

LIBERTY BELL CHAPTER #266, VIETNAM VETERANS OF AMERICA

July 19, 2010 - GOVERNMENT AFFAIRS LEGISLATIVE REPORT

Since our Chapter Board Meeting on June 21, 2010, the following bills and items of concern from a legislative point of view have come, or are pending, before the State House or Senate for action. Included in this report are items of Federal legislation. Any items that were pending as of the last meeting, but that had no action taken on them since the last meeting, are not included in this report.

COMMONWEALTH OF PA HOUSE BILLS

HB254 - An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in general powers of the Department of Public Welfare, providing for veterans; in public assistance, further providing for establishment of county boards and expenses and for lifetime limit; and, in hospital assessment, further providing for definitions, for authorization, for administration, for no hold harmless, for tax exemption and for cessation. **Latest Action(s)** - First consideration, June 29, 2010; Second consideration, June 30, 2010; Re-committed to PUBLIC HEALTH AND WELFARE, June 30, 2010; Re-reported as amended from PUBLIC HEALTH AND WELFARE, July 1, 2010; Re-referred to APPROPRIATIONS, July 1, 2010; Re-reported as committed from APPROPRIATIONS, July 2, 2010; Third consideration and final passage, July 3, 2010 (48-2). In the House - Referred to RULES, July 3, 2010; Reported as committed from RULES, July 3, 2010; House concurred in Senate amendments, July 3, 2010 (190-5); Signed in House, July 3, 2010; Signed in Senate, July 3, 2010.

HB371 - An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in general powers and duties of Department of Public Welfare, providing for onsite complaint investigations and plans of correction and for **determining whether applicants are veterans**; in public assistance, further providing for establishment of county boards and expenses and for lifetime limit; and, in hospital assessment, further providing for definitions, for authorization, for administration, for no hold harmless, for tax exemption and for cessation. **Latest Action(s)** - Laid on the table, June 23, 2010; Removed from table, June 23, 2010.

HB410 - An Act amending the act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act, defining "veteran"; and further providing for composition of the State Civil Service Commission. **Latest Action(s)** - Reported as committed from VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 24, 2010; First consideration, June 24, 2010; Re-committed to RULES, June 24, 2010.

HB575 - An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a special license plate for recipients of the Silver Star, Bronze Star and Bronze Star for Valor. **Latest Action(s)** - Laid on the table, June 29, 2010; Removed from table, June 29, 2010.

HB1186 - An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Department of Drug and Alcohol Programs; providing for governing body of the Pennsylvania Higher Education Assistance Agency; making a related repeal; repealing related provisions

of the Pennsylvania Drug and Alcohol Abuse and Control Act; and making editorial changes. **Latest Action(s)** – In the House - Third consideration and final passage, May 25, 2010 (191-3). In the Senate - Referred to PUBLIC HEALTH AND WELFARE, June 8, 2010; Reported as committed from PUBLIC HEALTH AND WELFARE, June 30, 2010; First consideration, June 30, 2010; Re-referred to APPROPRIATIONS, June 30, 2010; Re-reported as amended from APPROPRIATIONS, July 1, 2010; Second consideration, July 1, 2010; Third consideration and final passage, July 2, 2010 (43-7); (Remarks see Senate Journal Page), July 2, 2010; Vote on final passage reconsidered, July 2, 2010; Final passage, July 2, 2010 (42-8). In the House - Referred to RULES, July 2, 2010; Reported as amended from RULES, July 3, 2010; House concurred in Senate amendments, as amended by the House, July 3, 2010 (172-23); (Remarks see House Journal Page), July 3, 2010. In the Senate - Referred to RULES AND EXECUTIVE NOMINATIONS, July 3, 2010; Re-reported on concurrence from RULES AND EXECUTIVE NOMINATIONS, as committed, July 3, 2010; Senate concurred in House amendments to Senate amendments, July 3, 2010 (40-10); (Remarks see Senate Journal Page), July 3, 2010; Signed in House, July 3, 2010; Signed in Senate, July 3, 2010.

HB1300 - An Act designating the interchange at Exit 32-B of Interstate 70 in Washington County as the Nathan Burnfield Memorial Interchange; and designating the Gay Street Bridge on State Route 113, which crosses French Creek in the Borough of Phoenixville, Chester County, as the Veterans Memorial Gay Street Bridge. **Latest Action(s)** - Third consideration and final passage, July 3, 2010 (50-0). In the House - Referred to RULES, July 3, 2010; Reported as committed from RULES, July 3, 2010; House concurred in Senate amendments, July 3, 2010 (195-0); Signed in House, July 3, 2010; Signed in Senate, July 3, 2010.

HB1594 - An Act establishing the Governor's Cabinet for People with Disabilities and the Governor's Advisory Committee for People with Disabilities; and providing for their powers and duties. **Latest Action(s)** - Third consideration and final passage, June 21, 2010 (196-2); (Remarks see House Journal Page), June 21, 2010.

HB1838 - An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in disabled veterans' real estate tax exemption, further providing for duty of board. **Latest Action(s)** - Re-reported as amended from APPROPRIATIONS, June 21, 2010. Re-committed to APPROPRIATIONS, June 23, 2010; Re-reported as committed from APPROPRIATIONS, June 29, 2010; Motion to revert to Prior Printer's No. 2410, June 29, 2010; Second consideration, with amendments, June 29, 2010; (Remarks see House Journal Page), June 29, 2010; Third consideration and final passage, June 30, 2010 (201-0); (Remarks see House Journal Page), June 30, 2010; In the Senate - Referred to FINANCE, June 30, 2010.

HB2030 - An Act designating U.S. Route 62 in Mercer County as the Mercer County Veterans Highway. **Latest Action(s)** - Re-reported as committed from APPROPRIATIONS, June 21, 2010; Second consideration, June 21, 2010; (Remarks see House Journal Page), June 21, 2010; Third consideration and final passage, June 22, 2010 (200-0); (Remarks see House Journal Page), June 22, 2010.

HB2110 - An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for markers on graves, memorial certificates and headstones. **Latest Action(s)** - Reported as committed from VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 24, 2010; First consideration, June 24, 2010; Re-committed to RULES, June 24, 2010.

HB2253 - An Act designating a portion of State Route 11 from the bridge carrying State Route 11 over the Susquehanna River in Point Township, Northumberland County, known as the Barry King Memorial Bridge, to the Montour County line as the Sgt. Brett D. Swank Memorial Highway. **Latest Action(s)** - Second consideration, June 21, 2010. Third consideration and final passage, June 22, 2010 (50-0); Signed in House, June 23, 2010. Signed in Senate, June 28, 2010; Presented to the Governor, June 28, 2010.

HB2279 - An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2010, to June 30, 2011, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2010; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Aviation Restricted Revenue Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund and the Tobacco Settlement Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2010, to June 30, 2011; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2010, to June 30, 2011, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2010; to provide for the additional appropriation of Federal and State funds from the General Fund for the Executive Department of the Commonwealth for the fiscal year July 1, 2009 to June 30, 2010, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2009; and making interfund transfers for the fiscal year July 1, 2010, to June 30, 2011. **Latest Action(s)** – In the Senate - Re-reported as amended, June 30, 2010; Third consideration and final passage, June 30, 2010 (37-13); (Remarks see Senate Journal Page), June 30, 2010. In the House - Referred to RULES, June 30, 2010; Reported as committed, June 30, 2010; House concurred in Senate amendments, June 30, 2010 (117-84); (Remarks see House Journal Page), June 30, 2010; Signed in House, June 30, 2010; Signed in Senate, June 30, 2010.

HB2289 - An Act providing for the capital budget for the fiscal year 2010-2011. **Latest Action(s)** - Re-reported as amended from APPROPRIATIONS, July 2, 2010; Third consideration and final passage, July 3, 2010 (38-12); (Remarks see Senate Journal Page), July 3, 2010. In the House - Referred to RULES, July 3, 2010; Reported as committed from RULES, July 3, 2010; House concurred in Senate amendments, July 3, 2010 (110-85); (Remarks see House Journal Page), July 3, 2010; Signed in House, July 3, 2010; Signed in Senate, July 3, 2010.

HB2413 - An Act designating State Route 997 within the limits of the Borough of Mont Alto as the Sgt. Edward W. Shaffer Memorial Highway. Sgt. Edward W. Shaffer from Franklin County died December 27, 2006, at 23 years of age, from severe burn injuries sustained during combat by a roadside bomb on November 13, 2006, while serving in Iraq. He was assigned to the 1st Battalion, 36th Infantry Regiment, 1st Brigade Combat Team, 1st Armored Division during Operation Iraqi Freedom. He was the first soldier from Franklin County to die in the war. **Latest Action(s)** - Re-reported as committed from RULES, July 3, 2010; Re-committed to APPROPRIATIONS, July 3, 2010; Re-reported as committed from APPROPRIATIONS, July 3, 2010; Second consideration, July 3, 2010.

HB2415 - An Act designating a portion of PA 191 in Washington Township, Northampton County, as the "World War II Homefront Heroes Highway." **Latest Action(s)** - Corrective Reprint, Printer's No. 4051, June 30, 2010; Re-reported as committed from APPROPRIATIONS, July 1, 2010; Second consideration, July 1, 2010; Third consideration, with amendments, July 2, 2010; Final passage, July 2, 2010 (196-0); (Remarks see House Journal Page), July 2, 2010.

HB2439 - An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for person with disability plate and placard. **Latest Action(s)** - Reported as committed from TRANSPORTATION, June 29, 2010; First consideration, June 29, 2010; Re-committed to RULES, June 29, 2010.

HB2567 - An Act authorizing leave of absence from employment for veterans on Veterans Day. **Latest Action(s)** - Referred to VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 9, 2010.

HB2597 - An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for leaves of absence for certain government employees. **Latest Action(s)** - Referred to VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 22, 2010.

HB2604 - An Act designating State Route 18 in Big Beaver Borough, Beaver County, as the "Vietnam Veterans of America Memorial Highway." **Latest Action(s)** - Referred to TRANSPORTATION, June 23, 2010. Reported as committed from TRANSPORTATION, June 29, 2010; First consideration, June 29, 2010; Re-committed to RULES, June 29, 2010.

HB2607 - An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, providing for contributions to seniors suffering from mental illness or substance abuse; and making editorial changes relating to operational provisions. **Latest Action(s)** - Referred to APPROPRIATIONS, June 24, 2010.

HB2621 - An Act designating U.S. Route 219 within the Borough of Johnsonburg, Elk County, as the Johnsonburg Veterans' Bypass. **Latest Action(s)** - Referred to TRANSPORTATION, June 30, 2010.

HB2637 - An Act designating the Claysville Interchange of Interstate 70 in Washington County as the Sergeant Nathan P. Kennedy Memorial Interchange. **Latest Action(s)** - Referred to TRANSPORTATION, July 1, 2010.

HB2640 - An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for the definitions of "dispensing machine" and "games of chance"; adding definitions; providing for video draw poker; and further providing for licensing of eligible organizations to conduct games of chance and for revocation of licenses. **Latest Action(s)** – Referred to GAMING OVERSIGHT, July 2, 2010.

HB2648 - An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for exemption. **Latest Action(s)** - Referred to VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, July 13, 2010

COMMONWEALTH OF PA HOUSE RESOLUTIONS

HR403 - A Concurrent Resolution relating to the presumption of a service connection for Agent Orange exposure for certain Navy and Air Force veterans and calling on the Congressional Delegation of the Commonwealth of Pennsylvania to fully support and fund passage of the Agent Orange Equity Act of 2009. **Latest Action(s)** – In the House - Adopted, May 4, 2010 (189-0); (Remarks see House Journal Page), May 4, 2010. In the Senate - Laid on the table, June 21, 2010.

HR658 - A Resolution extending condolences on the death of Staff Sergeant Matthew N. Ingham of Altoona, Pennsylvania, who was killed in action on Monday, January 11, 2010, in Afghanistan. **Latest Action(s)** - Adopted, June 14, 2010 (195-0) (Remarks see House Journal Page), June 14, 2010.

HR701 - A Resolution urging the Citizens' Advisory Committee of the United States Postal Service to issue a United States postal stamp honoring the heroism of the "Borinqueneers" of the 65th Infantry Regiment of the United States Army, the only all-Hispanic unit in the history of the United States Army. **Latest Action(s)** - Laid on the table, June 25, 2010; Removed from table, June 25, 2010.

HR824 - A Resolution honoring the life of United States Army Sergeant Sean Michael Durkin, 24, who paid the ultimate sacrifice on April 9, 2010, as the result of injuries he received from an improvised explosive device on March 27, 2010, in Afghanistan. **Latest Action(s)** - Adopted, June 22, 2010 (199-0); (Remarks see House Journal Page), June 22, 2010.

HR843 - A Resolution honoring the life of George W. Mullen, former Veterans of Foreign Wars State Adjutant, and extending condolences to his family. **Latest Action(s)** - INTRODUCED AS NONCONTROVERSIAL RESOLUTION UNDER RULE 35, June 9, 2010; Adopted, June 22, 2010 (199-0); (Remarks see House Journal Page), June 22, 2010.

HR856 - A Resolution designating July 7, 2010, as "Combat-Related Brain Injury and Post-Traumatic Stress Disorder Awareness Day" in Pennsylvania. **Latest Action(s)** - Adopted, June 23, 2010 (198-0); (Remarks see House Journal Page), June 23, 2010.

HR859 - A Resolution congratulating the Department of Pennsylvania Marine Corps League on its 67th anniversary. **Latest Action(s)** - INTRODUCED AS NONCONTROVERSIAL RESOLUTION UNDER RULE 35, June 22, 2010; Adopted, June 22, 2010 (199-0); (Remarks see House Journal Page), June 22, 2010.

HR860 - A Resolution honoring the life and expressing condolences upon the death of Airman 1st Class Austin Gates-Benson, who died on May 3, 2010, while serving his country in Afghanistan. **Latest Action(s)** - INTRODUCED AS NONCONTROVERSIAL RESOLUTION UNDER RULE 35, June 23, 2010.

HR863 - A Resolution recognizing the Vietnamese Freedom and Heritage Flag as the official flag of the Vietnamese American Community. **Latest Action(s)** - INTRODUCED AS NONCONTROVERSIAL RESOLUTION UNDER RULE 35, June 24, 2010.

HR870 - A Resolution urging government support of post deployment transition programs in an effort to ensure the successful assimilation and reintegration of military personnel returning from active duty. **Latest Action(s)** - Referred to VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 25, 2010; Reported as committed from VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 30, 2010; Adopted, July 2, 2010 (196-0); (Remarks see House Journal Page), July 2, 2010.

HR871 - A Resolution offering condolences to the loved ones of United States Marine Lance Corporal Michael G. Plank, who died on June 9, 2010, while supporting Operation Enduring Freedom in Helmond Province, Afghanistan. **Latest Action(s)** - INTRODUCED AS NONCONTROVERSIAL RESOLUTION UNDER RULE 35, June 24, 2010. Adopted, June 28, 2010 (195-0); (Remarks see House Journal Page), June 28, 2010.

HR875 - A Resolution declaring that Iran's nuclear weapons program represents a severe threat to American national interest and memorializing the President and the Congress of the United States to take immediate action to ensure that Iran does not attain nuclear capability. **Latest Action(s)** - Referred to VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 30, 2010.

HR882 - A Resolution designating the month of September 2010 as "Alcohol and Drug Addiction Recovery Month" in Pennsylvania. **Latest Action(s)** - INTRODUCED AS NONCONTROVERSIAL RESOLUTION UNDER RULE 35, July 6, 2010.

HR885 - A Resolution memorializing Congress to require the United States Department of Defense to issue identification cards to veterans of the United States Armed Forces. **Latest Action(s)** - Referred to VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, July 16, 2010.

COMMONWEALTH OF PA SENATE BILLS

SB87 - An Act amending the act of December 15, 1982 (P.L.1266, No.287), entitled, as amended, "An act conferring limited residency status on military personnel, their dependents and civilian personnel assigned to an active duty station in Pennsylvania," expanding applicability of the act to include all active duty personnel and their dependents. **Latest Action(s)** - In the Senate - Third consideration and final passage, March 23, 2010 (49-0). In the House - Third consideration and final passage, June 22, 2010 (200-0). In the Senate - Referred to RULES AND EXECUTIVE NOMINATIONS, June 22, 2010; Re-reported on concurrence from RULES AND EXECUTIVE NOMINATIONS, as committed, July 1, 2010; Senate

concurrent in House amendments, July 2, 2010 (50-0); Signed in Senate, July 2, 2010; Signed in House, July 3, 2010.

SB301 - An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for license fee for deployed Pennsylvania National Guard members and for resident license and fee exemptions. **Latest Action(s)** – In the Senate - Third consideration and final passage, June 16, 2009 (50-0). In the House - Reported as committed from APPROPRIATIONS, June 24, 2010.

SB492 - An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the Second Ward of the City of Corry, Erie County. **Latest Action(s)** – In the Senate - Third consideration and final passage, July 15, 2009 (50-0). In the House - Reported as committed from STATE GOVERNMENT, June 21, 2010; First consideration, June 21, 2010; Laid on the table, June 21, 2010. Removed from table, June 22, 2010; Re-referred to APPROPRIATIONS, June 22, 2010; Re-reported as committed from APPROPRIATIONS, June 23, 2010; Second consideration, June 23, 2010. Third consideration and final passage, June 29, 2010 (195-0); Signed in Senate, June 29, 2010; Signed in House, June 29, 2010; Presented to the Governor, June 29, 2010.

SB928 - An Act providing for divestiture by the State Treasurer, the State Employees' Retirement System and the Public School Employees' Retirement System of investments in companies doing business in Iran and Sudan. **Latest Action(s)** – In the Senate - Third consideration and final passage, May 5, 2010 (42-7) (Remarks see Senate Journal Page), May 5, 2010. In the House - Re-reported as committed from APPROPRIATIONS, June 21, 2010; Second consideration, June 21, 2010. Third consideration and final passage, June 22, 2010 (200-0); (Remarks see House Journal Page), June 22, 2010. Signed in Senate, June 22, 2010; Signed in House, June 23, 2010; Presented to the Governor, June 23, 2010.

SB1318 - An Act establishing the State Military College Legislative Appointment Initiative Program. **Latest Action(s)** - Re-reported as committed from APPROPRIATIONS, July 2, 2010; Laid on the table, July 3, 2010.

SB1393 - An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for compilation of war records and the director of veterans affairs. **Latest Action(s)** - Referred to VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 28, 2010.

COMMONWEALTH OF PA SENATE RESOLUTIONS

SR370 - A Resolution recognizing the 20th anniversary of the Americans with Disabilities Act on July 26, 2010. **Latest Action(s)** - Introduced and adopted, June 28, 2010.

SR373 - A Resolution recognizing the holiday beginning with Rosh Hashanah and concluding with Yom Kippur. **Latest Action(s)** - Introduced and adopted, June 30, 2010; (Remarks see Senate Journal Page), June 30, 2010.

SR376 - A Resolution recognizing July 14, 2010, as "Patient Advocate Day" in Pennsylvania. **Latest Action(s)** - Introduced and adopted, June 30, 2010

SR377 - A Resolution designating the week of September 20 through 26, 2010, as "Active Aging Week" in Pennsylvania. **Latest Action(s)** – Introduced and adopted, July 1, 2010.

SR379 - A Resolution memorializing the United States Department of Defense to award to the Boeing Company a contract to produce and provide the KC-X aerial refueling tanker to the department. **Latest Action(s)** – Referred to VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, July 2, 2010.

SR380 - A Resolution designating the week of September 12 through 18, 2010, as "Assisted Living Week" in Pennsylvania. **Latest Action(s)** - Introduced and adopted, July 2, 2010.

SR382 - A Resolution designating September 27, 2010, as "Family Day - A Day to Eat Dinner with Your Children" in Pennsylvania, in recognition of the importance of family dinners in preventing substance abuse. **Latest Action(s)** - Introduced and adopted, July 2, 2010; (Remarks see Senate Journal Page), July 2, 2010.

FEDERAL HOUSE OF REPRESENTATIVES LEGISLATION

HR3407, the **Severely Injured Veterans Benefit Improvement Act of 2009**: Would increase aid and attendance for severely injured veterans, qualify severely burned veterans adaptive grants, increase pension for housebound veterans, expand aid and attendance to cover veterans with traumatic brain injury (TBI), and increase the service pension for Congressional Medal of Honor recipients. On 29 JUN a hearing was held by the House Veterans Affairs Subcommittee on Disability Assistance and Memorial Affairs on this bill of importance to veterans.

HR3787, the **Honor America's Guard and Reserve Retirees Act**: Would grant veterans status to members of the Reserve components who serve for at least twenty years, thus becoming military retirees, but who never served on active duty long enough to qualify for veterans status as currently defined by law. There would be no new federal benefits conferred upon these individuals, but they would have the honor of being officially recognized as veterans. On 29 JUN a hearing was held by the House Veterans Affairs Subcommittee on Disability Assistance and Memorial Affairs on this bill of importance to veterans.

H.R.3843 : **Title**: Transparency for America's Heroes Act. **Latest Major Action**: 10/16/2009 Referred to House subcommittee. Status: Referred to the Subcommittee on Health. There was a press release from Rep Joe Sestak about this on 7/1/2010, in connection with the disclosure about patients at the St. Louis VAMC being exposed to infection.

HR 3962 : "Doc Fix" Through November Passed By Congress/President Obama Expected To Sign-After another dramatic week, last night the House finally passed the Senate's stand-alone "Doc Fix" Medicare bill (**HR3962**) 417-1. Hallelujah! It is not a permanent fix but extends the delay of implementation of the 21.1% cut that Medicare pays doctor's providing care to Medicare patients for 6 months starting on June 1, 2010. Instead the Doctors will see their fees rise 2.2% during this extension. So this extension will run through November 30. Now I will not need to write about this for the next few months. The \$6.4 billion cost of this extension was fully offset. On June 1, the Centers for Medicare and Medicaid Services (CMS) stopped processing and held all Medicare claims until June 18. So for the last week doctors have been paid at the lower rate. The agency said it would swiftly process retroactive payment claims when the bill becomes law. After the Senate passed a stand-alone Medicare "Doc Fix" bill on June 18, (last Friday) Speaker Pelosi said that the House would not take it up without the rest of the Extenders Bill that had included the "Doc Fix" and also had extension of unemployment until November 30, Medicaid assistance for states and COBRA health care subsidies for the unemployed and revived some expired tax-cuts. The Senate refused to pass the full bill saying that it would increase the deficit. (Majority Leader Reid (D-NV) said that all the provisions, except the unemployment extension, were offset and that provision would have added \$33.3 billion to the deficit.) After the vote on the amended **HR3962** Speaker Pelosi said the other proposals will have a hard time passing since "I am hard put to pass any more initiatives here unless there is some reasonable prospect of success on the Senate side." All this week she had said that the House would not take up the "Doc Fix" without the inclusion of the "job" provisions. But thankfully she changed her mind. The cuts had gone into effect on June 18 **without** an obvious outcry from America's seniors and AARP. We would like to **THANK YOU** so much for sending in the TREA Alerts to Mrs. Pelosi. Without the continued focus of the military retiree community this log jam may have continued. (Source: TREA Washington Report of 06/25/10)

HR4541, the **Veterans Pensions Protection Act of 2010**: Would protect pension payments from including insurance settlements of any kind from the calculation amount in determining pensions. Further, the bill would require the VA to make determinations on the fair market value and replacement value of any assets claimed for exclusion under the insurance settlement. On 29 JUN a hearing was held by the House Veterans Affairs Subcommittee on Disability Assistance and Memorial Affairs on this bill of importance to veterans.

H.R. 4899 (which is considered "must-pass legislation") Per Area Votes in Congress Posted on Sun, Jul. 4, 2010: **War, domestic spending.** Voting 239-182, the House sent the Senate a deficit-neutral \$80 billion appropriations bill that includes \$33.5 billion to be used mainly to fund President Obama's 30,000 troop surge in Afghanistan. The fiscal 2010 measure (HR 4899) also provides \$13 billion for benefits to victims of Vietnam-era Agent Orange defoliants; \$10 billion to avert nationwide teacher layoffs; \$5 billion to fund Pell Grants for low-income college students; \$700 million to bolster U.S.-Mexico border security; \$142 million for fishermen and others who have lost jobs in the Gulf Coast oil spill; and other funding. A yes vote was to pass the bill. Voting yes: Adler, Andrews, Brady, Castle, Fattah, Holden, Murphy,

Schwartz, and Sestak. Voting no: Dent, Gerlach, LoBiondo, Pitts, and Smith. **Afghanistan withdrawal.** Voting 100-321, the House defeated an amendment to require the military funding in HR 4899 (above) to be spent on orderly U.S. troop withdrawals from Afghanistan instead of combat operations. A yes vote backed withdrawal from Afghanistan. Voting no: Adler, Andrews, Brady, Castle, Dent, Fattah, Gerlach, Holden, LoBiondo, Murphy, Pitts, Schwartz, Sestak, and Smith.

HR5064, the **Fair Access to Veterans Benefits Act of 2010**: Would provide some flexibility in the equitable tolling of timeliness for the Board of Veterans' Appeals, and for other purposes. (Equitable tolling is a doctrine or principle of tort law: a statute of limitations will not bar a claim if despite use of due diligence the plaintiff did not or could not discover the injury until after the expiration of the limitations period.) On 29 JUN a hearing was held by the House Veterans Affairs Subcommittee on Disability Assistance and Memorial Affairs on this bill of importance to veterans.

H.R.5517 : **Every Veteran Counts Act** to amend title 13, United States Code, to require that the questionnaire used in a decennial census of population shall include an inquiry regarding an individual's status as a veteran, a spouse of a veteran, or a dependent of a veteran, and for other purposes. **Latest Major Action:** 6/10/2010 Referred to House committee. Status: Referred to the Committee on Oversight and Government Reform, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

HR5549, the **Rating and Processing Individuals' Disability Claims Act** or the Rapid Claims Act: Would provide VA a mechanism for identifying and expediting claims that are "ready-to-rate" by granting the Secretary the authority to waive the mandatory 60-day development period with the written permission of the veteran. If a veteran submits a statement which indicates the veteran's intent to submit a fully developed claim, the veteran would have one year from the date of submission to provide the Secretary with a fully developed claim and access to the expeditious treatment of their claim. If the Secretary determines the claim is not fully developed, the VA will notify the veteran within 30 days of the evidence and information required to rate the case. On 29 JUN a hearing was held by the House Veterans Affairs Subcommittee on Disability Assistance and Memorial Affairs on this bill of importance to veterans.

H.R.5550 : Title: To amend title 38, United States Code, to include a definition of "loss of use" for purposes of evaluating disabilities and providing adapted housing and automobiles under the laws administered by the Secretary of Veterans Affairs. **Latest Major Action:** 6/17/2010 Referred to House committee. Status: Referred to the House Committee on Veterans' Affairs.

H.R.5555 : **Disabled Veterans' Surviving Spouses Home Loans Act** to amend title 38, United States Code, to provide for eligibility for housing loans guaranteed by the Department of Veterans Affairs for the surviving spouses of certain totally-disabled veterans. **Latest Major Action:** 6/17/2010 Referred to House committee. Status: Referred to the House Committee on Veterans' Affairs.

H.R.5641 : **Heroes at Home Act** to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into contracts for the transfer of veterans to non-Department adult foster

homes for veterans who are unable to live independently. **Latest Major Action:** 6/30/2010 Referred to House committee. Status: Referred to the House Committee on Veterans' Affairs.

H.R.5642 : **Pension Increase Codification.** To codify increases in the rates of pension for disabled veterans and surviving spouses and children that were effective as of December 1, 2009. **Latest Major Action:** 6/30/2010 Referred to House committee. Status: Referred to the House Committee on Veterans' Affairs.

H.R.5648 : **Vet Unauthorized Fees Criminal Penalties.** To amend title 38, United States Code, to reinstate criminal penalties for persons charging veterans unauthorized fees. **Latest Major Action:** 6/30/2010 Referred to House committee. Status: Referred to the Committee on Veterans' Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

FEDERAL SENATE BILLS

S.1237 : **Homeless Women Veterans and Homeless Veterans with Children Act of 2009.** A bill to amend title 38, United States Code, to expand the grant program for homeless veterans with special needs to include male homeless veterans with minor dependents and to establish a grant program for reintegration of homeless women veterans and homeless veterans with children, and for other purposes. **Latest Major Action:** 4/29/2010 Placed on Senate Legislative Calendar under General Orders. Calendar No. 360. On 6/29/10, Sen Patty Murray calls bill up for unanimous consent on Senate floor, tells story of veteran who was homeless with her children in Washington state—legislation is blocked by Senate Republicans.

S.3477 : Title: Blue Star/Gold Star Flag Act of 2010. **Latest Major Action:** 6/10/2010 Referred to Senate committee. Status: Read twice and referred to the Committee on Armed Services.

S.3454 : National Defense Authorization Act for Fiscal Year 2011. An original bill to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes. **Latest Major Action:** 6/4/2010 Placed on Senate Legislative Calendar under General Orders. Calendar No. 414.

S.3477 : Blue Star/Gold Star Flag Act of 2010. A bill to ensure that the right of an individual to display the Service Flag on residential property not be abridged. **Latest Major Action:** 6/10/2010 Referred to Senate committee. Status: Read twice and referred to the Committee on Armed Services.

S.3499 : Fiduciary Benefits Oversight Act of 2010. A bill to require fiduciaries of individuals receiving benefits under laws administered by the Secretary of Veterans Affairs to authorize the Secretary to obtain financial records with respect to such individuals for purposes of administering such laws, and for

other purposes. Latest Major Action: 6/16/2010 Referred to Senate committee. Status: Read twice and referred to the Committee on Veterans' Affairs.

S.3556 : Hire A Hero Act of 2010. A bill to amend the Internal Revenue Code of 1986 to allow the work opportunity credit to small businesses which hire individuals who are members of the Ready Reserve or National Guard. Latest Major Action: 6/30/2010 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

NOTE: For an electronic version of this document, please send an email message to the below signed at: lholman@prodigy.net.

Respectfully submitted

Larry D. Holman

Larry D. Holman

Government Affairs Chairman