

National Legislative Division Weekly

VA ELECTRONIC HEALTH RECORD IMPLEMENTATION STILL ON DELAY

The rollout of VA's new Electronic Health Record (EHR) system has been plagued with glitches and errors. The new system, called Oracle Cerner, [was meant to modernize VA's information sharing capabilities and patient care tracking](#). The ultimate goal of these modernization efforts was to streamline VA health services and increase the efficiency and quality of care. But, after its initial 2020 rollout, the software quickly proved it would only [complicate access to care](#).

Billions of dollars spent over budget and hundreds of technical problems identified in Oracle Cerner's first few months. Most alarming, however, is that the system's failures were connected to at least [four Veteran deaths](#). The fatal incompetency of Oracle's EHR drew the attention, and the anger, of many lawmakers. [Rep. Tony Gonzalez \(R-Tex.\)](#) said of the system's failures, "People are dying, and it's costing taxpayers money...a lot of money." Under pressure from lawmakers and civilian stakeholders, VA suspended the system's rollout in April of 2023. [In a statement regarding the suspension](#), VA said it "would continue to work closely with Oracle to improve reliability and performance of the EHR."

On Wednesday, September 13th, VA [made a claim](#) that the agency-wide adoption of Oracle Cerner could begin again by the summer of 2024, although lawmakers still seem skeptical. The Director of the VA Electronic Health Record Modernization Office, [Dr. Neil Evans, told lawmakers](#) he feels the path towards reimplementing is on "a positive trajectory." During hearings this week, Evans maintained this optimism while members of The House Appropriations Committee Subcommittee on Military Construction and Veterans Affairs (Milcon) questioned him and his colleagues; during this process, it became glaringly clear that Evans' optimism was not shared.

[House Veterans' Affairs Chair Mike Bost \(R-Ill.\)](#) said frankly of the EHR rollout, "It has been a nightmare," before threatening to pull the plug on the operation. Not only has the estimated cost of Oracle Cerner almost doubled to \$50.8 billion over the next 28 years, but the system has not been successfully implemented in more than five locations. Chairman Bost went on to say, "I carry the carrot and the stick... The stick got their attention. That is good because we need to wake them up to how bad this has gotten." To counter the Chairman and other members of Congress during hearings, [Dr. Evans declared](#) that the VA was engaging in even more risk by not allowing Oracle to perform as the VA's uniform EHR system.



Chairman Mike Bost (R-Ill.)

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Over the course of the hearing, which can be watched [here](#), congressional pessimism did not seem to waver. Representative Gonzalez (R-Tex.) went as far as to tell Dr. Evans that he did not believe the hearing was going well. Unfortunately for Rep. Gonzalez and other members of the House, no other modernization strategy for EHR modernization has been laid out, tying both the hands of VA and Congress. With NDAA debates overwhelming congress this month, it is unlikely that a verdict on Oracle Cerner will be reached any time soon. But, it seems that Congress is reluctant to continuing shoulder the sunk cost.

RUSSIA-NORTH KOREA SUMMIT

On the morning of September 13th a concerning alliance with Cold War roots reaffirmed its presence on the world stage. At the Vostochny Cosmodrome in the Russian Far East, North Korea's Kim Jong Un and Russian leader Vladimir Putin [vowed their mutual support](#).



Kim Jong-Un with Vladimir Putin

During the four-hour summit, Kim and Putin demonstrated their distaste for international norms and their acceptance of diplomatic isolation. Putin, increasingly desperate to continue his invasion of Ukraine, is likely looking to access North Korean ammunition and rockets, originally given to Pyongyang by the U.S.S.R. during the Korean War. Some experts in the field estimate that North Korea could have up to [“tens of millions of artillery shells and rockets”](#) that Russia might access freely in the face international sanctions.

Since the February 2022 invasion, the already long list of retributions against Russia grew significantly to over 300 sanctions [according to the U.S. Department of Treasury](#), with many Russian oligarchs facing individual sanction as well. The G7 and other international systems have worked to cut off Russia economically, aiming to suffocate its military capabilities. Unfortunately, [China and other countries](#) who reject the current world order, including North Korea, have stepped in to mitigate any damage. But what tangible resources could countries like China and North Korea be looking to gain by giving their [“full and unconditional support”](#) to such an isolating alliance with Russia?

Putin seems to know exactly what North Korea would like in return for this support, and he flaunted this to Kim at the . The Cosmodrome is Russia's spaceport and the site of all satellite and space launches, a resource and skillset that North Korean officials are hoping to hone. Within the past year, North Korean scientists have tried—and failed—twice to put its first spy satellite into orbit. Because their space agency's success rate has been questionable for many years, [the government has been openly asking for Russian assistance since 2016](#). With Russia in need of weapons, North Korea might finally have the leverage it needs to get assistance from Kremlin scientists.

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A Russo-North Korean partnership on satellite reconnaissance is unsettling for a variety of reasons before one even considers the possible violations of United Nations Security Council resolutions.” Since the early 2000s, [the U.N. has imposed nine sanctions](#) against North Korea for its nuclear and ballistic activities after it abandoned the Non-Proliferation Treaty. The resolutions not only condemn North Korean nuclear and ballistic testing, but also prohibit U.N. Member states transferring or selling “[materials and technologies that could contribute to North Korea’s WMD programs and ballistic missile related activities](#)” and prohibit any joint ventures between North Korea and Member states. By aiding North Korea with their satellite program and soliciting weapons, Russia risks violating these resolutions and losing its stronghold in the United Nations.



James Bryan, the head of the Office Sanctions Coordination at the U.S. State Department, told [The Associated Press](#) that Russia was “scraping the bottom of the barrel” and further isolating its global position by “overtly engaging with a country that the U.N. has sanctioned.”

In the coming months, this new bloc is sure to be of great interest to the U.N. and other intergovernmental security groups. Although the details of any future meetings are not yet known, Russo-North Korean collaboration seems inevitable.

THE THREAT OF A SHUTDOWN STILL LOOMS



Over the past week the U.S. news cycle has been dominated by speculation over the likelihood of the Fiscal Year 2024 National Defense Authorization Act (FY2024 NDAA) being passed by September 30th. [While the Senate passed its version](#) of the bill with relative ease in July, the House version is now riddled with partisan amendments and seems to be stuck on the House floor.

Disagreements across the aisle are typical in the current legislative climate. But this stalemate is far more impactful than the usual partisan gridlock; if Republicans and Democrats in both the House and the Senate

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fail to pass the same version of the FY2024 NDAA by the end of September, or produce a stopgap funding plan, the government will go into full shutdown by October 1st. During a shutdown, over [400 government agencies are unable to operate normally](#).

Areas of Debate:

It is not surprising that partisan disagreement is at the root of the problem. But the issues of controversy in the NDAA and its alternative spending packages are, in many cases, unrelated to defense. The debates range from funding for Ukraine, to abortion policy, to diversity initiatives.

Aid to Ukraine

The NDAA, which passed the Senate in an 87-11 vote on July 27th, includes approximately [\\$300 million in additional assistance to Ukraine](#) for their defense efforts against Russia. This provision is a point of contention in the reconciliation process between the House and Senate, with conservatives in the House Freedom Caucus (HFC) refusing to permit any more assistance to the Ukrainian war effort. “We will oppose any blank check for Ukraine in any supplemental appropriations bill,” [the caucus declared](#) in an August statement. Democrats and more moderate Republicans, on the other hand believe support for Ukraine against Russia is paramount to maintaining our reputation as a protector of democratic values. [In a plea to the Senate](#), Senate Minority Leader Mitch McConnell advocated for more “decisive” support for Ukraine and said that there is “no excuse” for the United States to reduce its aid to an ally against Russia.

Abortion and Reproductive Health Care

While aid to Ukraine is, of course, an important topic of debate in the national defense realm, other points of contention are not as clearly related. For example, conservatives in the house have added amendments concerning abortion and contraceptive restrictions to appropriations bills on agriculture funding and to the NDAA. The motivation behind these provisions comes in part from the fact that the [Department of Defense provides leave and travel reimbursements for servicemembers](#) who cannot access abortion in their own state.

[According to Politico](#), the anti-abortion provision was an attempt to win over the most conservative enclave of the House and “placate influential outside groups” who pushed GOP leaders to act aggressively against abortion. However, the amendments aggravated moderate Republicans and have prompted a quick downward spiral towards shutdown.

Diversity, Equity and Inclusion Initiatives

The NDAA proposed by House Republicans aimed to upend Diversity, Equity, and Inclusion (DEI) initiative in the Department of Defense and other defense agencies. While the spending bill passed by the Senate increased the scrutiny on government diversity programming, it was a far cry from the House bill that [originally aimed to “defund”](#) DEI programs at the Pentagon and military bases.

[Representative Matt Gaetz](#) (R-Fla.) proposed the elimination of the Department of Defense’s chief diversity officer. [Other proposals against DEI initiatives](#) included limits to the kinds of flags that could be flown at military institutions, most likely to ban the presence of any LGBTQ+ affiliated flags. While hardline Republicans are saying these measures reduce unnecessary costs and bureaucracy, Democrats claim that

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their actions prove why the DEI programming is necessary at the state level. [Democratic Nevada Congressman Steven Hosford](#) quipped, “I would encourage [Republicans] to contact the Office of Diversity here at the U.S. Capitol and benefit from the training and resources they have.”

So, What Now?

Currently, the House Republicans are divided against each other and Democrats, and have pulled the rule for the House Defense Bill for the time being. The Senate is attempting to pull together their own funding plan as a shutdown threatens Capitol Hill.

If the House can pass a version of the bill reconciled with the Senate’s, life on the Hill will continue as normal. But, as that seems more unlikely everyday, there are two viable options: a Continuing Resolution or combined spending packages, like the minibus the Senate is currently preparing.



The Senate’s minibus, which would be the first of many, includes the Agriculture-FDA, Military-Construction-VA, and Transportation-HUD spending bills. According to a briefing by CQ, the White House supports this measure. On September 13th, House Speaker Kevin McCarty (R-Calif.) proposed a similar measure which seemed [to be well received by his peers](#), but has not yet been undertaken.

If a reconciled spending package fails to pass the house and the senate, the next option would be [a continuing resolution \(CR\)](#). A CR would be one stopgap bill to fund the government until a specified date. If the House can pass a CR, this could provide extra time for the Senate and House to pass an agreed-upon bill and avoid shutdown. CQ analysts claim that a CR of approximately one month would be the easiest sell if Congress reaches the need for this.

LEGIONNAIRE OF THE WEEK

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

Shawn Moore , Wyoming

This week, we thank Shawn Moore of Wyoming for his advocacy and support. Last month, Mr. Moore met with the office of Congresswoman Harriet Hageman. In their meeting, they discussed veterans’ mental health and possible avenues to prevent veteran suicide.

Shawn, we thank you for your advocacy. The Legislative Division of The Legion is extremely fortunate to have such dedicated supporters.

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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.

UPCOMING WEBINARS

The American Legion's Committee on Foreign Relations is holding a webinar on **Thursday, September 21st at 6 P.M.**

This month's guest speaker is [William Ruger](#). Will is the President of the American Institute for Economic Research, veteran of the Afghanistan War and an officer in the U.S. Navy Reserves. Ruger was nominated by President Trump to serve as the U.S. Ambassador to the Islamic Republic of Afghanistan and was a prominent advocate for ending America's participation in the war there. He will present the case for a less activist U.S. approach to international relations.

If you are interested in attending, please click this URL to join the meeting:
<https://legion.zoom.us/j/94223533490>

We look forward to seeing you next Thursday!

UPCOMING HEARINGS

On Tuesday, September 19th at 10:15 A.M., the House Committee on Veterans' Affairs (Subcommittee on Health) will hold a hearing on the VA's Federal Supremacy Initiative.

On Tuesday, September 19th at 10:35 A.M., the House Committee on Armed Services will hold a hearing regarding Defense Cooperation with Taiwan.

On Tuesday, September 19th at 2:30 P.M., the Senate Committee on Homeland Security and Governmental Affairs (Subcommittee on Emerging Threats and Spending Oversight) will hold hearings to examine advanced technology, focusing on national security threats. The hearing will be streamed [here](#).

On Wednesday, September 20th at 10:00 A.M., the House Committee on Veterans' Affairs (Subcommittee on Economic Opportunity) will hold a hearing to discuss barriers to Veterans' education benefits.

On Wednesday, September 20th at 3:00 P.M., the House Committee on Veterans' Affairs (Subcommittee on Oversight and Investigation) will hold a hearing on VA procurement procedure.