

LEGISLATIVE DIGEST



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[H.R. 2072, the *Demanding Accountability for Veterans Act of 2014*](#)

FLOOR SITUATION

On Wednesday, May 28, 2014, the House will consider [H.R. 2072](#), the *Demanding Accountability for Veterans Act of 2014*, under suspension of the rules. H.R. 2072 was introduced on May 21, 2013 by Rep. Dan Benishek (R-MI) and was referred to the House Veterans' Affairs Committee. The bill was marked up on August 1, 2013 and was ordered reported, as amended, by voice vote.¹

SUMMARY

H.R. 2072 amends federal law to increase the Department of Veterans Affairs' (VA) accountability to the VA Inspector General (IG). Specifically, if the IG determines that the VA has not appropriately responded to an IG report, the IG must notify Congress and the Secretary of the failure to respond. Within 15 days of the notification, the Secretary must submit to the IG a list of the managers responsible for the issues covered in the report, and their specific areas of responsibility. The Secretary must notify each responsible manager, direct them to resolve such issues, and provide appropriate counseling to enable them to resolve the issues. H.R. 2072 prohibits the Secretary from paying any bonus or award if the issues identified by the IG are not resolved.

H.R. 2072 authorizes the Secretary, for a three-year period beginning October 1, 2014, to transfer a veteran for whom the Secretary is required to provide nursing home care to a non-VA medical foster home at the veteran's request.

H.R. 2072 requires recipients under VA's Homeless Grant and Per Diem Program to annually certify compliance with all relevant fire, safety, and building codes.

H.R. 2072 extends through October 1, 2018 the current rates of funding fees required to be paid when a servicemember or veteran uses their VA loan guaranty benefit. The fee varies, and is calculated based on the individual's status, the size of the down payment provided, and the loan origination date. The current rates have been in effect since 2009 and are set to be reduced on October 1, 2017.²

H.R. 2072 extends through May 31, 2017 the Secretary's authority to continue obtaining income verification from the Secretary of the Treasury for veterans applying for VA benefits. The authority is currently set to expire on September 30, 2016.

¹ [Committee Report 113-245](#).

² According to the Committee, "This section is designed as an offset for future costs of Section 4 of this bill, as scored by the Congressional Budget Office (CBO)."

BACKGROUND

The VA Office of the Inspector General (IG) “conducts independent oversight reviews and investigations designed to improve the effectiveness and efficiency of VA programs and monitor the health care provided to veterans. The Office of Management and Budget requires the IG to follow up and report on the status of IG recommendations and requires VA to acknowledge that it is taking action to correct agency deficiencies as indicated by the IG investigatory recommendations.”³ As of March 2013, 194 reports and more than 1,000 recommendations remained open at the VA—42 of which had remained open for more than a year. “The Veterans Health Administration has the largest number of open reports with 139 and the largest number of open recommendations with 823 which were not yet implemented by the Administration.”⁴ As patient safety concerns continue to emerge at VA medical facilities across the country, H.R. 2072 begins to address these issues by requiring increased accountability within the VA.

COST

According to CBO estimates, implementing H.R. 2072 will result in a mandatory cost savings of \$175 million over the 2015-2019 period and \$182 million over the 2015-2024 period, and a discretionary cost of \$312 million over the 2015-2019 period.

STAFF CONTACT

For questions or further information contact the GOP Conference at 5-5107.

³ Committee Report 113-245 at 6.

⁴ *Id.*

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H.R. 2942, To amend title 38, United States Code, to reestablish the Professional Certification and Licensure Advisory Committee of the Department of Veterans Affairs

FLOOR SITUATION

On Wednesday, May 28, 2014, the House will consider [H.R. 2942](#), *To amend title 38, United States Code, to reestablish the Professional Certification and Licensure Advisory Committee of the Department of Veterans Affairs*, under suspension of the rules. H.R. 2942 was introduced on August 1, 2013 by Rep. Ann Kirkpatrick (D-AZ) and was referred to the House Veterans' Affairs Committee.

SUMMARY

H.R. 2942 reestablishes within the Department of Veterans Affairs the Professional Certification and Licensure Advisory Committee through December 31, 2019. The bill provides that the Secretary of Veterans Affairs may appoint members of the committee without regard to whether they previously served on it.

BACKGROUND

The Professional Certification and Licensure Advisory Committee (PCLAC) “advises the Secretary of Veterans Affairs on credentialing organizations seeking to be recognized by the Department of Veterans Affairs in order that veterans can use GI educational benefits to pay the cost of certification tests.”¹ PCLAC terminated on December 31, 2006.

When transitioning from military service to civilian life, licensing and certification requirements can pose significant barriers to employment. Not all veterans who have earned educational benefits will use them for a traditional college education. PCLAC, which is comprised of individuals with subject matter expertise in licensing and certification tests, advises the Secretary on which licensing and certification tests veterans should be able to use their earned GI educational benefits.

COST

CBO estimates no significant costs associated with H.R. 2942.

¹ [Licensing and Certification](#), Veterans' Employment and Training Service, U.S. Department of Labor.

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[H.R. 4261, the Gulf War Health Research Reform Act of 2014](#)

FLOOR SITUATION

On Wednesday, May 28, 2014, the House will consider [H.R. 4261](#), the *Gulf War Health Research Reform Act of 2014*, under suspension of the rules. H.R. 4261 was introduced on March 14, 2014 by Rep. Mike Coffman (R-CO) and was referred to the House Veterans' Affairs Committee.

SUMMARY

H.R. 4261 makes several changes to the Research Advisory Committee on Gulf War Veterans' Illnesses (RAC). The bill expressly restores the RAC's independence from the Department of Veterans Affairs (VA) in carrying out its functions. H.R. 4261 tasks the RAC with providing to Congress, the Department of Veterans Affairs, and other federal agencies involved in research on illnesses in Gulf War veterans, advice on proposed plans and studies. H.R. 4261 provides guidance the RAC must use in assessing the overall effectiveness of such federal research. It sets forth how RAC members will be chosen following the bill's enactment, and creates a transition period to provide stability while phasing out previous RAC members. The bill requires that RAC meetings be open to the public, that they occur at least two times per year, and that the Secretary of Veterans Affairs and other select VA officials attend a certain number of meetings. Each year, the RAC is required to submit a report summarizing its activities. Funding for the RAC will be derived from funds appropriated to the VA. The RAC terminates two years after submitting a report explaining that the Secretaries of Defense and Veterans Affairs are carrying out effective research programs relating to illnesses in Gulf War veterans.

H.R. 4261 also contains several provisions relating studies previously ordered by Congress on Gulf War research that have been disregarded by the VA.

BACKGROUND

The RAC "was created by Congress in 1998, and first appointed by Secretary of Veterans Affairs Anthony J. Principi in January, 2002. The mission . . . is to make recommendations to the Secretary of Veterans Affairs on government research relating to the health consequences of military service in the Southwest Asia theater of operations during the Persian Gulf War."¹

In congressional testimony in March 2014, the Chairman of the RAC explained that the VA continues to ignore evidence establishing the Gulf War Illness as a physical disease associated with service in

¹ [Research Advisory Committee on Gulf War Veterans' Illnesses](#), U.S. Department of Veterans Affairs.

the Gulf War, which affects an estimated 250,000 veterans.² The Chairman described efforts by the VA and the Department of Defense (DoD) “to reassert discredited fictions from the 1990’s that ‘the same thing happens after every war’ due to psychiatric factors. Because there is not a shred of scientific evidence to support this position, they have resorted to manipulating research studies and reports to provide apparent support.”³ After the RAC expressed concern about these assertions by the VA and DoD, its charter was changed in May of 2013 “to eliminate its charge to assess the effectiveness of government research and that the membership of the committee would be entirely replaced over the next year.”⁴ Although the VA has described the charter change as routine, “[its] clear purpose . . . was to stop the committee from reporting further on VA staff’s efforts to mislead research.”⁵ H.R. 4261 addresses these issues by restoring independence to the RAC, ensuring “independent operation of the committee within VA but not subject to VA authority.”⁶

COST

According to preliminary CBO estimates, implementing H.R. 4261 will have discretionary costs of less than \$500,000 over the 2014-2019 period.

STAFF CONTACT

For questions or further information contact the GOP Conference at 5-5107.

² [Witness Testimony of Mr. James H. Binns, Chairman, Research Advisory Committee on Gulf War Veterans’ Illnesses](#), House Veterans’ Affairs Committee (Mar. 25, 2014).

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

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[H.R. 2527, To amend title 38, United States Code, to provide veterans with counseling and treatment for sexual trauma that occurred during inactive duty training](#)

FLOOR SITUATION

On Wednesday, May 28, 2014, the House will consider [H.R. 2527](#), *To amend title 38, United States Code, to provide veterans with counseling and treatment for sexual trauma that occurred during inactive duty training*. H.R. 2527 was introduced on June 26, 2013 by Rep. Dina Titus (D-NV) and was referred to the House Veterans' Affairs Committee.

SUMMARY

H.R. 2527 extends the Department of Veterans Affairs program to provide counseling and treatment to veterans for sexual trauma that occurred during inactive duty training. The program currently applies to sexual trauma that occurred during active duty or active duty for training.

BACKGROUND

Currently, the Department of Veterans Affairs provides counseling and treatment for sexual trauma that occurs during active duty or active duty for training. However, there is a gap in coverage for members of reserve components who are victims of sexual assault during inactive duty training. This means, for example, that if assault occurs while a member of the National Guard is completing a weekend training exercise, he or she is not eligible for coverage. H.R. 2527 addresses this gap in coverage, ensuring that National Guard and other reserve components have access to counseling and treatment for sexual trauma.

COST

According to preliminary CBO estimates, implementing H.R. 4261 will have discretionary costs of less than \$500,000 over the 2014-2019 period.

STAFF CONTACT

For questions or further information contact the GOP Conference at 5-5107.