

Committee on Veterans' Affairs  
Markup to consider Legislation Pending before the Committee  
Wednesday, July 24, 2013

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1 MARKUP: MEETING TO CONSIDER LEGISLATION  
2 PENDING BEFORE THE COMMITTEE  
3 - - -  
4 WEDNESDAY, JULY 24, 2013  
5 United States Senate,  
6 Committee on Veterans' Affairs,  
7 Washington, D.C.  
8 The Committee met, pursuant to notice, at 10:48 a.m.,  
9 in Room SR-418, Russell Senate Office Building, Hon. Bernie  
10 Sanders, (Chairman of the Committee), presiding.  
11 Present: Senators Sanders, Murray, Brown, Tester,  
12 Begich, Blumenthal, Hirono, Burr, Isakson, Johanns, Boozman  
13 and Heller.  
14 OPENING STATEMENT OF CHAIRMAN SANDERS  
15 Chairman Sanders. Okay, let's get going. We do not  
16 have a quorum yet, but I think we will in a moment. But we  
17 can expedite the process.  
18 Here is one more.  
19 Let me just say a few words, and I will give the mic  
20 over to the Ranking Member.  
21 I think all of this--there is not a member of this  
22 Committee who would not be on this Committee if they did not  
23 take the issue of the needs of our veterans seriously, and I  
24 want to thank all of the members who are serving.  
25 We have serious problems within the veterans' community

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1 as a result, primarily, of two wars and many of our veterans  
2 coming home with serious problems, and I think we are all  
3 united in addressing those issues.  
4 At the beginning of this session, I very much enjoyed a  
5 number of hearings--joint hearings--that this Committee had  
6 with our colleagues in the House, and I think that process  
7 was really excellent. We had a chance to hear from  
8 virtually every single veterans organization in the country,  
9 representing many, many millions of veterans, and they came  
10 forward and made testimony as to what they saw as some of  
11 the major concerns facing the veterans' community.  
12 What we have tried to do in this markup is, in fact, to  
13 address many of those concerns, and I want to thank my staff  
14 and the Minority staff for doing some excellent work in that  
15 regard.  
16 I want to give you a little bit of an overview as to  
17 some of the issues that we are addressing right now in this  
18 bill.  
19 And let me make it very clear that this is not the end  
20 of our work. We are going to do a markup in the fall, and  
21 we are going to come back and address some of the issues--  
22 major issues--that we are not addressing now.  
23 I, personally, welcomed the Supreme Court's decision  
24 that struck down the Defense of Marriage Act, and I am  
25 pleased that today we are taking up legislation that would

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1 ensure VA can treat all of the men and women who have served  
2 this country, equally. I think that is an important step  
3 forward for civil rights in this country.  
4 As I have noted on numerous occasions, progress has  
5 been made on the claims backlog. That was the very first  
6 hearing that this Committee had, and I know every member  
7 understands that it is absolutely not acceptable that our  
8 veterans wait, in some cases, years for the claims and for  
9 the process to go through. And we are going to address that  
10 issue.  
11 The Committee print of S. 944, among a number of other  
12 claims-related provisions, for the first time would require  
13 VA to publically report both claims processing goals and  
14 actual production. This would allow Congress and the public  
15 to closely track and measure VA's progress on this difficult  
16 issue.  
17 In other words, in my view, we are making progress.  
18 The Secretary has outlined a very ambitious goal to address  
19 the claims backlog. We want to make sure that he and his  
20 staff, in fact, are meeting those ambitious goals.  
21 The Committee print of S. 944 would also improve VA's  
22 processes relative to the adjudicating disability claims for  
23 veterans who have experienced military sexual trauma. Every  
24 person on this Committee--and I hope all Americans--are  
25 outraged by what we have heard in terms of the degree of

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1 sexual assault in the military--unacceptable. And in this  
2 legislation, we take a significant step forward in making it  
3 easier for those women and men who have been sexually abused  
4 to get the claims to which they are entitled.  
5 Ensuring the well being of our veterans is a key  
6 priority of this Committee, and I am pleased that we are  
7 able to respond to calls from veterans to increase access to  
8 complementary and alternative medicine and chiropractic  
9 care, by including provisions in the Committee print of S.  
10 944 to meet this need.  
11 In other words, there has been a lot of discussion  
12 about our overdependence on medication. There are a lot of  
13 new approaches out there in terms of integrating health  
14 care. We have made some bold steps forward in that  
15 direction, in terms of disease prevention as well.  
16 Ranking Member Burr and I have helped work together on  
17 a provision that would continue helping service members  
18 transition back to civilian life by making recently  
19 separated veterans eligible for intuition at the in-state  
20 rate. This is another issue the veterans' community has  
21 been very concerned about, where out-of-state students are  
22 being forced to pay higher tuition than they should, and  
23 this is an issue we deal with here as well.  
24 After listening to the concerns of the pre-9/11  
25 veterans and their family members, I have introduced

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1 legislation to extend eligibility for the Caregivers Program  
2 to veteran families of all eras. We have learned from  
3 experience and research that veterans are best served when  
4 they can live as independently as possible. Therefore, I  
5 hope the members of this Committee will help me honor the  
6 commitment this country has to all of its veterans.

7 As our Nation continues its economic recovery, we must  
8 ensure veterans are not left behind. The Committee print of  
9 S. 6 reauthorizes provisions from the VOW to Hire Heros Act  
10 of 2011, including a 2-year extension of the Veterans  
11 Retraining Assistance Program, which retrains unemployed  
12 veterans for high-demand occupations.

13 The Committee print of S. 6 would also establish a 3-  
14 year program that would partner certain unemployed veterans  
15 with employers in the private sector and provide employers a  
16 wage subsidy to hire these veterans.

17 In other words, in the midst of a major recession or an  
18 economic downturn, we want to make sure that those who are  
19 returning have the opportunity to gain meaningful  
20 employment.

21 Let me also take a moment to touch upon views. Several  
22 months ago, I asked VA to provide its views on the  
23 legislation pending before this Committee. Yet, the  
24 Committee continues to wait for views from the  
25 Administration on many of the bills that are of vital

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1 the country.

2 I share the Chair's views on the need to fix the claims  
3 and backlogs. I am not sure that I am quite as lenient on  
4 the fact that we have made progress. If recognizing that  
5 you have a problem is progress, then I will agree to it.  
6 But I think he and I both agree we have got a long way to go  
7 to get these backlogs resolved.

8 And, Mr. Chairman, I shared your concerns about the  
9 Agency's unwillingness to respond to Congressional requests,  
10 whether it is for their views on legislation or whether it  
11 is letters that you and I, on behalf of the Committee,  
12 write. And, for some reason, they cannot seem to find the  
13 ways to respond to us. I pledge my support to you that we  
14 will work together to figure out how to make this an Agency  
15 that is responsive.

16 Mr. Chairman, let me just cover a couple of pieces of  
17 legislation that I introduced that have been incorporated  
18 today:

19 Legislation to extend the eligibility for health care  
20 to additional groups of individuals who are exposed to  
21 contaminated water in Camp Lejeune, which is reflective of  
22 the newest ATSDR findings there.

23 Require Federal agencies to hire 15,000 veterans to  
24 fill existing job vacancies using hiring authorities that  
25 will put them on a path to a career--not just employment,

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1 importance to veterans and their families.

2 The lack of views severely hampers this Committee's  
3 ability to thoroughly prepare for a markup. However, given  
4 the imperative to find solutions to the issues confronting  
5 veterans and their families, I believe it is in our  
6 veterans' interest to continue to move forward, and I urge  
7 VA to be more responsive in the future.

8 In other words, when legislation is proposed, they have  
9 got to come back with their views. They have been very slow  
10 in doing it. It is not acceptable.

11 Bottom line is we have got a lot of problems out there.  
12 I think the legislation we are discussing today addresses  
13 many of the issues. We are going to continue to go forward  
14 in a bipartisan way, and I want to thank all members for  
15 their cooperation.

16 Senator Burr, do you want to make some comments?

17 OPENING STATEMENT OF SENATOR BURR

18 Senator Burr. I would like to, Mr. Chairman.

19 I want to thank you and your staff for their  
20 cooperation and willingness to try to work out as many of  
21 these bills as we possibly could. And we have done that.

22 And I want to urge my colleagues; let's move through  
23 this as quickly as we can today because I think that it does  
24 embrace many of the things that concern us but, more  
25 importantly, affect those veterans and their families around

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1 but to a career.

2 A bill that would allow more veterans to use military  
3 training to obtain a license of credentials needed for  
4 civilian occupation. This is so easy, to ask states to put  
5 together that test that would certify.

6 Next, in the unfair process that strips veterans and  
7 their family members of their Second Amendment rights simply  
8 because the VA finds that they need somebody to help them  
9 with their finances. I think this is a disgrace--that  
10 veterans across this country, and their families, have lost  
11 that right--and I am glad that is in this bill.

12 Next, to strengthen VA's pension program by allowing VA  
13 to consider whether someone applying for these need-based  
14 benefits recently transferred away assets. The VA is the  
15 only place in the Federal Government that we do not go  
16 through that review, and with the passage of this bill, we  
17 will now do that at the VA.

18 Reform the VA's Veterans Integrated Service Network, or  
19 VISN, by addressing the growth in VISN headquarters and the  
20 duplication of duties that they carry out.

21 And, improve VA homeless prevention programs and VA  
22 transitional housing programs.

23 Mr. Chairman, I appreciate the fact that these items  
24 have been included. I also appreciate that in crafting the  
25 rest of the agenda you took many of the suggestions from my

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1 side. As a result, I am glad to support most of the bills  
2 on the agenda today, but I have got to say that I still do  
3 have some concerns.

4 To start with, I filed amendments to address several  
5 unresolved policy issues. On the top of that list, some of  
6 the bills have significant cost, and more importantly, they  
7 are not paid for. In fact, three of the bills, without  
8 offsets, would spend nearly \$12 billion.

9 I have said before to the Chairman and to the Committee  
10 that if bills were not paid for, coming out the Committee,  
11 it would be impossible to try to support them. And, if  
12 changes made by those bills are necessary, we should find a  
13 way to pay for them so we do not continue to saddle the  
14 future generations of Americans with continued debt.

15 Mr. Chairman, if we move forward, I hope to continue to  
16 work with you to make sure that the bills we advance are  
17 addressing real problems in a way that can actually help to  
18 improve the lives of veterans, their families and their  
19 survivors, and that we find ways to pay for any needed  
20 legislation.

21 I thank the Chair.

22 Chairman Sanders. Thank you, Senator Burr.

23 Now that we have a quorum, let's move to the eight  
24 agenda items.

25 The Committee's practice in the past has been to report

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1 Is there any discussion on the motion before we act?  
2 [Pause.]

3 Chairman Sanders. If no objection is heard to en bloc  
4 vote, let us have that voice vote. All those in favor of  
5 the amendment, please say aye.

6 [Chorus of ayes.]

7 Chairman Sanders. All those opposed, say no.

8 [Pause.]

9 Chairman Sanders. The ayes have it. The ayes appear  
10 to have it.

11 The ayes do have it.

12 Senator Burr. Mr. Chairman?

13 Chairman Sanders. Yes.

14 Senator Burr. For the record, would the record show  
15 that Senator Moran and Senator Boozman would like to be  
16 recorded as opposed to S. 373?

17 Chairman Sanders. Okay. Let the record show that.

18 Senator Johanns. Mr. Chairman?

19 Chairman Sanders. Yes.

20 Senator Johanns. Could I, likewise, be recorded as a  
21 no vote on S. 373?

22 Chairman Sanders. Absolutely. Let the record show  
23 that Senator Johanns is in opposition.

24 Moving to agenda item three. That is S. 851. Is there  
25 any discussion on this bill before I call the vote?

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1 pending legislation en bloc, subject to amendments and  
2 technical and conforming changes.

3 Ranking Member Burr, my understanding is your  
4 preference is that we do this for agenda items one, two,  
5 four, five and six; then proceed to a series of voice votes  
6 to report the three remaining agenda items--agenda items  
7 three, seven and eight, subject to amendments and technical  
8 and conforming changes. The Committee will proceed in that  
9 fashion today.

10 Then, as long as five members remain present, including  
11 one member of the Minority, amendments will be in order.

12 Senator Murray, do you have a motion?

13 Senator Murray. Thank you, Mr. Chairman.

14 I move that the Committee order favorably reported to  
15 the Senate five of the legislative items on today's agenda--  
16 items one, two, four, five and six--and I further move that  
17 the reporting, or approval, of these items be subject to any  
18 amendments or motions subsequently adopted, and I further  
19 move the Committee staff be directed to prepare the  
20 Committee reports on these items and make necessary  
21 clerical, technical and conforming changes, including  
22 changes necessary to conform with the Budget Act.

23 Chairman Sanders. Is there a second?

24 Senator Tester. Second.

25 Chairman Sanders. The motion has been and seconded.

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1 Senator Burr. Mr. Chairman?

2 Chairman Sanders. Senator Burr.

3 Senator Burr. Mr. Chairman, I agree with you in  
4 principle, but as I said earlier, this is a significant  
5 cost. It is \$8.6 billion over 5 years. And there is no  
6 offset in the bill.

7 My hope is that--and I know the Chair has got the  
8 votes, and I do not intend to ask for a recorded vote. I  
9 will take a roll call vote.

10 I hope that the Chair will do everything he can between  
11 now and the time this might find its way to the floor to  
12 simply pay for the bill. I think we have an obligation to  
13 do that.

14 The Caregiver Program was a program that this Committee  
15 crafted, and I might say crafted with strong opposition from  
16 the VA. As a matter of fact, for the individuals that are  
17 covered under the current caregiver legislation, VA has done  
18 everything to slow-walk its rollout, and it was targeted for  
19 a very specific population.

20 I would plead with my colleagues; until we expand it  
21 too far, let's make sure that they are fully implementing  
22 that that is law today, and that is the current caregiver  
23 legislation.

24 Mr. Chair, I yield the floor.

25 Chairman Sanders. Thank you, Senator Burr.

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1 I think, as a Nation, we have got to get our priorities  
2 right. And Senator Burr is certainly right--that we want to  
3 pay for the programs and legislation that we produce.

4 But I happen to believe that when somebody lost their  
5 legs in Vietnam or suffered from gangrene in Korea, and  
6 their wife or their sister or loved one is taking care of  
7 them, and they are struggling economically, I think we have  
8 to recognize the sacrifice of that family. And that is what  
9 this legislation does.

10 We did that for the post-9/11 veterans and their  
11 families, and I think we should extend that.

12 You are right; this is an expensive piece of  
13 legislation. So is giving tax breaks to billionaires. So  
14 is having one out of four corporations in this country not  
15 paying a nickel in taxes.

16 So I agree with you that we have to pay for it, and I  
17 will do my best to find the funding for that. But this is a  
18 priority for me and, I think, for this Committee, and I look  
19 forward to going forward on this legislation.

20 Would anybody else like to comment on this?

21 [Pause.]

22 Chairman Sanders. All right. If there is no further  
23 discussion, the question is now approving agenda item S.

24 851. All those in favor, please say aye.

25 [Chorus of ayes.]

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1 of Defense has now told us that between 2003 and 2012 more  
2 than 2,000 women and men have suffered those types of  
3 injuries in Iraq and Afghanistan.

4 These are really, seriously devastating, life-changing  
5 wounds that really destroy the vision for many of these men  
6 and women, who want to come home and raise a family. So it  
7 is a fundamental part of their lives moving forward, and  
8 some of these veterans are seeing this dream slip away  
9 because of these devastating injuries.

10 Now today, DoD and Tricare provide for advanced  
11 fertility treatments, including assisted reproductive  
12 technology, but not all of our service members are ready for  
13 this kind of service at that time. They wait and come home,  
14 and the VA needs to be able to provide these services for  
15 them.

16 The VA's current fertility counseling and treatment  
17 options are limited. They do not meet the complex needs of  
18 these seriously wounded soldiers and their families and has  
19 really, just really, impacted the stress level of a lot of  
20 these families who come home and want to start a family.

21 The bill includes some other great provisions,  
22 including building on a very successful pilot program  
23 providing permanent authority for the VA to provide child  
24 care at medical centers and vets' centers--something many,  
25 many veterans have told me is so critical to them, for them

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1 Chairman Sanders. All those opposed, please say no.  
2 [Chorus of noes.]

3 Chairman Sanders. The ayes appear to have it.

4 The ayes do have it.

5 Agenda item S. 851--

6 Senator Burr. Mr. Chairman--

7 Chairman Sanders. --is ordered favorably reported to  
8 the Senate.

9 Moving now to agenda item 7, the Committee print of S.  
10 131. Is there any discussion on this bill before I call the  
11 vote?

12 Senator Burr. Mr. Chairman, I would be happy to let  
13 the--

14 Chairman Sanders. Senator Murray.

15 Senator Murray. Thank you, Mr. Chairman.

16 This is legislation that I introduced this past  
17 January. It is being considered by the Committee today. It  
18 really builds upon our Committee's efforts to improve VA's  
19 services for women veterans and veterans with families.

20 As all of us know, the wars in Iraq and Afghanistan  
21 have really been characterized by the increasing use of  
22 IEDs, improvised explosive devices, that have left some of  
23 our service members, both male and female, with an increased  
24 risk for blast surgery which includes spinal cord injury and  
25 trauma to reproductive and urinary systems. The Department

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1 to get the kind of treatment they need.

2 These provisions, for the Committee's awareness, passed  
3 unanimously by the Senate. And I think a lot of the members  
4 of the body realized then that, just as they should now, we  
5 have got to meet the really complex needs of some of these  
6 seriously wounded men and women.

7 So I really urge the adoption of this bill.

8 Chairman Sanders. Thank you, Senator Murray.

9 Further discussion on S. 131?

10 Senator Burr. Mr. Chairman?

11 Chairman Sanders. Senator Burr.

12 Senator Burr. Two points, and I will oppose the  
13 amendment.

14 The first one is that you are right; we have no views  
15 from the Administration, and I think that that is vitally  
16 important on this for the exact reason that my good friend  
17 quoted--that this is offered in DoD and other places.

18 Second, it is not paid for. In an attempt to try to  
19 convince my colleagues, I am going to be consistent. It is  
20 not paid for, and I would oppose the legislation.

21 I thank the Chair.

22 Chairman Sanders. Thank you.

23 Further discussion on S. 131?

24 [Pause.]

25 Chairman Sanders. If not, the question is, does the

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1 Committee approve Committee print S. 131? All those in  
2 favor, please say aye.  
3 [Chorus of ayes.]  
4 Chairman Sanders. All those opposed?  
5 [Chorus of noes.]  
6 Chairman Sanders. The ayes appear to have it.  
7 The ayes do have that.  
8 Senator Burr. Mr. Chairman?  
9 Chairman Sanders. Senator Burr?  
10 Senator Burr. Mr. Chairman, Senator Moran would like  
11 to be shown in the record as having voted no on S. 131.  
12 Chairman Sanders. Please let the record demonstrate  
13 that.  
14 Moving now to S. 6. Is there any discussion on this  
15 bill before I call the vote? S. 6.  
16 Senator Burr. Mr. Chairman?  
17 Chairman Sanders. Senator Burr.  
18 Senator Burr. In an effort to be consistent, we all  
19 want veterans to be reintegrated into the workplace--and I  
20 will have an amendment that is a total replacement for S. 6--  
21 -but S. 6, as currently written, is expected to cost \$2.5  
22 billion over 5 years, and there are offsets to pay for that  
23 cost. It creates two new Federal employment programs for  
24 veterans. And for that reason, I would vote against  
25 passage.

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1 Chairman Sanders. Thank you, Senator Burr.  
2 Further discussion on S. 6?  
3 [Pause.]  
4 Chairman Sanders. I do not see any.  
5 The question is on Committee print S. 6. All those in  
6 favor, please say aye?  
7 [Chorus of ayes.]  
8 Chairman Sanders. All those opposed, please say no.  
9 [Chorus of noes.]  
10 Chairman Sanders. The ayes appear to have it.  
11 The ayes do have it.  
12 We will now go to amendments.  
13 Senator Burr, I think you have some amendments.  
14 Senator Burr. Thank you, Mr. Chairman.  
15 Could I call up--I take for granted it is Amendment 1.  
16 Mr. Chairman, Amendment 1 to the Committee print S.  
17 944--this amendment would ensure that the construction of  
18 fitness facilities or wellness centers at VA medical centers  
19 and clinics are properly placed on VA construction priority  
20 lists.  
21 As my colleagues are aware, VA prioritizes all their  
22 construction projects through the Strategic Capital  
23 Investment Planning, or SCIP--skip, as it is pronounced--  
24 process. The SCIP list includes all major construction,  
25 minor construction and non-recurring maintenance for VA.

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1 However, before VA begins converting space to build  
2 these fitness centers for veterans to use, the projects  
3 currently on the SCIP list need to be VA's top priority.  
4 Right now, there are more than 200 projects on the SCIP  
5 lists, specifically to expand, renovate or build new  
6 clinical space. Moreover, there are many projects on the  
7 list to correct issues related to earthquakes and to improve  
8 safety and security at our VA facilities.  
9 Let me just list some examples: specialty care  
10 improvements and seismic upgrades at Ft. Harrison, Montana  
11 VA Medical Center; construction of mental health, specialty  
12 care and administrative buildings at Alaska VA Medical  
13 Center; renovation of mental health ward at Chillicothe, Ohio  
14 VA Medical Center; the expansion of clinical research  
15 services at the Atlanta VA Medical Center.  
16 I, wholeheartedly, believe that projects related to  
17 direct patient care, and the safety and security of the VA  
18 hospitals and clinics, and other much needed upgrades to the  
19 utilities and aging buildings should be our top priority.  
20 My amendment would ensure that these projects, in fact, come  
21 first.  
22 Basically, what the amendment does--it says once the  
23 SCIP list is completed, then these new projects, these new  
24 fitness centers or wellness centers, whatever we refer to  
25 them, can be constructed.

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1 I would urge my colleagues to support the amendment.  
2 I told the Chairman and will say it publically--I  
3 support the expansion of fitness centers. I think they add  
4 to a healthier population. But I cannot prioritize those  
5 over facilities that are needed to deliver care to our  
6 veterans today.  
7 Chairman Sanders. Thank you, Senator Burr.  
8 What we are talking about, so that everybody  
9 understands it, is something fairly modest that I feel  
10 strongly about. You know, as a Nation, we do not do  
11 terribly well in terms of disease prevention.  
12 I was impressed that in my own facility in Vermont, in  
13 White River Junction, there is a small, reasonably small,  
14 physical fitness center--smaller than this room. Four  
15 hundred veterans use that every day at a modest cost.  
16 Keeping people healthy in the long run saves us money,  
17 and that is what we are trying to do--expand the concept of  
18 physical fitness. And I think Senator Burr and I agree on  
19 that, and our staffs have tried to work on a solution to  
20 this problem.  
21 He is right; there is a backlog.  
22 This is a very modest proposal which would use existing  
23 space. Existing space.  
24 So I would hope that my colleagues would oppose Senator  
25 Burr's amendment on this.

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1 Any further discussion?  
2 [Pause.]  
3 Chairman Sanders. If not, all those in favor of  
4 Senator Burr's amendment?  
5 [Chorus of ayes.]  
6 Chairman Sanders. All those opposed?  
7 [Chorus of noes.]  
8 Chairman Sanders. It appears to me that the noes have  
9 it.  
10 The noes do have it. Senator Burr's amendment is  
11 defeated.  
12 I would like to call now on Senator Hirono for an  
13 amendment.  
14 Senator Hirono. I would like to yield to Senator  
15 Blumenthal first because he does need to go and chair a  
16 committee hearing.  
17 Senator Blumenthal. Thank you very, very much, Senator  
18 Hirono.  
19 I am chairing a meeting-hearing in the Judiciary  
20 Committee, Mr. Chairman, and so I very much appreciate  
21 Senator Hirono yielding to me.  
22 I have two amendments that I think are tremendously  
23 important in light of some of the earlier discussion that we  
24 had in a meeting with some of the veterans groups. These  
25 two amendments to S. 944 deal with the issue of electronic

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1 health records.  
2 And we all know how the failure to make interoperable,  
3 or seamlessly connected, the records between the Department  
4 of Defense and the VA have led to inconvenience and cost  
5 and, in fact, aggravated the backlogs that so much  
6 preoccupy, rightly, and concern us.  
7 As you know, the issue of electronic medical records  
8 has cost \$1 billion of taxpayer money already, in trying to  
9 establish an electronic medical record system to allow the  
10 Department of Defense and the VA to share information, and  
11 yet, we still do not have such a system.  
12 I have offered two amendments, which I will not pursue  
13 but would like to engage with both the Ranking Member and  
14 the Chairman in this effort.  
15 The first amendment, S. 1296--or it is actually a bill,  
16 S. 1296 by our colleague, Senator Nelson--would mandate a  
17 timeline of 1 year for the Department of Defense and the VA  
18 to make their health record systems interoperable. It would  
19 also require that service members and veterans be able to  
20 download their medical records within 180 days.  
21 The second amendment I have introduced would require  
22 the Department of Defense to adopt the VA's electronic  
23 health record system--VistA. By all accounts, the  
24 Department of Defense's system is very difficult to use, and  
25 the VA system accomplishes much better the goals of

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1 interoperability.  
2 I want to thank both you, Mr. Chairman, and our Ranking  
3 Member for the very good work that you have done, along with  
4 other members of our Committee, on this very challenging but  
5 critically important topic. And, therefore, I am not going  
6 to pursue these amendments, but I wanted to speak on them  
7 because I think this problem is so grave and so profoundly  
8 important.  
9 And, right now, the Department of Defense is pursuing  
10 its procurement process and, I think, would benefit from  
11 adopting this system. It requires our intervention  
12 immediately and aggressively.  
13 And I, therefore, thank you, Mr. Chairman.  
14 Chairman Sanders. Well, Senator Blumenthal, thanks  
15 very much for raising what I think every member here  
16 believes to be an enormously important issue.  
17 We are not going to solve the problem of the claims  
18 backlog unless there is a revolutionary change between the  
19 DoD and the VA. And we are talking about now the wasting of  
20 hundreds of millions, if not billions, of dollars.  
21 This is an issue that has to be addressed, and I pledge  
22 to you--and I think I speak for the Ranking Member and all  
23 of us--this is an issue we have got to work on, and we will  
24 work on it, and I look forward to working with you on that.  
25 Senator Blumenthal. Thank you, Mr. Chairman.

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1 Chairman Sanders. Senator Boozman, I think you are up.  
2 Senator Boozman. Yes, sir, I have an amendment  
3 concerning the Paralympic Program.  
4 Chairman Sanders. What number is that, Senator  
5 Boozman?  
6 Senator Boozman. Eight.  
7 Chairman Sanders. We are looking at Amendment No. 8.  
8 Senator Boozman. Thank you, Committee, for helping me.  
9 Mr. Chairman, the purpose of the VA U.S. Paralympic  
10 Adaptive Sports Program is to improve the physical and  
11 mental rehabilitation of disabled veterans through adaptive  
12 from the grassroots level by allowing opportunities for  
13 physical exercise and healthy competition in a fraternal  
14 environment.  
15 I am especially proud of my role in the VA U.S.  
16 Paralympics Adaptive Sports Program when I was Chairman and  
17 then Ranking Member of the House subcommittee that created  
18 the program.  
19 While I am very appreciative of the Chair and Ranking  
20 Member including a reauthorization in this omnibus, the  
21 current language, as it is currently written, would allow  
22 the VA to terminate the current relationship with U.S.  
23 Paralympics. And, in my opinion, such a move would  
24 critically undermine the program efficiency, reduce  
25 expertise and perhaps even kill the program.

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1 Within the existing programmatic structure, grants have  
2 been used to leverage millions of dollars in private funds  
3 to assist disabled veteran athletes and allow them to train,  
4 if they so desire, to compete.

5 Since 2010, the VA Paralympic Program has reached more  
6 than 5,000 participants annually in more than 150  
7 communities and 46 states and has successfully collaborated  
8 with 85 VA medical centers in 39 states to develop and  
9 provide adaptive sports programs to veterans in their local  
10 communities through outreach programs, training, camps,  
11 clinics, competitions.

12 More than 200 community sports organizations, including  
13 186 Paralympics sports clubs in 45 states, including the  
14 District of Columbia, are providing programs and services  
15 for disabled veterans and disabled members of the Armed  
16 Forces.

17 Mr. Chairman, as it stands in the Committee print, the  
18 VA would be allowed to conceivably cut ties with the U.S.  
19 Paralympics. This puts in jeopardy the ongoing impact made  
20 in the lives of thousands of disabled veterans and service  
21 members by the current VA Paralympics Program.

22 My amendment, which better reflects the text and spirit  
23 of the legislation, S. 695, which has 9 bipartisan co-  
24 sponsors, all but 1 of which serve on the Committee, would  
25 simply serve to ensure the VA Paralympics Program continues

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1 Senator Boozman. So, again, I think that further  
2 illustrates why they need to be involved.

3 Historically, VA has just not done much in this regard.  
4 It has never put forth an effort in rehabilitation through  
5 adaptive sports. For example, when one VA hospital director  
6 was asked about his recreational therapy program, he  
7 replied, we do not do BINGO here.

8 So, again--in fact, recently staff visited a hospital.  
9 Initial adaptive sports events were occurring there, and the  
10 few recreational therapy staff that were in attendance were  
11 highly critical of the hospital system's lack of  
12 rehabilitation opportunities using sports.

13 You know, to me, the program is working. You have  
14 people involved that are really--you know. If you visit  
15 with them, they are excited about the program. And I would  
16 very much like for it to continue as it is now as opposed to  
17 the VA gaining control and it winding up with we do not do  
18 BINGO here.

19 Chairman Sanders. Senator Boozman, thank you very much  
20 and thank you for your correct support of something that is  
21 very, very important.

22 I think all of us--I, certainly--think it is a  
23 wonderful goal, to encourage disabled veterans to  
24 participate in athletic efforts, and the Paralympics is  
25 something that is very, very important.

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1 to serve thousands of our disabled service members and  
2 veterans by encouraging an ongoing partnership with the VA  
3 and the U.S. Paralympics.

4 So I would really ask the members of the Committee to  
5 consider that.

6 There was a GAO report that was issued in July that was  
7 critical of the program. The U.S. Paralympics, I think in  
8 an unprecedented way, immediately implemented all of the  
9 things that they asked them to do.

10 And I think that you and the Ranking Member received a  
11 copy, a letter, a five-page letter, outlining what they were  
12 doing. I would like to place that in the record with your  
13 permission.

14 Chairman Sanders. Without objection.

15 [The information follows:]

16 / COMMITTEE INSERT

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1 Having said that, I cannot support your amendment.  
2 What the Committee print would do is to provide VA  
3 flexibility. There is no intent here to end the program.

4 It would provide VA flexibility to partner with U.S.  
5 Paralympics and allow the Committee to fulfill its oversight  
6 obligation by requiring an up-front statement of anticipated  
7 personnel, travel and administrative costs, identifying  
8 financial controls put in place by U.S. Paralympics and  
9 evaluating the effectiveness of activities authorized.

10 At the end of the day, the underlying language strives  
11 to make certain that authorized funds are used as Congress  
12 originally intended--to support Paralympic athletics and  
13 provide opportunities for disabled veterans to participate  
14 in adaptive sports. And I think we all think that is a very  
15 important step forward.

16 Are there any other comments on this issue?

17 Senator Burr.

18 Senator Burr. Mr. Chairman, I really appreciate the  
19 amendment. I know this is well intended, but I also cannot  
20 support the amendment.

21 I want to be clear that this debate is not about  
22 whether we should support adaptive sporting competition or  
23 opportunities for veterans with disabilities; we should.  
24 This is how best to spend it.

25 And I think when you have got a report like the GAO,

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1 the prudent thing for Congress to do is to hold them to the  
2 changes they say they are going to make.

3 Here is what the GAO report found--that after the  
4 program was first established, that the Paralympics had used  
5 about half of the grant funds it received to provide  
6 adaptive sporting opportunities for the disabled; the rest  
7 of the funds were used for administrative costs, operations  
8 and personnel--not the intent of the legislation.

9 GAO also found that there were not proper controls in  
10 place to know whether some of the grant money was being used  
11 for its intended purposes.

12 Although changes have been made, as Senator Boozman  
13 said, in light of the report, it is clear that we must  
14 continue to perform oversight.

15 So where is the big problem with what Senator Boozman  
16 is doing and what the Committee print does? The Committee  
17 print extends the authorization to 2015. Senator Boozman  
18 goes further than that.

19 I think in two years it forces Congress to go--and with  
20 the VA and with Paralympics--to look at it and say, have the  
21 changes been made? Is the money that VA is investing in  
22 Paralympics going to get those individuals in competition?

23 And, yeah, it does open up the door to VA coming and  
24 justifying to this Committee if, in fact, they choose to use  
25 the money in a different way, and we can look and see

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1 part, a very, very good job of getting veterans to  
2 participate.

3 We have heard a lot of talk about VA suicide, the  
4 destructive behavior that sets people down the path, with  
5 self-medicating and things like that. I firmly believe that  
6 this and a number of other programs like it are very, very  
7 conducive to getting people to heal.

8 And, to be honest, you sit and hear testimony after  
9 testimony that the VA simply does not do a very good job in  
10 that respect. And they might verbalize it. I think their  
11 heart is in the right place, but they simply do not do a  
12 good job.

13 We have all been to VA hospitals. If you ask the  
14 people that are there, it is difficult to get them taken any  
15 place or--you know. As I said, you know, the attitude is we  
16 do not do BINGO here.

17 So this is just an outside influence. The discretion  
18 is there. They may award if they choose to, but they do not  
19 have to.

20 But I do think that it is important that we go on  
21 record that we would like them--I think it makes a statement  
22 that we would like for them to be involved.

23 I yield back.

24 Chairman Sanders. Thank you.

25 Senator Isakson. Chairman, I have a question.

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1 whether the impact was greater one way or the other.

2 So I would encourage my colleagues; be supportive of  
3 the intent of Paralympics and of the need for competition  
4 for those with disabilities, but let's vote against the  
5 amendment.

6 Chairman Sanders. Further discussion?

7 Senator Boozman. Mr. Chairman?

8 Chairman Sanders. Senator Boozman.

9 Senator Boozman. Could I add that the language that I  
10 would like to put in does grant flexibility. It says, and  
11 inserting the Secretary may award grants to the United  
12 States Paralympics Committee to plan, develop, manage and  
13 implement.

14 So it does not say that it must. It says that it may.

15 But I do think that it is important to go on record, as  
16 Senator Burr pointed out, that we have had some problems.

17 If we throw out every program that has had problems in this  
18 place, with GAO bad reports, you know, or not necessarily--  
19 again, the GAO is there to help and share concerns that they  
20 have with things. But I think the fact that they  
21 immediately addressed the problems, cleaning those up, is  
22 good.

23 So, again, this does not say that they have to. It  
24 says that they may. But I do think it goes on record that  
25 we try and involve an outside group that does, for the most

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1 Chairman Sanders. Yes, Senator Isakson.

2 Senator Isakson. Is the principal difference here the  
3 length of the authorization? Is that the principal  
4 difference?

5 Chairman Sanders. Yes, one of the difference, I guess.

6 Senator Isakson. Well, what is the other difference?

7 Chairman Sanders. The other difference is that we give  
8 flexibility to the VA.

9 Here is my concern, Senator Isakson. I strongly concur  
10 with what Senator Boozman and Senator Burr said. We want to  
11 encourage these types of activities.

12 But my goal is to see not just that we have relatively  
13 small numbers of people be extraordinarily great athletes--  
14 that is good--but that the average guy and woman be able to  
15 participate as well. And I think giving the VA more  
16 flexibility in that area, and the resources to do that makes  
17 that more likely.

18 Senator Isakson. And, one more question. On the  
19 authorization, how long is your authorization?

20 Senator Boozman. We actually offered to reduce it to  
21 2015. We do not have any problems with that at all.

22 Senator Isakson. But what is it as it is currently  
23 written?

24 Senator Boozman. 2018. It is 2018, but we do not have  
25 any problems at all with doing a secondary amendment and



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1 reducing it to 2015. But we offered that, and it was  
2 rejected.  
3 Senator Burr. Can I add?  
4 I would be happy for Senator Boozman to correct me if I  
5 am wrong, but in S. 322 it is my understanding that under  
6 item 4 your legislation changes what we change from may  
7 cooperate with United States Paralympics back to the  
8 original legislation that said shall.  
9 Senator Boozman. To the greatest extent feasible.  
10 Senator Burr. Shall.  
11 Senator Boozman. You are correct--to the greatest  
12 extent feasible.  
13 Senator Burr. And I would only tell my good friend  
14 that shall and may are very different.  
15 Senator Boozman. You are correct, and I was looking at  
16 it different.  
17 But, again, shall to the greatest extent feasible--and  
18 you are correct, and I apologize, and I did not mean to  
19 mislead.  
20 But shall to the greatest extent feasible does give the  
21 wiggle room that I think they have, you know, in order to  
22 back off if they would like to.  
23 And they are doing that. You know, they are offering  
24 other programs now.  
25 And, in regard to Senator Sanders, this is not an

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1 review the VA in their performance of delivery in a grant to  
2 the organization and the VA will be held accountable.  
3 I just want to make sure I am understanding this.  
4 Chairman Sanders. Yes, that is correct.  
5 Okay.  
6 Chairman Sanders. Okay. Senator Boozman has brought  
7 forth an amendment. All those in favor of Senator Boozman's  
8 amendment, please say aye.  
9 [Chorus of ayes.]  
10 Chairman Sanders. All those opposed, please say no.  
11 [Chorus of noes.]  
12 Chairman Sanders. The noes appear to have it.  
13 The noes do have it.  
14 Okay, Senator Hirono, I believe you are up.  
15 Senator Hirono. Thank you, Mr. Chairman.  
16 I would like to call forth Hirono Amendment No. 5.  
17 The bill, as written, limits veteran transportation  
18 subsidies to 75 miles to and from the place of employment.  
19 There are many places in Hawaii, for example, where it is  
20 further than 75 miles, and so I think this bill, as written,  
21 unnecessarily limits these subsidies.  
22 My amendment would ensure that the subsidies would be  
23 available in those areas where the place of employment  
24 exceeds 75 miles.  
25 Chairman Sanders. Senator Hirono, I do not have any

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1 effort just to try and get elite athletes. I mean, these  
2 programs are from the community all the way up to the top.  
3 Now, if a person excels, they have that ability, you  
4 know, to go ahead and do that. But this is really about  
5 getting the average person out on a school yard or whatever,  
6 with the camaraderie of sports, and doing that.  
7 Chairman Sanders. Okay. I would like to go to a vote  
8 on this.  
9 Senator Begich. Can I just ask a quick question?  
10 Chairman Sanders. Yes.  
11 Senator Begich. Isn't there also--and I appreciate  
12 Senator Boozman's intent here as I think it is an incredible  
13 program.  
14 Is also the difference that the money's first stop is--  
15 under the current way it operates--it goes to the  
16 organization; under this, it stops in the VA first so there  
17 is some review that goes on there?  
18 Is that--I am simplifying this, but--  
19 Chairman Sanders. Yes, the money first goes to the VA.  
20 Senator Begich. Yeah, so that is a substantial  
21 difference.  
22 Chairman Sanders. Right.  
23 Senator Begich. And is the intent there--tell me again  
24 if I am wrong here. The idea is if you have a two-year  
25 authorization and it goes to the VA, we have an ability to

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1 objection to your amendment. Unless there is any objection  
2 or further debate, the amendment is accepted.  
3 Any discussions on that?  
4 [Pause.]  
5 Chairman Sanders. All those in favor, please say aye.  
6 [Chorus of ayes.]  
7 Chairman Sanders. All those opposed?  
8 [Pause.]  
9 Chairman Sanders. The amendment is carried.  
10 I think, Senator Burr, we are going back to you now.  
11 Senator Burr. Thank you, Mr. Chairman. I thought  
12 maybe you had forgotten about me.  
13 Chairman Sanders. No.  
14 [Laughter.]  
15 Senator Burr. Mr. Chairman, let me call up Amendment  
16 No. 2, and I will be brief for my colleagues.  
17 Amendment No. 2 would strike the text of the Committee  
18 print of S. 6 and insert provisions from Careers for  
19 Veterans Act, a bill I introduced to help create long-term,  
20 sustainable jobs for America's veterans.  
21 I appreciate that the Chairman worked with me to  
22 improve the Careers for Veterans Act and included it in the  
23 omnibus bill on today's agenda.  
24 This amendment is simply meant to stress that I would  
25 prefer to advance the Careers for Veterans Act in lieu of S.

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1 6 rather than in addition to it, and let me explain why to  
2 my colleagues.

3 To start with, S. 6 would cost more than \$2.5 billion,  
4 and the bill does not have any offsets to pay for it.

5 On top of that, it would create new Federal employment  
6 programs in addition to the dozens that already exist, and  
7 there is nothing in the bill that would attempt to fix or  
8 eliminate any of the current programs.

9 In that regard, I am sure we all remember the GAO  
10 report from 2011 that highlighted the Federal Government  
11 already has 47 different employment and job training  
12 programs, and at least 44 of those overlap with 1 or more  
13 other programs. GAO concluded that, "Reducing or  
14 eliminating duplication, overlap or fragmentation could  
15 potentially save billions of tax dollars annually and help  
16 agencies provide more efficient and effective services."

17 So, if the dozens of employment and training programs  
18 that already exist are not working, or if they are not  
19 working well for veterans, we could help improve employment  
20 services for them by reducing the number of programs, not by  
21 creating more.

22 So that is why I would prefer to advance the Careers  
23 for Veterans Act. It would require Federal agencies--all  
24 Federal agencies, not just VA and DoD, who currently do it.  
25 It would require all Federal agencies to hire up to 15,000

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1 spine when I say this--in No Child Left Behind for teachers  
2 that did not have their original certification  
3 documentation.

4 And the legislation said, if they thought they were  
5 certified, you prepare a test for them. Get it to them. If  
6 they pass the test, they are now highly qualified. They get  
7 the enhanced salary.

8 All we are doing is saying how can you take somebody  
9 that drove a truck for 10 years and then tell them they have  
10 got to go to a community college to learn how to drive a  
11 truck?

12 Give them a test. If they pass it, credential them.  
13 License them. Let them get into the workforce in a seamless  
14 way.

15 This is a common-sense approach to putting veterans to  
16 work. I urge my colleagues to support it.

17 Chairman Sanders. Well, Senator Burr, thanks a lot for  
18 your hard work on the issue of veterans' employment. It is  
19 a huge issue. I certainly agree with some of what you say,  
20 but I cannot support your amendment.

21 Let me just briefly summarize what is, in fact, in the  
22 legislation.

23 First of all, the goal is clear--the goal that I think  
24 everybody agrees upon. This country is making some progress  
25 in economic recovery. We understand that men and women who

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1 veterans for existing openings.

2 And, to some degree, what I am doing is making them  
3 exercise what is current law. It is available to them  
4 today. They just choose not to do it.

5 It would also require states to make it easier for  
6 licensing and certification.

7 I have got to tell the Chair--he knows this--it was  
8 somewhat challenging for me to try to figure out a way to do  
9 this without infringing on states' rights.

10 And, simply, what we say to every state is:

11 You can opt out of this program. But, if you do not  
12 choose to physically opt out, then as a state you have to  
13 prepare a test.

14 And, if you have got a service member who has been in  
15 for over 10 years and he was an electrician while he was in,  
16 you give him an electrical test. And, if he passes it,  
17 license him and credential him. If he flunks it, then sit  
18 down with him and tell him what he has to go through--he or  
19 she--to be licensed in your state.

20 If they have driven a truck for 10 years, you can give  
21 them a test to see if they are sufficiently trained to drive  
22 a truck. And if they are, certify them or license them.

23 It does not cost any money.

24 We are not going against state law. We are applying  
25 exactly what we did--the Chairman will get chills up his

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1 went off to Iraq and Afghanistan have got to have jobs when  
2 they come home, and I think we are all agreed upon that.

3 Let me tell you what this legislation that we are  
4 voting on has in it.

5 The legislation would extend a vital provision of the  
6 bipartisan, bicameral VOW to Hire Heroes Act of 2011. The  
7 bill would continue--for an additional two years--the  
8 Veterans Retraining Assistance Program, which has provided  
9 more than 56,000 unemployed veterans with meaningful  
10 training in high-demand occupations.

11 Now here is an important point that we do not talk  
12 about often enough. DoD paid nearly \$1 billion in  
13 unemployment last year. A billion dollars. And I am  
14 worried that number may grow as we expect approximately one  
15 million service members to transition out of the military  
16 service within the next five years. Many of them will  
17 struggle to find gainful employment in the civilian  
18 workforce.

19 Even though we have recently seen positive trends in  
20 the unemployment rate for our veterans, we need to remain  
21 vigilant. We continue to find high unemployment rates among  
22 our youngest veterans.

23 According to the DoD, approximately one in five  
24 enlisted service members separating from active duty have a  
25 military learned skill without a direct civilian equivalent.

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1 Many service members will also transition into a civilian  
2 career field that is different than their military  
3 occupation.  
4 There is clearly--and I know Senator Burr touched on  
5 this issue. There is clearly a need for improved employment  
6 opportunities for veterans, particularly our younger  
7 generation.  
8 So how we match the skills acquired in the military  
9 with civilian jobs is certainly something we are going to  
10 address in this bill. The employment programs in this  
11 legislation would not only stimulate job creation but would  
12 also provide veterans with the valuable work experience and  
13 civilian skills they need to obtain long-term employment.  
14 Unless there is further debate, let's move to a vote on  
15 the Burr amendment. Any further discussion?  
16 Senator Burr. Mr. Chairman, if I could just say--  
17 Chairman Sanders. Sure.  
18 Senator Burr. And, when the Chairman starts the  
19 sentence by "I'm going to oppose", I know what the outcome  
20 of the voice vote is going to be.  
21 But let me just say to my colleagues; let's get this  
22 behind us, but let's not add 2 new programs that we say are  
23 jobs programs and then for the next 12 months feel good  
24 until the next GAO report comes out that says: Geez, not  
25 only did the 44 that were in place, the 2 new ones that put

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1 us at 46--they have not worked either.  
2 All I ask is that everybody think about exactly what I  
3 presented to you.  
4 I think we all know that if states would accommodate  
5 that certification or licensing we would make a huge dent in  
6 the unemployed veterans population. We would allow them to  
7 continue in the profession they were put in while they were  
8 in military service. This really makes a lot of sense.  
9 My fear is that in Washington, if the program sounds  
10 too good to be true and it does not cost anything, then it  
11 does not get promoted.  
12 I have no problem with having as many jobs programs as  
13 the Committee wants to do, but for God's sakes, do not take  
14 the one that you actually think would work and not make sure  
15 that it is implemented. So, even though it is in the  
16 omnibus bill, let's make sure that we find a way to execute  
17 this around the country and change the employment picture.  
18 Senator Begich. Mr. Chairman, just two seconds.  
19 Chairman Sanders. Let me just comment and say that  
20 Senator Burr is too modest. We have already incorporated  
21 your ideas into the omnibus bill, and they are good ideas.  
22 Again, if a veteran or a service member has a skill, I  
23 think we are all in agreement that, everything being equal,  
24 we want that person to be able to get the credentials to do  
25 that job in the civilian economy. And I think we have

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1 addressed that issue.  
2 Senator Burr. I will leave it at that. I will leave  
3 it.  
4 Chairman Sanders. Okay. All those in favor of Senator  
5 Burr's amendment?  
6 [Chorus of ayes.]  
7 Chairman Sanders. All those opposed?  
8 [Chorus of noes.]  
9 Chairman Sanders. The noes appear to have it.  
10 The noes do have it.  
11 Senator Hirono, I think you are up.  
12 Senator Hirono. Yes. I would like to call my  
13 Amendment No. 7.  
14 The bill requires certain kinds of outreach efforts to  
15 support and help Native veterans and those who--well, my  
16 amendment would ensure that Native Hawaiians as well as  
17 Native veterans who do not live on tribal lands are also  
18 availed of these kinds of programs to help them.  
19 So I ask the Committee support for this amendment.  
20 Chairman Sanders. I believe this is a reasonably  
21 noncontroversial amendment, which I support.  
22 Any discussions on this?  
23 [Pause.]  
24 Chairman Sanders. All those in favor of the amendment,  
25 please say aye.

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1 [Chorus of ayes.]  
2 Chairman Sanders. All those opposed?  
3 [Pause.]  
4 Chairman Sanders. The ayes appear to have it.  
5 The ayes do have it.  
6 Senator Burr, back to you.  
7 Senator Burr. I think I am the last if I have looked  
8 at the amendments. I have got two more, and I will be  
9 brief.  
10 I would call up Amendment 3.  
11 Amendment 3 would add a provision to the Committee  
12 print of S. 6 requiring that before the Secretary of Labor  
13 and Secretary of Veterans Affairs could implement 2 new  
14 veterans' employment programs created by this bill, the  
15 agencies must certify that the new programs will not  
16 duplicate any other Federal program or activity.  
17 As I just mentioned, back in 2011, GAO highlighted that  
18 the Federal Government already had 47 different employment  
19 and job training programs, and at least 44 of them overlap  
20 with other programs.  
21 And, with that in mind, we should, at a minimum, avoid  
22 changes that will exacerbate the duplication and  
23 inefficiencies that already exist. To that end, this  
24 amendment would ask that the agencies that would be  
25 responsible for administering these new programs tell us

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1 whether they would require them to duplicate functions of  
2 other agencies that are already performing these.  
3 I think this, again, is another common-sense approach,  
4 and I would urge my colleagues to support it.  
5 Chairman Sanders. Unfortunately, I am in opposition to  
6 your amendment.  
7 We have taken great effort to ensure the employment  
8 programs in this legislation would fill gaps not addressed  
9 by current programs. After a thorough review and  
10 consideration of current programs, we have concluded this  
11 legislation is not duplicative and these programs do not  
12 appropriately fall under an existing one. In fact, it would  
13 be trying to put a round peg through a square hole.  
14 Further, Congress would not be conceding its authority  
15 to Federal agencies.  
16 Unless there is any objection or further debate, let's  
17 move to a vote on this amendment.  
18 Are there any further discussions?  
19 [Pause.]  
20 Chairman Sanders. All those in favor of Senator Burr's  
21 amendment, please say aye.  
22 [Chorus of ayes.]  
23 Chairman Sanders. All those opposed, please say no.  
24 [Chorus of noes.]  
25 Chairman Sanders. The noes appear to have it.

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1 The noes do have it. That amendment is defeated.  
2 Senator Burr, do you have another amendment?  
3 Senator Burr. Mr. Chairman, I have got one more.  
4 Amendment 4, I would call up.  
5 Amendment No. 4 would add a provision to Section 810 of  
6 the omnibus bill. That section of the bill would require VA  
7 to review the process being used to determine whether  
8 someone who applied for payments from the Filipino Veterans  
9 Equity Compensation Fund had actually qualifying service.  
10 Currently, payments from the equity fund are available  
11 to certain Filipino veterans who served in support of U.S.  
12 Military efforts during World War II, but under current  
13 protocols, if an individual engaged in inappropriate conduct  
14 during the service, they, rightfully so, are not eligible.  
15 I simply want to make it clear that by asking VA to  
16 conduct this review we are not suggesting that the VA extend  
17 eligibility to anyone who committed disqualifying offenses.  
18 So this amendment would clarify that if VA decides that  
19 a new process is needed to determine who is eligible for  
20 equity fund payments the new process should continue to  
21 ensure that payments will not be made to individuals who  
22 engage in disqualifying conduct, such as collaborating with  
23 the enemy or committing a crime.  
24 I think this is, again, a common-sense amendment. It  
25 will, in no way, disadvantage the Filipino veterans that

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1 honorably served in support of our military efforts during  
2 World War II and will help ensure the integrity of the  
3 program. I urge my colleagues to support it.  
4 Chairman Sanders. Senator Burr, so that you know I am  
5 not congenitally in opposition to everything you offer--  
6 [Laughter.]  
7 Chairman Sanders. --I am happy to say that I accept  
8 your very fine amendment.  
9 And I think it is critical that we ensure that there is  
10 an appropriate process in place so when benefits are  
11 provided to veterans that, if eligible, they in fact receive  
12 them. The underlying provision addresses this issue.  
13 Unless there is any objection or further debate--  
14 Senator Hirono. Mr. Chairman?  
15 Chairman Sanders. Yes, Senator Hirono.  
16 Senator Hirono. I do have one concern about this  
17 amendment in that I have a concern that these veterans who  
18 are already in their 80s and 90s--how much delay would there  
19 be for this process to occur?  
20 Are you expecting that their ability to receive these  
21 funds will be determined very quickly?  
22 Chairman Sanders. Well, I think--  
23 Senator Hirono. Senator Burr, Mr. Chairman?  
24 Chairman Sanders. Senator Burr, if you want to respond  
25 to that.

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1 Senator Burr. I was just going to say that it is up to  
2 VA as to whether they review the current process, if the  
3 current process is reviewed. All we are doing is restating  
4 that there are disqualifiers out there, and under that  
5 change in review you would have to still have those  
6 disqualifiers in place.  
7 Senator Hirono. So yours is just a clarifying  
8 amendment. Your intention is not to make it an even longer  
9 process.  
10 Senator Burr. It is not.  
11 Senator Hirono. Thank you.  
12 Chairman Sanders. Okay. Further discussion, Senator  
13 Boozman?  
14 Senator Boozman. I have an amendment that I would like  
15 to call up and then--  
16 Chairman Sanders. We are still on Senator Burr's.  
17 Senator Boozman. I am sorry.  
18 Chairman Sanders. Okay. All those in favor of Senator  
19 Burr's amendment, please say aye.  
20 [Chorus of ayes.]  
21 Chairman Sanders. All those opposed?  
22 [Pause.]  
23 Chairman Sanders. The ayes appear to have it.  
24 The ayes do have it.  
25 I think we will go to Senator Hirono, and then we will

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1 go to you, Senator Boozman. All right?  
2 Senator Hirono?  
3 Senator Hirono. Thank you, Mr. Chairman.  
4 I would like to call up Hirono Amendment No. 6.  
5 This is an amendment to ensure that along with American  
6 Indian and Alaska Native organizations that would be engaged  
7 in providing legal services to homeless veterans, that we  
8 include Native Hawaiians, and I ask the Committee's support  
9 of this amendment.  
10 Chairman Sanders. Senator Hirono, I appreciate your  
11 amendment to clarify that tribal lands and Native American,  
12 Alaska Native and Native Hawaiian communities are included  
13 in the areas covered by legal services partnerships for  
14 homeless veterans. This amendment is, I believe,  
15 noncontroversial and is agreed to unless there is any  
16 objection or further debate.  
17 Any further debate on the Hirono amendment?  
18 [Pause.]  
19 Chairman Sanders. If not, all those in favor, please  
20 say aye.  
21 [Chorus of ayes.]  
22 Chairman Sanders. All those opposed, say no.  
23 [Pause.]  
24 Chairman Sanders. The amendment appears to carry.  
25 The amendment is carried.

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1 Senator Boozman?  
2 Senator Boozman. Thank you, Mr. Chairman  
3 I would like to call up an amendment--Boozman 2--that  
4 has to do with the Transition Assistance Program and then  
5 withdraw it and really would just like to talk about it.  
6 First of all, I want to thank you and the Ranking  
7 Member for including a version. This was sponsored by  
8 myself, Senator Manchin, Senator Moran and Senator Tester,  
9 and it is an effort to really just, again, ensure that  
10 veterans, as they separate, have all of the information that  
11 they need to be successful.  
12 And that is so very, very important. The better job  
13 that we do there, the less problems we will have down the  
14 line. If a service member can take care of their family,  
15 take care of themselves, economically, then we are going to  
16 have a lot less problems.  
17 So I appreciate your being able to put part of the  
18 language in the bill.  
19 We have got some jurisdictional problems. We are going  
20 to be working with SASC, and we appreciate your all's help  
21 in that regard.  
22 So, again, I would like to withdraw it, but again, I do  
23 appreciate the help. And, hopefully, we can continue making  
24 sure that the TAP program is as effective as it can be.  
25 Chairman Sanders. Well, Senator Boozman, you raise,

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1 obviously, an important issue--that to the degree we deal  
2 with these problems early on, they become less significant  
3 later.  
4 I think we have heard all of the amendments.  
5 I want to thank all the members of this Committee. I  
6 think we have had a lot of input from both sides.  
7 As I said earlier on, I take what we do enormously  
8 seriously, as I know you do. We are going to work as best  
9 we can in a bipartisan way. I think we have demonstrated  
10 that already.  
11 I want to thank my staff for doing a great job and the  
12 Minority staff for doing a great job as well.  
13 I want to thank all of the veterans organizations for  
14 their help in providing us with the necessary input to bring  
15 forth this legislation.  
16 We are making progress. We still have a long way to  
17 go. And I look forward to working with all the member of  
18 this Committee and the veterans community, to do everything  
19 we can to address the problems facing our veterans.  
20 I thank you all very much--  
21 Senator Burr. Mr. Chairman?  
22 Chairman Sanders. Yes.  
23 Senator Burr. I would like to reserve my right to file  
24 Minority views on any of the bills today.  
25 Chairman Sanders. Without objection.

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1 Senator Burr. Thank you.  
2 Chairman Sanders. Okay, this markup is adjourned.  
3 [Whereupon, at 11:54 a.m., the Committee was  
4 adjourned.]

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Markup to consider Legislation Pending before the Committee  
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B&B Reporters  
701 Copley Lane, Silver Spring, Maryland 20904  
301-384-2005

Committee on Veterans' Affairs  
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B&B Reporters

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Committee on Veterans' Affairs  
Markup to consider Legislation Pending before the Committee  
Wednesday, July 24, 2013

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Committee on Veterans' Affairs  
Markup to consider Legislation Pending before the Committee  
Wednesday, July 24, 2013

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