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Legislative Bulletin.....March 22, 2010

Contents:

- H.R. 4810** - End Veteran Homelessness Act of 2010
- H.R. 1879** - National Guard Employment Protection Act of 2009
- H.J.Res. 80** - Recognizing and honoring the Blinded Veterans Association on its 65th anniversary of representing blinded veterans and their families
- H.R. 3976** - Helping Heroes Keep Their Homes Act of 2009
- H.R. 4667** - Veterans' Compensation Cost-of-Living Adjustment Act of 2010
- H.R. 4592** - To provide for the establishment of a pilot program to encourage the employment of veterans in energy-related positions

H.R. 4810 - End Veteran Homelessness Act of 2010 (*Filner, D-CA*)

Order of Business: The legislation is scheduled to be considered on Monday, March 22, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4810 authorizes several programs for homeless veterans that are administered through the Department of Veterans Affairs. The legislation raises the annual amount authorized to comprehensive service programs for homeless veterans. According to Section 2 of the legislation, the annual amount will be increased for the VA’s Homeless Providers Grant and Per Diem program from \$150 million to \$200 million.

The legislation requires that each VA medical center employ or provide at least one specialist for handling housing issues. This specialist shall conduct outreach to landlords to mediate disputes, and will assist with finding housing for veterans. The Secretary of VA will coordinate with the Secretary of Housing and Urban Development (HUD) in order to provide assistance to homeless veterans through the Homelessness Prevention and Rapid–ReHousing Program (currently administered by the Secretary of HUD).

H.R. 4810 also permanently extends an existing program to provide financial assistance for supportive services for very low-income veteran families in permanent housing. The legislation authorizes for appropriation \$329 million for the 2012–2015 period.

Committee Action: H.R. 4810 was introduced on March 10, 2010 and was referred to the House Veterans’ Affairs Committee, which took no public action.

Cost to Taxpayers: CBO estimates that implementing the legislation, assuming appropriation of the specified amounts, would “cost \$612 million over the 2010-2015 period. Enacting this legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures would not apply.” According to CBO, the total estimated authorization level for the 2010-2015 period is \$629 million.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the legislation permanently extends an existing program that provides grants to entities serving certain low-income families, and raises authorizations of appropriated amounts to others.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee report citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

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H.R. 1879—National Guard Employment Protection Act of 2009 (Coffman, R-CO)

Order of Business: The bill is scheduled to be considered on Monday, March 22, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1879 would amend the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) to apply to Full Time National Guard Federal Duty personnel for possible exemption from the USERRA 5-year limit on service. Under current law, the USERRA requires employers (both governmental and private) to provide certain employment benefits, including guaranteed reemployment, to employees who miss work because of their military service.

Additional Background: According to the bills sponsor, “post 9/11, National Guard personnel have been, and will continue to be, utilized in ever-increasing numbers to support certain operational requirements while serving in a Title 32, full-time National Guard duty status. Section 512 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375) added a new Chapter 9 to Title 32 to authorize this type of Title 32 Federal duty service. Despite this fact, there is no current authority under USERRA to protect the jobs of those who are performing this new Title 32 Federal duty mission.

Examples of National Guard employment when closing the Title 32 Federal Duty Status loophole is critical include border security, airport security, Hurricane Katrina disaster response, and the Air Sovereignty Alert (ASA) /Combat Air Patrol missions defending the United States from air attacks. As we continue to pursue the Global War on Terror, and the National Guard continues to be utilized at an extremely high rate, even more of these missions may identify themselves.”

Committee Action: On April 2, 2009, the bill was introduced and referred to the committee on Veterans Affairs. On March 4, 2010, the subcommittee on Economic Opportunity held a mark-up and ordered the bill to be reported, as amended. On March 10, 2010, the full committee held a mark-up and ordered the bill to be reported, as amended, favorably by a voice vote.

Administration Position: No Statement of Administration Policy (SAP) is available.

Cost to Taxpayers: “CBO estimates that enacting this bill would have no impact on the federal budget.”

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? Yes, by expanding the individuals protected under USERRA, state, local, and tribal governments as well as private-sector employers would face additional costs to comply with these reemployment protections. Based on annual reporting under USERRA and on discussions with agency officials, CBO estimates that few additional service members would qualify for reemployment. Thus the cost of complying with the mandates would fall well below the annual thresholds in UMRA for both intergovernmental and private-sector mandates (\$70 million and \$141 million in 2010, respectively, adjusted annually for inflation.)

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? Though the bill contains no earmarks, and there is no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: A Committee Report citing the Constitutional authority for Congress to enact this bill is unavailable.

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H.J.Res. 80 - Recognizing and honoring the Blinded Veterans Association on its 65th anniversary of representing blinded veterans and their families (*Halvorson, D-IL*)

Order of Business: The resolution is scheduled to be considered on Monday, March 22, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.J.Res. 80 resolves that Congress:

- “Expresses appreciation for the efforts of the Blinded Veterans Association in improving the rehabilitation services, education, and benefits for blinded veterans of the United States;
- “Supports the goals and ideals of Blinded Veterans Day; and
- “Calls upon the people of the United States to observe Blinded Veterans Day with appropriate programs and activities.”

The legislation contains a number of findings, including:

- “At 8:45 a.m. on March 28, 1945, 100 blinded members of the Armed Forces who served in World War II formed the Blinded Veterans Association at Avon `Old Farms' Army Convalescent Hospital in Connecticut;
- “The founders of the Blinded Veterans Association were a cross-section of heroes and pioneers who not only shaped the rich history, philosophy, and knowledge of education and rehabilitation of the blind, but also provided insight into current and future challenges facing the blind and engaged in continual advocacy efforts to ensure that services for all blinded persons would be unique and specialized;
- “On March 28, 2010, the Blinded Veterans Association will mark its 65th anniversary of dedication to blinded members of the Armed Forces, veterans, and their families;
- “In 1958, the 58th Congress approved the Congressional Charter for the Blinded Veterans Association; and
- “Many people of the United States recognize March 28 of each year as Blinded Veterans Day.”

Committee Action: H.J.Res. 80 was introduced on March 4, 2010 and was referred to the House Veterans’ Affairs Committee, which took no public action.

Cost to Taxpayers: The legislation authorizes no expenditures.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee report citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.R. 3976 - Helping Heroes Keep Their Homes Act of 2009 (Perriello, D-VA)

Order of Business: The legislation is scheduled to be considered on Monday, March 22, 2010, under a motion to suspend the rules and pass the legislation.

Summary: H.R. 3976 would amend the Housing and Economic Recovery Act of 2008 and the Servicemembers Civil Relief Act and extend mortgage and foreclosure protections to servicemembers through December 31, 2015. Under current law, these provisions expire at the end of this year.

This legislation would also prevent foreclosure actions until 9 months after deployment ends and applies federal criminal code penalties for violation of the provisions for the provisions in section 303 of the Servicemembers Civil Relief Act.

Committee Action: H.R. 3976 was introduced on October 29, 2009 and was referred to the House Veterans' Affairs Subcommittee on Economic Opportunity. A full committee markup was held on March 10, 2010 and the legislation was reported as amended by voice vote.

Cost to Taxpayers: CBO estimates that H.R. 3976 would “increase direct spending by \$9 million over the 2011 – 2020 period. Pay-as-you-go procedures apply because enacting the legislation would affect direct spending.”

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: Yes. According to CBO, H.R. 3976 “would impose private-sector mandates, as defined in UMRA, on certain mortgage holders and other creditors.”

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee report citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

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H.R. 4667 – Veterans’ Compensation Cost-of-Living Adjustment Act of 2010 (*Perriello, D-VA*)

Order of Business: The legislation is scheduled to be considered on Monday, March 22, 2010, under a motion to suspend the rules and pass the legislation.

Summary: H.R. 4677 provides a cost of living adjustment for disability compensation and dependency and indemnity compensation.

This would apply specifically to:

- “Wartime disability compensation;
- “Additional compensation for benefits;
- “Clothing allowance;
- “Dependency and indemnity compensation to surviving spouse; and
- “Dependency and indemnity compensation to children.”

This compensation increase would take effect on December 1, 2010 and the adjustment would be rounded to the next lowest dollar.

Committee Action: H.R. 4667 was introduced on February 23, 2010 and was referred to the House Veterans’ Affairs Committee. A markup was held on March 10, 2010 and the legislation was reported by voice vote.

Cost to Taxpayers: CBO estimates that H.R. 4667 would “not affect direct spending or revenues relative to CBO’s baseline.”

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee report citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

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H.R. 4592—Energy Jobs for Veterans Act (*Rep. Teague, D-NM*)

Order of Business: The bill is scheduled to be considered on Monday, March 22, 2010, under a motion to suspend the rules and pass the bill.

Summary: The bill would create a new Veterans Energy Related Employment Program to award competitive grants to three states for the establishment and administration of a program that encourages energy employers and labor-management organizations to provide covered training, on-job training, apprenticeships, and certification classes to eligible veterans. The bill requires each state to submit a proposal to and submit evidence it can produce training to serve a population of eligible veterans, has a diverse energy industry, and the ability to carry out such a program.

The state may use the grant to reimbursement employers or organizations for providing training or conducting outreach programs to encourage participation. The grants can only be used to employ veterans and the company must provide a wage rate consistent with the standard industry average for jobs. The bill requires the Secretary of the U.S. Department of Labor to provide a report to Congress on the activities carried out by the program and an evaluation of the program. The term energy employee is defined as energy-efficient construction, renewable energy, bio-fuels, energy efficiency assessment, oil and gas industry, and nuclear industry.

Committee Action: On February 3, 2010, the bill was introduced and referred to the committee on Veterans Affairs. On March 4, 2010, the subcommittee on Economic Opportunity held a mark-up and ordered the bill to be reported, as amended. On March 10, 2010, the full committee held a mark-up and ordered the bill to be reported, as amended, favorably by a voice vote.

Administration Position: No Statement of Administration Policy (SAP) is available.

Cost to Taxpayers: According to CBO, the bill authorizes \$50 million over the FY 2011 - 2015 period. Assuming appropriation of the specified amounts, “CBO estimates that implementing the legislation would cost \$31 million over the FY 2011-2015 period.”

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? Though the bill contains no earmarks, and there is no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: A Committee Report citing the Constitutional authority for Congress to enact this bill is unavailable.

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