

BUSINESS MEETING TO CONSIDER  
S.1024, VETERANS APPEALS IMPROVEMENT AND  
MODERNIZATION ACT OF 2017 (COMMITTEE PRINT)

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WEDNESDAY, JUNE 28, 2017

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

The Committee met, pursuant to notice, at 10:31 a.m., in Room 418, Russell Senate Office Building, Hon. Johnny Isakson, (Chairman of the Committee) presiding.

Present: Senators Isakson, Boozman, Heller, Cassidy, Rounds, Tillis, Sullivan, Tester, Brown, Blumenthal, and Manchin.

OPENING STATEMENT OF CHAIRMAN ISAKSON

Chairman Isakson. I call the Senate Committee on Veterans' Affairs to order.

We are here today to consider the appeals legislation that we have worked hard on through most of this year, and as soon as we have eight members here for our quorum, I will call a vote.

There were no amendments filed prior to the closing of the period where amendments could be filed, so we have no amendments to deal with.

The only question will be the appeals legislation.

I really think every member needs to take great pride in the fact that probably the biggest pending sore we have of all the sores we have is the 470,000 appeals that are still pending in the Veterans Administration, and the fact that many of them are old, old, old appeals.

This legislation is very veteran-friendly. It requires the veterans to get answers if they have not gotten their appeal responded to. And it forces the VA to submit to us and the GAO a plan to modernize how they handle these appeals and what they have done.

So it is not just a prospective bill for some of the folks who would have an appeal of a bright future. It will cover those 470,000 who have been waiting and languishing, one of them 25 years, but the average person a year and a half, to get an answer to their appeal and their question.

That is a great step forward for us as a Committee and it will be a great step forward for the Veterans Administration. And Secretary Shulkin, as he has been since his appointment and confirmation, has been extremely cooperative in getting us to this point and showing us the support we needed in VA to see that that happens.

With that said, I know Senator Blumenthal has arrived so we will have an opening statement from Senator Tester and hopefully an eighth member will have come and we will have a quorum and I will call a vote. Until such time I will let

everybody talk all they want to. So Senator Tester.  
Senator Tester. That should take all day.

[Laughter.]

OPENING STATEMENT OF SENATOR TESTER

Senator Tester. I want to just say thanks to the Committee and, most importantly, thank you, Mr. Chairman, for bringing this bill forward. This is a very good bill. This is a bill that I had numerous people talk to me outside the Senate and inside the Senate about getting this bill through the process and to the floor and the President's desk.

As you know, we take our cues from the veterans, and I think--as you have already pointed out--the veterans see this as a huge problem, as we do. And so to move this forward is, I think, critically important at this moment in time and hopefully we will get a good vote out of here and then be able to deal with it on the floor of the Senate sooner rather than later.

And in that vein, I also want to thank Dick Blumenthal, Senator Blumenthal, for his leadership moving this bill forward, too.

But I would just tell you--and this is a fact, especially at this moment in time in the Senate--this is a very good Committee that works very well together, and hopefully we can continue that as we move forward on some

really important issues for our veterans.

Thank you, Mr. Chairman.

Chairman Isakson. Thank you, Senator Tester, and thank you for your service as Ranking Member.

Would any other member like to make any comments?

Senator Blumenthal.

OPENING STATEMENT OF SENATOR BLUMENTHAL

Senator Blumenthal. Thank you, Mr. Chairman.

I want to join you in thanking you, Mr. Chairman, for your dedication to this cause which is supremely important to our veterans. If there is one complaint that hits home, and I hear it at home constantly, it is about the delays in this process. And so I want to thank you for being a champion and I have been very proud to work with you on it.

We almost crossed the finish line last session but I am glad we are doing it now.

In that vein I want to thank the Ranking Member, Senator Tester, for his dedication to this cause, as well.

This measure is about simple justice. It really is about justice delayed is justice denied, especially for veterans who are aging and reaching years where they not only need the justice that has been denied them but also may be unable to use the benefits that they are due.

So I want to thank you, Mr. Chairman, and say how proud I am that we will take another step. It is only one more

step, it is only a long overdue step but we are going to do it. Thank you.

Chairman Isakson. Fortunately, it is a step in the right direction.

Another step in the right direction is the Senator from Nevada having arrived. We have eight, which is our mandatory quorum, including two members of the minority. So we are ready to vote on the question.

The time for amendments was open and there were no amendments offered so we have no amendments pending.

So the question is to the Committee whether or not to pass and recommend to the United States Senate S. 1024, the Veterans Appeals Improvement and Modernization Act.

All those in favor, say aye.

[Chorus of ayes.]

Chairman Isakson. All opposed, same sign.

[No response.]

Chairman Isakson. The ayes have it, the ayes have it. The bill will be reported to the full Senate. It is approved.

Do you have anything else?

Senator Tester. No, I am good.

Chairman Isakson. That having been said, anybody has anything they want to add?

Senator Sullivan.

OPENING STATEMENT OF SENATOR SULLIVAN

Senator Sullivan. Mr. Chairman, I just wanted to mention that we all know this is an important bill, a number of us have been working on this issue for a long time. But we had the opportunity, some of us, yesterday to meet with some of the judges that the President is nominating on the Veterans Appeals Court, and it is really a 1-2 punch that we need to be focused on, I think that not only the law but also filling up the bench to move these appeals forward.

So I am hopeful that once the Committee members meet these very highly-qualified individuals that we will get a full complement of judges on the Court that can help on this, as well. It has got to be a multi-directional approach to solving this backlog problem.

Chairman Isakson. I am going to address that point.

The reason I was holding off here, I forgot. I would ask unanimous consent that we direct the staff to report S.1024 to the floor, and that any technical changes be made, as appropriate.

Any objection?

[No response.]

Chairman Isakson. Approved, so ordered.

Thank you, I appreciate it very much.

Senator Blumenthal. Mr. Chairman, just one more word of thanks. This bill has been bipartisan from the very

start, so I want to thank all of the members of this Committee from both sides of the aisle for their work.

One of the great facts about this Committee is that it is so bipartisan. Senator Sullivan, Senator Tillis, and I, and Senator Rounds sit in the Armed Services Committee markup of the NDAA where we saw another demonstration of bipartisanship.

And I want to thank Amanda Meredith and Jorge Rueda for their work, as well as the Veteran Service Organizations that have really been laser-like in their focus on this issue. They remind us at every opportunity of its importance. So we thank them.

Chairman Isakson. As many on the Committee may have noted, we are going to have a couple of promotions or evacuations, depending on how you look at it. We are going to handle those in the Committee on the 19th of July. We have a meeting on the six positions. One of them is Tom. That is the cherry on top for me, as much as the staff here. But also Amanda Meredith and the other two nominees for the Court of Appeals, as well as two other positions. We are going to have a hearing on the 11th on pending legislation.

And we are going to try to have our calendar clear by the time we leave in August with everything we had set our minds to get done prior to the break we will have gotten done. And then we will have a full agenda in September of

those bills that are pending.

But I want to let everybody know this is not our last meeting of the year until the August break, but this is the tee-up for that meeting in July, which is going to be very significant to determination the confirmations in the Committee. So I wanted to be sure to mention that.

Senator Tester. And one other thing, Mr. Chairman, and I think it goes to Senator Sullivan's comment.

You, I believe, are going to schedule a hearing on potential confirmees to the Appeals calendars on the 19th.

Chairman Isakson. The 19th of July.

Senator Tester. So I think it is incredibly important. Senator Sullivan talked about he has had a chance to meet with them. It is important we, on our side, make sure we get these folks in because I think all of us want to make sure, as Senator Sullivan said, that that board is fully operational. I know that many of these folks have been in. I just want to let the Chairman know as soon as possible. So we can spread that word, that would be great.

Chairman Isakson. I appreciate that.

Senator Sullivan. Mr. Chairman, I think that Senator Tester and others are going to be very impressed with the background and resumes of these nominees, very impressed.

Chairman Isakson. The White House really made a major effort in finding three great people to nominate.



Senator Tester. Are they as good as Tom?

Chairman Isakson. Almost. On a good day, they are as good as Tom.

[Laughter.]

Chairman Isakson. Any other comments or questions for the good of the order?

[No response.]

Chairman Isakson. Hearing none, this meeting is adjourned.

[Whereupon, at 10:41 a.m., the Committee was adjourned.]