

Union Calendar No. 391

112th Congress, 2d Session - - - - - House Report 112-547

THIRD QUARTER REPORT OF THE
ACTIVITIES
OF THE
COMMITTEE ON VETERANS' AFFAIRS
OF THE
HOUSE OF REPRESENTATIVES
DURING THE
ONE HUNDRED TWELFTH CONGRESS
PURSUANT TO
CLAUSE 1(d) RULE XI OF THE RULES OF THE HOUSE
OF REPRESENTATIVES



JUNE 25, 2012.—Committed to the Committee of the Whole House on
the State of the Union and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

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WASHINGTON : 2012

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LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, DC, June 25, 2012.

Hon. KAREN L. HAAS,
Clerk of the House of Representatives,
Washington, DC.

DEAR MS. HAAS: In accordance with clause 1(d) of Rule XI of the Rules of the House of Representatives, I submit herewith the report of the Committee on Veterans' Affairs setting forth its activities in reviewing and studying the application, administration, and execution of those laws, the subject matter of which is within the jurisdiction of our committee.

Sincerely,

JEFF MILLER, *Chairman.*

CONTENTS

	Page
Jurisdiction of the House Committee on Veterans' Affairs	1
Rules of the Committee on Veterans' Affairs	2
Activities of the Full Committee	9
Activities of the Subcommittee on Disability Assistance and Memorial Affairs	14
Activities of the Subcommittee on Economic Opportunity	18
Activities of the Subcommittee on Health	20
Activities of the Subcommittee on Oversight and Investigations	25
Executive Branch Communications	26

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112TH CONGRESS }
2d Session } HOUSE OF REPRESENTATIVES { REPORT
112-547

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Mr. MILLER, from the Committee on Veterans' Affairs, pursuant to
Clause 1(d) Rule XI, submitted the following

R E P O R T

JURISDICTION OF THE HOUSE COMMITTEE ON VETERANS' AFFAIRS

Rule X of the Rules of the House of Representatives establishes the standing committees of the House and their jurisdiction. Under that rule, all bills, resolutions, and other matters relating to the subjects within the jurisdiction of any standing committee shall be referred to such committee. Clause 1(s) of Rule X establishes the jurisdiction of the Committee on Veterans' Affairs as follows:

- (1) Veterans' measures generally.
- (2) Cemeteries of the United States in which veterans of any war or conflict are or may be buried, whether in the United States or abroad (except cemeteries administered by the Secretary of the Interior).
- (3) Compensation, vocational rehabilitation, and education of veterans.
- (4) Life insurance issued by the Government on account of service in the Armed Forces.
- (5) Pensions of all the wars of the United States, general and special.
- (6) Readjustment of servicemembers to civil life.
- (7) Servicemembers' civil relief.
- (8) Veterans' hospitals, medical care, and treatment of veterans.

RULES OF THE COMMITTEE ON VETERANS' AFFAIRS**RULE 1—GENERAL PROVISIONS**

(a) **APPLICABILITY OF HOUSE RULES.**—The Rules of the House are the rules of the Committee on Veterans' Affairs and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are non-debatable privileged motions in Committees and subcommittees.

(b) **SUBCOMMITTEES.**—Each subcommittee of the Committee is a part of the Committee and is subject to the authority and direction of the Committee and to its rules so far as applicable.

(c) **INCORPORATION OF HOUSE RULE ON COMMITTEE PROCEDURE.**—Rule XI of the Rules of the House, which pertains entirely to Committee procedure, is incorporated and made part of the rules of the Committee to the extent applicable. Pursuant to clause 2(a)(3) of Rule XI of the Rules of the House, the Chairman of the full Committee is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

(d) **VICE CHAIRMAN.**—Pursuant to clause 2(d) of Rule XI of the Rules of the House, the Chairman of the full Committee shall designate the Vice Chairman of the Committee.

RULE 2—REGULAR AND ADDITIONAL MEETINGS

(a) **REGULAR MEETINGS.**—The regular meeting day for the Committee shall be at 10 a.m. on the second Wednesday of each month in such place as the Chairman may designate. However, the Chairman may dispense with a regular Wednesday meeting of the Committee.

(b) **ADDITIONAL MEETINGS.**—The Chairman of the Committee may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purpose pursuant to the call of the Chairman.

(c) **NOTICE.**—The Chairman shall notify each member of the Committee of the agenda of each regular and additional meeting of the Committee at least 24 hours before the time of the meeting, except under circumstances the Chairman determines to be of an emergency nature. Under such circumstances, the Chairman shall make an effort to consult the ranking minority member, or in such member's absence, the next ranking minority party member of the Committee.

RULE 3—MEETINGS AND HEARINGS GENERALLY

(a) **OPEN MEETINGS AND HEARINGS.**—Meetings and hearings of the Committee and each of its subcommittees shall be open to the public unless closed in accordance with clause 2(g) of Rule XI of the Rules of the House.

(b) **ANNOUNCEMENT OF HEARING.**—The Chairman, in the case of a hearing to be conducted by the Committee, and the subcommittee Chairman, in the case of a hearing to be conducted by a subcommittee, shall make public announcement of the date, place, and

subject matter of any hearing to be conducted on any measure or matter at least one week before the commencement of that hearing unless the Committee or the subcommittee determines that there is good cause to begin the hearing at an earlier date. In the latter event, the Chairman or the subcommittee Chairman, as the case may be, shall consult with the ranking minority member and make such public announcement at the earliest possible date. The clerk of the Committee shall promptly notify the Daily Clerk of the Congressional Record and the Committee scheduling service of the House Information Resources as soon as possible after such public announcement is made.

(c) WIRELESS TELEPHONE USE PROHIBITED.—No person may use a wireless telephone during a Committee or subcommittee meeting or hearing.

(d) MEDIA COVERAGE.—Any meeting of the Committee or its subcommittees that is open to the public shall be open to coverage by radio, television, and still photography in accordance with the provisions of clause 4 of House Rule XI.

(e) REQUIREMENTS FOR TESTIMONY.—

(1) Each witness who is to appear before the Committee or a subcommittee shall file with the clerk of the Committee, at least 48 hours in advance of his or her appearance, a written statement of his or her proposed testimony. Each witness shall, to the greatest extent practicable, also provide a copy of such written testimony in an electronic format prescribed by the Chairman. Each witness shall limit any oral presentation to a summary of the written statement.

(2) Pursuant to clause 4 of Rule XI of the Rules of the House, in the case of a witness appearing in a non-governmental capacity a written statement of proposed testimony shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years by the witness or by an entity represented by the witness.

(f) CALLING AND QUESTIONING WITNESSES.—

(1) Committee and subcommittee members may question witnesses only when they have been recognized by the Chairman of the Committee or subcommittee for that purpose, and only for a 5-minute period until all members present have had an opportunity to question a witness. The 5-minute period for questioning a witness by any one member may be extended only with the unanimous consent of all members present. The questioning of witnesses in both Committee and subcommittee hearings shall be initiated by the Chairman, followed by the ranking minority party member and all other members alternating between the majority and minority. Except as otherwise announced by the Chairman at the beginning of a hearing, members who are present at the start of the hearing will be recognized before other members who arrive after the hearing has begun. In recognizing members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the majority to minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of the majority.

(2) Notwithstanding the provisions of paragraph (1) regarding the 5-minute rule, the Chairman after consultation with the ranking minority member may designate an equal number of members of the Committee or subcommittee majority and minority party to question a witness for a period not longer than 30 minutes. In no event shall the Chairman allow a member to question a witness for an extended period under this rule until all members present have had the opportunity to ask questions under the 5-minute rule. The Chairman after consultation with the ranking minority member may permit Committee staff for its majority and minority party members to question a witness for equal specified periods of time.

(3) When a hearing is conducted by the Committee or a subcommittee on any measure or matter, the minority party members on the Committee shall be entitled, upon request to the Chairman of a majority of those minority members before the completion of the hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of the hearing thereon.

(g) SUBPOENAS.—Pursuant to clause 2(m) of Rule XI of the Rules of the House, a subpoena may be authorized and issued by the Committee or a subcommittee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present.

(h) NOTICE REQUIREMENTS.—The text of all bills or resolutions for markup shall be made available to both majority and minority staff at least 48 hours prior to a scheduled markup, except as agreed to by unanimous consent. All primary amendments must be submitted to both majority and minority staff no less than 24 hours prior to a scheduled markup, except as agreed to by unanimous consent.

RULE 4—QUORUM AND RECORD VOTES; POSTPONEMENT OF PROCEEDINGS

(a) WORKING QUORUM.—A majority of the members of the Committee shall constitute a quorum for business and a majority of the members of any subcommittee shall constitute a quorum thereof for business, except that two members shall constitute a quorum for the purpose of taking testimony and receiving evidence.

(b) QUORUM FOR REPORTING.—No measure or recommendation shall be reported to the House of Representatives unless a majority of the Committee was actually present.

(c) RECORD VOTES.—A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member. With respect to any record vote on any motion to amend or report, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in the report of the Committee on the bill or resolution.

(d) PROHIBITION AGAINST PROXY VOTING.—No vote by any member of the Committee or a subcommittee with respect to any measure or matter may be cast by proxy.

(e) POSTPONING PROCEEDINGS.—Committee and subcommittee chairmen may postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment, and may resume proceedings within two

legislative days on a postponed question after reasonable notice. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

RULE 5—SUBCOMMITTEES

(a) **ESTABLISHMENT AND JURISDICTION.**—

(1) There shall be four subcommittees of the Committee as follows:

(A) Subcommittee on Disability Assistance and Memorial Affairs, which shall have legislative, oversight and investigative jurisdiction over compensation; general and special pensions of all the wars of the United States; life insurance issued by the Government on account of service in the Armed Forces; cemeteries of the United States in which veterans of any war or conflict are or may be buried, whether in the United States or abroad, except cemeteries administered by the Secretary of the Interior; burial benefits; the Board of Veterans' Appeals; and the United States Court of Appeals for Veterans Claims.

(B) Subcommittee on Economic Opportunity, which shall have legislative, oversight and investigative jurisdiction over education of veterans, employment and training of veterans, vocational rehabilitation, veterans' housing programs, readjustment of servicemembers to civilian life, and servicemembers civil relief.

(C) Subcommittee on Health, which shall have legislative, oversight, and investigative jurisdiction over the Veterans Health Administration (VHA) including medical services, medical support and compliance, medical facilities, medical and prosthetic research, and major and minor construction.

(D) Subcommittee on Oversight and Investigations, which shall have oversight and investigative jurisdiction over veterans' matters generally, information technology, procurement, and over such matters as may be referred to the subcommittee by the Chairman of the full Committee for its oversight or investigation and for its appropriate recommendations. The subcommittee shall have legislative jurisdiction over such bills or resolutions as may be referred to it by the Chairman of the full Committee. Provided, however, that the activities of the Subcommittee shall in no way limit the responsibility of the other subcommittees of the Committee on Veterans' Affairs for carrying out their oversight duties.

(2) Each subcommittee shall have responsibility for such other measures or matters as the Chairman refers to it.

(b) **VACANCIES.**—Any vacancy in the membership of a subcommittee shall not affect the power of the remaining members to execute the functions of that subcommittee.

(c) **RATIOS.**—On each subcommittee, there shall be a ratio of majority party members to minority party members which shall be consistent with the ratio on the full Committee.

(d) REFERRAL TO SUBCOMMITTEES.—The Chairman of the Committee may refer a measure or matter, which is within the general responsibility of more than one of the subcommittees of the Committee, as the Chairman deems appropriate. In referring any measure or matter to a subcommittee, the Chairman of the Committee may specify a date by which the subcommittee shall report thereon to the Committee.

(e) POWERS AND DUTIES.—

(1) Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it or under its jurisdiction. Subcommittee chairmen shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman of the Committee and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings whenever possible.

(2) Whenever a subcommittee has ordered a bill, resolution, or other matter to be reported to the Committee, the Chairman of the subcommittee reporting the bill, resolution, or matter to the full Committee, or any member authorized by the subcommittee to do so shall notify the Chairman and the ranking minority party member of the Committee of the Subcommittee's action.

(3) A member of the Committee who is not a member of a particular subcommittee may sit with the subcommittee during any of its meetings and hearings, but shall not have authority to vote, cannot be counted for a quorum, and cannot raise a point of order at the meeting or hearing.

(4) Each subcommittee shall provide the Committee with copies of such record votes taken in subcommittee and such other records with respect to the subcommittee as the Chairman of the Committee deems necessary for the Committee to comply with all rules and regulations of the House.

RULE 6—GENERAL OVERSIGHT RESPONSIBILITY

(a) PURPOSE.—Pursuant to clause 2 of Rule X of the Rules of the House, the Committee shall carry out oversight responsibilities. In order to assist the House in—

(1) Its analysis, appraisal, evaluation of—

(A) The application, administration, execution, and effectiveness of the laws enacted by the Congress, or

(B) Conditions and circumstances, which may indicate the necessity or desirability of enacting new or additional legislation, and

(2) Its formulation, consideration and enactment of such modifications or changes in those laws, and of such additional legislation, as may be necessary or appropriate, the Committee and its various subcommittees, consistent with their jurisdiction as set forth in Rule 5, shall have oversight responsibilities as provided in subsection (b).

(b) REVIEW OF LAWS AND PROGRAMS.—The Committee and its subcommittees shall review and study, on a continuing basis, the applications, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of the Committee or subcommittee, and the organization

and operation of the Federal agencies and entities having responsibilities in or for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated. In addition, the Committee and its subcommittees shall review and study any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of the Committee or subcommittee (whether or not any bill or resolution has been introduced with respect thereto), and shall on a continuing basis undertake future research and forecasting on matters within the jurisdiction of the Committee or subcommittee.

(c) OVERSIGHT PLAN.—Not later than February 15 of the first session of a Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Administration and the Committee on Oversight and Government Reform, in accordance with the provisions of clause 2(d) of Rule X of the Rules of the House.

(d) OVERSIGHT BY SUBCOMMITTEES.—The existence and activities of the Subcommittee on Oversight and Investigations shall in no way limit the responsibility of the other subcommittees of the Committee on Veterans' Affairs for carrying out oversight duties.

RULE 7—BUDGET ACT RESPONSIBILITIES

(a) BUDGET ACT RESPONSIBILITIES.—Pursuant to clause 4(f)(1) of Rule X of the Rules of the House, the Committee shall submit to the Committee on the Budget not later than six weeks after the President submits his budget, or at such time as the Committee on the Budget may request—

(1) Its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year that are within its jurisdiction or functions; and

(2) An estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction that it intends to be effective during that fiscal year.

RULE 8—RECORDS AND OTHER MATTERS

(a) TRANSCRIPTS.—There shall be a transcript made of each regular and additional meeting and hearing of the Committee and its subcommittees. Any such transcript shall be a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved.

(b) RECORDS.—

(1) The Committee shall keep a record of all actions of the Committee and each of its subcommittees. The record shall contain all information required by clause 2(e)(1) of Rule XI of the Rules of the House and shall be available for public inspection at reasonable times in the offices of the Committee.

(2) There shall be kept in writing a record of the proceedings of the Committee and each of its subcommittees, including a record of the votes on any question on which a recorded vote is demanded. The result of each such record vote shall be made available by the Committee for inspection by the public at reasonable times in the offices of the Committee. Information so available for public inspection shall include a description of the amendment, motion, order or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members present but not voting.

(c) AVAILABILITY OF ARCHIVED RECORDS.—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The Chairman shall notify the ranking minority member of any decision, pursuant to clause 3 or clause 4 of Rule VII of the Rules of the House, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any member of the Committee.

(d) AVAILABILITY OF PUBLICATIONS.—Pursuant to clause 2(e)(4) of Rule XI of the Rules of the House, the Committee shall make its publications available in electronic form to the maximum extent feasible.

RULE 9—TRAVEL

(a) REQUIREMENTS FOR TRAVEL.—All requests for travel, funded by the Committee, for Members and staff in connection with activities or subject matters under the general jurisdiction of the Committee, shall be submitted to the Chair for approval or disapproval. All travel requests should be submitted to the Chair at least five working days in advance of the proposed travel. For all travel funded by any other source, notice shall be given to the Chair at least five working days in advance of the proposed travel. All travel requests shall be submitted to the Chair in writing and include the following:

(1) The purpose of the travel.

(2) The dates during which the travel is to occur.

(3) The names of the locations to be visited and the length of time to be spent in each.

(4) The names of members and staff of the Committee for whom the authorization is sought. Travel by the minority shall be submitted to the Chair via the Ranking Member.

(b) TRIP REPORTS.—Members and staff shall make a written report to the Chair within 15 working days on all travel approved under this subsection. Reports shall include a description of their itinerary, expenses, and activities, and pertinent information gained as a result of such travel.

When travel involves majority and minority Members or staff, the majority shall submit the report to the Chair on behalf of the majority and minority. The minority may append additional remarks to the report at their discretion.

(c) APPLICABILITY OF HOUSE RULES.—Members and staff of the Committee performing authorized travel on official business shall

be governed by applicable laws, resolutions, and regulations of the House and of the Committee on House Administration.

ACTIVITIES OF THE FULL COMMITTEE

LEGISLATIVE ACTIVITIES

Full Committee Markup of H.R. 4072 (with an Amendment in the Nature of a Substitute), H.R. 4114, H.R. 4482, H.R. 4201 and H.R. 3670

On April 27, 2012, the Committee met and marked up H.R. 4072, Consolidating Veteran Employment Services for Improved Performance Act of 2012; H.R. 4114, Veterans' Compensation Cost-of-Living Adjustment Act of 2012; H.R. 4482, a bill to amend title 38, United States Code, to make permanent home loan guaranty programs for veterans regarding adjustable rate mortgages and hybrid adjustable rate mortgages; H.R. 4201, the Servicemember Family Protection Act; and, H.R. 3670, a bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

On April 27, 2012, An amendment to Chairman Miller's Amendment in the Nature of a Substitute to H.R. 4072 was offered by Rep. Corrine Brown. It was voted on and failed the Full Committee by a recorded vote of 14 no's and 10 yea's.

An amendment to Chairman Miller's amendment in the nature of a substitute to H.R. 4072 was offered by Rep. Tim Walz. It was voted on and passed the Full Committee by voice vote.

An amendment to the amendment in the nature of a substitute to H.R. 4072 was offered by Rep. Jerry McNerney. It was voted on and passed the Full Committee by voice vote.

An Amendment in the Nature of a Substitute to H.R. 4072 as amended offered by Rep. Jeff Miller. It was voted on and passed the Full Committee by a recorded vote of 21 yea's and 3 no's.

H.R. 4072, as amended, passed the Full Committee by voice vote and was referred favorably to the House of Representatives also by voice vote.

H.R. 4114, passed the Full Committee by voice vote and was referred favorably to the House of Representatives also by voice vote.

H.R. 4201, passed the Full Committee by voice vote and was referred favorably to the House of Representatives also by voice vote.

H.R. 4482, passed the Full Committee by voice vote and was referred favorably to the House of Representatives also by voice vote.

H.R. 3670, passed the Full Committee by voice vote and was referred favorably to the House of Representatives also by voice vote.

On May, 18, 2012, H.R. 4114 was placed on the Union Calendar, Calendar No. 340.

OVERSIGHT ACTIVITIES

Full Committee—Examining VA's Pharmaceutical Prime Vendor Contract

On Feb 1, 2012, the Full Committee held an oversight hearing to review the Department of Veterans Affairs Pharmaceutical Prime Vendor (PPV) Contract. The hearing examined the delivery system of the PPV contract to ensure safe pharmaceuticals are delivered to veterans in a timely manner at a competitive price after

it was confirmed that VA employees had illegally purchased pharmaceuticals in violation of acquisition regulations and other laws over the life of the contract.

Testifying on the first panel were representatives from the Department of Veterans Affairs including the Honorable Scott Gould, Deputy Secretary of Veterans Affairs.

The second panel consisted of representatives from the Office of Inspector General, Department of Veterans Affairs.

The third panel consisted of a representative from McKesson Corporation, a pharmaceutical distribution company. See Examining VA's Pharmaceutical Prime Vendor Contract, Serial No. 112-40.

Full Committee—U.S. Department of Veterans Affairs Budget Request for Fiscal Year 2013

On February 15, 2012, the Full Committee held a hearing to review the U.S. Department of Veterans Affairs Budget request for fiscal year 2013.

The Honorable Eric K. Shinseki, Secretary of the U.S. Department of Veterans Affairs, and numerous VSOs provided testimony. See U.S. Department of Veterans Affairs Budget Request for Fiscal Year 2013, Serial No. 112-43.

Full Committee—Joint House and Senate Committee on Veterans' Affairs To Receive Legislative Presentation of the Disabled American Veterans (DAV)

On February 28, 2012, the Full Committee held a joint hearing with the Senate Veterans' Affairs Committee to receive testimony from the Disabled American Veterans (DAV) on its 2012 legislative priorities with concerns over VA's budget and the specter of sequestration.

The first and only panel consisted of representatives from the Veterans Service Organization, Disabled American Veterans. See Legislative Presentation of the Disabled American Veterans, Serial No. 112-46.

Full Committee—Joint House and Senate Committee on Veterans' Affairs Hearing To Receive Legislative Presentation of the Veterans of Foreign Wars (VFW)

On March 7, 2012, the Full Committee participated in a joint hearing with the Senate Veterans' Affairs Committee to receive testimony from the Veterans of Foreign Wars (VFW) on its 2012 legislative priorities.

The first and only panel consisted of representatives from the Veterans Service Organization, Veterans of Foreign Wars. This hearing was hosted by the Senate Veterans' Affairs Committee; and therefore does not have a Serial No.

Full Committee—Joint House and Senate Committee on Veterans' Affairs Hearing To Receive Legislative Presentation of Veterans Service Organizations

On March 21, 2012, the Full Committee held a joint hearing with the Senate Veterans' Affairs Committee to receive the legislative presentations of Veterans Service Organizations. This hearing was

hosted by the Senate Veterans' Affairs Committee, and therefore does not have a Serial No.

Full Committee—Joint House and Senate Committee on Veterans' Affairs Hearing To Receive Legislative Presentation of Veterans Service Organizations

On March 22, 2012, the Full Committee held a joint hearing with the Senate Veterans' Affairs Committee to receive the legislative presentations of multiple Veterans Service Organizations. Representatives from the organizations cited several topics of concern during the hearing, to include the Post-9/11 GI Bill, veteran unemployment rates, mental health care for veterans, sequestration, the disability claims backlog, and burial and memorial benefits. The subject of sequestration was of the greatest concern, with witnesses voicing their approval for the actions taken by both Committees to avoid cuts to veterans' healthcare.

The first and only panel testifying included Charles Susino, Senior Vice Commander, American Ex-Prisoners of War; John R. Davis, Director of Legislative Programs, Fleet Reserve Association; Colonel Bob Norton, (USA-Ret), Deputy Director of Government Relations, Military Officers Association of America; Jamie H. Tomek, Chair, Government Relations Committee, Gold Star Wives; Allen E. Falk, National Commander, Jewish War Veterans; Bill Lawson, National President, Paralyzed Veterans of America; Sam Huhn, National President, Blinded Veterans Association; John R. "Doc" McCauslin (CMSGT-Ret.), Chief Executive Officer, Air Force Sergeants Association; Major General Gus Hargett, President, National Guard Association of the United States; Gary L. Fry, National Commander, AMVETS. See Legislative Presentation of PVA, AFSA, BVA, AMVETS, GSW, FRA, MOAA, JWV, NGAUS, Serial No. 112-51.

Full Committee—From the Ground Up: Assessing Ongoing Delays in VA Major Construction

On March 27, 2012, the Full Committee held a hearing to discuss the topic of ongoing delays in VA Major Construction. Members of the House Committee on Veterans' Affairs questioned VA officials regarding four major construction projects in Orlando, Florida, Las Vegas, Nevada, Denver, Colorado, and New Orleans, Louisiana, estimated to cost more than \$3 billion, as well as to receive status updates on VA major medical facility leases, which collectively have start up costs of \$442 million, across the country. With extensive problems arising at numerous sites, Committee Members expressed frustration over delays, accountability issues, and potential cost overruns. Of the 55 major medical lease sites currently authorized, only five are open, 38 are behind schedule, and 14 are delayed three or more years.

The first panel included Miller Gorrie, Chairman of the Board, Brasfield & Gorrie, accompanied by Tim Dwyer, President, South Region, Brasfield and Gorrie; and John P. O'Keefe, President, National Group, Clark Construction Group LLC.

The second panel consisted of representatives from the U.S. Department of Veterans Affairs, including; the Honorable Robert A. Petzel, M.D., Under Secretary for Health, Veterans, Health Health Administration; Glenn D. Haggstrom, Executive Director, Office of

Acquisitions, Logistics, and Construction, accompanied by Robert L. Neary, Jr., Acting Executive Director, Office of Construction & Facilities Management; and Bart Bruchok, Resident Engineer, Office of Construction and Facilities Management. See *From the Ground Up: Assessing Ongoing Delays in VA Major Construction*, Serial No. 112–52.

Full Committee—From the Inside Out: A Look at Claims Representative’s Roles in the Disability Claims Process

On April 18, 2012, the Full Committee held a hearing to discuss the topic of claims representative’s roles in the disability claims process to determine if veterans who receive competent representation fare better in VA’s disability claims process than those without, and if those with representation create efficiency within the system.

The first panel consisted of several representatives from Veterans Service Organizations. Mr. Jeffrey Hall, Assistant National Legislative Director, Disabled American Veterans; Mr. James Wear, Assistant Director for Veterans Benefits Policy, Veterans of Foreign Wars; and, Mr. Randall Fisher, Department Service Officer of Kentucky, The America Legion testified before the Committee.

Mr. Paul Sullivan, Managing Director for Public Affairs and Veteran Outreach, Bergmann and Moore, LLC testified on the second panel.

During the third panel, testimony was provided by Mr. Tom Murphy, Director of Compensation Service, Veterans Benefits Administration, U.S. Department of Veterans Affairs. See *From the Inside Out: A Look at Claims Representatives Roles in the Disability Claims Process*, Serial No. 112–57.

Full Committee—VA Mental Health Care Staffing: Ensuring Quality and Quantity

On May 8, 2012, the Full Committee conducted a hearing to discuss the topic of the Department of Veterans Affairs health care staffing issues. The Committee called upon VA to explain how mental health services have devolved into a lack of accessibility and care for veterans in need as exposed in an April VAOIG Report.

During the first panel, the Honorable Eric K. Shinseki, Secretary of the U.S. Department of Veterans Affairs provided testimony. The Secretary was accompanied by several representatives from the U.S. Department of Veterans Affairs.

During the second panel, testimony was given by Nicole L. Sawyer, PsyD, and Licensed Clinical Psychologist; Diana Birkett Rakow, Executive Director of Public Policy, Group Health Cooperative; James Schuster, MD, MBA, Chief Medical Officer, Community Care Behavioral Health Organization of University of Pittsburgh Medical Center; and, RADM Thomas Carrato, USPHS (Ret.), President, Health Net Federal Services.

The third panel included testimony provided by several Veterans Service Organizations. See *VA Mental Health Care Staffing: Ensuring Quality and Quantity*, Serial No. 59.

Full Committee—Reviewing the Implementation of Major Provisions of the VOW to Hire Heroes Act of 2011

On May 31, 2012, the Full Committee held a hearing to review the implementation of the major provisions of the VOW to Hire Heroes Act of 2011. The VOW to Hire Heroes Act of 2011 is the signature veterans' legislation of the 112th Congress. Officials from the departments of Labor (DoL) and Veterans Affairs (VA) testified on the implementation of the law to date. The Veterans Retraining Assistance Program (VRAP) was the main focus of the hearing. VRAP will provide up to one year of Montgomery GI Bill benefits to unemployed veterans ages 35–60, for in-demand jobs and careers. The Committee applauded efforts by the departments at the program staff-level, but cautioned that more needed to be done to promote VRAP. In addition, Committee Members also expressed concern that DoL and VA were not taking the appropriate steps to ensure that veterans were aware VRAP existed.

During the first and only panel, testimony was received from the Honorable Allison Hickey, Under Secretary for Benefits, U.S. Department of Veterans Affairs. Hon. Hickey was accompanied by Curtis L. Coy, Deputy Under Secretary for Economic Opportunity, Veterans Benefits Administration, U.S. Department of Veterans Affairs. Mr. Ismael Ortiz, Jr., Acting Assistant Secretary, Veterans' Employment and Training Service, U.S. Department of Labor also provided testimony during the first and only panel. Mr. Ortiz was accompanied by Gerri Fiala, Deputy Assistant Secretary, Employment and Training Administration (ETA), U.S. Department of Labor. See *Reviewing the Implementation of Major Provisions of the VOW to Hire Heroes Act of 2011*, Serial No. 64.

Full Committee—Through the Looking Glass: Return to PPV

On June 6, 2012, the Full Committee conducted a hearing to discuss the Department of Veterans Affairs Pharmaceutical Prime Vendor Contract. This hearing was a follow up to the previous hearing on the same topic held by the Committee on February 1, 2012. The hearing revealed as a result of ongoing Committee investigations highlighting VA's long-standing practice of purchasing pharmaceuticals on behalf of veterans, to be in violation of several federal laws through its Pharmaceutical Prime Vendor (PPV). Although improvements to PPV contracting within VA have occurred since late last year, VA has continued to purchase pharmaceuticals off-contract amounting to millions of dollars. The Chairman swore in the witnesses on the first panel. The swearing in of a witness has not taken place during a House Veterans' Affairs Full Committee hearing in six years.

The Honorable W. Scott Gould, Deputy Secretary of Veterans Affairs, U.S. Department of Veterans Affairs provided testimony on the first panel. Hon. Gould was accompanied by several representatives from the Department of Veterans Affairs: John R. Gingrich, Chief of Staff; Philip Matkovsky, Assistant Deputy Under Secretary for Health for Administrative Operations, Veterans Health Administration; Glenn D. Haggstrom, Executive Director, Office of Acquisitions, Logistics, and Construction; Jan R. Frye, Deputy Assistant Secretary, Office of Acquisition and Logistics; Steven A. Thomas, Director, National Contracting Service National Acquisi-

tion Center; and Michael Valentino, Chief Consultant, Pharmacy Benefits Management Services.

Panel two consisted of Linda A. Halliday, Assistant Inspector General for Audits and Evaluations, Office of the Inspector General, U.S. Department of Veterans Affairs, accompanied by Gary Abe, Director, Seattle Office of Audits and Evaluations, Office of Inspector General, U.S. Department of Veterans Affairs and Maureen Regan, Counselor to the Inspector General, Office of Inspector General, U.S. Department of Veterans Affairs, accompanied by Michael Grivnovics, Director, Federal Supply System Division, Office of Contract Review, Office of Inspector General, U.S. Department of Veterans Affairs.

Paul Flach, Vice President, Health Systems National Accounts, McKesson Corporation provided testimony on panel 3. See *Through the Looking Glass: Return to PPV*, Serial No. 67.

ACTIVITIES OF THE SUBCOMMITTEE ON DISABILITY ASSISTANCE AND MEMORIAL AFFAIRS

LEGISLATIVE ACTIVITIES

Subcommittee Markup of H.R. 4114, A.N.S. to H.R. 4142, and A.N.S. to H.R. 2377

On April 18, 2012, the Subcommittee on Disability Assistance and Memorial Affairs met and marked up H.R. 4114, Veterans' Compensation Cost-of-Living Adjustment Act of 2012; H.R. 4142, American Heroes COLA Act; and H.R. 2377, RAPID Claims Act.

On April 18, 2012, H.R. 2377 and H.R. 4142 were amended and forwarded favorably to the Full Committee.

On April 18, 2012, H.R. 4114 was forwarded favorably to the Full Committee.

On May 18, 2012, H.R. 4114 was reported by the Committee on Veterans' Affairs to the House Rept. 112-486.

On May 18, 2012, H.R. 4114 was placed on the Union Calendar, Calendar No. 340.

OVERSIGHT ACTIVITIES

Subcommittee Hearing—Rating the Rating Schedule—The State of VA Disability Ratings in the 21st Century

On January 24, 2012, the Subcommittee held a hearing on the state of VA Disability Ratings. The Subcommittee questioned witnesses on the differences between DoD and VA ratings systems, ratings that are often in direct conflict with each other, and therefore often causing confusion for the veteran. In addition, the Members of the Subcommittee asked if DoD and VA planned to standardize the ratings system to equalize physical and mental injuries.

On the first panel testimony was provided by representatives from various Veterans Service Organizations.

On the second panel testimony was provided by representatives from the Department of Veterans Affairs and the Department of Defense.

On the third panel testimony was provided by LTG James Terry Scott USA (Ret.), Chairman, Advisory Committee on Disability Compensation. See *Rating the Rating Schedule—The State of VA Disability Ratings in the 21st Century*, Serial No. 112-39.

Subcommittee Budget Hearing—Fiscal Year 2013

On February 16, 2012, the Subcommittee held a hearing on the budget for fiscal year 2013. The Subcommittee questioned when the Administration would make a decision on the question of sequester and whether requests for additional funding were being used appropriately to best serve veterans.

On the first panel testimony was provided by representatives from the Department of Veterans Affairs.

On the second panel testimony was provided by Hon. Max Cleland, Secretary, American Battle Monuments Commission.

On the third panel testimony was provided by Hon. Bruce E. Kasold, Chief Judge, United States Court of Appeals for Veterans Claims.

On the fourth panel testimony was provided by representatives from Disabled American Veterans and AMVETS. See Budget Hearing—Fiscal Year 2013, Serial No. 112–44.

Subcommittee Hearing—Honoring America’s Fallen Heroes: An Update on our National Cemeteries

On March 8, 2012, the Subcommittee held a hearing on the state of National Cemeteries. The hearing reviewed NCA’s progress in mending the harm revealed by a national audit and reviewed measures taken to ensure greater accountability at National Cemeteries, including Arlington National Cemetery.

On the first panel testimony was provided by representatives from the Department of Veterans Affairs, the Department of Defense, and the American Battle Monuments Commission.

On the second panel testimony was provided by representatives from Veterans Service Organizations and from the National Funeral Directors Association. See Honoring America’s Fallen Heroes: An Update on our National Cemeteries, Serial No. 112–50.

Subcommittee Hearing—Re-evaluating the Transition From Service Member to Veteran: Honoring a Shared Commitment To Care for Those Who Defend our Freedom

On March 28, 2012, the Subcommittee held a hearing on the transition process from active duty service to veteran. The hearing reviewed progress made by the DoD and VA in implementing the Integrated Disability Evaluation System (IDES); members expressed the need for DoD and VA to continually re-evaluate and adjust IDES to better serve those who have been wounded in defense of our nation, including achieving transparency, improving consistency, and eliminating duplicative processes between the two departments.

On the first panel testimony was provided by representatives from the Department of Veterans Affairs and Department of Defense.

On the second panel testimony was provided by representatives from Project HOPE, the Fisher House Foundation, Inc., and the Advisory Committee on Disability Compensation.

On the third panel testimony was provided by representatives from various Veterans Service Organizations. See Re-evaluating the Transition from Service Member to Veteran: Honoring a Shared Commitment to Care for Those Who Defend our Freedom, Serial No. 112–53.

Subcommittee Legislative Hearing—H.R. 4142, H.R. 4114, H.R. 2051, H.R. 2498, H.R. 2377, H.R. 2717, H.R. 4168, H.R. 4213

On March 29, 2012, the Subcommittee held a hearing on H.R. 4142, American Heroes COLA Act; H.R. 4114, Veterans' Compensation Cost-of-Living Adjustment Act of 2012; H.R. 2051, Veterans Missing in America Act of 2011; H.R. 2498, Veterans Day Moment of Silence Act; H.R. 2377, RAPID Claims Act; H.R. 2717, to direct the Secretary of Veterans Affairs to designate one city in the United States each year as an "American World War II City", and for other purposes; H.R. 4168, Caring for the Fallen Act; and H.R. 4213, to amend title 38, United States Code, to require judges of the United States Court of Appeals for Veterans Claims to reside within fifty miles of the District of Columbia, and for other purposes.

On the first panel, testimony was provided by Members of Congress, Rep. Frank Guinta, Rep. Barney Frank, Rep. Mike McIntyre, and Rep. Joe Donnelly.

On the second panel, testimony was provided by various constituent witnesses.

On the third panel, testimony was provided by representatives from the American Battle Monuments Commission and the Department of Veterans Affairs.

On the fourth panel testimony was provided by Hon. Bruce E. Kasold, Chief Judge, United States Court of Appeals for Veterans Claims.

On the fifth panel testimony was provided by representatives from multiple Veterans Service Organizations. See Legislative Hearing—H.R. 4142, H.R. 4114, H.R. 2051, H.R. 2498, H.R. 2377, H.R. 2717, H.R. 4168, H.R. 4213, Serial No. 112–54.

Subcommittee Hearing—Discovering a More Efficient Process: Improving Timeliness and Adequacy of VA Compensation and Pension Examinations

On April 23, 2012, the Subcommittee held a field hearing on the timeliness and adequacy of VA compensation and pension examinations at Ocean County College in Toms River, New Jersey. All testimony reported that many Veterans found the examination process frustrating due to delays in scheduling and perceived inattention from the examiner. The VSOs also encouraged a cultural shift at VA to look more favorable at VAMC treatment records and private physicians' records, which would render a number of VA examinations unnecessary.

On the first panel testimony was provided by representatives from the New Jersey Governor's Council for Military and Veterans Affairs and by various Veterans Service Organizations.

On the second panel testimony was provided by the Department of Veterans Affairs. See Discovering a More Efficient Process: Improving Timeliness and Adequacy of VA Compensation and Pension Examinations, Serial No. 112–58.

Subcommittee Hearing—Honoring our Nation's Veterans: Examining the Veterans Cemetery Grants Program

On May 14, 2012, the Subcommittee held a field hearing on the Veterans Cemetery Grants program at Fillmore County Courthouse

in Preston, Minnesota. The field hearing addressed the Veterans Cemetery Grants Program, and specifically a pending grant in Mr. Walz's district.

On the first panel testimony was provided by representatives from various Veterans Service Organizations.

On the second panel testimony was provided by Fillmore County officials.

On the third panel testimony was provided by Minnesota State Senator Jeremy Miller and the Minnesota Department of Veterans Affairs.

On the fourth panel testimony was provided by the U.S. Department of Veterans Affairs. See Honoring our Nation's Veterans: Examining the Veterans Cemetery Grants Program, Serial No. 112-60.

Subcommittee Legislative Hearing—H.R. 2355, H.R. 2996, H.R. 4299, H.R. 5735, H.R.5880, H.R.5881, H.R. 2720

June 6, 2012, the Subcommittee held a hearing on H.R. 2355, Hallowed Grounds Act; H.R. 2996, Gulf War Syndrome 'Presumptive Illness' Extension Act of 2011; H.R. 4299, Quality Housing for Veterans Act; H.R. 5735, to provide for the establishment of a Tomb of Remembrance at Arlington National Cemetery for interment of cremated fragments of the remains of members of the Armed Forces killed in Afghanistan, Iraq, or a subsequent conflict when the fragments are unidentifiable by use of DNA testing or other means because of the condition of the fragments, are unclaimed, or are identified and authorized by the person designated to direct disposition of the remains for interment in such memorial; H.R. 5880, Veterans Disability Examination Access Improvement Act; H. R. 5881, Access to Veterans Benefits Improvement Act; H.R. 2720, to clarify the role of the Department of Veterans Affairs in providing a benefit or service related to the interment or funeral of a veteran, and for other purposes.

On the first panel testimony was provided by Members of Congress, Rep. Steve Stivers, Rep. Vicky Hartzler, Rep. Larry Kissell and Rep. John Culberson.

On the second panel testimony was provided by representatives from various Veterans Service Organizations.

On the third panel testimony was provided by Lisa Ward, widow to Major Richard Ward, U.S. Army, Persian Gulf War and Kelly Shackelford, President, The Liberty Institute as well as by other Veterans Service Organization representatives.

On the fourth panel testimony was provided by representatives from the Department of Veterans Affairs and the Department of Defense. See Legislative Hearing—H.R. 2355, H.R. 2996, H.R. 4299, H.R. 5735, H.R.5880, H.R.5881, H.R. 2720, Serial No. 112-66.

Subcommittee Facility Visit—Salt Lake City Regional Office

On February 22-24, 2012, Professional Staff Member on the Subcommittee on Disability Assistance and Memorial Affairs visited the Salt Lake City regional office to evaluate the VBMS system. The VBMS demonstration ran smoothly and VA is continuing to work on technical issues with scanning documents. VA plans to roll out VBMS at three additional RO's by June; however, some con-

cerns were expressed with the system's ability to handle a large number of users at the time of full roll out. Accordingly, the Committee is holding a hearing on this topic June 19, 2012. Further, an additional site visit with Chairman Runyan was planned for later in the spring.

Subcommittee Facility Visit—Philadelphia Veterans' Cemetery

On April 22–23, 2012, the Subcommittee's Professional Staff Member and Research Assistant participated in a visit to conduct oversight on the Philadelphia Veterans' Cemetery and the Brick CBOC. The grounds were in good shape as they had recently been raised and realigned; additional maintenance projects needed at the cemetery are repaving and curbing the sidewalks and work to the iron gates, requests for contracts on these projects have been made.

Subcommittee Facility Visit—St. Paul, Minnesota Regional Office and the Rochester CBOC

On May, 14, 2012, the HVAC Deputy Staff Director and a Professional Staff Member on the Disability Assistance and Memorial Affairs Subcommittee visited the St. Paul, Minnesota RO and the Rochester CBOC. At St. Paul the staff followed up on two recommendations that were made in a January 2011 Regional Office audit by VA OIG; reviewed the Regional Offices's five oldest claims and received a status update on them; and discussed providing increased access to county veterans service officers. At Rochester the staff received a tele-health demonstration and inquired about mental health staffing; CBOC staff expressed their interest in developing a partnership with the nearby Mayo Clinic.

Subcommittee Facility Visit—Providence Regional Office

On May 25, 2012, Professional Staff Member visited the Providence, Rhode Island regional office to evaluate new developments in the implementation of the VBMS system. Follow-ups were recommended on scanning, search features, piecemeal documents, and access for service officers and general system improvements.

ACTIVITIES OF THE SUBCOMMITTEE ON ECONOMIC OPPORTUNITY

LEGISLATIVE ACTIVITIES

Subcommittee Markup of H.R. 3670, H.R. 4048, H.R. 4051, and H.R. 4072

On March, 28, 2012, the Subcommittee met and marked up H.R. 3670, To require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act; H.R. 4048, Improving Contracting Opportunities for Veteran-Owned Small Businesses Act of 2012; H.R. 4051, TAP Modernization Act of 2012; and H.R. 4072, Consolidating Veteran Employment Services for Improved Performance Act of 2012.

On March 28, 2012, the Subcommittee met and marked up H.R. 3670, H.R. 4051, H.R. 4072 which all passed the Subcommittee by voice vote and were reported favorably to the Full Committee by voice vote.

An Amendment in the Nature of a Substitute was offered to H.R. 4048 and accepted. H.R. 4048 as amended was reported favorably to the Full Committee.

OVERSIGHT ACTIVITIES

Subcommittee Hearing—Lowering the Rate of Unemployment for the National Guard

On February 2, 2012, the Subcommittee held a hearing to discuss the topic of lowering rate of unemployment for the National Guard. The Committee heard from the National Guard Adjutants Generals from Indiana, Iowa, and Tennessee on their efforts to reduce the unemployment rate amongst National Guardsmen. Federal officials from the Departments of Labor, Defense, and the Employer Support for the Guard and Reserves also presented their views.

The first panel consisted of the President of VetJobs as well as the President of the Manufacturing Institute.

The second panel consisted of representatives from the Tennessee National Guard, the Iowa National Guard and the Indiana National Guard as well as the Department of Defense, a representative from Iowa Employer Support of Guard and Reserve and the National Guard Bureau.

The third panel consisted of a representative from the Department of Labor. See Lowering the Rate of Unemployment for the National Guard, Serial No. 112–41.

Subcommittee Legislative Hearing—H.R. 3329, H.R. 3483, H.R. 3610, H.R. 3670, H.R. 3524, H.R. 4048, H.R. 4051, H.R. 4052, H.R. 4057, and H.R. 4072

On March 8, 2012, the Subcommittee held a hearing on H.R. 3329, to amend title 38, United States Code, to extend the eligibility period for veterans to enroll in certain vocational rehabilitation programs; H.R. 3483, Veterans Education Equity Act of 2011; H.R. 3610, Streamlining Workforce Development Programs Act of 2011; H.R. 3670, to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act; H.R. 3524, Disabled Veterans Employment Protection Act; H.R. 4048, Improving Contracting Opportunities for Veteran-Owned Small Businesses Act of 2012; H.R. 4051, TAP Modernization Act of 2012; H.R. 4052, Recognizing Excellence in Veterans Education Act of 2012; H.R. 4057, Improving Transparency of Education Opportunities for Veterans Act of 2012; H.R. 4072, Consolidating Veteran Employment Services for Improved Performance Act of 2012.

Representation from VA, DOL, DOD as well as several VSOs testified before the subcommittee. See Subcommittee on Economic Opportunity Legislative Hearing on H.R. 3329, H.R. 3483, H.R. 3610, H.R. 3670, H.R. 3524, H.R. 4048, H.R. 4051, H.R. 4052, H.R. 4057, and H.R. 4072, Serial No. 112–49.

Subcommittee Hearing—Examining Executive Order #13607 and Its Impact on Schools and Veterans

On May 16, 2012, the Subcommittee held a hearing to discuss the topic of the Executive Order #13607 and how it impacts schools and veterans.

The first panel consisted of representatives from several Veterans Service Organizations.

The second panel consisted of representatives from the higher education community.

The third panel consisted of a representative from the Department of Veterans Affairs as well as representatives testifying on behalf of the National Association of State Approving Agencies. See Examining Executive Order #13607 and Its Impact on Schools and Veterans, Serial No. 112–62.

Site Visit—Quantico, VA

On April 5, 2012, the Subcommittee on Economic Opportunity Republican and Democratic Staff traveled to Marine Corps Base Quantico, to observe Transition Assistance Program (TAP) classes. The group was escorted by OLA from the Marine House Liaison Office.

ACTIVITIES OF THE SUBCOMMITTEE ON HEALTH

LEGISLATIVE ACTIVITIES

The Subcommittee did not conduct any legislative activities from January 1, 2012 through June 1, 2012.

OVERSIGHT ACTIVITIES

Site Visit—Bay Pines, Tampa, and Orlando, Florida

On January 9, 2012, Majority staff conducted an oversight visit of the Bay Pines Department of Veterans Affairs Health Care System. The purpose of the site visit was to evaluate the facility's mental health and residential rehabilitation programs and actions taken to address identified physical security weaknesses. On January 10–11, 2012, Chairman Miller and Majority staff conducted an oversight visit of the of the James A. Haley Veterans Affairs Hospital (JAHVH) in Tampa, Florida, and the Orlando Department of Veterans Affairs Medical Center (VAMC), Lake Nona construction site. The purpose of the site visit to JAHV was to evaluate: clinical operations and the Polytrauma Rehabilitation Center; a proposal to construct a specially designed long-term care facility called "Hero's Ranch" to promote the ongoing recovery of wounded warriors with traumatic brain injury; and ongoing and planned construction projects—including an option for the construction of a new bed tower to provide the capacity and flexibility needed to meet changing medical care needs and eliminate space and standard deficiencies in the existing tower. The purpose of the site visit to the Orlando VAMC, Lake Nona construction site was to evaluate the progress and problems with the construction of the new Orlando VAMC. The visit identified serious issues with the project including design errors, omissions, and deficiencies; medical equipment and procurement delays; communication breakdowns between VA and the general contractor; and significant schedule delays. The visit resulted in the March 27, 2012, Full Committee hearing, "From the Ground Up: Assessing Ongoing Delays in VA Major Construction."

Site Visit—Las Vegas, Nevada

On February 4–5, 2012, Chairman Miller and Majority staff conducted an oversight visit of the Department of Veterans Affairs (VA) Southern Nevada Health Care System in Las Vegas, NV, to include the construction site of the new Las Vegas VA Medical Center and the Mike O’Callaghan Federal Hospital. The site visit was part of the Committee’s ongoing effort to examine the status of the ongoing VA major construction projects and address issues with the management and oversight of facility contracts, design, construction, and activation. Specifically, the visit allowed the Committee to assess whether the Las Vegas project had experienced issues regarding project design and completion; medical equipment and procurement; contractor relations; and schedule delays, all of which have led to significant setbacks in Orlando, Florida and other VA major construction project sites.

Site Visit—Dayton, Ohio; Ft. Wayne, Indiana; St. Louis, Missouri; and Little Rock, Arkansas

February 20–22, 2012, Chairman Miller conducted an oversight visit of the Dayton National Cemetery in Dayton, OH; the Department of Veterans Affairs (VA) Northern Indiana Health Care System in Fort Wayne, IN; the VA St. Louis Healthcare System, John Cochran Division and the National Cemetery Administration Training Center in St. Louis, MO; and the Central Arkansas Veterans Healthcare System in Little Rock, AR. The purpose of the site visits was to: (1) assess actions taken by the Dayton National Cemetery following reported weaknesses identified from a National Cemetery Administration Audit and evaluate proposed plans for expansion; (2) examine plans and assess options for the construction of an outpatient annex and participate in a veterans update and legislative forum, on behalf of Representative Stutzman; (3) assess actions taken to address identified deficiencies regarding compliance with reusable medical equipment standards, standard operating procedures, and staff training and competency requirements in the John Cochran Division’s Supply, Processing, and Distribution Department; and, (4) evaluate efforts to relocate the Little Rock Day Treatment (Drop-In) Center for homeless veterans. The site visit to the VA Northern Indiana Health Care System in Fort Wayne, IN, also included a tour of the Parkview Health Center, a community-based health facility adjacent to the current VA campus, and an assessment of its suitability as a possible site for the CBOC relocation. Majority staff accompanied the Chairman on the site visits to the VA Northern Indiana Health Care System in Fort Wayne, IN, and the VA St. Louis Healthcare System, John Cochran Division.

Subcommittee Hearing—Building Bridges between VA and Community Organizations To Support Veterans and Families

On February 27, 2012, the Subcommittee on Health met in open session to conduct an oversight hearing on the role of community providers and faith-based organizations in helping servicemembers, veterans, and their families’ transition from active-duty to civilian life and the need to foster better communication, education, and collaboration between the Department of Veterans Affairs (VA) and

these resources. The Subcommittee focused on VA's relationship with faith-based and community organizations and actions necessary to establish meaningful and effective partnerships to better support veterans and families in their home communities.

Panel one included Andy Davis, a veteran, and Director Saratoga County Veterans Service Agency Saratoga County, New York.

Panel two included testimony provided by, Chaplain John J. Morris, Joint Force Headquarters Chaplain Minnesota National Guard; Shelley MacDermid Wadsworth, Ph.D., Director, Military Family Research Institute Purdue University; M. David Rudd, Ph.D. ABPP, Dean, College of Social and Behavioral Sciences Scientific Director, National Center for Veteran Studies University of Utah; and, George Ake, III, Ph.D., Assistant Professor of Medical Psychology, Duke University American Psychological Association.

Panel three included Rev. E. Terri LaVelle, Director Center for Faith-based and Neighborhood Partnerships, Office of the Secretary, U.S. Department of Veterans Affairs; and Chaplain Michael McCoy Sr., Associate Director, National Chaplain Center, Veterans Health Administration, U.S. Department of Veterans Affairs. See *Building Bridges between VA and Community Organizations to Support Veterans and Families*, Serial No. 112-45.

Site Visit—Amarillo, Texas

On March 12, 2012, Chairman Miller conducted an oversight visit of the Thomas E. Creek Department of Veterans Affairs Medical Center (VAMC), in Amarillo, TX. The purpose of the site visit was to evaluate options for the proposed expansion of the Lubbock Community-based Outpatient Clinic (CBOC). As part of that effort, the Chairman toured the Texas Tech University Health Sciences Center to evaluate a proposal to construct the Lubbock CBOC adjacent to the University Medical Center in an effort to increase access to care, improve coordination with community resources, and provide enhanced services to the veteran community.

Site Visit—Modesto, California

On April 4-5, 2012, Majority and Minority staff conducted an oversight visit of the Department of Veterans Affairs (VA) Palo Alto Health Care System in Modesto, CA. The purpose of the site visit was to: (1) evaluate the quality of the primary and specialty care services provided to veterans at the Modesto Community-based Outpatient Clinic; (2) evaluate the services provided to servicemembers, veterans, and their families through the Modesto Vet Center; and, (3) participate in a Subcommittee field hearing on readjustment counseling services provided at VA Vet Centers, at the request of Representative Denham.

Subcommittee Hearing—Vet Centers and the Veterans Health Administration: Opportunities and Challenges

On April 5, 2012, in Modesto, California, the Subcommittee on Health met in open session to conduct an oversight field hearing on readjustment counseling services provided at Department of Veterans Affairs (VA) Vet Centers. The Subcommittee examined the services provided to servicemembers, veterans, and their families through Vet Centers and evaluated the role of such centers within the larger VA health care system. The Subcommittee also

addressed the implementation of Section 304 of Public Law 111–163, the Caregiver and Veterans Omnibus Health Services Act of 2010, which requires VA to establish a program to provide mental health services to immediate family members of returning veterans particularly those who served in the National Guard and Reserve, and section 401, which made active-duty servicemembers eligible to receive readjustment counseling at VA Vet Centers.

Panel one included Bruce Thiesen, a veteran from Fresno, CA; Ryan Lundebly, a veteran from Modesto, CA; Philip White, a veteran from Modesto, CA; and, Chris Lambert, a veteran from Citrus Heights, CA.

Panel two included Carolyn S. Hebenstreich, Veterans Service Officer with Stanislaus County Department of Veterans Affairs; Ron Green, San Joaquin County Veterans Service Officer; Roger Duke, Readjustment Counseling Therapist at Modesto Vet Center; Randall Reyes, Outreach Coordinator for the Modesto Vet Center; and, Lisa Freeman, Director of VA Palo Alto Health Care System for Veterans, Health Administration for the U.S. Department of Veterans Affairs. A statement for the record was provided by the Veterans Health Administration Central Office. See Vet Centers and the Veterans Health Administration: Opportunities and Challenges, held in Modesto, CA Serial No. 112–55.

Site Visit—Denver, Colorado

On April 6, 2012, Majority staff conducted an oversight visit of the replacement Department of Veterans Affairs Medical Center (VAMC) in Denver, CO. The site visit was part of the Committee’s ongoing efforts to examine the status of ongoing VA major construction projects and address issues with the management and oversight of facility contracts, design, construction, and activation, which have led to significant setbacks in some instances.

Subcommittee Legislative Hearing—H.R. 1460, H.R. 3016, H.R. 3245, H.R. 3279, H.R. 3337, H.R. 3723, and H.R. 4079

On April 16, 2012, the subcommittee held a legislative hearing on H.R. 1460, a bill to provide for automatic enrollment of veterans returning from combat zones into the VA medical system, and for other purposes; H.R. 3016, a bill to direct the Secretary of Defense and the Secretary of Veterans Affairs to jointly operate the Federal Recovery Coordination Program, and for other purposes; H.R. 3245, the Efficient Service for Veterans Act; H.R. 3279, to amend title 38, United States Code, to clarify that caregivers for veterans with serious illnesses are eligible for assistance and support services provided by the Secretary of Veterans Affairs; H.R. 3337, the Open Burn Pit Registry Act of 2011; H.R. 3723, the Enhanced Veteran Healthcare Experience Act of 2011; and, H.R. 4079, the Safe Housing for Homeless Veterans Act.

Panel one included the Honorable William Owens, U.S. Representative from the 23rd District of New York; the Honorable John Barrow, U.S. Representative from the 12th District of Georgia; the Honorable Jeff Denham, U.S. Representative from the 19th District of California; the Honorable Silvestre Reyes, U.S. Representative from the 16th District of Texas; the Honorable W. Todd Akin, U.S. Representative from the 2nd District of Missouri; the Honorable Robert T. Schilling, U.S. Representative from the 17th

District of Illinois; and, the Honorable David B. McKinley, U.S. Representative from the 1st District of West Virginia.

Panel two included Shane Barker, Senior Legislative Associate for the Veterans of Foreign Wars; Adrian Atizado, Assistant National Legislative Director for the Disabled American Veterans; Reno A. Campos, Commander, U.S. Navy (Ret.) and Deputy Director of Government Relations for the Military Officers Association of America; Ramsey Sulayman, Legislative Associate for the Iraq and Afghanistan Veterans of America; and, Ralph Ibson, National Policy Director for the Wounded Warrior Project. Panel three included Robert L. Jesse, M.D., Ph.D., the Principal Deputy Under Secretary for Health for the Veterans Health Administration for the U.S. Department of Veterans Affairs. Dr. Jesse was accompanied by Susan Blauert, the Deputy Assistant General Counsel for the Office of General Counsel for the U.S. Department of Veterans Affairs. Statements for the record were provided by the Institute of Medicine, Burn Pits 360, Humana Government, the National Coalition of Homeless Veterans, the National Association of State Fire Marshals, the Paralyzed Veterans of America, and the American Legion. See Subcommittee Legislative Hearing on H.R. 1460, H.R. 3016, H.R. 3245, H.R. 3279, H.R. 3337, H.R. 3723, and H.R. 4079 Serial No. 112–56.

Site Visit Syracuse and Canandaigua, New York

On April 19–20, 2012, Chairman Miller, Representative Buerkle, and Majority and Minority staff conducted an oversight visit of the Syracuse Department of Veterans Affairs Medical Center (VAMC) in Syracuse, NY. The purpose of the trip was to evaluate the clinical operations of the Syracuse VAMC and to participate in a veterans forum hosted by the Syracuse University Institute for Veterans and Military Families. Majority staff also conducted an oversight visit of the Canandaigua VAMC to evaluate the Suicide Prevention Center of Excellence (CoE) and the Veterans Crisis Line, which were established to prevent suicide among the veteran population, and the Combined Heating and Power (CHP) Renewable Energy Project, which was awarded as part of the American Recovery and Reinvestment Act funding.

Subcommittee Hearing—Optimizing Care for Veterans with Prosthetics

On May 16, 2012, the Subcommittee met in open session to conduct an oversight hearing to review the current capabilities of the Department of Veterans Affairs (VA) to deliver state-of-the-art care to veterans with amputations. Issues the Subcommittee examined include the: (1) demand and utilization of health care services; (2) quality of care and gaps in services throughout the system; (3) impact of procurement reform and suitability of acquisition and management policies; and (4) ability for a veteran to select and access the practitioner that best meets their needs.

Panel one included John Register, a veteran from Colorado Springs, CO, and Jim Mayer, a veteran from Arlington, VA.

Panel two included Michael Oros, a Board Member for the American Orthotic & Prosthetic Association; Joy Ilem the Deputy National Legislative Director for the Disabled American Veterans; Jonathan Pruden, the Southeast Alumni Manager for the Wounded

Warrior Project; and, Alethea Predeoux, the Associate Director of Health Legislation for the Paralyzed Veterans of America.

Panel three included Linda A. Halliday, the Assistant Inspector General for Audits and Evaluations for the Office of the Inspector General for the U.S. Department of Veterans Affairs and John D. Daigh, Jr., M.D., the Assistant Inspector General for Healthcare Inspections for the Office of Inspector General for the U.S. Department of Veterans Affairs. Ms. Halliday and Dr. Daigh were accompanied by Nicholas Dahl, the Director of the Bedford Office of Audits and Evaluation for the Office of Inspector General for the U.S. Department of Veterans Affairs; Kent Wrathall, the Director of the Atlanta Office of Audits and Evaluation for the Office of Inspector General for the U.S. Department of Veterans Affairs; and, Robert Yang, M.D., a Physician from the Office of Healthcare Inspections for the Office of Inspector General for the U.S. Department of Veterans Affairs.

Panel four included Lucille Beck, Ph.D., the Acting Chief Consultant of the Prosthetics and Sensory Aids Service for the Veterans Health Administration for the U.S. Department of Veterans Affairs. Dr. Beck was accompanied by Joe Webster, M.D., the National Director for the Amputation System of Care for the Veterans Health Administration for the U.S. Department of Veterans Affairs; Joe Miller, Ph.D., the National Program Director for Orthotic and Prosthetic Services for the Veterans Health Administration for the U.S. Department of Veterans Affairs; and Norbert Doyle, M.B.A., the Chief Procurement and Logistics Officer for the Veterans Health Administration for the U.S. Department of Veterans Affairs. See *Optimizing Care for Veterans with Prosthetics*. Serial No. 112-61.

ACTIVITIES OF THE SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

LEGISLATIVE ACTIVITIES

There were no legislative activities from January 1, 2012–June 1, 2012.

OVERSIGHT ACTIVITIES

Subcommittee Hearing—Reforming VA’s Flawed Fiduciary System

On February 9, 2012, the Subcommittee held an oversight hearing to address the flaws in VA’s current Fiduciary System. Serious problems included withholding and embezzling veterans’ funds. The hearing also brought to light severe problems VA faces within the fiduciary system; many practices in the field are not in sync with VA’s own policies.

The first panel included testimony from Dave McLenachen, Director of Pension and Fiduciary Service, U.S. Department of Veterans Affairs, accompanied by Diana Rubens, Deputy Under Secretary for Field Operations, U.S. Department of Veterans Affairs.

The second panel included testimony from Doug Rosinski, Attorney, Law Office of Douglas J. Rosinski, Esq. Katrina Eagle, Attorney, Law Office of Katrina J. Eagle, Esq. Pam Estes, Veteran Fiduciary, Rick Weidman, Executive Director for Policy & Government

Affairs, Vietnam Veterans of America. See Reforming VA's Flawed Fiduciary System, Serial No. 112-42.

Subcommittee Hearing—VA's Dubious Contracting Practices: Savannah

On March 6, 2012, the Subcommittee held an oversight hearing to examine the Department of Veterans Affairs (VA) construction contracting practices. The Subcommittee examined the proposed construction of the community based outpatient clinic in Savannah, Georgia as a case study of VA construction contracting practices nationwide. Significant miscalculations of changes to the size and scope of construction projects have caused construction delays, faulty contracting practices, and cost overruns.

The first and only panel consisted of testimony from Robert L. Neary, Acting Executive Director, Office of Construction and Facilities Management, DVA accompanied by, George Szwarcman, Director, Real Property Services, DVA, Brandi Fate, Director, Capital Asset Management and Support, Veterans Health Administration, DVA. See VA's Dubious Contracting Practices: Savannah, Serial No. 112-47.

Subcommittee Hearing—Purchasing Perspective: VA's Prosthetics Paradox

On May 30, 2012, the Subcommittee held an oversight hearing to review and assess VA's prosthetic acquisition process. The Subcommittee addressed the abuse in prosthetic contracting, VA's inability to audit prosthetic purchases, and a new policy for biologics, which sets the terms for the purchasing of biological-based medicines and procedures as prosthetic devices. VA provides care to approximately 42,000 veterans with limb loss, and VA prosthetic costs have more than doubled in the past five years, yet VA's care has fallen behind that of the Department of Defense (DoD).

The first panel included testimony from Michael Oros, Board Member, American Orthotic & Prosthetic Association, and Daniel Shaw, Managing Partner, Academy Medical, LLC.

The second panel consisted of testimony from Charles Scoville, Chief of Amputee Patient Care Service, Walter Reed National Military Medical Center, U.S. Department of Defense, and other members from Department of Veterans Affairs.

The third panel included statement from Philip Matkovsky, Assistant Deputy under Secretary for Health for Administrative Operations Veterans Health Administration, along with other members from the U.S. Department of Veterans Affairs. See Purchasing Perspective: VA's Prosthetics Paradox, Serial No. 112-63.

EXECUTIVE BRANCH COMMUNICATIONS

January 17, 2012: Letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Medical Benefits for Newborn Children of Certain Women Veterans (RIN: 2900-AO05) received December, 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A).

January 18, 2012: Letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Sched-

ule for Rating Disabilities; Evaluation of Amyotrophic Lateral Scleriosis (RIN: 2900–AN60) received December 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A).

January 18, 2012: Letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting, the Department’s final rule—Loan Guaranty Revised Loan Modification Procedures (RIN: 2900–AN78) received, December 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A).

January 19, 2012: Letter from Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans, transmitting, the Department’s final rule—Payment or Reimbursement for Emergency Treatment Furnished by NON-VA Providers in Non-VA Facilities to Certain Veterans with Service-connected or Nonservice-connected Disabilities (RIN: 2900–AN49) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A).

February 2, 2012: Letter from Director of Regulation Policy and Management, Office of the general Counsel, Department of Veterans Affairs, transmitting the Department’s final rule—Extension of Statutory Period For Compensation For Certain Disabilities Due To Undiagnosed Illnesses and Medically Unexplained Chronic Multi-Symptom Illnesses (RIN: 2900–AO09) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A).

February 7, 2012: Letter from the Director, National Legislative Commission, The American Legion, transmitting, the financial statement and independent audit of The American Legion, proceedings of the 93rd Annual National Convention of the American Legion, held in Minneapolis Minnesota from August 26–September 1, 2011, and a report on the Organization’s activities for the year preceding the Convention, pursuant to 36 U.S.C. 49.

February 7, 2012: Letter from Director of Regulation Policy and Management, Office of the general Counsel, Department of Veterans Affairs, transmitting the Department’s “Major” final rule—Vocational Rehabilitation and Employment Program—Changes to Subsistence Allowance (RIN: 2900–AO10) received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A).

February 17, 2012: Letter from Director of Regulation Policy and Management, Office of the general Counsel, Department of Veterans Affairs, transmitting the Department’s final rule—Medical Foster Homes (RIN: 2900–AN80) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A).

February 17, 2012: Letter from Director of Regulation Policy and Management, Office of the general Counsel, Department of Veterans Affairs, transmitting the Department’s final rule—Parents Eligible for Burial (RIN: 2900–AO12) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A).

February 21, 2012: Letter from Director of Regulation Policy and Management, Office of the general Counsel, Department of Veterans Affairs, transmitting the Department’s final rule—Tribal Veterans Cemetery Grants (RIN: 2900–AN90) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A).

February 21, 2012: Letter from Director of Regulation Policy and Management, Office of the general Counsel, Department of Veterans Affairs, transmitting the Department’s final rule—Dental Conditions (RIN: 2900–AN28) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A).

February 27, 2012: Letter from Director of Regulation Policy and Management, Office of the general Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Schedule for Rating Disabilities; AL Amyloidosis (Primary Amyloidosis) (RIN: 2900–AN75) received February 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A).

March 26, 2012: Letter from Director of Regulation Policy and Management, Office of the general Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Due Date of Initial Application requirements for State Home Construction Grants (RIN: 2900–AN77) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A).

March 26, 2012: Letter from Director of Regulation Policy and Management, Office of the general Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Drug and Drug-Related Supply Promotion by Pharmaceutical Company Representatives at VA Facilities (RIN: 2900–AN24) received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A).

March 27, 2012: Letter from Director of Regulation Policy and Management, Office of the general Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Exempting In-Home Video Telehealth from Copayments (RIN: 2900–AO26) received March 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A).

April 18, 2012: Letter from Assistant Secretary, Department of Defense, transmitting proposed legislation, titled “National Defense Authorization Act for Fiscal Year 2013”.

April 19, 2012: Message from the President of the United States transmitting the Administrations 2012 National Drug Control Strategy, pursuant to 21 U.S.C. 1504.

May 17, 2012: Letter from the Speaker: A memorial of the Senate of the State of Florida, relative to Senate Memorial 1080 urging the Congress to initiate and support nationwide efforts to commemorate the 40th anniversary of the end of the United States' involvement in the Vietnam War.

May 18, 2012: Letter from Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Rules Governing Hearings Before the Agency of Original Jurisdiction and the Board of Veterans' Appeals; Repeal of Prior Rule Change (RIN: 2900–AO43) received April 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A).

May 18, 2012: Letter from Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Payment of Reimbursement for Emergency Services for Nonservice-Connected Conditions in Non-VA Facilities (RIN: 2900–AN86) received April 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A).

May 31, 2012: Letter from Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Technical Revisions to Update Reference to the Required Assessment Tool for State Nursing Homes Receiving Per Diem Payments from VA (RIN: 2900–AO02) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A).

June 7, 2012: Letter from Director of Regulation Policy and Management, Office of the general Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Copayments for Medication in 2012 (RIN: 2900–AO28) received May 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A).

