

David Lee  
National Sons of The American Legion  
Legislative Commission Chairman

## **House Passes Two Bills That Seek To Reform VA**

Feb 3, 2017

**H.R. 27**, the Ensuring VA Employee Accountability Act, and **H.R. 28**, the Biological Implant Tracking and Veterans Safety Act, were passed by the House of Representatives on Jan. 3.

The Ensuring VA Employee Accountability Act would require all reprimands and admonishments given to VA employees to remain in their file as long as they are employed by the department. Under current policy, an admonishment and reprimand can only stay on an employee's record for two and three years, respectively.

The Biological Implant Tracking and Veterans Safety Act directs the VA secretary to adopt the Food and Drug Administration's (FDA) device identification system for the labeling of all biological implants, and to implement an automated inventory system to ensure veterans do not receive expired or contaminated tissue. In January 2014, a Government Accountability Office (GAO) report found that VA does not use a standardized process for tracking biological tissue from a cadaver donor to a living veteran recipient. In the event of a recall, it would often be impossible to track down which patient received contaminated tissue. The same GAO report detailed the Veterans Health Administration's failure to consistently ensure they are purchasing tissue from biological implant vendors that are FDA registered.

### **Disabled veterans tax legislation introduced**

On Jan. 9, Sens. Dean Heller, R-Nev., and Jon Tester, D-Mont., introduced **S. 66**, the Retired Pay Restoration Act. This bill will permit certain retired members of the uniformed services who have a service-connected disability to receive compensation from the Department of Veterans Affairs, and either retired pay by reason of their years of military service or Combat Related Special Compensation.

Two bills were introduced in the House of Representatives on Jan. 5 to address this issue. **H.R. 303**, the Retired Pay Restoration Act, which will amend title 10, U.S. Code to permit additional retired members of the armed forces who have a service-connected disability to receive both disability compensation from VA and retired pay by reason of their years of military service, or Combat Related Special Compensation.

And **H.R. 333**, the Disabled Veterans Tax Termination Act, amends federal military retired pay provisions to: (1) permit veterans with a service-connected disability of less than 50 percent to receive concurrent payment of both retired pay and veterans' disability compensation; and (2) extend eligibility for concurrent receipt to chapter 61 disability retirees with less than 20 years of retirement-creditable service. These measures are substantially the same bills that have been introduced for the last several years.