

National Legislative Division Weekly

CONGRESS

This week, Sen. Grassley (R-IA) put a hold on the nomination of Joshua Jacobs to be Under Secretary for Benefits in the Department of Veterans Affairs (VA). The nomination was voted out of committee last week on a unanimous, bipartisan vote. Grassley is upset that the Veterans Benefits Administration (VBA) has a two-year history of not responding fully or on a timely basis to his information requests. In addition, Grassley found Jacobs' answers to questions submitted for the record to be "unsatisfactory." In a statement on the hold, Grassley said "this hold is a reminder that executive agencies have ongoing obligations" to respond to Congress. He offered to work with Jacobs and the VA to resolve the problems.

SENATE ADVANCES LEGISLATION TO REPEAL IRAQ AUMFS



Sen. Todd Young (R-IN) joined Sen. Tim Kaine (D-VA) following the Senate vote to repeal the 1991 and 2002 Authorizations of the Use of Military Force for an American Legion press conference on Capitol Hill on Thursday, March 16. Photo by Alyssa Schukar.

The American Legion held a press conference with Sens. Todd Young, R-Ind., and Tim Kaine, D-Va., who have led the bipartisan effort to repeal the 1991 and 2002 AUMFs. The two senators have raised concerns over the use of military force without congressional authorization and pushed to reassert the role of Congress in authorizing military action.

National Legislative Division Weekly

The Senate voted March 16 to advance legislation that would repeal the 1991 and 2002 Authorizations for the Use of Military Force (AUMFs), formally ending the Gulf and Iraq wars and reasserting Congress' authority to declare war, which The American Legion has long supported.

The bipartisan legislation advanced by a 70-27 vote, this includes two yes absentee votes. A final passage on the bill will likely be next week.

“I want to thank all of The American Legion leaders who are here and all around the country who have stood strong with us in this effort,” Kaine said. “The support of our veterans’ groups from all across the country and every political inclination has been one of the reasons that we just got a vote that was so bipartisan. It doesn’t happen every day in the Senate. And I’m really proud to be here with Senator Young who has been an absolute fantastic partner in this effort to put together the broadest possible bipartisan coalition that we can, in both the House and the Senate, to declare definitively that the Iraq wars of 1991 and 2002 are over.”

Kaine detailed a few reasons why the repeal is so important.

“The enemy who we declared war against in ‘91 and ‘02 is no more. There is no reason to have a war authorization against a strategic partner (Iraq),” he said. “Iraq was an adversary. Now Iraq is a strategic partner and that message needs to go out that the United States has no permanent enemy. Dropping these war authorizations has a way of sending a very powerful signal that the United States and Iraq working together will be a voice for stability in the region.”

The repeal honors the service of our veterans, who helped make this bipartisan legislation possible.

“We would not be here but for their (The American Legion) support and the support of so many other members of our proud veterans community around the country,” Young said. “I also thank our men and women in uniform for their everyday sacrifices. Today we honor them with this strong bipartisan vote. We are finally, legally, bringing a war to a close today.”

Leading the press conference was American Legion National Security Director Mario Marquez who has served four combat tours in Iraq and retired from the U.S. Marine Corps as a sergeant major with more than 31 years of service.

“We applaud the effort and note that it confirms what we’ve known for years – there is a strong bipartisan consensus that it’s long past time to repeal these two authorizations,” Marquez said. “Veterans understand the human cost of war, and we know that the burden of conflict falls heavily on our servicemembers and their families. Millions of servicemen and women answered a call to serve in Iraq willingly and without question and did so without ever knowing a definitive end to their service. However, our force is not built to remain in a perpetual state of war as we have witnessed during what we now call the ‘forever’ or ‘endless wars.’ The American Legion strongly supported the repeal of these AUMFs.”

National Legislative Division Weekly

The repeal also reasserts the authority to Congress to send troops into combat, a role Congress has often deferred to the president, Kaine said.

“So often there’s been a Congress, and this is a bipartisan comment, where congresses of both parties under presidents of both parties have been unwilling to exercise the Article 1 responsibility for looking at matters for war, peace and diplomacy because it’s tough politics,” Kaine said. “A war vote is the hardest one you’ll ever make; it could go wrong. So what congresses have tended to do is defer Article 1 responsibility to the president. Support the president when it works out well, when it doesn’t ‘how dare you.’ It’s time for Congress to shoulder this obligation and I think both Senator Young and I view having a vote like this on these outdated authorizations is Congress beginning to take back and occupy a little bit of that Article 1 responsibility.”

Young added that “the Constitution requires it, in fact I would argue this is our most fundamental responsibility as federal legislatures to oversee the authorization of force, the conduct of military operations and ultimately oversee the circumstances under which we bring the men and women, of who we represent, the men and women who raised their right hand and pledged their fidelity to the Constitution and our way of life and their very lives in order or protect it. What we owe (servicemembers) is our duty. Our duty to uphold our oath and fulfill this sacred responsibility.

Young reaffirmed that under the repeal, the U.S. president continues to be commander-in-chief of the armed forces and when there is an imminent threat to the American people, the president can still act. Additionally, the repeal of these authorizations will not affect any ongoing military operations of the United States.

“It is time for Congress to have their voice heard,” Young said. “I believe this will establish a very important precedent moving forward so the people I represent, the people Senator Kaine represents, know that their voice will matter when it comes to important decides of war and peace.”

Young and Kaine will now work with the House to push the legislation through with bipartisan support, which Kaine shared it has.

In closing, Marquez said “The American Legion calls on Congress to take action, and we urge all our fellow veterans and citizens to join us in this effort. Let us honor the service and sacrifices of our brave servicemembers who fought and died in this war. We thank Senator Kaine and Senator Young for their leadership on this issue.”

SENATE ARMED SERVICES SUBCOMMITTEE ON PERSONNEL HOLDS A HEARING ON THE FY24 BUDGET

The Senate Armed Services Committee’s Personnel Subcommittee held a hearing Wednesday afternoon focused on the FY24 budget request for military and civilian personnel programs.

National Legislative Division Weekly

The budget requests a 5.2% pay raise for both uniformed and civilian personnel. This is the highest pay raise in more than 20 years for uniformed personnel and in over 40 years for civilian employees. Pentagon officials say this pay raise is an important part of their recruiting and retention push among uniformed personnel. In rolling out the budget, DoD Comptroller Mike McCord pointed out the need to compete with the private sector, given the historically low rates of unemployment.

Today, only the Marine Corps and the Space Force are meeting their recruiting goals. The Army is set to miss its target by tens of thousands of Soldiers, and the Navy has recently lowered its requirements and standards for many of its ratings. Subcommittee chair Sen. Warren (D-MA) said the best way to address these issues is by taking care of personnel and their families.

Her priorities include protecting and enhancing health care, addressing sexual assault, and combating the corrosive impact of the revolving door between senior Pentagon officials and defense contractors and foreign governments.

Subcommittee ranking member Sen. Scott (R-FL) talked about the Services' recruiting shortfalls. The subcommittee must do everything possible to address these issues. As a Navy veteran, he is especially concerned over that Service's lowering of enlistment standards. When that has been done in the past, they have seen increased morale and discipline problems along with lower unit readiness.

He noted that retention levels, on the other hand, remain high. Families have higher retention rates than single service members. He wants to know why there is such a disconnect between recruiting struggles and retention successes, and what can be done to bridge that gap.

He called on DoD to be an advocate for the many benefits of military service. More people should know that veterans have lower unemployment rates and higher home ownership rates, and educational achievement levels.

Secretary Cisneros said this year is not only the 50th anniversary of the all-volunteer force but also the 75th anniversary of President Truman integrating the force. Both of these events are responsible for creating the most unrivaled fighting force in history.

He is working to change the culture within DoD. They are implementing all of the Independent Review Committee's (IRC) recommendations to combat sexual harassment and assault. They are also ensuring DEI and accessibility principles are applied across their efforts.

DoD is implementing a comprehensive outreach strategy along with the Peace Corps, AmeriCorps and the Selective Service to emphasize the importance of public service to the nation and to communities. He asked for Congressional support for this, including money for a joint marketing campaign.

Sen. Hirono (D-HI) is pushing for young people who were brought into the country as children, albeit illegally, to be allowed to join the military as long as they pass a DoD background check and meet all other

National Legislative Division Weekly

accession requirements. This would primarily consist of Dreamers. Under Secretary of Defense for Personnel and Readiness Cisneros, on Wednesday, said the Pentagon is open to looking into this, although they have tried and failed in the past.

The Services tend to reject a lot of potential recruits for past medication use, especially for neurological and psychological issues. With the increased use of electronic health records, military families are increasingly finding their children cannot join because the Service knows everything about such medication use, even if it was more than five years in the past. Some have noted publicly that civilian young adults have a much better chance of hiding such things when they try to join. Several Senators this week, on both sides of the aisle, brought this up in multiple hearings. At a hearing on Wednesday, a Pentagon official said the Department is looking at how to revise those requirements. This is especially a concern since some of the medications are to help a youngster handle mental health issues. Senators pointed out it is better to have someone who sought help when needed and resolved their problems than someone who bottled everything up inside.

VA'S ELECTRONIC HEALTH RECORD MODERNIZATION (EHRM) INITIATIVE

Sen. Tester (D-MT) used his bully pulpit as chair of the Senate Veterans Affairs Committee, on Wednesday, to advise both the VA and Oracle Cerner that things need to improve with the new system's rollout. He said he is open to all options moving forward except scrapping the effort to abandon the effort to modernize the VA's EHR.

The VA is in the process of negotiating the next option of the contract with Oracle. Tester called for tougher terms, discounted prices, and a narrower set of tasks for the company, as well as severe penalties for poor performance. He suggested the VA might want to seek a new commercial partner or negotiate a completely new contract if Oracle balks.

Oracle says three of the main pharmacy issues leading to patient safety concerns were resolved in the most recent system update. In addition, the unknown queue has been changed, months earlier than expected.

A company official testified that, on average, only one order per day per site using the new EHR system goes into the unknown queue, a marked difference from the hundreds that ended up there a few months ago. In addition, Oracle has made technical fixes resulting in the system being available 99.9% of the time. The official said they are rapidly approaching a time when there will be no system outages.

The day before the hearing, the VA notified the committee of six fatal incidents involving veterans in which the EHR system may have played a role.

This alarmed the Senators, several of whom made clear their outrage. After the hearing, VA Under Secretary

National Legislative Division Weekly

of Health Dr. Elnahal told reporters the EHR was “determined to be a root cause” in those deaths, but there were other potential root causes, as well.

The next site for deployment is in Saginaw, Michigan. While it is scheduled to occur in June, VA officials say no final decisions will be made until final site assessments occur.

LEGIONNAIRE OF THE WEEK



Nathan Bond shakes hands with Congressman Steil (R-WI).

Thank you, Mr. Bond!

If you have made a grassroots effort and would like to be considered for next week’s “Legionnaire of the Week,” please fill out the Congressional Contact Report Form [here](#). You can also email me at kisaacson@legion.org.

In an effort to recognize the weekly accomplishments of our Legionnaires, we will spotlight an individual every week. These individuals demonstrate exceptional grassroots activism by meeting with/contacting their Congressional Representative/Senator to advocate for veterans. Efforts like these truly make a difference and give veterans a voice in Congress.

Nathan Bond, Wisconsin

This week, we are excited to recognize Nathan Bond from the Department of Wisconsin for meeting with Congressman Steil (R-WI) after his press conference announcing the introduction of [H.R. 1609](#) – To amend title 38, United States Code, to adjust the effective date of certain reductions and discontinuances of compensation, dependency and indemnity compensation, and pension under the laws administered by the Secretary of Veterans Affairs. Mr. Bond and Congressman Steil discussed the bill and protecting veterans against predatory actors and Guard and Reserve parity.

UPCOMING HEARINGS

- On Wednesday, March 22, the Senate Armed Services Committee (SASC) will hold a hearing to examine the recruited challenges facing the United States military.

National Legislative Division Weekly

- On Wednesday, March 22, the Senate Judiciary Subcommittee on Immigration, Citizenship, and Border Safety will hold a hearing to examine the need to bolster the U.S. Refugee Admissions Program.
- On Wednesday, March 22, SASC Subcommittee on Readiness and Management Support will hold a hearing to examine Department of Defense small business tools for enhancing the industrial base.
- On Wednesday, March 22, the Senate Veterans' Affairs Committee (SVAC) will hold a hearing to examine strengthening methods of recruitment and retention for the VA's workforce.
- On Thursday, March 23, the House Veterans' Affairs Committee (HVAC) will hold a hearing to review the U.S. Department of Veterans Affairs Budget Request for Fiscal Years 2024 and 2025.
- On Thursday, March 23, the House Appropriations Committee (HAC) Subcommittee on Defense will hold a hearing to review the Fiscal Year 2024 Request for the Department of Defense.
- On Thursday, March 23, HVAC will hold a hearing to authorize the Women Veteran Task Force.
- On Thursday, March 23, HAC Subcommittee on Military Construction, Veterans Affairs, and Related Agencies (MilConVA) will hold a hearing to examine the Fiscal 2024 Request for Army Military Construction and Family Housing.
- On Thursday, March 23, the House Armed Services Committee (HASC) Subcommittee on Military Personnel (MilPers) will hold a hearing titled "Diversity, Equity and Inclusion: Impacts to the Department of Defense and Armed Services."