

## National Legislative Division Weekly

### CONGRESSIONAL UPDATE

Thursday morning, President Biden said a deal on the Build Back Better (BBB) legislation has been negotiated. He urged all lawmakers to vote for the \$1 trillion infrastructure bill on a bipartisan basis. Work continues on the social programs spending bill, which is unlikely to gain any Republican support even as Progressive Democrats push for more than what some of their colleagues are willing to fight to get passed.

Right now, the focus is on crafting a social program package that can pass the House. However, on Wednesday, Senate Finance Committee chair Sen. Wyden (D-OR) issued a warning: “The deal is not done until the Senate acts.” With so much riding on health care provisions, Wyden is an important figure here.

The topline for the social programs bill has dropped drastically during the negotiation process. One way to do that without giving up a program is to put it in place for only a year or two, rather than the planned five or ten. This puts Democrats at risk of convincing Republicans, who may be in the majority at that point, to reauthorize programs that are not yet fully implemented or widespread enough to garner public support.

The \$1.75 trillion social services BBB expands Medicare to cover hearing (Progressive Democrats had been pushing for dental care as well). It also reduces premiums in the Affordable Care Act (ACA) marketplace, and provides premium assistance to millions more people.

In the meantime, appropriators are looking to move ahead with an FY22 budget before the December 3 expiration of the continuing resolution (CR). House Appropriations Committee chair Rep. DeLauro (D-CT) is reportedly convening a meeting next week with her ranking member, Rep. Granger (R-TX), and their Senate counterparts, Sen. Leahy (D-VT) and Sen. Shelby (R-AL). CQ reports that the Senators hope the meeting will help them finally agree on topline funding amounts between defense and domestic spending bills. Shelby’s spokesman issued a statement this week that the meeting will only be productive if Democrats walk away from poison pill provisions and reinstate legacy policy riders that were dropped from the appropriations bills in this cycle. “Everything else is ancillary at this point in the conversation,” the statement noted.

### ACCOUNTABILITY FOR VA FUNDING

Thursday evening, the Senate passed, by unanimous consent, legislation calling upon the Department of Veterans Affairs (VA) to submit a plan for obligating and spending money provided as part of the national COVID-19 response. The VA Transparency & Trust Act of 2021 (HR 2911) passed the House on May 17, and now heads to the President for enactment. Lawmakers have been vocal in questioning where and how the Department will spend the large amounts of funds provided under the various pandemic-related emergency bills passed by Congress over the past 18 months. This legislation requires that the VA submit biweekly reports on obligations, expenditures, and planned uses until a week after all the money has been spent. The VA Inspector General must also submit reports on the Department’s obligations and expenditures. The Government Accountability Office (GAO) must submit interim and final reports on these issues as well.

## National Legislative Division Weekly

### ISLAMIC STATE IN AFGHANISTAN COULD BE ABLE TO ATTACK U.S. IN 6 MONTHS

(Courtesy of Reuters) - The U.S. intelligence community has assessed that Islamic State in Afghanistan could have the capability to attack the United States in as little as six months, and has the intention to do so, a senior Pentagon official told Congress on Tuesday. The remarks by Colin Kahl, under secretary of defense for policy, are the latest reminder that Afghanistan could still pose serious national security concerns for the United States even after it ended its two-decade-old war in defeat in August.

The Taliban, which won the war, are enemies of Islamic State and have seen its attempts to impose law and order after the U.S. pullout thwarted by suicide bombings and other attacks claimed by Islamic State. They include bombings targeting the minority Shi'ite sect and even an Islamic State beheading of a member of a Taliban militia force in the eastern city of Jalalabad.

In testimony before the Senate Armed Services Committee, Kahl said it was still unclear whether the Taliban has the ability to fight Islamic State effectively following the U.S. withdrawal in August. The United States fought the Taliban as well as striking groups like Islamic State and al Qaeda.

"It is our assessment that the Taliban and ISIS-K are mortal enemies. So the Taliban is highly motivated to go after ISIS-K. Their ability to do so, I think, is to be determined," Kahl said, using an acronym for Islamic State in Afghanistan. Kahl estimated Islamic State had a "cadre of a few thousand" fighters.

Acting Foreign Minister Amir Khan Muttaqi of the new Taliban government has said the threat from Islamic State militants will be addressed. He also said Afghanistan would not become a base for attacks on other countries. Kahl suggested al Qaeda in Afghanistan posed a more complex problem, given its ties to the Taliban. It was those ties that triggered the U.S. military intervention in Afghanistan in 2001 following al Qaeda's Sept. 11 attacks on New York and Washington. The Taliban had harbored al Qaeda leaders.

Kahl said it could take al Qaeda "a year or two" to regenerate the capability to carry out attacks outside of Afghanistan against the United States. Democratic President Joe Biden, whose supervision of the chaotic end to the war last summer has damaged his approval ratings, has said the United States will continue to be vigilant against threats emanating from Afghanistan by carrying out intelligence-gathering operations in the country that would identify threats from groups like al Qaeda and Islamic State.

Kahl said the goal was to disrupt those groups so that Islamic State and al Qaeda don't become capable of striking the United States. "We need to be vigilant in disrupting that," he said.

Still, U.S. officials privately warn that identifying and disrupting groups like al Qaeda and Islamic State is extremely difficult without any troops in the country. Drones capable of striking Islamic State and al Qaeda targets are being flown in from the Gulf. Kahl said the United States did not yet have any agreement with countries neighboring Afghanistan to host troops for counterterrorism efforts.

# National Legislative Division Weekly

## UPCOMING HEARINGS

- On Tuesday, November 2, at 10:00AM, the House Veterans Affairs Subcommittee on Technology Modernization will hold a hearing entitled, "Next Steps: Examining Plans for the Continuation of the Department of Veterans Affairs Electronic Health Record Modernization Program."
- On Wednesday, November 3, at 10:00AM, the House Foreign Affairs Committee will hold a hearing entitled, "Assessing Progress and Challenges in State Department Management, Operations, and Reforms."
- On Wednesday, November 3, at 3:00PM, the Senate Veterans Affairs Committee will hold a hearing entitled, "VA and DoD Collaboration: Improving Outcomes for Servicemembers and Veterans."

## KEY LEGISLATION UPDATES

### **S. 544: Buddy Check Week Act of 2021**

Bill Status: 10/07/2021 Passed Senate without amendment by Unanimous Consent

Co-Sponsors: 21

Staff Notes: Now that S.544 has passed the Senate, it is awaiting action in the House Veterans Affairs Committee. NLD staff is communicating with House side committee staff to have S.544 swiftly moved through markup and/or an omnibus end of year bill. American Legion Media Relations will do media outreach on this bill.

### **S.796: Protecting Moms Who Served Act of 2021**

Bill Status: 10/07/2021 Passed Senate without amendment by Unanimous Consent

Cosponsors: 7

Staff Notes: Alongside S.544, this bill was passed via unanimous consent. American Legion Media Relations will do media outreach on this bill.

### **S. 1040: VA Access for WWII Veterans**

Bill Status: Committee on Veterans' Affairs ordered to be reported without amendment favorably 7/28/2021

Co-Sponsors: 10

Staff Notes: On June 23 it was the subject of a SVAC Full Committee Hearing where it received VA support. On July 28 it was ordered to be reported favorably without amendment during an SVAC Full Committee Markup. It is now awaiting scheduling for a vote on the Senate Floor. This month, NLD staff sent a letter to Majority Leader Chuck Schumer and Minority Leader Mitch McConnell requesting S.1040 be expeditiously scheduled on the Senate Floor for a vote.

### **H.R. 3967: Honoring our PACT Act of 2021**

Bill Status: Reported out 14-11 of House Veterans Affairs Committee 6/24/21

Co-Sponsors: 49

Staff Notes: The House Veterans Affairs Committee marked up the Honoring Our Promise to Address Comprehensive Toxics Act of 2021 and the bill was reported out to the full House.

## National Legislative Division Weekly

### **S.J.Res.10 - A joint resolution to repeal the authorizations for use of military force against Iraq**

Bill Status: Reported out of Senate Committee on Foreign Relations 08/04/2021

Co-Sponsors: 40

Staff Notes: Senate Majority Leader Chuck Schumer (D-N.Y.) has expressed support for repealing the Iraq AUMFs and has promised to bring this bill to the floor for a vote before the end of the year.

### MEETINGS

- On Monday, October 25, NLD staff gave Representative Beyer (D-VA) a tour of the of the ATLAS Pod at Post 176 in Springfield, Virginia.
- On Monday, October 25, NLD staff attended a VSO meeting discussing VBA claims, appeals, and legislative concerns.
- On Monday, October 25, NLD staff attended a meeting with SVAC discussing memorial affairs issues affecting Arlington National Cemetary.
- On Monday, October 25, NLD staff met with HVAC Subcommittee on Economic Opportunity staff to discuss emergency expiring emergency COVID provisions related to GI Bill housing stipends.
- On Monday, October 25, NLD staff participated in a meeting with other VSOs regarding Veterans Benefits Administration (VBA) claims, appeals, and legislative concerns.
- On Tuesday, October 26, NLD staff attended a HillVets CAPCON conference where panelists spoke about relevant issues faced within veterans and military communities.
- On Tuesday, October 26, NLD staff had lunch with representatives from Veterans United and discussed VA Home loan policy expansions.
- On Tuesday, October 26, NLD staff attended an HVAC Economic Opportunity Subcommittee hearing entitled, "A Whole of Government Approach in Support of Servicewomen." Video is available [here](#).
- On Tuesday, October 26, NLD staff attended a Senate Armed Services hearing on on security in Afghanistan and in the regions of South and Central Asia. Video is available [here](#).
- On Tuesday, October 26, NLD staff participated in a call with Washington Business Dynamics (WBD), which is a Service-Disabled Veteran-Owned Small Business (SDVOSB).
- On Wednesday, October 27, NLD staff met with the office of Senator Tim Scott to discuss GI Bill entrepreneurship and SDVOSB policy.
- On Wednesday, October 27, NLD staff attended a Senate Veterans' Affairs Committee hearing on improving outcomes for veterans' employment, education, and home loan opportunities. Video is available [here](#).
- On Wednesday, October 27, NLD staff attended a Senate Foreign Relations Committee hearing entitled, "The State of the State Department and State Department Authorization." Video is available [here](#).
- On Wednesday, October 27, NLD staff attended an HVAC Health Subcommittee hearing entitled, "Lessons Learned? Building a Culture of Patient Safety Within the Veterans Health Administration." Video is available [here](#).

## National Legislative Division Weekly

- On Wednesday, October 27, NLD staff met with Department of Education federal student loan staff to discuss legislative fixes for problems with total and permanent disability student loan discharges.
- On Thursday, October 28, NLD staff participated in the Army October MSO/VSO to discuss relevant policy topics.
- On Thursday, October 28, NLD staff participated in the monthly Women's Veterans Task Force/VSO Huddle call.
- On Thursday, October 28, NLD staff met with HVAC Majority committee staff to discuss the ongoing AMA opposition to the VA's Federal Supremacy Project.

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