

PROVIDING BENEFITS INFORMATION IN SPANISH AND
TAGALOG FOR VETERANS AND FAMILIES ACT

JULY 18, 2019.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. TAKANO, from the Committee on Veterans' Affairs,
submitted the following

R E P O R T

[To accompany H.R. 2943]

[Including cost estimate of the Congressional Budget Office]

The Committee on Veterans' Affairs, to whom was referred the bill (H.R. 2943) to direct the Secretary of Veterans Affairs to make all fact sheets of the Department of Veterans Affairs in English and Spanish, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

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The amendments are as follows:
Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Providing Benefits Information in Spanish and Tagalog for Veterans and Families Act”.

SEC. 2. FACT SHEETS.

(a) **LANGUAGES.**—The Secretary of Veterans Affairs shall make versions of all fact sheets of the Department of Veterans Affairs in English, Spanish, and Tagalog.

(b) **WEBSITE.**—The Secretary of Veterans Affairs shall establish and maintain a publicly available website of the Department of Veterans Affairs that contains links to all fact sheets of the Veterans Benefits Administration, Veterans Health Administration, and of the National Cemetery Administration. The website shall be accessible by a clearly labelled hyperlink on the homepage of the Department.

(c) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit a report to Congress regarding fact sheets described in subsection (a) and details of the Language Access Plan of the Department of Veteran Affairs. The report shall include the following:

- (1) What the Secretary determines constitutes a fact sheet of the Department for purposes of this Act.
- (2) How such fact sheets are utilized and distributed other than on and through the website of the Department.
- (3) How such Language Access Plan is communicated to veterans, family members of veterans, and caregivers.
- (4) The roles and responsibilities of patient advocates in the coordination of care for veterans with limited English proficiency, family members of such veterans, and caregivers.
- (5) Other demographic information that the Secretary determines appropriate regarding veterans with limited English proficiency.

Amend the title so as to read:

A bill to direct the Secretary of Veterans Affairs to make all fact sheets of the Department of Veterans Affairs in English, Spanish, and Tagalog.

PURPOSE AND SUMMARY

H.R. 2943, was introduced by Representative Gilbert Cisneros on May 23, 2019. H.R. 2943 as amended, directs the Secretary of Veterans Affairs to make all fact sheets of the Department of Veterans Affairs in English, Spanish and Tagalog.

BACKGROUND AND NEED FOR LEGISLATION

Veterans deserve the highest level of customer service from the Department of Veterans Affairs when attempting to access the benefits they have earned. VA has facilities in Puerto Rico and the Philippines where English is not the predominant language. A language barrier should not stand in the way of veterans’ access to benefits, and the burden should not be placed on veterans or their spouses, dependents, and caregivers to request and then wait for a translator to be provided by the Department of Veterans Affairs. Unless understandable information is readily available for these veterans, they and their spouses, dependents, and caregivers will lose out on GI bill benefits, VA home loans, healthcare programs, and their survivors will not be able to receive their burial benefits if they do not understand English.

With the changing demographics of the U.S. population overall trending towards a more racially and ethnic diverse majority, the veteran population is diversifying at a similar rate. The Pew Research Center reports that the share of veterans who are Hispanic is expected to nearly double from 7 to 13 percent between 2016 and

2045. According to the U.S. Census Bureau, Filipino Americans make up the third largest Asian American subgroup, with an estimated 4 million living in the U.S.

A recent example of how VA is not using its current authority to provide easily understandable communications for veterans whose first language is not English, came to the attention of the Committee on Veterans' Affairs when staff visited Puerto Rico on July 6, 2019 to study and observe disaster preparedness. What they found was disappointing; many veteran facing fact sheets were not available in Spanish, the predominant language there. The following are excerpts are from the report filed for the Committee record:

"In separate meetings with veterans service organizations (VSOs), Committee staff heard harrowing stories about the lack of support veterans had received from the San Juan VAMC in the wake of Hurricane Maria. HVAC staff also discovered a lack of emergency response plans, little to no outreach to "high-risk" veterans who could be stranded during the next natural disaster, an absence of senior leadership familiarity with the readiness of the emergency medical cache, nonexistent marketing materials in Spanish provided by VA Headquarters, a Spanish suicide prevention hotline that is not consistently staffed, and an understaffed facility due to issues with recruitment and retention . . .

*At the time of the visit, veterans had not received any information—written or verbal—to be better prepared for a future disaster after Hurricane Maria. Medical Center staff reported that Spanish language materials are rarely mailed or emailed, especially materials produced by VA headquarters. Veterans reported they had not been contacted by VA for their safety plan or asked where they plan to shelter, who will know their whereabouts, or asked to provide other key data for making contact with them following a storm. The facility created its own Spanish language Suicide Hotline but when HVAC staff called the number at different times during the day, staff were not consistently able to speak with a responder. These inconsistent results raise concerns about how well the number is staffed and monitored by the facility. San Juan has only two Suicide Prevention Coordinators despite statistics showing that suicides increase after natural disasters."*¹

HEARINGS

On June 20, 2019, the Committee on Veterans' Affairs conducted a legislative hearing on various bills introduced during the 116th Congress, including H.R. 2943.

The following witnesses testified: The Honorable Phil Roe, U.S. House of Representatives, the First Congressional District of Tennessee, The Honorable Luis Correa, U.S. House of Representatives, the 46th Congressional District of California; The Honorable Gil-

¹"SAN JUAN VAMC FACES SIGNIFICANT READINESS CHALLENGES IN PROVIDING EMERGENCY PREPAREDNESS AND DISASTER ASSISTANCE," Staff Report, U.S. House of Representatives Committee on Veterans' Affairs, June 6, 2019.

bert R. Cisneros, U.S. House of Representatives, the 39th Congressional District of California, The Honorable Gus Bilirakis, U.S. House of Representatives, the 12th Congressional District of Florida; Mr. Adrian Atizado, Deputy National Legislative Director, Disabled American Veterans; Mr. Travis Horr, Director, Government Affairs, Iraq and Afghanistan Veterans of America; Dr. Igor Grant, Director, Center for Medicinal Cannabis Research, University of California, San Diego; Mr. Carlos Fuentes, Director, National Legislative Service, Veterans of Foreign Wars; Mr. Derek Fronabarger, Director, Government Affairs, Wounded Warrior Project; Larry Mole, Pharm.D., Chief Consultant, Population Health, Veteran Health Administration; U.S. Department of Veterans Affairs.

Statements for the record were submitted by: Ms. Thelma Roach-Serry, BSN, RN, NE-BC, President, Nurses Organization of Veterans Affairs (NOVA); Mr. Eric Goepel, Founder & CEO, Veterans Cannabis Coalition (VCC); Mr. Morgan D. Brown, National Legislative Director, Paralyzed Veterans of America (PVA); Mr. J. David Cox, Sr., National President, American Federation of Government Employees (AFGE); Mr. Randy Erwin, National President, National Federation of Federal Employees (NFFE); Mr. William Attig, Executive Director, Union Veterans Council, AFL-CIO; Mr. Brett W. Copeland, Executive Director, Veterans Healthcare Policy Institute; Mr. David J. Holway, National Association of Government Employees (NAGE); Mr. Justin Strekal, Political Director, National Organization for the Reform of Marijuana Laws—(NORML).

SUBCOMMITTEE CONSIDERATION

There was no Subcommittee consideration of H.R. 2943.

COMMITTEE CONSIDERATION

On June 11, 2019, the Full Committee met in an open markup session, a quorum being present, and ordered H.R. 2943 as amended, reported favorably to the House of Representatives by voice vote.

During Full Committee consideration on June 11, 2019, an Amendment in the Nature of a Substitute to H.R. 2943 offered by Representative Cisneros of California was adopted by voice vote. The ANS adds Tagalog to the requirement in the original bill that all Department of Veterans Affairs fact sheets be available in English and Spanish. The reason for this amendment is that Tagalog is the official language of U.S. veterans and their families in the Republic of the Philippines, where there is a large U.S. military presence and where the Department of Veterans Affairs maintains a VA Health Clinic and a Regional Office to process the claims of veterans living there.

Ranking Member of the Committee on Veterans' Affairs, David P. Roe of Tennessee, offered an amendment to the amendment in the nature of a substitute. Dr. Roe's amendment requires that the Secretary of Veterans Affairs establish and maintain a single location on its publicly available website of the Department of Veterans Affairs that contains links to all fact sheets of the Veterans Benefits Administration, Veterans Health Administration and the National Cemetery Administration. The website is to be accessible by a clearly labelled hyperlink to the homepage of the Department. In addition, the amendment requires that the Secretary of Veterans

Affairs submit to Congress a report no later than 180 days after enactment regarding the fact sheets described above, and the details of the VA Language Access Plan. This report will include how the Secretary determines what constitutes a VA fact sheet; how such fact sheets are utilized and distributed other than on and through the website of the Department; how the Language Access Plan is communicated to veterans, family members and caregivers; the roles and responsibilities of patient advocates in the coordination of care for veterans with limited English proficiency, family members of such veterans, and caregivers; and other demographic information that the Secretary determines appropriate regarding veterans with limited English proficiency. The amendment to the amendment in the nature of a substitute offered by Representative Roe of Tennessee passed by voice vote.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the recorded votes on the motion to report the legislation and amendments thereto. There were no recorded votes taken on amendments or in connection with ordering H.R. 2943 as amended reported to the House. A motion by Ranking Member David P. Roe of Tennessee to report H.R. 2943 as amended favorably to the House of Representatives was agreed to by voice vote.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee establishes the following performance goals and objectives for this legislation as amended: to remove barriers to accessing benefits for veterans, spouses, dependents and caregivers whose first language is not English by requiring that the Department of Veterans Affairs provide all fact sheets of the Department in English and Spanish and Tagalong and provide a report to Congress regarding details of the fact sheets and the Language Access Plan of the Department of Veterans Affairs.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the estimate of new budget authority, entitlement authority, or tax expenditures or revenues contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

EARMARKS AND TAX AND TARIFF BENEFITS

H.R. 2943 as amended does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

COMMITTEE COST ESTIMATE

The Committee adopts as its own the cost estimate on H.R. 2943 as amended prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the following is the cost estimate for H.R. 2943 as amended provided by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 17, 2019.

Hon. MARK TAKANO,
*Chairman, Committee on Veterans' Affairs,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2943, the Providing Benefits Information in Spanish and Tagalog for Veterans and Families Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Logan Smith.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

H.R. 2943, Providing Benefits Information in Spanish and Tagalog for Veterans and Families Act			
<small>As ordered reported by the House Committee on Veterans' Affairs on July 11, 2019</small>			
<small>By Fiscal Year, Millions of Dollars</small>	<small>2019</small>	<small>2019-2024</small>	<small>2019-2029</small>
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	n.e.
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
<small>n.e. = not estimated; * = between zero and \$500,000.</small>			

H.R. 2943 would require the Department of Veterans Affairs (VA) to provide on its website all departmental fact sheets in English, Spanish, and Tagalog. The bill also would require VA to report to the Congress on how veterans obtain the department's fact sheets other than on its websites and on VA's efforts to communicate with veterans whose proficiency in English is limited.

Many of the VA's fact sheets are already available in Spanish, and several are available in Tagalog. VA provides most of the information from its fact sheets in Spanish and Tagalog to veterans at VA's regional offices in Puerto Rico and the Philippines, respectively. In addition, the department currently provides its various fact sheets on several webpages. Because the department has satisfied most of the requirements of the bill, CBO estimates that implementing H.R. 2943 would cost less than \$500,000 over the 2019–2024 period; any spending would be subject to availability of appropriated funds.

The CBO staff contact for this estimate is Logan Smith. The estimate was reviewed by Leo Lex, Deputy Assistant Director for Budget Analysis.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates regarding H.R. 2943 as amended prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act would be created by H.R. 2943 as amended.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to Article I, section 8 of the United States Constitution, H.R. 2943 as amended is authorized by Congress' power to "provide for the common Defense and general Welfare of the United States."

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that H.R. 2943 as amended does not relate to the terms and conditions of employment or access to public services or accommodations within the legislative branch.

STATEMENT ON DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 2943 as amended establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Sec. 1—Short title

Section 1 would establish the “Providing Benefits Information in Spanish and Tagalog for Veterans and Families Act”.

Section 2—Fact sheets

Section 2 requires that the Secretary of Veterans Affairs make versions of all fact sheets of the Department of Veterans Affairs in English, Spanish, and Tagalog.

Section 2(b) requires that the Secretary of Veterans Affairs establish and maintain a publicly available website of the Department of Veterans Affairs with links to all fact sheets of the Veterans Benefits Administration, Veterans Health Administration, and of the National Cemetery Administration. The website shall be accessible by a clearly labelled hyperlink on the homepage of the Department.

Section 2(c) not later than 180 days after the date of enactment of the Act, the Secretary of Veterans Affairs shall submit a report to Congress regarding the fact sheets described in subsection (a) and details of the Language Access Plan of the Department. The report shall include the following:

- (1) What the Secretary determines constitutes a fact sheet of the Department for purposes of this Act.
- (2) How such fact sheets are utilized and distributed other than on and through the website of the Department
- (3) How such Language Access Plan is communicated to veterans, family members of veterans, and caregivers.
- (4) The roles and responsibilities of patient advocates in the coordination of care for veterans with limited English proficiency, family members of such veterans, and caregivers.
- (5) Other demographic information that the Secretary determines appropriate regarding veterans with limited English proficiency.