

POLITICS

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A Bipartisan Congress That Works? Veterans Committees Show How It's Done

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WASHINGTON — Magnanimous hearings. Bipartisan votes. Substantial legislation on its way to becoming law.

This is Congress? Something strange is happening in the staid hearing rooms of the House and Senate Veterans' Affairs Committees here this summer, though few have taken notice.

As the rest of Congress fights over the health care overhaul and looming budget deadlines, the committees responsible for writing legislation affecting veterans are quietly moving forward with an ambitious, long-sought and largely bipartisan agenda that has the potential to significantly reshape the way the nation cares for its 21 million veterans. It could also provide President Trump with a set of policy victories he badly wants.

"It's a case study in Washington working as designed," said Phillip Carter, who studies veterans issues at the Center for a New American Security and advises Democrats. "And it's shocking because we so rarely see it these days."

The tally thus far is impressive, if not exactly the stuff of headline news: The secretary of Veterans Affairs was confirmed unanimously, the only cabinet secretary with that level of congressional approval. Congress quickly passed a temporary funding extension for the Veterans Choice Program, which pays for private-sector health care for veterans facing long wait times at government facilities. Then it passed a new law that makes it easier for the department to hire and fire. The next bit of legislation on the brink of becoming law expedites disability benefits appeals.

This is happening as Congress finds itself stalled by a growing list of priorities that lawmakers had hoped to send to Mr. Trump before the August recess. In the case of the health care overhaul, the Senate leadership has even decided to sidestep the committee process that typically sets the pace of legislation moving through the Capitol.

Lawmakers with coveted spots on the veterans committees are quick to acknowledge that caring for those who served the country in uniform has long been largely a bipartisan pursuit. But ideological differences do exist between the parties on how to care for veterans' health needs, particularly when it comes to the Choice program, which was hastily written after a 2014 scandal over the manipulation of patient wait times and has proved to be a flawed, if popular, fix.



Secretary David Shulkin of the Department of Veterans Affairs has retained the confidence of Republicans and Democrats. Al Drago for The New York Times

Whether the latest bout of amity can persist will largely depend on whether lawmakers are able to agree on a way to permanently fix the program, and streamline a half dozen others that send veterans out for private care, before it loses its authorization in January.

But as lawmakers talk about how they will do it, it almost sounds like an idealized version of how Washington works.

“We don’t want to have a fight for fights’ sake. We want to find solutions,” said Johnny Isakson, the courtly Republican chairman of the Senate Committee on Veterans’ Affairs. “So when we have opposition to an issue from a member, we try to bring them into the fold and sometimes maybe address the concern they have.”

Mr. Isakson, 72, a former real estate executive, is among an increasingly rare breed of deal makers in the upper chamber. Those watching the 15-person committee say he has gone a long way to set the tone for its work. He has found a willing partner in Jon Tester of Montana, the committee’s top Democrat, who along with being a political moderate is up for re-election next year in a rural state that voted overwhelmingly for Mr. Trump.

“With Johnny at the helm, we’ve been able to get a lot of stuff done,” Mr. Tester said. “Do Johnny and I agree on everything? No, we don’t, but we believe we can communicate and move forward.”

The 24-member House committee, which is more ideologically diverse, has its own incentives to compromise. Representative Phil Roe of Tennessee, its chairman, was by most accounts chastened by harsh blowback to a draft bill floated in April that would have made service members pay to be eligible for G.I. Bill benefits. The committee’s top-ranking Democrat, Tim Walz of Minnesota, represents a right-leaning rural district and is in the early stages of running for governor. The two men have been working side by side on the committee for nearly a decade.

That both sides remain cautiously confident in the Department of Veterans Affairs secretary, David Shulkin, who also served in the Obama administration, has helped as well.

Mr. Tester and Mr. Walz have shown that they are willing to maneuver their caucuses toward compromise if the Republican position is within range. To pass the accountability legislation, a long-held priority for both parties that had the support of influential veterans' groups, the Democrats had to overcome initial opposition to weakening the protections afforded to department employees accused of wrongdoing. The changes were opposed by the largest federal workers' union. The final legislation, which Mr. Trump signed into law late last month, makes it easier for the department to fire problematic employees, incentivizes whistle-blowing and gives the secretary greater hiring authorities to fill vacant medical center director jobs.

Legislation that overhauls the department's appeals procedure was an easier lift. About half a million veterans have pending claims contesting a Veterans Benefits Administration decision. The process, as currently configured, can take years to sort out. The legislation tries to significantly expedite that process by creating distinct queues for veterans based on the evidence they wish to submit with their claims.

The department had championed a similar proposal during the Obama administration, and it won support from the veterans groups. But then lawmakers ran out of time to move it through Congress. The legislation won quick passage in the House this term and, with Congress returning from recess, is expected to win passage in the upper chamber as well. Lawmakers hope it will become law before the August recess.

The good feeling may soon be put to the test, however. "What they are getting done now is low-hanging fruit," said Paul Rieckhoff, the chief executive of the Iraq and Afghanistan Veterans of America. "You could argue it is a great political strategy: Get points on the board, get wins. But I don't think that's going to last."

Mr. Rieckhoff was referring to negotiations, which are expected to intensify this fall, over a reimagining of the multibillion-dollar Choice program and a half dozen other programs that allow veterans to seek health care in their communities at government expense. In the aftermath of the 2014 scandal, lawmakers created a program that gave veterans facing long wait times and travel distances the option of going to private doctors. But lawmakers from both parties agree that its unnecessarily cumbersome scheduling and payment process, among other problems, needs fixing.

Exactly how to do so is where the fights might occur. Democrats support community care in theory, but they are fearful that Republicans in the majority and the White House could try to use a significant expansion of the program to force further privatization of the department's services. Republicans largely deny that that is their agenda. Mr. Shulkin plans to present lawmakers with the department's own plan, which could either heighten animosities or dampen them.

"If they simply reauthorize Choice resources at the current level, that achieves bipartisan consensus easily," Mr. Carter said. "If they revamp Choice to make it more aggressive, the fiscal implications of that will make many Republicans balk and the privatization implications will make Democrats balk."

The committees remain in the early stages of negotiations. For now, though, Democratic and Republican leaders alike are content to take stock of a rare moment of agreement.

"I think it's been probably the most productive time of any committee I've ever been on," Mr. Walz said. "It's a unique time."

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