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**Legislative Bulletin.....June 23, 2009**

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**S. 407 - Veterans' Compensation Cost-of-Living Adjustment Act of 2009**  
*(Sen. Akaka, D-HI)*

**Order of Business:** S. 407 is scheduled to be considered on Tuesday, June 23, 2009, under a motion to suspend the rules and pass the bill.

**Summary:** The bill amends title 28 to provide for an increase, effective December 1, 2009, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, to codify increases in the rates of such compensation that were effective as of December 1, 2008. S.407 would increase the amounts paid to veterans for disability compensation and to their survivors for dependency and indemnity compensation by the same cost-of-living adjustment (COLA) payable to Social Security recipients.

**Background:** Congress has provided annual increases in COLA rates every year since 1976. For 2009, the COLA increase for VA disability compensation was 5.8 percent.

**Committee Action:** S. 407 was introduced on February 10, 2009 and referred to the Senate Veterans Affairs Committee, which reported the bill with an amendment in the nature of a substitute. See committee report 111-024 [here](#). S. 407 passed Senate with an amendment and an amendment to the Title by unanimous consent.

**Cost to Taxpayers:** CBO does not anticipate a cost-of-living increase in 2010 for Social Security; thus, CBO estimates that enacting this bill would have no impact on spending for relevant programs.

**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?:** Senate Committee reports do not have to cite compliance with House Rules and no House Committee report is available. However, the bill does not contain any earmarks.

**Constitutional Authority:** A House committee report citing constitutional authority is unavailable. Senate Committee reports do not have to cite constitutional authority.

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**H.R. 1172—To direct the Secretary of Veterans Affairs to include on the Internet website of the Department of Veterans Affairs a list of organizations that provide scholarships to veterans and their survivors (Rep. Boozman, R-AR)**

**Order of Business:** H.R. 1172 is scheduled to be considered on Tuesday, June 23, 2009, under a motion to suspend the rules and pass the resolution.

**Summary:** H.R. 1172 requires the Secretary of Veterans Affairs to include on the Internet website of the Department of Veterans Affairs:

- a list of organizations that provide scholarships to veterans and their survivors, and a link to the website of each organization;
- a statement that the websites listed are not an all-inclusive list of the scholarships available to veterans and their survivors; and
- a statement that the Secretary of Veterans Affairs has *not* verified the information available on the Internet, and that the Secretary does not endorse any offer made by any of the sponsors.

**Additional Background:** According to the Committee Report ([House Report 111-164](#)):

Beginning with the World War II G.I. Bill, the VA has administered education programs designed to provide a wide range of education and training opportunities to veterans. Over the years, that mission expanded to include veterans' dependents and survivors.

The number of degree-granting institutions and non-degree training schools has significantly increased since World War II. According to the U.S. Department of Education, there are about 4,314 degree-granting institutions and about 2,222 non-degree training entities that qualify for education assistance programs. Each of these programs may also offer non-Federal financial aid directly or indirectly through their association with foundations. The continued expansion of these education funding sources makes it imperative that the VA assist veterans in accessing all relevant scholarship information.

With the proliferation of schools, the increasing cost of education and training, and the myriad of resources of financial assistance, there is a need for a comprehensive location to provide scholarship information to veterans and their survivors. An Internet search for `veterans scholarships' yields over 8,500 links of information. A centralized location would facilitate a veteran's search for college funds.

The Committee believes that the VA should also include relevant sources of financial assistance for dependents and survivors if the providers of such financial aid notify VA about the availability of such assistance.

**Committee Action:** H.R. 1172 was introduced on February 25, 2009, and referred to the House Committee on Veterans' Affairs, which held a mark-up and ordered the legislation to be reported (as amended) by voice vote on June 10, 2009.

**Cost to Taxpayers:** According to the score, "CBO estimates that implementing the bill would have no significant 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?** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** According to the House Veterans' Affairs Committee, in [House Report 111-164](#): "H.R. 1172 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives."

**Constitutional Authority:** The House Veterans' Affairs Committee, in [House Report 111-164](#), cites constitutional authority in Article I, Section 8 of the Constitution, but does not cite a specific clause.

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## **H.R. 1016— Veterans Health Care Budget Reform and Transparency Act (Rep. Filner, D-CA)**

**Order of Business:** H.R. 1016 is scheduled to be considered on Tuesday, June 23, 2009, under a motion to suspend the rules and pass the resolution.

**Summary:** H.R. 1016 would authorize, beginning with fiscal year 2011, advance appropriations for certain accounts of the Department of Veterans Affairs. According to CBO, this authorization amounts to \$196.2 billion over four years. The specific accounts are as follows:

- Medical Services

- Medical Support and Compliance
- Medical Facilities
- Information Technology Systems.
- Medical and Prosthetic Research

The legislation requires the Secretary of Veterans Affairs to submit to Congress an annual report on the sufficiency of the Department's resources for the next fiscal year. The bill requires the Comptroller General to conduct a study on "adequacy and accuracy of baseline projections of the Department of Veterans Affairs for health care expenditures" in 2011, 2012, and 2013. The bill also requires the Secretary of Veterans Affairs to submit a report to Congress, not later than 90 days after enactment, on the Secretary's plans for:

- improving the capability of the Department of Veterans Affairs to better and more accurately estimate future health care costs and demands; and
- a description of impediments to providing future year estimates and advance appropriations for the accounts specified by the bill.

Finally, H.R. 1016 includes a sense of the Congress that: "the provision of health care services to veterans could be more effectively planned and managed if funding was provided for the management and provision of such services in the form of advance appropriations."

**Conservative Concerns:** Historically, some conservatives have argued that the use of advance appropriations should be limited. Advance appropriations do *not* count against the overall 302(a) allocation for discretionary spending through the regular appropriations that is set by the budget resolution. As such, advance appropriations do not have to compete with the rest of the discretionary budget.

**Committee Action:** H.R. 1016 was introduced on February 12, 2009, and referred to the House Committee on Veterans' Affairs, which held a mark-up and ordered the legislation to be reported (as amended) by voice vote on June 10, 2009.

**Cost to Taxpayers:** In the score for the legislation, CBO projects that the legislation would authorize \$196.2 billion over four years (2011-2014). The reason the legislation has this impact is because it authorizes appropriations for each fiscal year, plus advance appropriations for the following year.

**Does the Bill Expand the Size and Scope of the Federal Government?** Yes. The bill, by authorizing advance appropriations for certain veterans benefits, will likely cause an increase in total federal spending.

**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?:** According to the House Veterans' Affairs Committee, in [House Report 111-171](#): "H.R. 1016 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives."

**Constitutional Authority:** The House Veterans' Affairs Committee, in [House Report 111-171](#), cites constitutional authority in Article I, Section 8 of the Constitution, but does not cite a specific clause.

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## **H.R. 1211—Women Veterans Health Care Improvement Act (*Rep. Sandlin, D-SD*)**

**Order of Business:** H.R. 1211 is scheduled to be considered on Tuesday, June 23, 2009, under a motion to suspend the rules and pass the resolution.

**Summary:** The legislation authorizes a total of \$165 million over five years for the following purposes:

**Hospital Care and Medical Services for Newborn Children of Women Veterans Receiving Maternity Care:** Allows the Secretary of Veterans Affairs to furnish hospital care and medical services to a child of a woman veteran who is receiving hospital care or medical services at a Department facility during the seven-day period beginning on the date of the birth of the child. According to CBO, \$105 million is authorized for this purpose over five years.

**Training and Certification for Mental Health Care Providers Suffering from Sexual Trauma and Post-Traumatic Stress Disorder:** The legislation requires the Secretary to carry out a program to provide graduate medical education, training, certification, and continuing medical education for mental health professionals who provide counseling, care, and services. The legislation requires the Secretary to submit a report to Congress on the counseling, care, and services provided to veterans pursuant to the legislation. According to CBO, \$47 million is authorized for this purpose over five years.

**Pilot Program for Child Care Assistance to Certain Veterans Receiving Certain Types of Health Care Services at Department Facilities:** The legislation creates a two-year pilot program for child care assistance to include:

- stipends for the payment of child care offered by licensed child care centers;
- the development of partnerships with private agencies; and
- the collaboration with facilities or programs of other federal department or agencies; and
- the arrangement of after-school care.

The bill requires the pilot program to be carried out in at least three Veterans Integrated Service Networks. The legislation authorizes \$1.5 million a year in FY 2010 and FY 2011 of this purpose.

**Addition of Recently Separated Women and Minority Veterans to Serve on Advisory Committees:** The legislation requires the Department of Veterans Affairs to add recently-separated women and minority veterans to serve on the Advisory Committee on Women Veterans and the Advisory Committee on Minority Veterans

**Assessment of Health Care Concerns/Study on Women Veterans:** H.R. 1211 requires a study on the barriers for women veterans to health care from the Department of Veterans Affairs, as well as a comprehensive assessment of women's health care programs of the Department of Veterans Affairs. The legislation authorizes \$9 million over five years for this purpose.

**Committee Action:** H.R. 1211 was introduced on February 26, 2009, and referred to the House Committee on Veterans' Affairs, which held a mark-up and ordered the legislation to be reported (as amended) by voice vote on June 10, 2009.

**Cost to Taxpayers:** The legislation authorizes (subject to appropriation) \$165 million over five years (FY 2010-FY 2014).

**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?:** According to the House Veterans' Affairs Committee, in [House Report 111-165](#): "H.R. 1211 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives."

**Constitutional Authority:** The House Veterans' Affairs Committee, in [House Report 111-165](#), cites constitutional authority in Article I, Section 8 of the Constitution, but does not cite a specific clause.

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