

CURRENT LEGISLATION / KEY BILLS IN CONGRESS

ECONOMICS

<u>Bill Name</u>	<u>Number of Sponsors</u>	<u>Position</u>
S. 143 - Military Spouse Job Continuity Act of 2017	9 (3 R, 6 D)	We support this legislation

(Introduced in Senate (01/12/2017) This bill amends the Internal Revenue Code to allow the spouse of a member of the Armed Forces (military spouse) who moves with such member to another state under a permanent change of station order a tax credit for up to \$500 of qualified relicensing costs incurred by such spouse. The bill defines "qualified relicensing costs" as costs for a state license or certification to engage in the profession that such military spouse engaged in while residing in the former state.)

S. 121 - Veterans Small Business Ownership Improvement Act	1 (1 R)	We support this legislation
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(Introduced in Senate (01/12/2017) To establish the veterans' business outreach center program, to improve the programs for veterans of the Small Business Administration, and for other purposes.)

S. 112 - Creating a Reliable Environment for Veterans Dependents Act	2 (1 R, 1 D)	We support this legislation
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(Introduced in Senate (01/12/2017) This bill provides that the services for which a recipient of a grant under the VA comprehensive service program for homeless veterans may receive per diem payments may include furnishing care for a dependent under the care of a veteran who is receiving services.

NATIONAL SECURITY

<u>Bill Name</u>	<u>Number of Sponsors</u>	<u>Position</u>
S. 120 - Bring Our Heroes Home Act	2 (2 R)	We support this legislation

(Introduced in Senate (01/12/2017) This bill: (1) requires the National Archives and Records Administration (NARA) to establish the Missing Armed Forces Personnel Records Collection; and (2) establishes the Missing Armed Forces Personnel Records Review Board, which shall require all missing Armed Forces personnel records to be transmitted to NARA and disclosed to the public in the collection.

Each government office shall: (1) identify, review, and organize each such record in its possession for transmission to NARA; and (2) identify and review for public disclosure each such record previously transferred to NARA that remains classified.

Each presidential archival depository shall: (1) have as a priority the expedited review for public disclosure of such records in its possession, and (2) make such records available to the board.

NARA shall: (1) make each such record identified as classified available for review by the originating body, and (2) prepare and make available to all government offices a standard form for collecting information relating to such records.

All such records shall be publicly disclosed in full and made available in the collection within five years after enactment of this bill unless the President certifies that: (1) postponement is necessary because of an identifiable harm to the military defense, intelligence operations, or conduct of foreign relations; and (2) the harm is of such gravity that it outweighs the public interest in disclosure.

The Board shall: (1) render a decision on a determination of a government office to postpone the disclosure of any such record; (2) determine, within two years after enactment of this bill, whether all government offices have complied with it; (3) terminate after four years; and (4) transfer all of its records to NARA for inclusion in the collection.

The Board may request the Attorney General to petition any U.S. or foreign court to release information relevant to the loss, fate, or status of missing Armed Forces personnel that is held under seal of such court.

S. 66 - Retired Pay Restoration Act

8 (2 R, 6 D)

We support this legislation

(Introduced in Senate (01/09/2017) To amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

H.R. 450 - To amend title 10, United States Code, to ensure that every military chaplain has the prerogative to close a prayer outside of a religious service according to the dictates of the chaplain's own conscience.

1 (1 R)

Monitoring

(Introduced in House (01/11/2017) Looking for additional information

H.R. 333 - Disabled Veterans Tax Termination Act

34 (5 R, 29 D)

We support this legislation

(Introduced in House (01/05/2017) This bill amends federal military retired pay provisions to: (1) permit veterans with a service-connected disability of less than 50% to concurrently receive both retired pay and disability compensation; (2) eliminate provisions requiring a phase-in between January 1, 2004, and December 31, 2013, of concurrent receipt of retired pay and disability compensation; (3) eliminate a phase-in of concurrent receipt of retired pay and disability compensation for disabled veterans determined to be individually unemployable; and (4) require a limited reduction in retired pay for qualified disability retirees with less than 20 years of retirement-creditable service.

H.R. 303 - Retired Pay Restoration Act

60 (37 R, 23 D)

We support this legislation

(Introduced in House (01/05/2017) This bill: (1) allows the receipt of both military retired pay and veterans' disability compensation with respect to any service-connected disability (currently, only for a disability rated at 50% or more), and (2) repeals provisions phasing in the full concurrent receipt of such pay through December 31, 2013.

Individuals who were retired or separated from military service due to a service-connected disability shall be eligible for the full concurrent receipt of both veterans' disability compensation and either military retired pay or combat-related special pay.

**H.R. 282 - Military Residency
Choice Act**

7 (7 R)

Monitoring

(Introduced in House (01/04/2017) This bill amends the Servicemembers Civil Relief Act to permit the spouse of a servicemember to elect to use the same residence as the servicemember for purposes of taxation and voting, regardless of the date on which the marriage of the spouse and the servicemember occurred.

**H.R. 279 - Military Family
Stability Act of 2017**

1 (1 R)

Monitoring

(Introduced in House (01/04/2017) This bill allows a member of the Armed Forces undergoing a permanent change of station and the member's spouse to elect jointly that the spouse may relocate to the new location at the time during the covered relocation period as the member and spouse jointly select.

A member and spouse may make such an election if:

- the spouse is employed, or enrolled in a degree-, certificate-, or license-granting program, at the beginning of the covered relocation period;
- the member and spouse have one or more children in school;
- the spouse or children are covered under the Exceptional Family Member Program;
- the member and spouse are caring for an immediate family member with a chronic or long-term illness; or
- the member is undergoing a permanent change of station as an individual augmentee or other deployment arrangement.

Families with other needs may receive exceptions granted by military commanders on a case-by-case basis.

A member undergoing a permanent change of station who has one or more specified dependents and is no longer married to the individual who is or was the parent of such dependents at the beginning of the covered period of relocation may make an election that such dependents relocate to the new location:

- by the member alone, if the former spouse is dead or has no custodial rights, or
- by the member and the former spouse jointly in all other circumstances.

A member may not make:

- more than three elections; or
- any election unless the member's period of obligated service, or the time remaining under the member's enlistment contract, at the time of election is at least 24 months.

The bill prescribes related housing and housing allowance requirements.

Transportation allowances authorized for personal property of a member and spouse may be allocated as the member and spouse select.

The Department of Defense shall establish a single application approval process for coverage under this bill, which shall apply uniformly among the Armed Forces.

VETERANS AFFAIRS & REHABILITATION

Bill Name

Number of Sponsors

Position

**S. 165 - Caregiver Program
Information Dissemination Act**

1 (1 R)

We support this legislation

of 2017

(Introduced in Senate (01/17/2017) To amend title 10, United States Code, to require an element in pre-separation counseling for members of the Armed Forces on assistance and support services for caregivers of certain veterans through the Department of Veterans Affairs.

S. 152 - VA Accountability First and Appeals Modernization Act of 2017

5 (5 R)

Monitoring

(Introduced in Senate (01/17/2017) To amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 116 - A bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

4 (1 R, 3 D)

We support this legislation

(Introduced in Senate (01/12/2017) This bill directs the Department of Defense (DOD) to provide transportation on scheduled and unscheduled military flights within the continental United States and on scheduled overseas flights on a space-available basis for veterans with a service-connected, permanent disability rated as total.

In establishing space-available transportation priorities under the travel program, DOD shall provide transportation on the same basis as such transportation is provided to members of the Armed Forces entitled to retired or retainer pay.

S. 115 - Veterans Transplant Coverage Act

1 (1 R)

We support this legislation

(Introduced in Senate (01/12/2017) This bill authorizes the Department of Veterans Affairs to provide for an operation on a live donor to carry out a transplant procedure for an eligible veteran, notwithstanding that the live donor may not be eligible for VA health care.

The VA shall furnish to such a donor any care or services that may be required before and after such procedure.

S. 114 - Department of Veterans Affairs Bonus Transparency Act

2 (1 R, 1 D)

We support this legislation

(Introduced in Senate (01/12/2017) This bill requires the Department of Veterans Affairs (VA) to submit an annual report to specified congressional committees on the performance awards and bonuses presented to Regional Office Directors of the VA, Directors of Medical Centers of the VA, and Directors of Veterans Integrated Service Networks.

Each report shall include:

- the amount of each award or bonus,
- the job title of each recipient, and

- the location where each recipient individual works.

S. 113 - Maximizing Efficiency and Improving Access to Providers at the Department of Veterans Affairs Act

2 (1 R, 1 D)

We support this legislation

(Introduced in Senate (01/12/2017) This bill directs the Department of Veterans Affairs (VA) to carry out an 18-month pilot program to increase the use of medical scribes to maximize the efficiency of physicians at VA medical facilities. A "medical scribe" is defined as a member of the medical team hired and trained to perform documentation in an electronic health record to maximize the productivity of a physician.

The program shall be conducted at not fewer than five medical facilities that: (1) have a high volume of patients; or (2) are in rural areas where there is a shortage of physicians and where each physician has a high caseload.

To carry out such program, the VA shall enter into a contract with one or more nongovernmental entities that train and employ professional medical scribes who specialize in the collection of medical data and data entry into electronic health records.

The VA shall collect data to determine the effectiveness of the program, including information on changes in the average wait times for veterans to receive care, the average number of patients that a physician is able to see, the average amount of time such a physician spends on documentation, physician satisfaction and retention scores, and patient satisfaction scores.

S. 86 - Veterans Choice Continuation Act

6 (6 R)

We support this legislation

(Introduced in Senate (01/10/2017) To amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program.

S. 57 - A bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes

9 (9 R)

We support this legislation

(Introduced in Senate (01/05/2017) Sec. 1 – This bill provides that if the Department of Veterans Affairs (VA) makes an adverse finding that a VA employee has violated a VA policy for which the employee may be removed or suspended, or has violated a law for which the employee may be imprisoned for more than one year, the VA may not award a bonus to such employee until the earlier of:

- five years after the end of the fiscal year in which the adverse finding was made, or
- the date the finding is found to have been made in error.

If an adverse finding is made, the VA, after providing notice and an opportunity for a hearing, shall direct the employee to repay any bonus received during the year in which the adverse finding is made, unless such finding is found to have been made in error.

Sec. 2 – If a VA employee receives a reprimand or admonishment, the VA shall retain a copy of such reprimand or admonishment in the employee's permanent record as long as he or she is employed by the VA.

**S. 12 - Increasing the
Department of Veterans Affairs
Accountability to Veterans Act of
2017**

3 (1 R, 2 D)

We support this legislation

(Introduced in Senate (01/03/2017) This bill requires the reduction of the federal annuities of individuals removed from the Department of Veterans Affairs (VA) Senior Executive Service (SES) if they are convicted of a felony that was related to their performance while employed in such position.

The VA may order the reduction of the federal annuities of individuals who were convicted of such a felony and were subject to removal or transfer from the SES, but who left the VA before final action was taken.

Such annuities are reduced by excluding the covered service performed after the activity that subjects such an individual to transfer or removal.

Any individual whose annuity is reduced may appeal to the Office of Personnel Management.

The VA shall conduct an annual performance plan for each political appointee that is similar to the plan conducted for career appointee SES employees.

Evaluation of VA managers shall include actions taken to address employee performance.

The supervisor of a probationary VA employee shall determine during the 30-day period ending on the date on which the probationary period ends whether the employee has demonstrated successful performance and should continue past the probationary period. Such supervisor's performance plan shall include feedback on his or her actions during an employee's probationary period.

Before terminating VA employment an official who has participated personally and substantially during the past year in a VA acquisition that exceeds \$10 million shall obtain a written opinion from a VA ethics counselor regarding any restrictions on activities that the official may undertake on behalf of a contractor during the two-year period after the official terminates VA employment.

A contractor may not knowingly provide compensation to such an individual during the two-year period unless the contractor determines that the individual has obtained or requested such written opinion.)

H.R. 512 - WINGMAN Act

175 (122 R, 53 D)

Monitoring

(Passed House amended (02/13/2017) Sec. 2 – This bill directs the Department of Veterans Affairs (VA) to provide each veteran who submits a claim for VA benefits with an opportunity to permit a covered congressional employee in the office of the veteran's Member of Congress to have read-only access to all of the veteran's records in the Veterans Benefits Administration databases. A Member may designate up to two such covered congressional employees.

A covered congressional employee may not be recognized as an agent or attorney with respect to veterans' benefit claims.

Funds under this bill may not be used to design or administer any training for covered congressional employees.

The bill makes up to \$10 million available for obligation or expenditure for FY2018 through FY2021 for such congressional employee access program.

No additional funds are authorized to be appropriated to carry out the bill.

**H.R. 501 - VA Transparency
Enhancement Act of 2017**

2 (1 R, 1 D)

We support this legislation

(Introduced in House (01/12/2017) This bill requires the director of each Department of Veterans Affairs (VA) medical facility to report quarterly to the VA on:

- the number of patients who contracted an infection as result of surgery at such medical facility, including a brief summary of each case; and
- the number of, and reasons for, scheduled surgeries that were cancelled or transferred to another facility and the subsequent number of days that each patient had to wait for surgery.

The VA shall submit such reports and a summary of such reports to Congress and publish them on its website.)

H.R. 476 - VET Act

20 (14 R, 6 D)

We support this legislation

(Introduced in House (01/12/2017) This bill requires that a veteran enrolled in the Department of Veterans Affairs (VA) health care program who requests a medical examination or treatment at an emergency department of a VA medical facility be provided with a medical screening examination to determine whether an emergency medical condition exists and, if so, stabilizing medical treatment or a transfer to another VA or non-VA medical facility.

If a non-stabilized emergency medical condition exists, the VA hospital may not transfer the veteran unless: (1) the veteran, after being made aware of the risks, makes a written transfer request; or (2) a physician (or a qualified medical person if a physician is not present) certifies that the medical benefits of a transfer outweigh the risks.

The VA may not take adverse action against a VA employee because the employee refuses to authorize the transfer of an enrolled veteran with a non-stabilized emergency medical condition or because the employee reports a violation of a requirement of this bill.

A VA or non-VA medical facility may not delay provision of an appropriate medical screening examination or further medical examination and treatment required in order to inquire about the payment method or insurance status of an enrolled veteran.)

**H.R. 467 - VA Scheduling
Accountability Act**

1 (1 R)

We support this legislation

(Introduced in House (01/12/2017) This bill directs the Department of Veterans Affairs (VA) to ensure that each VA medical facility annually certifies that it is in full compliance with all provisions of law and regulations relating to scheduling appointments for veterans hospital care and medical services. The VA may not waive any applicable provision of such laws or regulations.

If unable to make such certification, the facility shall provide the VA with an explanation of noncompliance and a description of compliance actions being taken. If a facility does not make a certification for any year, each covered official may not receive specified awards or bonuses during the subsequent year. A covered official is the: (1) director, (2) chief of staff, (3) associate director, (4) associate director for patient care, and (5) deputy chief of staff.

The VA shall ensure that its directives and policies apply to, and are implemented by, each VA office or facility in a standardized manner, including at the local level.)

H.R. 457 - VA Appeals

11 (1 R, 10 D)

We support this legislation

Modernization Act of 2017

(Introduced in House (01/11/2017) This bill amends the Department of Veterans Affairs (VA) benefits appeals process to permit a claimant to request:

- a review of the Agency of Original Jurisdiction's decision by a higher-level adjudicator within the agency under which no additional evidence may be submitted; or
- a Board of Veterans Appeals (BVA) review under which no BVA hearing is requested and no additional evidence may be submitted or under which a BVA hearing is requested and the appellant requests an opportunity to submit additional evidence at, and within 90 days of, the hearing.

("Agency of Original Jurisdiction" means the activity which entered the original determination with regard to a claim for veteran's benefits.)

The BVA shall maintain two such separate dockets.

A finding favorable to a claimant is binding on all subsequent VA adjudicators unless clear and convincing evidence is shown to the contrary.

The BVA may remand a claim to the agency to obtain a corrective advisory medical opinion.

The bill revises effective dates of awards provisions.

The VA's duty to assist a claimant shall not apply: (1) once the claimant is provided notice of the agency's initial decision, and (2) to higher-level agency or BVA review.

The VA is not required to send notice for a supplemental claim or to readjudicate a claim that has been disallowed except when new and relevant evidence is presented or secured (currently such provisions applies to reopening such claim).

A claimants' notice of disagreement must set out specific allegations of error of fact or law. The BVA is authorized to dismiss an appeal which fails to do so.)

H.R. 334 - Victims of Agent Orange Relief Act of 2017

24 (24 D)

We support this legislation

(Introduced in House (01/05/2017) This bill directs the Department of State shall provide assistance: (1) to address the health care needs of covered individuals, (2) to institutions in Vietnam that provide health care to such individuals, (3) to repair and rebuild substandard homes in Vietnam for covered individuals and their families, and (4) to remediate geographic areas of Vietnam that contain high levels of Agent Orange.

A "covered individual" is defined as an individual who is a Vietnam resident and who: (1) is affected by health issues related to Agent Orange exposure which took place between January 1, 1961, and May 7, 1975; (2) lives or had lived in or near geographic areas in Vietnam that continue to contain high levels of Agent Orange; or (3) is the child or descendant of such an individual and is affected by such health issues.

State and the Department of Veterans Affairs (VA) shall provide assistance to support research relating to health issues of individuals affected by Agent Orange.

The Department of Health and Human Services shall: (1) make grants to appropriate public health organizations and Vietnamese-American organizations to conduct a broad health assessment of Vietnamese-Americans who may have been exposed to Agent Orange and their children or descendants; and (2) establish centers in U.S. locations where large populations

of Vietnamese-Americans reside to provide assessment, counseling, and treatment for conditions related to Agent Orange exposure.

The bill amends veterans benefits provisions to provide benefits to the children of male (currently only female) Vietnam veterans who are affected by certain birth defects. The VA shall require any health care provider with whom the VA enters into a contract for the provision of health care to such children to provide the VA access to the medical records of such children for research into the intergenerational effects of Agent Orange exposure.)

H.R. 307 - Lead by Example Act of 2017 1 (1 R) Monitoring

(Introduced in House (01/05/2017) This bill provides that, beginning January 3, 2019, the only health care plan the federal government may make available to Members of Congress and congressional staff shall be health care provided through the Department of Veterans Affairs (VA).

By September 15, 2017, the VA and the Office of Personnel Management shall jointly submit to Congress a plan to carry out this bill, including recommendations for any necessary legislative actions.)

H.R. 299 - Blue Water Navy Vietnam Veterans Act of 2017 267 (124 R, 1 N, 142 D) We support this legislation

(Introduced in House (01/05/2017) This bill includes as part of the Republic of Vietnam its territorial seas for purposes of the presumption of service connection for diseases associated with exposure by veterans to certain herbicide agents while in Vietnam.)

H.R. 293 - Highly Rural Veteran Transportation Program Extension Act 1 (1 R) We support this legislation

(Introduced in House (01/04/2017) This bill amends the Caregivers and Veterans Omnibus Health Services Act of 2010 to reauthorize through FY2018 a grant program to provide innovative transportation options to veterans in highly rural areas.

H.RES. 46 - Recognizing the increased risk of sleep apnea among soldiers returning from active duty and the benefits of continuous positive airway pressure (CPAP) therapy on treating obstructive sleep apnea (OSA) in soldiers suffering from Posttraumatic Stress Disorder (PTSD). 5 (2 R, 3 D) Monitoring

(Introduced in House (01/12/2017) Expresses support for raising public awareness of sleep apnea, especially for soldiers and veterans, and providing access to care for soldiers and veterans with sleep illnesses.

Encourages soldiers and veterans to seek and maintain healthy sleep habits.