

1 BUSINESS MEETING TO CONSIDER LEGISLATION  
2 PENDING BEFORE THE COMMITTEE

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4 WEDNESDAY, AUGUST 5, 2020

5 United States Senate,  
6 Committee on Veterans' Affairs,  
7 Washington, D.C.

8 The Committee met, pursuant to notice, at 3:03 p.m., in  
9 Room SR-325, Russell Senate Office Building, Hon. Jerry  
10 Moran presiding.

11 Present: Senators Moran, Boozman, Rounds, Tillis,  
12 Sullivan, Blackburn, Cramer, Loeffler, Tester, Brown, and  
13 Blumenthal.

14 OPENING STATEMENT OF CHAIRMAN MORAN

15 Chairman Moran. Good afternoon. The Committee will  
16 come to order. Thank you for your presence here. We intend  
17 to move quickly. We do have a quorum present, so I now call  
18 the meeting to order.

19 We are considering 14 pieces of legislation before the  
20 Senate Veterans' Affairs Committee. These bills represent a  
21 bipartisan list of priorities from all of our members. I am  
22 pleased that we are able to reach agreement on a path  
23 forward to address issues related to toxic exposure, serving  
24 women veterans, caring for Native American veterans, and  
25 helping veteran-owned small businesses, among many others.

1           Some of today's agenda items reflect agreements on need  
2 to act but will require some additional work before they  
3 pass the full Senate, and I look forward to and commit  
4 myself to ongoing collaborative work all of you to make that  
5 happen on these bills.

6           Senator Tester, we have just a couple of procedural  
7 thing we need to do before we vote, but I would recognize  
8 you for any opening comments that you want to make.

9                           OPENING STATEMENT OF SENATOR TESTER

10          Senator Tester. Well, I just want to thank you and I  
11 want to thank this Committee for putting some really good  
12 bills out for consideration. I also want to especially  
13 thank Senator Tillis. He has got a bill that we are not  
14 going to be taking up today, but we will continue to work on  
15 this bill in good faith to make it ready for prime time. I  
16 could go into the specifics of it but I just want to thank  
17 Senator Tillis for his workability on this, and we will get  
18 to a point where it is going to float. So thank you.

19          Chairman Moran. Thank you, Senator Tester, and thanks  
20 for your cooperation. Our teams have worked together to get  
21 us to the point we are today, in which we can move these  
22 bills, and I appreciate your sentiments that you expressed  
23 and which we will continue to collaborate and work together  
24 on the remaining issues in some of these bills, and  
25 certainly the one that--I am going to recognize Senator

1 Tillis in just a moment--that he will discuss.

2 I am going to ask other members to hold their comments,  
3 their opening statements, until after we have a vote, so we  
4 can proceed while we have the quorum.

5 I do need to address two agenda items, Senator Tillis'  
6 Toxic Exposure in the American Military Act of 2020, and the  
7 draft Veterans Benefit Enhancement and Expansion Act, that I  
8 have been working on with Senator Tester and other members  
9 of this Committee.

10 Senator Tillis, Senator Tester, and nearly all of our  
11 members on both sides of the aisle have put together two  
12 good pieces of legislation addressing bipartisan priorities  
13 with strong support and input from our veteran service  
14 organizations. I think we are very close to an agreement on  
15 both of these items, the two I just mentioned, but they will  
16 take just a little bit more time to get us to the point in  
17 which we are certain of that.

18 So, Senator Tillis, I understand you have a proposal to  
19 tell us about with your bill.

20 Senator Tillis. Thank you, Mr. Chairman, and Ranking  
21 Member. I just wanted to briefly--I told my staff I had two  
22 different statements. One was about eight minutes long.  
23 The other one is briefer. I said in the interest of  
24 bipartisanship and securing your commitment to work on this  
25 bill I am going to do the briefer statement.

1           The Toxic Exposure in the American Military Act of  
2 2020, or the TEAM Act, is really the result of about a  
3 year's worth of work on my office's part, working with the  
4 TEAM coalition. It is a coalition of some 30 veteran  
5 service organizations. They worked well together. There is  
6 broad consensus that we need to move forward.

7           And I think the real reason why I want to move forward  
8 with this legislation is all the work that we have been  
9 doing in this Committee since I have been here, if we were  
10 talking about the presumptions of the Camp Lejeune, it took  
11 forever to get those presumptions in. It was far too long.  
12 If you think about some of the progress, it should have  
13 taken a lot less time on Agent Orange, the work that we have  
14 done with Senator Klobuchar on the burn pit exposures. I  
15 mean, these are all things we need to get ahead of. I would  
16 like to get to a point to where we can anticipate the risk,  
17 even before the risks have manifested themselves in symptoms  
18 and health care problems with veterans.

19           So this bill is going to change that presumption going  
20 forward. I believe that we are very close, and one of the  
21 reasons we are very close is Senator Tester has had his  
22 staff working over the weekend. I think your staff are  
23 doing that, working with mine. I believe that if we spend  
24 August and into September, I would just like to get your  
25 commitment to work in good faith to get it done, get that

1 done in August, and maybe have it at a Committee hearing in  
2 September.

3 Chairman Moran. Senator Tester, my understanding is if  
4 you will give Senator Tillis and the rest of us that  
5 commitment he intends to ask that this bill be withdrawn  
6 from the agenda at this time.

7 Senator Tillis. And I heard that in your opening  
8 comments, and I know he is a man of honor and a man of his  
9 word, so I look forward to working with you, and Chairman, I  
10 look forward to getting this on the calendar in September  
11 and moving it out to the chamber.

12 So with that I withdraw it from consideration today.

13 Chairman Moran. Senator Tester, you and I are working  
14 on the draft benefits bill and the same thing, it would be  
15 removed from today's agenda with the understanding that you  
16 and I, and the rest of the Committee, intend to continue to  
17 move forward to get that bill accomplished.

18 And with that I would ask unanimous consent that both  
19 of those bills be withdrawn from today's agenda. Without  
20 objection, so ordered.

21 Senator Tillis, I would highlight the working group we  
22 had in regard to the bill on toxic exposure and in regard to  
23 other issues related to toxic exposure. I thought the  
24 highlighting of information that we gained from a lot of  
25 folks interested in this topic not only demonstrates how

1 important this issue is but demonstrates how ready veterans  
2 are to get the relief that this kind of legislation will  
3 provide. So let's work to make certain that we get it done.

4 So S. 4393 and the draft Veteran Benefit Enhancement  
5 and Expansion Act are withdrawn, and that brings us to the  
6 point of today's business.

7 We will now move to S. 3235, Veterans Posttraumatic  
8 Growth Act. I understand Senator Loeffler has an amendment  
9 to this bill that Senator Tester and the minority have  
10 agreed to. Senator Loeffler.

11 Senator Loeffler. This amendment includes one change  
12 to the previously introduced version of S. 3235, the  
13 Veterans Posttraumatic Growth Act, to ensure that the pilot  
14 program established under the act is conducted through the  
15 VA Office of Whole Health, which Senators McSally, Kaine,  
16 and I believe is the most appropriate home for the program.  
17 And I ask each of you for your support so that we can adopt  
18 this bill as modified.

19 Chairman Moran. Senator Loeffler has an amendment  
20 before us, and I would ask unanimous consent that the  
21 Loeffler amendment be adopted.

22 Without objection, it is.

23 Seeing that there is no further debate the question is  
24 that the Committee order to report favorably the following  
25 items en bloc: S. 3282, S. 2558, S. 3643, S. 2950 as

1 amended, S. 4384, S. 711, S. 332 as amended, S. 805 as  
2 amended, S. 514 as amended, S. 629 as amended, S. 2216 as  
3 amended, and S. 3235 as amended.

4 All those in favor, please say aye.

5 [Chorus of ayes.]

6 Chairman Moran. Opposed, please say no.

7 [No response.]

8 Chairman Moran. The ayes appear to have it. The ayes  
9 do have it. The motion to report those bills favorably is  
10 agreed to.

11 We have no further agenda items to consider.

12 Senator Tillis. Mr. Chairman?

13 Chairman Moran. Senator Tillis.

14 Senator Tillis. Can I just ask unanimous consent, the  
15 longer statement that I was going to have before the  
16 Committee, that it be submitted for the record?

17 Chairman Moran. Is there any objection?

18 [No response.]

19 Chairman Moran. Without objection, so ordered.

20 [The prepared statement of Senator Tillis follows:]

21 / COMMITTEE INSERT

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1 Chairman Moran. Does any other Committee member wish  
2 to be recognized? Senator Sullivan?

3 Senator Sullivan. Mr. Chairman, I want to thank you  
4 and Ranking Member Tester for scheduling this markup,  
5 particularly because of the focus on a number of toxic  
6 exposure bills on the agenda. With the amount of attention  
7 that these issues are getting I think the business meeting  
8 is particularly important for two key reasons: it is  
9 maintaining the momentum on the issues that are a critical  
10 priority to many veterans, especially our post-9/11  
11 veterans, and second, that during this time of great  
12 uncertainty, because of COVID-19, it is critical to look at  
13 veterans who may be particularly vulnerable to the diseases  
14 caused not just by COVID-19 but by exposure to chemical  
15 agents.

16 So I would like to commend and thank Senator Manchin  
17 for his partnership. He and I introduced, last year, S.  
18 2950, that we just moved, the Veterans Burn Pit Exposure  
19 Recognition Act, that addresses the barriers currently  
20 preventing some veterans who have been exposed to burn pits  
21 from accessing VA health services and other benefits. And I  
22 am very proud to say we have 28 co-sponsors of this  
23 legislation, including 8 from this Committee, Democrats and  
24 Republicans, and I want to thank everybody for their  
25 support.



1           Additionally, Mr. Chairman, I want to thank--I want to  
2 mention the overall efforts to address the toxic exposure  
3 for the men and women who were deployed to Khanabad Air Base  
4 in Uzbekistan, K2 as it is known among veterans.

5 Particularly in the past few months, my office has heard  
6 from a number of veterans in Alaska and around the country  
7 about what they are seeing as serious medical concerns and  
8 the need for additional support. So we appreciate all of  
9 their input and we hope it continues.

10           And I want to thank Senator Blumenthal, as my original  
11 co-sponsor, on partnering on the K2 Veterans Advocacy Act.  
12 And as this bill moves the needle forward by ensuring three  
13 things are known systematically, which is the toxic  
14 substances at K2, the medical conditions that K2 veterans  
15 have, and the links between the two.

16           It is a first step. There is a lot of interest in this  
17 kind of legislation, one of the many that we need to take in  
18 order right now to do the right thing by our servicemembers  
19 and their families, and I welcome discussions on this issue  
20 in the weeks ahead. I know there are other members, other  
21 House members, my colleagues on the Committee, who are  
22 interested in passing this legislation and other K2-related  
23 veterans' legislation.

24           And ultimately we want to pass legislation that best  
25 serves the population that it is meant to help. And this

1 bill gets the ball rolling, so thank you and the Ranking  
2 Member and Senator Blumenthal.

3 Senator Blumenthal. Mr. Chairman?

4 Chairman Moran. Senator Sullivan--Senator Blumenthal.

5 Senator Blumenthal. If I may just respond to express  
6 my thanks to Senator Sullivan for his leadership on the bill  
7 that we did together, the K2 Toxic Exposure Study, and as  
8 well to you, Mr. Chairman, because I know you have been very  
9 interested in this whole area of toxic substances. I think  
10 this challenge is one of the major health issues to face our  
11 military in coming years, not only in this country, where  
12 there has been exposure to all kinds of contaminants, but  
13 abroad. The modern battlefield is fraught with toxins and  
14 poisons from all kinds of sources, including our own  
15 armaments, as well as our waste and other kinds of endemic  
16 challenges there.

17 So I look forward to working in this area, building on  
18 what we have done already. Thank you, Mr. Chairman.

19 Chairman Moran. Senator Blumenthal, thank you.  
20 Senator Boozman.

21 Senator Boozman. Thank you, Mr. Chairman. I want to  
22 compliment you and Senator Tester again for the great  
23 example, in fact the entire Committee, on the great example  
24 of working together and really putting out some stuff that  
25 is all about helping veterans.

1 I especially want to thank Senator Tester for his  
2 leadership. I have so enjoyed working with him on the Deb  
3 Sampson Act. The passage today is the first important step  
4 in ensuring women veterans have access to care in a manner  
5 that is supportive to their needs. With more women  
6 answering the call--to serving in uniform, answering the  
7 call, we must ensure that we provide the very best in every  
8 manner for their needs. Removing the obstacles women face  
9 in accessing the care and benefits they earned is necessary  
10 to fulfilling our promise to these veterans. We are one  
11 step closer to making the VA more accommodating to the  
12 unique challenges facing these brave veterans.

13 So again, thank you, Mr. Chairman, and thank you,  
14 Senator Tester.

15 Chairman Moran. Senator Boozman, thank you, and thank  
16 you for your efforts on the appropriations side, you and  
17 Senator Tester, in regard to MilCon/VA.

18 Senator Tillis, you are on my list. I do not know whether  
19 you have accomplished your mission already in what you have  
20 previously said? You have? That means Senator Loeffler.

21 Senator Loeffler. Thank you, Mr. Chairman, Ranking  
22 Member. I want to thank all my colleagues, but especially  
23 Senators Sinema and Blackburn for their support of the VA  
24 Mission Telehealth Clarification Act. This common-sense  
25 bill, which was already adopted as part of the Senate's

1 fiscal year 2021 NDAA will ensure that the VA health care  
2 trainees gain the experience they need to provide quality  
3 health care through telehealth while also helping to expand  
4 the VA's capacity for telehealth through its existing  
5 workforce. I believe we can all agree this is of paramount  
6 importance as we continue to combat the COVID-19 pandemic.

7       And I also just wanted to thank my colleagues for  
8 supporting the Veterans Posttraumatic Growth Act as amended,  
9 as well as Senators McSally and Kaine for their leadership  
10 on this important issue. As everyone in the room is well  
11 aware, we lose 20 veterans a day to suicide, and that is  
12 absolutely an unacceptable number. We owe it to the brave  
13 men and women who choose to serve our country, to do  
14 everything we can to address this crisis, to think out of  
15 the box, to explore alternative methods for improving mental  
16 health.

17       The bill does that by requiring the VA, through a two-  
18 year pilot program, to study the effectiveness and the  
19 benefits of posttraumatic growth pilot programs, compared to  
20 the more traditional methods of mental health. And we have  
21 already agreed to explore alternative methods to address  
22 posttraumatic stress, anxiety, depression, and other mental  
23 health conditions through animal therapy, agritherapy, and  
24 recreation therapy in the Commander John Scott Hannon  
25 Veterans Mental Health Care Improvement Act.

1           The Veterans Posttraumatic Growth Act goes one step  
2 further by exploring a nonclinical, whole health approach  
3 that has seen success through programs like the one offered  
4 at Camp Southern Ground in Fayetteville, Georgia.

5           And I want to thank you all again for your support of  
6 this important initiative.

7           Chairman Moran. Senator Loeffler, thank you and thanks  
8 for your valuable work on this Committee since your arrival.

9           Senator Tester is going to give his opening statement  
10 as his closing statement. Before we go to Senator Tester,  
11 is there any other member who wishes to speak?

12          Let me say a couple of things. Thank you all for your  
13 cooperation and thanks to both the majority and minority  
14 staff in getting us to the point on all these bills today.  
15 We have a few more things, as I said earlier, to resolve  
16 before some of these bills come to the Senator floor, and  
17 let's make sure we get that done and accomplish these  
18 legislative endeavors.

19          Senator Tester and I are working to see that the bill  
20 that Senator Loeffler just mentioned, our bill on mental  
21 health and suicide, be addressed in the Senate, perhaps  
22 today. And so it has run on the Republican side and is  
23 being ran on the Democrat side right now for a UC  
24 opportunity to pass that legislation.

25          Some of you visited with me about things that should be

1 in or should be out. We made a few changes in regard so it  
2 is slightly amended, but remember that bill passed here 17-  
3 0. It has now had work with the administration and the  
4 Department of Veterans Affairs. So it is in an amended form  
5 from what we passed, but I think it has succeeded on coming  
6 through the Republican side without objection, and Senator  
7 Tester is hoping that is the case yet today on the Democrat  
8 side. So we may pass our first piece of major legislation  
9 on the Senate floor shortly, and would welcome your  
10 participation in that conversation on the Senate floor and  
11 any efforts that you can make certain that we resolve any  
12 difficulties that we have with any of our colleagues, which  
13 none are expected.

14 Senator Tester?

15 Senator Tester. Thank you, Mr. Chairman, and I would  
16 tell you at this point in time the John Scott Hannon bill is  
17 proceeding on our side too. We are not done yet because we  
18 got the language a bit ago, as we talked in the Banking  
19 Committee. But Senator Schumer's office has been helpful,  
20 and so I am hopeful, at 3:20 in the afternoon on a  
21 Wednesday, we will get this done before we leave here.

22 I also want to focus on another bill that has been a  
23 priority for me and Senator Boozman, and Senator Boozman has  
24 been absolutely stellar on this bill, and it is the Deborah  
25 Sampson Act. Last month we all remember holding a

1 roundtable, highlighting women and minority veterans and the  
2 barriers they face when applying and receiving benefits in  
3 the VA. I think that helped make a case for this  
4 legislation. Women are the fastest growing population in  
5 the VA, and the VA needs to be fully prepared to meet those  
6 needs that women have.

7       And so it is great that this bill is out of committee  
8 now. The House passed it last fall, and I look forward to  
9 moving forward with this bill, as the many things that it  
10 does from retrofitting VA facilities to making sure that  
11 there is privacy for women veterans. It goes down the list,  
12 and I will tell you that we would not be here without my  
13 friend, Senator Boozman's, support and active work on this  
14 bill.

15       There are also a number of bills that are very good in  
16 this session that we just passed out, the dozen or so bills.  
17 I want to thank Senator Brown, in particular, on a bill to  
18 address debt collection procedures. I think that this is a  
19 very important, especially in this time of this pandemic.

20       And finally, I just want to say--and we could go  
21 through each one of the 12; they are all very, very good--I  
22 just want to thank you again, Mr. Chairman, for putting this  
23 agenda together. You have been a pleasure to work with and  
24 I appreciate your dedication to veterans in this country.

25       Chairman Moran. Senator Tester, thank you for those

1 comments, and I appreciate the chance I have had to work  
2 with you over a long period of time. Senator Tester and I  
3 are on every committee together, all seven of mine and  
4 apparently all seven of his. Senator Boozman is asking if I  
5 am bragging or complaining. I claim to work well with him,  
6 so should I brag or complain? I will brag. I will brag.

7 Senator Tester, thank you very much. Does anyone else  
8 seek recognition? Senator?

9 Senator Blumenthal. If I may be heard just a second  
10 time, very, very briefly. I know we are thanking each other  
11 and I really want to thank, Mr. Chairman, you and the  
12 Ranking Member, because I think you have set the tone of  
13 bipartisanship, which continues to characterize this  
14 Committee. It is one thing I love about this Committee.

15 But I also, in case we have not done it, I want to  
16 thank the veteran service organizations, because they have  
17 contributed mightily to all of this legislation, and to the  
18 veterans themselves, one in particular, Gerry Wright, of  
19 Connecticut, who has been dogged in his support for the  
20 Agent Orange Exposure Fairness Act. But really to all the  
21 veterans, all the VSOs who have really been with us all the  
22 way, and I think they are behind all these bills.

23 Chairman Moran. Senator Blumenthal, thank you, and you  
24 remain my favorite Ranking Member.

25 Anything further? You remain my favorite Ranking



1 Member in Commerce.

2       Senator Loeffler, if I can have a chance to catch you  
3 for a moment before you depart.

4       If there is nothing further to come before the  
5 Committee we are adjourned.

6       [Whereupon, at 3:24 p.m., the Committee was adjourned.]

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