

National Legislative Division Weekly

GRASSROOTS ACTION UPDATE

With the House of Representatives at a standstill, The American Legion is reinforcing our earlier preparations for a possible FY2024 government shutdown. National Legislative Division (NLD) Staff are continuing to monitor and advocate for the [Pay Our Troops Act](#) (H.R. 5641), which currently has 102 bipartisan cosponsors.

Additionally, we are giving our support to the [Keep Our Border Agents Paid Act](#) (S. 2999), which would ensure that U.S. Customs and Border Protection and U.S. immigration and Customs Enforcement are paid in the event of a government shutdown.

To see other legislation on which the Legion is acting, please visit our [Grassroots Action Center](#).

VA MEDICAL LICENSURE AND EDUCATION BENEFITS EXPANDED UNDER NEW LAW

Friday, October 6th, President Joe Biden signed into law [S. 2795](#), sponsored by Senator Jon Tester (D-MT) (Pictured below, with President Biden). The new law extends the eligibility and applicability of VA-licensed healthcare professionals to perform medical disability exams, increases the amount of time a student veteran has to reapply education benefits, and increases the period of eligibility for certain VA home loan fees. The new law also extends VA's emergency preparedness funds for a public health emergency to 2028. The bill, which is now [Public Law 118-19](#), abates the time constraints on a variety of VA programs and benefits in one fell swoop.



The law first addresses VA licensure to perform disability exams. For many years, VA health care facilities have struggled with [limited workforce capacity](#). While recruitment and retention are a major component of this issue, a simple way to ease the burden of VA staff is to limit the administrative hurdles they face. For this purpose, Public Law 118-19 expanded the validity of VA licensure to perform disability exams from 3 years to 5 years. This two-year extension not only prevents VA health care workers from spending valuable time on unnecessary training, but also increases the availability of staff who can perform disability exams for our veterans.

The new law then moves to increase eligibility for education and home loans. Just as it gives VA health care professionals 2 additional years to complete training, the bill provides students who are affected by the closure or disapproval of educational programs with 2 extra years of applicability for relief. Currently,

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if a student transfers fewer than 12 credits of a closed or disapproved programs, those credits are not considered to be received, and therefore nothing will be deducted from the individual's VA education assistance as long as the program closure or disapproval occurs [before September 30, 2023](#). [Under S. 2795](#), this allowance will be extended until September 30, 2025.

For active-duty veterans and reservists who have loans under Title 38 of U.S. Code, the VA home loan [fees are stabilized at relatively low rates](#), only rising above 3.0% for 3 out of the 22 listed loan types. Currently, many of these loans and rates must be closed on or before November 14th, 2023. The language of the new bill extends this date to November 15th, 2023.

These 3 extensions on benefits, along with the prolonged appropriations for VA emergency preparedness, provide our veterans with greater flexibility about how and when they apply their benefits. The bill's sponsor [Senator Jon Tester \(MT\) said](#), "We have a responsibility to ensure veterans have certainty when it comes to accessing the support they earned in service to our nation. That's why I'm proud to have led the bipartisan effort to make sure VA can continue to deliver these essential services and programs to our veterans and their families.... I'll always fight to protect veterans' access to the care and benefits they earned."

HOUSE DESCENDS INTO CHAOS WITHOUT A SPEAKER

Ten days have passed since the unprecedented [ousting of Former Speaker McCarthy](#). But these few days have been plenty to cause chaos on Capitol Hill.

Without a Speaker, the House of Representatives was forced to suspend action on the 12 appropriations bills for fiscal year 2024, which are increasingly critical as the government edges towards a shutdown. Not only were the appropriations bills brought to a halt, but the House was unable to bring a single bill of any kind to consideration this week. Most harrowing, however, has been the House's inability to respond to the [attacks on Israel this week by Hamas](#).

Since the Hamas offensive began on October 7th, [over 2,200 deaths have occurred this week](#), including 20 Americans. In the conflict, [which has claimed almost 7,000 lives since 2008](#), the United States has loyally supported Israel and does not recognize a legitimate Palestinian government. President Biden promised that this alliance would continue steadfastly for the duration of the War. "We're going to continue to stand united," [said the President](#), "supporting the people of Israel who are suffering unspeakable losses." While the symbolic support of this message is strong, [little action can be taken to support President Biden's](#) words until the House has a Speaker and can approve funding for Israel.

In a closed door meeting on Wednesday, October 11th, [House Republicans selected their candidate](#) to replace Rep. Kevin McCarthy as speaker. Majority Leader Steve Scalise (R-La.-1) narrowly defeated Rep. Jim Jordan (R-Oh.-4) with a [113-99 vote](#) during the GOP conference. But, with the increasingly clear realization that he would not secure the 217 votes needed to land the position of Speaker, Scalise withdrew from the race leaving the GOP back at square one.

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In the meantime, House Democrats took the initiative to [nominate Rep. Hakeem Jeffries \(D-NY-8\)](#) for Speaker of the House, although it is highly unlikely that a minority party member will be able to garner the support of 217 representatives. With the GOP divided on their nominee and the odds against a Democratic candidate, Republican lawmakers are floating a resolution to [grant Speaker Pro Tempore Patrick McHenry \(R-NC-10\) \(pictured below\) additional powers](#) allowing Congress to function under semi-normal conditions.

[As stated by Rep. Steve Womack \(R-Ark.-3\)](#), “There’s not a playbook” to fill the Speaker vacuum. If Rep. McHenry is given more authority in his role, [which is essentially nominal](#) under the current conditions, the questions remain of what authorities he will have and how long his authority will last.

The need for a Speaker of the House is becoming increasingly urgent each day, as appropriations remain unallocated, American allies continue to face attacks, and countless bills remain stalled. With next week marking a month until government funding expires, Congress must move quickly to elect a speaker and continue on with business.



SENATOR RICK SCOTT PUSHES FOR GUARANTEED BORDER PATROL PAY

With the threat of a government shutdown still lingering, lawmakers on Capitol Hill are continuing to arrange emergency measures to guarantee pay for federal employees who have not received pay during past shutdowns. From Representative Jen Kiggans’ [Pay Our Troops Act](#) to Senator Ted Cruz’s [Pay Our Coast Guard Act](#), The American Legion is heartened to see the Armed Forces at the forefront of lawmakers’ preparation for possible shutdowns.

Senator Rick Scott (Fla.), who has been a supporter for military pay in the event of a government shutdown, has advanced the [Keep Our Border Agents Paid Act](#), to ensure Border Patrol agents are also guaranteed their pay. The United States Border Patrol, like the Coast Guard, falls [under the purview of the Department of Homeland Security](#) (DHS). [During the 2019 shutdown](#), both agencies performed their duties without timely pay until the DHS budget was approved. While Legislation like that of Rep. Kiggans and Sen. Cruz, would alleviate this burden for the Coast Guard in fiscal year 2024, Border Patrol agents would still be put at financial risk as they wait for their back pay.

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Sen. Scott introduced the [Keep Our Border Agents Paid Act](#), S. 2999, on the 29th of September. The bill, which has been referred to the Senate Committee on Homeland Security and Governmental Affairs, mirrors the language of other legislation regarding shutdown pay. S. 2999 proposes that any unallocated Treasury funds will be used to pay Border Patrol employees and certain contractos. The bill also states that these treasury funds could be used to pay certain benefits for captives, compensation for employee disability, and certain funeral expenses.



The President of National Border Patrol Council, Brandon Judd, has publicized his support of the legislation. Judd thanked Senator Scott for protecting “The wellbeing of all brave agents on the frontlines.” Judd says that although Border Patrol agents will work with pay if they have to for the good of the country, the bill will ensure they don’t have to worry “about keeping food on the table for [their] families” while protecting the country’s borders.

The American Legion gives its full support to the bill; our citizens on the frontlines of defense should never have to worry about receiving fair and timely pay. [As National Commander Daniel J. Seehafer stated this week](#), “America must always maintain a strong national defense and secure borders.” And we must return this protection to the brave men and women on the frontlines.

LEGIONNAIRE OF THE WEEK

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.

Philip Kiley, Connecticut

This week, we recognize the initiative of Mr. Philip Kiley of the Department of Connecticut. Mr. Kiley went to Congressman Joe Courtney’s district office to advise on 2 key issues: securing transportation for senior veterans to and from the pharmacy and medical appointments, and the ramifications of shutdown on

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servicemembers. Kiley and staff focused on Coast Guard pay parity, as the district houses the U.S. Coast Guard Academy.

Mr. Kiley, your promotion of The American Legion, servicemembers and veterans is beyond impressive. We thank you for the time and energy you've put into these endeavors.

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 kryan@legion.org.

LEGISLATIVE DIVISION UPDATES

On Monday, October 9th, National Commander Daniel J. Seehafer declared the Legion's support for Israel against the recent Hamas offensive, and offered words of comfort to the American troops who are working to deescalate the conflict. [The full press release can be read here](#).

Legislative Division Director Julia Mathis spent the week in Indianapolis for the Fall NEC meeting where Chairwoman Patricia Harris gave the Fall legislative report to the National Executive Council. Chairman Rick Oertel was reappointed as National Legislative Council Chairman

As part of our ongoing grassroots efforts, NLD staff will be traveling to posts around the country to provide **grassroots training** tailored to the hosting department's needs. If you are interested in hosting a grassroots training event, please contact grassroots@legion.org or ejohnson@legion.org.

UPCOMING CONGRESSIONAL HEARINGS

On Wednesday, October 18th at 10:00 AM EST, the Senate Armed Services Committee and Senate Veterans' Affairs Committee will hold a joint hearing to examine military to civilian transition, focusing on improving care and lowering costs. A recording of the hearing will be posted [here](#).

On Wednesday, October 18th at 3:00 PM EST, the House Veterans' Affairs Committee Subcommittee on Economic Opportunity will hold a hearing to examine pending legislation. **The American Legion's own Kevin O'Neil, Economic and Education Policy Associate will be testifying.** A recording of the hearing will be posted [here](#).

On Thursday, October 19th at 10:00 AM EST, the House Veterans' Affairs Committee Subcommittee on Oversight and Investigation will hold a hearing titled "Trust in Transparency: Holding VA Accountable and Protecting Whistleblowers." A recording of the hearing will be posted [here](#).

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On Thursday, October 19th at 1:30 PM, the House Veterans' Affairs Committee Subcommittee on Health will hold a hearing titled "Emerging Therapies: Breakthroughs in the Battle Against Suicide?" A recording of the hearing will be posted [here](#).