

National Legislative Division Weekly

CONGRESSIONAL UPDATE

Capitol Hill was quiet this week, with neither the House nor the Senate in session.

When they return, one of the top priorities is to negotiate an omnibus spending bill for the rest of FY22, as the continuing resolution (CR) expires February 18. Adding to the pressure is the fact that the House is not scheduled to be in session that week.

Rumors abound that appropriators are getting close to topline spending agreements. Republicans continue to push for elimination of new policy riders and maintenance of legacy riders, some of which were dropped by Democratic appropriators early in the process.

It appears, however, that appropriators are likely to miss the February 18 deadline, which means another short-term CR. There are rumors that some people in the Pentagon have been told that could go until April 7, but this is far from an official announcement.

The White House does not want to release its FY23 budget request until the FY22 spending bill has been passed. Thus, the longer the omnibus process stretches, the more delayed the President's budget submission is likely to be.

Omnibus negotiations are also likely to be affected by the Biden Administration's diversion of money Congress provided for specific pandemic responses. The Administration used almost \$7 billion of money intended for the Provider Relief Fund (PRF) to buy vaccines and therapeutics. This is significant as the PRF is now out of money. Providers can submit requests for reimbursement of expenses through March 2021, which is before both the delta and omicron surges. Hospital associations want Congress to provide another \$20 to \$25 billion for this program. The White House is also reportedly intending to spend another billion dollars on vaccines and therapeutics, even though Congress targeted that money for testing.

At this time, the White House does not intend to ask Congress for more pandemic-related funding, but that could change. These funding diversions are sure to color Congress' discussions concerning the omnibus spending package.

EXECUTIVE ORDER ON SEXUAL ASSAULT IN THE MILITARY

On Wednesday, President Biden signed an Executive Order (EO) making sexual assault an offense under the Uniformed Code of Military Justice (UCMJ). According to the White House, the EO also strengthens the military justice response in prosecuting cases of domestic violence and criminalizes the wrongful broadcast or distribution of intimate visual images (often called revenge porn).

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In signing the EO, Biden complied with provisions in the FY22 National Defense Authorization Act (NDAA), which he signed into law last month. That legislation makes significant changes to how the UCMJ treats sexual assault and related crimes, as well as how the military prosecutes those cases.

Making sexual assault a crime under the UCMJ was a major recommendation of DoD's Independent Review Commission on Military Sexual Assault. Defense Secretary Austin convened that group immediately upon taking office last year.

UPCOMING HEARINGS

- On Wednesday, February 2nd, the Senate Armed Services Committee (SASC) will hold a closed hearing to receive a joint briefing on US policy on Afghanistan.
- On Wednesday, February 2nd, the House Veterans' Affairs Subcommittee on Economic Opportunity will hold a hearing titled, "Securing High-Demand Jobs for Veterans." TAL will testify.
- On Wednesday, February 2nd, the House Veterans' Affairs Committee (HVAC) will hold a mark up on A.N.S. TO H.R. 5575, RAISE Act; H.R. 6411, STRONG Veterans Act.
- On Thursday, February 3rd, the House Veterans' Affairs Subcommittee on Health will hold an oversight hearing titled, "Close to Home: Supporting Vet Centers in Meeting the Needs of Veterans and Military Personnel."

MEETINGS

- On Monday, January 24, NLD Staff participated in VSO weekly meeting to discuss toxic exposure legislative updates and predatory claims consultants.
- On Monday, January 24, NLD Staff continued to develop their respective point papers for the upcoming Washington Conference.
- On Tuesday, January 25, NLD Staff participated in TAL's monthly "Training Tuesday" with post commanders and adjutants to discuss legislative priorities and how posts can assist at the grassroots level.
- On Tuesday, January 25, NLD Staff met with Rep. Crenshaw's (R-TX) veterans policy advisor to discuss the toxic exposure legislation.
- On Tuesday, January 25, NLD Staff met with the Nurses Organizations of Veterans Affairs (NOVA) to discuss legislative priorities for this session of Congress.
- On Tuesday, January 25, NLD Staff participated in TAL's monthly "Training Tuesday" to discuss legislative priorities and how posts can assist at the grassroots level.
- On Wednesday, January 26, NLD staff met with the HVAC Subcommittee on Economic Opportunity professional staff to discuss H.R.4673, the Ensuring Veterans' Smooth Transition Act, or EVEST Act. This bill seeks to automatically enroll eligible servicemembers in VA healthcare during their transition out of the military by simplifying the transfer of medical records from DoD to VA.
- On Wednesday, January 26, NLD Staff met with other TAL division staff to discuss preparation for the 2022 Washington Conference.

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- On Thursday, January 27, NLD Staff participated in a working group on the Veteran Readiness and Employment (formally vocational rehabilitation and employment) to discuss potential legislative improvements.
- On Thursday, January 27, NLD Staff met with staff from *The Hill* newspaper to discuss online advertising rates.
- On Thursday, January 27, NLD Staff met with HVAC staff to discuss draft language for improving GI Bill oversight.
- On Friday, January 28, NLD Staff met with Rep. Meijer's (R-MI) veterans policy advisor to discuss potential legislative solutions for veterans.
- On Friday, January 28, NLD Staff met with the RNC's staffer responsible for veterans' and military affairs.

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