servicemembers to civilian life, and servicemembers civil relief.

(C) Subcommittee on Health, which shall have legislative, oversight, and investigative jurisdiction over the Veterans Health Administration (VHA) including medical services, medical support and compliance, medical facilities, medical and prosthetic research, and major and minor construction.

(D) Subcommittee on Oversight and Investigations, which shall have oversight and investigative jurisdiction over veterans' matters generally, information technology, procurement, and over such matters as may be referred to the subcommittee by the Chairman of the full Committee for its oversight or investigation and for its appropriate recommendations. The subcommittee shall have legislative jurisdiction over such bills or resolutions as may be referred to it by the Chairman of the full Committee. Provided, however, that the activities of the Subcommittee shall in no way limit the responsibility of the other subcommittees of the Committee on Veterans' Affairs for carrying out their oversight duties.

(2) Each subcommittee shall have responsibility for such other measures or matters as the Chairman refers to it.

(b) VACANCIES.—Any vacancy in the membership of a subcommittee shall not affect the power of the remaining members to execute the functions of that subcommittee.

(c) RATIOS.—On each subcommittee, there shall be a ratio of majority party members to minority party members which shall be consistent with the ratio on the full Committee.

(d) REFERRAL TO SUBCOMMITTEES.—The Chairman of the Committee may refer a measure or matter, which is within the general responsibility of more than one of the subcommittees of the Committee, as the Chairman deems appropriate. In referring any measure or matter to a subcommittee, the Chairman of the Committee may specify a date by which the subcommittee shall report thereon to the Committee.

(e) POWERS AND DUTIES.—

(1) Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it or under its jurisdiction. Subcommittee chairmen shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman of the Committee and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings whenever possible.

(2) Whenever a subcommittee has ordered a bill, resolution, or other matter to be reported to the Committee, the Chairman of the subcommittee reporting the bill, resolution, or matter to the full Committee, or any member authorized by the subcommittee to do so shall notify the Chairman and the ranking minority party member of the Committee of the Subcommittee's action.

(3) A member of the Committee who is not a member of a particular subcommittee may sit with the subcommittee during any of its meetings and hearings, but shall not have authority to vote, cannot be counted for a quorum, and cannot raise a point of order at the meeting or hearing.

(4) Each subcommittee shall provide the Committee with copies of such record votes taken in subcommittee and such other records with respect to the subcommittee as the Chairman of the Committee deems necessary for the Committee to comply with all rules and regulations of the House.

RULE 6—GENERAL OVERSIGHT RESPONSIBILITY

(a) PURPOSE.—Pursuant to clause 2 of Rule X of the Rules of the House, the Committee shall carry out oversight responsibilities. In order to assist the House in—

(1) Its analysis, appraisal, evaluation of—

(A) The application, administration, execution, and effectiveness of the laws enacted by the Congress, or

(B) Conditions and circumstances, which may indicate the necessity or desirability of enacting new or additional legislation, and

(2) Its formulation, consideration and enactment of such modifications or changes in those laws, and of such additional legislation, as may be necessary or appropriate, the Committee and its various subcommittees, consistent with their jurisdiction as set forth in Rule 5, shall have oversight responsibilities as provided in subsection (b).

(b) REVIEW OF LAWS AND PROGRAMS.—The Committee and its subcommittees shall review and study, on a continuing basis, the applications, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of the Committee or subcommittee, and the organization

and operation of the Federal agencies and entities having responsibilities in or for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated. In addition, the Committee and its subcommittees shall review and study any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of the Committee or subcommittee (whether or not any bill or resolution has been introduced with respect thereto), and shall on a continuing basis undertake future research and forecasting on matters within the jurisdiction of the Committee or subcommittee.

(c) OVERSIGHT PLAN.—Not later than February 15 of the first session of a Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Administration and the Committee on Oversight and Government Reform, in accordance with the provisions of clause 2(d) of Rule X of the Rules of the House.

(d) OVERSIGHT BY SUBCOMMITTEES.—The existence and activities of the Subcommittee on Oversight and Investigations shall in no way limit the responsibility of the other subcommittees of the Committee on Veterans' Affairs for carrying out oversight duties.

RULE 7—BUDGET ACT RESPONSIBILITIES

(a) BUDGET ACT RESPONSIBILITIES.—Pursuant to clause 4(f)(1) of Rule X of the Rules of the House, the Committee shall submit to the Committee on the Budget not later than six weeks after the President submits his budget, or at such time as the Committee on the Budget may request—

(1) Its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year that are within its jurisdiction or functions; and

(2) An estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction that it intends to be effective during that fiscal year.

RULE 8—RECORDS AND OTHER MATTERS

(a) TRANSCRIPTS.—There shall be a transcript made of each regular and additional meeting and hearing of the Committee and its subcommittees. Any such transcript shall be a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved.

(b) RECORDS.—

(1) The Committee shall keep a record of all actions of the Committee and each of its subcommittees. The record shall contain all information required by clause 2(e)(1) of Rule XI of the Rules of the House and shall be available for public inspection at reasonable times in the offices of the Committee.

(2) There shall be kept in writing a record of the proceedings of the Committee and each of its subcommittees, including a record of the votes on any question on which a recorded vote is demanded. The result of each such record vote shall be made available by the Committee for inspection by the public at reasonable times in the offices of the Committee. Information so available for public inspection shall include a description of the amendment, motion, order or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members present but not voting.

(c) AVAILABILITY OF ARCHIVED RECORDS.—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The Chairman shall notify the ranking minority member of any decision, pursuant to clause 3 or clause 4 of Rule VII of the Rules of the House, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any member of the Committee.

(d) AVAILABILITY OF PUBLICATIONS.—Pursuant to clause 2(e)(4) of Rule XI of the Rules of the House, the Committee shall make its publications available in electronic form to the maximum extent feasible.

RULE 9—TRAVEL

(a) REQUIREMENTS FOR TRAVEL.—All requests for travel, funded by the Committee, for Members and staff in connection with activities or subject matters under the general jurisdiction of the Committee, shall be submitted to the Chair for approval or disapproval. All travel requests should be submitted to the Chair at least five working days in advance of the proposed travel. For all travel funded by any other source, notice shall be given to the Chair at least five working days in advance of the proposed travel. All travel requests shall be submitted to the Chair in writing and include the following:

(1) The purpose of the travel.

(2) The dates during which the travel is to occur.

(3) The names of the locations to be visited and the length of time to be spent in each.

(4) The names of members and staff of the Committee for whom the authorization is sought. Travel by the minority shall be submitted to the Chair via the Ranking Member.

(b) TRIP REPORTS.—Members and staff shall make a written report to the Chair within 15 working days on all travel approved under this subsection. Reports shall include a description of their itinerary, expenses, and activities, and pertinent information gained as a result of such travel.

When travel involves majority and minority Members or staff, the majority shall submit the report to the Chair on behalf of the majority and minority. The minority may append additional remarks to the report at their discretion.

(c) APPLICABILITY OF HOUSE RULES.—Members and staff of the Committee performing authorized travel on official business shall

be governed by applicable laws, resolutions, and regulations of the House and of the Committee on House Administration.

ACTIVITIES OF THE FULL COMMITTEE

LEGISLATIVE ACTIVITIES

Full Committee Markup of H.R. 2433, H.R. 2646, H.R. 2302, H.R. 2349, H.R. 2074, H.R. 1025, and H.R. 1263

On September 8, 2011, the Committee met and marked up H.R. 1025, a bill to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law; H.R. 1263, a bill to amend the Servicemembers Civil Relief Act to provide surviving spouses with certain protections relating to mortgages and mortgage foreclosures; H.R. 2074, the Veterans Sexual Assault Prevention Act; H.R. 2302, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to notify Congress of conferences sponsored by the Department of Veterans Affairs; H.R. 2349, the Veterans' Benefits Training Improvement Act of 2011; H.R. 2433, the Veterans Opportunity to Work Act of 2011; and H.R. 2646, the Veterans Health Care Facilities Capital Improvement Act of 2011.

On September 8, 2011, the Full Committee met and marked up seven bills which were ordered reported favorably to the House: H.R. 1025, by voice vote; H.R. 1263, as amended, by voice vote; H.R. 2074, as amended, by voice vote; H.R. 2302, as amended, by voice vote; H.R. 2349, as amended, by voice vote; H.R. 2433, as amended, to the House by a rollcall vote of 17 ayes to 5 nos; and H.R. 2646, as amended, by voice vote.

On September 20, 2011, the House agreed to suspend the rules and pass H.R. 2646, as amended, by a vote of 412–3 (Roll No. 714).

On October 11, 2011, the House agreed to suspend the rules and pass H.R. 1025, H.R. 1263, H.R. 2074, H.R. 2302, as amended, and H.R. 2349, as amended by voice vote.

On October 12, 2011, the House agreed to suspend the rules and pass H.R. 2433, as amended, by a vote of 418–6 (Roll No. 785).

On November 21, 2011, H.R. 674 was signed into law by the President (P.L. No. 112–56.)

OVERSIGHT ACTIVITIES

Full Committee Legislative Hearing—H.R. 2433, H.R. 1941, and H.R. 169

On July 15, 2011, the Full Committee held a hearing on H.R. 2433, Veterans Opportunity to Work Act of 2011; H.R. 1941, Hiring Heroes Act of 2011; and, H.R. 169, A bill to require the Secretary of Veterans Affairs to include on the main page of the Internet website of the Department of Veterans Affairs a hyperlink to the VetSuccess Internet website and to publicize such Internet website.

Testifying were current and former Members of Congress, representatives of Department of Veterans Affairs (VA), representatives of the Department of Labor (DOL), as well as several Veteran Service Organizations (VSOs). See Full Committee Legislative Hearing on H.R. 2433, H.R. 1941, and H.R. 169, Serial No. 112–24.

Full Committee—Failures at Miami Veterans Affairs Medical Center: Window to a National Problem

On October 12, 2011, the Full Committee held an oversight hearing on problems that have plagued the Miami VA Medical Center (VAMC) for years including patient safety, compliance, budget and leadership issues, as well as several recent incidents involving veteran deaths.

Only one person testified at the hearing, William Schoenhard, FACHE, Deputy Under Secretary for Health for Operations and Management, Veterans Health Administration, U.S. Department of Veterans Affairs.

He was accompanied by Nevin M. Weaver, FACHE, Network Director, Veterans Affairs Sunshine Healthcare Network/Veterans Integrated Services Network 8, Veterans Health Administration, U.S. Department of Veterans Affairs and Mary D. Berrocal, MBA, Director, Miami Veterans Affairs Healthcare System, Veterans Health Administration, U.S. Department of Veterans Affairs. See Failures at Miami Veterans Affairs Medical Center: Window to a National Problem, Serial No. 112–31.

Full Committee—Potential Budgetary Savings Within the U.S. Department of Veterans Affairs: Recommendations From Veterans' Service Organizations

On November 15, 2011, the Full Committee held an oversight hearing on future spending by VA and how to better care for America's veterans. Several Veterans Service Organizations provided the Committee with nine areas in which potential savings could be found to provide greater benefits and care within VA health and benefits programs. The recommendations, made to the Committee this spring, ranged from questionable bonus payments being made to senior executives when agency performance is deteriorating to better coordination of VA's fee-basis program.

On the first panel, testimony was given by representatives from Disabled American Veterans, and the Paralyzed Veterans of America. They were accompanied by representatives from AMVETS, American Legion, and Veterans of Foreign Wars.

On the second panel testimony was given by Todd Grams, Executive in Charge for the Office of Management and Chief Financial Officer, U.S. Department of Veterans Affairs, and Belinda J. Finn, Assistant Inspector General for Audits and Evaluations, Office of Inspector General, U.S. Department of Veterans Affairs. See Potential Budgetary Savings within the U.S. Department of Veterans Affairs: Recommendations from Veterans' Service Organizations, Serial No. 112–34.

ACTIVITIES OF THE SUBCOMMITTEE ON DISABILITY ASSISTANCE AND MEMORIAL AFFAIRS

LEGISLATIVE ACTIVITIES

Subcommittee Markup of H.R. 923, H.R. 1025, H.R. 1826, and H.R. 1898

On July 22, 2011, the Subcommittee on Disability Assistance and Memorial Affairs met and marked up H.R. 923, Veterans Pensions Protection Act of 2011; H.R. 1025, to amend title 38, United States

Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law; H.R. 1826, to amend title 38, United States Code, to reinstate criminal penalties for persons charging veterans unauthorized fees; and H.R. 1898, the Veterans 2nd Amendment Protection Act.

H.R. 923 and H.R. 1826 were amended and forwarded favorably to the Full Committee. H.R. 1025 and H.R. 1898 were forwarded favorably to the Full Committee.

OVERSIGHT ACTIVITIES

Subcommittee Legislative Hearing—H.R. 923, H.R. 1025, H.R. 1826, H.R. 1898, and H.R. 2349

On July 7, 2011, the Subcommittee held a hearing on H.R. 923, Veterans Pensions Protection Act of 2011; H.R. 1025, to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law; H.R. 1826, to amend title 38, United States Code, to reinstate criminal penalties for persons charging veterans unauthorized fees; H.R. 1898, the Veterans 2nd Amendment Protection Act; and H.R. 2349, Veterans' Benefits Act of 2011.

VA and various VSOs testified on the bills. See legislative Hearing on H.R. 923, H.R. 1025, H.R. 1826, H.R. 1898, and H.R. 2349, Serial No. 112–22.

Subcommittee Hearing—Arlington National Cemetery: An Update on Reform and Progress

On October 6, 2011, the Subcommittee held a hearing on the state of Arlington National Cemetery. After years of poor management and neglect, it was revealed in 2010 that problems at the nation's preeminent cemetery were rampant and included inaccurate burial records, unmarked graves, and a lack of accountability among senior management.

On the first panel testimony was provided by Major General William H. McCoy, USA, Acting Inspector General, Department of the Army Inspector General Agency (DAIG), U.S. Department of Defense.

On the second panel was Kathryn A. Condon, Executive Director, National Cemeteries Program, Office of the Secretary of the Army, Department of the Army, U.S. Department of Defense. See National Cemetery: An Update on Reform and Progress, Serial No. 112–30.

ACTIVITIES OF THE SUBCOMMITTEE ON ECONOMIC OPPORTUNITY

LEGISLATIVE ACTIVITIES

Subcommittee Markup of H.R. 1263, H.R. 1911, H.R. 2274, H.R. 2302, H.R. 2329, and H.R. 2345

On July 21, 2011, the Subcommittee met and marked up H.R. 1263, to amend the Servicemembers Civil Relief Act to provide surviving spouses with certain protections relating to mortgages and mortgage foreclosures; H.R. 1911, Protecting Veterans' Homes Act; H.R. 2274, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs and the Secretary of Defense to submit

to Congress annual reports on the Post–9/11 Educational Assistance Program, and for other purposes; H.R. 2301, Streamlining Education Claims Processing Act of 2011; H.R. 2302, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to notify Congress of conferences sponsored by the Department of Veterans Affairs, and for other purposes; H.R. 2329, Ensuring a Response for Servicemembers Act; and, H.R. 2345, to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to the United States Paralympics, Inc.

H.R. 2274 and H.R. 2301 were amended and forwarded favorably to the Full Committee. H.R. 1263, H.R. 1911, H.R. 2302, H.R. 2329, and H.R. 2345 were forwarded favorably to the Full Committee.

OVERSIGHT ACTIVITIES

Subcommittee Legislative Hearing—H.R. 1911, H.R. 240, H.R. 1263, H.R. 120, H.R. 2274, H.R. 2301, H.R. 2302, H.R. 2345, and H.R. 2329

On July 7, 2011, the Subcommittee held a hearing on H.R. 1911, Protecting Veterans' Homes Act; H.R. 240, to amend title 38, United States Code, to promote jobs for veterans through the use of sole source contracts by the Department of Veterans Affairs for purposes of meeting the contracting goals and preferences of the Department of Veterans Affairs for small business concerns owned and controlled by veterans; H.R. 1263, to amend the Servicemembers Civil Relief Act to provide surviving spouses with certain protections relating to mortgages and mortgage foreclosures, and for other purposes; H.R. 120, Disabled Veterans' Surviving Spouses Home Loans Act; H.R. 2274, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs and the Secretary of Defense to submit to Congress annual reports on the Post–9/11 Educational Assistance Program, and for other purposes; H.R. 2301, Streamlining Education Claims Processing Act of 2011; H.R. 2345, to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc.; and H.R. 2329, Ensuring a Response for Servicemembers Act.

Representation from VA as well as several VSOs testified before the subcommittee. See Subcommittee on Economic Opportunity Legislative Hearing on H.R. 1911, H.R. 240, H.R. 1263, H.R. 120, H.R. 2274, H.R. 2301, H.R. 2302, H.R. 2345, and H.R. 2329, Serial No. 112–21.

Subcommittee Hearing—Reviewing the Progress of the Partnership Between the United States Paralympics and the U.S. Department of Veterans Affairs To Promote Adaptive Sports

On July 7, 2011, the Subcommittee held a hearing on the partnership between United States Paralympics and the Department of Veterans Affairs for promoting adaptive sports.

Testifying were representatives from several VSO's, U.S. Paralympics, and the Department of Veterans Affairs. See Reviewing the Progress of the Partnership between the United States Paralympics and the U.S. Department of Veterans Affairs to Promote Adaptive Sports, Serial No. 112–28.

Subcommittee Hearing—Hiring Heroes: Job Creation for Veterans and Guard/Reserve members in Waterloo, IA

On October 17, 2011, the Subcommittee held a field hearing in Waterloo, Iowa discussing the topic of job creation for Veterans and Guard/Reserve Members.

The first panel consisted of two members of the Army National Guard in Iowa.

The second panel consisted of representatives from businesses and corporations located in Iowa. They testified on the ways in which hiring veterans can be beneficial to their businesses, as well as what they do to recruit veterans as employees.

The third panel consisted of representatives from the Department of Labor and the National Guard. See Hiring Heroes: Job Creation for Veterans and Guard/Reserve Members in Waterloo, IA, Serial No. 112–32.

Subcommittee Hearing—Examining Veterans' Employment Issues in Northeast Indiana, Fort Wayne, IN

On October 19, 2011, the Subcommittee held a field hearing in Fort Wayne, Indiana on the topic of veterans' employment issues in Northeast Indiana.

The first panel consisted of representatives from local employers, the local Chamber of Commerce, and the local government.

The second panel consisted of representatives from the Indiana National Guard and the Department of Labor. See Examining Veterans' Employment Issues in Northeast Indiana, Fort Wayne, IN, Serial No. 112–33.

Joint Subcommittee Hearing (Economic Opportunity and Oversight and Investigations)—Follow-up on the U.S. Department of Veterans Affairs Service-Disabled Veteran-Owned Small Business Certification Process

On November 30, 2011, the Subcommittees on Oversight & Investigations (O&I) and Economic Opportunity (EO) held a joint hearing to review the Department of Veterans Affairs (VA) Service-Disabled Veteran-Owned Small Business (SDVOSB) certification process. In addition to questions surrounding a new Government Accountability Office (GAO) report released on companies fraudulently posing as SDVOSBs to attain government contracts, the Subcommittees also asked about a recent decision by VA that will place veteran-owned businesses at a competitive disadvantage in pursuing contracts at VA.

Among those testifying were Thomas J. Leney, Executive Director, Small and Veteran Business Programs, Office of Small and Disadvantaged Business Utilization, U.S. Department of Veterans Affairs, Gregory D. Kutz, Forensic Audits and Investigative Service, U.S. Government Accountability Office, and Ralph O. White, Managing Associate General Counsel for Procurement Law, Office of General Counsel, U.S. Government Accountability Office. See Joint Subcommittee Hearing (E/O and O/I)—Follow-up on the U.S. Department of Veterans Affairs Service-Disabled Veteran-Owned Small Business Certification Process, Serial No. 112–35.

ACTIVITIES OF THE SUBCOMMITTEE ON HEALTH

LEGISLATIVE ACTIVITIES

Subcommittee Markup of H.R. 923, H.R. 1025, H.R. 1826, and H.R. 1898

On July 28, 2011, the Subcommittee met and marked up H.R. 1154, the Veterans Equal Treatment for Service Dogs Act or the VETS Dogs Act; H.R. 1855, the Veterans' Traumatic Brain Injury Rehabilitative Services' Improvements Act of 2011; H.R. 2074, the Veterans Sexual Assault Prevention Act; H.R. 2530, a bill to amend title 38, United States Code, to provide for increased flexibility in establishing rates for reimbursement of State homes by the Secretary of Veterans Affairs for nursing home care provided to veterans; and H.R. 2646, a bill to authorize certain Department of Veterans Affairs major medical facility projects and leases, to extend certain expiring provisions of law, and to modify certain authorities of the Secretary of Veterans Affairs.

H.R. 1855 and H.R. 2646 were amended and forwarded favorably to the Full Committee. H.R. 1154, H.R. 2074, and H.R. 2530 were forwarded favorably to the Full Committee.

OVERSIGHT ACTIVITIES

Subcommittee Hearing—Veterans Health Care in Michigan's Upper Peninsula: Where Are We? Held in Iron Mountain, MI

On June 20, 2011, the Subcommittee held an oversight hearing in Iron Mountain, Michigan to conduct an oversight hearing on the accessibility and quality of healthcare for veterans residing in the Upper Peninsula of Michigan. Specifically, whether there has been a measurable impact on services and outreach as a result of the $533 million Congress provided in fiscal years 2009 and 2010 to improve the delivery of healthcare to rural veterans; the recruitment and retention of medical personnel, including facility leadership; the delivery of mental health care throughout the service area; the scope and effectiveness of telehealth programs, and the level of collaboration and partnerships with community providers.

Testifying before the subcommittee were representatives from several VSOs and VA. See Veterans Health Care in Michigan's Upper Peninsula: Where Are We? Held in Iron Mountain, MI, Serial No. 112–19.

Subcommittee Hearing—Implementation of Caregiver Assistance: Moving Forward

On July 11, 2011, the subcommittee held an oversight hearing entitled, "Implementation of Caregiver Assistance: Moving Forward," to track the progress of the implementation of the Caregivers and Veterans Omnibus Health Services Act of 2010, which the Department of Veterans Affairs (VA) only recently brought online after months of delay. Due to Congressional pressure this spring, caregivers of America's wounded warriors are finally receiving training and financial support to care for their family.

Testifying was a representative from Wounded Warrior Project and several representatives from the Department of Veterans Affairs. See Implementation of Caregiver Assistance: Moving Forward, Serial No. 112–23.

Subcommittee Legislative Hearing—H.R. 198, H.R. 1154, H.R. 1855, H.R. 2074, H.R. 2530, and Draft Legislation

On July 25, 2011, the subcommittee held a legislative hearing on H.R. 198, H.R. 1154, H.R. 1855, H.R. 2074, H.R. 2530, and Draft Legislation.

Representatives from VA and several VSOs testified in front of the subcommittee. See Subcommittee Legislative Hearing on H.R. 198, H.R. 1154, H.R. 1855, H.R. 2074, H.R. 2530, and Draft Legislation, Serial No. 112–26.

Site Visit—Chicago, IL

On August 16, 2011 a member of the Majority Staff attended the VHA Leadership Conference to evaluate whether the conference provided any tangible benefit to improve the delivery of health care within Veterans Health Administration (VHA), including any special skills, tools, processes, or technologies that were disseminated that would make an immediate impact on addressing the access and cost challenges facing VHA.

Site Visit—Big Spring, TX

On August 31, 2011, a member of the Majority Staff visited the Big Spring Veterans Affairs Medical Center to conduct oversight of the clinical operations of the facility and provide support for a veterans' forum in San Angelo, TX.

Site Visit—Turkey, Afghanistan, and Landstuhl/Ramstein, Germany

On October 6–11, 2011, Rep. Phil Roe, MD (R–TN/HVAC), Rep. Tim Walz (D–MN/HVAC), Rep. Jeff Denham (R–CA/HVAC), Rep. Dan Benishek, MD (R–MI/HVAC), and members from the Majority and Minority Staffs traveled to Turkey, Afghanistan, and Germany to (1) evaluate current U.S. military medical framework and theater evacuation system in Afghanistan by visiting various medical units, including aid stations, combat support hospital role III facilities, and the role IV facility in Landstuhl, Germany; (2) assess progress in capturing health information electronically on the battlefield; (3) evaluate implementation of traumatic brain injury (TBI) and behavioral health management techniques on the battlefield to include the effectiveness of new TBI protocols and "virtual" therapy and sleep centers; (4) evaluate new pain care technology

applied far forward on the battlefield; (5) meet with U.S. Embassy Officials and senior military leadership to gain national/strategic and military operational overviews of Afghanistan; (6) and visit and dine with deployed servicemembers.

Subcommittee Hearing—The Federal Recovery Coordination Program: Assessing Progress toward Improvement

On October 6, 2011, the subcommittee held an oversight hearing on the Federal Recovery Coordination Program (FRCP) and uncovered a worsening problem of care coordination between the Department of Veterans Affairs (VA) and the Department of Defense (DoD). The hearing was in response to a previous oversight hearing in May that exposed significant issues with the FRCP, which is meant to coordinate the clinical and non-clinical care needs of severely wounded, ill, or injured servicemembers and veterans, and a similar program administered by DoD called the Recovery Coordination Program.

Testifying were representatives from several VSOs and the Department of Veterans Affairs. See the Federal Recovery Coordination Program: Assessing Progress toward Improvement, Serial No. 112–29.

Subcommittee Hearing—Understanding and Preventing Veteran Suicide

On December 2, 2011, the Subcommittee held a hearing entitled, "Understanding and Preventing Veteran Suicide," to track the progress being made to prevent suicide and steps taken to identify at risk servicemembers and veterans by the Departments of Defense and Veterans Affairs. Despite increased resources and services, significant obstacles remain including limits on data, stigma, access issues, and a lack of partnership with community care providers.

Panelists included representatives from several VSOs, the Department of Veterans Affairs, and mental health specialists. See Understanding and Preventing Veteran Suicide, Serial No. 112–36.

ACTIVITIES OF THE SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

LEGISLATIVE ACTIVITIES

Subcommittee Markup of H.R. 2243, H.R. 2383, and H.R. 2388

On July 28, 2011, the Subcommittee on Oversight and Investigations met and marked up H.R. 2243, The Veterans' Employment Promotion Act; H.R. 2383, the Modernizing Notice to Claimants Act; and the Access to Timely Information Act.

H.R. 2243, H.R. 2383, and H.R. 2388 were forwarded favorably to the Full Committee.

OVERSIGHT ACTIVITIES

Subcommittee Legislative Hearing—H.R. 2383, H.R. 2243, H.R. 2388 and H.R. 2470

On July 20, 2011, the Subcommittee on Oversight and Investigations held a legislative hearing on H.R. 2383, Modernizing Notice to Claimants Act; H.R. 2243, Veterans Employment Promotion Act;

H.R. 2388, Access to Timely Information Act; and H.R. 2470, E-SERV Act.

Testifying before the subcommittee were representatives from the Department of Defense (DOD), VA, and several VSOs. See Legislative Hearing on H.R. 2383, H.R. 2243, H.R. 2388, and H.R. 2470, Serial No. 112–25.

Subcommittee Hearing—Evaluating the U.S. Department of Veterans Affairs Service-Disabled Veteran-Owned Small Business Certification Process

On July 28, 2011, the subcommittee held a hearing on 91 pending criminal investigations in the Department of Veterans Affairs' (VA) Service-Disabled Veteran-Owned Small Business (SDVOSB) program. Investigations have been under way through the Government Accountability Office (GAO) and VA's Office of the Inspector General (VAOIG). Some investigations have been ongoing for several years.

Testifying in front of the subcommittee was Belinda J. Finn, Assistant Inspector General for Audits and Evaluations, Office of Inspector General, U.S. Department of Veterans Affairs, and she was accompanied by Gregory D. Kutz, Director, Forensic Audits and Investigative Service, United States Government Accountability Office, and another VA official, James O'Neill.

Site Visit—Philadelphia, PA

On November 9, 2011, the Subcommittee on Oversight and Investigations Democratic Staff traveled to Philadelphia, Pennsylvania to visit the National Call Center. The Philadelphia national call center serves calls related to compensation and pension, in addition to insurance inquiries.

EXECUTIVE BRANCH COMMUNICATIONS

July 18, 2011: Letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Reimbursement Offsets for Medical Care or Services (RIN: 2900–AN55) received June 24, 2011, pursuant to 5 U.S.C. 801–(a)–(1)–(a).

September 13, 2011: Letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Health Care for Homeless Veterans Program (RIN: 2900–AN73) received August 22, 2011, pursuant to 5 U.S.C. 801–(a)–(1)–(a).

September 20, 2011: Letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Release of Information from Department of Veterans Affairs records (RIN: 2900–AN72) received August 16, 2011, pursuant to 5 U.S.C. 801–(a)–(1)–(a).

September 26, 2011: Letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Rules governing Hearings before the Agency of Original Jurisdiction and Board of Veterans Appeals; Clarification (RIN: 2900–AO06) received August 29, 2011, pursuant to 5 U.S.C. 801–(a)–(1)–(a).

September 26, 2011: Letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Expansion of State Home Care for Parents of a Child Who Died while Serving in the Armed Services (RIN: 2600–AN96/WP 2010–071) received August 29, 2011, pursuant to 5 U.S.C. 801–(a)–(1)–(a).

September 26, 2011: Letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Technical Revisions to Conform to the Caregivers and Veterans Omnibus Health Act of 2010 (RIN: 290–AN85/WP2010–044) received August 29, 2011, pursuant to 5 U.S.C. 801–(a)–(1)–(a).

September 20, 2011: Letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Per Diem Payments for the Care Provided to Eligible Veterans Evacuated from a State Home as a Result of an Emergency (RIN: 2900–AN63) received September 8, 2011, pursuant to 5 U.S.C. 801–(a)–(1)–(a).

October 28, 2011: Letter from the National Adjutant, Chief Executive Officer, The Disabled American Veterans, transmitting the report of the proceedings of the organization's National Convention, including their annual audit report of receipts and expenditures as of December 31, 2011 pursuant to 44 U.S.C. 1332.

November 8, 2011: Letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Presumptive Service Connection for Diseases Associated with Service in the Southwest Asia Theater of Operations During the Persian Gulf War: Functional Gastrointestinal Disorders (RIN: 2900–AN83) received October 11, 2011, pursuant to 5 U.S.C. 801–(a)–(1)–(a).

November 14, 2011: Letter from the Assistant Attorney General, Department of Justice, transmitting third quarterly report of FY 2011 of Uniformed Service Employment and Reemployment Rights Act.

November 15, 2011: Letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Sharing Information between the Department of Veterans Affairs and the Department of Defense (RIN: 2900–AN95) received October 19, 2011, pursuant to 5 U.S.C. 801–(a)–(1)–(a).

November 15, 2011: Letter from the Secretary, Army, Department of Defense, transmitting a report entitled "A Report to Congress on Implementation on Army Directive on Army National Cemeteries Program."

November 17, 2011: Letter from the Assistant Attorney General, Department of Justice, transmitting legislative proposals.

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