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H.R. 3016: VA Provider Equity Act, as amended (Wenstrup, R-OH)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

February 9, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 3016](#) would make several changes to the types of medical care provided by the Department of Veterans Affairs (VA); amend employment and education programs at the VA; and, update the active duty service requirements for certain GI bill benefits for dependents.

COST: According to the [Congressional Budget Office](#) (CBO) estimates, on net, that enacting H.R. 3016, as reported, would decrease direct spending by \$815 million over the 2016-2025 period. In total, CBO estimates that implementing the bill would cost \$234 million over the 2016-2020 period, assuming appropriation of the necessary amounts.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Yes, this bill creates the Veterans Economic Opportunity and Transition Administration within the VA.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

Title I – Veterans Health Care

This title would make Doctors of Podiatric Medicine (podiatrists) equal to Doctors of Osteopathy (DOs) and Medical Doctors (MDs) within VA in terms of pay, promotion, and leadership potential within the U.S. Department of Veterans Affairs (VA) health care system and amend VA's definition of "physician" to include podiatrists. The current qualifications for a podiatrist in the VA have not been updated since they were developed in 1976. It would also elevate Medal of Honor recipients from [priority group three](#) to priority group one. Veterans in priority group one are not required to pay [co-payments](#) for care received at the VA. Changes are also made to newborn care at the VA by increasing the number of days a newborn child can receive care at a VA facility. This bill would authorize up to 42 days of care after the birth.

This title would also direct the Comptroller General of the VA to periodically conduct audits of the Veterans Health Administration budget, and report to Congress on the elements of the audit.

The VA would be required to carry out a five year pilot program to assess the effectiveness of addressing post-traumatic stress disorder (PTSD) symptoms through a therapeutic medium of training service dogs for veterans with disabilities.

Title II – Veterans Economic Opportunity and Transition Administration

This title would create the Veterans Economic Opportunity and Transition Administration (VEOTA) within the VA, as well as create an undersecretary position to oversee all programs and operations. This would be the fourth administration under the VA. The primary function of this administration would be to provide assistance related to economic opportunity to veterans and their dependents and survivors. It would be responsible for the administration of: (1) vocational rehabilitation and employment programs; (2) educational assistance programs; (3) veterans' housing loan and related programs; (4) verification of small businesses owned by veterans; (5) job counseling and training; (6) employment and training; (7) administration of employment and employment rights; (8) homeless veteran reintegration programs; and, (9) the Transition Assistance Program.

Title III – Education Assistance and Vocational Rehabilitation

This title would modify the transferability of unused Post- 9/11 education benefits to family members. In addition, this title would place a cap on flight training tuition and fee payments at \$20,235 to align with the current cap on tuition and fees available for private and non-profit schools. The bill includes a two year grandfather clause to protect current students from this change.

Guardsmen and Reservists who are wounded in combat and serve time for medical and recovery purposes upon their return from combat are not eligible for the same accrual time for their Post-9/11 G.I. Bill eligibility as their enlisted counterparts. This bill would allow Guardsmen and Reservists to accrue eligibility for Post-9/11 G.I. Bill benefits while recovering.

There would be authorized to be appropriated \$10,000,000 for the secretary to reduce redundancy and inefficiencies to process claims for rehabilitation programs. These programs still use a paper-based system and this authorization of funds would be used to enhance the information technology system to better support veterans.

Title IV - Administration of Educational Assistance

Currently, G.I. Bill eligible schools are unable to view a veteran's remaining G.I. entitlement; therefore, it is difficult to advise veterans on the educational programs for which they are qualified. This title would allow the VA to provide this information to schools through a secure information technology system. It would also update the requirement for annual compliance surveys at any institution that offers any type of non-degree program and has at least 20 G.I. Bill recipients. A new survey would be required of all G.I. Bill recipients to gain more information regarding their demographics and their experiences with the program.

Title V – Other Matters

This title directs the secretary to conduct a longitudinal study of veterans who receive employment services and use the results to improve job training and placement. The bill directs the secretary to develop procedures to share veterans' information with state veterans agencies with the goal of furnishing benefits and assistance. A veteran would have the ability to opt out of having their information shared with state agencies.

OUTSIDE GROUP OPPOSITION:

- [General Aviation](#)

COMMITTEE ACTION:

This bill was introduced by Representative Wenstrup on July 9, 2015 and was referred the House Committee on Veterans' Affairs. The Committee marked up the bill on September 17, 2015, and ordered the bill favorably reported, as amended, to the House of Representatives by a voice vote. Read the committee report [here](#).

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8 of the United States Constitution. No specific enumerating clause was included.

H.R. 2915: Female Veteran Suicide Prevention Act (Brownley, D-CA)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

February 9, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 2915](#) would direct the secretary to identify the mental health care and suicide prevention programs that are the most effective for women veterans.

COST:

The [Congressional Budget Office](#) (CBO) estimates that implementing H.R. 2915 would cost less than \$500,000 over the 2016-2020 period. Any spending would be subject to the availability of appropriated funds.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

This bill would amend the [Clay Hunt Suicide Prevention for American Veterans Act](#) to identify mental health care suicide prevention programs that are the most effective for women veterans and programs with the highest satisfaction rate.

In addition, the bill would direct the secretary to establish standards and procedures for mental health treatment for veterans who served in classified missions to ensure their access to mental health services without inappropriately disclosing classified information.

COMMITTEE ACTION:

This bill was introduced by Representative Brownley on June 25, 2015 and was referred the House Committee on Veterans' Affairs. The Committee marked up the bill on September 17, 2015, and ordered the bill favorably reported, as amended, to the House of Representatives by a voice vote. Read the committee report [here](#).

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article I, Section 8. No specific enumerating clause was included.

H.R. 3106: Construction Reform Act of 2015, as amended (Miller, R-FL)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

February 9, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 3106](#) would reform how the Department of Veterans Affairs (VA) handles large construction projects and create an Assistant Inspector General for Construction to oversee all VA construction.

COST:

The [Congressional Budget Office](#) (CBO) that implementing H.R. 3106 would have discretionary costs of \$1 million over the 2016-2020 period; such spending would be subject to the availability of appropriated funds.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

This bill would require the secretary to use industry standards, standard designs, and best practices in carrying out the construction of medical facilities. For the super construction projects involving a total expenditures of \$100 million or more, the secretary would be required to provide to a non-department entity the: (1) design, planning and construction assistance; (2) any documents or information needed to carry out the responsibilities of the entity; and (3) any other assistance deemed necessary. For proposed changes to a contract totaling less than \$250,000, the non-department entity may issue the final decision. However, for changes totaling more than \$250,000 the secretary may provide recommendations and issue a final decision within 30 days. If no decision was made, the non-department entity could make the decision within 90 days. The secretary would not be allowed to obligate or expend funds for advance planning or design for any super construction project until 60 days after the secretary submits to congress a notice of obligation or expenditure. In addition, the secretary would be prohibited from obligating funds for a major medical facility project or super construction projects that would cause the total amount obligated to exceed the amount specified in law. The VA would be required to regularly report on the use of bid savings and on all super construction projects.

This bill would create an Assistant Inspector General for Construction which would be responsible for conducting, supervising, and evaluating major and minor construction projects and leases. The Assistant Inspector General would submit a report to Congress summarizing their activities and any investigations undertaken.

COMMITTEE ACTION:

This bill was introduced by Representative Miller on July 16, 2015 and was referred the House Committee on Veterans' Affairs. The Committee marked up the bill on September 17, 2015, and ordered the bill favorably reported, as amended, to the House of Representatives by a voice vote. Read the committee report [here](#).

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8 of the United States Constitution. No specific enumerating clause was included.

H.R. 2360: Career-Ready Student Veterans Act of 2015 (Takano, D-CA)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

February 9, 2016 under a suspension of the rules which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 2360](#) would add new criteria for educational institutions providing veterans with non-accredited courses.

COST:

The [Congressional Budget Office](#) (CBO) enacting H.R. 2360 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting H.R. 2360 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2026.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

This bill would amend the [accreditation requirements](#) for education and training programs to be eligible for veterans' education benefits. Programs designed to prepare an individual for state licensure or certification would be required to meet any state instructional curriculum licensure or certification requirements. In addition, programs designed to prepare an individual for employment pursuant to standards developed by a state board or agency in an occupation requiring approval or licensure would be required to be approved or licensed by that state board or agency.

This bill would also institute a waiver process for certain institutions that meet certain requirements, such as an institution is accredited by an agency or association recognized by the Department of Education. According to the committee report, this would allow programs that do not meet the amended requirement to be phased out of G.I. Bill eligibility to protect current students.

This language aligns with changes made in the National Defense Authorization Act for Fiscal Year 2014 for educational assistance programs available through the Department of Defense (DoD).

COMMITTEE ACTION:

This bill was introduced by Representative Takano on May 15, 2015 and was referred the House Committee on Veterans' Affairs. The Committee marked up the bill on September 17, 2015, and ordered the bill favorably reported, as amended, to the House of Representatives by a voice vote. Read the committee report [here](#).

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8 of the United States Constitution. No specific enumerating clause was included.

H.R. 3262: Providing for the conveyance of land of the Illiana Health Care System of the Department of Veterans Affairs in Danville, Illinois (Shimkus, R-IL)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

February 9, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 3262](#) would convey approximately .6 acres of land known as “Building Number 48” which is part of the Illiana Health Care System of the Department of Veterans Affairs to the Danville Area Community College. In return, the Danville Area Community College would convey to the United States 1.06 acres of Danville Area Community College.

COST:

There is no Congressional Budget Office cost analysis available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

This bill would authorize the Secretary of Veterans Affairs to convey “Building Number 48,” which is part of the Illiana Health Care System of the Department of Veterans Affairs to the Danville Area Community College of Danville, Illinois. This conveyance would include all right, title, and interest of the United States in and to certain real property, including improvements.

As consideration for the conveyance, the Danville Area Community College would convey to the United States all right, title, and interest of Danville Area Community College in and to certain real property, including any improvements, consisting of approximately 1.06 acres with a gazebo located approximately 293 feet south of the Danville Area Community College Library Building, which is part of the Danville Area Community College.

COMMITTEE ACTION:

This bill was introduced by Representative Shimkus on July 28, 2015 and was referred the House Committee on Veterans' Affairs where it awaits further action.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

H.R. 4056: Authorizing the Secretary of Veterans Affairs to convey to the Florida Department of Veterans Affairs all right, title, and interest of the United States to the property known as "The Community Living Center" at the Lake Baldwin Veterans Affairs Outpatient Clinic, Orlando, Florida, as amended (Mica, R-FL)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

February 9, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 4056](#) would authorize the Department of Veterans Affairs to convey to the Florida Department of Veterans Affairs property known as "The Community Living Center."

COST:

There is no Congressional Budget Office cost analysis available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

This bill would authorize the Department of Veterans Affairs (VA) to convey to the Florida Department of Veterans Affairs property known as "The Community Living Center" which is part of the Lake Baldwin Veterans Affairs Outpatient Clinic in Orlando, Florida. The purpose of the conveyed property would to be used for providing nursing home, domiciliary or adult day health care to veterans.

COMMITTEE ACTION:

This bill was introduced by Representative Mica on November 18, 2015 and was referred the House Committee on Veterans' Affairs where it awaits further action.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article IV, Section 3, Clause 2. The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State

H.R. 677: American Heroes COLA Act of 2015, as amended (Abraham, R-LA)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

February 9, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 677](#) would make the annual cost of living adjustment for veterans disability benefits automatic, would modify the VA claims process, and make changes to several individual benefit programs administered by the VA. Under current law, Congress votes annually to provide for the veterans COLA.

COST: According to preliminary estimates by the Congressional Budget Office (CBO), this bill would reduce direct spending by \$263 million over the 2016-2020 period and increase discretionary spending by \$136 million over the 2016-2020 period.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** This bill would make permanent a cost-of-living increase for certain veteran compensation programs that currently require yearly Congressional action, but which are assumed in CBO's baseline projections.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

Automatic COLA: This bill would create a permanent annual cost-of-living (COLA) adjustment for wartime disability compensation, additional compensation for dependents, the clothing allowance, dependency and indemnity compensation to surviving spouses, and dependency and indemnity compensation to children. This would be equal to the COLA payable to social security beneficiaries and would take effect on December 1 of each year. The increase in the monthly rates as a result of the COLA would be rounded down to the nearest dollar. Currently, Congress must pass legislation each year to increase the COLA for veteran benefits. However, because the COLA is assumed in CBO's baseline pursuant to section 257 of the Balanced Budget and Emergency Deficit Control Act, enacting that provision would have no budgetary effect relative to that baseline.

Claims Process Reforms: This bill would require the secretary to submit quarterly reports to Congress on the formal and informal claims submitted. This bill defines claims as a communication in writing requesting a determination of entitlement or evidencing a belief in entitlement to a benefit under the laws administered by the secretary. Such reports would include the following information: (1) the total number of claims submitted to VA; (2) the total number of informal claims submitted to VA; (3) the total number of formal claims submitted to VA; (4) the total number of forms indicating an intent to file a claim for benefits submitted to VA; (5) the total number of claims notification letters sent by VA that included an invitation to the claimant to submit an additional formal claim, and of those, the total number who submitted a formal claim in response to such notification letters; (6) the total number of electronically filed claims submitted to VA; and, (7) the total number of fully-developed claims submitted to VA.

This bill would expedite payment for survivor benefits by allowing the secretary to pay out certain benefits to a survivor who had not filed a formal claim if it is determined the veteran's record contains sufficient evidence to establish entitlement.

This bill would allow the secretary to provide certain groups priority for processing claims. These groups include veterans who: (1) have attained the age of 70; (2) are terminally ill; (3) have life-threatening illnesses; (4) are homeless; (5) have received the Medal of Honor; (6) were prisoners of war; (7) have claims being reviewed again in relation to a previously denied claim relating to military sexual trauma; (8) the Secretary determines, on a case-by-case basis, are seriously or very seriously injured; and, (9) the Secretary determines a good cause justifies prioritization.

This bill would establish a five year pilot program within the Board of Veterans Appeals (BVA) for veterans who wish to file a fully developed appeal (an appeal for which no further evidence or information will be submitted). At any point a veteran may elect to revert back to the standard appeals process. The BVA would establish an office to develop federal records, independent medical opinions and new medical information to aid in the determination of a fully developed appeal.

This bill would create a commission to evaluate the backlog of claims within the VA. The commission would examine the most effective means to resolve all pending claims; annual funding and progress of the strategic plan; and, possible improvements.

Outside Medical Exams: This bill would prevent the secretary from requiring a medical examination by VA physicians to support a veteran's claim for disability compensation if there was an exam provided by a private physician that was deemed to be sufficiently complete.

This bill would extend the VA's authority to contract with non-VA physicians to conduct disability exams through December 31, 2017. These physicians could conduct an exam in any state regardless of where they are licensed as long as the examination is within the physician's authorized duties under contract with the VA.

Burial Benefits: First, this bill would make changes to the burial benefits for veterans. The secretary would be authorized to provide, upon request, a medallion to be affixed on a privately purchased headstone to individuals who served in the Armed Forces since April 6, 1917. Under [current law](#), these medallions were only available for veterans who died after November 1, 1990.

Fiduciary Program: This bill would make numerous changes to the [fiduciary program](#) for veterans. First, the bill would require the secretary to detail why a veteran is unable to handle their VA funds and therefore must be appointed a fiduciary. This would prevent veterans who are able to handle their affairs from being improperly placed in the program. In addition, the beneficiary could also appeal the finding, request a new fiduciary, or designate a fiduciary. Each regional office of the Veterans Benefits Administration would maintain a list of the name and contact information for each fiduciary and information regarding background and credit checks.

Merchant Marine Veteran Status Adjustments: This bill would expand the official documentation accepted by the secretary of Homeland Security to grant veterans status with limited benefits to World War II merchant marine and coastwise merchant seamen. These limited benefits would include burial benefits and the awarding of any commendations, ribbons, or honors earned during an individual's time of service.

Other Items: This bill would direct the secretary to designate at least one city in the United States each year as an "American World War II City." These cities would be determined by their war effort during World War II and the efforts by the city to preserve their contributions to World War II.

This bill would extend a pilot program to evaluate the feasibility of providing reintegration and readjustment services in a group retreat setting to women veterans. This pilot program was slated to terminate on December 31, 2016, but would be extended through December 31, 2021.

COMMITTEE ACTION:

This bill was introduced by Representative Abraham on February 3, 2015, and referred the House Committee on Veterans' Affairs. On September 17, 2015, the committee held a mark-up and the bill was ordered to be reported in the nature of a substitute by voice vote.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8 of the United States Constitution. No specific enumerating clause was included.

H.R. 4437: To extend the deadline for the submittal of the final report required by the Commission on Care (Miller, R-FL)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

February 9, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 4437](#) would amend the Veterans Access, Choice, and Accountability Act of 2014 to extend the deadline for a report submission from the Committee on Care.

COST:

There is no Congressional Budget Office cost analysis available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?**
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

This bill would amend the Veterans Access, Choice, and Accountability Act of 2014 by extending the final reporting deadline for the Commission on Care until June 30, 2016. Under current law, the commission had 180 days after their first meeting to produce a report; however, the commission has requested an extension until June 30.

COMMITTEE ACTION:

This bill was introduced by Representative Miller on February 2, 2016, and was referred the House Committee on Veterans' Affairs where it awaits further action.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8 of the United States Constitution. No specific enumerating clause was included.

H.R. 3234: Failing VA Medical Center Recovery Act, as amended (Roby, R-AL)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

February 9, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 3234](#) would require the secretary of Veterans Affairs (VA) to publish key health metrics for each medical center within the VA system and determine the performance of each center. The bill would also direct the secretary to seek to partner with nursing schools to provide standardized training in areas related to VA patients.

COST:

No Congressional Budget Office cost analysis is available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?**
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

This bill would require the secretary of Veterans Affairs (VA) to publish a compilation of key health metrics for each medical center within the VA. On a semiannual basis, the secretary would determine whether each medical center is satisfactory or underperforming. No later than 30 days after a medical center is deemed to be underperforming, a rapid deployment team would be sent to the medical center to ensure it achieves satisfactory performance as quickly as possible.

Rapid deployment teams would consist of subject matter experts; customer service training; clinical care experts; and, an employee of the Office of the Inspector General. The rapid deployment team would identify areas that require improvement and establish a remediation plan to improve the performance of the medical center. All rapid deployment teams would have access to all facilities and records.

On a quarterly basis the secretary would submit a report to Congress identifying each underperforming medical center; actions taken by the secretary and rapid deployment teams; and, an update on any progress made by the underperforming centers.

Finally, the secretary would be directed to seek to enter into partnerships with recognized schools of nursing to provide undergraduate nursing students with standardized training with respect to: (1) the culture of the military and veterans; (2) post-traumatic stress disorder; (3) traumatic brain injury; (4) amputation and assistive devices; (5) environmental, chemical, and toxic exposure; (6) substance use

disorders; (7) military sexual trauma; (8) suicide; (9) homelessness; (10) serious illness at the end of life; and (11) benefits, services and resources for veterans.

COMMITTEE ACTION:

This bill was introduced by Representative Miller on February 2, 2016 and was referred to the House Committee on Veterans' Affairs where it awaits further action.

ADMINISTRATION POSITION:

No statement of administration policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8 of the United States Constitution. No specific enumerating clause was included.

H.R. 3036 — National 9/11 Memorial at the World Trade Center Act (Rep. MacArthur, R-NJ)

CONTACT: [Nicholas Rodman](#), 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on February 9, 2016 suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 3036](#) would designate the National September 11 Memorial located at the World Trade Center in New York City, as a national memorial and authorize the Secretary of the Interior to award an annual competitive grant for such a memorial.

COST:

The Congressional Budget Office (CBO) [estimates](#) that annual grant funding under the bill would total about \$25 million per year. Assuming that the bill is enacted near the end of fiscal year 2016 and that appropriations of the necessary amounts are provided, CBO estimates that implementing H.R. 3036 would cost \$80 million over the 2017-2021 period and \$95 million after 2021. Enacting H.R. 3036 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** According to the Rules of the House, “the term “congressional earmark” means a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula.” (Rule XXI, Clause 9(e)) Because the grant awarded pursuant to H.R. 3036 is made through a competitive process and does not provide for a specific amount of budget authority, it is not considered an earmark. Some Members may be concerned that the high level of specificity in the grant requirements may preclude any applicants other than the National September 11 Memorial located at the World Trade Center in New York from being able to compete for funding.

DETAILED SUMMARY AND ANALYSIS:

H.R. 3036 would designate the [National September 11 Memorial](#) as a national memorial, but would not incorporate the memorial as a unit of the National Park System. The Secretary of the Interior would be authorized to award a single competitive grant each fiscal year to an entity operating a memorial to honor the victims of both the terrorist attacks of September 11, 2001 in New York, Washington, D.C., and Pennsylvania, as well as the 1993 attack on the World Trade Center. The bill also includes a list of criteria against which the Secretary is to measure applications for the grant including: experience in managing a public memorial that will benefit the largest number of visitors each year; experience managing a memorial four acres or larger; successful coordination with Federal, State, and local governments; commitment to use grant funds to enhance security at the memorial; and, ability to use grant funds to increase the number of economically disadvantaged visitors to the memorial. The grant authority would expire 7 years after the bill’s enactment.

COMMITTEE ACTION:

H.R. 3036 was introduced on July 13, 2015 and was referred to the House Committee on Natural Resources. On February 3, 2016, the committee ordered the bill reported in the nature of a substitute (amended) by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Article IV, Section 3, Clause 2."

H.R. 890 — To correct the boundaries of the John H. Chafee Coastal Barrier Resources System Unit P16 (Rep. Clawson, R-FL)

CONTACT: [Nicholas Rodman](#), 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on February 9, 2016 suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 890](#) would revise the boundaries of the John H. Chafee [Coastal Barrier Resources System](#), in Florida, specifically unit P16. These units consist of undeveloped sections of coastal barrier islands and the associated aquatic habitat which lies behind the barriers.

COST:

The Congressional Budget Office (CBO) [estimates](#) that enacting H.R. 890 would not increase net direct spending or budget deficits by more than \$5 billion in any of the four consecutive 10-year periods beginning in 2027.

CONSERVATIVE CONCERNS:

There are no substantive concerns regarding this bill.

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

H.R. 890 would revise and codify federal corrections made to two maps titled “Cape Romano Unit P15, Tigertail Unit FL-63P” and “Keewaydin Island Unit P16” within the John H. Chafee Coastal Barrier Resources System in Florida. The Secretary of the Interior would be required to keep the replacement maps on file. H.R. 890’s markup memorandum provided by the House Committee on Natural Resources can be found [here](#). According to the committee’s memo, “the John H. Chafee Coastal Barrier Resources System (CBRS) comprises coastal barrier units on the Atlantic and Gulf of Mexico coasts as delineated on maps adopted by Congress. Except for very minor technical changes to account for natural accretion and erosion, boundaries cannot be adjusted unless a law is enacted to revise a map.”

COMMITTEE ACTION:

H.R. 890 was introduced on February 11, 2015 and was referred to the House Committee on Natural Resources which ordered the bill reported (amended) by unanimous consent on February 3, 2016.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the bill’s sponsor: “Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8, Clause 1: The Congress shall have Power to . . . provide for the common Defense and general Welfare of the United States.”

H.R. 3894 — To amend title 10, United States Code, to require the prompt notification of State Child Protective Services by military and civilian personnel of the Department of Defense required by law to report suspected instances of child abuse and neglect. (Rep. Gabbard, D-HI)

CONTACT: [Nicholas Rodman](#), 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on February 9, under a suspension of the rules, which requires 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 3894](#) would require a member of the Armed Forces, a civilian Department of Defense (DOD) employee, or a contractor employee working on a military installation to report known or suspected instances of child abuse and neglect directly to State Child Protective Services.

COST:

No Congressional Budget Office (CBO) estimate is available.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

CONSERVATIVE CONCERNS:

There are no substantive concerns.

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

H.R. 3894 would require a member of the Armed Forces, a civilian DOD employee, or a contractor employee working on a military installation who is mandated by federal regulation or state law to report known or suspected instances of child abuse, to report such instances directly to State Child Protective Services, in addition to the member's or employee's chain of command or any designated Department point of contact.

The Secretary of Defense would additionally be mandated to provide training to individuals required to report abuse. The training would be in accordance with state guidelines to improve individuals' ability to detect evidence of child abuse or neglect, and to understand mandatory reporting requirements imposed by law.

COMMITTEE ACTION:

H.R. 3894 was introduced on November 3, 2015 and was referred to the House Armed Services Committee.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, "Congress has the power to enact this legislation pursuant to the following: The U.S. Constitution including Article 1, Section 8." No specific enumerating clause was listed.

NOTE: *RSC Legislative Bulletins are for informational purposes only and should not be taken as statements of support or opposition from the Republican Study Committee.*

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